

THE GENERAL ASSEMBLY OF PENNSYLVANIA

HOUSE BILL

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INTRODUCED BY KOSINSKI, STEIGHNER, WESTON, JAROLIN, PRATT,  
TIGUE, BELFANTI, HALUSKA, LINTON, CARN, F. E. TAYLOR, TRELLO,  
CAWLEY, STABACK AND FOX, FEBRUARY 27, 1985

REFERRED TO COMMITTEE ON CONSUMER AFFAIRS, FEBRUARY 27, 1985

AN ACT

1 Amending Title 66 (Public Utilities) of the Pennsylvania  
2 Consolidated Statutes, providing for a Citizens Utility  
3 Board.

4 The General Assembly of the Commonwealth of Pennsylvania  
5 hereby enacts as follows:

6 Section 1. Title 66 of the Pennsylvania Consolidated  
7 Statutes is amended by adding a chapter to read:

8 CHAPTER 35

9 CITIZENS UTILITY BOARD

10 Subchapter

11 A. General Provisions

12 B. Citizens Utility Board

13 SUBCHAPTER A

14 GENERAL PROVISIONS

15 Sec.

16 3501. Short title of chapter.

17 3502. Declaration of policy.

18 3503. Definitions.

1 § 3501. Short title of chapter.

2 This chapter shall be known and may be cited as the Citizens  
3 Utility Board.

4 § 3502. Declaration of policy.

5 The purpose of this chapter is to promote the health,  
6 welfare, safety and education of all the citizens of this  
7 Commonwealth by ensuring effective and democratic representation  
8 of individual residential utility consumers before the  
9 commission, the General Assembly, the courts, regulatory  
10 agencies and other public bodies, and by providing for consumer  
11 education on utility service prices and on benefits and methods  
12 of energy conservation and use. This purpose shall be deemed a  
13 Statewide interest and not a private or special concern.

14 § 3503. Definitions.

15 The following words and phrases when used in this chapter  
16 shall have the meanings given to them in this section unless the  
17 context clearly indicates otherwise:

18 "Board." The Citizens Utility Board.

19 "District." A corporation district, the boundaries of which  
20 are congruent with the boundaries of the congressional districts  
21 in this Commonwealth.

22 "Enclosure." A card, leaflet, envelope or any combination  
23 thereof furnished pursuant to section 3521 (relating to mailing  
24 procedure).

25 "Immediate family." A person's spouse and legal dependents.

26 "Member." A person who satisfies the requirements for  
27 membership under section 3511(b) (relating to creation and  
28 membership of corporation).

29 "Periodic customer billing." A request for payment for  
30 utility services by a public utility to a residential utility

1 consumer on a monthly or other regular basis.

2 "Public utility."

3 (1) Any public utility described in the definition of  
4 "public utility" in section 102(1)(i), (ii), (iv) and (v)  
5 (relating to definitions).

6 (2) The term "public utility" does not include:

7 (i) A cooperative association organized for the sole  
8 purpose of generating, distributing or furnishing  
9 telephone service or electric energy to its members only.

10 (ii) A bona fide cooperative association which  
11 furnishes service only to its stockholders or members on  
12 a nonprofit basis.

13 (iii) A producer of natural gas not engaged in  
14 distributing such gas directly to the public for  
15 compensation.

16 "Utility consumer" An individual who lives in a dwelling  
17 which is located in this Commonwealth and which is furnished  
18 with a utility service by a public utility, and whose name  
19 appears on a utility bill.

20 "Utility service." Electricity, natural gas, water and  
21 telephone service supplied by a public utility.

22 SUBCHAPTER B

23 CITIZENS UTILITY BOARD

24 Sec.

25 3511. Citizens Utility Board.

26 3512. Powers and duties of corporation.

27 3513. Board of directors.

28 3514. Election of directors.

29 3515. Duties of directors.

30 3516. Director's statement of financial interest.

