

CHAPTER 328

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**APPROPRIATIONS**

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SENATE BILL 05-108

BY SENATOR(S) Tapia, Keller, and Owen;  
also REPRESENTATIVE(S) Plant, Buescher, and Hall.

**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.** Part I of section 2 of chapter 427, Session Laws of Colorado 2004, is amended to read:

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	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>PART I</b>						
<b>DEPARTMENT OF AGRICULTURE</b>						
<b>(1) COMMISSIONER'S OFFICE AND ADMINISTRATIVE SERVICES</b>						
Personal Services	1,403,967	63,189			<del>1,340,778(T)</del> <sup>e</sup>	
	(18.7 FTE)			447,297 <sup>d</sup>	893,481(T) <sup>a</sup>	
Health, Life, and Dental	714,195	136,407		<del>551,616</del> <sup>b</sup>		26,172
				356,321 <sup>b</sup>	195,295 <sup>c</sup>	
Short-term Disability	20,340	5,550		<del>13,971</del> <sup>b</sup>		819
				8,652 <sup>b</sup>	5,319 <sup>c</sup>	
Salary Survey and Senior Executive Service	277,030	75,787		<del>189,888</del> <sup>b</sup>		11,355
				130,304 <sup>b</sup>	59,584 <sup>c</sup>	
Performance-based Pay Awards	164,820	46,857		<del>117,963</del> <sup>b</sup>		
				85,101 <sup>b</sup>	32,862 <sup>c</sup>	
Workers' Compensation	<del>209,730</del>	<del>74,651</del>		<del>133,204</del> <sup>b</sup>		<del>1,875</del>
	214,851	76,474		69,854 <sup>b</sup>	66,602 <sup>f</sup>	1,921
Operating Expenses	97,800	97,800				
Legal Services for 3,428 hours	211,062	43,837		<del>156,265</del> <sup>b</sup>		10,960

			153,265 <sup>b</sup>	3,000 <sup>c</sup>	
Purchase of Services from Computer Center	<del>12,667</del> 2,432	<del>12,667</del> 2,432			
Multiuse Network Payments	<del>30,661</del> 27,068	<del>30,661</del> 27,068			
Payment to Risk Management and Property Funds	<del>226,085</del> 155,108	<del>78,687</del> 53,984	<del>145,639<sup>b</sup></del> 49,958 <sup>b</sup>		<del>1,759</del> 1,207
Vehicle Lease Payments	<del>167,916</del> 148,034	<del>50,375</del> 46,510	<del>114,182<sup>b</sup></del> 98,165 <sup>b</sup>		3,359
Information Technology Asset Maintenance	111,405	31,038	<del>80,367<sup>b</sup></del> 74,741 <sup>b</sup>	5,626 <sup>c</sup>	
Leased Space	103,203	44,835	<del>58,368<sup>b</sup></del> 20,209 <sup>b</sup>	38,159 <sup>c</sup>	
Capitol Complex Leased Space	<del>139,739</del> 145,878	<del>108,996</del> 113,784	<del>30,743<sup>b</sup></del> 32,094 <sup>b</sup>		
Communications Services Payments	<del>4,886</del> 6,242	<del>1,661</del> 2,123	<del>3,225<sup>b</sup></del>	4,119 <sup>c</sup>	
Utilities	94,443	28,948	<del>65,495<sup>b</sup></del> 63,895 <sup>b</sup>	1,600 <sup>c</sup>	
Agricultural Statistics Grants	75,000 702,975	60,000	15,000 <sup>c</sup>		702,975

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Indirect Cost Assessment	<u>58,613</u>						(8.0 FTE)
		<del>4,826,537</del>					58,613
		4,734,466					

<sup>a</sup> This amount shall be from indirect cost recoveries.

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

<sup>c</sup> This amount shall be from the sale of statistics books.

<sup>d</sup> THIS AMOUNT SHALL BE FROM INDIRECT COST RECOVERIES FROM THE BRAND BOARD, WHICH IS DESIGNATED AS AN ENTERPRISE PURSUANT TO SECTION 35-41-101 (5), C.R.S.

<sup>e</sup> THESE AMOUNTS SHALL BE FROM THE BRAND INSPECTION FUND PURSUANT TO SECTION 35-41-102, C.R.S.

<sup>f</sup> OF THIS AMOUNT, \$33,301 SHALL BE FROM THE BRAND INSPECTION FUND PURSUANT TO SECTION 35-41-102, C.R.S., AND \$33,301 SHALL BE FROM FEES COLLECTED BY THE COLORADO STATE FAIR.

<sup>g</sup> OF THIS AMOUNT, \$24,980 SHALL BE FROM THE BRAND INSPECTION FUND PURSUANT TO SECTION 35-41-102, C.R.S., AND \$24,979 SHALL BE FROM FEES COLLECTED BY THE COLORADO STATE FAIR.

