

CHAPTER 301

APPROPRIATIONS

SENATE BILL 97-189

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

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 XIV of section 2 of chapter 324, Session Laws of Colorado, 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 XIV						
DEPARTMENT OF NATURAL RESOURCES						
(1) EXECUTIVE DIRECTOR'S OFFICE						
(A) Administration						
Personal Services	2,323,700				2,323,700(T) ^a (43.6 FTE)	
Health, Life, and Dental	2,706,330	1,042,780		1,450,629 ^b	165,921 ^c	47,000
Short-term Disability	99,059	42,476		51,846 ^b	2,902 ^c	1,835
Salary Survey, Anniversary Increases and Shift Differential	2,802,443	1,153,295		1,137,535 ^b	183,610 ^c	328,003
Workers' Compensation	790,945	200,329		570,811 ^b	8,329 ^c	11,476
Operating Expenses	1,415,826	153,907		1,087,253 ^b	169,002 ^c	5,664
Legal Services for 29,075 31,235 hours	1,379,516 1,482,006	710,153 731,505		361,785^d 408,760 ^d	233,668^c 267,831 ^e	73,910
Payment to Risk Management and Property Funds	514,929	222,935		273,487 ^b	10,938 ^c	7,569
Vehicle Lease Payments	1,611,258	843,860		705,240 ^b	16,406 ^c	45,752

Leased Space	439,185	290,166	133,093 ^b	12,739 ^c	3,187
Capitol Complex Leased Space	<u>584,292</u>	303,998	44,553 ^b	168,291 ^c	67,450
	14,667,483				
	14,769,973				

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

^b Of these amounts, \$74,454 shall be from the Land Board Administration Fund and \$5,379,993 shall be from various sources of cash.

^c Of these amounts, \$111,675 shall be from the Land Board Administration Fund and is derived from property sales, \$117,982 shall be from various sources of exempt cash, and \$508,481(T) shall be from statewide and departmental indirect cost recoveries.

^d Of this amount, ~~\$70,255~~ \$78,796 shall be from the Land Board Administration Fund, ~~\$62,523~~ \$79,605 shall be from the Oil and Gas Conservation Fund, and ~~\$229,007~~ \$250,359 shall be from the Wildlife Cash Fund.

^e Of this amount, ~~\$105,383~~ \$118,194 shall be from the Land Board Administration Fund and is derived from property sales, \$114,200 shall be from reserves in the Water Conservation Board Construction Fund, and \$14,085(T) shall be from statewide and departmental indirect cost recoveries. RECOVERIES, AND \$21,352 SHALL BE FROM RESERVES IN THE PARKS AND OUTDOOR RECREATION CASH FUND.

(B) Information Technology Services

Personal Services	877,114			877,114(T) ^a	
				(15.0 FTE)	
Operating Expenses	19,505			19,505 ^a	
Purchase of Services from Computer Center	211,709	17,102	76,573^b	118,034^c	
	155,709	12,579	56,318 ^b	86,812 ^c	
ITS Maintenance	393,477	74,167	120,007^b	175,841^c	23,462
	<u>439,477</u>	82,838	134,037 ^b	196,398 ^c	26,204
	1,501,805				
	1,491,805				

^a These amounts shall be from statewide and departmental indirect cost recoveries.

^b Of these amounts, \$19,545 shall be from the Land Board Administration Fund and ~~\$177,035~~ \$170,810 shall be from various sources of cash.

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(C) Comprehensive Environmental Response, Compensation and Liability Act¹¹⁴	20,000				20,000(T) ^a	
(D) Resource Mitigation Banking	15,000			15,000 ^a		
(E) EPA Wetlands Grant	69,000					69,000
(F) Youth in Natural Resources Program¹²¹	91,493	91,493 (2.0 FTE)				
(G) Metadata Clearinghouse	26,372				26,372(T) ^a	

^c Of these amounts, \$248,482(T) shall be from statewide and departmental indirect cost recoveries, \$29,317 shall be from the Land Board Administration Fund and shall be derived from property sales, and ~~\$16,076~~ \$5,411 shall be from various sources of exempt cash.

^a This amount shall be from the Department of Law.

^a This amount shall be from fees charged to project applicants.

^a This amount shall be from various sources within the Department.