1 3517. Board officers.  
2 3518. Executive director.  
3 3519. Interim board of directors.  
4 3520. Annual membership meeting.  
5 3521. Mailing procedure.  
6 3522. Public records.  
7 3523. Corrupt practices and conflicts of interest.  
8 3524. Prohibited acts.  
9 3525. Duties of Auditor General.  
10 3526. Corporation to be nonpartisan.  
11 § 3511. Citizens Utility Board.

12 (a) Creation.--There is hereby created a nonprofit public  
13 body corporate and politic, organized pursuant to 15 Pa.C.S.  
14 Part III (relating to corporations not-for-profit), to be known  
15 as the Citizens Utility Board.

16 (b) Membership.--Any paying residential utility consumer who  
17 is at least 18 years of age, resides in this Commonwealth, has  
18 signed and submitted a membership form, and has contributed  
19 membership dues to the corporation shall be a member of the  
20 corporation. A member may resign from membership at any time by  
21 the giving of notice to the board of directors.

22 (c) Dissolution.--Notwithstanding any other provision of  
23 this chapter or any other provisions of law, if the corporation  
24 does not receive contributions from at least 5,000 citizens of  
25 this Commonwealth within three years of the effective date of  
26 this chapter, the corporation shall be dissolved.

27 § 3512. Powers and duties of corporation.

28 (a) General rule.--The corporation shall have the following  
29 powers and duties:

30 (1) Represent and protect the interests of individual

1 residential utility consumers of this Commonwealth. All  
2 actions and activities of the corporation under this chapter  
3 shall be directed toward such duty. The corporation shall  
4 have all the powers necessary or convenient for the effective  
5 representation and protection of the interest of utility  
6 consumers and to implement this chapter, including the  
7 following powers in addition to all other powers granted by  
8 this chapter:

9 (i) Solicit or employ such agents and special  
10 advisors as it finds necessary.

11 (ii) Make, amend and repeal bylaws for the  
12 regulation of its affairs and the conduct of its  
13 business; adopt an official seal; maintain an office; and  
14 make and execute contracts and other instruments  
15 necessary or convenient to the exercise of its powers.

16 (iii) Solicit and accept gifts, loans or other aid  
17 in order to support activities concerning the interests  
18 of residential utility consumers, except that the  
19 corporation may not accept gifts, loans or other aid from  
20 any public utility or from any director, employee or  
21 agent or member of the immediate family of a director,  
22 employee or agent of any public utility. Additionally,  
23 the corporation may not accept from an individual, public  
24 corporation, association or partnership in any single  
25 year a total of more than \$1,000 in gifts. Under this  
26 subparagraph, "aid" does not mean payment of membership  
27 dues.

28 (iv) Intervene as a part or otherwise participate on  
29 behalf of utility consumers in any proceeding which  
30 affects the interests of residential utility consumers.

1           (v) Represent the interest of utility consumers  
2 before the commission, the General Assembly, the courts  
3 and other public bodies, except that no director,  
4 employee or agent of the corporation may engage in  
5 lobbying without first complying with any applicable  
6 statute, administrative rule or other regulation relating  
7 to lobbying.

8           (vi) Seek tax-exempt status under State and Federal  
9 law, including section 501(c)(3) status under the  
10 Internal Revenue Code of 1954 (68A Stat. 3, 26 U.S.C. §  
11 501(c)(3)).

12       (2) Inform, insofar as possible, all residential utility  
13 consumers about the corporation, including the procedure for  
14 obtaining membership in the corporation.

15       (3) Make available, insofar as possible, to all  
16 residential utility consumers timely information on utility  
17 service costs and on benefits and methods of energy  
18 conservation and use.

19       (4) Establish annual dues which shall be set at a level  
20 that provides sufficient funding for the corporation to  
21 effectively perform its powers and duties, and is affordable  
22 for as many utility consumers as is possible.

23       (b) Transfer of powers and duties.--The powers, duties,  
24 rights and privileges conferred or imposed upon the corporation  
25 by this chapter may not be transferred.

26       (c) Interference with collective bargaining rights.--The  
27 corporation shall refrain from interfering with collective  
28 bargaining rights of any employees of a public utility.

