

Second Regular Session
Seventy-first General Assembly
STATE OF COLORADO

INTRODUCED

LLS NO. 18-0295.01 Duane Gall x4335

HOUSE BILL 18-1382

HOUSE SPONSORSHIP

Hansen,

SENATE SPONSORSHIP

(None),

House Committees
Transportation & Energy

Senate Committees

A BILL FOR AN ACT

101 CONCERNING THE CREATION OF AN ENERGY LEGISLATION REVIEW
102 COMMITTEE TO STUDY ISSUES THAT AFFECT ENERGY POLICY IN
103 COLORADO.

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://leg.colorado.gov>.)

The bill creates the energy legislation review committee to study energy development, grid security, energy supply and transmission planning, and other issues that affect energy policy in Colorado, beginning in 2019.

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

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

2 **SECTION 1.** In Colorado Revised Statutes, **add** article 41 to title
3 40 as follows:

4 **ARTICLE 41**

5 **Energy Legislation Review Committee**

6 **40-41-101. Legislative declaration.** (1) THE GENERAL ASSEMBLY
7 FINDS, DETERMINES, AND DECLARES THAT THE PURPOSE OF THIS ARTICLE
8 41 IS TO PROVIDE AN INTERIM COMMITTEE AS A FORUM THROUGH WHICH
9 THE GENERAL ASSEMBLY CAN REVIEW THE STATEWIDE PLANNING,
10 ADMINISTRATION, AND MONITORING OF COLORADO'S ENERGY RESOURCES.
11 THE GENERAL ASSEMBLY RECOGNIZES ITS MANDATE TO ENSURE THE
12 RELIABILITY, AFFORDABILITY, AND SUSTAINABILITY OF ENERGY
13 RESOURCES AS A KEY COMPONENT OF COLORADO'S ECONOMY. THE
14 GENERAL ASSEMBLY FURTHER RECOGNIZES THE NEED TO ENSURE THAT
15 ENERGY ISSUES RECEIVE SUFFICIENT LEGISLATIVE SCRUTINY AND PUBLIC
16 INPUT:

17 (a) TO MAXIMIZE THE BENEFIT DERIVED FROM COLORADO'S
18 ENERGY RESOURCES;

19 (b) TO EVALUATE THE PRESENT AND FUTURE ENERGY NEEDS OF
20 THE STATE;

21 (c) TO ENSURE ADEQUATE AND EFFICIENT ENERGY GENERATION,
22 TRANSMISSION, AND DISTRIBUTION AS WELL AS THE PRUDENT USE AND
23 CONSERVATION OF ENERGY;

24 (d) TO PROTECT THE QUALITY, QUANTITY, AFFORDABILITY, AND
25 SAFETY OF ENERGY DELIVERED TO COLORADO'S CONSUMERS; AND

26 (e) TO BUILD UPON THE WORK OF PRIOR INTERIM AND STUDY

1 COMMITTEES DEDICATED TO TRANSMISSION PLANNING, GRID RELIABILITY,
2 AND OTHER ENERGY ISSUES.

3 **40-41-102. Energy legislation review committee - creation.**

4 (1) FOR THE PURPOSES OF CONTRIBUTING TO AND MONITORING THE
5 CONSERVATION, USE, DEVELOPMENT, AND FINANCING OF THE ENERGY
6 RESOURCES OF COLORADO FOR THE GENERAL WELFARE OF ITS
7 INHABITANTS AND TO REVIEW AND PROPOSE ENERGY-RELATED
8 LEGISLATION, THERE IS HEREBY CREATED THE ENERGY LEGISLATION
9 REVIEW COMMITTEE, REFERRED TO IN THIS ARTICLE 41 AS THE
10 "COMMITTEE". THE COMMITTEE SHALL MEET AT THE CALL OF THE CHAIR
11 AS OFTEN AS SIX TIMES DURING EVEN-NUMBERED YEARS AND EIGHT TIMES
12 DURING ODD-NUMBERED YEARS, COMMENCING JULY 1, 2019. THE
13 COMMITTEE SHALL MEET TO REVIEW AND TO PROPOSE LEGISLATION
14 CONCERNING COLORADO'S ENERGY RESOURCES AND RELATED MATTERS.
15 NO MORE THAN TWO OF THE MEETINGS MAY OCCUR DURING PERIODS
16 OTHER THAN THE INTERIM PERIOD. THE COMMITTEE MAY TAKE UP TO TWO
17 FIELD TRIPS PER YEAR IN CONNECTION WITH ITS MANDATE. THE
18 COMMITTEE SHALL CONSULT WITH EXPERTS IN THE FIELD OF ENERGY
19 RESOURCES, CONSERVATION, QUALITY, RELIABILITY, USE, FINANCE, OR
20 DEVELOPMENT. THE COMMISSION AND THE ATTORNEY GENERAL,
21 TOGETHER WITH THE COLORADO ENERGY OFFICE, THE DEPARTMENTS OF
22 LOCAL AFFAIRS, NATURAL RESOURCES, AND REGULATORY AGENCIES, AND
23 ANY OTHER DEPARTMENT OR AGENCY OF STATE GOVERNMENT WHOSE
24 EXPERTISE THE COMMITTEE SEEKS TO ENLIST, SHALL COOPERATE WITH THE
25 COMMITTEE AND WITH ANY PERSONS ASSISTING THE COMMITTEE IN
26 PURSUING THE COMMITTEE'S RESPONSIBILITIES PURSUANT TO THIS ARTICLE
27 41. LEGISLATIVE COUNCIL STAFF AND THE OFFICE OF LEGISLATIVE LEGAL

1 SERVICES SHALL STAFF THE COMMITTEE, AS NECESSARY. FURTHER, THE
2 COMMITTEE MAY UTILIZE THE LEGISLATIVE COUNCIL STAFF TO ASSIST ITS
3 MEMBERS IN RESEARCHING ANY MATTERS.

