

**NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 20-1242

BY REPRESENTATIVE(S) Esgar, McCluskie, Ransom, Bockenfeld, Buentello, Catlin, Holtorf, McLachlan, Pelton, Roberts, Valdez D., Will, Young;  
also SENATOR(S) Moreno, Zenzinger, Rankin, Crowder, Tate.

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF AGRICULTURE.

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

**SECTION 1. Appropriation to the department of agriculture for the fiscal year beginning July 1, 2019.** In Session Laws of Colorado 2019, section 2 of chapter 454, (SB 19-207), **amend** Part I as follows:

Section 2. **Appropriation.**

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*Capital letters or bold & italic numbers indicate new material added to existing law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.*

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>PART I</b>							
<b>DEPARTMENT OF AGRICULTURE</b>							
<b>(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES</b>							
Personal Services	<del>1,793,406</del> 1,795,731 (16.7 FTE)		436,440		8,165 <sup>a</sup>	<del>1,232,308<sup>b</sup></del> 1,234,633 <sup>b</sup>	116,493(I)
Health, Life, and Dental	<del>2,906,815</del> 2,916,857		784,033		<del>2,122,782<sup>*</sup></del> 2,132,824 <sup>a</sup>		
Short-term Disability	<del>28,518</del> 28,536		7,595		<del>20,923<sup>*</sup></del> 20,941 <sup>a</sup>		
S.B. 04-257 Amortization Equalization Disbursement	<del>1,086,911</del> 1,087,450		282,636		<del>804,275<sup>*</sup></del> 804,814 <sup>a</sup>		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	<del>1,086,911</del> 1,087,450		282,636		<del>804,275<sup>*</sup></del> 804,814 <sup>a</sup>		
PERA Direct Distribution	511,033		132,887		378,146 <sup>a</sup>		
Salary Survey	1,266,060		184,155		1,081,905 <sup>a</sup>		
Workers' Compensation	209,767		41,485		168,282 <sup>a</sup>		
Operating Expenses	259,565					258,615 <sup>b</sup>	950(I)
Legal Services	723,450		131,614		591,836 <sup>a</sup>		
Administrative Law Judge Services	12,224				12,224 <sup>a</sup>		
Payment to Risk Management and Property Funds	236,382		139,209		97,173 <sup>a</sup>		
Vehicle Lease Payments	301,300		118,416		178,563 <sup>a</sup>		4,321(I)
Information Technology Asset Maintenance	101,872		42,041		59,831 <sup>a</sup>		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Leased Space	19,301				19,301 <sup>a</sup>		
Office Consolidation COP	529,063				529,063 <sup>a</sup>		
Payments to OIT	1,616,101		1,162,202		453,899 <sup>a</sup>		
CORE Operations	108,625		14,660		79,734 <sup>a</sup>	14,231 <sup>b</sup>	
Utilities	196,939		50,000			146,939 <sup>b</sup>	
Agricultural Statistics	15,000				15,000 <sup>c</sup>		
Agriculture Management Fund	2,048,914				2,048,914 <sup>d</sup> (2.0 FTE)		
Adult Agriculture Leadership Grant Program	300,000				300,000 <sup>d</sup>		
Indirect Cost Assessment	103,181				103,181 <sup>d</sup>		
		15,461,338					
		15,474,801					

<sup>a</sup> Of these amounts, an estimated \$1,536,682 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., an estimated \$1,180,509 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$609,625 shall be from the Agricultural Products Inspection Cash Fund created in Section 35-23-114 (3)(a), C.R.S., an estimated \$522,123 shall be from the Colorado State Fair Authority Cash Fund created in Section 35-65-107 (1), C.R.S., an estimated \$367,911 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$351,264 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated \$155,231 shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S., an estimated \$79,144 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an estimated \$12,242(I) shall be from the Agriculture Value-added Cash Fund created in Section 35-75-205 (1), C.R.S., which amount is included for informational purposes only, AN ESTIMATED \$11,138 SHALL BE FROM THE INDUSTRIAL HEMP REGISTRATION PROGRAM CASH FUND CREATED IN SECTION 35-61-106 (1), C.R.S., an estimated \$5,393 shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S., an estimated \$4,853(I) shall be from the Colorado Wine Industry Development Fund created in Section 35-29.5-105 (1), C.R.S., which amount is included for informational purposes only, an estimated \$1,156 shall be from the Aquaculture Cash Fund created in Section 35-24.5-111, C.R.S., and an estimated \$2,584,244 shall be from various sources of cash funds.

