

REVENUE: No revenue impact

FISCAL: Minimal fiscal impact, no statement issued

Action: Do Pass
Vote: 8 - 0 - 0
Yeas: Berger, Edwards C., Garrard, Gelser, Jenson, Nolan, Read, Roblan
Nays: 0
Exc.: 0
Prepared By: Patrick Brennan, Administrator
Meeting Dates: 6/19, 6/25

WHAT THE MEASURE DOES: Requires a nongovernmental entity receiving public purpose funds to include on the entity's board of directors a nonvoting ex-officio member that is a member of the Public Utility Commission (PUC). Requires board members and directors of nongovernmental entities that receive public purpose funds to file a Statement of Economic Interest with the PUC. Requires members to declare actual and potential conflicts of interest at regular meetings of the nongovernmental entity's board meetings. Requires annual independent audits of the entity's financial statements. Requires annual filing with the PUC regarding the entity's budget, action plan, quarterly and annual reports. Requires audit reports and budget reports be made available for public review. Allows the PUC to remove a member from the board of a nongovernmental entity that receives public purpose charges if the board members fail to comply with reporting requirements and conflict disclosure requirements.

ISSUES DISCUSSED:

- Transparency of Energy Trust
- Effect of amendment

EFFECT OF COMMITTEE AMENDMENT: No amendment.

BACKGROUND: ORS 757.612 directs electric and power utilities to collect a three-percent "public purpose charge" from retail customers for the purpose of investing in energy-efficient technologies and renewable resources. The funds collected as a result of the public purpose charge are used to finance energy conservation programs, develop renewable energy resources, and weatherize low-income households. Based on the statutory authority of the Public Utility Commission (PUC), the Energy Trust of Oregon, Oregon Housing and Community Service Department, and local education service districts are the authorized entities designated receive the public purpose funds to fulfill the statutory goals described in ORS 757.612 (1).

The Energy Trust of Oregon is a non-profit organization established under the direction of the PUC. As an independent organization, the board of the Energy Trust is self-appointing and its members are not subject to the same public disclosure requirements as other elected or appointed officials. The Energy Trust is the only nongovernmental entity currently authorized to receive and invest public purpose funds. Senate Bill 597-A requires Energy Trust board members to file a Statement of Economic Interest with the PUC and declare actual or potential conflicts of interest before each board meeting.