

CHAPTER 302

EDUCATION - UNIVERSITIES AND COLLEGES

HOUSE BILL 02-1260

BY REPRESENTATIVE(S) Johnson, Fritz, Bacon, Jameson, Dean, Groff, Hoppe, Lawrence, Lee, Marshall, Rippy, Scott, Snook, Spradley, and Williams S.;
also SENATOR(S) Reeves, Matsunaka, Hernandez, Tate, and Taylor.

AN ACT

CONCERNING CHANGING THE NAME OF THE STATE BOARD OF AGRICULTURE TO THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

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

SECTION 1. Part 1 of article 30 of title 23, Colorado Revised Statutes, is amended to read:

**PART 1
GENERAL PROVISIONS**

23-30-101. Board of governors of the Colorado state university system.

(1) A board is hereby constituted and established ~~which~~ THAT shall be known by the name and title of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. It shall consist of a total of fifteen members. Six of the offices shall be advisory, without the right to vote. One shall be filled by an elected officer of the student body who is a full-time junior or senior student at Colorado state university, one by an elected officer of the faculty council of Colorado state university having the rank of associate professor or higher, one by an elected officer of the faculty council of Fort Lewis college, one by an elected officer of the student body who is a full-time junior or senior student at Fort Lewis college, one by an elected officer of the student body who is a full-time junior or senior student at the university of southern Colorado, and one by an elected officer of the faculty council of the university of southern Colorado having the rank of associate professor or higher. The six advisory members shall be elected by their respective governing bodies from their membership. The terms of these advisory offices shall be for one academic year. Commencing with appointments made in 1974 and subsequent years, the remaining nine members, at least two of whom shall have some connection with

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

agriculture, shall be appointed by the governor, with the consent of the senate, for basic terms of four years, although interim appointments may be made for lesser periods so that at least two of the nine terms will expire in each calendar year. No person, elected under this section, shall serve on the board for more than two terms, regardless of the length of the terms; except that a member of the board, whether elected or appointed, may continue to serve until his A successor is elected or appointed and qualified. For the purposes of this section, "full-time student" means the same as it does in the respective institutions.

(2) (a) WHENEVER ANY LAW OF THIS STATE REFERS TO THE STATE BOARD OF AGRICULTURE, IT SHALL BE TAKEN TO REFER TO THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. THE LEGAL EFFECT OF ANY STATUTE HERETOFORE DESIGNATING THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM BY ANY OTHER NAME, OR PROPERTY RIGHTS HERETOFORE ACQUIRED AND OBLIGATIONS HERETOFORE INCURRED UNDER ANY OTHER NAME, SHALL NOT BE IMPAIRED.

(b) THE REVISOR OF STATUTES IS AUTHORIZED TO MAKE SUCH CHANGES IN OTHER PROVISIONS OF THE STATUTES AS MAY BE NECESSARY TO CONFORM SUCH PROVISIONS TO THE CHANGE OF NAME OF THE BOARD SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

23-30-102. Board body corporate - powers relating to real and personal property. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is a body corporate, capable in law of suing and being sued; of taking, holding, and selling personal property and real estate; of contracting and being contracted with; of having and using a corporate seal; and of causing to be done all things necessary to carry out the provisions of this part 1.

(2) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to lease personal property, the ownership of which is vested in Colorado state university, for a term not to exceed eighty years to state or federal governmental agencies and to persons or corporations, public or private.

(2.5) Subject to such reviews and approvals of state agencies as are required by law, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to sell, lease, or exchange real property, acquired other than by general fund appropriations, or any interest therein, including any mineral rights, the ownership of which is vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or any organization governed by it. All moneys which arise from the sale, lease, or exchange of said real property, or any interest therein, and all funds transferred pursuant to this subsection (2.5), together with any interest arising from the investment of said moneys and funds, shall be under the exclusive control of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. The state treasurer is instructed to turn over to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM all the moneys, warrants, bonds, and other securities of any nature, and any interest thereon, that have come from the sale, lease, or exchange of said real property, or any interest therein, including any mineral rights.

(3) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to lease any real property or any interest therein owned by it on behalf of any organization governed by it for mineral exploration, development, and production purposes, upon such terms and conditions as may be prescribed and contracted by the board in the exercise of its best judgment as being in the best interests of said organization. Any lease of mineral rights shall be for a term not to exceed ten years and so long thereafter as minerals are produced and shall provide for a royalty of not less than the royalty for present commercial agreements which are generally accepted as fair royalty returns, which royalty may be reduced proportionately under an appropriate provision in the lease if the interest in said board is less than a full interest in the land or mineral rights in the land described in the lease. All royalties received under lease agreements made pursuant to the authority of this section shall be remitted by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to the state treasurer for deposit in the general fund. Whenever, in the opinion of the board and because of the size, shape, or current use of any tract of land owned by said board on behalf of any organization governed by it, any lease of such tract provides that no mineral development or production be conducted on the land covered thereby, such lease shall be for a term not to exceed ten years and so long thereafter as the board may share in royalties payable on account of the production of minerals from lands adjacent to such tract so leased.

(4) Whenever deemed by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to be in the best interests of any organization governed by it, the board may enter into a unit agreement providing for the pooling, unitization, or consolidation of acreage covered by any oil and gas lease executed by the board with other acreage for oil and gas exploration, development, and production purposes and also providing for the apportionment or allocation of royalties among the separate tracts of land included in the unit or pooling agreement on an acreage or other equitable basis, and said board may change, by such agreement and with the consent of the lessee under the lease, any or all of the provisions of any lease issued by it, including the term of years for which the lease was originally granted, in order to conform such lease to the terms and provisions of the unit or pooling agreement and to facilitate the efficient and economic production of oil and gas from the lands subject to such agreement.

(5) The leasing of real property or any interest therein held by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM under the provisions of this section shall not be deemed to be a sale of such property.

(6) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to exchange real property or any interest therein owned by the board on behalf of any organization governed by it for lands or interests in lands which the board, in the exercise of its best judgment, believes to be in the best interests of said organization in the furtherance of its programs.

(7) The authority of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to execute oil and gas or other mineral leases of lands owned by the board prior to June 3, 1977, is hereby confirmed and acknowledged, and no such lease heretofore executed by the board shall be invalid for want of such authority.

23-30-103. Vacancies - compensation. Any vacancy in the office of any member of the said board appointed by the governor caused by death, resignation, or removal from the state may be filled by a majority of the voting members. Any vacancy in the elected office on the board shall be filled by reelection for the unexpired term. The members of the board shall receive no compensation for their services but may be allowed actual traveling expenses upon presenting an itemized bill for the same.

23-30-104. Meetings of board. The board shall meet at the Colorado state university twice annually and may meet at other times and places at the call of the president who has the power in case of emergency to call special meetings of the board. Upon the written request of any three members of the board, it is the duty of the president of the board to call a special meeting thereof at such time and place as shall be designated in the written request therefor. A quorum of the board shall be a majority of voting members of the board.

23-30-105. Election of officers - terms. (1) ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall, at its biennial meeting to be held on the second Wednesday in May, elect from its membership a president and a vice-president and also from outside its membership a secretary and a treasurer, all of which said officers shall hold the office to which they are chosen for a period of two years from said date and until their successors are duly elected and qualified. The secretary shall give bond in favor of said board in the sum of five thousand dollars with good and sufficient sureties to be approved by said board, conditioned that he OR SHE will discharge all the duties of said office, account for all moneys which lawfully come into ~~his~~ THE SECRETARY'S hands, and pay the same over to the treasurer of the board on or before the tenth day of each month. The treasurer shall give bond in the sum of one hundred thousand dollars in favor of said board, with good and sufficient sureties to be approved by said board, conditioned that he OR SHE will safely keep and account for all moneys received by ~~him~~ THE TREASURER and pay the same out only on warrants of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, signed by its president and countersigned by its chief financial officer.

(2) The state treasurer is custodian of all funds granted to the Colorado state university derived from state appropriations or appropriations made by the congress of the United States. The controller is entitled to draw said fund either from the state treasury or from the treasury of the United States upon orders issued by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, signed by its president and countersigned by its secretary. The secretary and treasurer shall receive such compensation as may be fixed by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-30-106. Board of governors of the Colorado state university system fund - creation - control - use. (1) There is hereby created in the state treasury the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM fund which shall be under the control of and administered by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM in accordance with the provisions of this article. Except as otherwise allowed by section 24-36-103 (2), C.R.S., all moneys received or acquired by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or any of the institutions it governs, whether by appropriation, grant, contract, or gift,

by sale or lease of surplus real or personal property, or by any other means, whose disposition is not otherwise provided for by law, and all interest derived from the deposit and investment of moneys in the fund shall be credited to said fund. The moneys in the fund are hereby continuously appropriated to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and shall remain in the fund and shall not be transferred or revert to the general fund of the state at the end of any fiscal year.