29 § 3513. Board of directors.

30       (a) Organization.--The corporation shall be managed by, and

1 its powers, functions and duties shall be exercised through, a  
2 board of directors.

3 (b) Composition.--The board shall consist of one director  
4 from each of the corporation's 23 districts within this  
5 Commonwealth.

6 (c) Meetings.--

7 (1) Regular meetings.--The board of directors shall hold  
8 regular meetings at least once every three months on such  
9 dates and at such places as it may determine. Two-thirds of  
10 the directors elected shall constitute a quorum. A majority  
11 of the directors present shall determine any question. A  
12 summary of the minutes of every board meeting shall be made  
13 available to each public library in this Commonwealth and to  
14 individuals upon request.

15 (2) Special meetings.--A special meeting of the board of  
16 directors may be called by the president or by a majority of  
17 the directors upon at least seven days advance written  
18 notice. A simple majority of the directors elected shall  
19 constitute a quorum at a special meeting.

20 (d) Expenses.--A director may not receive any compensation  
21 for his services but shall be reimbursed for necessary expenses,  
22 including travel expenses incurred in the discharge of duties.  
23 The board shall establish standard allowances for mileage, room  
24 and meals and the purposes for which such allowances may be made  
25 and shall determine the reasonableness and necessity for such  
26 reimbursements.

27 (e) Bonding.--Directors and employees eligible to disburse  
28 funds shall be bonded. The costs of such bonds shall be paid by  
29 the corporation.

30 § 3514. Election of directors.

1       (a) Election and term of office.--There shall be one  
2 director elected from each of the corporation's districts. A  
3 director shall have one vote on the board. The term of office of  
4 a director elected under this section shall be three years. No  
5 director may serve more than two consecutive full terms.

6       (b) Qualifications.--A director shall be a resident of the  
7 district he represents and a member of the corporation. No  
8 person who is a director, employee or agent, or who is a member  
9 of the immediate family of a director, employee or agent, of any  
10 public utility is eligible to be a director. No director may  
11 hold any elective position, be a candidate for any elective  
12 position or be a State public official.

13       (c) Time of elections.--Within 60 days after the membership  
14 of the corporation reaches 600 persons, with at least 26 members  
15 in each district, and the corporation has received \$6,000, the  
16 interim board of directors as defined in section 3519 (relating  
17 to interim board of directors) shall set a date for the election  
18 of the first directors and shall so notify every member. The  
19 date set shall not be less than four months and not more than  
20 six months after such notification.

21       (d) Eligibility.--To be eligible for election to the board,  
22 prospective candidates must:

23           (1) Meet the qualifications for directors under  
24 subsection (b).

25           (2) Have his nomination certified by the board under  
26 subsection (e).

27           (3) Submit to the board a statement of financial  
28 interests under section 3516 (relating to director's  
29 statement of financial interest) and a statement of personal  
30 background and position under subsection (a).

1 (e) Nomination.--A prospective candidate for election to the  
2 board shall circulate a petition for nomination not later than  
3 120 days before the election, and shall file the petition with  
4 the corporation not later than 60 days prior to the election.  
5 The petition for nomination shall be signed by at least 1% of  
6 the residential utility consumers residing in his district. The  
7 board shall verify the validity of the signatures. Within 20  
8 days after the petition is due, the board shall determine  
9 whether a sufficient number of signatures are valid. If the  
10 board determines a sufficient number are valid, it shall certify  
11 the nomination of the candidate.

12 (f) Statement of personal background and positions.--A  
13 candidate for election to the board, whose nomination is  
14 certified under subsection (e), shall submit to the board, not  
15 later than 60 days prior to the election on a form to be  
16 provided by the board, a statement concerning his personal  
17 background and position on issues relating to public utilities  
18 or the operations of the corporation.

19 (g) Restrictions and reporting of campaign contributions and  
20 expenditures.--

21 (1) No candidate may accept more than \$200 in campaign  
22 contributions from any person or political committee from one  
23 year before the date of an election through the date of the  
24 election.

