

Second Regular Session  
Seventieth General Assembly  
STATE OF COLORADO

INTRODUCED

LLS NO. 16-0599.01 John Ziegler

HOUSE BILL 16-1237

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HOUSE SPONSORSHIP

**Hamner**, Young, Rankin

SENATE SPONSORSHIP

**Lambert**, Grantham, Steadman

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**House Committees**  
Appropriations

**Senate Committees**

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A BILL FOR AN ACT

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

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**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.

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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.*

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
	\$	\$	\$	\$	\$	\$	\$
<b>PART I</b>							
<b>DEPARTMENT OF AGRICULTURE</b>							
<b>(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES</b>							
5	Personal Services	1,601,893	305,571		8,057 <sup>a</sup>	1,173,627 <sup>b</sup>	114,638(I)
6		(16.7 FTE)					
7	Health, Life, and Dental	2,178,910	712,713		1,373,343 <sup>a</sup>		92,854(I)
8	Short-term Disability	35,488	13,883		19,694 <sup>a</sup>		1,911(I)
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	709,705	277,853		393,626 <sup>a</sup>		38,226(I)
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	685,511	268,381		380,207 <sup>a</sup>		36,923(I)
14	Salary Survey	176,518	69,052		97,963 <sup>a</sup>		9,503(I)
15	Merit Pay	172,276	73,028		89,587 <sup>a</sup>		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 <sup>a</sup>		
2	Operating Expenses	242,932				241,982 <sup>b</sup>	950(I)
3	Legal Services for 4,653						
4	<del>hours</del> 5,853 HOURS	<del>442,082</del>	148,412		<del>278,670*</del>		15,000(I)
5		556,082			392,670 <sup>a</sup>		
6	Administrative Law Judge						
7	Services	6,676			6,676 <sup>a</sup>		
8	Payment to Risk Management						
9	and Property Funds	155,570	24,767		130,803 <sup>a</sup>		
10	Vehicle Lease Payments	<del>261,926</del>	128,641		<del>129,492*</del>		3,793(I)
11		213,546			81,112 <sup>a</sup>		
12	Information Technology Asset						
13	Maintenance	153,031	42,041		110,990 <sup>a</sup>		
14	Leased Space	13,914			13,914 <sup>a</sup>		
15	Office Consolidation COP	529,063			529,063 <sup>a</sup>		

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 <sup>a</sup>		
2	CORE Operations	76,354	7,250		60,331 <sup>a</sup>		8,773(I)
3	Utilities	161,939	50,000			111,939 <sup>b</sup>	
4	Agricultural Statistics	15,000			15,000 <sup>c</sup>		
5	Agriculture Management						
6	Fund	2,048,914			2,048,914 <sup>d</sup>		
7					(2.0 FTE)		
8	Adult Agriculture Leadership						
9	Grant Program	300,000			300,000 <sup>d</sup>		
10	Indirect Cost Assessment	203,114			197,014 <sup>d</sup>		6,100(I)
11		<u>11,636,659</u>					
12		11,702,279					

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

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

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6

7 **(2) AGRICULTURAL SERVICES**

8 Animal Industry Division	2,684,189		1,553,164		954,522 <sup>a</sup>	176,503(I)
	(26.5 FTE)					
10 Plant Industry <del>Division</del>						
11 DIVISION <sup>1a</sup>	<del>4,013,655</del>		623,724		<del>2,594,803<sup>b</sup></del>	795,128(I)
	4,180,010				2,761,158 <sup>b</sup>	
	<del>(36.5 FTE)</del>					
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	<del>3,643,139</del>	1,172,298		<del>2,072,680<sup>e</sup></del>	84,000 <sup>d</sup>	314,161(I)
3		3,684,176			2,098,717 <sup>c</sup>	99,000 <sup>d</sup>	
4		<del>(44.6 FTE)</del>					
5		(44.9 FTE)					
6	Conservation Services						
7	Division	2,547,613	<del>1,103,877</del>		621,638 <sup>e</sup>		822,098(I)
8			893,877			210,000 <sup>g</sup>	
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 <sup>c</sup>		
15	Indirect Cost Assessment	938,269			645,755 <sup>f</sup>		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

<sup>a</sup> 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.

<sup>b</sup> 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.

<sup>c</sup> ~~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.

<sup>d</sup> ~~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   <sup>e</sup> 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   <sup>f</sup> 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   <sup>g</sup> 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 <sup>a</sup>		922,286(I)
13			(5.4 FTE)				
14   Economic Development							
15   Grants	45,000					45,000 <sup>b</sup>	

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) <sup>c</sup>		
3	Wine Promotion Board	572,493			572,493(I) <sup>d</sup>		
4					(1.5 FTE)		
5	Indirect Cost Assessment	14,270			10,000(I) <sup>d</sup>		4,270(I)
6		2,593,582					

8 <sup>a</sup> This amount shall be from various economic development programs.

9 <sup>b</sup> This amount is transferred from the Economic Development Commission in the Office of the Governor.

10 <sup>c</sup> 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 <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. These moneys are included for informational purposes as they  
13 are continuously appropriated pursuant to Section 35-29.5-105 (1), C.R.S.

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APPROPRIATION FROM

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
1	<b>(B) AGRICULTURAL PRODUCTS INSPECTION</b>					
2	Program Costs	2,142,213	200,000		1,942,213 <sup>a</sup>	
3					(34.5 FTE)	
4	Indirect Cost Assessment	93,895			93,895 <sup>a</sup>	
5		<u>2,236,108</u>				
6						
7	<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.					
8						
9		4,829,690				
10						
11	<b>(4) BRAND BOARD</b>					
12	Brand Inspection	4,032,313			4,032,313 <sup>a</sup>	
13					(59.0 FTE)	
14	Alternative Livestock	15,000			15,000 <sup>b</sup>	
15	Brand Estray Fund	40,000			40,000(I) <sup>c</sup>	

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Indirect Cost Assessment	164,731			164,731 <sup>d</sup>		
2		4,252,044					
3							
4	<sup>a</sup> This amount shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S.						
5	<sup>b</sup> This amount shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S.						
6	<sup>c</sup> 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	<sup>d</sup> 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	<b>(5) COLORADO STATE FAIR</b>						
12	Program Costs	8,512,643			8,512,643 <sup>a</sup>		
13					(26.9 FTE)		
14	FFA and 4H Funding	250,000	250,000				

APPROPRIATION FROM

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	State Fair Financial Stability						
2	Study <sup>1</sup>	50,000	50,000				
3	Indirect Cost Assessment	113,269			113,269 <sup>a</sup>		
4		<u>8,925,912</u>					
5							
6	<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.						
7							
8	<b>(6) CONSERVATION BOARD</b>						
9	Program Costs	474,995	474,995				
10			(5.2 FTE)				
11	Distributions to Soil						
12	Conservation Districts	483,767	483,767				
13	Matching Grants to Districts	675,000	225,000		450,000(I) <sup>a</sup>		
14	Salinity Control Grants	505,365					505,365(I)
15		<u>2,139,127</u>					

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>TOTALS PART I</b>						
<b>(AGRICULTURE)</b>	\$45,709,657	\$9,706,234		\$30,176,218 <sup>a</sup>	\$1,656,548	\$4,170,657 <sup>b</sup>
	\$46,192,669			\$30,434,230 <sup>a</sup>	\$1,881,548	

<sup>a</sup> 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 appropriated pursuant to Section 35-1-106.7, C.R.S.

<sup>a</sup> Of this amount, \$1,949,860 contains an (I) notation.

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

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

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 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

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	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.