

CHAPTER 104

GOVERNMENT - STATE

HOUSE BILL 04-1255

BY REPRESENTATIVE(S) Wiens and May M.;
also SENATOR(S) Johnson S.

AN ACT

CONCERNING ADJUSTMENTS TO THE REVIEW SCHEDULE FOR CERTAIN ENTITIES BY THE DEPARTMENT OF REGULATORY AGENCIES.

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

SECTION 1. 24-34-104 (36), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (36) The following agencies, functions, or both, shall terminate on July 1, 2005:

(f) THE COMPLIANCE ADVISORY PANEL TO THE AIR POLLUTION CONTROL DIVISION IN THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT CREATED IN SECTION 25-7-109.2, C.R.S.

SECTION 2. 24-34-104 (37), Colorado Revised Statutes, 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. (37) The following agencies, functions, or both, shall terminate on July 1, 2006:

(h) THE STATE BOARD OF EXAMINERS OF ARCHITECTS, CREATED BY ARTICLE 4 OF TITLE 12, C.R.S.;

(i) THE UTILITY CONSUMERS' BOARD, CREATED IN ARTICLE 6.5 OF TITLE 40, C.R.S.;

(j) THE OFFICE OF CONSUMER COUNSEL, CREATED IN ARTICLE 6.5 OF TITLE 40, C.R.S.

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

SECTION 3. 24-34-104 (38), Colorado Revised Statutes, 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. (38) The following agencies, functions, or both, shall terminate on July 1, 2007:

(e) THE MOTOR VEHICLE DEALER BOARD CREATED BY SECTION 12-6-103, C.R.S.;

(f) THE READ-TO-ACHIEVE BOARD, CREATED PURSUANT TO SECTION 22-7-506, C.R.S.;

(g) THE DIVISION OF RACING EVENTS, INCLUDING THE COLORADO RACING COMMISSION, CREATED BY ARTICLE 60 OF TITLE 12, C.R.S.

SECTION 4. 24-34-104 (39) (b) (VII), Colorado Revised Statutes, is amended to read:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (39) (b) The following agencies, functions, or both, shall terminate on July 1, 2008:

(VII) The real estate division, including the real estate commission, created in part 1 of article 61 of title 12, C.R.S., INCLUDING THE SERVICE OF PROCESS REQUIREMENTS PURSUANT TO SECTION 12-61-303 (6), C.R.S.;

SECTION 5. 24-34-104 (40), Colorado Revised Statutes, 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. (40) The following agencies, functions, or both, shall terminate on July 1, 2009:

(j) THE FOLLOWING FUNCTIONS OF THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE:

(I) THE ISSUANCE OF LICENSES RELATING TO SLAUGHTER, PROCESSING, AND SALE OF MEAT IN ACCORDANCE WITH ARTICLE 33 OF TITLE 35, C.R.S.;

(II) THE ISSUANCE OF LICENSES AND CERTIFICATES RELATED TO MEASUREMENT STANDARDS IN ACCORDANCE WITH ARTICLE 14 OF TITLE 35, C.R.S.;

(III) THE LICENSING AND REGULATION OF PERSONS PURSUANT TO ARTICLE 16 OF TITLE 12, C.R.S.;

(IV) THE ISSUANCE OF LICENSES RELATING TO POULTRY EGGS IN ACCORDANCE WITH ARTICLE 21 OF TITLE 35, C.R.S.;

(k) THE LICENSING OF SLAUGHTERERS OF LIVESTOCK THROUGH THE DEPARTMENT OF AGRICULTURE IN ACCORDANCE WITH ARTICLE 11 OF TITLE 12, C.R.S.;

(l) THE LICENSING OF PUBLIC LIVESTOCK MARKETS THROUGH THE STATE BOARD OF STOCK INSPECTION COMMISSIONERS IN ACCORDANCE WITH ARTICLE 55 OF TITLE 35, C.R.S.;

(m) THE LICENSING AND REGULATION OF PSYCHIATRIC TECHNICIANS BY THE STATE BOARD OF NURSING PURSUANT TO ARTICLE 42 OF TITLE 12, C.R.S.;

(n) THE CERTIFICATION OF NURSE AIDES BY THE STATE BOARD OF NURSING IN ACCORDANCE WITH ARTICLE 38.1 OF TITLE 12, C.R.S.