25 (2) Each candidate for election to the board shall keep  
26 complete records of all contributions to his campaign of \$25  
27 or more made from one year before the date of an election  
28 through the date of the election, and, at the board's  
29 request, shall make such records available for inspection by  
30 the board.

1           (3) No candidate for election to the board may use any  
2 campaign contribution for any purpose except for campaign  
3 expenditures. Any campaign contribution not expended shall be  
4 donated to the corporation or to any charitable organization  
5 within 90 days after the election.

6       (h) Election procedures.--

7           (1) At least 15 days before the election, the board  
8 shall mail or distribute to each member of the organization  
9 an official ballot listing all candidates from the member's  
10 district, whose nominations the board has certified and who  
11 has satisfied the requirements of subsection (d). The board  
12 shall include with the ballot each candidate's statement of  
13 financial interest submitted under section 3516.

14          (2) Each member may vote in the election by returning  
15 his official ballot in person or by first class mail,  
16 properly marked to the head office of the corporation. The  
17 ballot must be received by the corporation by 8 p.m. of the  
18 date fixed for the election.

19          (3) Voting shall be by secret ballot.

20          (4) The board shall tally votes with reasonable speed  
21 and shall inform the membership promptly of the names of the  
22 candidates elected.

23          (5) Within 30 days of the election, the board shall  
24 certify the candidate elected to the board from each  
25 district.

26       (i) Vacancies.--

27          (1) If a vacancy in nomination occurs because no  
28 candidate has filed for nomination, the board, by a majority  
29 of those voting, shall appoint a member of the corporation,  
30 who resides in the district where the vacancy exists, to be

1 the candidate.

2 (2) If the candidate with the most votes dies, declines  
3 or resigns from his candidacy prior to being certified under  
4 subsection (h)(4), the office for which the candidate ran  
5 shall be filled by the board as provided in this section.

6 (3) If a vacancy on the board occurs with more than 12  
7 months remaining in the term, the board shall set a date for  
8 a special election for the district. All members of the  
9 district shall be properly notified. The election may not be  
10 less than two months nor more than four months after such  
11 notification. An election under this section shall be  
12 conducted in the same manner as other elections of directors  
13 are conducted. The seat shall remain vacant if there are  
14 eight months or less remaining in the term.

15 (j) Election of rules.--The board may prescribe rules for  
16 the conduct of elections and election campaigns not inconsistent  
17 with this chapter.

18 § 3515. Duties of directors.

19 The board of directors shall have the following duties:

20 (1) To appoint officers of the corporation pursuant to  
21 section 3517 (relating to board officers) as soon as  
22 possible.

23 (2) To establish the policy of the corporation regarding  
24 appearances before the commission, the General Assembly, the  
25 courts and other public bodies, and regarding other  
26 activities which the corporation has the authority to perform  
27 under this chapter.

28 (3) To establish standing and working committees of the  
29 board.

30 (4) To employ an executive director who shall have the

1 following powers and duties, subject at all times to the  
2 direction and supervision of the board:

3 (i) To implement the policy established by the board  
4 under paragraph (2).

5 (ii) To employ and discharge employees of the  
6 corporation.

7 (iii) To supervise the officers, facilities and work  
8 of the employees of the corporation.

9 (iv) To have custody of and maintain the books,  
10 records and membership rolls of the corporation under  
11 this chapter.

12 (v) To attend and participate in meetings of the  
13 board, but without a vote.

14 (vi) To file annually with the board a current  
15 financial statement which includes the information  
16 required under section 3516 (relating to director's  
17 statement of financial interest).

18 (vii) To prepare and submit to the board quarterly  
19 and annually, reports of the financial and substantive  
20 operations of the corporation, and financial estimates  
21 for the future operations of the corporation.

22 (5) To assure preparation of:

23 (i) Up-to-date records of membership rolls and dues.

24 (ii) An audit of the corporation's books at least  
25 once each fiscal year. The audit shall be by a certified  
26 public accountant.