~~16,391,153~~
16,483,643

(2) MINERALS AND GEOLOGY

(A) Coal Land Reclamation

Program Expenses	1,501,810 (25.0 FTE)	330,242(M)	1,171,568 ^a
Indirect Cost Assessment	<u>183,184</u> 1,684,994		137,388 ^c
		45,796 ^b	

^a This amount shall be from the Office of Surface Mining.

^b Of this amount, \$4,305 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)		
Abandoned Mine Safety	<u>111,655</u> (0.2 FTE) 611,655	111,655	500,000

(C) Minerals

Personal Services	1,189,494 (22.9 FTE)		
Operating Expenses	118,896		
Aerial Photography	<u>13,533</u>		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1,321,923		515,588		776,335 ^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	273,758	109,304 (1.0 FTE)		13,392 ^a (0.5 FTE)		151,062 (3.3 FTE)
Blaster Certification Program	100,652 <u>(1.0 FTE)</u>	17,612(M)			3,525 ^b	79,515
	374,410					
^a This amount shall be from fees.						
^b This amount shall be from reserves in the Mined Land Reclamation Fund MINE SAFETY CASH FUND.						
	3,992,982					
(3) GEOLOGICAL SURVEY						
General Fund Programs	357,412	357,412				

Cash Funds Programs	944,228	(4.6 FTE)	328,124 ^a	616,104(T) ^b	
Geological Survey Mapping	145,638	72,819(M)	(4.8 FTE)	(12.8 FTE)	72,819
Colorado Avalanche Information Center	367,371	(1.0 FTE)	4,800 ^c	287,571 ^d	75,000
Federal Funded Programs	300,029			(5.3 FTE)	(2.0 FTE)
Indirect Cost Assessment	<u>25,046</u>				300,029
					(5.0 FTE)
					25,046
		2,139,724			

^a This amount shall be from fees.

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

^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 \$40,000 shall be from grants and donations from various sources, and \$247,571(T) shall be from the non-appropriated budget from the Colorado Department of Transportation.

(4) OIL AND GAS CONSERVATION COMMISSION

Personal Services	1,185,063		1,185,063 ^a		
			(24.0 FTE)		
Operating Expenses	96,887		96,887 ^a		
Printing Revolving Fund	13,721		13,721 ^b		
Indirect Cost Assessment	138,144		131,541 ^a		6,603
Mineral Audits	1,988		1,988 ^a		
Underground Injection Study	90,910				90,910
					(2.0 FTE)
Accelerated Drilling ¹²²	110,047		110,047 ^a		
			(3.0 FTE)		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Well Reclamation and Plugging and Abandonment	110,000				110,000 ^c		
Environmental Assistance Projects	90,000				90,000 ^c		
Expanded Activity Personal Services	211,684					211,684 ^d (4.0 FTE)	
Expanded Activity Operating Expenses	<u>41,249</u>					41,249 ^d	
		2,089,693					

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

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

^c These amounts shall be from the Oil and Gas Environmental Response Fund.

^d These amounts shall be from the reserves in the Oil and Gas Environmental Response Fund.

(5) STATE BOARD OF LAND COMMISSIONERS

Personal Services	1,340,875			536,350 ^a	804,525 ^b
	(29.0 FTE)				
Operating Expenses	60,642			24,257 ^a	36,385 ^b
Mineral Audits	41,314			16,526 ^a	24,788 ^b

Land and Water Management				
Fund	75,000		75,000 ^c	
Timber Sales Management	10,000		4,000 ^a	6,000 ^b
Indirect Cost Assessment	98,882		39,553 ^a	59,329 ^b
State Trust Land Evaluations	<u>219,698</u>		87,879 ^a	131,819 ^b
		1,846,411		

^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.

^c This amount shall be from the Land and Water Management Fund.

(6) PARKS AND OUTDOOR RECREATION

(A) Administration

Established State Parks	13,623,892	3,845,145	9,024,941^a	720,806 ^b	33,000
	13,685,333		9,086,382 ^a		
	(173.7 FTE)				
New State Parks	80,767	33,072	47,695^a		
	(0.8 FTE)				
Great Outdoors Colorado Board Grants ¹²³	3,500,000			3,500,000 ^c	(6.7 FTE)
	<u>17,204,659</u>				
	17,185,333				

^a ~~These amounts~~ 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, and \$45,000 shall be from the Snowmobile Fund.

