

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0640.02 Debbie Haskins

SENATE BILL 10-106

SENATE SPONSORSHIP

Bacon, Boyd, Newell, Sandoval

HOUSE SPONSORSHIP

Looper,

Senate Committees

Health and Human Services
Appropriations

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF A FOOD SYSTEMS ADVISORY COUNCIL,**
102 **AND MAKING AN APPROPRIATION THEREFOR.**

Bill Summary

(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/billsummaries>.)

The bill creates a 17-member food systems advisory council (council). The executive directors or their designees from the departments of public health and environment, agriculture, human services, education, and local affairs are 5 of the members of the council. The remaining 12 members are appointed by the governor, the president

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.

Capital letters indicate new material to be added to existing statute.

Dashes through the words indicate deletions from existing statute.

HOUSE
Am ended 2nd Reading
April 28, 2010

SENATE
3rd Reading Unamended
March 29, 2010

SENATE
Am ended 2nd Reading
March 26, 2010

of the senate, the speaker of the house of representatives, the minority leader of the senate, and the minority leader of the house of representatives as outlined in the bill. Those 12 appointive members are representatives of 6 functional areas: Nutrition and health; agricultural production; food wholesalers and food retailers; anti-hunger and food assistance programs; economic development; and local government.

The purposes of the council are to:

- ! Identify and use existing studies of the food system and examples of best practices, whenever possible;
- ! Collaborate with other task forces, committees, or organizations with similar purposes;
- ! Develop local food policies for Colorado that contribute to building robust, resilient, and long-term local food economies;
- ! Develop policy recommendations regarding hunger and food access;
- ! Support the efforts of, be a resource to, and receive input from local and regional food policy councils in the state;
- ! Advise and recommend actions that state and local governments, businesses, agriculture, and consumers can take to build robust, resilient, and long-term local food economies.

The bill lists several policy issues that the council will consider and study. The council may appoint subcommittees in the following areas: Local and regional food councils, local government, and school districts. The council may also appoint other subcommittees.

The council may accept gifts, grants, donations, or federal funds to fund the work of the council. The council will annually report its findings and recommendations, including proposals for legislation or for administrative action, to the general assembly, the governor, and the commissioner of agriculture.

As an advisory committee, the council will undergo a sunset review and be repealed, effective July 1, 2013, unless extended by the general assembly.

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

2 **SECTION 1. Title 24, Colorado Revised Statutes, is amended BY**
3 **THE ADDITION OF A NEW ARTICLE to read:**

4 **ARTICLE 37.3**

5 **Colorado Food Systems Advisory Council**

1 **24-37.3-101. Legislative declaration.** (1) THE GENERAL
2 ASSEMBLY HEREBY FINDS AND DECLARES THAT:

3 (a) IN SEPTEMBER 2009, THE FEDERAL CENTERS FOR DISEASE
4 CONTROL AND PREVENTION REPORTED THAT NO STATE IN THE UNITED
5 STATES WAS MEETING NATIONAL GOALS FOR THE AMOUNT OF FRUITS AND
6 VEGETABLES THAT AMERICANS SHOULD BE EATING. AS A RESULT, THE
7 CENTERS FOR DISEASE CONTROL AND PREVENTION IDENTIFIED THE
8 CREATION OF FOOD POLICY COUNCILS, CONSISTING OF
9 MULTI-STAKEHOLDER ORGANIZATIONS, AS AN EFFECTIVE WAY TO SUPPORT
10 SYSTEM CHANGES TO IMPROVE LOCAL, REGIONAL, AND STATE FOOD
11 ECONOMIES.