<sup>b</sup> Of these amounts, ~~\$1,436,506~~ \$1,438,831 shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S., \$215,587 shall be from statewide indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

<sup>c</sup> This amount shall be from surveys and services provided by the USDA National Agricultural Statistics Service.

<sup>d</sup> These amounts shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(2) AGRICULTURAL SERVICES</b>							
Animal Industry Division	2,830,595 (26.5 FTE)		1,640,748		1,012,587 <sup>a</sup>		177,260(I)
Plant Industry Division	<del>5,407,414</del> 5,690,001 (50.1 FTE) (50.3 FTE)		408,326		<del>4,197,232<sup>b</sup></del> 4,479,819 <sup>b</sup>		801,856(I)
Inspection and Consumer Services Division	3,936,887 (45.6 FTE)		1,246,915		2,275,129 <sup>c</sup>	99,000 <sup>d</sup>	315,843(I)
Conservation Services Division	3,148,107 (17.1 FTE)		882,128		739,675 <sup>e</sup>	700,000 <sup>f</sup>	826,304(I)
Appropriation to the Noxious Weed Management Fund	700,000		700,000				
Lease Purchase Lab Equipment	99,360				99,360 <sup>g</sup>		
Indirect Cost Assessment	<del>1,105,707</del> <u>1,108,032</u>				<del>886,680<sup>h</sup></del> 889,005 <sup>h</sup>		219,027(I)
		<del>17,228,070</del> 17,512,982					

<sup>a</sup> Of this amount, an estimated \$617,858 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an estimated \$324,320(I) shall be from the Veterinary Vaccine and Service Fund created in Section 35-50-106 (1), C.R.S., which amount is included for informational purposes only, an estimated \$10,000 shall be from the Animal Protection Fund created in Section 35-42-113 (1), C.R.S., an estimated \$5,000 shall be from the Aquaculture Cash Fund created in Section 35-24.5-111, C.R.S., an estimated \$5,000(I) shall be from the Diseased Livestock Indemnity Fund created in Section 35-50-114 (3), C.R.S., which amount is included for informational purposes only, an estimated \$5,000(I) shall be from the Cervidae Disease Revolving Fund created in Section 35-50-115 (1)(a), C.R.S., which amount is included for informational purposes only, and an estimated \$45,409 shall be from various sources of cash funds.

APPROPRIATION FROM

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

<sup>b</sup> Of this amount, an estimated \$2,730,074 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$977,873 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated ~~\$320,433~~ \$603,020 shall be from the Industrial Hemp Registration Program Cash Fund created in Section 35-61-106 (1), C.R.S., an estimated \$5,000 shall be from the Industrial Hemp Research Grant Fund created in Section 35-61-106 (3), C.R.S., an estimated \$5,000 shall be from the Seed Potato Cash Fund created in Section 35-27.3-111, C.R.S., and an estimated \$158,852 shall be from various sources of cash funds.

<sup>c</sup> Of this amount, an estimated \$1,956,290 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$170,000 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$109,512 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and an estimated \$39,327 shall be from various source of cash funds.

<sup>d</sup> Of this amount, \$84,000 shall be from the Department of Public Health and Environment from the Clean Water Program Costs line item appropriation in the Clean Water Program subdivision in the Water Quality Control Division and \$15,000 shall be transferred from the Department of Public Health and Environment from the Certification line item appropriation in the Laboratory Services Division.

<sup>e</sup> Of this amount, an estimated \$654,313 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., an estimated \$15,000 shall be from the Noxious Weed Management Fund created in Section 35-5.5-116 (1), C.R.S., and an estimated \$70,362 from various sources of cash funds.

<sup>f</sup> This amount shall be transferred from the appropriation to the Noxious Weed Management Fund line item within this section. This amount shall be from the Noxious Weed Management Fund created in Section 35-5.5-116 (1), C.R.S.

<sup>g</sup> This amount shall be from various sources of cash funds.

<sup>h</sup> Of this amount, an estimated \$354,164 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$294,516 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$158,000 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated \$55,000 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., and an estimated \$25,000(I) shall be from the Veterinary Vaccine and Service Fund created in Section 35-50-106 (1), C.R.S., which amount is included for informational purposes only, AND AN ESTIMATED \$2,325 SHALL BE FROM THE INDUSTRIAL HEMP REGISTRATION PROGRAM CASH FUND CREATED IN SECTION 35-61-106 (1), C.R.S.

