

CHAPTER 315

APPROPRIATIONS

HOUSE BILL 96-1328

BY REPRESENTATIVES Grampas, Owen, and Romero;
also SENATORS Lacy, Blickensderfer, and Rizzuto.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF NATURAL RESOURCES.

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

SECTION 1. Part XV of section 2 of chapter 283, Session Laws of Colorado 1995, is 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.

Appropriations

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

PART XV
DEPARTMENT OF NATURAL RESOURCES

(1) EXECUTIVE DIRECTOR'S OFFICE

(A) Administration

Personal Services	2,179,654				2,179,654(T) ^a (43.6 FTE)	
Health, Life, and Dental	2,654,574	820,795		1,681,744 ^b	99,701 ^c	52,334
Short-term Disability	91,043	24,222		60,832 ^b	4,283 ^c	1,706
Salary Survey, Anniversary Increases and Shift Differential	2,485,778	920,859		1,412,641 ^b	76,708 ^c	75,570
Workers' Compensation	850,359	184,866		643,575 ^b	8,955 ^c	12,963
Operating Expenses	1,419,145	6,179		1,281,052 ^b	127,249 ^c	4,665
Legal Services	1,397,715	690,013		416,706 ^d	210,524 ^e	80,472
Payment to Risk Management and Property Funds	508,890	183,573		306,648 ^b	10,810 ^c	7,859
Vehicle Lease						
Payments	1,245,658	259,654		923,525 ^b	14,455 ^c	48,024
Leased Space	371,099	205,650		150,555^b	12,504 ^c	2,390

Capitol Complex	384,914		164,370 ^b		
Leased Space	<u>578,719</u>	234,732	112,613 ^b	164,159 ^c	67,215
	13,782,634				
	13,796,449				

^a This amount shall be from statewide indirect cost recoveries.

^b Of these amounts, \$73,576 shall be from the Land Board Administration Fund and ~~\$6,499,609~~ \$6,513,424 shall be from various sources of cash.

^c Of these amounts, \$110,361 shall be from the Land Board Administration Fund and is derived from property sales, \$178,045 shall be from various sources of exempt cash, and \$230,418 (T) shall be from departmental indirect cost recoveries.

^d Of this amount, ~~\$60,770~~ \$78,590 shall be from the Land Board Administration Fund, ~~\$65,110~~ \$61,999 shall be from the Parks and Outdoor Recreation Cash Fund, ~~\$52,088~~ \$64,584 shall be from the Oil and Gas Conservation Fund, and ~~\$238,738~~ \$211,533 shall be from the Wildlife Cash Fund.

^e Of this amount, ~~\$91,155~~ \$83,343 shall be from the Land Board Administration Fund and is derived from property sales, and ~~\$119,369~~ \$127,181 shall be from reserves in the Water Conservation Board Construction Fund.

(B) Information Technology Services (ITS)

Personal Services	839,010		13,916 ^a	825,094 ^b	
	(15.0 FTE)				
Operating Expenses	19,702			19,702 ^b	
Purchase of Services from Computer Center	228,212	3,554	119,188*	105,470 ^b	
	212,314		103,290 ^a		
ITS Maintenance	<u>397,452</u>	176,735	152,156 ^a	45,099 ^b	23,462
	1,484,376				
	1,468,478				

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Comprehensive Environmental Response, Compensation and Liability Act	20,000					20,000(T) ^a	
(D) Resource Mitigation Banking	15,000				15,000 ^a		
(E) EPA Wetlands Grant	165,000						165,000
(F) Youth in Natural Resources Program	88,410		88,410 (2.0 FTE)				

^a Of these amounts, \$21,031 shall be from the Land Board Administration Fund and ~~\$264,229~~ \$248,331 shall be from various sources of cash.

^b Of these amounts, \$624,816 (T) shall be from statewide indirect cost recoveries, ~~\$149,648~~ \$156,655 shall be from the Division of Wildlife, \$31,546 shall be from the Land Board Administration Fund and shall be derived from property sales, and ~~\$63,728~~ \$44,451 shall be from various sources of exempt cash.

