

HOUSE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

April 22, 2016
Date

Committee on Appropriations.

After consideration on the merits, the Committee recommends the following:

HB16-1079 be amended as follows, and as so amended, be referred to the Committee of the Whole with favorable recommendation:

- 1 Amend the Public Health Care and Human Services Committee Report,
2 dated February 19, 2016, page 3, strike lines 9 through 13 and substitute
3 "Page 4 of the bill, line 18, strike everything after "FEES" and substitute
4 "MUST BE SET IN AN AMOUNT SUFFICIENT TO RECOVER THE DEPARTMENT'S
5 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS PART
6 2; AND".

- 7 Page 4 of the bill, line 24, strike everything after "RECEIVED" and
8 substitute "PURSUANT TO THIS PART 2 TO THE STATE TREASURER, WHO
9 SHALL CREDIT THE MONEY TO THE MARIJUANA CASH FUND CREATED IN
10 SECTION 12-43.3-501 (1) (a), C.R.S."

- 11 Page 4 of the bill, strike lines 25 through 27.

- 12 Page 5 of the bill, after line 19 insert:

13 "SECTION 7. In Colorado Revised Statutes, 35-11.5-113, **amend**
14 (1) as follows:
15 **35-11.5-113. Money credited to plant health, pest control, and**
16 **environmental protection cash fund.** (1) All fees and penalties
17 collected pursuant to this ~~article~~ PART 1 shall be transmitted to the state
18 treasurer, who shall credit ~~the same~~ THEM to the plant health, pest control,
19 and environmental protection cash fund created in section 35-1-106.3.

1 ~~Within sixty days after July 1, 2009, the unexpended and unencumbered~~
2 ~~balance of the organic certification fund, as that fund existed prior to July~~
3 ~~1, 2009, shall be transferred to the plant health, pest control, and~~
4 ~~environmental protection cash fund."~~

5 Renumber succeeding sections accordingly."

6 Page 3 of the report, strike line 15 and substitute:

7 **""SECTION 10.** In Colorado Revised Statutes, 12-43.3-501,
8 **amend** (1) (b) as follows:

9 **12-43.3-501. Marijuana cash fund.** (1) (b) ~~Moneys~~ MONEY in
10 the fund ~~are~~ IS subject to annual appropriation by the general assembly to:

11 (I) The department of revenue for the direct and indirect costs
12 associated with implementing this article, article 43.4 of this title, and
13 article 28.8 of title 39, C.R.S.; AND

14 (II) THE DEPARTMENT OF AGRICULTURE FOR THE DIRECT AND
15 INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING PART 2 OF ARTICLE 11.5
16 OF TITLE 35, C.R.S.

17 **SECTION 11. Appropriation.** (1) For the 2016-17 state fiscal
18 year, \$65,640 is appropriated to the department of agriculture. This
19 appropriation is from the marijuana cash fund created in section 12-43.3-
20 501 (1) (a), C.R.S. To implement this act, the department may use this
21 appropriation as follows:

22 (a) \$37,137 for the plant industry division, which amount is based
23 on an assumption that the division will require an additional 0.5 FTE; and

24 (b) \$28,503 for the purchase of legal services.

25 (2) For the 2016-17 state fiscal year, \$28,503 is appropriated to
26 the department of law. This appropriation is from reappropriated funds
27 received from the department of agriculture under paragraph (b) of
28 subsection (1) of this section and is based on an assumption that the
29 department of law will require an additional 0.2 FTE. To implement this
30 act, the department of law may use this appropriation to provide legal
31 services for the department of agriculture.

32 **SECTION 12. Severability.** Section 2-4-204, Colorado Revised".

33 Page 3 of the report, after line 17 insert:

34 "Page 1 of the bill, line 102, strike "PESTICIDE-FREE." and substitute

35 "PESTICIDE-FREE, AND, IN CONNECTION THEREWITH, MAKING AN

1 APPROPRIATION."

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