27 (6) To establish and make available to the public a  
28 written policy on the availability and distribution of all  
29 records required to be kept by the corporation under this  
30 chapter.

1           (7) To establish a policy on consumer education  
2       concerning utility costs and benefits and methods of energy  
3       conservation by any of the following methods, without  
4       limitation because of enumeration:

5           (i) Energy conservation training sessions that are  
6       open to the public.

7           (ii) A speakers' bureau.

8           (iii) Dissemination of newsletters and other  
9       informational material on utility service costs and  
10      energy conservation.

11          (iv) District-wide workshops.

12          (v) Installation and advertisement of a toll-free  
13      telephone line service to answer citizens inquiries on  
14      utility service costs and energy conservation.

15 § 3516. Director's statement of financial interest.

16      Within 60 days of the election, all candidates for election  
17      shall submit to the board a statement of financial interest. The  
18      board will provide the form upon which the information is to be  
19      contained. The statement shall include the following  
20      information:

21          (1) The candidate's name, occupation, place of  
22      employment and name and address of his employer.

23          (2) A list of all corporate directorships or other  
24      offices, and of all fiduciary relationships, held in the past  
25      three years by the candidate and by his immediate family  
26      members.

27          (3) The name of any creditor to whom the candidate owes  
28      \$10,000 or more.

29          (4) The name of any corporation in which the candidate  
30      holds a security, the current market value of which is \$5,000

1 or more.

2 (5) An affirmation, subject to penalty of perjury, that  
3 the information contained in the statement is true and  
4 complete.

5 § 3517. Board officers.

6 (a) Appointment.--The board of directors, at the first  
7 regular meeting of which a quorum is present, shall appoint by a  
8 majority vote of the directors present a president, vice  
9 president, secretary and treasurer. The board may appoint such  
10 other officers as it deems necessary.

11 (b) Term of office.--Board officers shall begin serving  
12 immediately upon their election and their term of office shall  
13 be one year. After his term of office has expired, a board  
14 officer shall continue to serve until his successor is elected  
15 and certified.

16 (c) Vacancy.--If a board office is vacant, the board shall  
17 elect a successor to serve out the term of the office.

18 (d) Powers and duties.--Board officers shall exercise powers  
19 and perform duties as prescribed by this chapter or as delegated  
20 to them by the board.

21 § 3518. Executive director.

22 (a) Qualifications.--The executive director hired by the  
23 board under section 3515 (relating to duties of directors),  
24 shall have the same qualifications as a director under section  
25 3514(b) (relating to election of directors), except that the  
26 executive director need not be a resident of this Commonwealth  
27 nor a member of the corporation. The executive director shall  
28 not be a candidate for director while serving as executive  
29 director. In hiring an executive director, the board shall  
30 adhere to any applicable State or Federal laws prohibiting

1 discrimination in employment. All applicants for the position of  
2 executive director shall be required to file a financial  
3 statement, which includes the information required under section  
4 3516(a) (relating to director's statement of financial  
5 interest). The statements shall be required annually.

6 (b) Method of hire.--Before hiring the executive director,  
7 the board shall:

8 (1) Notify every member and the public at large of a  
9 vacancy in the position of executive director of the  
10 corporation and the minimum qualifications necessary to  
11 perform the job. The notice shall be distributed at least 30  
12 days prior to any deadline set for applications for the  
13 position.

14 (2) Interview and screen all applicants, based on a  
15 standard which accurately addresses the talents and skills  
16 needed for the job.

17 (3) Notify all applicants for the position of executive  
18 director of the corporation, who are not hired under this  
19 section, of the name of the person hired and the person's  
20 qualifications for the position.

21 § 3519. Interim board of directors.

22 (a) General rule.--Within 90 days after the effective date  
23 of this chapter, an interim board of directors shall be  
24 appointed to serve until an election is held. The interim board  
25 shall consist of one representative from each of the 23  
26 corporation districts within this Commonwealth. No interim  
27 director appointed under this section may hold an elective  
28 position, be a State public official or be a candidate for an  
29 elective position.