**(3) AGRICULTURAL MARKETS DIVISION**

**(A) Agricultural Markets**

Program Costs	1,798,607	819,923 (5.4 FTE)	50,454 <sup>a</sup>	928,230(I)
Economic Development Grants	45,000			45,000 <sup>b</sup>
Agricultural Development Board	500,000		500,000(I) <sup>c</sup>	
Wine Promotion Board	574,246		574,246(I) <sup>d</sup> (1.5 FTE)	

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Agriculture Workforce Development Program	64,108		64,108 (0.3 FTE)				
Indirect Cost Assessment	<u>32,500</u>				20,000(I) <sup>d</sup>		12,500(I)
	3,014,461						

<sup>a</sup> This amount shall be from various sources of cash funds within the Department.

<sup>b</sup> This amount shall be transferred from the Office of the Governor from the Economic Development Commission - General Economic Incentives and Marketing line item in the Economic Development Programs section.

<sup>c</sup> This amount shall be from the Agriculture Value-added Cash Fund created in Section 35-75-205 (1), C.R.S., which amount is included for informational purposes as the fund is continuously appropriated pursuant to Section 35-75-205 (1), C.R.S.

<sup>d</sup> These amounts shall be from the Colorado Wine Industry Development Fund created in Section 35-29.5-105 (1), C.R.S., which amount is included for informational purposes as the fund is continuously appropriated pursuant to Section 35-29.5-105 (1), C.R.S.

**(B) Agricultural Products Inspection**

Program Costs	2,286,718		200,000		2,086,718 <sup>a</sup> (34.5 FTE)		
Indirect Cost Assessment	<u>107,000</u>				107,000 <sup>a</sup>		
	2,393,718						

<sup>a</sup> These amounts shall be from the Agricultural Products Inspection Cash Fund created in Section 35-23-114 (3)(a), C.R.S.

5,408,179

**(4) BRAND BOARD**

Brand Inspection	4,190,516				4,190,516 <sup>a</sup> (59.0 FTE)		
Alternative Livestock	15,000				15,000 <sup>b</sup>		
Brand Estray Fund	40,000				40,000(I) <sup>c</sup>		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>192,000</u>	4,437,516			192,000 <sup>d</sup>		

<sup>a</sup> This amount shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S.

<sup>b</sup> This amount shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S.

<sup>c</sup> This amount shall be from the Estray Fund created in Section 35-41-102 (1), C.R.S., amount is included for informational purposes as the fund is continuously appropriated pursuant to Section 35-41-102 (1), C.R.S.

<sup>d</sup> Of this amount, an estimated \$185,561 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$3,434 shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S., and an estimated \$3,005(I) shall be from the Estray Fund created in Section 35-41-102 (1), C.R.S., which amount is included for informational purposes only as the fund is continuously appropriated pursuant Section 35-41-102 (1), C.R.S.

**(5) COLORADO STATE FAIR**

Program Costs	9,014,000	450,000	8,564,000 <sup>a</sup> (26.9 FTE)
FFA and 4H Funding	550,000	250,000	300,000 <sup>b</sup>
State Fair Facilities Maintenance	300,000	300,000	
Indirect Cost Assessment	<u>111,705</u>		111,705 <sup>a</sup>
		9,975,705	

<sup>a</sup> These amounts shall be from the Colorado State Fair Authority Cash Fund created in Section 35-65-107 (1), C.R.S.

<sup>b</sup> This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.

**(6) CONSERVATION BOARD**

Program Costs	494,836	494,836 (5.2 FTE)
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Distributions to Soil Conservation Districts	483,767		483,767				
Matching Grants to Districts	675,000		225,000		450,000 <sup>a</sup>		
Salinity Control Grants	<u>506,781</u>						506,781(I)
		2,160,384					

<sup>a</sup> Of this amount, an estimated \$350,000(I) shall be from the Conservation District Grant Fund created in Section 35-1-106.7 (1), C.R.S., which amount is included for informational purposes only, and an estimated \$100,000 shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.

**TOTALS PART I**

**(AGRICULTURE)**

<del>\$54,671,192</del>	\$11,975,760	<del>\$36,289,774*</del>	<del>\$2,496,093</del>	\$3,909,565 <sup>b</sup>
<u>\$54,969,567</u>		<u>\$36,585,824<sup>a</sup></u>	<u>\$2,498,418</u>	

<sup>a</sup> Of this amount, \$1,863,666 contains an (I) notation.

<sup>b</sup> This amount contains an (I) notation.



**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.

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KC Becker  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Leroy M. Garcia  
PRESIDENT OF  
THE SENATE

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Robin Jones  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Cindi L. Markwell  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_  
(Date and Time)

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Jared S. Polis  
GOVERNOR OF THE STATE OF COLORADO