15,555,420
15,553,337

(2) MINERALS AND GEOLOGY

(A) Coal Land Reclamation

Personal Services	1,253,549	213,103(M)	1,040,446 ^a
	(25.0 FTE)		
Operating Expenses	100,341	17,058(M)	83,283 ^a
Aerial Photography	16,000	2,720(M)	13,280 ^a
Indirect Cost			
Assessment	<u>200,626</u>	42,884 ^b	157,742 ^c
	1,570,516		

^a These amounts shall be from the Office of Surface Mining.

^b Of this amount, \$1,393 shall be from fees and \$41,491 shall be from the Mined Land Reclamation Fund.

^c This amount shall be from the Office of Surface Mining and the Mine Safety and Health Administration.

(B) Inactive Mines

Program	500,000		
	(12.6 FTE)		
Non-Point Source Grant	19,834		
Abandoned Mine Safety ^{107a}	111,655		
	<u>(0.2 FTE)</u>		
	631,489	111,655 ^c	519,834
		111,655	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
*This amount shall be from the Limited Gaming Fund.							
(C) Minerals							
Personal Services	1,069,204						
	(22.9 FTE)						
Operating Expenses	126,097						
Aerial Photography	<u>13,670</u>						
	1,208,971		436,944		742,027 ^a	30,000 ^b	
^a This amount shall be from the Mined Land Reclamation Fund.							
^b This amount shall be from the reserves in the Mined Land Reclamation Fund.							
(D) Mines Program							
Colorado and Federal Mine							
Safety Program	270,277		106,524		13,036 ^a		150,717
			(1.0 FTE)		(0.5 FTE)		(3.3 FTE)
Blaster Certification Program	103,602		17,612(M)				85,990
	<u>(1.0 FTE)</u>						
	373,879						

^a This amount shall be from fees.

3,784,855

(3) GEOLOGICAL SURVEY

General Fund Programs	347,396	347,396		
		(4.6 FTE)		
Cash Funds Programs	1,001,748		200,350 ^a	801,398(T) ^b
			350,350 ^a	651,398(T) ^b
	(18.1 FTE)			
Geological Survey Mapping	110,504	55,252(M)		55,252
		(1.0 FTE)		(1.0 FTE)
Colorado Avalanche Information Center	353,972		4,800 ^c	274,172 ^d
	(7.3 FTE)			75,000
Federal Funded Programs	280,099			280,099
				(5.0 FTE)
Indirect Cost Assessment	<u>22,360</u>			22,360
		2,116,079		

^a This amount shall be from fees.

^b This amount shall be from the Department of Transportation and other state agencies.

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

^c Of this amount, \$2,000 shall be from the Snowmobile Fund, and \$2,800 shall be from the sale of avalanche products.

^d Of this amount \$13,812 shall be from grants and donations from various sources, \$260,360 (T) shall be from the non-appropriated budget of Colorado Department of Transportation.

(4) OIL AND GAS CONSERVATION COMMISSION

Personal Services	1,165,447			1,165,447 ^a		
				(24.0 FTE)		
Operating Expenses	97,866			97,866 ^a		
Printing Revolving Fund	13,860			13,860 ^b		
Indirect Cost						
Assessment	80,613			80,613 ^a		
Mineral Audits	2,008			2,008 ^a		
Underground Injection Study	97,300					97,300 (2.0 FTE)
Accelerated Drilling ¹⁰⁸	130,947			130,947 ^a		
				(5.0 FTE)		
Emergency Response Fund	300,000					300,000 ^c
S.B. 94-177 Personal Services	203,234			203,234 ^d		

			136,778 ^d	66,456 ^c
			(4.0 FTE)	
S.B. 94-177 Operating	<u>41,666</u>		41,666 ^d	
		2,132,941		

^a These amounts shall be from the Oil and Gas Conservation Fund.

^b This amount shall be from the sale of publications.

^c This amount shall be from the reserves in the Oil and Gas Environmental Response Fund.

^d This amount shall be from the Oil and Gas Environmental Response Fund.

