

CHAPTER 392

APPROPRIATIONS

HOUSE BILL 06-1235

BY REPRESENTATIVE(S) Plant, Buescher, Hall, Berens, McFadyen, Merrifield, Riesberg, Sullivan, and Todd;
also SENATOR(S) Tapia, Keller, and Owen.

AN ACT

**CONCERNING FUNDING FOR CAPITAL CONSTRUCTION, AND MAKING SUPPLEMENTAL APPROPRIATIONS
IN CONNECTION THEREWITH.**

Be it enacted by the General Assembly of the State of Colorado:

SECTION 1. Part XII (1) and the affected totals and grand totals of section 3 of chapter 413, Session Laws of Colorado 2000, as Part XII (1) and the affected totals are amended by section 15 of chapter 363, Session Laws of Colorado 2001, as the affected totals are further amended by section 4 of chapter 9, Session Laws of Colorado 2001, Second Extraordinary Session, as the affected totals and grand totals are further amended by section 3 of chapter 376, Session Laws of Colorado 2002, and as Part XII (1) and the affected totals and grand totals are amended by section 13 of chapter 10, Session Laws of Colorado 2003, and as Part XII (1) and the affected totals are further amended by section 1 of chapter 424, Session Laws of Colorado 2004, and as the affected grand totals are further amended by section 1 of chapter 350 and by section 11 of chapter 354, Session Laws of Colorado 2005, are amended to read:

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.

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART XII
DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT**

(1) CAPITAL CONSTRUCTION PROJECTS

Small Community Wastewater Treatment Facilities Construction Grants	3,000,000		1,500,000		1,500,000 ^a	
Small Community Drinking Water Treatment Facilities Construction Grants	3,000,000		1,500,000		1,500,000 ^a	
Superfund Site Cleanup ^{10a.4}	15,110,000				800,000 ^b	14,310,000
Shattuck Superfund Site Cleanup ^{10a.5}	38,500,000 53,100,000				3,850,000^b 5,310,000 ^b	34,650,000 47,790,000
Pipet Station Newborn Screening Laboratory	<u>75,000</u>			75,000 ^c		
		59,685,000				
		74,285,000				

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a These amounts shall be from grants and loans from the Local Government Severance Tax Fund pursuant to Section 39-29-110, C.R.S.

^b These amounts shall be from reserves in the Hazardous Substance Response Fund pursuant to Section 25-16-104.6, C.R.S.

^c This amount shall be from the Newborn Screening and Genetic Counseling Cash Funds pursuant to Section 25-4-1006, C.R.S.

TOTALS PART XII

(PUBLIC HEALTH AND ENVIRONMENT)

	\$59,685,000		\$3,000,000	\$75,000	\$7,650,000	\$48,960,000
	<u>\$74,285,000</u>				<u>\$9,110,000</u>	<u>\$62,100,000</u>

GRAND TOTALS

(CAPITAL CONSTRUCTION)

	\$528,235,453		\$272,572,133	\$46,147,821	\$135,834,644^a	\$73,680,855
	<u>\$542,835,453</u>				<u>\$137,294,644^a</u>	<u>\$86,820,855</u>

^a Of this amount, \$1,936,470 contains a (T) notation and \$3,047,174 is from the Highway Users Tax Fund pursuant to Section 43-4-201(3)(a), C.R.S.

SECTION 2. Part III (2) (A), (10) (A), and the affected totals of section 3 of chapter 449, Session Laws of Colorado 2003, as amended by section 4 of chapter 424, Session Laws of Colorado 2004, as the said Part III (2) (A) and the affected totals are further amended by section 3 of chapter 350, Session Laws of Colorado 2005, are amended to read:

Section 3. **Capital Construction Appropriation.**

**PART III
DEPARTMENT OF HIGHER EDUCATION**

(2) COLORADO STATE UNIVERSITY

(A) Capital Construction

Bioenvironmental Research			
Building Expansion	10,250,000	1,500,000	8,750,000
	18,750,000	6,000,000 ^a	12,750,000
Diagnostic Equipment, Veterinary Teaching Hospital	1,320,193	1,320,193 ^a	
CHILL Antenna Replacement	1,673,010	1,673,010 ^b	
Core Animal Diagnostic Laboratory Modular Unit	1,282,668	1,282,668 ^b	
Hughes Stadium Improvements and Expansion	1,256,750	1,256,750 ^a	
Natural Resources Research Center	38,633,100	38,633,100 ^b	
New Student Housing, Main Campus Southwest	18,533,339	18,533,339 ^b	
Regional Biocontainment Laboratory	1,500,000	250,000 ^a	1,250,000
University Center for the Arts	<u>4,920,000</u>	4,920,000 ^a	
	79,369,060		
	87,869,060		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Regional Museum Preservation Projects	295,000				295,000 ^a	
Ute Indian Museum in Montrose, Landscape Preservation/Upgrade	404,490 495,440				280,200* 261,200 ^a	124,290 234,240
		699,490 790,440				

^a These amounts shall be from exempt institutional sources.

