

**First Regular Session
Seventy-fourth General Assembly
STATE OF COLORADO**

ENGROSSED

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

LLS NO. 23-0370.01 Carolyn Kampman x4959

SENATE BILL 23-112

SENATE SPONSORSHIP

Zenzinger, Bridges, Kirkmeyer

HOUSE SPONSORSHIP

Bird, Sirota, Bockenfeld

Senate Committees
Appropriations

House Committees

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 8, 2023

1 **SECTION 1. Appropriation to the department of agriculture**
2 **for the fiscal year beginning July 1, 2022.** In Session Laws of Colorado
3 2022, section 2 of chapter 507, (HB 22-1329), **amend** Part I and the
4 affected totals, as Part I (1) and the affected totals are amended by section
5 4 of chapter 170, (HB 22-1133), as follows:

6 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

1							
2							
3							
4							
5	Personal Services	2,200,581	715,439			1,368,649 ^a	116,493(I)
6		(18.6 FTE)					
7	Health, Life, and Dental	3,414,652	936,114		2,478,538 ^b		
8	Short-term Disability	29,224	9,930		19,294 ^b		
9	S.B. 04-257 Amortization						
10	Equalization Disbursement	954,351	323,967		630,384 ^b		
11	S.B. 06-235 Supplemental						
12	Amortization Equalization						
13	Disbursement	954,351	323,967		630,384 ^b		
14	Salary Survey	628,110	211,167		416,943 ^b		
15	PERA Direct Distribution	308,025			308,025 ^b		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Shift Differential	5,870	54		5,816 ^b		
2	Temporary Employees						
3	Related to Authorized Leave	41,536			41,536 ^b		
4	Workers' Compensation	176,126	34,834		141,292 ^b		
5	Operating Expenses ¹	480,706	215,869			263,887 ^a	950(I)
6	Legal Services	970,527	183,328		787,199 ^b		
7	Administrative Law Judge						
8	Services	19,491			19,491 ^b		
9	Payment to Risk Management						
10	and Property Funds	428,108	259,549		168,559 ^b		
11	Lab Depreciation	461,617			461,617 ^b		
12	Vehicle Lease Payments	381,404	160,267		215,931 ^b		5,206(I)
13	Information Technology						
14	Asset Maintenance	42,041	42,041				
15	Leased Space	19,301			19,301 ^b		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Office Consolidation COP	529,063			529,063 ^b		
2	Payments to OIT	3,094,477	2,005,283		1,089,194^b		
3		3,133,036	2,030,269		1,102,767 ^b		
4	CORE Operations	156,241	21,310		117,971 ^b	16,960 ^a	
5	Utilities	240,000	50,000			190,000 ^a	
6	Agriculture Management						
7	Fund	2,048,914			2,048,914 ^c		
8					(2.0 FTE)		
9	Indirect Cost Assessment	183,023			183,023 ^c		
10			17,767,739				
11		17,806,298					
12							

13 ^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.

APPROPRIATION FROM

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

^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 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.

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

(2) AGRICULTURAL SERVICES

Animal Industry Division ^{1a}	2,573,023	1,990,606	405,157 ^a	177,260(I)
	(19.3 FTE)			

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Plant Industry Division	6,774,293	530,328		5,442,109 ^b		801,856(I)
2		(58.2 FTE)					
3	Inspection and Consumer						
4	Services Division	5,252,622	1,388,773		3,464,006 ^c	84,000 ^d	315,843(I)
5		(56.2 FTE)					
6	Conservation Services ²						
7	Division	4,722,381	928,519		2,267,558 ^e	700,000 ^f	826,304(I)
8		(19.6 FTE)					
9	Appropriation to the Noxious						
10	Weed Management Fund	700,000	700,000				
11	Lease Purchase Lab						
12	Equipment	99,360			99,360 ^g		
13	Indirect Cost Assessment	1,472,145			1,218,607 ^g		253,538(I)
14		<u>21,593,824</u>					
15							

APPROPRIATION FROM

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

1 ^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
2 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
3 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
4 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
5 informational purposes only, and an estimated \$45,607 shall be from various sources of cash funds.

6 ^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
7 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
8 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
9 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
10 35-27.3-111, C.R.S., and an estimated \$309,130 shall be from various sources of cash funds.

