

CHAPTER 257

GOVERNMENT - STATE

HOUSE BILL 94-1351

BY REPRESENTATIVES Agler, Benavidez, George, Knox, and Owen;
also SENATOR Schroeder.

AN ACT**CONCERNING MODIFICATIONS TO THE LAWS GOVERNING THE JOINT LEGISLATIVE SUNRISE AND
SUNSET REVIEW COMMITTEE.**

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

SECTION 1. 2-3-1203 (1) (a), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

2-3-1203. Sunset review of advisory committees. (1) (a) The general assembly hereby finds and declares that advisory committees are beneficial to government since they help involve private citizens in the daily operations of government and provide the government with a system for utilizing the expertise of its citizens. However, there has been no legislative supervision which would allow for the systematic review of such committees to ascertain which committees may have outlived their usefulness yet remain on the statutes through oversight or neglect and which committees may have failed to perform the functions for which they were created. To assure that previously created advisory committees received this supervision, the review and hearing provisions set forth in subsection (2) of this section and the schedule set forth in subsection (3) of this section were created in 1986, and repeal provisions were added to the existing statutory authorizations for such committees. To assure that newly created advisory committees are supervised and subjected to such a review, any advisory committee created on or after July 1, 1990, shall have a life not to exceed six years, and the statutory authorization for the committee shall contain a corresponding repeal provision. AN ADVISORY COMMITTEE CREATED ON OR AFTER JULY 1, 1994, SHALL HAVE A LIFE NOT TO EXCEED TEN YEARS, AND THE STATUTORY AUTHORIZATION FOR THE COMMITTEE SHALL CONTAIN A CORRESPONDING REPEAL PROVISION. THE GENERAL ASSEMBLY, ACTING BY BILL, MAY RESCHEDULE THE REVIEW DATE FOR AN ADVISORY COMMITTEE TO A LATER DATE IF SUCH RESCHEDULED

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

DATE DOES NOT VIOLATE THE TEN-YEAR MAXIMUM LIFE PROVISION. ~~Such~~ Newly created advisory committees shall be subject to the review provisions of this section.

SECTION 2. 24-34-104 (7), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (7) The life of any division, board, or agency scheduled for termination under this section may be continued or reestablished by the general assembly for periods not to exceed ten years. ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, THE LIFE OF ANY DIVISION, BOARD, OR AGENCY SCHEDULED FOR TERMINATION UNDER THIS SECTION MAY BE CONTINUED OR REESTABLISHED BY THE GENERAL ASSEMBLY FOR PERIODS NOT TO EXCEED FIFTEEN YEARS. Any newly created division, board, or agency in the department of regulatory agencies shall have a life not to exceed six years; BUT, ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, ANY SUCH NEWLY CREATED DIVISION, BOARD, OR AGENCY SHALL HAVE A LIFE NOT TO EXCEED TEN YEARS, and shall be subject to the provisions of this section. THE GENERAL ASSEMBLY, ACTING BY BILL, MAY RESCHEDULE THE TERMINATION DATE FOR A DIVISION, BOARD, AGENCY, OR FUNCTION TO A LATER DATE IF SUCH RESCHEDULED DATE DOES NOT VIOLATE THE APPROPRIATE MAXIMUM LIFE PROVISION DESCRIBED IN THIS SUBSECTION (7).

SECTION 3. 24-34-104 (24.1) (a), (24.1) (b), (24.1) (g), and (24.1) (j), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are repealed as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (24.1) The following functions of the specified agencies shall terminate on July 1, 1995:

(a) ~~The function of the issuance of permits for specific weather modifications operations through the executive director of the department of natural resources performed in accordance with article 20 of title 36, C.R.S.;~~

(b) ~~The licensing function for underground storage tank installers of the state inspector of oils conducted pursuant to part 6 of article 20 of title 8, C.R.S.;~~

(g) ~~The functions of the workers' compensation medical care accreditation commission and the accreditation of health care providers under the workers' compensation system in accordance with section 8-42-101 (3.5) and (3.6), C.R.S.;~~

(j) ~~The licensing functions relating to fireworks of the executive director of the department of public safety in accordance with article 28 of title 12, C.R.S.~~

SECTION 4. 24-34-104 (25.1), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (25.1) The following functions of the specified agencies shall terminate on July 1, 1996:

(i) THE FUNCTION OF THE ISSUANCE OF PERMITS FOR SPECIFIC WEATHER MODIFICATIONS OPERATIONS THROUGH THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF NATURAL RESOURCES PERFORMED IN ACCORDANCE WITH ARTICLE 20 OF TITLE 36, C.R.S.;

(j) THE LICENSING FUNCTION FOR UNDERGROUND STORAGE TANK INSTALLERS OF THE STATE INSPECTOR OF OILS CONDUCTED PURSUANT TO PART 6 OF ARTICLE 20 OF TITLE 8, C.R.S.;

(k) THE FUNCTIONS OF THE WORKERS' COMPENSATION MEDICAL CARE ACCREDITATION COMMISSION AND THE ACCREDITATION OF HEALTH CARE PROVIDERS UNDER THE WORKERS' COMPENSATION SYSTEM IN ACCORDANCE WITH SECTION 8-42-101 (3.5) AND (3.6), C.R.S.;

(l) THE LICENSING FUNCTIONS RELATING TO FIREWORKS OF THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PUBLIC SAFETY IN ACCORDANCE WITH ARTICLE 28 OF TITLE 12, C.R.S.

