

CHAPTER 350

APPROPRIATIONS

SENATE BILL 05-130

BY SENATOR(S) Tapia, Keller, and Owen;
also REPRESENTATIVE(S) Plant, Buescher, Hall, Butcher, Carroll M., McFadyen, Merrifield, and Riesberg.

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 IV (7) (B) and the affected totals of section 3 of chapter 413, Session Laws of Colorado 2000, as the affected totals of Part IV are amended by section 15 of chapter 363, Session Laws of Colorado 2001, as Part IV (7) (B) and the affected totals are amended by section 4 of chapter 9, Session Laws of Colorado 2001, Second Extraordinary Session, as Part IV (7) (B) and the affected totals are amended by section 3 of chapter 376, Session Laws of Colorado 2002, as Part IV (7) (B) and the affected totals are amended by section 13 of chapter 10 and as the affected totals are further amended by section 1 of chapter 424, Session Laws of Colorado 2004, 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 IV
DEPARTMENT OF HIGHER EDUCATION**

(7) UNIVERSITY OF COLORADO AT BOULDER

(B) Capital Construction Projects

Porter Biosciences Building Renovation, Phase 4 of 4	6,460,548		6,460,548			
Alliance for Teaching, Learning and Society Center, Phase 1 of 3	1,712,097 1,607,912		1,712,097 1,607,912			
New Law School, Phase 1 of 4 ⁴	1,542,159		1,542,159			
Business School Renovation and Addition	1,193,616		1,193,616			
Student Housing Renovations, Phase 1 of 3	56,083,000				56,083,000 ^b	
Folsom Field, Stadium Lighting Installation	850,000				850,000 ^b	
	<u>67,841,420</u> 67,737,235					

72,485,917
72,381,732

^b These amounts shall be from exempt institutional sources 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 IV

(HIGHER EDUCATION)	\$246,983,941	\$134,818,579	\$18,712,643	\$90,736,719	\$2,716,000
	<u>\$246,879,756</u>	<u>\$134,714,394</u>			
 GRAND TOTALS					
(CAPITAL CONSTRUCTION)	\$528,693,503	\$273,030,183	\$46,147,821	\$135,834,644 ^a	\$73,680,855
	<u>\$528,589,318</u>	<u>\$272,925,998</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 (9) (A), Part XI (1), and the affected totals of section 3 of chapter 399, Session Laws of Colorado 2002, as the affected totals of the said Part III are amended by section 3 of chapter 395, Session Laws of Colorado 2002, as the affected totals are amended by section 15 of chapter 10 and as Part XI (1) and the affected totals are amended by section 13 of chapter 449, Session Laws of Colorado 2003, and as the said Part III (9) (A), Part XI (1), and the affected totals are amended by section 3 of chapter 424, Session Laws of Colorado 2004, are amended to read:

Section 3. **Capital construction appropriation.**

**PART III
DEPARTMENT OF HIGHER EDUCATION**

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(9) COLORADO HISTORICAL SOCIETY						
(A) Capital Construction						
Fort Vasquez Museum, Landscape Upgrades and Adobe Fort Preservation	421,780 611,780				147,000 ^a	274,780 464,780
Cumbres and Toltec Scenic Railroad Commission, Railroad Track Upgrades	1,000,000		100,000		100,000 ^b	800,000
Cumbres and Toltec Scenic Railroad Commission, Locomotive Boilers	140,000		70,000		70,000 ^b	
Regional Museum Preservation Projects	385,000				385,000 ^a	
El Pueblo Museum, Education Facility Renovation and New Construction	<u>850,000</u>				850,000 ^c	
	2,796,780 2,986,780					

^a These amounts shall be from the State Historical Fund.

^b These amounts shall be from the state of New Mexico.

^c This amount shall be from private donations, State Historical Fund insurance proceeds, and unrestricted funds.