^b These amounts shall be from exempt institutional sources. They meet the criteria in Section 24-75-303(3)(a)(II), C.R.S. and are shown here for informational purposes only. Therefore, they shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

(10) COLORADO HISTORICAL SOCIETY

(A) Capital Construction

^a ~~These amounts~~ OF THESE AMOUNTS, \$535,200 shall be from the State Historical Fund. FUND AND \$21,000 SHALL BE FROM CASH DONATIONS AND INSURANCE.

TOTALS PART III

(HIGHER EDUCATION)	\$376,613,099		\$519,779		\$364,219,030	\$11,874,290
	<u>\$385,204,049</u>				<u>\$368,700,030</u>	<u>\$15,984,240</u>
GRAND TOTALS						
(CAPITAL CONSTRUCTION)	\$486,612,898		\$9,415,089	\$19,879,208	\$405,420,384*	\$51,898,217
	<u>\$495,203,848</u>				<u>\$409,901,384*</u>	<u>\$56,008,167</u>

* Of this amount, \$4,806,726 contains a (T) notation and \$2,453,097 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

SECTION 3. Part II (4) (A) and the affected totals of section 3 of chapter 427, Session Laws of Colorado 2004, as amended by section 4 of chapter 350 and by section 12 of chapter 354, Session Laws of Colorado 2005, are amended to read:

Section 3. **Capital Construction Appropriation.**

**PART II
DEPARTMENT OF HIGHER EDUCATION**

(4) COLORADO STATE UNIVERSITY

(A) Capital Construction

Atmospheric Science		
Chemistry Addition	2,500,000	2,500,000 ^a
Hughes Stadium Expansion	13,949,517	13,949,517 ^a
Hughes Stadium Scoreboard Replacement	1,250,000	1,250,000 ^b
Lory Student Center Major Maintenance and Renovation	3,110,300	3,110,300 ^b

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Regional Biocontainment Laboratory	24,052,355 29,771,055				8,670,355 ^a	15,382,000 20,739,541
Synthetic Football Practice Field	750,000				750,000 ^b	
University Center for the Arts, Renovations	17,592,142 <u>22,617,841</u>				17,592,142 22,617,841 ^a	
	<u>63,204,314</u> 73,948,713					

^a These amounts shall be from exempt institutional sources.

^b These amounts shall be from exempt institutional sources. They meet the criteria in Section 24-75-303(3) (a) (II), C.R.S. and are shown here for informational purposes only. Therefore, they shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

**TOTALS PART II
(HIGHER EDUCATION)**

\$294,275,765	\$2,300,000	\$270,282,578	\$21,693,187
<u>\$305,020,164</u>		<u>\$275,669,436</u>	<u>\$27,050,728</u>

GRAND TOTALS

(CAPITAL CONSTRUCTION)	\$362,809,571	\$7,593,344	\$19,400,000	\$299,633,110*	\$36,183,117
	<u>\$373,553,970</u>			<u>\$305,019,968*</u>	<u>\$41,540,658</u>

* Of this amount, \$796,183 contains a (T) notation.

SECTION 4. Section 3 (1) (d) of chapter 354, Session Laws of Colorado 2005, is amended to read:

Section 3. **Capital construction appropriation. (1)**

(d) In addition to any other appropriation made for the fiscal year beginning July 1, 2005, there is hereby appropriated, out of any moneys received by the state pursuant to the master settlement agreement pursuant to section 23-20-207 (1) (a) (I.5) (A), Colorado Revised Statutes, to the capital construction fund created in section 24-75-302, Colorado Revised Statutes, the sum of ~~seven million one hundred fourteen thousand seven hundred fifty-six dollars (\$7,114,756)~~ SIX MILLION NINE HUNDRED EIGHTY-FIVE THOUSAND SIX HUNDRED EIGHTY DOLLARS (\$6,985,680). Said appropriation is to comply with section 23-20-136 (3.5) (a), Colorado Revised Statutes, and shall not take effect unless there is a final court decision allowing lease purchase agreements pursuant to H.B. 03-1256 and the amount is due to a lessor for the lease purchase of academic buildings at Fitzsimons in the 2005-06 fiscal year.

SECTION 5. Part II (1), Part IV (2) (A), (2) (B), (8) (B), (9) (A), (23) (B), Part VII (1), Part VIII (2), and the affected totals of section 3 of chapter 354, Session Laws of Colorado 2005, are amended, and the said Part II is further amended BY THE ADDITION OF A NEW SUBSECTION, to read:

Section 3. **Capital Construction Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(I) CONTROLLED MAINTENANCE

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Arkansas Valley Correctional Facility, Replace Security System Door Controlllers	437,511		437,511			
Colorado Territorial Correctional Facility, Sanitary Sewer/Storm Distribution Improvements	529,785		529,785			
Correctional Industries, Minor Construction Projects ¹	441,000				441,000 ^a	
Fremont Correctional Facility, Repair Utility Tunnel	643,642		643,642			
Upgrade Fire Detection/Alarm/Suppression Systems	<u>1,701,592</u>		1,701,592			
	3,753,530					
	3,753,530					

^a This amount shall be from sales revenues earned by Correctional Industries.

