

First Regular Session
Seventieth General Assembly
STATE OF COLORADO

INTRODUCED

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

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 AND
105 ESTABLISHING GEOGRAPHIC REGIONS FROM WHICH CERTAIN
106 COMMISSIONERS ARE APPOINTED.

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 2018, 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 (b) (I) EFFECTIVE JULY 1, 2016, TWO OF THE COMMISSIONERS
22 SHALL BE DESIGNATED TO REPRESENT THE STATE AT LARGE, AND EACH OF
23 THE OTHER THREE MUST RESIDE IN, AND SHALL BE DESIGNATED TO

1 REPRESENT, ONE OF THE FOLLOWING GEOGRAPHIC REGIONS:

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

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

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

14 (II) NOTWITHSTANDING SUBPARAGRAPH (I) OF THIS PARAGRAPH
15 (b), IF ANY OF THE DESIGNATED REGIONAL MEMBERS WAS SERVING PRIOR
16 TO JULY 1, 2016, AND DOES NOT RESIDE IN THE REGION HE OR SHE IS
17 DESIGNATED TO REPRESENT, THE RESIDENCY REQUIREMENT OF THIS
18 PARAGRAPH (b) DOES NOT APPLY TO THAT MEMBER BUT DOES APPLY TO
19 ALL OF THAT MEMBER'S SUCCESSORS IN OFFICE.

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

1 constitute a quorum for the transaction of its business.

2 **SECTION 2. Act subject to petition - effective date.** This act
3 takes effect at 12:01 a.m. on the day following the expiration of the
4 ninety-day period after final adjournment of the general assembly (August
5 5, 2015, if adjournment sine die is on May 6, 2015); except that, if a
6 referendum petition is filed pursuant to section 1 (3) of article V of the
7 state constitution against this act or an item, section, or part of this act
8 within such period, then the act, item, section, or part will not take effect
9 unless approved by the people at the general election to be held in
10 November 2016 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.