

Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

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, 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 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.*

HOUSE
3rd Reading Unamended
May 3, 2010

HOUSE
Amended 2nd Reading
April 30, 2010

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) IF THREE THOUSAND EIGHT HUNDRED SEVENTY-TWO DOLLARS
7 IS RECEIVED THROUGH GIFTS, GRANTS, AND DONATIONS TO PAY FOR THE
8 COSTS ASSOCIATED WITH THE ADVISORY COUNCIL ON OR BEFORE AUGUST
9 1, 2010, THE RANGE WORKER ADVISORY COUNCIL SHALL MEET AT LEAST
10 TWO AND UP TO FOUR TIMES TO STUDY AND DISCUSS ISSUES CONCERNING
11 RANGE WORKERS IN COLORADO WHO ARE WORKING UNDER THE FEDERAL
12 H-2A VISA PROGRAM. AT LEAST HALF OF THE MEETINGS SHALL BE ON THE
13 WESTERN SLOPE IN A LOCATION THAT IS CONVENIENT TO THE
14 REPRESENTATIVES OF THE AGRICULTURE INDUSTRY WHO EMPLOY OR HAVE
15 EMPLOYED RANGE WORKERS. IF ENOUGH MONEYS ARE NOT RECEIVED, THE
16 RANGE WORKER ADVISORY COUNCIL SHALL BE DISSOLVED AND RELIEVED
17 OF ITS DUTIES PURSUANT TO THIS SECTION. IF THE ADVISORY COUNCIL
18 DETERMINES THAT ENOUGH GIFTS, GRANTS, AND DONATIONS ARE
19 RECEIVED, THE ADVISORY COMMITTEE MAY CONTRACT WITH A PRIVATE
20 ENTITY TO FACILITATE THE MEETINGS.

21 (3) MEMBERS OF THE ADVISORY COUNCIL ARE ENTITLED TO
22 REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN
23 THE PERFORMANCE OF THEIR DUTIES TO THE EXTENT THAT MONEYS ARE
24 AVAILABLE THROUGH GIFTS, GRANTS, AND DONATIONS TRANSFERRED TO
25 THE RANGE WORKER ADVISORY COUNCIL CASH FUND ESTABLISHED IN
26 SUBSECTION (5) OF THIS SECTION.

27 (4) ON OR BEFORE FEBRUARY 1, 2011, THE RANGE WORKER

1 ADVISORY COUNCIL SHALL SUBMIT A REPORT TO THE SENATE BUSINESS,
2 LABOR, AND TECHNOLOGY COMMITTEE; THE SENATE AGRICULTURE AND
3 NATURAL RESOURCES COMMITTEE; THE HOUSE BUSINESS AFFAIRS AND
4 LABOR COMMITTEE; AND THE HOUSE AGRICULTURE, LIVESTOCK, AND
5 NATURAL RESOURCES COMMITTEE OF THE GENERAL ASSEMBLY, OR THEIR
6 SUCCESSOR COMMITTEES, REGARDING THE FINDINGS OF THE RANGE
7 WORKER ADVISORY COUNCIL AND ANY PROPOSED LEGISLATION DEEMED
8 NECESSARY BY THE ADVISORY COUNCIL.

9 (5) THERE IS HEREBY ESTABLISHED THE RANGE WORKER ADVISORY
10 COUNCIL CASH FUND IN THE STATE TREASURY, REFERRED TO IN THIS
11 SECTION AS THE "FUND". MONEYS IN THE FUND SHALL CONSIST OF ANY
12 GIFTS, GRANTS, OR DONATIONS COLLECTED PURSUANT TO THIS SECTION.
13 THE MONEYS IN THE FUND SHALL BE CONTINUOUSLY APPROPRIATED TO
14 THE DEPARTMENT OF LABOR AND EMPLOYMENT FOR THE ADMINISTRATIVE
15 COSTS ASSOCIATED WITH THE RANGE WORKER ADVISORY COUNCIL. ANY
16 MONEYS REMAINING IN THE FUND AT THE END OF ANY FISCAL YEAR SHALL
17 REMAIN IN THE FUND AND SHALL NOT REVERT TO THE GENERAL FUND OR
18 ANY OTHER FUND.

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

23 **SECTION 2. Appropriation.** In addition to any other
24 appropriation, there is hereby appropriated, out of any moneys in the
25 range worker advisory council cash fund created in section 8-3.7-101 (5),
26 Colorado Revised Statutes, not otherwise appropriated, to the department
27 of labor and employment, for the fiscal year beginning July 1, 2010, the

1 sum of three thousand eight hundred seventy-two dollars (\$3,872) cash
2 funds, or so much thereof as may be necessary, for the implementation of
3 this act.

4 **SECTION 3. Safety clause.** The general assembly hereby finds,
5 determines, and declares that this act is necessary for the immediate
6 preservation of the public peace, health, and safety.