12 (b) FOOD COUNCILS FORMED IN OTHER STATES HAVE BEEN
13 EFFECTIVE IN BRINGING TOGETHER A BROAD ARRAY OF FOOD-RELATED
14 GOVERNMENT AND NONGOVERNMENT CONSTITUENCIES TO EMPLOY A
15 FOOD SYSTEMS APPROACH THAT FACILITATES EVALUATION AND PROGRAM
16 DEVELOPMENT AT EVERY STAGE OF THE FOOD PROCESS FROM FARM TO
17 TABLE;

18 (c) FORMATION OF A STATE FOOD ADVISORY COUNCIL IS INTENDED
19 TO BENEFIT COLORADO AGRICULTURISTS AND OTHERS INVOLVED IN ALL
20 ASPECTS OF AGRICULTURAL PRODUCTION;

21 (d) CREATION OF A STATE FOOD ADVISORY COUNCIL WILL PROVIDE
22 INCREASED FOCUS ON THE ECONOMIC DEVELOPMENT OPPORTUNITIES OF
23 COLORADO'S FOOD SYSTEM ALONG WITH IMPROVEMENTS TO
24 AGRICULTURAL PRODUCTION, COMMUNITY WELL-BEING, AND PUBLIC
25 HEALTH;

26 (e) NOTHING IN THIS ARTICLE IS INTENDED TO IMPEDE, CAUSE
27 HARM TO, OR LIMIT CONVENTIONALLY PRODUCED AGRICULTURAL

1 PRODUCTS OR THE PERSONS WHO PRODUCE THEM.

2 (2) THE GENERAL ASSEMBLY FURTHER FINDS THAT BUILDING
3 LOCAL, REGIONAL, AND STATE FOOD ECONOMIES WILL CREATE JOBS,
4 STIMULATE STATEWIDE ECONOMIC DEVELOPMENT, AND CIRCULATE MONEY
5 FROM LOCAL FOOD SALES WITHIN LOCAL COMMUNITIES. THE GENERAL
6 ASSEMBLY FINDS THAT BUILDING ROBUST, RESILIENT, AND LONG-TERM
7 LOCAL FOOD ECONOMIES IN COLORADO WILL PRESERVE AND PROTECT THE
8 NATURAL ENVIRONMENT, INCREASE CONSUMER ACCESS TO FRESH,
9 HEALTHY, AND SAFE FOODS, AND PROVIDE GREATER FOOD SECURITY FOR
10 ALL COLORADANS.

11 **24-37.3-102. Colorado food systems advisory council - created**
12 **- membership - terms - vacancies.** (1) THERE IS HEREBY ESTABLISHED
13 IN THE DEPARTMENT OF AGRICULTURE THE COLORADO FOOD SYSTEMS
14 ADVISORY COUNCIL, REFERRED TO IN THIS ARTICLE AS THE "COUNCIL".
15 THE COUNCIL IS CREATED AS AN ADVISORY COMMITTEE TO FOSTER A
16 HEALTHY FOOD SUPPLY AVAILABLE TO ALL COLORADO RESIDENTS WHILE
17 ENHANCING THE STATE'S AGRICULTURAL AND NATURAL RESOURCES,
18 ENCOURAGING ECONOMIC GROWTH, EXPANDING THE VIABILITY OF
19 AGRICULTURE, AND IMPROVING THE HEALTH OF OUR COMMUNITIES AND
20 RESIDENTS. THE COUNCIL'S ROLE IS TO MAKE RECOMMENDATIONS TO THE
21 GENERAL ASSEMBLY AND TO THE APPROPRIATE REGULATORY AGENCIES,
22 NOT TO CREATE POLICY. THE COUNCIL SHALL USE A METHOD OF DIALOGUE
23 AND CONSENSUS DECISION-MAKING TO ARRIVE AT ITS RECOMMENDATIONS.

24 (2) THE COUNCIL CONSISTS OF THIRTEEN MEMBERS AS FOLLOWS:

25 (a) THE EXECUTIVE DIRECTOR, OR HIS OR HER DESIGNEE, OF EACH
26 OF THE FOLLOWING STATE DEPARTMENTS:

27 (I) THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT;

