

**Second Regular Session
Seventieth General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 16-0599.01 John Ziegler

HOUSE BILL 16-1237

HOUSE SPONSORSHIP

Hamner, Young, Rankin

SENATE SPONSORSHIP

Lambert, Grantham, Steadman

House Committees
Appropriations

Senate Committees
Appropriations

A BILL FOR AN ACT

101 **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**
102 **OF AGRICULTURE.**

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>.)

Supplemental appropriations are made to the department of agriculture.

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

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.

SENATE
2nd Reading Unamended
February 18, 2016

HOUSE
3rd Reading Unamended
February 11, 2016

HOUSE
2nd Reading Unamended
February 10, 2016

1 **SECTION 1. Appropriation to the department of agriculture**
2 **for the fiscal year beginning July 1, 2015.** In Session Laws of Colorado
3 2015, section 2 of chapter 364, (SB 15-234), **amend** Part I as follows:
4 Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART I							
DEPARTMENT OF AGRICULTURE							
(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES							
5	Personal Services	1,601,893	305,571		8,057 ^a	1,173,627 ^b	114,638(I)
6		(16.7 FTE)					
7	Health, Life, and Dental	2,178,910	712,713		1,373,343 ^a		92,854(I)
8	Short-term Disability	35,488	13,883		19,694 ^a		1,911(I)
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	709,705	277,853		393,626 ^a		38,226(I)
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	685,511	268,381		380,207 ^a		36,923(I)
14	Salary Survey	176,518	69,052		97,963 ^a		9,503(I)
15	Merit Pay	172,276	73,028		89,587 ^a		9,661(I)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Workers' Compensation	217,025	8,445		208,580 ^a		
2	Operating Expenses	242,932				241,982 ^b	950(I)
3	Legal Services for 4,653						
4	hours 5,853 HOURS	442,082	148,412		278,670*		15,000(I)
5		556,082			392,670 ^a		
6	Administrative Law Judge						
7	Services	6,676			6,676 ^a		
8	Payment to Risk Management						
9	and Property Funds	155,570	24,767		130,803 ^a		
10	Vehicle Lease Payments	261,926	128,641		129,492*		3,793(I)
11		213,546			81,112 ^a		
12	Information Technology Asset						
13	Maintenance	153,031	42,041		110,990 ^a		
14	Leased Space	13,914			13,914 ^a		
15	Office Consolidation COP	529,063			529,063 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Payments to OIT	1,248,818	950,293		298,525 ^a		
2	CORE Operations	76,354	7,250		60,331 ^a		8,773(I)
3	Utilities	161,939	50,000			111,939 ^b	
4	Agricultural Statistics	15,000			15,000 ^c		
5	Agriculture Management						
6	Fund	2,048,914			2,048,914 ^d		
7					(2.0 FTE)		
8	Adult Agriculture Leadership						
9	Grant Program	300,000			300,000 ^d		
10	Indirect Cost Assessment	203,114			197,014 ^d		6,100(I)
11		<u>11,636,659</u>					
12		11,702,279					
13							

14 ^a These amounts shall be from fees collected by various cash funds within the Department.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^b Of these amounts, \$1,344,084 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., and \$183,464
2 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

3 ^c This amount shall be from surveys and services provided by the USDA National Agricultural Statistics Service.

4 ^d These amounts shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.

5

6

7 **(2) AGRICULTURAL SERVICES**

8 Animal Industry Division	2,684,189		1,553,164		954,522 ^a		176,503(I)
	(26.5 FTE)						
10 Plant Industry Division							
11 DIVISION ^{1a}	4,013,655		623,724		2,594,803^b		795,128(I)
12	4,180,010				2,761,158 ^b		
13	(36.5 FTE)						
14	(38.8 FTE)						