(2) The moneys in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM fund shall be used by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the payment of salaries and operating expenses of the board and the institutions it governs and for the payment of any other expenses incurred by the board in carrying out its statutory powers and duties.

(3) Moneys in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM fund which are not needed for immediate use by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may be invested by the state treasurer in investments authorized by sections 24-36-109, 24-36-112, and 24-36-113, C.R.S. The board shall determine the amount of moneys in the fund which may be invested and shall notify the state treasurer in writing of such amount.

23-30-107. Duties of secretary. (1) The secretary of the board shall keep ~~his~~ THE SECRETARY'S office at such place as the board directs. It is ~~his~~ THE duty OF THE SECRETARY to keep a record of the transactions of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and of the Colorado state university and farms, which shall be open at all times to the inspection of any citizen of the state. ~~He~~ THE SECRETARY shall also have the custody of all books, papers, documents, and other property which may be deposited in ~~his~~ THE SECRETARY'S office, including specimens of the vegetable and animal kingdoms of the state or counties; keep and file all reports which may be made from time to time by the different agricultural and horticultural societies and all correspondence of the office from other persons and societies appertaining to the general business of husbandry; and address circulars to societies and the best practical farmers in the state and elsewhere with the view of eliciting information upon the newest and best mode of irrigation, and the culture of those products, vegetables, and trees adapted to the soil and climate of this state, and on all subjects connected with field culture, horticulture, stock raising, and the dairy.

(2) ~~He~~ THE SECRETARY shall encourage the formation of agricultural societies throughout the state and purchase, receive, and distribute such rare and valuable seeds, plants, shrubbery, and trees as it may be in his OR HER power to procure from the general government and such other sources and as may be adapted to our climate and soils. ~~He~~ THE SECRETARY shall also encourage the importation of improved breeds of horses, cattle, sheep, hogs, and other livestock and the invention and improvement of labor-saving implements of husbandry and diffuse information in relation to the same. ~~He~~ THE SECRETARY shall encourage such domestic industry and household arts as are calculated to promote the general thrift, wealth, and resources of the state.

(3) To effect these objects ~~he~~ THE SECRETARY shall correspond with the patent office at Washington and representatives of our national government abroad and, if possible, procure valuable contributions of agriculture from those sources. ~~He~~ THE SECRETARY shall aid, as far as possible, in obtaining contributions to the museums and the library of the Colorado state university and thus aid in the promotion of agricultural science and literature.

23-30-108. Warrants signed by whom. All expenses of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be paid from the amounts duly set aside by the board for said purpose by warrants duly signed by its president and countersigned by its chief financial officer as appointed by the board.

23-30-109. Distribution of seeds and plants. The seeds, plants, trees, and shrubbery received by the secretary and not needed by the university, as far as possible, shall be distributed equally throughout the state to those farmers and others who will agree to cultivate them properly and return to the secretary's office a reasonable proportion of the products thereof, with a full statement of the mode of cultivation and such other information as may be necessary to ascertain their value for cultivation in the state. Information in regard to agriculture may be published by ~~him~~ THE SECRETARY from time to time in the newspapers of the state if it does not involve any expense to the state.

23-30-110. Plant breeding programs. The ~~state board of agriculture of the state of Colorado~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to initiate and expand plant breeding programs that will result in the development of disease-resistant varieties of crop plants, particularly of small grain varieties that are resistant to black stem rust disease, and to continue or expand any plant breeding program which may be necessary to protect important crops of Colorado from diseases that would endanger or seriously reduce the production of these crops in the state of Colorado.

23-30-111. Cooperation with other agencies. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may cooperate with the United States department of agriculture or any of its departments or agencies, the Colorado department of agriculture, other states, counties of Colorado, any organized group of Colorado citizens, and such other agencies, firms, or individuals as may be necessary or desirable to prosecute the provisions of this part 1.

23-30-112. Providing personnel, supplies. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, operating through the Colorado agricultural experiment station, may provide such personnel, funds, labor, material, and supplies as are necessary for the purposes specified in sections 23-30-110 and 23-30-111.

23-30-113. Agricultural extension service furnished counties. Two or more counties may join in financing agricultural extension service furnished counties by the COLORADO STATE university. In such event, each such county shall pay its pro rata share of the cost of such work as determined by negotiation between the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and the board of county commissioners of each such county.

23-30-114. Hesperus account created. The proceeds of or income from the property formerly known as the "Fort Lewis school", granted by the United States to the state of Colorado, pursuant to an act of congress approved April 4, 1910 (36 Stat. 274), as modified by an act of congress approved May 18, 1916 (39 Stat. 128), shall constitute a special account, which shall be known as the "Hesperus account". The income from said property and from the Hesperus account shall be appropriated by the general assembly and used by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM first for tuition waivers at Fort Lewis college for qualified Indian pupils. Any moneys remaining after such use shall be applied to such public purpose as may be determined by the board, subject to appropriation by the general assembly.

23-30-115. Development of natural resources. The state board of land commissioners is authorized to prudently develop such coal measures, mineral deposits, and oil structures by lease or otherwise as is situated on lands described in section 23-30-114, but such development shall not unreasonably interfere with the use of such land as may be directed from time to time by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. Applications for leases of the coal measures, mineral deposits, and oil structures shall be made to the state board of land commissioners, which board may execute such leases in the manner required by law. Rental, royalties, and income therefrom shall be deposited with the state treasurer and credited to the special account established by section 23-30-114.

23-30-116. Power to invest. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to direct the investment of funds held by the state treasurer pursuant to section 23-30-114 in such securities as are permitted for private trustees and similar fiduciaries under the law of the state of Colorado.

SECTION 2. 23-30-201, Colorado Revised Statutes, is amended to read:

23-30-201. Transfer to board of governors of the Colorado state university system - exception. There is transferred to and vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, referred to in this part 2 as the "board", all rights, powers, and duties for protecting, promoting, and extending the conservation of the forests in the state vested on or before February 14, 1955, in the state board of land commissioners, acting ex officio as the state board of forestry; but such authority shall not extend to nor include the power vested in the state board of land commissioners with respect to forest lands included in the public lands of the state under the control and jurisdiction of said state board of land commissioners, as provided by sections 9 and 10 of article IX of the state constitution and the laws relating thereto.

SECTION 3. 23-30-202 (2), Colorado Revised Statutes, is amended to read:

23-30-202. Powers and duties of board of governors of the Colorado state university system. (2) In addition to the powers and duties set forth in subsection (1) of this section, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall enter into an agreement with the executive director of the department of natural resources pursuant to section

24-33-201 (1), C.R.S.

SECTION 4. 23-30-302, Colorado Revised Statutes, is amended to read:

23-30-302. Forestry function named. The forestry function of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be known as the "Colorado state forest service".

SECTION 5. Article 31 of title 23, Colorado Revised Statutes, is amended to read:

ARTICLE 31
Colorado State University

23-31-101. University established - role and mission. There is hereby established a university at Fort Collins to be known as Colorado state university. Colorado state university shall be a comprehensive graduate research university with high admission standards offering a comprehensive array of undergraduate programs consistent with the tradition of land grant universities. The Colorado commission on higher education shall, after consultation with the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, further define the role and mission of the institution and establish as great a distinction among the graduate offerings at the Boulder campus of the university of Colorado, Colorado state university, and the university of northern Colorado as is in its judgment educationally, geographically, and economically appropriate. The governing board shall adhere to this further definition of role and mission. Colorado state university has the responsibility to provide on a statewide basis, utilizing when possible and appropriate the faculty and facilities of other educational institutions, those graduate level programs designated by the commission as primarily its statewide responsibility. The commission shall include in its funding recommendations a level of general fund support for these programs.