1 (II) THE DEPARTMENT OF AGRICULTURE;
2 (III) THE DEPARTMENT OF HUMAN SERVICES;
3 (IV) THE DEPARTMENT OF EDUCATION;
4 (b) NINE MEMBERS APPOINTED BY THE GOVERNOR WHO REPRESENT
5 AND HAVE EXPERTISE IN ONE OF FIVE FUNCTIONAL AREAS OF FOOD
6 SYSTEMS, AS FOLLOWS:
7 (I) TWO MEMBERS WHO REPRESENT NUTRITION AND HEALTH;
8 (II) THREE MEMBERS WHO REPRESENT AGRICULTURAL
9 PRODUCTION;
10 (III) TWO MEMBERS WHO REPRESENT FOOD WHOLESALERS OR
11 FOOD RETAILERS;
12 (IV) ONE MEMBER WHO REPRESENTS ANTI-HUNGER AND FOOD
13 ASSISTANCE PROGRAMS;
14 (V) ONE MEMBER WHO IS KNOWLEDGEABLE ABOUT A LOCAL,
15 STATE, OR FEDERAL AGENCY AND WHO HAS EXPERTISE IN RURAL
16 COMMUNITY AND REGIONAL DEVELOPMENT PROGRAMS OR COMMUNITY
17 AND ECONOMIC DEVELOPMENT PROGRAMS.
18 (3) IN MAKING APPOINTMENTS TO THE COUNCIL, THE GOVERNOR
19 SHALL ENSURE THAT THE MEMBERSHIP OF THE COUNCIL INCLUDES
20 GEOGRAPHIC REPRESENTATION FROM ALL AREAS OF THE STATE. THE
21 GOVERNOR SHALL ALSO CONSIDER APPOINTING PERSONS WHO HAVE
22 EXPERTISE IN MORE THAN ONE FUNCTIONAL AREA. NO MORE THAN FIVE
23 MEMBERS OF THE COUNCIL APPOINTED BY THE GOVERNOR SHALL BE
24 MEMBERS OF THE SAME POLITICAL PARTY.
25 (4) EACH MEMBER OF THE COUNCIL WHO IS APPOINTED PURSUANT
26 TO SUBSECTION (2) OF THIS SECTION SHALL SERVE AT THE PLEASURE OF
27 THE APPOINTING AUTHORITY WHO APPOINTED THE MEMBER. EACH

1 MEMBER OF THE COUNCIL SHALL SERVE A THREE-YEAR TERM; EXCEPT
2 THAT THE GOVERNOR SHALL APPOINT FOUR MEMBERS TO SERVE
3 TWO-YEAR TERMS.

4 (5) THE APPOINTING AUTHORITIES SHALL MAKE THEIR INITIAL
5 APPOINTMENTS TO THE COUNCIL NO LATER THAN OCTOBER 1, 2010.

6 (6) ANY VACANCY ON THE COUNCIL SHALL BE FILLED IN THE SAME
7 MANNER IN WHICH THE ORIGINAL APPOINTMENT WAS MADE, AND THE
8 TERM SHALL BE FOR THE BALANCE OF THE UNEXPIRED TERM OF THE
9 MEMBER WHOSE TERM IS VACANT.

10 (7) A MAJORITY OF THE MEMBERS OF THE COUNCIL SHALL ELECT
11 A CHAIR AND A VICE-CHAIR WHO SHALL SERVE FOR TWO-YEAR TERMS. A
12 MEMBER OF THE COUNCIL WHO IS AN EXECUTIVE DIRECTOR OF A STATE
13 DEPARTMENT OR HIS OR HER DESIGNEE MAY BE ELECTED TO BE A CHAIR OR
14 A VICE-CHAIR OF THE COUNCIL, BUT BOTH POSITIONS SHALL NOT BE HELD
15 AT THE SAME TIME BY MEMBERS WHO ARE EXECUTIVE DIRECTORS OF
16 STATE DEPARTMENTS OR THEIR DESIGNEES.

17 (8) EACH MEMBER OF THE COUNCIL SHALL SERVE WITHOUT
18 COMPENSATION, BUT MAY BE REIMBURSED FROM THE FOOD SYSTEMS
19 ADVISORY COUNCIL FUND CREATED IN SECTION 24-37.3-105 FOR ACTUAL
20 AND NECESSARY SUBSISTENCE AND TRAVEL EXPENSES INCURRED IN THE
21 PERFORMANCE OF HIS OR HER DUTIES AS A MEMBER OF THE COUNCIL.