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Inspection and Consumer						
2	Services Division	3,643,139	1,172,298		2,072,680^e	84,000 ^d	314,161(I)
3		3,684,176			2,098,717 ^c	99,000 ^d	
4		(44.6 FTE)					
5		(44.9 FTE)					
6	Conservation Services						
7	Division	2,547,613	1,103,877		621,638 ^e		822,098(I)
8			893,877			210,000 ^g	
9		(15.3 FTE)					
10	APPROPRIATION TO THE						
11	NOXIOUS WEED						
12	MANAGEMENT FUND	210,000	210,000				
13	Lease Purchase Lab						
14	Equipment	99,360			99,360 ^c		
15	Indirect Cost Assessment	938,269			645,755 ^f		292,514(I)

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	13,926,225					
	14,343,617					

^a Of this amount, it is estimated that \$476,368 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., \$324,320(I) shall be from the Veterinary Vaccine and Service Fund created in Section 35-50-106 (1), C.R.S., \$62,404 shall be from the Aquaculture Cash Fund created in Section 35-24.5-111, C.R.S., \$25,000 shall be from the Animal Protection Fund created in Section 35-42-113 (1), C.R.S., \$25,000(I) shall be from the Diseased Livestock Indemnity Fund created in Section 35-50-114 (3), C.R.S., \$25,000(I) shall be from the Cervidae Disease Revolving Fund created in Section 35-50-115 (1) (a), C.R.S., and \$16,430 shall be from various cash funds within the Department.

^b Of this amount, it is estimated that \$2,562,803 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$166,355 SHALL BE FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 (1), C.R.S., and \$32,000 shall be from various cash funds within the Department.

^c ~~These amounts~~ OF THESE AMOUNTS, \$2,172,040 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., AND \$26,037 SHALL BE FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501 (1), C.R.S.

^d ~~This~~ OF THIS amount, \$84,000 shall be from the Department of Public Health and Environment, Water Quality Control Division AND \$15,000 SHALL BE FROM THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, LAB SERVICES, CERTIFICATION.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 ^e Of this amount, it is estimated that \$592,194 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$15,000
2 shall be from the Noxious Weed Management Fund created in Section 35-5.5-116 (1), C.R.S., \$2,000 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116,
3 C.R.S., and \$12,444 shall be from various cash funds within the Department.

4 ^f Of this amount, it is estimated that \$416,388 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., \$127,551 shall be from the Plant
5 Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$3,302 shall be from the Veterinary Vaccine and Service Fund created in Section
6 35-50-106 (1), C.R.S., and \$98,514 shall be from various cash funds within the Department.

7 ^g THIS AMOUNT SHALL BE FROM THE NOXIOUS WEED MANAGEMENT FUND CREATED IN SECTION 35-5.5-116 (1), C.R.S. THIS AMOUNT ORIGINATES AS GENERAL FUND THAT IS
8 APPROPRIATED TO THE NOXIOUS WEED MANAGEMENT FUND IN THIS SECTION.

9
10 **(3) AGRICULTURAL MARKETS DIVISION**

11 **(A) AGRICULTURAL MARKETS**

12 Program Costs	1,461,819		489,079		50,454 ^a		922,286(I)
13			(5.4 FTE)				
14 Economic Development							
15 Grants	45,000					45,000 ^b	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Agricultural Development						
2	Board	500,000			500,000(I) ^c		
3	Wine Promotion Board	572,493			572,493(I) ^d		
4					(1.5 FTE)		
5	Indirect Cost Assessment	14,270			10,000(I) ^d		4,270(I)
6		2,593,582					

8 ^a This amount shall be from various economic development programs.

9 ^b This amount is transferred from the Economic Development Commission in the Office of the Governor.

10 ^c This amount shall be from the Agriculture Value-added Cash Fund created in Section 35-75-205 (1), C.R.S. These moneys are included for informational purposes as they are
11 continuously appropriated pursuant to Section 35-75-205 (1), C.R.S.

