

CHAPTER 364

AGRICULTURE

HOUSE BILL 04-1089

BY REPRESENTATIVE(S) McCluskey, McFadyen, Rippy, Young, Coleman, Frangas, Johnson R., Miller, Rose, and Wiens;
also SENATOR(S) Hillman, Chlouber, Entz, Gordon, Groff, Grossman, Hagedorn, Hanna, Isgar, Kester, Nichol, Phillips,
Sandoval, Tapia, Taylor, Teck, Tupa, Veiga, and Windels.

AN ACT

**CONCERNING A PREFERENCE FOR THE PURCHASE OF COLORADO AGRICULTURAL PRODUCTS BY
GOVERNMENTAL ENTITIES.**

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

SECTION 1. Article 28 of title 35, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

35-28-124. Agricultural commodities - preferences - promotion - task force - legislative declaration - repeal. (1) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(a) IN ITS EFFORTS TO PROMOTE COLORADO AGRICULTURAL COMMODITIES, THE STATE HAS ATTEMPTED TO REQUIRE GOVERNMENTAL ENTITIES TO GIVE A PREFERENCE TO THE PURCHASE OF COLORADO-GROWN AGRICULTURAL PRODUCTS.

(b) AGRICULTURE SERVES AN IMPORTANT ROLE IN COLORADO, AND THE STATE NEEDS TO PROMOTE AGRICULTURAL PRODUCTS IN A MANNER THAT STRENGTHENS THE AGRICULTURAL ECONOMY FOR BOTH THE AGRICULTURE INDUSTRY AND THE CITIZENS OF THE STATE.

(c) TO ADEQUATELY ADDRESS ISSUES CONNECTED WITH PREFERENCE FOR THE PURCHASE OF COLORADO AGRICULTURAL PRODUCTS AND PROMOTION OF COLORADO'S AGRICULTURAL PRODUCTS, IT IS NECESSARY TO CREATE A TASK FORCE TO EXAMINE AND PROVIDE DIRECTION FOR ENHANCING THE VALUE OF AGRICULTURAL PRODUCTS IN ORDER TO CREATE MORE COMPETITIVE MARKETS AND INCREASED DEMAND FOR THE STATE'S AGRICULTURAL PRODUCTS.

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

(2) (a) THERE IS HEREBY CREATED THE COLORADO AGRICULTURE PROMOTION TASK FORCE, REFERRED TO IN THIS SECTION AS THE "TASK FORCE". THE TASK FORCE SHALL CONSIST OF ELEVEN MEMBERS APPOINTED AS FOLLOWS:

(I) FOUR MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES, ONE OF WHOM SHALL BE ENGAGED IN THE AGRICULTURE INDUSTRY, NO MORE THAN TWO OF WHOM SHALL BE FROM THE SAME POLITICAL PARTY, AND NO MORE THAN TWO OF WHOM SHALL BE MEMBERS OF THE HOUSE OF REPRESENTATIVES;

(II) TWO MEMBERS APPOINTED BY THE PRESIDENT OF THE SENATE AND TWO MEMBERS APPOINTED BY THE MINORITY LEADER OF THE SENATE, ONE OF WHOM SHALL BE ENGAGED IN THE AGRICULTURE INDUSTRY, AND NO MORE THAN TWO OF WHOM SHALL BE MEMBERS OF THE SENATE; AND

(III) THREE MEMBERS APPOINTED BY THE GOVERNOR, ONE OF WHOM SHALL BE ENGAGED IN THE AGRICULTURE INDUSTRY.

(b) WHEN MAKING APPOINTMENTS TO THE TASK FORCE, THE SPEAKER, THE PRESIDENT, AND THE GOVERNOR SHALL ATTEMPT TO APPOINT MEMBERS WITH EXPERIENCE IN BANKING AND FINANCE, ECONOMIC DEVELOPMENT, AND CAPITAL FORMATION. APPOINTMENTS TO THE TASK FORCE SHALL BE MADE NO LATER THAN JULY 1, 2004.

(c) MEMBERS OF THE TASK FORCE SHALL SERVE WITHOUT COMPENSATION AND SHALL NOT RECEIVE REIMBURSEMENT FOR EXPENSES INCURRED WHILE SERVING ON THE TASK FORCE.

(d) THE COMMISSIONER OF AGRICULTURE OR THE COMMISSIONER'S DESIGNEE, THE DIRECTOR OF THE OFFICE OF ECONOMIC DEVELOPMENT OR THE DIRECTOR'S DESIGNEE, AND THE PRESIDENT OF COLORADO STATE UNIVERSITY OR THE PRESIDENT'S DESIGNEE SHALL SERVE AS EX OFFICIO NONVOTING MEMBERS OF THE TASK FORCE.

(e) THE TASK FORCE IS AUTHORIZED TO RECEIVE CONTRIBUTIONS, GRANTS, SERVICES, AND IN-KIND DONATIONS FROM ANY PUBLIC OR PRIVATE ENTITY TO BE EXPENDED FOR ANY DIRECT OR INDIRECT COSTS ASSOCIATED WITH THE DUTIES OF THE TASK FORCE SET FORTH IN THIS SECTION.

(f) THE DEPARTMENT OF AGRICULTURE, THE COLORADO OFFICE OF ECONOMIC DEVELOPMENT, AND COLORADO STATE UNIVERSITY SHALL PROVIDE STAFF ASSISTANCE TO THE TASK FORCE WITHIN EXISTING RESOURCES.

(3) THE TASK FORCE SHALL STUDY THE FOLLOWING ISSUES:

(a) THE BENEFITS AND DETRIMENTS OF REQUIRING GOVERNMENTAL ENTITIES THAT ARE PURCHASING AGRICULTURAL COMMODITIES TO GIVE PREFERENCE TO AGRICULTURAL COMMODITIES THAT ARE PRODUCED IN THE STATE.

(b) METHODS BY WHICH THE STATE CAN IMPROVE THE STATE'S AGRICULTURAL INDUSTRY AND ENCOURAGE AND SUPPORT THE ECONOMIC DEVELOPMENT OF AGRICULTURE IN RURAL PARTS OF THE STATE, INCLUDING THE CONSIDERATION OF

WAYS TO FACILITATE AND FOSTER AGRICULTURE IN THE STATE.

(c) MEASURES TO ADD VALUE TO THE STATE'S AGRICULTURAL COMMODITIES.

(d) BETTER METHODS FOR RESPONDING TO NEW AND CHANGING MARKETS AND OBTAINING A COMPETITIVE ADVANTAGE FOR THE STATE'S AGRICULTURE INDUSTRY.

(4) THE TASK FORCE SHALL REPORT ITS FINDINGS AND RECOMMENDATIONS TO THE AGRICULTURE, LIVESTOCK, AND NATURAL RESOURCES COMMITTEE OF THE HOUSE OF REPRESENTATIVES AND THE AGRICULTURE, NATURAL RESOURCES, AND ENERGY COMMITTEE OF THE SENATE NO LATER THAN JANUARY 10, 2005.

(5) THIS SECTION IS REPEALED, EFFECTIVE MAY 1, 2005.

SECTION 2. 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: June 4, 2004