22 (9) THE CHAIR SHALL CALL THE MEETINGS AND NOTIFY THE
23 MEMBERS OF EACH MEETING BEING CALLED AT LEAST SEVEN DAYS IN
24 ADVANCE. MEETINGS SHALL BE HELD AS OFTEN AS THE CHAIR DEEMS
25 NECESSARY, BUT NOT LESS THAN FOUR TIMES EACH CALENDAR YEAR. A
26 QUORUM FOR THE TRANSACTION OF BUSINESS CONSISTS OF SEVEN
27 MEMBERS OF THE COUNCIL.

1 **24-37.3-103. Council - purpose and duties. (1) THE PURPOSE**
2 **OF THE COUNCIL IS TO:**

3 **(a) IDENTIFY AND USE EXISTING STUDIES OF THE FOOD SYSTEM AND**
4 **EXAMPLES OF BEST PRACTICES, WHENEVER POSSIBLE;**

5 **(b) WORK WITH OTHER TASK FORCES, COMMITTEES, OR**
6 **ORGANIZATIONS THAT ARE PURSUING INITIATIVES OR STUDIES SIMILAR TO**
7 **THE PURPOSES AND DUTIES OUTLINED IN THIS ARTICLE AND DEVELOP**
8 **RELATIONSHIPS WITH OTHER TASK FORCES, COMMITTEES, OR**
9 **ORGANIZATIONS TO COLLABORATE ON SIMILAR EFFORTS;**

10 **(c) DEVELOP LOCAL FOOD RECOMMENDATIONS THAT PROMOTE**
11 **THE BUILDING OF ROBUST, RESILIENT, AND LONG-TERM LOCAL FOOD**
12 **ECONOMIES;**

13 **(d) DEVELOP RECOMMENDATIONS REGARDING HUNGER AND FOOD**
14 **ACCESS;**

15 **(e) COLLABORATE WITH, SERVE AS A RESOURCE TO, AND RECEIVE**
16 **INPUT FROM LOCAL AND REGIONAL FOOD POLICY COUNCILS IN THE STATE;**

17 **(f) COLLABORATE WITH THE DEPARTMENT OF AGRICULTURE IN**
18 **PROMOTING THE MARKETING PROGRAM KNOWN AS "COLORADO PROUD",**
19 **WHICH HELPS CONSUMERS, RESTAURANTS, AND RETAILERS TO IDENTIFY**
20 **AND PURCHASE COLORADO FOOD AND AGRICULTURAL PRODUCTS; AND**

21 **(g) DEVELOP RECOMMENDATIONS FOR ACTIONS THAT STATE AND**
22 **LOCAL GOVERNMENTS, BUSINESSES, AGRICULTURISTS, AND CONSUMERS**
23 **CAN TAKE TO BUILD ROBUST, RESILIENT, AND LONG-TERM LOCAL FOOD**
24 **ECONOMIES.**

25 **(2) IN DEVELOPING ITS RECOMMENDATIONS, THE COUNCIL SHALL**
26 **CONSIDER, BUT NOT BE LIMITED TO, THE FOLLOWING AREAS OF INTEREST:**

27 **(a) (I) AN EXAMINATION OF FOODS MADE AVAILABLE TO**

1 CHILDREN, INCLUDING THOSE IN PUBLIC SCHOOLS, AND CONSIDERATION OF
2 WAYS TO IMPROVE THE NUTRITIONAL QUALITY OF THOSE FOODS AND
3 INCREASE CHILDREN'S ACCESS TO LOCALLY GROWN FOODS.

4 (II) IN DESIGNING RECOMMENDATIONS TO IMPROVE SCHOOL
5 NUTRITION AND INCREASE ACCESS TO LOCALLY GROWN FOODS, THE
6 COUNCIL SHALL INCORPORATE INPUT FROM, AND COORDINATE WITH THE
7 WORK OF, THE COLORADO CAMPAIGN TO END CHILDHOOD HUNGER BY
8 2015, INITIATED BY EXECUTIVE ORDER OF THE GOVERNOR.

