

**LOCAL
FISCAL IMPACT**

Drafting Number: LLS 11-0707

Date: February 18, 2011

Prime Sponsor(s): Rep. Conti
Sen. Tochtrop

Bill Status: House Transportation

Fiscal Analyst: Harry Zeid (303-866-4753)

TITLE: CONCERNING AN INCREASE IN THE ACCOUNTABILITY TO THE PUBLIC OF THE MEMBERS OF THE PUBLIC UTILITIES COMMISSION, AND, IN CONNECTION THEREWITH, DECREASING THE LENGTH OF TERMS OF COMMISSION MEMBERSHIP, LIMITING COMMISSION MEMBERS TO TWO TERMS, AND SUBJECTING COMMISSION MEMBERS TO RETENTION VOTING BY THE ELECTORS OF THE STATE.

Fiscal Impact Summary	FY 2011-2012	FY 2012-2013
State Revenue		
State Expenditures		
FTE Position Change		
Effective Date: August 10, 2011, if the General Assembly adjourns on May 11, 2011, as scheduled, and no referendum petition is filed. The bill applies to members of the Public Utilities Commission who are appointed or reappointed for a term beginning on or after that date.		
Appropriation Summary for FY 2011-2012: None required.		
Local Government Impact: See the Local Government Impact section.		

Summary of Legislation

The bill changes the length of the term of the three PUC commissioners from four years to two years. A PUC member who wishes to retain his or her office after the expiration of the initial appointment must seek statewide voter approval in order to be retained for a second two-year term. The bill also states that a member of the commission may serve only two terms total.

Background

The Public Utilities Commission (PUC) includes three members who are appointed by the Governor and confirmed by the Senate for a term of four years. The PUC provides economic and quality of service regulatory authority over intrastate telecommunication services, investor-owned electric, gas and water utilities, and has partial regulatory control over municipal utilities and electric associations. The PUC also regulates utilities such as railroad and motor carrier utilities that are for hire including common and contract motor carriers; transportation operating authorities; carriers providing intrastate transportation services; and carriers providing interstate transportation services. The PUC has jurisdiction over railroad corporations and public railroad-highway grade crossings.

State Expenditures

The bill changes the length of the term to be served by each commission member of the PUC from four years to two years. A commissioner wishing to serve a second term must file a declaration of intent to seek a second term with the Secretary of State. The Secretary of State will then place a retention question on the ballot at the general election. No fiscal impact is anticipated from either the PUC or the Secretary of State as a result of the changes required by the bill.

Local Government Impact

When a PUC commissioner wishes to seek a second two-year term, the bill adds a question to the ballot at the general election for the retention of the member. This will make ballots longer and could affect the printing and tabulation costs for the county clerks. These changes will result in a minimal but unquantifiable fiscal impact to county offices as they prepare ballots and count results for the general election.

Departments Contacted

Regulatory Agencies

Secretary of State