23-31-102. Name changed. The agricultural college at Fort Collins, declared to be an institution of the state by section 5 of article VIII of the state constitution, and designated under the name and title of the "Colorado agricultural and mechanical college" by section 124-10-1, CRS 53, after May 1, 1957, shall be designated under the name and title of the "Colorado state university". The legal effect of any statute prior to May 1, 1957, designating such institution by any other name, or property rights acquired and obligations incurred prior to May 1, 1957, under any other name, shall not be impaired hereby.

23-31-103. Qualifications of students. No student shall be admitted to the institution who is not fifteen years of age and who does not pass a satisfactory examination in arithmetic, geography, grammar, reading, spelling, and penmanship.

23-31-104. Program to be made. The board and faculty shall annually make a program of theoretical and practical instruction.

23-31-105. Duration of course. A full course of study in the institution shall embrace not less than four years. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may institute winter

courses of lectures for persons other than students of the institution under necessary rules and regulations.

23-31-106. Academic year - term - suspension. The academic year shall consist of not less than nine calendar months. This academic year may be divided into such terms by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM as in their judgment will best secure the objects for which the university was founded. The board at any time may temporarily suspend the university in case of fire, the prevalence of fatal diseases, or other unforeseen calamity.

23-31-107. Tuition fees - discrimination. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall fix tuition in accordance with the level of cash fund appropriations set by the general assembly for the university pursuant to section 23-1-103.5. The board may discriminate in regard to tuition between students from this state and students from other states.

23-31-108. Board to control college and farm. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the general control and supervision of the Colorado state university, the farm pertaining thereto, and lands which may be vested in the university by state or national legislation and of all appropriations made by the state for the support of the same. The board has plenary power to adopt all such ordinances, bylaws, and regulations, not in conflict with the law, as they may deem necessary to secure the successful operation of the university and promote the designed objects.

23-31-109. Board to choose president, faculty, and employees. It is the duty of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to choose a president of the Colorado state university before the first academic term of the institution. The board shall then proceed to choose such professors, tutors, and employees as the necessities of the institution demand. In case of vacancy in the office of president or in case a suitable ~~man~~ PERSON cannot be selected, the senior professor shall perform the duties of the office until the board elects a president.

23-31-110. Board to appoint vice-president. In addition to the powers delegated to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, the board is vested with the power to appoint a vice-president of the Colorado state university from the faculty and designate the work and duties of said vice-president.

23-31-111. Board to fix salaries. The board shall fix the salaries of the president, professors, and other employees of the university and prescribe their respective duties. The board may remove the president or subordinate officers and fill all vacancies.

23-31-112. Board to prescribe books and confer degrees. The board, with the advice of the faculty, shall prescribe the books to be used in the institution and confer such degrees or testimonials as are conferred by similar institutions.

23-31-113. Who shall constitute faculty. The president, professors, and farm

managers shall constitute the faculty of the Colorado state university. The president of the college shall be the president of the faculty. The secretary of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be a member and secretary of the faculty.

23-31-114. Faculty to make rules. The faculty shall pass all needful rules and regulations necessary to the government and discipline of the university, regulate the routine of labor, study, meals, and the duties and exercises, and all such rules and regulations as are necessary to the preservation of all morals, decorum, and health.

23-31-115. Duty of faculty. The faculty shall have charge of the laboratories, library, and museums of the institution.

23-31-116. Annual report. The head of each department in the university, through the president of the faculty, shall make a report to the board at the regular meetings held in June and December of each year. The report in December shall be an annual report and shall comprise a thorough and comprehensive history and statement of the work of the department for the year closing at that time. The reports of the president of the university at each meeting of the board shall embrace matters relating to the university not otherwise reported and may contain a summary of the whole. The president shall cause an inventory to be taken annually in December and shall embody a summary of the same in his OR HER annual report to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM at its annual meeting, such inventory to embrace all property belonging to the Colorado state university at that time.

23-31-117. President - duties. The president shall be chief executive officer of the Colorado state university, and it is his OR HER duty to see that the rules and regulations of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and the faculty are observed and executed.

23-31-118. President may remove officers. The subordinate officers and employees, not members of the faculty, shall be under the direction of the president and, in the recess of the board, removable at his OR HER discretion. ~~He~~ THE PRESIDENT may fill vacancies that may be thus or otherwise created. ~~His~~ THE PRESIDENT'S action in these respects shall be submitted to the approval of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM at its next meeting.

23-31-119. President may be professor. The president may or may not perform the duties of a professor, as the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall determine. If he OR SHE performs the duties of professor or if the duties of the president are exercised by a president pro tem, a superintendent of the farm may be appointed who shall have the general superintendence of the business pertaining to the farm and the land and other property of the institution and who shall be a member of the faculty.

23-31-120. Current expenses, how paid. (1) The current expenses of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, the Colorado state university, and the experiment station shall be paid from the amounts duly set aside by the board for said purpose, by warrants drawn on the

treasurer of said board, duly signed by its president and countersigned by its secretary. The secretary shall collect all moneys due the university on account of any fees, sales of stock, property, and farm produce and pay the same over to said treasurer, taking ~~his~~ A receipt therefor.

(2) It is the duty of the controller when any funds are available for the use and benefit of the university, upon an order signed by the president and countersigned by the secretary of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM in favor of the treasurer of the board, to issue a warrant upon the state treasurer in favor of the treasurer of the board.

(3) The treasurer of the board shall keep a just and true account of all funds so received in separate accounts according to the source of said funds and make a report thereon, from time to time, to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, including an annual report at the close of the fiscal year and such separate and other reports as the board may require, concerning all of said funds.

23-31-121. Report of experimental operations. All agricultural operations on the farm shall be carried on experimentally for the instruction of the students and with a view to the improvement of the science of agriculture in the state of Colorado. Such reports as may be required by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be submitted in accordance with the directions of the board.

23-31-122. Permanent fund of college. The state treasurer is hereby authorized to have transferred upon his OR HER books ten percent of the gross receipts from the sale of public lands granted to the state of Colorado for the use and benefit of the Colorado state university, the amount so transferred to be computed upon the total amount of receipts received by the state of Colorado and passed to the permanent fund belonging to the said university and, when so transferred upon the books of said office, the same to be available for disbursement by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM under certificates of indebtedness to be issued by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and signed by its president and countersigned by its secretary for the purposes provided in sections 23-31-122 to 23-31-125.

23-31-123. Purposes of fund. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to purchase such lands for sites and for experimental farms as it may deem necessary for the better conduct of the work in connection with the Colorado state university and experiment station in connection therewith. The sum transferred as set forth in section 23-31-122 is hereby appropriated for said purposes.

23-31-124. Exclusive use. The funds appropriated by section 23-31-123 shall be used exclusively for the purposes therein stated.

23-31-125. Warrants. The controller is hereby authorized to draw warrants on the fund created by sections 23-31-123 and 23-31-124 upon presentation of certificates of indebtedness issued by the ~~state board of agriculture~~ BOARD OF

GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and signed by the president and countersigned by the secretary.

23-31-126. Revolving fund. (Repealed)

23-31-127. Pledge of income from facilities or equipment. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, designated in this section as the "board", is authorized to enter into a contract for the advancement of moneys for the acquisition of facilities or equipment, or both, for the Colorado state university auditorium-gymnasium, and in connection with or as a part of such contract to pledge the net income, or any part of such net income, to be derived from such facilities or equipment, or both, so acquired, and to pledge special student fees assessed for the purpose of financing such facilities or equipment, or both, as security for the repayment of the moneys advanced therefor, together with interest thereon. For the same purpose, the board is also authorized to pledge the net income derived from any similar facility or equipment, or portion thereof, which was not acquired with moneys appropriated to Colorado state university, if such net income derived from such similar facility or equipment, or portion thereof, is unpledged or, if pledged, is currently in excess of the amount required to amortize the advancements and interest thereon for which such net income has been obligated.

(2) The board shall not pledge the general income of the university or create any mortgage upon property belonging to such institution or obligate the state of Colorado for the purpose of repaying or receiving any funds raised or advanced under the provisions of this section.

(3) Any advancement of moneys may be evidenced by revenue bonds or warrants to be executed by and on behalf of Colorado state university and containing such terms and provisions, including provisions for redemption prior to maturity and a maximum net effective interest rate, as may be determined by the board of such institution. Such revenue bonds or warrants shall bear interest at a rate such that the net effective interest rate of the issue of bonds does not exceed the maximum net effective interest rate fixed, which interest shall be payable semiannually or annually. Such revenue bonds or warrants may be sold at less than par, but they may not be sold at a price such that the net effective interest rate of the issue of bonds or warrants exceeds the maximum net effective interest rate fixed. Any such revenue bonds or warrants may be refunded if in the judgment of the board such refunding is to the best interests of the university.