30 (b) Method of appointment.--Five directors shall be

1 appointed by the Governor, three by the President pro tempore of  
2 the Senate, three by the Speaker of the House of  
3 Representatives, three by the Minority Leader of the Senate,  
4 three by the Minority Leader of the House of Representatives and  
5 five by the Citizens Utility Board. The appointees shall include  
6 representation from minority groups, low-income persons, labor  
7 organization, business, women and senior citizens. Until such  
8 time that a board of directors is elected, the Citizens Utility  
9 Board shall serve as an oversight and advisory committee to the  
10 General Assembly.

11 (c) Duties.--The interim board appointed under this section  
12 shall:

13 (1) As soon as possible, organize for the transaction of  
14 business.

15 (2) Inform the utility consumers of this Commonwealth of  
16 its existence, nature and purposes of the corporation and  
17 encourage utility consumers to join the corporation, to  
18 participate in the corporation's activities and to contribute  
19 to the corporation.

20 (3) Establish annual dues to be in effect until such  
21 time as an elected board assumes the duty as provided in  
22 section 3512(5) (relating to powers and duties of  
23 corporation).

24 (4) Elect officers as provided under section 3514(h)  
25 (relating to election of directors).

26 (5) Employ such staff as the interim directors and funds  
27 permit to carry out the purposes of this chapter. The interim  
28 board appointed under this section shall follow the  
29 procedures required under section 3518 (relating to executive  
30 director) if it hires an executive director of the

1 corporation.

2 (6) Make all necessary preparations for the first  
3 election of directors, oversee the election campaign and  
4 tally the votes under section 3514.

5 (7) Solicit funds for the corporation.

6 (8) Carry out all other duties and exercise all other  
7 powers accorded to the board under this chapter including the  
8 powers given to the corporation under section 3512.

9 § 3520. Annual membership meeting.

10 (a) General rule.--All members shall be eligible to attend,  
11 participate in and vote in the annual membership meeting called  
12 by the board on a date and at a place within this Commonwealth.

13 (b) Scope of meeting.--The meeting shall be open to the  
14 public and shall be held in different districts on a rotating  
15 basis. All members shall receive notice of the meeting at least  
16 30 days in advance. The notice shall contain an outline of the  
17 agenda.

18 § 3521. Mailing procedure.

19 (a) General rule.--To accomplish its powers and duties under  
20 section 3512 (relating to powers and duties of corporation), the  
21 corporation, subject to the following limitations, may prepare  
22 and furnish to any public utility an enclosure or a statement to  
23 be printed on the face of a periodic customer billing or an  
24 enclosure to be mailed with the periodic billing. An "enclosure"  
25 is a card, leaflet, envelope, or combination thereof, furnished  
26 by the corporation under this section and a "statement" is a  
27 text of material submitted by the corporation to be printed on  
28 the face of a postcard billing or to be included in any  
29 enclosure as defined in section 3503 (relating to definitions).

30 (b) Time of submission.--An enclosure or statement,

1 furnished by the corporation under this subsection, may not be  
2 submitted to a public utility less than 21 calendar days in  
3 advance of the date of the utility's periodic billing. The  
4 utility shall include the enclosure or statement in or on its  
5 next periodic customer billing.

6 (c) Size and weight.--An enclosure shall be of a size  
7 compatible with the utility's mailing envelope and shall  
8 otherwise conform to the specifications of the utility's billing  
9 enclosure inserting equipment. Additionally, if the utility's  
10 periodic customer billing is a postcard, the corporation may  
11 provide the utility with the text of a statement to be printed  
12 on the face of the billing in a space no larger than five-  
13 eighths of an inch by three inches.

14 (d) Contents and scope of enclosure.--An enclosure furnished  
15 by the corporation under this subsection shall contain the  
16 following:

17 (1) Information about the purpose, nature and activities  
18 of the corporation as set forth in this chapter.

19 (2) Information about how a utility consumer may become  
20 a member of the corporation and maintain yearly membership.