SECTION 6. Repeal. 24-34-104 (38) (a), (39) (b) (I), (39) (b) (II), (39) (b) (III), (39) (b) (IV), (39) (b) (V), (39) (b) (X), (41) (a), (41) (c), (41) (j), (41) (k), and (41) (o), Colorado Revised Statutes, are repealed as follows:

24-34-104. General assembly review of regulatory agencies and functions for termination, continuation, or reestablishment. (38) The following agencies, functions, or both, shall terminate on July 1, 2007:

~~(a) The compliance advisory panel to the air pollution control division in the department of public health and environment created in section 25-7-109.2, C.R.S.;~~

(39) (b) The following agencies, functions, or both, shall terminate on July 1, 2008:

~~(I) The utility consumers' board, created in article 6.5 of title 40, C.R.S.;~~

~~(II) The office of consumer counsel, created in article 6.5 of title 40, C.R.S.;~~

~~(III) The state board of examiners of architects, created by article 4 of title 12, C.R.S.;~~

~~(IV) The motor vehicle dealer board created by section 12-6-103, C.R.S.;~~

~~(V) The division of racing events, including the Colorado racing commission, created by article 60 of title 12, C.R.S.;~~

~~(X) The read-to-achieve board, created pursuant to section 22-7-506, C.R.S.;~~

(41) The following agencies, functions, or both, shall terminate on July 1, 2010:

(a) The following functions of the commissioner of the department of agriculture:

~~(f) The issuance of licenses relating to slaughter, processing, and sale of meat in accordance with article 33 of title 35, C.R.S.;~~

~~(H) The issuance of licenses and certificates related to measurement standards in accordance with article 14 of title 35, C.R.S.;~~

~~(HH) The licensing and regulation of persons pursuant to article 16 of title 12, C.R.S.;~~

~~(IV) The issuance of licenses relating to poultry eggs in accordance with article 21 of title 35, C.R.S.;~~

~~(c) The licensing and regulation of psychiatric technicians by the state board of nursing pursuant to article 42 of title 12, C.R.S.;~~

~~(j) The licensing of slaughterers of livestock through the department of agriculture in accordance with article 11 of title 12, C.R.S.;~~

~~(k) The licensing of public livestock markets through the state board of stock inspection commissioners in accordance with article 55 of title 35, C.R.S.;~~

~~(o) The certification of nurse aides by the state board of nursing in accordance with article 38.1 of title 12, C.R.S.;~~

SECTION 7. 12-4-103 (2) (b), Colorado Revised Statutes, is amended to read:

12-4-103. State board of examiners of architects - subject to termination - repeal of article. (2) (b) This article is repealed, effective July 1, ~~2008~~ 2006.

SECTION 8. 12-6-124, Colorado Revised Statutes, is amended to read:

12-6-124. Repeal of article. This article is repealed, effective July 1, ~~2013~~ 2007. Prior to such repeal, the motor vehicle dealer board and the functions of the executive director, including licensing, shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 9. 12-11-114, Colorado Revised Statutes, is amended to read:

12-11-114. Repeal of functions. The licensing functions of the department of agriculture as set forth in this article are repealed, effective July 1, ~~2010~~ 2009. Prior to such termination, the licensing functions shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 10. 12-38.1-120, Colorado Revised Statutes, is amended to read:

12-38.1-120. Repeal of article. This article is repealed, effective July 1, ~~2010~~ 2009. Prior to such repeal, the certification functions of the state board of nursing shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 11. 12-42-103 (2) (a), Colorado Revised Statutes, is amended to read:

12-42-103. State board of nursing - repeal of article - review of licensing and regulation functions. (2) (a) This article is repealed, effective July 1, ~~2010~~ 2009.