(4) If the net income derived from such facilities or equipment so acquired under the provisions of this section exceeds the amount required for the amortization of any advancement made therefor, together with interest thereon, the board may apply such surplus to the redemption of such securities prior to maturity of such securities according to redemption provisions thereof, or such surplus net income may be used by the board for the purposes of altering or adding to any existing equipment or facilities acquired pursuant to the provisions of this section.

(5) All obligations and the income therefrom shall be exempt from taxation, except inheritance, estate, and transfer taxes.

23-31-128. Rents or charges for buildings and facilities for research. The

~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM of Colorado state university is authorized to contract for or impose and collect rents or charges for the use of university buildings and facilities for research, including research conducted by or under the auspices of Colorado state university. Such rents or charges shall be at a level reasonably calculated to return or amortize the cost of such buildings and facilities within a reasonable period not exceeding the life of such buildings and facilities; but such user charges or rents may not be imposed and collected in such a manner as to require payment directly or indirectly from the state general fund, tuition receipts, or student fees.

23-31-129. Research building revolving fund - appropriation of fund. There is established in the office of the state treasurer a fund to be known as the Colorado state university research building revolving fund, and there shall be credited to said fund the user charges or rents authorized by section 23-31-128 and imposed by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, specific appropriations or grants or gifts made to said fund, the proceeds of the sale of anticipation warrants authorized by sections 23-31-128 to 23-31-130, and the proceeds from the issuance and sale of bonds pursuant to section 23-31-134. No payments from student fees, tuition receipts, or general funds shall be deposited in the research building revolving fund. All interest earned on the investment of moneys in the fund shall be credited to the fund and shall be a part of the fund, and such moneys shall not be transferred or credited to the general fund or to any other fund. All such moneys so credited to said fund are appropriated to Colorado state university for the payment of maintenance and operating costs for its research buildings and facilities and for planning, constructing, acquiring, renovating, and equipping research buildings and facilities, wherever located in the state of Colorado, for Colorado state university. Any such buildings and facilities shall be related to the research mission of the university.

23-31-130. Anticipation warrants. The state treasurer is authorized to issue anticipation warrants in such amounts as requested by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, the total amount of which shall not exceed one million dollars, to be repaid exclusively from the user revenues accruing to the Colorado state university research building revolving fund as provided in sections 23-31-128 to 23-31-130. The anticipation warrants shall not be sold at a price less than the face value thereof. Disbursements from said fund shall be only by warrant upon vouchers certified by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-31-131. Purchase of anticipation warrants. It is lawful for any public entity, as defined in section 24-75-601 (1), C.R.S., to purchase anticipation warrants issued in pursuance of section 23-31-130 if such warrants satisfy the investment requirements established in part 6 of article 75 of title 24, C.R.S.; but not to exceed twenty percent of the total of any specific fund of such public entity shall be invested in such warrants.

23-31-132. Warrants as security - when. Anticipation warrants issued in pursuance of sections 23-31-128 to 23-31-134 may be used as security for any depository bond or obligation where any kind of bonds or other securities must or may, by law, be deposited as security.

23-31-133. Tax exemption. Any anticipation warrants issued pursuant to the provisions of section 23-31-130 by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be exempt from taxation for state, county, school district, special district, municipal, or any other purpose in the state of Colorado.

23-31-134. Borrowing funds. (1) For the purposes described in section 23-31-129, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to:

(a) Enter into contracts with any person, corporation, or state or federal government agency for the advancement of money for such purposes and providing for the repayment of such advances with interest from the Colorado state university research building revolving fund; and

(b) Issue bonds as provided in this section.

(2) (a) Any bonds issued pursuant to this section shall mature at such time or times, shall bear or accrue interest at such rate or rates, and shall otherwise be sold and issued in such manner and on such terms as provided by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

(b) Such bonds shall be payable exclusively from, and shall be secured by a pledge of, the Colorado state university research building revolving fund created in section 23-31-129.

(c) The authority contained in this section to issue bonds shall be in addition to the authority granted to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to issue anticipation warrants pursuant to section 23-31-130; except that nothing in this section shall be construed to authorize the issuance of bonds if by such issuance the obligation of any contract entered into with respect to any outstanding anticipation warrants would thereby be impaired.

(d) Any bonds issued pursuant to this section shall be exempt from taxation for state, county, school district, special district, municipal, or other purposes in the state of Colorado.

(e) The total amount of bonds that may be issued and outstanding pursuant to this section shall be limited to the extent that no additional bonds may be issued if the maximum future annual debt service for all bonds, including the additional bonds, would exceed six percent of the average total current restricted fund revenues of the university from research gifts, contracts, and grants for the three fiscal years ending immediately prior to the date for the proposed issuance of the bonds as determined using the revenue figures as stated in the annual financial reports of the university for said three fiscal years. If the average total current restricted fund revenues of the university from research gifts, contracts, and grants declines so that the total amount of the maximum future annual debt service for bonds issued and outstanding exceeds the six percent limitation, such occurrence shall not impair adversely any of said bonds outstanding at the time of any such decline. Bonds issued pursuant to the provisions of this section shall not constitute a debt or an indebtedness of the state within the meaning of any applicable provision of the state constitution or state

statutes.

23-31-135. Advancement of moneys and pledge of income. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, designated in this section as the "board", is authorized to enter into contracts for the advancement of moneys for the construction and acquisition of facilities or equipment, or both, for the Colorado state university veterinary medicine hospital, or any part thereof, and, in connection with or as a part of such contracts, to pledge revenues from a special hospital fee that the board shall collect pursuant to agreements entered into with or with respect to each accountable student as security for the repayment of the moneys advanced therefor, together with interest thereon. The maximum number of accountable students at any given time shall not exceed three hundred eight; except that, should the total enrollment in the professional veterinary medicine program exceed five hundred forty-eight head-count students, additional accountable students may not exceed forty-five percent of each admitted class. For purposes of this section, an "accountable student" is a person who, as of the date of his or her selection for admission into the professional veterinary medicine program, is not receiving funding, either from the state of Colorado or from a state that has entered into a cooperative agreement with the state of Colorado pursuant to section 24-60-601, C.R.S., for all or any portion of the costs incurred in participating in the professional veterinary medicine program. An agreement shall be entered into with or with respect to each accountable student, and each such agreement shall provide that, as a condition to that student's continued enrollment in the professional veterinary medicine program, there shall be paid annually by or on behalf of the student the special hospital fee provided for in this section, which fee shall be fixed by the board annually in an amount sufficient to meet the obligation authorized by this section.

(2) The board shall annually assess each cooperative state or accountable student a support fee to reimburse Colorado for instructional costs. This support fee includes an equipment and renovation fee of one thousand one dollars assessed to each cooperative state or accountable student for acquisition or replacement of equipment and for renovation. Said equipment and renovation fee shall be credited to a separate reserve account for appropriation by the general assembly for such acquisition or replacement of equipment and such renovation. Colorado shall share proportionately in the acquisition or replacement of equipment and renovation projects. The amount to be paid by Colorado shall be determined by the annual ratio of Colorado students to accountable students based upon beginning enrollment of each school year. The fee required to be collected pursuant to this subsection (2) is based on a student's status as an "accountable student" at the time of selection for admission into the professional veterinary medicine program and shall not be reduced or waived regardless of the student's status as an in-state student, pursuant to the provisions of section 23-7-103, at any time during the student's participation in the professional veterinary medicine program.

(3) The board shall not pledge any income of the university except that authorized in subsection (1) of this section and shall not create any mortgage upon property belonging to such institution or obligate the state of Colorado for the purpose of repaying or receiving any funds raised or advanced under the provisions of this section.

(4) Any advancement of moneys, not to exceed two million five hundred thousand dollars, may be evidenced by revenue bonds or anticipation warrants to be executed by the board for and on behalf of Colorado state university and containing such terms and provisions, including provisions for adequate reserves and for redemption prior to maturity and a maximum net effective interest rate, as may be determined by the board of such institution. Such revenue bonds or anticipation warrants shall bear interest at a rate such that the net effective interest rate of the issue of bonds or anticipation warrants does not exceed the maximum net effective interest rate fixed, which interest shall be payable semiannually or annually. Such revenue bonds or warrants may be sold at less than par, but they may not be sold at a price such that the net effective interest rate of the issue of bonds or warrants exceeds the maximum net effective interest rate fixed. Any such revenue bonds or warrants may be refunded pursuant to article 54 of title 11, C.R.S., if in the judgment of the board such refunding is to the best interests of the university.

