

# AGRICULTURE

<b>Department of Agriculture Operations</b>	
<b>HB 13-1234</b> <i>(Enacted)</i> Lease-purchase Authority for Department of Agriculture Office Consolidation	
<b>Colorado Agriculture Promotion</b>	
<b>SB 13-241</b> <i>(Enacted)</i> Industrial Hemp Registration Program	<b>SB 13-153</b> <i>(Enacted)</i> Sunset Farm-to-school Task Force
<b>Pest and Weed Management</b>	
<b>HB 13-1250</b> <i>(Enacted)</i> County Landscape Management	<b>SB 13-223</b> <i>(Enacted)</i> Sunset Continue Noxious Weed Advisory Committee
<b>Animal Cruelty</b>	
<b>HB 13-1125</b> <i>(Postponed Indefinitely)</i> Modify Procedures Regarding Impounded Animal Costs	<b>HB 13-1231</b> <i>(Postponed Indefinitely)</i> Prohibit Routine Dairy Cattle Tail Docking

The legislature considered bills on a variety of agricultural issues in 2013 including Department of Agricultural operations, industrial hemp production, pest and weed management, and animal cruelty.

## Department of Agriculture Operations

The Department of Agriculture, which consists of eight divisions, currently occupies five separate facilities, including two state-owned facilities and three leased offices in the Denver Metro area. The department is planning to purchase a building that is approximately 50,000 square feet. The department requested legislation to authorize the purchase and the development of a new building to consolidate its Denver Metro area offices in a single facility. **House Bill 13-1234**, recommended by the Capital Development Committee, authorizes the State Treasurer to enter into lease-purchase agreements on behalf of the Department of Agriculture for a period of up to 20 years to purchase and renovate a new office building to house seven of the department's eight divisions. The project is expected to cost \$9.6 million and be ready for move in by June of 2014. The remaining division, the State Fair Authority, will continue to be located in Pueblo.

## Colorado Agriculture Promotion

In 2012, Colorado voters approved Amendment 64 that authorized the recreational use of marijuana by persons at least 21 years of age. The amendment also required the state legislature to enact legislation concerning the growth, processing, and sale of industrial hemp. **Senate Bill 13-241** establishes a registration program in the Department of Agriculture for persons who grow industrial hemp either commercially or for research and development purposes. The bill establishes the Industrial Hemp Committee and specifies the qualifications for the nine members

who will be appointed by the committee chairs of the House and Senate agriculture committees. The department and committee will determine the qualifications and other criteria for persons who want to grow industrial hemp. A person wanting to cultivate industrial hemp commercially, or for research and development purposes, must register annually. The department must charge a registration fee sufficient to cover the costs of regulation based on the size of the land area on which the applicant will conduct operations. The commissioner and committee must establish a system for registrants to test their products to verify that it does not exceed the Delta-9 Tetrahydrocannabinol (THC) concentration limit of no more than 0.3 percent on a dry weight basis. THC is the primary psychoactive ingredient in marijuana. Registrants growing for commercial purposes must enter into a purchase agreement with an in-state industrial hemp processor and provide that information to the department. The commissioner has the authority to deny, revoke, or suspend a registration and may impose a civil penalty not to exceed \$2,500 per violation of this law or any rule adopted pursuant to the law. If the federal government authorizes the U.S. Department of Agriculture to regulate the cultivation and research and development of industrial hemp and the commissioner subsequently determines that state regulation is no longer necessary, state regulation will be repealed.

The General Assembly created the Interagency Farm-to-School Coordination Task Force in 2010 as part of the Farm-to-School Healthy Kids Act. The task force is charged with increasing the use of local farm and ranch products in school food service programs, improving child nutrition, and strengthening local and regional farming communities. It is housed in the Colorado Department of Education. Under current law, the task force sunsets on December 31, 2013. **Senate Bill 13-153** continues the task force indefinitely and adds two members to include a representative of a farm, orchard, or ranch in Colorado that sells produce, fruit, or animal products to at least one Colorado public school and a representative of school food services management from a higher education institution. The focus of the task force was expanded to explore statewide data collection systems to track farm-to-school activities.

## **Pest and Weed Management**

During the 2013 legislative session, the General Assembly considered two bills concerning pest and weed management. Under current law, county commissioners are authorized to license and employ a county pest inspector. **House Bill 13-1250** increases the license renewal period from two to three years and raises from \$5,000 to \$10,000 the cap on how much a landowner may be charged to reimburse county expenses for pest mitigation on the landowner's private property. It also prohibits a county from requiring pest mitigation on private property without first applying the same or greater management measures to county-owned land adjacent to the private property and prohibits a county pest inspector from suing a landowner or occupant for personal injury or property damage unless the injury or damage was willful.

Noxious weeds may poison livestock, compete with crops, displace deer and elk, compete with native plants, threaten rare and endangered species, and sometimes displace water flow important to certain ecosystems. The State Noxious Weed Advisory Committee was created in 2003 by the Colorado Noxious Weed Act, as part of an effort to stop the spread of noxious weeds in Colorado. Housed in the Colorado Department of Agriculture, the Noxious Weed Advisory Committee consists of 15 members appointed by the Commissioner of Agriculture. **Senate Bill 13-223** continues the Noxious Weed Advisory Committee until September 1, 2023, and adds two nonvoting members that are appointed by the Department of Transportation and the Department of Natural Resources with approval of the Commissioner of Agriculture.

## **Animal Cruelty**

The General Assembly considered two animal cruelty bills during the 2013 legislative session that were postponed indefinitely. **House Bill 13-1231** would have prohibited the practice of docking the tails of dairy cattle unless the procedure is performed for a therapeutic purpose by a veterinarian using anesthetic. A person who performs an unauthorized tail docking would have been subject to a fine of up to \$500. **House Bill 13-1125** would have required that livestock be inspected by a licensed veterinarian to determine if impoundment is necessary to preserve the life of an animal prior to a peace officer taking possession of the animal. If an animal was impounded and found by a licensed veterinarian to be near death, or if the owner consents, the animal may have been euthanized without a court order.