**(2) AGRICULTURAL SERVICES DIVISION**

Personal Services	8,683,441		2,031,224		6,327,867 <sup>a</sup>		324,350
			(30.5 FTE)		(112.1 FTE)		(3.0 FTE)
Operating Expenses	1,069,466		151,925		863,172 <sup>a</sup>		54,369

Noxious Weed Management Grant			
Program	15,000		15,000 <sup>b</sup>
Diseased Livestock Fund	25,000		25,000 <sup>c</sup>
Cervidae Disease Revolving Fund	25,000	25,000 <sup>d</sup>	
Indirect Cost Assessment	<u>814,000</u>	785,453 <sup>a</sup>	28,547
	10,631,907		

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

<sup>b</sup> This amount shall be from reserves in the Noxious Weed Management Fund pursuant to Section 35-5.5-116, C.R.S.

<sup>c</sup> This amount shall be payment for damages available from reserves in the Diseased Livestock Indemnity Fund, pursuant to Section 35-50-140.5 (2), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

<sup>d</sup> This amount shall be payment for damages available from the Cervidae Disease Revolving Fund, pursuant to Section 35-50-114.5 (1)(a), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

**(3) AGRICULTURAL MARKETS DIVISION**

Personal Services	358,376	358,376 (4.7 FTE)	
Operating Expenses	79,961	29,624	50,337 <sup>a</sup>
Aquaculture Operating Expenses	25,000		25,000 <sup>b</sup>
Economic Development Grants	45,000		45,000(T) <sup>c</sup>
Agricultural Development Board	74,837		74,837 <sup>d</sup> (0.5 FTE)
	<u>                    </u>		

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	583,174					

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

<sup>b</sup> This amount shall be from the Aquaculture Cash Fund pursuant to Section 35-24.5-111, C.R.S.

<sup>c</sup> This amount represents a transfer from the Office of the Governor, Economic Development Commission. Any amounts included in state fiscal year spending are accounted for in the appropriations to the Office of the Governor.

<sup>d</sup> This amount shall be from the Agriculture Value-Added Cash Fund pursuant to Section 35-75-205 (1), C.R.S., and is continuously appropriated by a permanent statute or constitutional provision.

**(4) BRAND BOARD**

Brand Inspection	3,224,431				
	(66.3 FTE)				
Alternative Livestock	95,662				
Indirect Cost Assessment	461,209				
	<u>3,781,302</u>			<u>3,781,302<sup>c</sup></u>	
				109,574 <sup>a</sup>	3,671,728 <sup>b</sup>

<sup>a</sup> This amount shall be from fees for service that are deposited into the ~~Brand Inspection Fund pursuant to Section 35-41-102, C.R.S.~~ ALTERNATIVE LIVESTOCK FARM CASH FUND PURSUANT TO SECTION 35-41.5-116, C.R.S.

<sup>b</sup> THIS AMOUNT SHALL BE FROM FEES FOR SERVICE THAT ARE DEPOSITED INTO THE BRAND INSPECTION FUND PURSUANT TO SECTION 35-41-102, C.R.S.

**(5) SPECIAL PURPOSE**

Wine Promotion Board	378,930		
	(1.0 FTE)		
Vaccine and Service Fund	98,090		
Brand Estray Fund	94,050		
Indirect Cost Assessment	<u>6,956</u>		
	578,026	543,376 <sup>a</sup>	34,650 <sup>b</sup>

<sup>a</sup> Of this amount, \$385,886 shall be from the Colorado Wine Industry Development Fund pursuant to Section 35-29.5-105, C.R.S., \$98,090 shall be from the Veterinary Vaccine and Service Fund pursuant to Section 35-50-146, C.R.S., and \$59,400 shall be from the Estray Fund pursuant to Section 35-41-102, C.R.S. Moneys from the Estray Fund are included for informational purposes only as they are continuously appropriated by a permanent statute or constitutional provision.

<sup>b</sup> This amount shall be available from reserves in the Estray Fund pursuant to Section 35-41-102, C.R.S. These are continuously appropriated by a permanent statute or constitutional provision.

**(6) COLORADO STATE FAIR**

Program Costs	8,078,677	<del>8,078,677<sup>a</sup></del>	8,078,677 <sup>a</sup>
		<del>(26.9 FTE)</del>	(26.9 FTE)

<sup>a</sup> This amount shall be from fees collected by the Colorado State Fair.

**(7) CONSERVATION BOARD**

Personal Services	239,520	239,520
		(3.5 FTE)
Operating Expenses	33,200	33,200
Distributions to Soil		
Conservation Districts	391,714	391,714

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Irrigation/Conservation Program	110,279				110,279 <sup>a</sup> (3.0 FTE)		
Salinity Control Grants	<u>500,000</u>						500,000
		1,274,713					

<sup>a</sup> This amount shall be from fees charged by well pump testing associations.

**TOTALS PART I**

(AGRICULTURE) <sup>1, 2</sup>	<del>\$29,754,336</del>	<del>\$4,227,529</del>		<del>\$22,266,389</del>	<del>\$1,535,265*</del>	<del>\$1,725,153</del>
	<u>\$29,662,265</u>	<u>\$4,192,206</u>		<u>\$10,444,914</u>	<u>\$13,300,498<sup>a</sup></u>	<u>\$1,724,647</u>

<sup>a</sup> Of this amount, ~~\$1,385,778~~ \$938,481 contains a (T) notation.

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

1 (Governor lined through this provision. See L. 2004, p. 2712.)

2 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.

**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, 2005