(5) If the sources of pledged revenues described in subsection (1) of this section exceed the amount required for the amortization of any advancement made pursuant to this section, and the payment of interest thereof, together with reserve requirements, the board may apply such surplus to the redemption of such securities prior to maturity of such securities according to redemption provisions thereof, or such surplus may be used by the board for the purposes of maintaining, repairing, altering, or adding to any existing equipment or facilities acquired pursuant to the provisions of this section for any lawful purpose.

(6) All obligations issued pursuant to this section and the income therefrom shall be exempt from taxation, except inheritance, estate, and transfer taxes.

(7) No action shall be brought questioning the legality of any contract, proceedings, revenue bonds, or anticipation warrants issued or to be issued by the board in connection with the provision of all or any part of the Colorado state university veterinary medicine hospital pursuant to this section after the expiration of thirty days from the effective date of any resolution or other official action authorizing such contract, adopting such proceedings, or authorizing the issuance of such warrants or bonds.

23-31-136. Board of governors of the Colorado state university system - powers relating to real property. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall have the powers specified in section 23-30-102 regarding the sale, lease, or exchange of real property, or any interest therein, the ownership of which is vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or Colorado state university. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall report all proposed sales, leases, or exchanges of such real property adjacent to or titled in Colorado state university to the Colorado commission on higher education, which will review and approve or disapprove the proposed transaction pursuant to section 23-1-106.

SECTION 6. Article 32 of title 23, Colorado Revised Statutes, is amended to read:

ARTICLE 32
Cooperation with United States

23-32-101. Acceptance of congressional grant of 1862. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all of the provisions, terms, grants, and conditions and purposes of the grants made and prescribed by the act of the congress of the United States entitled "An Act to apply a portion of the proceeds of the public lands to the more complete endowment and support of the colleges for the benefit of agriculture and the mechanic arts." established under the provisions of an act of congress, approved July 2, 1862.

23-32-102. Board of governors of the Colorado state university system to control fund. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control of the fund appropriated by the said act of congress and shall disburse the same for the use and benefit of the Colorado state university and in accordance with the terms and provisions of said act of congress.

23-32-103. Acceptance of congressional act of 1883. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all the provisions, terms, grants, and conditions and the purposes of the grants made and prescribed by the act of congress of the United States entitled "An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts.", approved July 2, 1862, as well as the amendments thereto, as made by the act of congress passed and adopted March 3, 1883, entitled "An Act to amend an act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts.", and all acts amendatory or supplementary to said acts.

23-32-104. Control, investment, and expending of funds. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has control of the funds derived from the sale of lands donated by the said act of congress of 1862, and shall invest the same in securities which yield a fair and reasonable rate of return, and shall disburse the income therefrom for the use and benefit of the Colorado state university as required in the said act of congress. Said funds derived from the sale of lands donated by said act of 1862, and from lease or rental of unsold lands of such land grant, and from coal, oil, and mineral royalties from said lands may be invested in bonds of the United States; in state, county, municipal, and school district bonds; in state, county, and municipal registered warrants; in registered warrants of school districts; and in state anticipation building levy warrants, or in any or all of these, in the discretion of the said ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

(2) The warrants of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to purchase such bonds, registered warrants, and anticipation warrants shall be approved and paid when accompanied by favorable opinion of the attorney general. All bonds, registered warrants, and anticipation warrants so purchased shall be registered in the name of the "treasurer of the state of Colorado for the account of the 'land grant fund of the Colorado state university'" and deposited with the state treasurer.

(3) The general assembly of the state of Colorado engages that the principal of such fund shall forever remain unimpaired and the income thereof shall be applied without diminution to the uses and purposes prescribed in said act of congress; except that, as prescribed in said act of congress, a sum not exceeding ten percent of the principal of such fund may be expended by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the purchase or exchange of lands for sites or experimental stations, subject to the approval of the governor and the provisions of sections 24-75-301 to 24-75-303, C.R.S.

23-32-105. Report of value of bonds. It is the duty of the county treasurer of each county in this state, upon the request of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, to make and transmit a report to such board on forms furnished by it, in such detail as may be required, as to the value of any county, municipal, or school district bonds of his OR HER county offered to the board for investment.

23-32-106. Other funds - investment. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the right to invest in the same manner as provided in section 23-32-104 any other permanent funds, the principal of which is not subject to use, that may be held by or granted to the state for the use of the Colorado state university or other institutions under the control of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-32-107. Report on condition - appropriation. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, on or before the fifteenth day of December immediately preceding the convening of the general assembly, shall make a report to the governor and the joint budget committee showing the condition of said fund, the investment thereof, the security taken therefor, and the amount of income derived therefrom. The report shall be submitted by the governor to the general assembly. If such report shows any loss in such funds, the amount of such loss shall be included in the governor's budget in order that the general assembly may fulfill the contractual obligations assumed by the state in accepting the provisions and grants of said act of congress of 1862 through an appropriation to repay such loss and keep the principal of such fund unimpaired.

23-32-108. Management of funds. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is designated to receive, manage, and disburse all funds not permanent in character derivable and derived under the several acts of congress supplementary to the act of congress of 1862.

23-32-109. Purpose of sections. It is the design of the general assembly in passing sections 23-32-103 to 23-32-109 to supplement and make more definite previous acts of acceptance of said several grants and the conditions thereof, and particularly to definitely provide for the management and investment of the permanent funds so derived, to the end that the engagements of the state with reference thereto may be kept.

23-32-110. Acceptance of congressional act of 1928. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all the provisions, terms, grants, and conditions and purposes of the grants made and

prescribed by the act of congress of the United States entitled "An Act to provide for the further development of agricultural extension work at the agricultural colleges in the several states, receiving the benefit of the act entitled 'An Act donating public lands to the several states and territories which may provide colleges for the benefit of agriculture and mechanic arts.', approved July 2, 1862, and all acts supplementary thereto, and the United States department of agriculture, approved May 22, 1928." The action of the governor of the state in accepting in behalf of the state of Colorado the provisions of the said act of congress for the period from its approval to the adjournment of the present session of the general assembly as authorized by said act of congress is ratified.

23-32-111. Control of funds. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control of the funds appropriated by the said act of congress and shall disburse the same in accordance with the terms and provisions of the act of congress.

23-32-112. Congressional act of 1914 accepted. Full and complete acceptance and assent is made and given by the state of Colorado to the provisions, terms, and conditions made and prescribed by the act of congress of the United States entitled "An Act to provide for cooperative agricultural extension work between the agricultural colleges in the several states receiving the benefits of an act of congress approved July 2, 1862, and of acts supplementary thereto, and the United States department of agriculture, known as the Smith-Lever Act, approved May 8, 1914." The Colorado state university in the state of Colorado is designated as the beneficiary of said act under the direction of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-32-113. Board to receive and expend funds. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is designated as the officer of the state of Colorado duly authorized to receive and expend the funds available under said act of congress to the state of Colorado for the uses and purposes therein prescribed.

23-32-114. Acceptance of congressional act of 1935. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all the provisions, terms, grants, and conditions and purposes of the grants made and prescribed by the act of congress of the United States entitled "An Act to provide for research into basic laws and principles relating to agriculture and to provide for the further development of cooperative agricultural extension work and the more complete endowment and support of land-grant colleges.", approved June 29, 1935. The action of the governor of the state in accepting in behalf of the state of Colorado the provisions of the said act of congress for the period from its approval to the adjournment of the thirty-first session of the general assembly as authorized by said act of congress is ratified.

23-32-115. Control of funds from 1935 act. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control of the funds appropriated by the said act of congress and shall disburse the same for the use and benefit of the Colorado state university for instruction, for research and investigations, and for cooperative agricultural extension work in accordance with the terms and provisions of said act of congress.

SECTION 7. Article 33 of title 23, Colorado Revised Statutes, is amended to read:

ARTICLE 33
Experiment Stations

23-33-101. Acceptance of congressional act of 1862. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all of the provisions, terms, grants, and conditions and purposes of the grants made and prescribed by the act of congress of the United States entitled "An Act to establish agricultural experiment stations in connection with the colleges established in the several states, under the provisions of an act approved July 2, 1862, and of the acts supplementary thereto."