21 (3) Information as to how the utility consumer billed  
22 and others in his household may contribute money to the  
23 corporation by a payment to the public utility in excess of  
24 his payment for utility services and that such excess payment  
25 will be transferred to the corporation.

26 The enclosure or statement may not have the character of a bill,  
27 statement or account. Information may include a membership  
28 application form.

29 (e) Accounting.--There is hereby created in each public  
30 utility's system of accounts an account to be called the

1 Citizens Utility Board Account. All contributions to the  
2 corporation received by the public utility and all other moneys  
3 due the corporation under the control of the public utility  
4 shall be deposited in this account immediately upon receipt of  
5 such contributions or when such moneys become due. Interest,  
6 calculated at the current prime rate, shall be added daily to  
7 this account. By the 15th day of each month, each public utility  
8 that receives contributions to the corporation shall transfer to  
9 the corporation the entire contents of the account as of the  
10 date of transfer, the name and address of each contributor and  
11 the amount he contributed during the previous month.

12 (f) Reimbursement.--The corporation shall promptly reimburse  
13 each public utility for all reasonable costs incurred by the  
14 public utility, above the public utility's normal billing costs,  
15 but the corporation may postpone reimbursement of the public  
16 utilities for costs incurred through the first election of  
17 directors until 12 months after such directors are installed.

18 (g) Disputes.--Any disputes arising from the operation of  
19 this section shall be resolved by negotiations between the  
20 corporation and the public utility if possible, or by the filing  
21 of a petition before the commission. Neither the public utility  
22 nor the corporation may fail to comply with this chapter by  
23 reason of the existence of such a dispute.

24 (h) Limitations.--No public utility or officer, employee or  
25 agent of a public utility may interfere or threaten to interfere  
26 with or cause any interference with the utility service of, or  
27 penalize or threaten to penalize or cause to be penalized, any  
28 person who contributes to the corporation or participates in any  
29 of its activities, in retribution for such contribution or  
30 participation.

1 § 3522. Public records.

2 Statements filed with the corporation shall be available for  
3 public inspection at the office of the corporation during  
4 reasonable hours of the day. The records may be copied. The  
5 corporation may charge a reasonable fee for the costs of the  
6 copies.

7 § 3523. Corrupt practices and conflicts of interest.

8 (a) General rule.--No person may offer or give anything of  
9 monetary value to any director, employee or agent of the  
10 corporation if the offer or gift influences, or is intended to  
11 influence, the action or judgment of the director, employee or  
12 agent of the corporation in his capacity as director, employee  
13 or agent of the corporation. No director, employee or agent of  
14 the corporation may solicit or accept anything of monetary value  
15 from any person if the solicitation or acceptance influences, or  
16 is intended to influence, the official action or judgment of the  
17 director, employee or agent in his capacity as director,  
18 employee or agent of the corporation.

19 (b) Violations.--A person who knowingly and willfully  
20 violates this section commits a summary offense and shall, upon  
21 conviction, be fined not more than \$1,000 or imprisoned not more  
22 than six months, or both. The board shall remove from office any  
23 director convicted under this section and shall fill such office  
24 under section 3514(h) (relating to election of directors).

25 § 3524. Prohibited acts.

26 No person may interfere with or threaten to interfere with or  
27 cause any interference with the utility service of or penalize  
28 or threaten to penalize or cause to be penalized any person who  
29 contributes to the corporation or participates in any of its  
30 activities, in retribution for such contribution or

1 participation. No person may act with intent to prevent,  
2 interfere with or hinder the activities under section 3521  
3 (relating to mailing procedure).

4 § 3525. Duties of Auditor General.

5 The financial records and books of the board shall be subject  
6 to an annual audit by the Auditor General.

7 § 3526. Corporation to be nonpartisan.

8 The corporation may not sponsor, endorse or otherwise  
9 support, nor may it oppose, any political party or the candidacy  
10 of any person for public office.

11 Section 2. This act shall take effect in 60 days.