9 (b) A STUDY OF EFFORTS TO MAKE LOCAL, HEALTHY, AND SAFE
10 FOODS AVAILABLE UNDER PUBLIC ASSISTANCE PROGRAMS, INCLUDING THE
11 POSSIBILITY OF USING ELECTRONIC BENEFIT CARDS FOR THE
12 SUPPLEMENTAL NUTRITION ASSISTANCE PROGRAM (SNAP) AND FEDERAL
13 FARMERS' MARKET NUTRITION PROGRAM (FMNP) COUPONS AT LOCAL
14 FARMERS' MARKETS;

15 (c) AN IN-DEPTH EXAMINATION OF LOCAL AND REGIONAL EFFORTS
16 TO STRENGTHEN AND DEVELOP ROBUST, RESILIENT, AND LONG-TERM
17 LOCAL FOOD ECONOMIES BY SUPPORTING AND PROMOTING URBAN,
18 SUBURBAN, AND RURAL AGRICULTURAL PRODUCTION; IDENTIFYING AND
19 DEVELOPING SOLUTIONS TO REGULATORY AND POLICY BARRIERS; AND
20 STRENGTHENING LOCAL INFRASTRUCTURE AND ENTREPRENEURIAL
21 EFFORTS;

22 (d) THE POTENTIAL IMPACTS THAT THE PRODUCTION OF LOCAL,
23 HEALTHY, AND SAFE FOODS WOULD HAVE ON ECONOMIC DEVELOPMENT IN
24 COLORADO, INCLUDING BOTH THE DIRECT IMPACTS FOR THE PRODUCERS
25 OF LOCAL FOOD AND THE ACTUAL AND POTENTIAL INDIRECT IMPACTS,
26 SUCH AS ENCOURAGING RESTAURANTS TO FEATURE LOCALLY RAISED
27 AGRICULTURAL PRODUCTS AND PROMOTING FOOD AND WINE TOURISM;

1 AND

2 (e) ANY OTHER ISSUES THE COUNCIL, BY CONSENSUS, CONSIDERS
3 PERTINENT.

4 **24-37.3-104. Subcommittees of the council.** (1) (a) THE
5 COUNCIL MAY CREATE SUBCOMMITTEES, AS THE COUNCIL DEEMS
6 NECESSARY, TO CARRY OUT THE WORK OF THE COUNCIL. THESE
7 SUBCOMMITTEES MAY INCLUDE BUT ARE NOT LIMITED TO:

8 (I) LOCAL AND REGIONAL FOOD COUNCILS;

9 (II) LOCAL GOVERNMENT;

10 (III) SCHOOL DISTRICTS, THE MEMBERS OF WHICH SHALL INCLUDE
11 PERSONS WITH EXPERTISE IN NUTRITION AND IN SCHOOL FINANCING; AND

12 (IV) A COORDINATION SUBCOMMITTEE TO COLLABORATE WITH
13 OTHER TASK FORCES, COMMITTEES, AND ORGANIZATIONS, INCLUDING THE
14 INTERAGENCY FARM-TO-SCHOOL COORDINATION TASK FORCE CREATED IN
15 SECTION 22-82.6-104, C.R.S.

16 (b) THE SUBCOMMITTEES SHALL INCLUDE REPRESENTATIVES OF
17 THE COUNCIL AND MAY INCLUDE PERSONS APPOINTED BY THE CHAIR AND
18 THE VICE-CHAIR OF THE COUNCIL WHO ARE NOT MEMBERS OF THE
19 COUNCIL.

20 (2) THE COUNCIL MAY ENGAGE IN ANY OTHER ACTIVITY THE
21 COUNCIL DETERMINES IS NECESSARY TO ACCOMPLISH THE PURPOSES
22 OUTLINED IN THIS ARTICLE.