(5) STATE BOARD OF LAND COMMISSIONERS

Personal Services	1,310,890		524,356 ^a	786,534 ^b
	(29.0 FTE)			
Operating Expenses	61,255		24,502 ^a	36,753 ^b
Mineral Audits	41,314		16,526 ^a	24,788 ^b
Timber Sales Management	10,000		4,000 ^a	6,000 ^b
Indirect Cost				
Assessment	93,285		37,314 ^a	55,971 ^b
State Trust Land				
Evaluations	<u>219,626</u>		72,185 ^a	147,441 ^b
		1,736,370		

^a These amounts shall be from the Land Board Administration Fund.

^b These amounts shall be from the Land Board Administration Fund and are derived from property sales.

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(6) PARKS AND OUTDOOR RECREATION							
(A) Administration							
Established State Parks ¹⁰⁹	12,663,597		4,606,622		7,205,169 ^a	818,806 ^b	33,000
	12,673,300				7,214,872 ^a		
	(168.4 FTE)						
Great Outdoors Colorado							
Board Grants ¹¹⁰	3,500,000					3,500,000 ^c	
						(3.5 FTE)	
	<u>16,163,597</u>						
	16,173,300						

^a This amount shall be from the Parks and Outdoor Recreation Cash Fund. THIS AMOUNT MAY BE OFFSET WITH FEDERAL FUNDS FOR THE NET OPERATING DEFICIT OF PAONIA, VEGA, RIFLE GAP, CRAWFORD, AND NAVAJO STATE PARKS AVAILABLE PURSUANT TO A COST SHARING AGREEMENT WITH THE FEDERAL BUREAU OF RECLAMATION.

^b Of this amount, \$505,806 shall be from Lottery proceeds, including reserves from prior years, and is shown for informational purposes only, \$170,000 shall be from the Land Board Internal Improvement Trust Fund and Saline Trust Fund, \$45,000 shall be from the Snowmobile Fund, and \$98,000 shall be from reserves in the Parks and Outdoor Recreation Cash Fund.

^c This amount shall be from the Great Outdoors Colorado Board and is shown for informational purposes only.

(B) Special Purpose

Snowmobile Program	201,761	201,761 ^a	
River Outfitters			
Regulation	50,978	44,375 ^b	6,603 ^c
Off-Highway Vehicle			
Program	157,676	157,676 ^d	
		(1.5 FTE)	
Federal Grants	277,677		277,677
Indirect Cost			
Assessment	413,378	413,378 ^e	
State Trails System	<u>36,500</u>		36,500
	1,137,970		

^a This amount shall be from the Snowmobile Fund.

^b This amount shall be from the River Outfitters Fund.

^c This amount shall be from reserves in the River Outfitters Fund.

^d This amount shall be from off-highway-vehicle registration fees.

^e This amount shall be from the Parks and Outdoor Recreation Cash Fund.

~~17,301,567~~

17,311,270

(7) WATER CONSERVATION BOARD

(A) Administration

Personal Services	1,625,792
	(27.0 FTE)
Operating Expenses	83,767

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	
Indirect Cost							
Assessment	146,030						
Interstate Compacts	240,326						
Western States Water							
Council Dues	21,000						
	<u>2,116,915</u>		944,678			1,172,237 ^a	

^a Of this amount, \$873,220 shall be from reserves in the Water Conservation Board Construction Fund and \$299,017 (T) shall be from the Wildlife Cash Fund.

(B) Special Purpose

Federal Emergency							
Management Assistance	82,000						82,000 (1.0 FTE)
Dam Site Inventory	4,750					4,750 ^a	
Weather Modification	7,100			7,100 ^b			
Water Conservation							
Program	132,858					132,858 ^a	(2.5 FTE)
	<u>226,708</u>						

^a These amounts shall be from reserves in the Water Conservation Board Construction Fund.

^b This amount shall be from weather modification application fees.

