

CHAPTER 450

APPROPRIATIONS

SENATE BILL 23-112

BY SENATOR(S) Zenzinger, Bridges, Kirkmeyer;
also REPRESENTATIVE(S) Bird, Sirota, Bockenfeld, Armagost, Bacon, Herod, Jodeh, Lindsay, Lindstedt, Lukens, Martinez,
McCormick, McLachlan, Michaelson Jenet, Snyder, Titone, Velasco, Weinberg, Young, McCluskie.

AN ACT

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, 2022. In Session Laws of Colorado 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part I and the affected totals, as Part I (1) and the affected totals are amended by section 4 of chapter 170, (HB 22-1133), as follows:

Section 2. **Appropriation.**

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

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

**PART I
DEPARTMENT OF AGRICULTURE**

(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES

Personal Services	2,200,581 (18.6 FTE)	715,439			1,368,649 ^a	116,493(I)
Health, Life, and Dental	3,414,652	936,114		2,478,538 ^b		
Short-term Disability	29,224	9,930		19,294 ^b		
S.B. 04-257 Amortization Equalization Disbursement	954,351	323,967		630,384 ^b		
S.B. 06-235 Supplemental Amortization Equalization Disbursement	954,351	323,967		630,384 ^b		
Salary Survey	628,110	211,167		416,943 ^b		
PERA Direct Distribution	308,025			308,025 ^b		
Shift Differential	5,870	54		5,816 ^b		
Temporary Employees Related to Authorized Leave	41,536			41,536 ^b		
Workers' Compensation	176,126	34,834		141,292 ^b		
Operating Expenses ¹	480,706	215,869			263,887 ^a	950(I)
Legal Services	970,527	183,328		787,199 ^b		

Administrative Law				
Judge Services	19,491		19,491 ^b	
Payment to Risk Management and Property Funds	428,108	259,549	168,559 ^b	
Lab Depreciation	461,617		461,617 ^b	
Vehicle Lease Payments	381,404	160,267	215,931 ^b	5,206(I)
Information Technology Asset Maintenance	42,041	42,041		
Leased Space	19,301		19,301 ^b	
Office Consolidation COP	529,063		529,063 ^b	
Payments to OIT	3,094,477	2,005,283	1,089,194^b	
	3,133,036	2,030,269	1,102,767 ^b	
CORE Operations	156,241	21,310	117,971 ^b	16,960 ^a
Utilities	240,000	50,000		190,000 ^a
Agriculture Management Fund	2,048,914		2,048,914 ^c	
			(2.0 FTE)	
Indirect Cost Assessment	183,023		183,023 ^c	
	<u>17,767,739</u>			
	17,806,298			

^a These amounts shall be from departmental indirect cost recoveries or the Indirect Costs Excess Recovery Fund created in Section 24-75-1401 (2), C.R.S.

^b Of these amounts, an estimated \$1,427,569 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$833,200 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 \$759,656 shall be from the Agricultural Products Inspection Cash Fund created in Section 35-23-114 (3)(a), C.R.S., an estimated \$571,972 shall be from the Colorado State Fair Authority Cash Fund created in Section 35-65-107 (1), C.R.S., an estimated \$484,710 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p>estimated \$437,029 shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S., an estimated \$375,276 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated \$248,280 shall be from the Marijuana Cash Fund created in Section 44-10-801, C.R.S., an estimated \$61,663 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 \$6,708 shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S., an estimated \$6,704(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 \$1,438 shall be from the Aquaculture Cash Fund created in Section 35-24.5-111, C.R.S., and an estimated \$2,854,091 \$2,867,664 shall be from various sources of cash funds.</p> <p>^c This amount shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.</p>						
(2) AGRICULTURAL SERVICES						
Animal Industry Division ^{1a}	2,573,023 (19.3 FTE)	1,990,606		405,157 ^a		177,260(I)
Plant Industry Division	6,774,293 (58.2 FTE)	530,328		5,442,109 ^b		801,856(I)
Inspection and Consumer Services Division	5,252,622 (56.2 FTE)	1,388,773		3,464,006 ^c	84,000 ^d	315,843(I)
Conservation Services ² Division	4,722,381 (19.6 FTE)	928,519		2,267,558 ^e	700,000 ^f	826,304(I)

Appropriation to the				
Noxious Weed				
Management Fund	700,000	700,000		
Lease Purchase Lab				
Equipment	99,360		99,360 ^g	
Indirect Cost Assessment	<u>1,472,145</u>		1,218,607 ^g	253,538(I)
	21,593,824			

^a Of this amount, an estimated \$334,550 (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 \$45,607 shall be from various sources of cash funds.

^b Of this amount, an estimated \$3,018,224 shall be from the Plant Health, Pest Control, and Environmental Protection Cash Fund created in Section 35-1-106.3 (1), C.R.S., \$1,053,411 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated \$1,035,220 shall be from the Industrial Hemp Registration Program Cash Fund created in Section 35-61-106 (1), C.R.S., an estimated \$16,124 shall be from the Emergency Invasive Pest Control Fund created in Section 35-1-106.4 (1), C.R.S., an estimated \$5,000 shall be from the Industrial Hemp Research Grant Cash Fund created in Section 35-61-104.5 (2), 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 \$309,130 shall be from various sources of cash funds.

