

NOTE: This bill has been prepared for the signatures of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.



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.

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 law; dashes through words or numbers indicate deletions from existing law and such material is not part of the act.

APPROPRIATION FROM

	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				

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
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	<u>183,023</u>				183,023 ^c		
		17,767,739					
		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 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 (19.3 FTE)		1,990,606		405,157 ^a		177,260(I)
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
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.

APPROPRIATION FROM

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

^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.

^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.

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

^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(I) 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

Program Costs	9,726,971		450,000		9,276,971 ^a		
					(26.9 FTE)		

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

^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*	\$2,623,496		\$3,946,930 ^b
	<u>\$63,203,308</u>	<u>\$14,460,267</u>		<u>\$42,172,615^a</u>			

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

^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.

Steve Fenberg
PRESIDENT OF
THE SENATE

Julie McCluskie
SPEAKER OF THE HOUSE
OF REPRESENTATIVES

Cindi L. Markwell
SECRETARY OF
THE SENATE

Robin Jones
CHIEF CLERK OF THE HOUSE
OF REPRESENTATIVES

APPROVED _____

(Date and Time)

Jared S. Polis
GOVERNOR OF THE STATE OF COLORADO