

**JBC STAFF FISCAL ANALYSIS  
HOUSE APPROPRIATIONS COMMITTEE**

CONCERNING AGRICULTURAL WORKERS' RIGHTS, AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

Prime Sponsors: Sens. Danielson and Moreno  
Reps. McCormick and Caraveo

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**Appropriation Items of Note**

**Appropriation Already Added to Bill, Amendment in Packet**

**General Fund Impact**

**Fiscal Impact of Bill as Amended to Date**

The most recent Legislative Council Staff Revised Fiscal Note (attached) reflects the fiscal impact of the bill as of 05/25/21.

	<b>No Change:</b> Attached LCS Fiscal Note accurately reflects the fiscal impact of the bill
	<b>Update:</b> Fiscal impact has changed due to <i>new information or technical issues</i>
<b>XXX</b>	<b>Update:</b> Fiscal impact has changed due to <i>amendment adopted</i> after LCS Fiscal Note was prepared
	<b>Non-Concurrence:</b> JBC Staff and Legislative Council Staff disagree about the fiscal impact of the bill

The House State, Civic, Military & Veterans Affairs Committee Report (06/03/21) includes amendments to the bill that change the fiscal impact of the bill. Specifically, amendment L.093 requires the Department of Agriculture to promulgate rules:

- regarding allowances for and limitations to hand weeding and hand thinning for agriculture employers actively engaged in the transition to certified organic agriculture; and
- that establish a procedure for agricultural employers to seek a certificate of variance from the Department that allows for more than occasional or intermittent hand weeding of agricultural or horticultural products under certain circumstances.

The Department requires \$193,882 General Fund for FY 2021-22 (and \$127,567 General Fund for FY 2022-23 and subsequent fiscal years) to draft the rules and establish the process for a certificate of variance, including reviewing applications, traveling to some sites to verify the certificate is warranted, processing and tracking applications (including the development of a tracking system), providing technical assistance to producers, and working with the Attorney General's Office on appeals. Legislative Council Staff concurs with this assessment.

**Amendments in This Packet for Consideration by Appropriations Committee**

Amendment	Description
J.002	Staff-prepared appropriation amendment

**Current Appropriations Clause in Bill**

The bill includes provisions appropriating the following amounts for FY 2021-22:

- \$409,949 cash funds to the Department of Labor and Employment from the Employment Support Fund (based on the assumption that the Department will require an additional 4.4 FTE); and
- \$38,282 reappropriated funds to the Department of Law from the appropriation to the Department of Labor and Employment (based on the assumption that the Department will require an additional 0.2 FTE).

**Description of Amendments in This Packet**

**J.002** Staff has prepared amendment **J.002** (attached) to change the existing clause to appropriate an additional \$193,882 General Fund to the Department of Agriculture for FY 2021-22. This amendment also states that this appropriation is based on the assumption that the Department will require an additional 0.9 FTE.

**Points to Consider**

*General Fund Impact*

The Joint Budget Committee has proposed a budget package for FY 2021-22 based on the March 2021 Legislative Council Staff revenue forecast. The budget package includes a set aside of \$48.0 million General Fund for bills that require General Fund appropriations for FY 2021-22. This bill requires a General Fund appropriation of \$193,882 for FY 2021-22, reducing the \$48.0 million set aside by the same amount.