

PROPOSED AMENDMENTS TO THE ENERGY COMMISSION'S  
CONFLICT-OF-INTEREST CODE, TITLE 20, SECTION 2402.

Note: Additions are shown in underline. ~~Deletions are shown in strikeout.~~

§ 2402. Appendix.

*(a) Designated Positions*

*Assigned Disclosure Categories*

COMMISSIONERS' OFFICES

CEA positions (All levels)

1

Advisor to the Commissioner

1

~~Committee Liaison (any CEC classification)~~

~~1~~

Consultant

\*

OFFICE OF EXECUTIVE DIRECTOR

Executive Director

1

CEA positions (All levels)

1

Information Officer I (Specialist)

7,9

Graphic Designer

9

Energy Commission ~~Program~~ Specialist III (~~Forecasting~~)

1

Energy Commission Specialist I

2,7

Interjurisdictional Exchange (any office or division)

1

Staff Information System Analyst (Supervisor)

1



<u>Staff Information System Analyst (Specialist)</u>	3
Associate Information System Analyst (Specialist)	3
<u>Staff Services Manager II</u>	<u>2,7</u>
Staff Services Manager I	2,7
Special Projects (any CEC classification)	1
Research Specialist III (Economics)	1
Consultant	*
OFFICE OF CHIEF COUNSEL	
Chief Counsel, <del>CEA Level 4</del>	1
Assistant Chief Counsel	1
<u>Attorney Staff Counsel</u> (All levels)	1
Consultant	*
OFFICE OF HEARING ADVISERS	
Chief Hearing Adviser	1
Hearing Adviser II	<u>4,5,6,8</u>
Hearing Adviser I	<u>4,5,6,8</u>
Consultant	*
OFFICE OF THE PUBLIC ADVISER	
Public Adviser	1
Associate Public Adviser	1

<u>Planner II</u>	<u>5,6</u>
Consultant	*
<u>ADMINISTRATIVE AND FINANCIAL MANAGEMENT SERVICES DIVISION</u>	
<u>Deputy Director</u>	<u>1</u>
<u>Consultant (Any branch)</u>	<u>*</u>
<del>HUMAN RESOURCES AND SUPPORT SERVICES BRANCH</del>	
<u>BUSINESS SERVICES BRANCH</u>	
Business Services Assistant	2
Business Services Officer (All levels)	2
<del>Staff Services Manager III</del>	<del>2</del>
<del>Consultant</del>	<del>*</del>
<u>TRAINING, SELECTION, AND EEO</u>	
<u>Staff Services Manager II (Supervisor)</u>	<u>2</u>
INFORMATION TECHNOLOGY SERVICES BRANCH	
Information Systems Analyst (Assistant, Associate, Staff, and Senior)	
Data Processing Manager III	3
<del>Staff</del> Programmer Analyst <u>(All levels)</u>	3
<del>Consultant</del>	<del>*</del>
<del>FINANCIAL SERVICES BUDGET BRANCH</del>	
<del>Staff Services Manager III</del>	<del>1</del>

<u>Staff Services Manager II</u>	<u>1</u>
Consultant	*
<u>CONTRACTS BRANCH</u>	
<u>Staff Services Manager II</u>	<u>2,7</u>
<u>Associate Governmental Program Analyst</u>	<u>2,7</u>
<u>Staff Services Analyst</u>	<u>2,7</u>
<u>GRANTS AND LOANS BRANCH</u>	
<u>Staff Services Manager I</u>	<u>2,7</u>
<u>Associate Governmental Program Analyst</u>	<u>2,7</u>
<u>Staff Services Analyst</u>	<u>2,7</u>
<u>EFFICIENCY AND RENEWABLES DIVISION</u>	
Deputy Director, <del>CEA Level 3</del>	1
<u>Deputy Division Chief</u>	<u>1</u>
Office Manager (All levels)	2,4,7,9
Energy Commission Supervisor II	<u>4,7</u>
<u>Energy Commission Specialist III</u>	<u>4,7</u>
Energy Commission Specialist <u>I, II</u> (All levels)	<u>2,4,7</u>
<u>Associate Energy Commission Specialist</u>	<u>2,4,7</u>
Senior Mechanical Engineer	4,7
Mechanical Engineer	4,7
Associate Mechanical Engineer	<u>4,7</u>