2,343,623

(8) WATER RESOURCES DIVISION¹¹¹

Personal Services	9,881,732	9,881,732		
		(213.6 FTE)		
Water Commissioner				
Overtime	206,931	206,931		
Arkansas River Litigation	166,000	166,000		
Operating Expenses	581,942	581,942		
Interstate Compacts	48,486	48,486		
Water Rights Tabulation	8,633	8,633		
Water Data Bank	218,502	168,610	44,850 ^a	5,042 ^b
	(5.0 FTE)			
Printing Revolving				
Fund	9,256		8,364 ^c	892 ^d
Satellite Monitoring				
System	298,712	200,135	94,898 ^e	3,679 ^f
	(2.0 FTE)			
Ground Water				
Management	443,005		392,265 ^g	50,740 ^h
	(4.0 FTE)			
Indirect Cost				
Assessment	12,318		12,318 ⁱ	
Designated Basin				

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Publication	5,264				5,264 ^j		
Augmentation of Water for Sand and Gravel							
Extraction	59,742				59,742 ^e		
H.B. 92-1131 Dam Emergency							
Repair	50,000					50,000 ^k	
Federal Grant	<u>11,500</u>						11,500
		12,002,023					

^a This amount shall be from Water Data Bank user fees.

^b This amount shall be from reserves in the Water Data Bank Fund.

^c This amount shall be from the sale of printing services and publications.

^d This amount shall be from reserves in the Printing Revolving Fund.

^e This amount shall be from Satellite Monitoring System subscriptions.

^f This amount shall be from reserves in the Satellite Monitoring Fund.

^g These amounts shall be from permit fees.

^h This amount shall be from reserves in the Ground Water Management Fund.

ⁱ This amount shall be from cash sources within the Division.

^j This amount shall be from applicant fees. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision.

^k This amount shall be from reserves in the Water Conservation Construction Fund.

(9) DIVISION OF WILDLIFE ^{112, 113, 113a}

(A) Division

Administration ¹¹⁴	2,857,814			
	(31.8 FTE)			
Hunting Recreation	24,069,406			
	24,085,304			
	(340.3 FTE)			
Fishing Recreation	18,017,339			
	(288.6 FTE)			
Watchable Wildlife	1,009,819			
	(14.1 FTE)			
Nongame/Endangered Wildlife	2,348,956			
	(29.5 FTE)			
Great Outdoors Colorado Board Grants ^{116,117}	1,646,414			
	(6.7 FTE)			
Indirect Cost Assessment	<u>2,197,269</u>			
	52,147,017	43,079,582 ^a	1,996,414 ^b	7,071,021
	52,162,915	43,095,480 ^a		

^a This amount shall be from the Wildlife Cash Fund.

^b Of this amount, \$350,000 shall be from the Nongame Wildlife Voluntary Contribution Fund, and \$1,646,414 shall be from the Great Outdoors Colorado Board.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(B) Special Purpose							
Wildlife Commission							
Discretionary Fund	475,000				475,000 ^a		
Colorado Outdoors							
Magazine Revolving							
Fund	752,042				752,042 ^b		
					(4.0 FTE)		
Search and Rescue							
Program	440,000				370,000 ^c	70,000 ^d	
					(0.5 FTE)		
Instream Flow Program	299,017				299,017 ^e		
Wildlife Education							
Program	60,417				60,417 ^a		
Habitat Partnership	735,604				735,604 ^a		
	<u>2,762,080</u>						

^a These amounts shall be from the Wildlife Cash Fund.

^b These amounts shall be from subscription revenues.

^c This amount shall be from the Search and Rescue Fund.

^d This amount shall be from reserves in the Search and Rescue Fund.

^e This amount shall be from the Wildlife Cash Fund and transferred to the Water Conservation Board Construction Fund.

54,909,097
54,924,995

(10) SOIL CONSERVATION BOARD

Personal Services	259,698	247,471	12,227(T) ^a	
	(5.0 FTE)			
Operating Expenses	27,888	27,175	713(T) ^a	
Distributions to Soil				
Conservation Districts	159,714	159,714		
Assistance to Local				
Government	31,146	31,146		
Irrigation/Conservation				
Program	92,572	12,500	20,072(T) ^a	60,000
	(2.0 FTE)			
Food Security Act	12,000			12,000
Indirect Cost				
Assessment	6,906		2,396(T) ^a	4,510
Water Quality Program	<u>8,000</u>			8,000
		597,924		

^a These amounts shall be from other state agencies and donations from local Soil Conservation Districts.