23-33-102. Control of fund. ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control of the fund appropriated by the said act of congress and shall disburse the same for the use and benefit of the agricultural experiment station department of the Colorado state university in accordance with the terms and provisions of said act of congress.

23-33-103. Acceptance of congressional act of 1906. Full and complete acceptance, ratification, and assent is made and given by the state of Colorado to all the provisions, terms, grants, and conditions and purposes of the grants made and prescribed by the act of congress of the United States entitled "An Act to provide for an increased annual appropriation for agricultural experiment stations and regulate the expenditure thereof.", approved March 16, 1906.

23-33-104. Board to control fund. ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control of the fund appropriated by the said act of congress and shall disburse the same for the use and benefit of the agricultural experiment station department of the Colorado state university in accordance with the terms and provisions of said act of congress.

23-33-105. Board to cooperate with counties. ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to cooperate with the several counties of the state in research work and in investigations of matters pertaining to the agricultural and industrial development of the counties and state upon such terms and in such manner as may be mutually agreed upon by the respective boards of county commissioners and the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-33-106. Employees and specialists. ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is vested with the power to employ and to discharge, as in its opinion the interests of the service require, all employees and specialists engaged to carry out the provisions of this section and section 23-33-105.

23-33-107. Station established on the divide. For the furtherance and promotion of the agricultural interests of this state, an agricultural experimental station is established in that section of country commonly known as the divide in the northern part of El Paso county, more particularly described as township eleven, range

sixty-five west, or eleven, range sixty-four west, of the sixth principal meridian. The precise location shall be determined as provided in section 23-33-108.

23-33-108. Board to secure lands. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to select the necessary lands, secure the same either by lease or purchase, make all necessary improvements in the way of buildings and fences, and take such steps as it deems necessary to successfully establish said stations.

23-33-109. Board to supervise. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control and supervision of said station. It shall appoint a superintendent and such other officers and employees as necessary to carry on the said station successfully. It shall have power to fix salaries and all compensation of employees and is empowered to fix such rules and regulations necessary for the successful attainment of the object for which said station is established and maintained. It shall also appoint three resident trustees who shall act without compensation; except that, when it becomes necessary, they may be allowed traveling expenses in attending to the discharge of their duties.

23-33-110. Objects of station. The object of this agricultural experimental station is to determine the adaptability of crops of grain, grasses, root crops, and all other growths which may grow in this latitude and the most economical method of producing the best results in growing such crops with and without irrigation. In aid of these objects, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may select land, not to exceed two hundred acres, in the San Luis valley, out of the state lands there found for this purpose, and shall appoint three local trustees for the management of the same. In aid of these objects, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may select land, not to exceed two hundred acres, in the Arkansas valley in the county of Bent, out of the state lands there found for this purpose, and shall appoint three local trustees for the management of the same. In further aid of these objects, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may select lands, to the extent of two hundred acres, in the valley of the Uncompahgre river, or the valley of the Gunnison river, or the valley of the north fork of the Gunnison river in Delta county, state of Colorado, for the purpose of an experimental agricultural station, and shall appoint three local trustees to manage the same. Such lands shall be selected from state lands or secured by purchase, gift, or donation, as the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may decide.

23-33-111. Proceeds from station. The proceeds arising from the sale of products of agricultural experimental stations shall be applied in the liquidation of the running expenses. All moneys so accruing shall be credited as coming from the state and applied as part or whole payment of any amount which may be appropriated from the funds of the state for the maintenance of the stations.

23-33-112. Expenses, how paid. To enable the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to carry out the provisions of sections 23-33-107 to 23-33-112, it is authorized to expend such amount as it may deem necessary in establishing agricultural experimental stations, out of any moneys which may accrue to the state by action of the congress of the

United States for the purpose of establishing agricultural experimental stations in the various states and territories of the United States.

23-33-113. Station in Cheyenne county. (1) For the furtherance and promotion of the agricultural interests of this state, an agricultural experiment station shall be established in the eastern half of Cheyenne county, more particularly described as township fourteen, south, range forty-four west.

(2) ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to select the necessary lands, secure the same by gift or donation, make all necessary improvements in the way of buildings and fences, and take such steps as it deems necessary to establish said station.

23-33-114. Control and supervision of station. ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has absolute control and supervision of said station. Pursuant to section 13 of article XII of the state constitution, it shall appoint a superintendent and such other officers and employees deemed necessary to carry on successfully the said station. The board is empowered to make such rules and regulations as deemed necessary and expedient. It shall appoint three resident trustees who shall act without compensation; except that, when it becomes necessary, they may be allowed traveling expenses in the discharge of their duties.

23-33-115. Objects of station. The object of this agricultural experiment station is to determine the adaptability of crops of grain, grasses, root crops, and all other growths which may grow in this latitude and the most economical methods of producing the best results in growing such crops without irrigation.

23-33-116. Disposition of proceeds. The proceeds arising from the sale of the products of said station and from all other sources shall be paid to the treasurer of the board and by the board disbursed for the use and benefit of said station.

23-33-117. Expenses of station, how paid. To enable the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to carry out the provisions of sections 23-33-113 to 23-33-117, it is authorized to expend such amount as it deems necessary in establishing the station described in section 23-33-113 out of any moneys which accrue to the state by action of the congress of the United States for the purpose of establishing agricultural experiment stations in the various states and territories of the United States.

23-33-118. Experiment station at Greeley. For the furtherance and promotion of the agricultural interests of this state, particularly to investigate the nature and causes of potato diseases and to find remedial or preventative measures therefor and generally to improve the potato industry of Colorado, an agricultural experiment station is established at or near Greeley, Weld county, Colorado. The station shall be under the joint control and management of the Colorado state university and the bureau of plant industry of the United States department of agriculture, as provided in the memorandum of agreement between the board of county commissioners of Weld county, Colorado, the agricultural experiment station of said university, and the bureau of plant industry of the United States relative to cooperative work on potato culture and potato diseases under irrigation.

23-33-119. Joint control with U.S. bureau of plant industry. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has joint control of said station established in section 23-33-118 with the said bureau of plant industry of the United States as determined by the parties. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM of the state of Colorado has control of all moneys appropriated by the state for the use of said station, and has power to fix the compensation of employees, except those employed by the United States department of agriculture.

23-33-120. Purchase of lands. In order to improve the work of the experiment station at Greeley established under sections 23-33-118 and 23-33-119 and maintained under a cooperative agreement between the board of county commissioners of Weld county, the experiment station of the Colorado state university, and the bureau of plant industry of the United States department of agriculture, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and Weld county, represented by the board of county commissioners, are authorized to purchase land for the use of said station on a dollar-for-dollar basis.

23-33-121. Where title to vest. The title to said land when purchased and to said improvements shall vest in the said ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM as trustee for the state of Colorado.

23-33-122. Sale of lands - proceeds. If for any reason the use of said land for such experimental purposes as are provided in sections 23-33-118 and 23-33-119 is discontinued, the land shall be sold. The proceeds of such sale shall be divided equally between said county and the state of Colorado, and the part thereof belonging to the state of Colorado shall be returned to the general fund of the state. The controller is authorized to draw ~~his~~ warrants against this appropriation upon vouchers of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, signed by its president and countersigned by its secretary.

23-33-123. Dryland branch experiment station. (1) For the furtherance, promotion, and conservation of the agricultural interests of this state, a dryland branch experiment station is authorized to be established in Baca county on lands leased from the federal government.

(2) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to secure the necessary lands either by lease or purchase, as it sees fit, and to make all necessary improvements thereon, and to take such steps as it deems necessary to successfully establish said station.

(3) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has absolute control and supervision of said station. Pursuant to section 13 of article XII of the state constitution, the board shall appoint a superintendent and such other officers and employees as it deems necessary to carry on successfully the said station. The board is empowered to make such rules and regulations as deemed necessary and expedient. The board shall appoint three resident trustees who shall act without compensation; except that, when it becomes necessary, they may be allowed traveling expenses in the discharge of their duties.

(4) The object of this dryland branch experiment station is to conduct applied research on methods of preventing and controlling wind erosion on crop and range land in southeastern Colorado, to evaluate these methods in terms of costs and benefits to the farmer and rancher, and to establish time-tried and economically feasible systems of crop rotation, tillage management, and reseeding which will minimize the hazards of wind erosion and stabilize thereby the agricultural economy of the area.

