

**Second Regular Session
Seventy-second General Assembly
STATE OF COLORADO**

REVISED

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

LLS NO. 20-0677.01 Carolyn Kampman x4959

HOUSE BILL 20-1242

HOUSE SPONSORSHIP

Esgar, McCluskie, Ransom, Bockenfeld, Buentello, Catlin, Holtorf, McLachlan, Pelton,
Roberts, Valdez D., Will, Young

SENATE SPONSORSHIP

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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://leg.colorado.gov>.)

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 or bold & italic numbers indicate new material to be added to existing law.
Dashes through the words or numbers indicate deletions from existing law.

SENATE
2nd Reading Unamended
February 12, 2020

HOUSE
3rd Reading Unamended
February 6, 2020

HOUSE
2nd Reading Unamended
February 5, 2020

1 **SECTION 1. Appropriation to the department of agriculture**
2 **for the fiscal year beginning July 1, 2019.** In Session Laws of Colorado
3 2019, section 2 of chapter 454, (SB 19-207), **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	1,793,406	436,440		8,165 ^a	1,232,308^b	116,493(I)
6		1,795,731				1,234,633 ^b	
7		(16.7 FTE)					
8	Health, Life, and Dental	2,906,815	784,033		2,122,782[*]		
9		2,916,857			2,132,824 ^a		
10	Short-term Disability	28,518	7,595		20,923[*]		
11		28,536			20,941 ^a		
12	S.B. 04-257 Amortization						
13	Equalization Disbursement	1,086,911	282,636		804,275[*]		
14		1,087,450			804,814 ^a		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	S.B. 06-235 Supplemental						
2	Amortization Equalization						
3	Disbursement	1,086,911	282,636		804,275*		
4		1,087,450			804,814 ^a		
5	PERA Direct Distribution	511,033	132,887		378,146 ^a		
6	Salary Survey	1,266,060	184,155		1,081,905 ^a		
7	Workers' Compensation	209,767	41,485		168,282 ^a		
8	Operating Expenses	259,565				258,615 ^b	950(I)
9	Legal Services	723,450	131,614		591,836 ^a		
10	Administrative Law Judge						
11	Services	12,224			12,224 ^a		
12	Payment to Risk Management						
13	and Property Funds	236,382	139,209		97,173 ^a		
14	Vehicle Lease Payments	301,300	118,416		178,563 ^a		4,321(I)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Information Technology Asset						
2	Maintenance	101,872		42,041	59,831 ^a		
3	Leased Space	19,301			19,301 ^a		
4	Office Consolidation COP	529,063			529,063 ^a		
5	Payments to OIT	1,616,101		1,162,202	453,899 ^a		
6	CORE Operations	108,625		14,660	79,734 ^a	14,231 ^b	
7	Utilities	196,939		50,000		146,939 ^b	
8	Agricultural Statistics	15,000			15,000 ^c		
9	Agriculture Management						
10	Fund	2,048,914			2,048,914 ^d		
11					(2.0 FTE)		
12	Adult Agriculture Leadership						
13	Grant Program	300,000			300,000 ^d		

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	103,181			103,181 ^d		
2							15,461,338
3							15,474,801
4							

^a 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.

^b 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.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	° This amount shall be from surveys and services provided by the USDA National Agricultural Statistics Service.						
2	° These amounts shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.						
3							
4							
5	(2) AGRICULTURAL SERVICES						
6	Animal Industry Division	2,830,595		1,640,748		1,012,587 ^a	177,260(I)
7		(26.5 FTE)					
8	Plant Industry Division	5,407,414		408,326		4,197,232^b	801,856(I)
9		5,690,001				4,479,819 ^b	
10		(50.1 FTE)					
11		(50.3 FTE)					
12	Inspection and Consumer						
13	Services Division	3,936,887		1,246,915		2,275,129 ^c	99,000 ^d
14		(45.6 FTE)					315,843(I)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Conservation Services						
2	3,148,107		882,128		739,675 ^e	700,000 ^f	826,304(I)
3	(17.1 FTE)						
4	Appropriation to the Noxious						
5	700,000		700,000				
6	Lease Purchase Lab						
7	99,360				99,360 ^g		
8	1,105,707				886,680^h		219,027(I)
9	<u>1,108,032</u>				889,005 ^h		
10		17,228,070					
11		17,512,982					
12							

APPROPRIATION FROM

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

1 ^a 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
2 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
3 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
4 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
5 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
6 various sources of cash funds.