TOTALS PART III

(HIGHER EDUCATION)

\$93,978,328	\$6,930,162	\$85,973,386	\$1,074,780
<u>\$94,168,328</u>			<u>\$1,264,780</u>

**PART XI
DEPARTMENT OF REVENUE**

(1) CAPITAL CONSTRUCTION

Titling and Registration System	2,140,764		2,140,764 ^a
State Lottery, Computer Migration to Open Systems	1,600,000		1,600,000^a
	1,965,000		1,965,000 ^b
Ports of Entry, Semi-portable Scale Replacement	129,854		129,854 ^c
Trinidad Port of Entry, Building Replacement	275,501		275,501 ^c
Motor Carrier Services Division, Fort Collins, Port of Entry, Building Replacement	<u>318,000</u>		318,000 ^c
	4,464,119		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	4,829,119					

^a This amount shall be from the Colorado State Titling and Registration Account.

^b This amount shall be from the State Lottery Fund.

^c These amounts shall be from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

TOTALS PART XI

(REVENUE)	\$4,464,119				\$4,464,119^b	
	<u>\$4,829,119</u>				<u>\$4,829,119^a</u>	

^a Of this amount, \$723,355 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

GRAND TOTALS

(CAPITAL CONSTRUCTION)	\$209,097,253	\$22,385,134	\$45,126,854	\$122,487,016^b	\$19,098,249
	<u>\$209,652,253</u>			<u>\$122,852,016^a</u>	<u>\$19,288,249</u>

^a Of this amount, \$8,435,454 contains a (T) notation and \$947,108 is from the Highway Users Tax Fund pursuant to Section 43-4-201 (3) (a), C.R.S.

SECTION 3. Part I (1), Part II (1), Part III (2) (A), Part IV (1), and the affected totals of section 3 of chapter 449, Session Laws of Colorado 2003, as the said Part III (2) (A) and the affected totals are amended by section 4 of chapter 424, Session Laws of Colorado 2004, are amended to read:

Section 3. Capital Construction Appropriation.

PART I

DEPARTMENT OF CORRECTIONS

(1) CAPITAL CONSTRUCTION

Arrowhead Correctional

Facility Chapel 500,001⁺

500,001^{*}

Correctional Industries,

Minor Construction Projects¹ 250,000

250,000^b

750,001⁺

250,000

^{*} This amount shall be from gifts, grants, and donations.

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

TOTALS PART I

(CORRECTIONS)

\$750,001⁺

\$750,001⁺

\$250,000

\$250,000

PART II

DEPARTMENT OF HEALTH CARE POLICY AND FINANCING

(1) CAPITAL CONSTRUCTION

Colorado Benefits

Management System ~~3,152,132~~

~~1,648,944~~

~~16,301(T)^{*}~~

~~1,486,887~~

3,994,207

1,676,255

16,571(T)^a

2,301,381

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

^a This amount shall be from the Old Age Pension Fund appropriated in the Department of Human Services.

**TOTALS PART II
(HEALTH CARE POLICY
AND FINANCING)**

	\$3,152,132		\$1,648,944		\$16,301 ^a	\$1,486,887
	<u>\$3,994,207</u>		<u>\$1,676,255</u>		<u>\$16,571^a</u>	<u>\$2,301,381</u>

^a Of this amount, ~~\$16,301~~ \$16,571 contains a (T) notation.

**PART III
DEPARTMENT OF HIGHER EDUCATION**

(2) COLORADO STATE UNIVERSITY

(A) Capital Construction

Bioenvironmental Research						
Building Expansion	10,250,000				1,500,000 ^a	8,750,000
Diagnostic Equipment, Veterinary Teaching Hospital	1,320,193				1,320,193 ^a	

Engineering Entrance Enhancement and Office Addition	896,025		896,025 ^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	
		80,265,085		
		79,369,060		

^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 III
(HIGHER EDUCATION)**

\$377,509,124	\$519,779	\$365,115,055	\$11,874,290
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	<u>\$376,613,099</u>				<u>\$364,219,030</u>	

**PART IV
DEPARTMENT OF HUMAN SERVICES**

(1) CAPITAL CONSTRUCTION

Colorado Benefits Management System	9,737,282	1,425,316	728,777	3,152,132(T)*	4,431,057
	10,527,150	1,392,596	779,208 ^a	3,994,207(T) ^b	4,361,139 ^c

^a This amount shall be from the Old Age Pension Fund created pursuant to Article XXIV of the State Constitution.