4 (2) (a) THE COMMITTEE CONSISTS OF TEN MEMBERS OF THE
5 GENERAL ASSEMBLY, TO BE SELECTED AS FOLLOWS:

6 (I) FIVE MEMBERS OF THE SENATE, THREE APPOINTED BY THE
7 PRESIDENT OF THE SENATE AND TWO APPOINTED BY THE MINORITY PARTY
8 LEADER; AND

9 (II) FIVE MEMBERS OF THE HOUSE OF REPRESENTATIVES,
10 APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES AFTER
11 CONSULTATION WITH THE MINORITY LEADER OF THE HOUSE OF
12 REPRESENTATIVES.

13 (b) AT LEAST FOUR MEMBERS OF THE COMMITTEE MUST EITHER:

14 (I) RESIDE WEST OF THE CONTINENTAL DIVIDE; OR

15 (II) REPRESENT A LEGISLATIVE DISTRICT IN WHICH THE MAJORITY
16 OF THE POPULATION LIES WEST OF THE CONTINENTAL DIVIDE.

17 (c) MEMBERS' TERMS EXTEND FROM JANUARY 1 OF AN
18 ODD-NUMBERED YEAR TO DECEMBER 31 OF THE FOLLOWING
19 EVEN-NUMBERED YEAR.

20 (3) THE PRESIDENT OF THE SENATE AND THE SPEAKER OF THE
21 HOUSE OF REPRESENTATIVES SHALL COORDINATE THEIR APPOINTMENTS TO
22 THE EXTENT PRACTICABLE.

23 (4) MEMBERS OF THE COMMITTEE SHALL SERVE WITHOUT
24 COMPENSATION; EXCEPT THAT EACH MEMBER IS ENTITLED TO RECEIVE THE
25 SUMS SPECIFIED IN SECTION 2-2-307 (3)(a) AND (3)(b) FOR ATTENDANCE
26 AT MEETINGS OF THE COMMITTEE WHEN THE GENERAL ASSEMBLY IS IN
27 RECESS FOR MORE THAN THREE DAYS OR IS NOT IN SESSION.

1 (5) DURING ODD-NUMBERED YEARS, THE PRESIDENT OF THE
2 SENATE SHALL APPOINT THE CHAIR AND THE SPEAKER OF THE HOUSE OF
3 REPRESENTATIVES SHALL APPOINT THE VICE-CHAIR, AND, DURING
4 EVEN-NUMBERED YEARS, THE SPEAKER OF THE HOUSE OF
5 REPRESENTATIVES SHALL APPOINT THE CHAIR AND THE PRESIDENT OF THE
6 SENATE SHALL APPOINT THE VICE-CHAIR.

7 **40-41-103. Matters to be considered.** (1) THE COMMITTEE
8 SHALL STUDY AND RECOMMEND LEGISLATIVE OR ADMINISTRATIVE ACTION
9 IN SUBJECT-MATTER AREAS THAT INCLUDE:

- 10 (a) ENERGY DEVELOPMENT;
- 11 (b) GRID SECURITY;
- 12 (c) ENERGY SUPPLY AND TRANSMISSION PLANNING; AND
- 13 (d) OTHER ISSUES THAT AFFECT ENERGY POLICY IN COLORADO.

14 **40-41-104. Annual recommendations - bill limitation -**
15 **deadlines for introduction.** (1) THE COMMITTEE MAY REPORT NO MORE
16 THAN THREE BILLS OR OTHER MEASURES TO THE LEGISLATIVE COUNCIL,
17 CREATED IN SECTION 2-3-301, UNLESS A TWO-THIRDS MAJORITY OF THE
18 MEMBERS OF THE COMMITTEE VOTE TO REPORT A GREATER NUMBER. THE
19 GREATER NUMBER MUST NOT EXCEED ONE BILL OR OTHER MEASURE PER
20 MEMBER. THE COMMITTEE SHALL NOT REPORT A BILL TO THE LEGISLATIVE
21 COUNCIL UNLESS A TWO-THIRDS MAJORITY OF THE APPOINTED MEMBERS
22 OF THE COMMITTEE VOTE TO REPORT THE BILL TO THE LEGISLATIVE
23 COUNCIL.

24 (2) BILLS REPORTED TO THE LEGISLATIVE COUNCIL ARE EXEMPT
25 FROM ANY APPLICABLE BILL LIMIT IMPOSED ON THE INDIVIDUAL
26 COMMITTEE MEMBERS SPONSORING THE BILLS IF THE BILLS HAVE BEEN
27 APPROVED BY THE LEGISLATIVE COUNCIL NO LATER THAN OCTOBER 15 IN

1 EVEN-NUMBERED YEARS AND NOVEMBER 15 IN ODD-NUMBERED YEARS.

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 8, 2018, if adjournment sine die is on May 9, 2018); 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 2018 and, in such case, will take effect on the date of the
11 official declaration of the vote thereon by the governor.