**TOTALS PART XV
(NATURAL
RESOURCES)^{10,11,11a}**

~~\$112,479,899~~ ~~\$22,287,626~~ ~~\$65,238,249~~ ~~\$14,234,853~~ \$10,719,171

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	\$112,503,417	\$22,399,281		\$65,233,656	\$14,151,309 ^a	

^a Of this amount, ~~\$4,576,698~~ \$4,438,968 contains a (T) notation.

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

- 10 (Governor lined through this provision. See L. 95, p. 2000.)
- 11 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.
- 11a (Governor lined through this provision. See L. 95, p. 2001.)
- 107a (Governor lined through this provision. See L. 95, p. 2001.)
- 108 Department of Natural Resources, Oil and Gas Conservation Commission, Accelerated Drilling -- It is the intent of the General Assembly that this line item exist for FY 1994-95 and FY 1995-96, and that the Commission justify the continuation of this line item because of continuing or increasing workloads. If the Commission adequately justifies the level of work as continuing or increasing, the appropriation may continue.
- 109 Department of Natural Resources, Parks and Outdoor Recreation, Administration, Established State Parks -- The Division is requested to provide the Joint Budget Committee with an analysis of potential funding options that might be applied to help offset current and future operating cost increases. The options to be studied should include, but not be limited to, a fee increase, a flexible fee structure, and the feasibility and merits of obtaining enterprise status for all or portions of the Division's operations. This report should be submitted to the Joint Budget Committee by November 1, 1995.
- 110 Department of Natural Resources, Parks and Outdoor Recreation, Administration, Great Outdoors Colorado Board Grants -- These funds are anticipated from the Great Outdoors Colorado Board, and while these funds are not subject to appropriation by the Legislature, pursuant to Article XXVII, Section 5 of the Colorado Constitution, they are shown here for informational purposes. The General Assembly accepts no obligation to continue funding these FTE and programs if Great Outdoors Colorado funds are no longer available.
- 111 Department of Natural Resources, Water Resources Division -- It is the intent of the General Assembly that General Fund support for the Satellite Monitoring System

will continue, and that fair share user fees will be encouraged.

112 Department of Natural Resources, Division of Wildlife -- The appropriation to this division has been based upon and is subject to the Memorandum of Understanding between the Department of Natural Resources and the Joint Budget Committee of the General Assembly, which memorandum was signed by the chairman of each board or his or her designee, the director of each division, the executive director of the Department of Natural Resources, and the chairman of the Joint Budget Committee. The Memorandum of Understanding is on file at the office of the Joint Budget Committee. The intent of the Memorandum is to make the Department more cost-effective through line item consolidation in order to maximize productivity by using existing staff and funding levels to prioritize assignments and responsibly perform statutorily required functions.

113 Department of Natural Resources, Division of Wildlife -- The Department of Natural Resources, Division of Wildlife is requested to provide a report to the Joint Budget Committee which details the current levels of minority and female staff represented in the Division's overall staffing pattern. Included in this report should be a detailed description of past efforts to recruit and retain minorities and women and plans for future efforts and measures that will indicate the level of success at these efforts. This report should be received by the Joint Budget Committee no later than November 1, 1995.

113a (Governor lined through this provision. See L. 95, p. 2003.)

114 Department of Natural Resources, Division of Wildlife, Division, Administration -- It is the intent of the General Assembly that 2.0 FTE associated with development and implementation of the Colorado Outdoor Recreation Information system be re-evaluated at the completion of this phase of the project. These FTE should not automatically be rolled into the Administration Personal services base. The Division should demonstrate the need for the continuation of these positions upon project implementation.

116 (Governor lined through this provision. See L. 95, p. 2003.)

117 (Governor lined through this provision. See L. 95, p. 2003.)

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 7, 1996