(5) The proceeds arising from the sale of products of said station shall be applied in the liquidation of the running expenses. All moneys so accruing shall be credited as coming from the state and applied as part or whole payment of any amount which may be appropriated from the funds of the state for the maintenance of said station.

SECTION 8. 23-34-104 (1), Colorado Revised Statutes, is amended to read:

23-34-104. Organization - cooperative relationships. (1) The service is an organizational unit of the Colorado state university, under the supervision and control of the university's administration and the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

SECTION 9. 23-35-101 (2) and (3), Colorado Revised Statutes, are amended to read:

23-35-101. Colorado water resources research institute - creation. (2) The institute shall be a unit of the Colorado state university under the supervision and control of the university's administration and the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

(3) The principal administrative officer of the institute shall be a director, who shall be appointed by the president of the Colorado state university with the approval of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and who shall be under the direct supervision of the president of Colorado state university or a vice-president thereof designated by the president. To meet the purposes of the institute, the director, with the advice of the advisory committee established pursuant to section 23-35-102, shall develop appropriate policies and procedures for identification of priority research problems; for collaborating with water user associations, other universities, federal, state, and local government agencies, and the general assembly in the formulation of its research program; for selection of projects to be funded; and for the dissemination of information and transfer of technology which is produced by the research.

SECTION 10. 23-50-101 (1) (e), Colorado Revised Statutes, is amended to read:

23-50-101. Governing board for state colleges. (1) (e) The trustees of the state colleges in Colorado shall retain such authority over the setting of fees and other fiscal matters at the university of southern Colorado directly related to present and future facilities and pledges under the systemwide bonding agreement in effect as of May 1, 1972, but no action changing the liabilities of said university with reference to the system may be taken without thirty days' prior notice to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

SECTION 11. Part 1 of article 52 of title 23, Colorado Revised Statutes, is amended to read:

PART 1
FORT LEWIS COLLEGE

23-52-101. Legislative declaration. The general assembly finds, determines, and declares: That Fort Lewis college had its beginnings on land originally set aside by the federal government as an Indian school; that a sizeable Indian student population on the campus of Fort Lewis college is desirable; that the state will continue and improve the outstanding Indian education program now in existence at Fort Lewis college; that although this part 1 is intended to establish the obligation of the state of Colorado in this regard, the state intends to pursue all other possible sources of funding for program development and student aid for the Indian education program; and that the state further intends to assure continuity in the Fort Lewis college program for all qualified Indian students who were enrolled and in good standing prior to July 1, 1971.

23-52-102. College established - role and mission. There is hereby established a college at Durango, to be known as Fort Lewis college, which shall be a general baccalaureate institution with moderately selective admission standards. Fort Lewis college shall offer selected undergraduate professional programs.

23-52-103. Governing board - general power. The governing board of Fort Lewis college is the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, which shall have general supervision of the college and plenary power to enact rules and regulations for the governing of the college. However, Fort Lewis college shall be operated independently of other institutions of higher education until April 15, 1986.

23-52-104. Governing board - powers. (1) In addition to those powers conferred elsewhere in this part 1, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to:

- (a) Appoint a president of Fort Lewis college who shall hold his office until removed by the board or until he OR SHE resigns the same;
- (b) Appoint such other executive officers of the college as may be required;
- (c) Appoint such faculty and employees as the necessities of the college demand;
- (d) Determine the compensation to be paid to the president, executive officers, faculty, and professional staff;
- (e) Sell, lease, or exchange real property, or any interest therein, as specified in section 23-30-102, the ownership of which is vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or Fort Lewis college. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall report all proposed sales, leases, or exchanges of such real property adjacent to or titled in Fort Lewis college to the Colorado commission on higher education, which will review and approve or disapprove the

proposed transaction pursuant to section 23-1-106.

23-52-104.5. Powers and duties of the president. The president of Fort Lewis college shall report directly to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM until April 15, 1986.

23-52-105. Tuition fees - Indians. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall fix tuition in accordance with the level of cash fund appropriations set by the general assembly for the college pursuant to section 23-1-103.5, subject to the restriction that all qualified Indian pupils shall at all times be admitted to such college free of charge for tuition and on terms of equality with other pupils. The general assembly shall appropriate from the state general fund one hundred percent of the moneys required for tuition for such qualified Indian pupils.

(2) Special programs may also be offered to assist Indian pupils to prepare for, begin, or continue their college education at Fort Lewis college. Indian pupils shall not be charged tuition for such programs. The size of any special programs offered pursuant to this subsection (2) shall be limited by the facilities and revenues available and by the level of appropriations set therefor by the general assembly.

23-52-106. Donations - power to invest. All donations of money, securities, or other property of whatever kind and wherever situated made to Fort Lewis college shall be held by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the use and benefit of Fort Lewis college, to be expended subject to appropriation by the general assembly or invested in such securities as are permitted for private trustees and similar fiduciaries under the law of the state of Colorado.

23-52-107. Board empowered to lease grounds. For the purpose of providing dormitories, living and dining halls, or cottages and equipment for the use of the college, and to enable the construction, financing, and ultimate acquisition thereof, and to aid in improving undeveloped portions of the grounds of the Fort Lewis college, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is empowered to lease grounds under its control to private persons or corporations for a term not exceeding fifty years and subject to such regulations as it may prescribe and upon the condition that such private persons or corporations shall construct and equip on such leased grounds such buildings or improvements as the board designates or approves and secure reimbursement for money invested therein from the rentals of such buildings or from their sale to the board acting for the state.

23-52-108. No authority to obligate state. Nothing in sections 23-52-107 to 23-52-113 shall constitute any authority to enter into any contract which in any way creates any debt or obligation upon the state on account of the construction of such buildings or improvements; but buildings and improvements erected on any such lands under the control of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and devoted to the uses of the college under the terms of sections 23-52-107 to 23-52-113 and the leasehold interest shall be exempt from taxation so far as permitted by the state constitution.

23-52-109. Buildings - control of. The management of buildings erected and equipped under the terms of sections 23-52-107 to 23-52-113 and the scale of rentals thereof shall be subject to the approval of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-52-110. Board may rent buildings. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to lease or rent such buildings constructed under the provisions of sections 23-52-107 to 23-52-113 from the private persons or corporations constructing the same upon such terms as it deems satisfactory as to current rental, maintenance, and ultimate purchase, paying therefor out of the revenues derived from the operation of such buildings by the board or from other funds under its control available for general maintenance purposes.

23-52-111. To be state property at lease end. Upon the termination of any lease or contract executed under the terms of sections 23-52-107 to 23-52-113 providing for the construction and equipment of buildings, such buildings shall become the property of the state, together with all equipment, furnishings, or appurtenances therein contained or thereto attached; except that personal goods or effects of any occupant may be removed.

23-52-112. Leasehold interest may be sold. Nothing in sections 23-52-107 to 23-52-113 shall prevent the transfer or sale of the leasehold interests prior to their expiration, subject to the approval of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

23-52-113. Board may rent rooms. Upon the termination of any lease or contract executed with private persons or corporations for the construction of buildings under the terms of sections 23-52-107 to 23-52-113, the board is empowered to rent rooms or quarters in buildings erected under such leases or contracts for such reasonable compensation as it deems best in relation to current operation, maintenance, and upkeep costs.

SECTION 12. 23-55-103, Colorado Revised Statutes, is amended to read:

23-55-103. Board of governors of the Colorado state university system to supervise. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the general supervision of the university of southern Colorado and the control and direction of the funds and appropriations made thereto and has the power to receive, demand, and hold for the uses and purposes of said university all money, lands, and other property which may be donated, devised, or conveyed thereto and to apply the same in such manner as shall best serve the objects and interests of the said university.

SECTION 13. 23-55-104, Colorado Revised Statutes, is amended to read:

23-55-104. Power to acquire land. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM also has the power to take and hold, by gift, devise, or purchase or through exercise of the power of eminent domain pursuant to law, so much additional land as may become necessary for the location and construction of such additional buildings, structures, and other facilities

as may be required for the uses and purposes of said university.