11 ^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
12 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
13 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
14 from various sources of cash funds.

15 ^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
16 in the Water Quality Control Division.

APPROPRIATION FROM

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

1 ^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
2 \$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
3 \$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.

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

6 ^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
7 \$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
8 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
9 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
10 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
11 informational purposes only, and an estimated \$169,030 from various sources of cash funds.

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			APPROPRIATION FROM				
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	(3) AGRICULTURAL MARKETS DIVISION						
2	(A) Agricultural Markets						
3	Program Costs	1,813,880	854,559		31,091 ^a		928,230(I)
4			(5.4 FTE)				
5	Wine Promotion Board	574,246			574,246(I) ^b		
6					(1.5 FTE)		
7	Agriculture Workforce						
8	Development Program ^{3,4}	289,108	139,108		150,000 ^c		
9			(0.3 FTE)				
10	Indirect Cost Assessment	39,533			25,064(I) ^b		14,469(I)
11		<u>2,716,767</u>					

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

14 ^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
15 fund is continuously appropriated pursuant to Section 35-29.5-105 (1), C.R.S.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Alternative Livestock	15,000			15,000 ^b		
2	Brand Estray Fund	40,000			40,000(I) ^c		
3	Indirect Cost Assessment	251,927			251,927 ^d		
4		4,974,118					

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

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

8 ^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
9 Section 35-41-102 (1), C.R.S.

10 ^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
11 Farm Cash Fund created in Section 35-41.5-116, C.R.S., and an estimated \$3,765(I) shall be from the Estray Fund created in Section 35-41-102 (1), C.R.S., which amount is included
12 for informational purposes only as the fund is continuously appropriated pursuant Section 35-41-102 (1), C.R.S.

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
1	(5) COLORADO STATE FAIR					
2	Program Costs	9,726,971	450,000		9,276,971 ^a	
3					(26.9 FTE)	
4	FFA and 4H Funding	550,000	250,000		300,000 ^b	
5	State Fair Facilities					
6	Maintenance	429,492	300,000		129,492 ^a	
7	Indirect Cost Assessment	146,572			146,572 ^a	
8		10,853,035				
9						
10	^a These amounts shall be from the Colorado State Fair Authority Cash Fund created in Section 35-65-107 (1), C.R.S.					
11	^b This amount shall be from the Marijuana Tax Cash Fund created in Section 39-28.8-501 (1), C.R.S.					
12						
13	(6) CONSERVATION BOARD					
14	Program Costs	511,502	511,502			
15			(5.2 FTE)			

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Distributions to Soil						
2	Conservation Districts	483,767	483,767				
3	Matching Grants to Districts	675,000	225,000		450,000 ^a		
4	Salinity Control Grants	506,781					506,781(I)
5	Appropriation to the						
6	Conservation District Grant						
7	Fund	450,000			450,000 ^b		
8		2,627,050					

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

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		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	TOTALS PART I						
2	(AGRICULTURE)	\$63,164,749	\$14,435,281		\$42,159,042 ^a	\$2,623,496	\$3,946,930 ^b
3		\$63,203,308	\$14,460,267		\$42,172,615 ^a		
4							

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

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

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

10 1 Department of Agriculture, Commissioner's Office and Administrative Services, Operating Expenses -- It is the General Assembly's intent that \$200,000
11 General Fund of this appropriation is designated to be used for mental health programs in rural Colorado.

13 1a Department of Agriculture, Agricultural Services, Animal Industry -- It is the General Assembly's intent that the Bureau of Animal Protection Agents funded
14 by this line item be primarily used for education, training, and investigative support of other agents and law enforcement.

16 2 Department of Agriculture, Agricultural Services, Conservation Services Division -- Of this appropriation, \$385,000 cash funds remain available for

APPROPRIATION FROM

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

1 expenditure until the close of the 2023-24 state fiscal year.

2
3 3 Department of Agriculture, Agricultural Markets Division, Agricultural Markets, Agriculture Workforce Development Program -- This appropriation remains
4 available for expenditure until the close of the 2023-24 state fiscal year.

5
6 4 Department of Agriculture, Agricultural Markets Division, Agricultural Markets, Agriculture Workforce Development Program -- It is the General Assembly's
7 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
8 Fund of this appropriation is designated to be used for purposes of the Agricultural Leadership Program.

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.