

## HR 1038

Public Power Risk Management Act of 2013

**Congress:** 113 (2013–2015, Ended)

**Chamber:** House

**Policy Area:** Finance and Financial Sector

**Introduced:** Mar 11, 2013

**Current Status:** Received in the Senate and Read twice and referred to the Committee on Agriculture, Nutrition, and F

**Latest Action:** Received in the Senate and Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry. (Jun 13, 2013)

**Official Text:** <https://www.congress.gov/bill/113th-congress/house-bill/1038>

### Sponsor

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**Name:** Rep. LaMalfa, Doug [R-CA-1]

**Party:** Republican • **State:** CA • **Chamber:** House

**Cosponsors** (42 total)

Cosponsor	Party / State	Role	Date Joined
Rep. Costa, Jim [D-CA-16]	D · CA		Mar 11, 2013
Rep. Denham, Jeff [R-CA-10]	R · CA		Mar 11, 2013
Rep. Garamendi, John [D-CA-3]	D · CA		Mar 11, 2013
Rep. Luetkemeyer, Blaine [R-MO-3]	R · MO		Mar 11, 2013
Rep. Conaway, K. Michael [R-TX-11]	R · TX		Mar 18, 2013
Rep. Michaud, Michael H. [D-ME-2]	D · ME		Mar 18, 2013
Rep. Ribble, Reid J. [R-WI-8]	R · WI		Mar 18, 2013
Rep. Scott, David [D-GA-13]	D · GA		Mar 18, 2013
Rep. Vargas, Juan [D-CA-51]	D · CA		Mar 18, 2013
Rep. Benishek, Dan [R-MI-1]	R · MI		Mar 19, 2013
Rep. Hastings, Doc [R-WA-4]	R · WA		Mar 19, 2013
Rep. Honda, Michael M. [D-CA-17]	D · CA		Mar 19, 2013
Rep. McNerney, Jerry [D-CA-9]	D · CA		Mar 19, 2013
Rep. Scott, Austin [R-GA-8]	R · GA		Mar 19, 2013
Rep. DelBene, Suzan K. [D-WA-1]	D · WA		Mar 20, 2013
Rep. Yoho, Ted S. [R-FL-3]	R · FL		Mar 20, 2013
Rep. Grayson, Alan [D-FL-9]	D · FL		Mar 21, 2013
Rep. Ross, Dennis A. [R-FL-15]	R · FL		Mar 21, 2013
Rep. Tipton, Scott R. [R-CO-3]	R · CO		Mar 21, 2013
Rep. Crawford, Eric A. "Rick" [R-AR-1]	R · AR		Apr 9, 2013
Rep. Griffin, Tim [R-AR-2]	R · AR		Apr 9, 2013
Rep. Hanna, Richard L. [R-NY-22]	R · NY		Apr 9, 2013
Rep. Jones, Walter B., Jr. [R-NC-3]	R · NC		Apr 9, 2013
Rep. Lee, Barbara [D-CA-13]	D · CA		Apr 9, 2013
Rep. Gibbs, Bob [R-OH-7]	R · OH		Apr 11, 2013
Rep. Sherman, Brad [D-CA-30]	D · CA		Apr 11, 2013
Rep. Cárdenas, Tony [D-CA-29]	D · CA		Apr 12, 2013
Rep. DeFazio, Peter A. [D-OR-4]	D · OR		Apr 15, 2013
Rep. Matsui, Doris O. [D-CA-6]	D · CA		Apr 15, 2013
Rep. McClintonck, Tom [R-CA-4]	R · CA		Apr 15, 2013
Rep. Brown, Corrine [D-FL-5]	D · FL		Apr 23, 2013
Rep. Gardner, Cory [R-CO-4]	R · CO		Apr 23, 2013
Rep. Huffman, Jared [D-CA-2]	D · CA		Apr 23, 2013
Rep. Sánchez, Linda T. [D-CA-38]	D · CA		Apr 23, 2013
Rep. Capps, Lois [D-CA-24]	D · CA		Apr 25, 2013
Rep. Eshoo, Anna G. [D-CA-18]	D · CA		May 6, 2013
Rep. Takano, Mark [D-CA-41]	D · CA		May 8, 2013
Rep. Chu, Judy [D-CA-27]	D · CA		May 15, 2013
Rep. Ellmers, Renee L. [R-NC-2]	R · NC		May 15, 2013
Rep. Schiff, Adam B. [D-CA-28]	D · CA		May 22, 2013
Rep. Hartzler, Vicky [R-MO-4]	R · MO		Jun 4, 2013