^b This amount shall be a transfer from the capital construction appropriation to the Department of Health Care Policy and Financing for the Colorado Benefits Management System and shall include ~~\$2,333,904~~ \$2,372,560 from Medicaid cash funds, ~~\$492,208~~ \$500,359 from the Children's Basic Health program, and ~~\$326,020~~ \$331,150 from State Medical Programs. PROGRAMS, \$789,868 FROM PERSONAL RESPONSIBILITY AND WORK OPPORTUNITY RECONCILIATION ACT MONEYS, AND \$270 FROM THE OLD AGE PENSION FUND.

^c Of this amount, ~~\$2,802,149~~ \$2,754,130 shall be from Temporary Assistance to Needy Families (TANF) funds, and it is estimated that ~~\$1,628,908~~ \$1,607,009 shall be from Food Stamp funds.

**TOTALS PART IV
(HUMAN SERVICES)**

	<u>\$9,737,282</u>	<u>\$1,425,316</u>	<u>\$728,777</u>	<u>\$3,152,132*</u>	<u>\$4,431,057</u>
	<u>\$10,527,150</u>	<u>\$1,392,596</u>	<u>\$779,208</u>	<u>\$3,994,207^a</u>	<u>\$4,361,139</u>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	855,000					

^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.

^b THIS AMOUNT SHALL BE FROM EXEMPT INSTITUTIONAL SOURCES.

(4) COLORADO STATE UNIVERSITY

(A) Capital Construction

Atmospheric Science						
Chemistry Addition	2,500,000			2,500,000 ^a		
Hughes Stadium Expansion	12,949,517			12,949,517 ^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		
Regional Biocontainment Laboratory	22,461,000			7,079,000 ^a	15,382,000	
Synthetic Football Practice Field	750,000			750,000 ^b		
UNIVERSITY CENTER FOR THE ARTS, RENOVATIONS	<u>866,000</u>			866,000 ^a		

~~43,020,817~~
43,886,817

^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.

(5) UNIVERSITY OF COLORADO AT BOULDER

(A) Capital Construction

Laboratory for Atmospheric
and Space Physics Space
Technology Research Center

Addition	13,022,000	13,022,000 ^a	
	13,022,000		
ALLIANCE FOR TEACHING, LEARNING AND SOCIETY CENTER ^{1a}	27,046,593	24,046,593 ^b	3,000,000
WOLF LAW SCHOOL	<u>44,807,841</u>	44,807,841 ^b	
	84,876,434		

^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.

^b THESE AMOUNTS SHALL BE FROM EXEMPT INSTITUTIONAL SOURCES.

(7) UNIVERSITY OF COLORADO AT DENVER AND HEALTH SCIENCES CENTER

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		CAPITAL CONSTRUCTION FUND	CAPITAL CONSTRUCTION FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(A) Capital Construction						
Barbara Davis Center for Childhood Diabetes at Fitzsimons	6,442,374				3,221,187 ^a	3,221,187
Building 500 Renovation, Phase 3	9,000,376				9,000,376 ^a	
Fitzsimons, Infrastructure Phase 8	4,357,389				4,357,389 ^a	
Fitzsimons Trust Fund ²	1,900,000		1,900,000			
Lease Purchase of Academic Facilities at Fitzsimons ²	1,900,000				1,900,000 ^b	
CONVEYANCE OF UNIVERSITY OF COLORADO AT DENVER BUILDING AND THE LAWRENCE STREET CENTER	32,000,000				32,000,000^a	
(Governor lined through this provision. See the editor's note and the Governor's letter following this act.)						
					23,600,139	
						55,600,139

^a These amounts 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."