Electrical Engineer ( <u>All levels</u> )	4,7
<del>Associate Electrical Engineer</del>	<del>4,7</del>
Associate Civil Engineer	4,7
<del>Staff Information System Analyst (Specialist)</del>	<del>3</del>
Consultant	*
SITING, TRANSMISSION, AND ENVIRONMENTAL PROTECTION DIVISION	
Deputy Director, <del>CEA Level 3</del>	1
Office Manager (All levels)	1
<u>Staff Services Manager II</u>	<u>2</u>
Planner - Energy Facilities Siting (All levels)	5,6,7,8
Electric Transmission Systems Program Specialist (All levels)	5,6,8
Energy Commission Specialist (All levels)	5,6,8
Staff Toxicologist	5,6,8
<del>Supervising Electrical Engineer (<u>All levels</u>)</del>	<del>5,6,8</del>
<del>Senior Electrical Engineer</del>	<del>5,6,8</del>
<del>Associate Electrical Engineer</del>	<del>5,6,8</del>
<del>Supervising Mechanical Engineer (<u>All levels</u>)</del>	<del>5,6,8</del>
<del>Senior Mechanical Engineer</del>	<del>5,6,8</del>
<del>Mechanical Engineer</del>	<del>5,6,8</del>
<del>Associate Mechanical Engineer</del>	<del>5,6,8</del>

<del>Supervising Engineering Geologist (All levels)</del>	5,6,8
<del>Senior Engineering Geologist</del>	5,6,8
<del>Engineering Geologist</del>	5,6,8
<u>Associate Civil Engineer</u>	<u>5,6,8</u>
<del>Associate Information System Analyst</del>	3
Air Resources Supervisor I	5,6
Air Resources Engineer	5,6
Consultant	*
RESEARCH AND DEVELOPMENT DIVISION	
Deputy Director, <del>CEA Level 3</del>	1
Deputy Division Chief	1
Office Manager (All levels)	1
Energy Commission Supervisor II	5,6,7,9
Energy Commission Specialist III	5,6,7,9
Energy Commission Specialist II	5,6,7,9
Energy Commission Specialist I	5,6,7
Associate Automotive Equipment Standards Engineer	5,6,7
Electric Generation System Specialist I	5,6,7
Associate Energy Specialist	5,6,7
Associate Geologist	5,6,7
<del>Associate Mechanical Engineer (All levels)</del>	5,6,7

<del>Senior Mechanical Engineer</del>	5,6,7
<del>Mechanical Engineer</del>	5,6,7
<del>Senior Electrical Engineer (All levels)</del>	5,6,7
<del>Associate Electrical Engineer</del>	5,6,7
Electric Generation Systems Program Specialist I	5,6,7
Consultant	*
FUELS AND TRANSPORTATION DIVISION	
Deputy Director, <del>CEA Level 3</del>	1
<u>Deputy Division Chief</u>	<u>1</u>
Office Manager (All levels)	2,3,6,7
Energy Commission Supervisor (All levels)	6,7
Energy Commission Specialist (All levels)	6,7
Associate Automotive Equipment Standards Engineer	6,7
<u>Senior Electrical Engineer</u>	<u>6,7</u>
<del>Associate Mechanical Engineer (All levels)</del>	6,7
Associate Energy Specialist	6,7
<del>Senior Mechanical Engineer</del>	6,7
<del>Mechanical Engineer</del>	6,7
Consultant	*