SECTION 5. The introductory portion to 24-34-104.1 (2), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended, and the said 24-34-104.1 is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

24-34-104.1. General assembly review of new regulation of occupations and professions. (2) Any professional or occupational group or organization, any individual, or any other interested party which proposes the regulation of any unregulated professional or occupational group shall submit the following information to the sunrise and sunset review committee, created by joint rule of the senate and house of representatives, no later than December 15 of any year. ON OR AFTER THE EFFECTIVE DATE OF THIS SECTION, AS AMENDED, THE JOINT LEGISLATIVE SUNRISE AND SUNSET REVIEW COMMITTEE SHALL REVIEW A PROPOSAL TO REGULATE A PROFESSIONAL OR OCCUPATIONAL GROUP ONLY WHEN THE PARTY REQUESTING SUCH REVIEW FILES WITH THE COMMITTEE A STATEMENT OF SUPPORT FOR THE PROPOSED REGULATION WHICH HAS BEEN SIGNED BY AT LEAST TEN MEMBERS OF THE PROFESSIONAL OR OCCUPATIONAL GROUP FOR WHICH REGULATION IS BEING SOUGHT OR AT LEAST TEN INDIVIDUALS WHO ARE NOT MEMBERS OF SUCH PROFESSIONAL OR OCCUPATIONAL GROUP, ALONG WITH THE FOLLOWING INFORMATION, NO LATER THAN DECEMBER 15 OF ANY YEAR:

(6) WHEN THE JOINT LEGISLATIVE SUNRISE AND SUNSET REVIEW COMMITTEE APPROVES OF THE REGULATION OF A PROFESSIONAL OR OCCUPATIONAL GROUP, THE SUPPORTERS OF SUCH REGULATION MAY PRESENT APPROPRIATE LEGISLATION TO THE GENERAL ASSEMBLY DURING EACH OF THE TWO REGULAR SESSIONS THAT IMMEDIATELY SUCCEED THE DATE OF SUCH APPROVAL WITHOUT HAVING TO COMPLY AGAIN WITH THE PROVISIONS OF SUBSECTIONS (2), (3), AND (4) OF THIS SECTION.

SECTION 6. 8-20-608, Colorado Revised Statutes, 1986 Repl. Vol., as amended, is amended to read:

8-20-608. Repeal of part - review of functions. This part 6 is repealed, effective ~~July 1, 1995~~ JULY 1, 1996. Prior to such repeal, the licensing functions of the state inspector of oils shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 7. 8-42-101 (3.5) (k) and (3.6) (r), Colorado Revised Statutes, 1986 Repl. Vol., as amended, are amended to read:

8-42-101. Employer must furnish medical aid - approval of plan - fee schedule - contracting for treatment - no recovery from employee - medical treatment guidelines - accreditation of physicians. (3.5) (k) (I) This subsection (3.5) is repealed, effective ~~July 1, 1995~~ JULY 1, 1996.

(II) Prior to such repeal the commission and the accreditation process created by this subsection (3.5) and subsection (3.6) of this section shall be reviewed as provided for in section 24-34-104, C.R.S.

(3.6) (r) (I) This subsection (3.6) is repealed, effective ~~July 1, 1995~~ JULY 1, 1996.

(II) Prior to such repeal the commission and the accreditation process created by subsection (3.5) of this section and this subsection (3.6) shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 8. 12-28-112, Colorado Revised Statutes, 1991 Repl. Vol., as amended, is amended to read:

12-28-112. Repeal of article. This article is repealed, effective ~~July 1, 1995~~ JULY 1, 1996. Prior to such repeal the licensing functions of the executive director of the department of public safety shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 9. 25-7-512, Colorado Revised Statutes, 1989 Repl. Vol., as amended, is amended to read:

25-7-512. Repeal of part. This part 5 is repealed, effective ~~July 1, 1995~~ JULY 1, 1996. Prior to such repeal, the functions of the division under this part 5 shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 10. 36-20-127, Colorado Revised Statutes, 1990 Repl. Vol., as amended, is amended to read:

36-20-127. Repeal of article. This article is repealed, effective ~~July 1, 1995~~ JULY 1, 1996. Prior to such repeal, the function of the issuance of permits for specific weather modifications operations through the director shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 11. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 25, 1994