

**First Regular Session
Seventieth General Assembly
STATE OF COLORADO**

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-0626.01 Duane Gall x4335

HOUSE BILL 15-1319

HOUSE SPONSORSHIP

Esgar, Tyler, Duran, Melton, Moreno, Salazar, Singer, Vigil, Williams

SENATE SPONSORSHIP

(None),

House Committees

Transportation & Energy
Finance
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING AN INCREASE IN THE DIVERSITY OF INTERESTS**
102 **REPRESENTED IN PROCEEDINGS BEFORE THE COLORADO PUBLIC**
103 **UTILITIES COMMISSION, AND, IN CONNECTION THEREWITH,**
104 **INCREASING THE NUMBER OF COMMISSIONERS, ESTABLISHING**
105 **GEOGRAPHIC REGIONS FROM WHICH CERTAIN COMMISSIONERS**
106 **ARE APPOINTED, AND MAKING AN APPROPRIATION.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill increases the membership of the public utilities

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

commission from 3 to 5, with 2 of the commissioners representing the state at large and 3 representing one district each. The districts are defined to include named counties, consisting roughly of the western slope, the northeastern quadrant of the state, and the southeastern quadrant of the state.

1 *Be it enacted by the General Assembly of the State of Colorado:*

2 **SECTION 1.** In Colorado Revised Statutes, 40-2-101, **amend** (1)
3 and (2) as follows:

4 **40-2-101. Creation - appointment - term - subject to**
5 **termination - repeal of article.** (1) (a) A public utilities commission is
6 hereby created, which shall be known as the public utilities commission
7 of the state of Colorado, to consist of three members who shall be
8 appointed by the governor with the consent of the senate; EXCEPT THAT,
9 ON AND AFTER JULY 1, 2016, THE COMMISSION CONSISTS OF FIVE MEMBERS
10 APPOINTED BY THE GOVERNOR WITH THE CONSENT OF THE SENATE.
11 Persons holding office on July 1, ~~1993~~ 2015, shall continue to serve in
12 such office, but the term of one of these persons shall expire on the
13 Monday preceding the second Tuesday of January ~~1995~~ 2016 of another,
14 the Monday preceding the second Tuesday of January ~~1996~~ 2017 and of
15 the third, the Monday preceding the second Tuesday of January ~~1997~~
16 2019, all as the governor shall designate; except that such designation
17 shall not result in the extension of the term of any member to more than
18 four years' duration. Thereafter, appointments shall be made for terms of
19 four years; EXCEPT THAT THE INITIAL TERM OF ONE OF THE TWO MEMBERS
20 APPOINTED TO SERVE BEGINNING JULY 1, 2016, IS THREE YEARS.

21 ■
22 (b) EFFECTIVE JULY 1, 2016, THREE OF THE FIVE COMMISSIONERS
23 SHALL BE DESIGNATED TO REPRESENT IDENTIFIED GEOGRAPHIC REGIONS

1 OF THE STATE. THE REGIONS, EACH TO BE REPRESENTED BY ONE OF THE
2 THREE COMMISSIONERS SO DESIGNATED, ARE AS FOLLOWS:

3 (I) REGION 1, CONSISTING OF THE COUNTIES OF DENVER, ADAMS,
4 ARAPAHOE, DOUGLAS, JEFFERSON, PARK, CLEAR CREEK, GILPIN,
5 BOULDER, BROOMFIELD, LARIMER, JACKSON, WELD, LOGAN, SEDGWICK,
6 PHILLIPS, YUMA, WASHINGTON, MORGAN, KIT CARSON, LINCOLN, AND
7 ELBERT;

8 (II) REGION 2, CONSISTING OF THE COUNTIES OF CHAFFEE,
9 FREMONT, CUSTER, PUEBLO, TELLER, EL PASO, CROWLEY, OTERO, BENT,
10 KIOWA, CHEYENNE, PROWERS, BACA, LAS ANIMAS, COSTILLA,
11 HUERFANO, ALAMOSA, CONEJOS, RIO GRANDE, MINERAL, AND
12 SAGUACHE; AND

13 (III) REGION 3, CONSISTING OF THE COUNTIES OF ARCHULETA,
14 HINSDALE, GUNNISON, PITKIN, LAKE, EAGLE, SUMMIT, GRAND, ROUTT,
15 MOFFAT, RIO BLANCO, GARFIELD, MESA, DELTA, MONTROSE, OURAY,
16 SAN JUAN, LA PLATA, MONTEZUMA, DOLORES, AND SAN MIGUEL.

17
18 (2) No more than ~~two~~ THREE members of the public utilities
19 commission shall be affiliated with the same political party, and any
20 appointment to fill a vacancy shall be for the unexpired term. Each
21 commissioner shall be a qualified elector of this state. The governor shall
22 designate one member of the commission as chair of the commission. The
23 commissioners shall devote their entire time to the duties of their office
24 to the exclusion of any other employment and shall receive such
25 compensation as is designated by law. A majority of the commission shall
26 constitute a quorum for the transaction of its business.

27 **SECTION 2. Appropriation.** For the 2015-16 state fiscal year,

1 \$75,000 is appropriated to the department of regulatory agencies for use
2 by the public utilities commission. This appropriation is from the public
3 utilities commission fixed utilities fund created in section 40-2-114,
4 C.R.S. To implement this act, the commission may use this appropriation
5 for operating expenses.

6 **SECTION 3. Act subject to petition - effective date.** This act
7 takes effect at 12:01 a.m. on the day following the expiration of the
8 ninety-day period after final adjournment of the general assembly (August
9 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
10 referendum petition is filed pursuant to section 1 (3) of article V of the
11 state constitution against this act or an item, section, or part of this act
12 within such period, then the act, item, section, or part will not take effect
13 unless approved by the people at the general election to be held in
14 November 2016 and, in such case, will take effect on the date of the
15 official declaration of the vote thereon by the governor.