SECTION 12. 12-60-901, Colorado Revised Statutes, is amended to read:

12-60-901. Repeal of article - review of functions. This article is repealed, effective July 1, ~~2008~~ 2007. Prior to such repeal, the division and its functions shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 13. 12-61-123, Colorado Revised Statutes, is amended to read:

12-61-123. Repeal of part. This part 1 is repealed, effective July 1, 2008, INCLUDING THE SERVICE OF PROCESS REQUIREMENTS PURSUANT TO SECTION 12-61-303 (6). Prior to such repeal, the real estate division, including the real estate commission, shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 14. 12-61-303 (6) (b), Colorado Revised Statutes, is amended to read:

12-61-303. Simplified procedure - application for administrative order for payment from the fund - repeal. (6) (b) (I) This subsection (6) is repealed, effective July 1, ~~2004~~ 2008.

(II) PRIOR TO SUCH REPEAL, THE PROVISIONS OF THIS SUBSECTION (6) SHALL BE REVIEWED AS PROVIDED FOR IN SECTION 24-34-104, C.R.S.

SECTION 15. 22-7-506 (5) (a), Colorado Revised Statutes, is amended to read:

22-7-506. Read-to-achieve grant program - board created - fund - repeal. (5) (a) This section is repealed, effective July 1, ~~2008~~ 2007.

SECTION 16. 25-7-109.2 (6), Colorado Revised Statutes, is amended to read:

25-7-109.2. Small business stationary source technical and environmental compliance assistance program - repeal. (6) The general assembly finds, determines, and declares that this section is enacted for purposes of compliance with the provisions of section 507 of the federal act. Subsections (2), (3), and (4) of this section and this subsection (6) are repealed, effective July 1, ~~2007~~ 2005. Prior to said repeal, the compliance advisory panel shall be reviewed by a legislative committee of reference, designated pursuant to section 2-3-1201, C.R.S., to conduct the review pursuant to section 24-34-104, C.R.S.

SECTION 17. 35-14-134, Colorado Revised Statutes, is amended to read:

35-14-134. Repeal of sections - review of functions. Sections 35-14-102 (3), 35-14-121 to 35-14-124.5, 35-14-127, 35-14-129, and 35-14-131 (2) (d), (2) (j), and (2) (m) are repealed, effective July 1, ~~2010~~ 2009. Prior to such repeal, the licensing and certification functions of the department shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 18. 35-21-108, Colorado Revised Statutes, is amended to read:

35-21-108. Repeal of sections - review of functions. Sections 35-21-104 and 35-21-107 (2) are repealed, effective July 1, ~~2010~~ 2009. Prior to such repeal, the licensing functions of the department shall be reviewed as provided for in section 24-34-104, C.R.S.

SECTION 19. 35-33-407, Colorado Revised Statutes, is amended to read:

35-33-407. Repeal of article. This article is repealed, effective July 1, ~~2010~~ 2009. Prior to such repeal, the licensing functions of the department shall be

reviewed as provided for in section 24-34-104, C.R.S.

SECTION 20. 35-55-119, Colorado Revised Statutes, is amended to read:

35-55-119. Termination of functions - repeal of article. The licensing functions of the state board of stock inspection commissioners as set forth in this article are repealed, effective July 1, ~~2010~~ 2009. Prior to such repeal, the licensing functions shall be reviewed as provided for in section 24-34-104, C.R.S. This article is repealed, effective July 1, ~~2010~~ 2009.

SECTION 21. 40-6.5-108 (1) (b), Colorado Revised Statutes, is amended to read:

40-6.5-108. Office of consumer counsel subject to termination. (1) Unless continued by the general assembly:

(b) The office of consumer counsel and the utility consumers' board shall terminate on July 1, ~~2008~~ 2006.

SECTION 22. Effective date. This act shall take effect July 1, 2004.

SECTION 23. 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: April 7, 2004