

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

PREAMENDED

*This Unofficial Version Includes Committee
Amendments Not Yet Adopted on Second Reading*

LLS NO. 10-0944.01 Kristen Forrestal

HOUSE BILL 10-1407

HOUSE SPONSORSHIP

Kagan, Gagliardi, Hullinghorst, Looper, Solano, Vigil

SENATE SPONSORSHIP

Steadman,

House Committees

Agriculture, Livestock, & Natural Resources
Appropriations

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING THE CREATION OF THE RANGE WORKER ADVISORY**
102 **COUNCIL.**

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 the range worker advisory council, which is required to meet at least 4 times to study and discuss issues concerning range workers in Colorado who are working under the federal H-2A visa program, including the employment and living conditions of the range workers. The bill requires the advisory council to report

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.*

recommendations, including any legislation deemed necessary, to committees of reference of the general assembly. The bill also creates a cash fund for gifts, grants, and donations to cover the costs associated with the advisory council.

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

2 **SECTION 1.** Title 8, Colorado Revised Statutes, is amended BY
3 THE ADDITION OF A NEW ARTICLE to read:

4 **ARTICLE 3.7**

5 **Range Workers**

6 **8-3.7-101. Range worker advisory council established -**
7 **members - cash fund - report to general assembly - repeal.** (1) THERE
8 IS HEREBY ESTABLISHED THE RANGE WORKER ADVISORY COUNCIL. THE
9 ADVISORY COUNCIL SHALL CONSIST OF ELEVEN MEMBERS AS FOLLOWS:

10 (a) THE COMMISSIONER OF THE DEPARTMENT OF AGRICULTURE OR
11 HIS OR HER DESIGNEE;

12 (b) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF LABOR AND
13 EMPLOYMENT OR HIS OR HER DESIGNEE;

14 (c) THE CHAIRS OF THE HOUSE BUSINESS AFFAIRS AND LABOR
15 COMMITTEE AND THE SENATE BUSINESS, LABOR, AND TECHNOLOGY
16 COMMITTEE, OR THEIR SUCCESSOR COMMITTEES;

17 (d) THE CHAIRS OF THE HOUSE AGRICULTURE, LIVESTOCK, AND
18 NATURAL RESOURCES COMMITTEE AND THE SENATE AGRICULTURE AND
19 NATURAL RESOURCES COMMITTEE, OR THEIR SUCCESSOR COMMITTEES;

20 AND

21 (e) FOUR APPOINTEES OF THE GOVERNOR, AS FOLLOWS:

22 (I) A PERSON WHO HAS EXPERIENCE IN IMMIGRATION SERVICES;

23 (II) A PERSON OF FAITH;

1 (III) TWO REPRESENTATIVES OF THE AGRICULTURE INDUSTRY WHO
2 EMPLOY OR HAVE EMPLOYED A RANGE WORKER IN COLORADO WHO
3 WORKS OR WORKED UNDER THE FEDERAL H-2A VISA PROGRAM; AND

4 (IV) A REPRESENTATIVE OF A MIGRANT WORKER ADVOCACY
5 GROUP.

6 (2) THE RANGE WORKER ADVISORY COUNCIL SHALL MEET AT
7 LEAST TWO AND UP TO FOUR TIMES TO STUDY AND DISCUSS ISSUES
8 CONCERNING RANGE WORKERS IN COLORADO WHO ARE WORKING UNDER
9 THE FEDERAL H-2A VISA PROGRAM. AT LEAST HALF OF THE MEETINGS
10 SHALL BE ON THE WESTERN SLOPE IN A LOCATION THAT IS CONVENIENT TO
11 THE REPRESENTATIVES OF THE AGRICULTURE INDUSTRY WHO EMPLOY OR
12 HAVE EMPLOYED RANGE WORKERS.

13 (3) MEMBERS OF THE ADVISORY COUNCIL ARE ENTITLED TO
14 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN
15 THE PERFORMANCE OF THEIR DUTIES TO THE EXTENT THAT MONEYS ARE
16 AVAILABLE THROUGH GIFTS, GRANTS, AND DONATIONS TRANSFERRED TO
17 THE RANGE WORKER ADVISORY COUNCIL CASH FUND ESTABLISHED IN
18 SUBSECTION (5) OF THIS SECTION.

19 (4) ON OR BEFORE FEBRUARY 1, 2011, THE RANGE WORKER
20 ADVISORY COUNCIL SHALL SUBMIT A REPORT TO THE SENATE BUSINESS,
21 LABOR, AND TECHNOLOGY COMMITTEE; THE SENATE AGRICULTURE AND
22 NATURAL RESOURCES COMMITTEE; THE HOUSE BUSINESS AFFAIRS AND
23 LABOR COMMITTEE; AND THE HOUSE AGRICULTURE, LIVESTOCK, AND
24 NATURAL RESOURCES COMMITTEE OF THE GENERAL ASSEMBLY, OR THEIR
25 SUCCESSOR COMMITTEES, REGARDING THE FINDINGS OF THE RANGE
26 WORKER ADVISORY COUNCIL AND ANY PROPOSED LEGISLATION DEEMED
27 NECESSARY BY THE ADVISORY COUNCIL.

1 (5) THERE IS HEREBY ESTABLISHED THE RANGE WORKER ADVISORY
2 COUNCIL CASH FUND IN THE STATE TREASURY, REFERRED TO IN THIS
3 SECTION AS THE "FUND". MONEYS IN THE FUND SHALL CONSIST OF ANY
4 GIFTS, GRANTS, OR DONATIONS COLLECTED PURSUANT TO THIS SECTION.
5 THE MONEYS IN THE FUND SHALL BE ANNUALLY APPROPRIATED TO THE
6 DEPARTMENT OF LABOR AND EMPLOYMENT FOR THE ADMINISTRATIVE
7 COSTS ASSOCIATED WITH THE RANGE WORKER ADVISORY COUNCIL. ANY
8 MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL
9 REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND OR
10 ANY OTHER FUND.

11 (6) THIS ARTICLE IS REPEALED, EFFECTIVE UPON WRITTEN
12 NOTIFICATION TO THE REVISOR OF STATUTES BY THE ADVISORY
13 COMMITTEE THAT THE REPORT REQUIRED PURSUANT TO SUBSECTION (4)
14 OF THIS SECTION HAS BEEN SUBMITTED TO THE GENERAL ASSEMBLY.

15 **SECTION 2. Safety clause.** The general assembly hereby finds,
16 determines, and declares that this act is necessary for the immediate
17 preservation of the public peace, health, and safety.