

**First Regular Session  
Sixty-fifth General Assembly  
STATE OF COLORADO**

**REENGROSSED**

*This Version Includes All Amendments  
Adopted in the House of Introduction*

LLS NO. 05-0786.01 Esther van Mourik

**HOUSE BILL 05-1291**

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**A BILL FOR AN ACT**

101     **CONCERNING THE REQUIREMENT THAT SIGNATURES ON PETITIONS**  
102             **SEEKING TO REIMPOSE PUBLIC UTILITY COMMISSION**  
103             **REGULATION OVER COOPERATIVE ELECTRIC ASSOCIATIONS BE**  
104             **COLLECTED FROM MEMBER-CONSUMERS WITHIN A SPECIFIED**  
105             **PERIOD.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Requires that signatures on petitions seeking to reimpose public utility commission regulation over cooperative electric associations be collected from member-consumers within a specified period.

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.*

HOUSE  
3rd Reading Unamended  
March 2, 2005

HOUSE  
2nd Reading Unamended  
February 28, 2005

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

2 **SECTION 1.** 40-9.5-113, Colorado Revised Statutes, is amended  
3 to read:

4 **40-9.5-113. Method of reimposing public utilities commission**  
5 **regulation.** Any cooperative electric association may vote no more than  
6 once a year to place said association under the regulation of the public  
7 utilities commission, as provided in the "Public Utilities Law", articles 1  
8 to 7 of this title. Said question shall only be submitted to the ~~members~~  
9 ~~and consumers~~ MEMBER-CONSUMERS of a ~~cooperative electric~~ THE  
10 association if at least five percent of the ~~members and consumers~~  
11 MEMBER-CONSUMERS of the association sign a petition requesting such an  
12 election AND IF SUCH SIGNATURES ARE GATHERED WITHIN A SIX-MONTH  
13 PERIOD IMMEDIATELY PRECEDING THE SUBMISSION OF THE PETITION TO  
14 THE ASSOCIATION'S BOARD OF DIRECTORS. Such petition shall be  
15 submitted to, and signatures certified by, the ~~association's board of~~  
16 ~~directors~~ at a regular scheduled meeting. SUCH CERTIFICATION SHALL  
17 INCLUDE A DETERMINATION AS TO WHETHER THE SIGNATURES ON THE  
18 PETITION WERE GATHERED WITHIN A SIX-MONTH PERIOD IMMEDIATELY  
19 PRECEDING THE SUBMISSION OF THE PETITION TO THE BOARD. After the  
20 petition has been certified by the board, the ~~public utilities~~ commission  
21 shall conduct an election within forty-five days on the question. If a  
22 majority of the persons voting at the election vote in favor of placing their  
23 association under ~~public utilities~~ commission regulation, the commission  
24 shall reassert its regulation upon determination of the election results.

25 **SECTION 2. Safety clause.** The general assembly hereby finds,

- 1 determines, and declares that this act is necessary for the immediate
- 2 preservation of the public peace, health, and safety.