23 **24-37.3-105. Fund - acceptance of gifts, grants, or donations.**

24 (1) FOR THE PURPOSES OF CARRYING OUT THE DUTIES OF THE COUNCIL,
25 THE COUNCIL IS AUTHORIZED TO SEEK AND ACCEPT GIFTS, GRANTS, OR
26 DONATIONS, INCLUDING IN-KIND DONATIONS, FROM PRIVATE OR PUBLIC
27 SOURCES FOR THE PURPOSES OF THIS ARTICLE; EXCEPT THAT THE COUNCIL

1 MAY NOT ACCEPT A GIFT, GRANT, OR DONATION THAT IS SUBJECT TO
2 CONDITIONS THAT ARE INCONSISTENT WITH THIS ARTICLE OR ANY OTHER
3 LAW OF THE STATE. THE COUNCIL MAY ACCEPT IN-KIND DONATIONS OF
4 STAFF SERVICES FROM THE PRIVATE SECTOR TO STAFF THE COUNCIL. THE
5 COUNCIL IS ALSO AUTHORIZED TO ACCEPT AND EXPEND FEDERAL FUNDS
6 AVAILABLE FOR FOOD POLICY COUNCILS. ALL PRIVATE AND PUBLIC
7 MONEYS RECEIVED THROUGH GIFTS, GRANTS, OR DONATIONS SHALL BE
8 TRANSMITTED TO THE STATE TREASURER, WHO SHALL CREDIT THE SAME
9 TO THE FOOD SYSTEMS ADVISORY COUNCIL FUND, WHICH FUND IS HEREBY
10 CREATED AND REFERRED TO IN THIS SECTION AS THE "FUND". THE
11 MONEYS IN THE FUND SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY
12 THE GENERAL ASSEMBLY TO THE DEPARTMENT OF AGRICULTURE FOR
13 ALLOCATION TO THE COUNCIL FOR THE DIRECT AND INDIRECT COSTS
14 ASSOCIATED WITH IMPLEMENTING THIS ARTICLE. ANY MONEYS IN THE
15 FUND NOT EXPENDED FOR THE PURPOSE OF THIS ARTICLE MAY BE
16 INVESTED BY THE STATE TREASURER AS PROVIDED BY LAW. ALL INTEREST
17 AND INCOME DERIVED FROM THE INVESTMENT AND DEPOSIT OF MONEYS
18 IN THE FUND SHALL BE CREDITED TO THE FUND. ANY UNEXPENDED AND
19 UNENCUMBERED MONEYS REMAINING IN THE FUND AT THE END OF A
20 FISCAL YEAR SHALL REMAIN IN THE FUND AND SHALL NOT REVERT OR BE
21 CREDITED OR TRANSFERRED TO THE GENERAL FUND OR ANOTHER FUND;
22 EXCEPT THAT, IF, AT THE TIME THIS ARTICLE IS REPEALED PURSUANT TO
23 SECTION 24-37.3-107, THE FUND CONTAINS A BALANCE OF
24 UNENCUMBERED AND UNEXPENDED MONEYS, THOSE MONEYS SHALL
25 REVERT TO THE GENERAL FUND.

26 (2) MONEYS IN THE FUND MAY BE USED FOR THE FOLLOWING
27 PURPOSES:

1 (a) THE ACTUAL AND NECESSARY EXPENSES INCURRED BY
2 MEMBERS OF THE COUNCIL FOR SERVING ON THE COUNCIL;

3 (b) THE COSTS OF STAFFING THE COUNCIL; AND

4 (c) THE COSTS OF PREPARING AND SUBMITTING THE ANNUAL
5 REPORT REQUIRED BY SECTION 24-37.3-106.

6 (3) IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NO MONEYS
7 FROM THE GENERAL FUND BE APPROPRIATED FOR THE COUNCIL. IT IS ALSO
8 THE INTENT OF THE GENERAL ASSEMBLY THAT NO STATE EMPLOYEES BE
9 HIRED TO IMPLEMENT THIS ARTICLE AND THAT THE ADMINISTRATIVE
10 COSTS OF PROVIDING FISCAL SUPPORT TO THE COUNCIL BE ABSORBED BY
11 THE DEPARTMENT OF AGRICULTURE.