Cosponsor	Party / State	Role	Date Joined
Rep. Hudson, Richard [R-NC-8]	R · NC		Jun 10, 2013

## Committee Activity

Committee	Chamber	Activity	Date
Agriculture Committee	House	Reported By	Jun 12, 2013
Agriculture, Nutrition, and Forestry Committee	Senate	Referred To	Jun 13, 2013

## Subjects & Policy Tags

### Policy Area:

Finance and Financial Sector

## Related Bills

Bill	Relationship	Last Action
113 HR 4413	Related bill	Jun 25, 2014: Received in the Senate and Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.
113 S 1802	Identical bill	Dec 11, 2013: Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.

## Summary (as of Jun 12, 2013)

**(This measure has not been amended since it was introduced. The summary of that version is repeated here.)**

Public Power Risk Management Act of 2013 - Amends the Commodity Exchange Act to direct the Commodity Futures Trading Commission (CFTC), when it determines whether to provide an exemption to designation as a swap dealer, to treat a utility operations-related swap entered into with a utility special entity as if such swap were entered into with an entity that is not a special entity. (Thus exempts an entity entering into a utility operations-related swap with a utility special entity from mandatory registration as a swap dealer.)

Requires transactions in utility operations-related swaps to be reported according to requirements for the reporting of uncleared swaps.

Defines "utility special entity" as a special entity, or any instrumentality, department, or corporation of or established by a state or local government, that: (1) owns or operates an electric or natural gas facility or an electric or natural gas operation; (2) supplies natural gas or electric energy to another utility special entity; (3) has public service obligations under federal, state, or local law or regulation to deliver electric energy or natural gas service to customers; or (4) is a federal power marketing agency.

Redefines swap to include a utility operations-related swap.

Defines "utility operations-related swap" as one that: (1) is entered into to hedge or mitigate commercial risk; (2) is associated with specified transactions in electric energy or natural gas; and (3) is not a contract, agreement, or transaction based on, derived on, or referencing

- an interest rate, credit, equity, or currency asset class; or
- a metal, agricultural commodity, or crude oil or gasoline commodity of any grade, except as used as fuel for electric energy generation.

## Actions Timeline

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- **Jun 13, 2013:** Received in the Senate and Read twice and referred to the Committee on Agriculture, Nutrition, and Forestry.
- **Jun 12, 2013:** Placed on the Union Calendar, Calendar No. 76.
- **Jun 12, 2013:** Reported by the Committee on Agriculture. H. Rept. 113-107.
- **Jun 12, 2013:** Mr. LaMalfa moved to suspend the rules and pass the bill.
- **Jun 12, 2013:** Considered under suspension of the rules. (consideration: CR H3307-3309)
- **Jun 12, 2013:** DEBATE - The House proceeded with forty minutes of debate on H.R. 1038.
- **Jun 12, 2013:** At the conclusion of debate, the Yeas and Nays were demanded and ordered. Pursuant to the provisions of clause 8, rule XX, the Chair announced that further proceedings on the motion would be postponed.
- **Jun 12, 2013:** Considered as unfinished business. (consideration: CR H3332-3333)
- **Jun 12, 2013:** Passed/agreed to in House: On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 423 - 0 (Roll no. 219). (text: CR H3307)
- **Jun 12, 2013:** On motion to suspend the rules and pass the bill Agreed to by the Yeas and Nays: (2/3 required): 423 - 0 (Roll no. 219). (text: CR H3307)
- **Jun 12, 2013:** Motion to reconsider laid on the table Agreed to without objection.
- **Mar 20, 2013:** Committee Consideration and Mark-up Session Held.
- **Mar 20, 2013:** Ordered to be Reported by Voice Vote.
- **Mar 14, 2013:** Committee Hearings Held.
- **Mar 11, 2013:** Introduced in House
- **Mar 11, 2013:** Referred to the House Committee on Agriculture.