ELECTRICITY SUPPLY ANALYSIS DIVISION

Deputy Director, <del>CEA Level 3</del>	1
Office Manager (All levels)	2,3,5,6
Energy Commission Specialist (All levels)	5,6
Energy Commission Supervisor II	5,6
Electric Generation System Specialist (All levels)	5,6
Mechanical Engineer ( <u>All levels</u> )	5,6
<del>Associate Mechanical Engineer</del>	5,6
<del>Senior Mechanical Engineer</del>	5,6
Electric Generation System Program Specialist (All levels)	5,6
<u>Electric Transmission System Program Specialist (All levels)</u>	<u>5,6</u>
<del>Senior Electrical Engineer (All levels)</del>	5,6
<del>Associate Electrical Engineer</del>	5,6
<del>Electrical Engineer</del>	5,6
Engineering Geologist	5,6
Research Specialist III	5,6
Consultant	*

\*Consultants shall be included in the list of designed positions and shall disclose pursuant to the broadest disclosure category in the code, subject to the following limitation:

The Executive Director may determine in writing that a particular consultant, although a “designated

position,” is hired to perform a range of duties that is limited in scope and thus is not required to fully comply with the disclosure requirements in this section. Such written determination shall include a description of the consultant’s duties and, based upon that description, a statement of the extent of disclosure requirements. The Executive Director’s determination is a public record and shall be retained for public inspection in the same manner and location as this conflict-of-interest code (Gov. Code Section 81008).

### **Officials Covered By Government Code Section 87200**

The following positions are not covered by the conflict-of-interest code because they must file a statement of economic interests under Government Code Section 87200 and therefore, are listed for informational purposes only:

Commissioner, State Energy Resources Conservation and Development Commission

An individual holding one of the above listed positions may contact the Fair Political Practices Commission for assistance or written advice regarding their filing obligations if they believe that their position has been categorized incorrectly. The Fair Political Practices Commission makes the final determination whether a position is covered by section 87200.

#### **(b) Disclosure Categories**

For purposes of the following categories, “business entity” means any organization or enterprise operated for profit, including but not limited to a proprietorship, partnership, firm, business trust, joint venture, syndicate, corporation or association. “Business position” refers to status as a director, officer, partner, trustee, employee, or holder of a position of management in any business entity.

##### *Category 1*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, interests in real property, and investments and business positions in business entities.

##### *Category 2*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities that provide services, supplies, materials, machinery, or equipment of the type purchased, leased, or obtained by contract by the Energy Commission for use by the Energy Commission, its members, employees, or consultants.

### *Category 3*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities that manufacture, sell, distribute, or otherwise provide computers, computer hardware, computer software, computer services, computer models, or computer-related supplies, materials, machinery, or equipment of the type utilized by the Energy Commission.

### *Category 4*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities engaged in the design, manufacture, sale, distribution, assessment, calibration, evaluation, or testing of any appliance, equipment, product, program, service, or structure required to be approved by or to meet standards set by the Energy Commission.

### *Category 5*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities that engage in the design, development, construction, sale, or the acquisition of facilities that generate electricity, including, but not limited to, wind, solar, geothermal, hydroelectric, ocean, garbage, and biomass.

### *Category 6*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities that are energy or environmental consultants, research firms, or engineering firms, business entities that design, build, manufacture, sell, distribute, or service equipment of the type that is utilized by electric power suppliers, including, but not limited to, wind, solar, geothermal, hydroelectric, ocean, garbage, and biomass, or any energy-producing entity that is a party to a an Energy Commission proceeding.

### *Category 7*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities of the type that have applied for or received any loan or grant from the Energy Commission.

### *Category 8*

Designated positions assigned to this category must report all interests in real property located within the state of California and zoned or used primarily for industrial or commercial purposes.

*Category 9*

Designated positions assigned to this category must report all sources of income, including gifts, loans, and travel payments, from, and investments and business positions in, business entities of the type that have contracted with the Energy Commission to provide services related to the design, editing, production, drafting, artwork, printing, publication, or distribution of an Energy Commission document.

Note: Authority cited: Sections 87300 and 87306, Government Code. Reference: Sections 87200 and 87302, Government Code.