12 (4) IF THE COUNCIL DOES NOT RECEIVE SUFFICIENT MONEYS
13 THROUGH GIFTS, GRANTS, AND DONATIONS PURSUANT TO SUBSECTION (1)
14 OF THIS SECTION TO CARRY OUT THE DUTIES OF THE COUNCIL, THE
15 COUNCIL SHALL NOT MEET AND SHALL NOT PREPARE AN ANNUAL REPORT
16 PURSUANT TO SECTION 24-37.3-106 UNTIL SUCH TIME AS SUFFICIENT
17 MONEYS BECOME AVAILABLE.

18 **24-37.3-106. Reports - recommendations.** COMMENCING
19 OCTOBER 1, 2011, AND ON OR BEFORE OCTOBER 1 OF EACH YEAR
20 THEREAFTER, THE COUNCIL SHALL REPORT ITS FINDINGS AND
21 RECOMMENDATIONS, INCLUDING ANY LEGISLATIVE PROPOSALS OR
22 PROPOSALS FOR ADMINISTRATIVE ACTION, TO THE GENERAL ASSEMBLY,
23 THE GOVERNOR, AND THE COMMISSIONER OF AGRICULTURE PURSUANT TO
24 SECTION 24-1-136 (9). NO LATER THAN JANUARY 31, 2012, AND EVERY
25 JANUARY THEREAFTER, THE COUNCIL SHALL ALSO REPORT ITS FINDINGS
26 AND RECOMMENDATIONS, INCLUDING ANY LEGISLATIVE PROPOSALS, TO
27 THE HOUSE HEALTH AND HUMAN SERVICES COMMITTEE; THE SENATE

1 HEALTH AND HUMAN SERVICES COMMITTEE; THE HOUSE AGRICULTURE,
2 LIVESTOCK, AND NATURAL RESOURCES COMMITTEE; AND THE SENATE
3 AGRICULTURE AND NATURAL RESOURCES COMMITTEE OR THEIR
4 SUCCESSOR COMMITTEES.

5 **24-37.3-107. Repeal of article.** THIS ARTICLE IS REPEALED,
6 EFFECTIVE JULY 1, 2013. PRIOR TO SUCH REPEAL, THE FOOD SYSTEMS
7 ADVISORY COUNCIL SHALL BE REVIEWED AS PROVIDED FOR IN SECTION
8 2-3-1203, C.R.S.

9 **SECTION 2.** 2-3-1203 (3) (z), Colorado Revised Statutes, is
10 amended BY THE ADDITION OF A NEW SUBPARAGRAPH to read:

11 **2-3-1203. Sunset review of advisory committees.** (3) The
12 following dates are the dates for which the statutory authorization for the
13 designated advisory committees is scheduled for repeal:

14 (z) July 1, 2013:

15 (VI) THE COLORADO FOOD SYSTEMS ADVISORY COUNCIL CREATED
16 IN SECTION 24-37.3-102, C.R.S.

17 **SECTION 3. Appropriation.** In addition to any other
18 appropriation, there is hereby appropriated, out of any moneys in the food
19 systems advisory council fund created in section 24-37.3-105, Colorado
20 Revised Statutes, not otherwise appropriated, to the department of
21 agriculture, for allocation to the Colorado food systems advisory council,
22 for the fiscal year beginning July 1, 2010, the sum of twenty-two
23 thousand five hundred thirty-one dollars (\$22,531) cash funds, or so much
24 thereof as may be necessary, for the implementation of this act.

25 **SECTION 4. Act subject to petition - effective date.** This act
26 shall take effect at 12:01 a.m. on the day following the expiration of the
27 ninety-day period after final adjournment of the general assembly (August

1 11, 2010, if adjournment sine die is on May 12, 2010); except that, if a
2 referendum petition is filed pursuant to section 1 (3) of article V of the
3 state constitution against this act or an item, section, or part of this act
4 within such period, then the act, item, section, or part shall not take effect
5 unless approved by the people at the general election to be held in
6 November 2010 and shall take effect on the date of the official
7 declaration of the vote thereon by the governor.