

CHAPTER 46

AGRICULTURE

SENATE BILL 22-042

BY SENATOR(S) Coram, Bridges, Buckner, Cooke, Gonzales, Hisey, Kirkmeyer, Priola, Rankin, Scott, Simpson, Smallwood, Sonnenberg, Woodward;
also REPRESENTATIVE(S) Esgar and Will, Bernett, Bockenfeld, Exum, Gray, Hooton, Lindsay, Pelton, Pico, Ricks, Roberts, Snyder.

AN ACT

CONCERNING CHANGES TO THE MEMBERSHIP OF THE BOARD OF COMMISSIONERS OF THE COLORADO STATE FAIR AUTHORITY.

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

SECTION 1. In Colorado Revised Statutes, 35-65-401, **amend** (2), (3), (4), (5), and (8.5) as follows:

35-65-401. Colorado state fair authority - creation - board - powers and duties - repeal. (2) (a) ~~On June 30, 1997, the existing board of commissioners of the Colorado state fair authority is abolished, and the terms of the members of the board then serving are terminated.~~

(b) There is ~~hereby~~ created the board of commissioners of the Colorado state fair authority, which ~~shall have eleven~~ HAS THIRTEEN members, ~~ten~~ TWELVE of whom shall be appointed by the governor with the consent of the senate and one who ~~shall be~~ IS the commissioner of agriculture or ~~his or her~~ THE COMMISSIONER'S designee. ~~At no time shall~~ BEFORE OCTOBER 31, 2022, no more than six members of the board MAY be affiliated with the same political party as the governor. ~~Within thirty days after June 30, 1997, the governor shall appoint the initial members of the board. The governor may appoint, as a member of the board, any person who was a member of the board prior to its termination.~~

(c) (I) ON OCTOBER 31, 2022, THE GOVERNOR SHALL APPOINT TWO BOARD MEMBERS FROM THE STATE AT LARGE IN ACCORDANCE WITH SUBSECTION (3)(b) OF THIS SECTION. MEMBERS APPOINTED BEFORE THE EFFECTIVE DATE OF THIS SUBSECTION (2)(c)(I) TO REPRESENT THE CONGRESSIONAL DISTRICTS AND THE STATE

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.

AT LARGE MAY HOLD OFFICE FOR THE REMAINDER OF THE TERM TO WHICH EACH MEMBER WAS APPOINTED. WHEN A MEMBER'S TERM EXPIRES OR A VACANCY OTHERWISE OCCURS, THE GOVERNOR SHALL APPOINT A NEW MEMBER IN ACCORDANCE WITH THE REQUIREMENTS OF SUBSECTION (3) OF THIS SECTION.

(II) THIS SUBSECTION (2)(c) IS REPEALED, EFFECTIVE DECEMBER 31, 2026.

(3) ~~Of the ten appointed~~ THE GOVERNOR SHALL APPOINT THE FOLLOWING TWELVE members of the board:

(a) Two ~~shall be~~ residents of the county in which the Colorado state fair and industrial exposition is held; ~~and~~

(b) TWO MEMBERS FROM THE STATE AT LARGE; AND

(c) ~~Of the remaining eight members, at least one shall be a resident of each of the congressional~~ TWO RESIDENTS FROM EACH OF THE FOUR AGRICULTURAL districts of the state, ~~and at least two shall be residents of the western slope of the state~~ AS DEFINED IN SECTION 35-1-105 (1)(c).

(4) ~~Of the members first appointed to the board, two members representing congressional districts shall be appointed for terms expiring November 1, 1998; two members representing congressional districts shall be appointed for terms expiring November 1, 1999; one member representing a congressional district, one member representing the county in which the Colorado state fair and industrial exposition is held, and one at-large member shall be appointed for terms expiring November 1, 2000; one member representing a congressional district, one at-large member, and one member representing the county in which the Colorado state fair and industrial exposition is held shall be appointed for terms expiring November 1, 2011. Thereafter, Members of the board shall be appointed for terms of four years; EXCEPT THAT THE TERMS SHALL BE STAGGERED SO THAT NO MORE THAN THREE MEMBERS' TERMS EXPIRE IN THE SAME YEAR. Appointments made to the board when the senate is not in session shall be ARE temporary appointments, and the appointees shall serve on a temporary basis until the senate is in session and is able to confirm such appointments. IF THE SENATE DOES NOT CONFIRM A TEMPORARY APPOINTMENT DURING THE NEXT REGULAR SESSION, THE TEMPORARY APPOINTEE'S TERM ENDS AND THE PERSON SHALL NOT BE REAPPOINTED AS A TEMPORARY APPOINTEE DURING THE SUBSEQUENT LEGISLATIVE INTERIM. Each member shall hold office until the member's successor is appointed and qualified.~~

(5) (a) Of the ~~ten~~ TWELVE appointed members of the board:

(I) ~~one shall be a certified public accountant, one shall have expertise in finance through current management-level experience in banking, and one shall have substantial experience in agriculture or in the activities of 4-H clubs~~ FOUR MUST BE INVOLVED IN THE AGRICULTURAL INDUSTRY;

(II) AT LEAST THREE MUST BE AFFILIATED WITH EACH MAJOR POLITICAL PARTY FOR AT LEAST ONE YEAR PRIOR TO APPOINTMENT, AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM; AND

(III) AT LEAST THREE MUST BE UNAFFILIATED FOR AT LEAST ONE YEAR PRIOR TO APPOINTMENT, AS SHOWN IN THE STATEWIDE VOTER REGISTRATION SYSTEM.

(b) IN MAKING APPOINTMENTS, THE GOVERNOR SHALL ATTEMPT TO ENSURE THAT THE BOARD REPRESENTS THE GEOGRAPHIC DIVERSITY OF THE STATE.

(8.5) All ~~eleven~~ THIRTEEN members of the board, including the commissioner of agriculture or his or her designee, shall be voting members of the board. The members of the board shall elect a chair, a vice-chair, and a secretary from among the membership of the board. Board action shall require the affirmative vote of a majority of a quorum of the board.

SECTION 2. 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; 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 2022 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: March 24, 2022