

**NOTE: The governor signed this measure on 3/11/2016.**

# An Act

HOUSE BILL 16-1237

BY REPRESENTATIVE(S) Hamner, Young, Rankin, Lontine, Mitsch  
Bush, Rosenthal;  
also SENATOR(S) Lambert, Grantham, Steadman, Cadman.

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, 2015.** In Session Laws of Colorado  
2015, section 2 of chapter 364, (SB 15-234), **amend** Part I as follows:

Section 2. **Appropriation.**

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of 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	1,601,893		305,571		8,057 <sup>a</sup>	1,173,627 <sup>b</sup>	114,638(I)
	(16.7 FTE)						
Health, Life, and Dental	2,178,910		712,713		1,373,343 <sup>a</sup>		92,854(I)
Short-term Disability	35,488		13,883		19,694 <sup>a</sup>		1,911(I)
S.B. 04-257 Amortization							
Equalization Disbursement	709,705		277,853		393,626 <sup>a</sup>		38,226(I)
S.B. 06-235 Supplemental							
Amortization Equalization							
Disbursement	685,511		268,381		380,207 <sup>a</sup>		36,923(I)
Salary Survey	176,518		69,052		97,963 <sup>a</sup>		9,503(I)
Merit Pay	172,276		73,028		89,587 <sup>a</sup>		9,661(I)
Workers' Compensation	217,025		8,445		208,580 <sup>a</sup>		
Operating Expenses	242,932					241,982 <sup>b</sup>	950(I)
Legal Services for <del>4,653</del>							
<del>hours</del> 5,853 HOURS	<del>442,082</del>		148,412		<del>278,670*</del>		15,000(I)
	556,082				392,670 <sup>a</sup>		
Administrative Law Judge							
Services	6,676				6,676 <sup>a</sup>		
Payment to Risk Management							
and Property Funds	155,570		24,767		130,803 <sup>a</sup>		
Vehicle Lease Payments	<del>261,926</del>		128,641		<del>129,492*</del>		3,793(I)
	213,546				81,112 <sup>a</sup>		
Information Technology Asset							
Maintenance	153,031		42,041		110,990 <sup>a</sup>		
Leased Space	13,914				13,914 <sup>a</sup>		
Office Consolidation COP	529,063				529,063 <sup>a</sup>		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payments to OIT	1,248,818		950,293		298,525 <sup>a</sup>		
CORE Operations	76,354		7,250		60,331 <sup>a</sup>		8,773(I)
Utilities	161,939		50,000			111,939 <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	<u>203,114</u>				197,014 <sup>d</sup>		6,100(I)
		<del>11,636,659</del>					
		11,702,279					

<sup>a</sup> These amounts shall be from fees collected by various cash funds within the Department.

<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 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.

**(2) AGRICULTURAL SERVICES**

Animal Industry Division	2,684,189 (26.5 FTE)		1,553,164		954,522 <sup>a</sup>		176,503(I)
Plant Industry Division	<del>4,013,655</del>		623,724		<del>2,594,803</del> <sup>b</sup>		795,128(I)
DIVISION <sup>1a</sup>	4,180,010 (36.5 FTE) (38.8 FTE)				2,761,158 <sup>b</sup>		

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Inspection and Consumer Services Division	3,643,139		1,172,298		2,072,680 <sup>e</sup>	84,000 <sup>d</sup>	314,161(I)
	3,684,176				2,098,717 <sup>c</sup>	99,000 <sup>d</sup>	
	(44.6 FTE)						
	(44.9 FTE)						
Conservation Services Division	2,547,613		1,103,877		621,638 <sup>e</sup>		822,098(I)
			893,877			210,000 <sup>g</sup>	
	(15.3 FTE)						
APPROPRIATION TO THE NOXIOUS WEED MANAGEMENT FUND	210,000		210,000				
Lease Purchase Lab Equipment	99,360				99,360 <sup>c</sup>		
Indirect Cost Assessment	938,269				645,755 <sup>f</sup>		292,514(I)
		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
\$	\$	\$	\$	\$	\$	\$
Program Costs	1,461,819	489,079	(5.4 FTE)	50,454 <sup>a</sup>		922,286(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	572,493			572,493(I) <sup>d</sup> (1.5 FTE)		
Indirect Cost Assessment	14,270			10,000(I) <sup>d</sup>		4,270(I)
	<u>2,593,582</u>					

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

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

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

APPROPRIATION FROM

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<b>(B) AGRICULTURAL PRODUCTS INSPECTION</b>							
Program Costs	2,142,213		200,000		1,942,213 <sup>a</sup>		
					(34.5 FTE)		
Indirect Cost Assessment	<u>93,895</u>				93,895 <sup>a</sup>		
	2,236,108						

<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.

4,829,690

**(4) BRAND BOARD**

Brand Inspection	4,032,313				4,032,313 <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>		
Indirect Cost Assessment	<u>164,731</u>				164,731 <sup>d</sup>		
		4,252,044					

<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. These moneys are included for informational purposes as they are continuously appropriated pursuant to Section 35-41-102 (1), C.R.S.

<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 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.

**(5) COLORADO STATE FAIR**

Program Costs	8,512,643				8,512,643 <sup>a</sup>		
					(26.9 FTE)		
FFA and 4H Funding	250,000		250,000				

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State Fair Financial Stability Study <sup>1</sup>	50,000		50,000				
Indirect Cost Assessment	<u>113,269</u>				113,269 <sup>a</sup>		
		8,925,912					

<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.

**(6) CONSERVATION BOARD**

Program Costs	474,995		474,995 (5.2 FTE)				
Distributions to Soil Conservation Districts	483,767		483,767				
Matching Grants to Districts	675,000		225,000		450,000(I) <sup>a</sup>		
Salinity Control Grants	<u>505,365</u>						505,365(I)
		2,139,127					

<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.

**TOTALS PART I**

<b>(AGRICULTURE)</b>	<u>\$45,709,657</u>	<u>\$9,706,234</u>	<u>\$30,176,218*</u>	<u>\$1,656,548</u>	<u>\$4,170,657<sup>b</sup></u>
	<u>\$46,192,669</u>		<u>\$30,434,230<sup>a</sup></u>	<u>\$1,881,548</u>	

<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

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financial stability.

1a DEPARTMENT OF AGRICULTURE, AGRICULTURE SERVICES, PLANT INDUSTRY DIVISION - IT IS THE GENERAL ASSEMBLY'S INTENT THAT THE PORTION OF THIS APPROPRIATION USED BY THE DIVISION TO SUPPORT THE INSPECTION AND ENFORCEMENT OF PESTICIDE USE ON MARIJUANA AND INDUSTRIAL HEMP CROPS NOT BE ANNUALIZED FOR ANY FISCAL YEAR AFTER FY 2017-18.



**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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Dickey Lee Hullinghorst  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Bill L. Cadman  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Effie Ameen  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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John W. Hickenlooper  
GOVERNOR OF THE STATE OF COLORADO