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

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(B) Special Purpose							
Snowmobile Program	319,842				319,842 ^a		
River Outfitters Regulation	50,788				44,810 ^b	5,978 ^c	
Off-Highway Vehicle Program	168,463				168,463 ^d (1.5 FTE)		
Federal Grants	277,677						277,677
Indirect Cost Assessment	543,861				543,861 ^e		
State Trails System	<u>36,500</u>						36,500
	1,397,131						

^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.

~~18,601,790~~

18,582,464

(7) WATER CONSERVATION BOARD

(A) Administration

Personal Services	1,758,521		
	(27.0 FTE)		
Operating Expenses	82,929		
Interstate Compacts	259,206		
Western States Water Council			
Dues	<u>23,000</u>		
	2,123,656	1,061,828	1,061,828 ^a

^a Of this amount, \$765,801 shall be from reserves in the Water Conservation Board Construction Fund and \$296,027(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	
Indirect Cost Assessment	195,352	195,352 ^a	
Weather Modification	7,100	7,100 ^b	
Water Conservation Program	132,858	132,858 ^a	(2.5 FTE)
	<u>422,060</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.

2,545,716

(8) WATER RESOURCES DIVISION¹²⁴

Personal Services	10,675,438	10,675,438 (218.1 FTE)
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Water Commissioner Overtime	206,931		206,931				
ARKANSAS RIVER LITIGATION ^{124a}	166,000		166,000				
Operating Expenses	594,200		594,200				
Interstate Compacts	48,489		48,489				
Water Rights Tabulation	8,633		8,633				
Water Data Bank (5.0 FTE)	224,875		174,983		44,850 ^a	5,042 ^b	
Printing Revolving Fund	9,256				8,364 ^a	892 ^b	
Satellite Monitoring System (2.0 FTE)	307,077		208,500		94,898 ^a	3,679 ^b	
Ground Water Management (6.0 FTE)	527,850				477,110 ^c	50,740 ^d	
Indirect Cost Assessment	37,544				21,025 ^a	16,519 ^b	
Designated Basin Publication	5,264				5,264 ^e		
Augmentation of Water for Sand and Gravel Extraction	59,742				59,742 ^c		
Dam Emergency Repair	50,000					50,000 ^f	
Federal Grant	11,500						11,500
		<u>12,766,799</u>					

^a These amounts shall be from various sources of cash funds.

^b These amounts shall be from ~~various sources of cash funds exempt~~ RESERVES OF VARIOUS FUNDS.

^c These amounts shall be from permit fees.

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

^e 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.

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

(9) DIVISION OF WILDLIFE ¹²⁵

(A) Division

Administration Personal	
Services ¹²⁶	1,991,077
	(31.8 FTE)
Operating Expenses	956,097
Hunting Recreation Personal	
Services	17,418,586
	(340.3 FTE)
Operating Expenses	7,221,672
Fishing Recreation Personal	
Services	13,757,074
	(288.6 FTE)
Operating Expenses	4,673,314
Watchable Wildlife Personal	
Services	667,005
	(14.1 FTE)
Operating Expenses	353,192
Nongame/Endangered	
Wildlife Personal Services	1,365,687

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	(29.5 FTE) 1,006,681						
GREAT OUTDOORS COLORADO BOARD GRANTS ^{126a}	3,787,683						
Indirect Cost Assessment	(22.3 FTE) 2,762,448						
	<u>52,172,833</u>				44,337,764 ^a	350,000 ^b	7,485,069
	55,960,516				44,751,812 ^a	4,137,683 ^b	7,071,021

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

^b ~~This amount~~ OF THIS AMOUNT, \$350,000 shall be from the Nongame Wildlife Voluntary Contribution Fund. FUND AND \$3,787,683 SHALL BE FROM THE GREAT OUTDOORS COLORADO BOARD.

(B) Special Purpose

Wildlife Commission Discretionary Fund	470,250			470,250 ^a		
Colorado Outdoors Magazine Revolving Fund						
Personal Services	171,971			171,971 ^b (4.0 FTE)		

Operating Expenses	579,108	579,108 ^b
Search and Rescue Program	6,154	6,154 ^c
		(0.2 FTE)
Instream Flow Program	296,027	296,027 ^d
Wildlife Education Program		
Personal Services	52,918	52,918 ^a
Operating Expenses	9,971	9,971 ^a
Habitat Partnership	728,248	728,248 ^a
EMERGENCY FEEDING PROGRAM	897,958	897,958 ^a
	<u>2,314,647</u>	
	3,212,605	

^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 the Wildlife Cash Fund and transferred to the Water Conservation Board Construction Fund.

