

CHAPTER 369

APPROPRIATIONS

HOUSE BILL 16-1237

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

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

Section 2. **Appropriation.**

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
\$	\$	\$	\$	\$	\$	\$
PART I						
DEPARTMENT OF AGRICULTURE						
(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES						
Personal Services	1,601,893 (16.7 FTE)	305,571		8,057 ^a	1,173,627 ^b	114,638(I)
Health, Life, and Dental	2,178,910	712,713		1,373,343 ^a		92,854(I)
Short-term Disability	35,488	13,883		19,694 ^a		1,911(I)
S.B. 04-257 Amortization						
Equalization Disbursement	709,705	277,853		393,626 ^a		38,226(I)
S.B. 06-235						
Supplemental Amortization						
Equalization Disbursement	685,511	268,381		380,207 ^a		36,923(I)
Salary Survey	176,518	69,052		97,963 ^a		9,503(I)
Merit Pay	172,276	73,028		89,587 ^a		9,661(I)
Workers' Compensation	217,025	8,445		208,580 ^a		
Operating Expenses	242,932				241,982 ^b	950(I)
Legal Services for 4,653 hours 5,853 HOURS	442,082 556,082	148,412		278,670^a 392,670 ^a		15,000(I)
Administrative Law						
Judge Services	6,676			6,676 ^a		

Payment to Risk Management and Property Funds	155,570	24,767	130,803 ^a	
Vehicle Lease Payments	261,926 213,546	128,641	129,492^a 81,112 ^a	3,793(I)
Information Technology Asset Maintenance	153,031	42,041	110,990 ^a	
Leased Space	13,914		13,914 ^a	
Office Consolidation COP	529,063		529,063 ^a	
Payments to OIT	1,248,818	950,293	298,525 ^a	
CORE Operations	76,354	7,250	60,331 ^a	8,773(I)
Utilities	161,939	50,000		111,939 ^b
Agricultural Statistics	15,000		15,000 ^c	
Agriculture Management Fund	2,048,914		2,048,914 ^d (2.0 FTE)	
Adult Agriculture Leadership Grant Program	300,000		300,000 ^d	
Indirect Cost Assessment	<u>203,114</u>		197,014 ^d	6,100(I)
	11,636,659 11,702,279			

^a These amounts shall be from fees collected by various cash funds within the Department.

^b 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.

^c This amount shall be from surveys and services provided by the USDA National Agricultural Statistics Service.

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

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
(2) AGRICULTURAL SERVICES						
Animal Industry Division	2,684,189 (26.5 FTE)		1,553,164		954,522 ^a	176,503(I)
Plant Industry Division ^{1a}	4,013,655 4,180,010 (36.5 FTE) (38.8 FTE)		623,724		2,594,803^b 2,761,158 ^b	795,128(I)
Inspection and Consumer Services Division	3,643,139 3,684,176 (44.6 FTE) (44.9 FTE)		1,172,298		2,072,680^c 2,098,717 ^c	84,000^d 99,000 ^d 314,161(I)
Conservation Services Division	2,547,613 (15.3 FTE)		1,103,877 893,877		621,638 ^e	210,000 ^f 822,098(I)

APPROPRIATION TO THE				
NOXIOUS WEED				
MANAGEMENT FUND	210,000	210,000		
Lease Purchase				
Lab Equipment	99,360		99,360 ^e	
Indirect Cost Assessment	<u>938,269</u>		645,755 ^f	292,514(I)
		13,926,225		
		14,343,617		

^a 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.

^b 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.

^c ~~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.

^d ~~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.

^e 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 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, C.R.S., and \$12,444 shall be from various cash funds within the Department.

^f 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 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 35-50-106 (1), C.R.S., and \$98,514 shall be from various cash funds within the Department.

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
<p>^g 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 APPROPRIATED TO THE NOXIOUS WEED MANAGEMENT FUND IN THIS SECTION.</p>						
(3) AGRICULTURAL MARKETS DIVISION						
(A) AGRICULTURAL MARKETS						
Program Costs	1,461,819		489,079 (5.4 FTE)		50,454 ^a	922,286(I)
Economic Development Grants	45,000				45,000 ^b	
Agricultural Development Board	500,000				500,000(I) ^c	
Wine Promotion Board	572,493				572,493(I) ^d (1.5 FTE)	
Indirect Cost Assessment	14,270				10,000(I) ^d	4,270(I)
	<u>2,593,582</u>					

^a This amount shall be from various economic development programs.

^b This amount is transferred from the Economic Development Commission in the Office of the Governor.

^c 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.

^d 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.

(B) AGRICULTURAL PRODUCTS INSPECTION

Program Costs	2,142,213	200,000	1,942,213 ^a
			(34.5 FTE)
Indirect Cost Assessment	<u>93,895</u>		93,895 ^a
	2,236,108		

^a 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 ^a
			(59.0 FTE)
Alternative Livestock	15,000		15,000 ^b
Brand Estray Fund	40,000		40,000(I) ^c
Indirect Cost Assessment	<u>164,731</u>		164,731 ^d
	4,252,044		

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

^d 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.

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	
	\$	\$	\$	\$	\$	\$	\$
(5) COLORADO STATE FAIR							
Program Costs	8,512,643				8,512,643 ^a		
					(26.9 FTE)		
FFA and 4H Funding	250,000		250,000				
State Fair Financial Stability Study ¹	50,000		50,000				
Indirect Cost Assessment	<u>113,269</u>				113,269 ^a		
		8,925,912					
^a 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) ^a		
Salinity Control Grants	<u>505,365</u>						505,365(I)
		2,139,127					

^a 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

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

^a Of this amount, \$1,949,860 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, 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 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.

Approved: March 11, 2016