

CHAPTER 101

GENERAL ASSEMBLY

SENATE BILL 19-148

BY SENATOR(S) Hisey and Sonnenberg, Coram, Donovan, Ginal, Bridges, Crowder, Moreno, Priola, Tate, Todd, Woodward, Garcia;
 also REPRESENTATIVE(S) Valdez D. and Catlin, Beckman, Bird, Buentello, Caraveo, Esgar, Gray, McLachlan, Roberts, Soper, Titone, Will.

AN ACT

CONCERNING THE CONTINUATION OF THE SEED POTATO ADVISORY COMMITTEE, AND, IN CONNECTION THEREWITH, IMPLEMENTING THE RECOMMENDATIONS CONTAINED IN THE 2018 SUNSET REPORT BY THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. In Colorado Revised Statutes, 2-3-1203, **repeal** (9)(a)(I) as follows:

2-3-1203. Sunset review of advisory committees - legislative declaration - definition - repeal. (9) (a) The following statutory authorizations for the designated advisory committees will repeal on September 1, 2019:

(I) ~~The seed potato advisory committee created in section 35-27.3-107, C.R.S.;~~

SECTION 2. In Colorado Revised Statutes, 35-27.3-107, **amend** (1)(b)(I) introductory portion, (1)(b)(I)(C), (1)(b)(I)(E), (1)(b)(II), and (2)(a); and **repeal** (2)(b) and (5) as follows:

35-27.3-107. Advisory committee - created - members - terms - duties. (1) (b) (I) The advisory committee ~~shall consist~~ **CONSISTS** of nine members appointed by the commissioner as follows:

(C) Two members of the Colorado Certified Potato Growers Association, or its successor organization; ~~one of whom shall be the sitting president of that association;~~

Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

~~(E) One person employed by the department~~ ONE POTATO GROWER WHO DOES NOT GROW SEED POTATOES AND WHOSE OPERATION IS LOCATED IN AREA NO. 1, AREA NO. 2, OR AREA NO. 3, BUT WITH A PREFERENCE FOR AREA NO. 1, AS EACH OF THESE AREAS ARE ESTABLISHED IN THE MARKETING ORDER REGULATING THE HANDLING OF POTATOES GROWN IN COLORADO, AS AMENDED, ISSUED UNDER THE "COLORADO AGRICULTURAL MARKETING ACT OF 1939", ARTICLE 28 OF THIS TITLE 35.

(II) Whenever possible, the advisory committee ~~members~~ MEMBER appointed under ~~sub-subparagraphs (D) and (E) of subparagraph (I) of this paragraph (b)~~ shall SUBSECTION (1)(b)(I)(D) OF THIS SECTION MUST have knowledge of or experience with seed potatoes.

(2) (a) Except as provided in ~~paragraphs (b) and (c) of this subsection (2)~~ SUBSECTION (2)(c) OF THIS SECTION, members appointed to the advisory committee shall serve for terms of three years. Members may be appointed for an unlimited number of terms; except that no member shall serve more than two terms consecutively.

~~(b) The initial appointments of two of the advisory committee members described in sub-subparagraph (A) of subparagraph (I) of paragraph (b) of subsection (1) of this section, one of the members described in sub-subparagraph (C) of subparagraph (I) of paragraph (b) of subsection (1) of this section, and the member described in sub-subparagraph (E) of subparagraph (I) of paragraph (b) of subsection (1) of this section, shall be for two years. Thereafter, each appointment to the advisory committee shall be for a term of three years.~~

~~(5) (a) This section is repealed, effective September 1, 2019.~~

~~(b) Prior to said repeal, the advisory committee appointed pursuant to this section shall be reviewed pursuant to section 2-3-1203, C.R.S.~~

SECTION 3. Act subject to petition - effective date. This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 2, 2019, if adjournment sine die is on May 3, 2019); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2020 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: April 12, 2019