(2) CAPITAL CONSTRUCTION

Ft. LYON ACQUISITION AND
 CONVERSION PHASE I AND
 PHASE II PROJECTS

1,222,222

122,222

1,100,000

4,975,752

**TOTALS PART II
 (CORRECTIONS)**

~~\$3,753,530~~

~~\$3,312,530~~

\$441,000

\$4,975,752

\$3,434,752

\$1,100,000

**PART IV
 DEPARTMENT OF HIGHER EDUCATION**

(2) MESA STATE COLLEGE

(B) Capital Construction

Business and Information

Technology Center, Phase I 1,150,000

1,150,000^a

CAMPUS SERVICES BUILDING 2,847,775

2,847,775^a

House Demolition and

Ground Recovery 20,638,800

20,638,800^a

~~21,788,800~~

24,636,575

^a These amounts shall be from exempt institutional sources.

~~22,100,370~~

24,948,145

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(8) UNIVERSITY OF COLORADO HEALTH SCIENCES CENTER						
(B) Capital Construction						
Fitzsimons, Infrastructure Phase 9	5,424,376				5,424,376 ^a	
Fitzsimons Trust Fund ²	7,114,756		7,114,756			
	6,985,680		6,985,680			
Lease Purchase of Academic Facilities at Fitzsimons ²	7,114,756				7,114,756	
	6,985,680				6,985,680 ^a	
	<u>19,653,888</u>					
	19,395,736					

^a This amount shall be from exempt institutional sources.

^b This amount shall be from the Fitzsimons Trust Fund created in Section 23-20-136, C.R.S.

~~20,150,318~~
19,892,166

(9) COLORADO SCHOOL OF MINES

(A) Capital Construction

Addition to Center for Teaching and Learning Media	5,077,735	5,077,735	
	6,628,732	6,628,732	
Wellness Center	<u>18,095,348</u>		18,095,348 ^a
	23,173,083		
	24,724,080		

^a This amount shall be from exempt institutional sources. It meets the criteria in Section 24-75-303 (3) (a) (II), C.R.S., and is shown here for informational purposes only. Therefore, it shall not be accounted for in the State's Capital Construction Fund and the limitations on encumbrance timeliness and use of internal workforce do not apply.

(23) COLORADO HISTORICAL SOCIETY

(B) Capital Construction

Regional Museum Preservation Projects	562,000	562,000 ^a	
	1,292,840	962,840 ^a	330,000

^a Of this amount, ~~\$542,000~~ \$883,000 shall be from the State Historical Fund, and ~~\$20,000~~ \$79,840 shall be from gifts, grants and donations.

~~712,877~~
1,443,717

TOTALS PART IV

(HIGHER EDUCATION)

\$216,201,220	\$35,543,243	\$180,657,977	
<u>\$221,072,680</u>	<u>\$36,965,164</u>	<u>\$183,777,516</u>	<u>\$330,000</u>

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART VII
DEPARTMENT OF LABOR AND EMPLOYMENT**

(1) CAPITAL CONSTRUCTION

Petroleum Storage Tank Site Cleanup		19,000,000		18,200,000 ^a		800,000
		20,000,000			19,200,000 ^a	

^a This amount shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S.

TOTALS PART VII

(LABOR AND EMPLOYMENT)		\$19,000,000		\$18,200,000		\$800,000
		<u>\$20,000,000</u>			<u>\$19,200,000</u>	

**PART VIII
DEPARTMENT OF MILITARY AND VETERANS AFFAIRS**

(2) CAPITAL CONSTRUCTION

Colorado Springs Armory	900,000				900,000 ^a	
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GRAND JUNCTION FIELD				
MAINTENANCE SHOP	583,000		130,000 ^a	453,000
Security Enhancements, Headquarters Complex	<u>50,000</u>		<u>50,000^a</u>	
	950,000			
	1,533,000			

^a These amounts shall be from the Real Estate Proceeds ~~Fund~~ ACCOUNT CREATED PURSUANT TO SECTION 28-3-106 (1) (s) (I), C.R.S.

~~2,991,180~~
3,574,180

**TOTALS PART VIII
(MILITARY AFFAIRS)**

	\$2,991,180		\$1,312,402		\$950,000	\$728,778
	<u>\$3,574,180</u>				<u>\$1,080,000</u>	<u>\$1,181,778</u>

**GRAND TOTALS
(CAPITAL CONSTRUCTION)**

	\$303,316,705		\$51,727,197	\$19,750,000	\$222,859,642 ^a	\$8,979,866
	<u>\$310,993,387</u>		<u>\$53,271,340</u>	<u>\$1,550,000</u>	<u>\$245,309,181^a</u>	<u>\$10,862,866</u>

^a Of this amount, \$803,242 contains a (T) notation and \$595,000 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

SECTION 6. 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 8, 2006