SECTION 14. 23-55-106, Colorado Revised Statutes, is amended to read:

23-55-106. Additional powers of board. (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM also has the power to lease portions of the grounds of the university of southern Colorado to private persons and corporations for the construction of dormitory, living, dining, or cottage buildings and to rent, lease, maintain, operate, and purchase such buildings at such university, all in the manner provided by and subject to the limitations contained in sections 23-56-103 to 23-56-109; except that none of such grounds or improvements shall be used in any manner that discriminates against anyone because of race, creed, color, or religion.

(2) In exercising the powers conferred by subsection (1) of this section, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to enter into agreements which establish fixed building rental rates for the full term of any building lease, to let individual rooms and quarters within leased buildings at such rental rates as are approved by the said board and prescribed in the lease, and to enter into agreements not to alter such rates during the term of any lease agreement without the prior consent of the building lessor or his OR HER assigns.

(3) In addition to those powers conferred elsewhere in this article, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to:

(a) Appoint a president of the university of southern Colorado who shall hold ~~his~~ THE office until removed by the said board or until he OR SHE resigns;

(b) Appoint such other executive officers of the university as may be required;

(c) Appoint such faculty and employees as the necessities of the university demand;

(d) Determine the compensation to be paid to the president, executive officers, faculty, and professional staff.

SECTION 15. 23-55-107, Colorado Revised Statutes, is amended to read:

23-55-107. Board of governors of the Colorado state university system - powers relating to real property. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall have the powers specified in section 23-30-102 regarding the sale, lease, or exchange of real property, or any interest therein, the ownership of which is vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or the university of southern Colorado. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall report all proposed sales, leases, or exchanges of such real property adjacent to or titled in university of southern Colorado to the Colorado commission on higher education, which will review and approve or disapprove the proposed transaction pursuant to section

23-1-106.

SECTION 16. 23-73-102 (1), Colorado Revised Statutes, is amended to read:

23-73-102. Institute established. (1) The regents of the university of Colorado, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the Colorado state university system, the state board of community colleges and occupational education, the board of trustees of the university of northern Colorado, the trustees of the Colorado school of mines, the trustees of the state colleges in Colorado, Aims community college, and Colorado mountain college, acting in concert, are hereby authorized to incorporate, the Colorado institute of technology, referred to in this article as the "institute"; except that any of the named governing boards may choose not to participate in incorporating the institute. The governing boards may also work with the university of Denver, the Colorado technical university, and any other nonpublic institution in incorporating the institute. The institute shall be a Colorado nonprofit corporation with the condition that the corporation be structured and function in accordance with the remaining terms of this article.

SECTION 17. 24-1-114 (4) (b), Colorado Revised Statutes, is amended to read:

24-1-114. Department of higher education - creation. (4) For the purposes of section 22 of article IV of the state constitution, the following are allocated to the department of higher education but shall otherwise continue to be administered as provided by law:

(b) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, created by part 1 of article 30 of title 23, C.R.S.; Colorado state university, created by article 31 of title 23, C.R.S.; Fort Lewis college, created by part 1 of article 52 of title 23, C.R.S.; and the university of southern Colorado, created by article 55 of title 23, C.R.S.;

SECTION 18. 24-33-102 (4), Colorado Revised Statutes, is amended to read:

24-33-102. Powers and duties of the executive director and deputy director. (4) The executive director may request from the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM such information and statistics concerning forests and forestry in the state and other reports at such times and on such matters as the executive director may require.

SECTION 19. 24-33-201 (1), Colorado Revised Statutes, is amended to read:

24-33-201. Division of forestry - creation - state forest service agreement. (1) There is hereby created the division of forestry in the department of natural resources. The executive director of the department of natural resources shall enter into an agreement with Colorado state university, through the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, to cooperate in the state's efforts to improve the management and health of Colorado's forests and to provide staff for the division of forestry.

SECTION 20. 30-11-107 (1) (m), Colorado Revised Statutes, is amended to read:

30-11-107. Powers of the board. (1) The board of county commissioners of each county has power at any meeting:

(m) To negotiate with the board or boards of county commissioners of another county or counties, and with the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM of Colorado state university, for agricultural extension service to be furnished such counties, and to be financed on a pro rata share by the counties receiving such service;

SECTION 21. 30-15-201 (2), Colorado Revised Statutes, is amended to read:

30-15-201. Notice to extinguish campfires - penalty. (2) The erection of such notices shall be at the expense of each county, and at least twenty notices shall be posted and maintained in each county in this state. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may also post similar notices, signed by the board and erected and maintained at its expense, at such points throughout the state as it deems necessary or expedient.

SECTION 22. 30-24-102 (1) (g), Colorado Revised Statutes, is amended to read:

30-24-102. Authority of county commissioners. (1) For the purposes set forth in this article, the boards of county commissioners of the several counties of the state are authorized to:

(g) Enter into cooperative agreements with the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the assistance of Colorado state university, including all of its agencies, in the developing and financing of the projects to be included in the operations of the county agricultural research work each year;

SECTION 23. 35-1-106 (1) (k), Colorado Revised Statutes, is amended to read:

35-1-106. Powers and duties of commission. (1) In addition to all other powers and duties conferred upon the commission by the provisions of this article, the commission has the following specific powers and duties:

(k) To avoid duplication of effort within the department and to clarify responsibilities under this title (except part 2 of article 7 and articles 14, 42, 51, 65, 70, and 72) and articles 11 and 16 of title 12 and article 24 of title 30, C.R.S.; to enter into cooperative agreements with the state board of health, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, or any other state board or commission which is authorized by law to perform like or similar duties to those delegated by law to this commission, wherein it shall be prescribed whether this commission, the state board of health, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, or such other state board or commission shall perform and be responsible for the performance of such duties mentioned in said agreements, so that there is no duplication of effort as between this commission and the state board of health, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, or any other state board or commission; and to enter into agreements with the state board of health, the ~~state board of agriculture~~ BOARD OF

GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, or any other state board or commission relative to the cooperative use by this commission of any laboratories, equipment, or facilities owned or used by this commission or any other state board or commission;

SECTION 24. 35-27-103 (4), Colorado Revised Statutes, is amended to read:

35-27-103. Definitions. As used in this article, unless the context otherwise requires:

(4) "Certifying agency" means the seed certification service of the Colorado State University authorized by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or the authorized seed certifying agency of another state.

SECTION 25. 36-1-142, Colorado Revised Statutes, is amended to read:

36-1-142. Receipts from agricultural lands. The state board of land commissioners is required to transmit or cause to be transmitted to the secretary of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, as the same are received, statements showing each item of receipt of money from all leases or sales and royalties, or as interest on purchase money passing through its hands, derived from agricultural college land grant land, which statement shall name and describe the lands to which the money paid applies, from whom and for what received, and whether the item is credited to land income or permanent fund.

SECTION 26. 36-1-143 (1), Colorado Revised Statutes, is amended to read:

36-1-143. Statement to board of governors of the Colorado state university system. (1) On or before the second Wednesday in December of every year, the state board of land commissioners shall furnish to the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM a complete statement of all transactions had by it in connection with agricultural college lands, which statement shall show:

(a) Amounts received from sales of such lands, describing the lands sold and the price received for each tract and giving the name of the purchaser;

(b) Amounts received from leases and royalties, describing the lands leased from which such income is derived and giving the name of the lessee or operator;

(c) Amounts received as interest on purchase money and other items, giving the name of the payer;

(d) Amounts due and unpaid on purchases and leases and other delinquencies, if any;

(e) Such other items as will enable said ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to keep informed as to the condition of said lands, the income therefrom, and the manner in which the same are

being administered.

SECTION 27. 38-2-105, Colorado Revised Statutes, is amended to read:

38-2-105. Educational boards of control have right of eminent domain. The regents of the university of Colorado, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for Colorado state university, ~~and~~ Fort Lewis college, AND THE UNIVERSITY OF SOUTHERN COLORADO, the board of trustees of the Colorado school of mines, the board of trustees of the university of northern Colorado, and the trustees of the state colleges in Colorado have the power to acquire real property, which they may deem necessary, by the exercise of eminent domain through condemnation proceedings in accordance with law.

SECTION 28. Effective date. This act shall take effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly that is allowed for submitting a referendum petition pursuant to article V, section 1 (3) of the state constitution; except that, if a referendum petition is filed against this act or an item, section, or part of this act within such period, then the act, item, section, or part, if approved by the people, shall take effect on the date of the official declaration of the vote thereon by proclamation of the governor.

Approved: June 4, 2002