^c Of this amount, an estimated \$2,212,970 shall be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., an estimated \$725,427 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, 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., \$166,192 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., and an estimated \$189,417 shall be from various sources of cash funds.

^d This amount 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.

^e Of this amount, an estimated \$1,620,302 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 \$500,000(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 \$15,000 shall be from the Noxious Weed Management Fund created in Section 35-5.5-116 (1), C.R.S., and an estimated \$132,256 from various sources of cash funds.

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^f 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.

^g Of these amounts, an estimated \$408,702 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 \$389,166 be from the Inspection and Consumer Services Cash Fund created in Section 35-1-106.5 (1), C.R.S., \$198,010 shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S., an estimated \$68,927 shall be from the Pet Animal Care and Facility Fund created in Section 35-80-116, C.R.S., an estimated \$45,438 shall be from the Industrial Hemp Registration Program Cash Fund created in Section 35-61-106 (1), C.R.S., an estimated \$31,331(I) shall be from the Veterinary Vaccine and Service Fund created in Section 35-50-106 (1), C.R.S., an estimated \$7,363 shall be from the Industrial Hemp Research Grant Cash Fund created in Section 35-61-104.5 (2), C.R.S., which amount is included for informational purposes only, and an estimated \$169,030 from various sources of cash funds.

(3) AGRICULTURAL MARKETS DIVISION

(A) Agricultural Markets

Program Costs	1,813,880	854,559 (5.4 FTE)		31,091 ^a		928,230(I)
Wine Promotion Board	574,246			574,246(I) ^b (1.5 FTE)		
Agriculture Workforce Development Program ^{3,4}	289,108	139,108 (0.3 FTE)		150,000 ^c		
Indirect Cost Assessment	<u>39,533</u>			25,064(I) ^b		14,469(I)
	2,716,767					

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

^b 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.

^c This amount shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.

(B) Agricultural Products Inspection

Program Costs	2,491,819	190,000	2,301,819 ^a
			(34.5 FTE)
Indirect Cost Assessment	<u>140,397</u>		140,397 ^a
	2,632,216		

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

5,348,983

(4) BRAND BOARD

Brand Inspection	4,667,191		4,667,191 ^a
			(59.0 FTE)
Alternative Livestock	15,000		15,000 ^b
Brand Estray Fund	40,000		40,000(I) ^c
Indirect Cost Assessment	<u>251,927</u>		251,927 ^d
	4,974,118		

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

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

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

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Program Costs	9,726,971	450,000		9,276,971 ^a (26.9 FTE)		
FFA and 4H Funding	550,000	250,000		300,000 ^b		
State Fair Facilities						
Maintenance	429,492	300,000		129,492 ^a		
Indirect Cost Assessment	<u>146,572</u>			146,572 ^a		
	10,853,035					

^d Of this amount, an estimated \$243,858 shall be from the Brand Inspection Fund created in Section 35-41-102 (1), C.R.S., an estimated \$4,304 shall be from the Alternative Livestock Farm Cash Fund created in Section 35-41.5-116, C.R.S., and an estimated \$3,765(l) 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

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

^b 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	511,502	511,502 (5.2 FTE)
Distributions to Soil Conservation Districts	483,767	483,767

Matching Grants to Districts	675,000	225,000	450,000 ^a	
Salinity Control Grants	506,781			506,781(I)
Appropriation to the Conservation District Grant Fund	<u>450,000</u>		450,000 ^b	
		2,627,050		

^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 purposes only, and an estimated \$100,000 shall be from the Agriculture Management Fund created in Section 35-1-106.9, C.R.S.

^b This amount shall be from the Severance Tax Operational Fund created in Section 39-29-109 (2)(b), C.R.S.

TOTALS PART I

(AGRICULTURE)	\$63,164,749	\$14,435,281	\$42,159,042^a	\$2,623,496	\$3,946,930 ^b
	<u>\$63,203,308</u>	<u>\$14,460,267</u>	<u>\$42,172,615^a</u>		

^a Of this amount, \$1,875,660 contains an (I) notation.

^b This amount contains an (I) notation.

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

1 Department of Agriculture, Commissioner's Office and Administrative Services, Operating Expenses -- It is the General Assembly's intent that \$200,000 General Fund of this appropriation is designated to be used for mental health programs in rural Colorado.

1a Department of Agriculture, Agricultural Services, Animal Industry -- It is the General Assembly's intent that the Bureau of Animal Protection Agents funded by this line item be primarily used for education, training, and investigative support of other agents and law enforcement.

- 2 Department of Agriculture, Agricultural Services, Conservation Services Division -- Of this appropriation, \$385,000 cash funds remain available for expenditure until the close of the 2023-24 state fiscal year.
- 3 Department of Agriculture, Agricultural Markets Division, Agricultural Markets, Agriculture Workforce Development Program -- This appropriation remains available for expenditure until the close of the 2023-24 state fiscal year.
- 4 Department of Agriculture, Agricultural Markets Division, Agricultural Markets, Agriculture Workforce Development Program -- It is the General Assembly's intent that \$64,108 General Fund of this appropriation is designated to be used for purposes of the Workforce Development program, and \$75,000 General Fund of this appropriation is designated to be used for purposes of the Agricultural Leadership Program.

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.

Approved: February 28, 2023