7 ^b 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
8 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
9 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
10 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.

11 ^c 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
12 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
13 39-28.8-501 (1), C.R.S., and an estimated \$39,327 shall be from various source of cash funds.

14 ^d 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
15 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
16 in the Laboratory Services Division.

APPROPRIATION FROM

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

1 ^e 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
2 \$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.

3 ^fThis 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
4 Fund created in Section 35-5.5-116 (1), C.R.S.

5 ^g This amount shall be from various sources of cash funds.

6 ^h 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
7 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
8 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
9 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
10 THE INDUSTRIAL HEMP REGISTRATION PROGRAM CASH FUND CREATED IN SECTION 35-61-106 (1), C.R.S.

12 **(3) AGRICULTURAL MARKETS DIVISION**

13 **(A) Agricultural Markets**

14 Program Costs	1,798,607	819,923		50,454 ^a	928,230(I)
15		(5.4 FTE)			

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Economic Development						
2	45,000					45,000 ^b	
3	Agricultural Development						
4	500,000				500,000(I) ^c		
5	574,246				574,246(I) ^d		
6					(1.5 FTE)		
7	Agriculture Workforce						
8	64,108		64,108				
9			(0.3 FTE)				
10	32,500				20,000(I) ^d		12,500(I)
11	3,014,461						

13 ^a This amount shall be from various sources of cash funds within the Department.

14 ^b 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
 15 Development Programs section.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	° 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						
2	continuously appropriated pursuant to Section 35-75-205 (1), C.R.S.						
3	° 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						
4	fund is continuously appropriated pursuant to Section 35-29.5-105 (1), C.R.S.						
5							
6	(B) Agricultural Products Inspection						
7	Program Costs	2,286,718	200,000		2,086,718 ^a		
8					(34.5 FTE)		
9	Indirect Cost Assessment	107,000			107,000 ^a		
10		2,393,718					
11							
12	^a These amounts shall be from the Agricultural Products Inspection Cash Fund created in Section 35-23-114 (3)(a), C.R.S.						
13							
14		5,408,179					

15

			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(4) BRAND BOARD						
2	Brand Inspection	4,190,516			4,190,516 ^a		
3					(59.0 FTE)		
4	Alternative Livestock	15,000			15,000 ^b		
5	Brand Estray Fund	40,000			40,000(I) ^c		
6	Indirect Cost Assessment	192,000			192,000 ^d		
7		4,437,516					

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

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

11 ^c 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
12 to Section 35-41-102 (1), C.R.S.

13 ^d 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
14 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
15 for informational purposes only as the fund is continuously appropriated pursuant Section 35-41-102 (1), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2	(5) COLORADO STATE FAIR						
3	Program Costs	9,014,000	450,000		8,564,000 ^a		
4					(26.9 FTE)		
5	FFA and 4H Funding	550,000	250,000		300,000 ^b		
6	State Fair Facilities						
7	Maintenance	300,000	300,000				
8	Indirect Cost Assessment	111,705			111,705 ^a		
9		9,975,705					

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

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

13

14

15

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(6) CONSERVATION BOARD						
2	Program Costs	494,836	494,836				
3			(5.2 FTE)				
4	Distributions to Soil						
5	Conservation Districts	483,767	483,767				
6	Matching Grants to Districts	675,000	225,000		450,000 ^a		
7	Salinity Control Grants	506,781					506,781(I)
8		<u>2,160,384</u>					
9							
10	^a 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						
11	purposes only, and an estimated \$100,000 shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.						
12							
13	TOTALS PART I						
14	(AGRICULTURE)	\$54,671,192	\$11,975,760		\$36,289,774 [*]	\$2,496,093	\$3,909,565 ^b
15		<u>\$54,969,567</u>			<u>\$36,585,824^a</u>	<u>\$2,498,418</u>	

APPROPRIATION FROM

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

1

2 ^a Of this amount, \$1,863,666 contains an (I) notation.

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

4

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.