(8.5) UNIVERSITY OF NORTHERN COLORADO

**(A) CAPITAL
CONSTRUCTION**

INFRASTRUCTURE RENEWAL,
REPLACE BURIED MAINS 635,825 635,825^a

^a THIS AMOUNT SHALL BE FROM EXEMPT INSTITUTIONAL SOURCES.

**(11) COLORADO HISTORICAL
SOCIETY**

(A) Capital Construction

Regional Museum
Preservation Projects ~~374,800~~ 374,800^a
1,263,800 1,263,800^a

CUMBRES AND TOLTEC
SCENIC RAILROAD
COMMISSION, RAILROAD
MASTER PLAN 270,000 180,000^b 90,000
1,533,800

^a ~~This amount shall be from the State Historical Fund.~~ OF THIS AMOUNT, \$1,004,800 SHALL BE FROM THE STATE HISTORICAL FUND, \$179,000 SHALL BE FROM THE COLORADO HISTORICAL FOUNDATION, AND \$80,000 SHALL BE FROM MUSEUM RESERVES.

^b THIS AMOUNT SHALL BE FROM THE STATE HISTORICAL FUND.

TOTALS PART II

(HIGHER EDUCATION) ~~\$203,853,009~~ \$4,200,000 ~~\$181,049,822~~ ~~\$18,603,187~~
\$310,758,268 \$284,865,081 \$21,693,187

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

**PART II.5
DEPARTMENT OF HUMAN SERVICES**

(1) CAPITAL CONSTRUCTION

20-BED FORENSIC MENTAL
HEALTH UNIT

6,113,959

219,404

5,894,555^a

^a THIS AMOUNT SHALL BE FROM A GRANT FROM THE FEDERAL VIOLENT OFFENDER INCARCERATION - TRUTH IN SENTENCING PROGRAM.

**TOTALS PART II.5
(HUMAN SERVICES)**

\$6,113,959

\$219,404

\$5,894,555

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

(1) CAPITAL CONSTRUCTION

Contaminated Sites
Redevelopment Pursuant to
H.B. 00-1306

250,000

~~250,000~~

250,000^a

EMERGENCY OPERATIONS CENTER	275,000				275,000
SECURITY UPGRADES FOR THE LABORATORY SERVICES BUILDING	40,000				40,000
PURCHASE AUTOMATED ENZYME IMMUNOASSAY MACHINE	<u>200,000</u>				200,000
		765,000			

^a This amount shall be from the Hazardous Substance Response Fund pursuant to Section 25-16-104.6, C.R.S.

**TOTALS PART VII
(PUBLIC HEALTH AND ENVIRONMENT)**

	\$250,000			\$250,000	
	<u>\$765,000</u>				<u>\$515,000</u>

**GRAND TOTALS
(CAPITAL CONSTRUCTION)**

	\$265,757,856	\$9,273,940	\$19,400,000	\$210,400,354*	\$26,683,562
	<u>\$379,292,074</u>	<u>\$9,493,344</u>		<u>\$314,215,613^a</u>	<u>\$36,183,117</u>

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

FOOTNOTES -- The following statements are referenced to the numbered footnotes throughout section 3.

1a CAPITAL CONSTRUCTION, DEPARTMENT OF HIGHER EDUCATION, UNIVERSITY OF COLORADO AT BOULDER, CAPITAL CONSTRUCTION, ALLIANCE FOR TEACHING, LEARNING AND SOCIETY CENTER -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT NO FURTHER APPROPRIATIONS FROM THE STATE GENERAL FUND OR CAPITAL CONSTRUCTION FUND WILL BE USED TO COMPLETE THIS PROJECT.

SECTION 5. 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 in part and vetoed in part: March 11, 2005

Editor's note: For a reprinting of the Governor's message filed with Senate Bill 05-130 when he approved the bill in part and vetoed it in part on March 11, 2005, see page 2445 of this Volume 3.