~~54,487,480~~
59,173,121

(10) SOIL CONSERVATION BOARD

Personal Services	268,914	256,687	12,227 ^a
	(5.0 FTE)		
Operating Expenses	27,609	26,896	713 ^a
Distributions to Soil Conservation Districts	209,714	209,714	
Assistance to Local Government	31,146	31,146	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Irrigation/Conservation Program	92,520 (2.0 FTE)		12,448			20,072 ^a	60,000
Food Security Act	5,000						5,000
Indirect Cost Assessment	<u>5,524</u>					2,884 ^a	2,640
		640,427					

^a Of these amounts, \$15,896(T) shall be from other state agencies and \$20,000 shall be from donations from local Soil Conservation Districts.

**TOTALS PART XIV
(NATURAL
RESOURCES)^{2,3}**

	\$115,502,175	\$24,055,403		\$67,239,447	\$12,919,691^a	\$11,287,634
	<u>\$120,426,980</u>	<u>\$24,213,831</u>		<u>\$68,605,949</u>	<u>\$16,730,872^a</u>	<u>\$10,876,328</u>

^a Of this amount, \$5,193,832 contains a (T) notation.

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

2 (Governor lined through this provision. See L. 96, p. 2364.)

3 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.

- 114 Department of Law, Special Purpose, Comprehensive Environmental Response, Compensation and Liability Act Contracts; Department of Natural Resources, Executive Director's Office, Comprehensive Environmental Response, Compensation and Liability Act; and Department of Public Health and Environment, Hazardous Materials and Waste Management Division, Contaminated Site Cleanups -- The departments are requested to cooperate in the preparation of a report detailing each department's expenditures for CERCLA contracts. The report should include a case-by-case itemization of actual, estimated and requested funding for personal services, contract services, operating expenses and other costs. The report should be prepared annually and should be submitted with each department's budget request.
- 121 Department of Natural Resources, Executive Director's Office, Youth in Natural Resources Program -- The Department of Natural Resources is requested to submit a report outlining the activities of the Youth in Natural Resources Program. This report should include information on the number of youths participating in the program, the activities of the youths, and a distribution of the youths on the basis of race, national origin, ethnicity, and gender. This report should be submitted to the Joint Budget Committee by October 15, 1996.
- 122 (Governor lined through this provision. See L. 96, p. 2365.)
- 123 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.
- 124 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.
- 124a DEPARTMENT OF NATURAL RESOURCES, WATER RESOURCES DIVISION, ARKANSAS RIVER LITIGATION -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE WATER RESOURCES DIVISION BE ALLOWED TO EXPEND THESE FUNDS

Appropriations

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

IN EITHER FY 1996-97 OR FY 1997-98.

- 125 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.
- 126 Department of Natural Resources, Division of Wildlife, Division, Administration, Personal Services -- 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.
- 126a DEPARTMENT OF NATURAL RESOURCES, DIVISION OF WILDLIFE, DIVISION, GREAT OUTDOORS COLORADO BOARD GRANTS -- THESE FUNDS ARE TO BE 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 FOR INFORMATION PURPOSES. THE GENERAL ASSEMBLY ACCEPTS NO OBLIGATION

TO CONTINUE FUNDING THESE FTE AND PROGRAMS IF GREAT OUTDOORS COLORADO FUNDS ARE NO LONGER AVAILABLE. FUNDING AND FTE FOR ONGOING PROJECTS THAT WOULD BE ENHANCED WITH GREAT OUTDOORS COLORADO FUNDING WILL BE DETERMINED BY THE GENERAL ASSEMBLY. ENCUMBRANCE OF ANY ADDITIONAL GREAT OUTDOORS COLORADO FUNDS FOLLOWING ADOPTION OF THE LONG BILL REQUIRES APPROVAL BY THE JOINT BUDGET COMMITTEE. FORMAL INCLUSION OF THE ADDITIONAL FUNDS WILL OCCUR DURING THE SUPPLEMENTAL PROCESS.

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 13, 1997