12 ^d These amounts shall be from the Colorado Wine Industry Development Fund created in Section 35-29.5-105 (1), C.R.S. These moneys are included for informational purposes as they
13 are continuously appropriated pursuant to Section 35-29.5-105 (1), C.R.S.

14

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(B) AGRICULTURAL PRODUCTS INSPECTION						
2	Program Costs	2,142,213		200,000		1,942,213 ^a	
3						(34.5 FTE)	
4	Indirect Cost Assessment	93,895				93,895 ^a	
5		<u>2,236,108</u>					
6							
7	^a These amounts shall be from the Agricultural Products Inspection Cash Fund created in Section 35-23-114 (3) (a), C.R.S.						
8							
9			4,829,690				
10							
11	(4) BRAND BOARD						
12	Brand Inspection	4,032,313				4,032,313 ^a	
13						(59.0 FTE)	
14	Alternative Livestock	15,000				15,000 ^b	
15	Brand Estray Fund	40,000				40,000(I) ^c	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	164,731			164,731 ^d		
2		4,252,044					
3							
4	^a This amount shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S.						
5	^b This amount shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S.						
6	^c This amount shall be from the Estray Fund created in Section 35-41-102 (1), C.R.S. These moneys are included for informational purposes as they are continuously appropriated pursuant						
7	to Section 35-41-102 (1), C.R.S.						
8	^d Of this amount, \$158,202 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., \$3,482 shall be from the Alternative Livestock Farm Cash Fund created						
9	in Section 35-41.5-116, C.R.S., and \$3,047(I) shall be from the Estray Fund created in Section 35-41-102 (1), C.R.S.						
10							
11	(5) COLORADO STATE FAIR						
12	Program Costs	8,512,643			8,512,643 ^a		
13					(26.9 FTE)		
14	FFA and 4H Funding	250,000	250,000				

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	State Fair Financial Stability						
2	50,000		50,000				
3	113,269				113,269 ^a		
4		8,925,912					
5							
6	^a These amounts shall be from the Colorado State Fair Authority Cash Fund created in Section 35-65-107 (1), C.R.S.						
7							
8	(6) CONSERVATION BOARD						
9	474,995		474,995				
10			(5.2 FTE)				
11	Distributions to Soil						
12	483,767		483,767				
13	675,000		225,000		450,000(I) ^a		
14	505,365						505,365(I)
15		2,139,127					

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

1

2 ^a This amount shall be from the Conservation District Grant Fund created in Section 35-1-106.7 (1), C.R.S. These moneys are included for informational purposes as they are continuously
3 appropriated pursuant to Section 35-1-106.7, C.R.S.

4

5 **TOTALS PART I**

6 (AGRICULTURE)	\$45,709,657	\$9,706,234		\$30,176,218 [*]	\$1,656,548	\$4,170,657 ^b
	\$46,192,669			\$30,434,230 ^a	\$1,881,548	

8

9 ^a Of this amount, \$1,949,860 contains an (I) notation.

10 ^b This amount contains an (I) notation.

11

12 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

13

14 1 Department of Agriculture, Colorado State Fair, State Fair Financial Stability Study - It is the intent of the General Assembly that \$50,000 General Fund of
15 this appropriation be used to conduct a study of the Colorado State Fair Authority's finances in order to provide a robust and comprehensive plan for long-term

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$

1 financial stability.

2

3 1a DEPARTMENT OF AGRICULTURE, AGRICULTURE SERVICES, PLANT INDUSTRY DIVISION - IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE PORTION OF THIS

4 APPROPRIATION USED BY THE DIVISION TO SUPPORT THE INSPECTION AND ENFORCEMENT OF PESTICIDE USE ON MARIJUANA AND INDUSTRIAL HEMP CROPS NOT BE

5 ANNUALIZED FOR ANY FISCAL YEAR AFTER FY 2017-18.

1 **SECTION 2. Safety clause.** The general assembly hereby finds,
2 determines, and declares that this act is necessary for the immediate
3 preservation of the public peace, health, and safety.