

AMENDED IN SENATE MARCH 28, 2016

SENATE BILL

No. 1074

Introduced by Senator Hueso

February 16, 2016

~~An act to amend Section 11340.2 of the Government Code, relating to state government.~~ *An act to amend Section 25463 of the Public Resources Code, relating to energy, and making an appropriation therefor.*

LEGISLATIVE COUNSEL'S DIGEST

SB 1074, as amended, Hueso. ~~State government.~~ *Energy: Federal Trust Fund.*

Existing law authorizes the State Energy Resources Conservation and Development Commission to administer funds appropriated by the federal American Recovery and Reinvestment Act of 2009 (federal act) for the federal Energy Efficiency and Conservation Block Grant Program to award contracts, grants, and loans for energy-related projects.

This bill would, for the fiscal year 2016–17, appropriate to the commission \$13,000,000 from the moneys derived from the federal act in the Federal Trust Fund for the above purposes. The bill would, for the fiscal year 2017–18 and each fiscal year thereafter, continuously appropriate \$2,500,000 annually to the commission from the moneys derived from the federal act in the Federal Trust Fund for the above purposes, until all of those moneys are encumbered or expended.

~~Existing law, for the purpose of reducing and improving administrative regulations, establishes an Office of Administrative Law to review adopted regulations. Existing law provides that the office is under the~~

~~direction and control of a director, appointed by the Governor, subject to confirmation by the Senate.~~

~~This bill would make nonsubstantive changes to those provisions.~~

Vote: majority. Appropriation: ~~no~~ yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Section 25463 of the Public Resources Code is
2 amended to read:

3 25463. (a) Notwithstanding any other provision of this
4 division, federal funds available to the commission pursuant to
5 this chapter may be used by the commission to augment funding
6 for any programs or measures authorized by this division unless
7 otherwise prohibited by the American Recovery and Reinvestment
8 Act of 2009 (Public Law 111-5). The commission may administer
9 any funds used to augment other programs using the procedures
10 of the augmented program consistent with applicable federal law.

11 (b) This section shall be liberally construed to maximize the
12 commission’s ability to utilize and award federal funds
13 expeditiously and in accordance with the American Recovery and
14 Reinvestment Act of 2009 or federal acts related to the American
15 Recovery and Reinvestment Act of 2009.

16 (c) (1) For the fiscal year 2016–17, the sum of thirteen million
17 dollars (\$13,000,000) is hereby appropriated to the commission
18 from the moneys derived from the American Recovery and
19 Reinvestment Act of 2009 in the Federal Trust Fund for purposes
20 authorized by Section 25461.

21 (2) Notwithstanding Section 13340 of the Government Code,
22 for the fiscal year 2017–18 and each fiscal year thereafter until
23 all moneys in the Federal Trust Fund derived from the American
24 Recovery and Reinvestment Act of 2009 have been encumbered
25 or expended, the sum of two million five hundred thousand dollars
26 (\$2,500,000) annually is hereby continuously appropriated to the
27 commission for the purposes authorized by Section 25461.

28 ~~SECTION 1. Section 11340.2 of the Government Code is~~
29 ~~amended to read:~~

30 ~~11340.2. (a) The Office of Administrative Law is hereby~~
31 ~~established in state government in the Government Operations~~
32 ~~Agency. The office shall be under the direction and control of an~~

1 ~~executive officer who shall be known as the director. There shall~~
2 ~~also be a deputy director. The director's term and the deputy~~
3 ~~director's term of office shall be coterminous with that of the~~
4 ~~appointing power, except that they shall be subject to~~
5 ~~reappointment.~~

6 ~~(b) The director and deputy director shall have the same~~
7 ~~qualifications as a hearing officer and shall be appointed by the~~
8 ~~Governor, subject to confirmation by the Senate.~~