

CHAPTER 4

AGRICULTURE

HOUSE BILL 00-1031

BY REPRESENTATIVES Kester, Gagliardi, Hoppe, and Webster;
also SENATORS Hillman, Hernandez, and Powers.

AN ACT

CONCERNING THE ELIMINATION OF CERTAIN ELECTIONS CONCERNING PEST CONTROL DISTRICTS.

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

SECTION 1. 35-5-104 (6), Colorado Revised Statutes, is amended to read:

35-5-104. Pest control district - procedure to establish. (6) The district advisory committees of two or more adjoining pest control districts may petition the board of county commissioners of the county in which such districts are located, requesting the consolidation of such districts. The board shall ~~set~~ SCHEDULE A PUBLIC HEARING on the petition within ten days after the receipt thereof. ~~IF~~ THE PUBLIC HEARING SHALL BE HELD WITHIN THIRTY DAYS AFTER RECEIPT OF THE PETITION. IF, AFTER SUCH HEARING, the board determines that through such consolidation the districts could be more economically and efficiently operated, ~~the board shall submit the question of such consolidation to all of the landowners and lessees of each of the districts desiring to consolidate by causing to be mailed to each such landowner and lessee, to his address as shown by the records of the county assessor or the state board of land commissioners, a ballot requesting his vote for or against said consolidation and the return of such ballot within ten days to the board. If fifty-one percent of the landowners voting in each such district vote in favor of the consolidation;~~ the board shall immediately, by order, declare the dissolution of the districts to be consolidated and the establishment of the consolidated new district, and shall thereupon notify the county assessor and district advisory committees of the dissolved districts of the termination of their respective committees, and shall appoint a new five-member district advisory committee for the consolidated district.

SECTION 2. 35-5-115, Colorado Revised Statutes, is amended to read:

35-5-115. Dissolution of district. The district may be dissolved by the same

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

procedure as the district was created on petition of twenty-five percent of the resident landowners of the district upon a vote of sixty-six and two-thirds percent of those owning the land in the district under similar procedure to that of organizing the district, if a program is not in effect. On and after July 1, 1990, a district may also be dissolved when such question is presented to the resident landowners by the board of county commissioners and more than fifty percent of said landowners voting on the issue vote to dissolve the district; EXCEPT THAT NO VOTE IS REQUIRED WHEN TWO OR MORE DISTRICTS ARE BEING CONSOLIDATED PURSUANT TO SECTION 35-5-104 (6).

SECTION 3. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: March 2, 2000