

CHAPTER 456

APPROPRIATIONS

HOUSE BILL 08-1286

BY REPRESENTATIVE(S) Buescher, Pommer, White, Benefield, Borodkin, Green, Labuda, Mitchell V., Stafford, and Todd;
also SENATOR(S) Keller, Morse, and Johnson.

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF HIGHER EDUCATION.

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

SECTION 1. Part VI of section 2 of chapter 466, Session Laws of Colorado 2007, is amended to read:

Section 2. **Appropriation.**

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

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

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(1) DEPARTMENT ADMINISTRATIVE OFFICE

Health, Life, and Dental	683,910			243,084 ^a	426,498 ^b	14,328
Short-term Disability	9,793			3,409 ^a	5,525 ^b	859
S.B. 04-257 Amortization Equalization Disbursement	90,400 90,581			31,473 ^a	50,996^b 51,177 ^b	7,931
S.B. 06-235 Supplemental Amortization Equalization Disbursement	18,834 18,904			6,557 ^a	10,624^b 10,694 ^b	1,653
Salary Survey and Senior Executive Service	258,113			79,165 ^a	150,482 ^b	28,466
Performance-based Pay Awards	123,924			34,645 ^a	75,954 ^b	13,325
Workers' Compensation	20,284 17,542			6,656^a 5,756 ^a	13,628^b 11,786 ^b	
Legal Services for 448 hours 854 hours	32,269 93,783	61,514		26,447 ^a	5,822 ^b	

Purchase of Services from Computer Center	31,214 120,097		26,567^a 27,485 ^a	4,647^b 17,880 ^b
		74,732		
Payment to Risk Management and Property Funds	29,210 28,761		1,158^a 1,140 ^a	28,052^b 27,621 ^b
Leased Space	<u>370,956</u>		370,956 ^a	
		1,668,907		
		1,816,364		

^a Of these amounts, \$584,525(T) shall be from statewide and departmental indirect cost recoveries, and \$245,592 shall be from various sources of cash funds throughout the Department. The cash funds represent indirect cost recoveries from entities qualifying as enterprises pursuant to Article X, Section 20 of the State Constitution.

^b These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

(2) COLORADO COMMISSION ON HIGHER EDUCATION

(A) Administration^{38, 39, 40, 41}

Administration	2,515,756		1,949,105(T) ^a (26.5 FTE)	215,615(T) ^a	351,036 (3.6 FTE)
----------------	-----------	--	---	-------------------------	----------------------

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

**(B) Division of Private
Occupational Schools**

	533,977		533,977 ^a (7.8 FTE)		
--	---------	--	-----------------------------------	--	--

^a This amount shall be from the Private Occupational Schools Fund created in Section 12-59-116, C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(C) Special Purpose						
Western Interstate Commission for Higher Education (WICHE)	116,000			116,000(T) ^a		
WICHE - Optometry	399,000			399,000(T) ^a		
Advanced Technology Grants	825,000				825,000(T) ^b	
Veterinary School Program Needs	285,000			285,000 ^c		
Enrollment/Tuition and Stipend Contingency ⁴²	20,000,000				20,000,000 ^d	
	<u>21,625,000</u>					
	24,674,733					

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

^b This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Advanced Technology Fund, and it is shown for informational purposes only, since moneys in the Advanced Technology Fund are continuously appropriated pursuant to Section 23-1-106.5 (9), C.R.S.

^c Of this amount, \$122,600 shall be from the Western Interstate Commission on Higher Education, and \$162,400(T) shall be from statewide and departmental indirect cost recoveries.

^d This amount shall be from tuition and stipend revenue from the governing boards, in addition to what is appropriated to the governing boards. This spending authority may be transferred to the governing boards.

(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID

(A) Need Based Grants	67,023,546	67,023,546	
(B) Merit Based Grants	1,500,000	1,500,000	
(C) Work Study⁴³	14,884,300	14,884,300	
(D) Special Purpose			
Scholarships for Precollegiate Programs	800,000	800,000	
Required Federal Match	3,026,350	1,726,350	1,300,000
Veterans'/Law Enforcement/POW Tuition Assistance	364,922	364,922	
National Guard Tuition Assistance Fund ⁴⁴	650,000	650,000	
Native American Students/Fort Lewis College	8,063,560	8,063,560	
Nursing Teacher Loan Forgiveness Pilot	161,600	161,600	
GEAR - UP	600,000		600,000
	<u>13,666,432</u>		
	97,074,278		

Ch. 456

Appropriations

2443

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(4) COLLEGE OPPORTUNITY FUND PROGRAM						
(A) Stipends						
Stipends for an estimated 122,147 eligible full-time equivalent students attending state institutions at \$2,670.00 per 30 credit hours	326,132,490					
Stipends for an estimated 700 eligible full-time equivalent students attending participating private institutions at \$1,335.00 per 30 credit hours	<u>934,500</u>					
	327,066,990	13,331,314	310,700,000 ^a		3,035,676 ^b	
(B) Fee-for-service						
Contracts with State						
Institutions	301,501,042	301,501,042				

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b This amount shall be from the balance in the College Opportunity Fund created in Section 23-18-201, C.R.S.

(5) GOVERNING BOARDS**(A) Trustees of Adams State**College^{45, 46} 20,219,12520,219,125^a

(271.5 FTE)

^a Of this amount, \$13,624,080(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$6,498,805 shall be from the students' share of tuition, and \$96,240 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,770,040 shall be from student stipend payments and \$9,854,040 shall be from fee-for-service contracts.

(B) Trustees of Mesa StateCollege^{45, 46} 44,205,88144,205,881^a

(452.2 FTE)

^a Of this amount, \$22,376,340(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$21,469,541 shall be from the students' share of tuition, and \$360,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$12,087,090 shall be from student stipend payments and \$10,289,250 shall be from fee-for-service contracts.

**(C) Trustees of
Metropolitan State College**of Denver^{45, 46} 91,334,24491,334,244^a

(1,056.3 FTE)

^a Of this amount, \$44,644,910(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$45,939,334 shall be from the students' share of tuition, and \$750,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$40,696,140 shall be from student stipend payments and \$3,948,770 shall be from fee-for-service contracts.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(D) Trustees of Western State College^{45, 46}	20,519,556				20,519,556 ^a (230.9 FTE)	

^a Of this amount, \$11,355,691(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$9,137,865 shall be from the students' share of tuition, and \$26,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,866,160 shall be from student stipend payments and \$7,489,531 shall be from fee-for-service contracts.

(E) Board of Governors of the Colorado State University System^{45, 47}	310,637,083				310,637,083 ^a (3,852.4 FTE)	
--	-------------	--	--	--	---	--

^a Of this amount, \$133,789,929(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$172,427,154 shall be from the students' share of tuition, \$4,250,000 shall be from academic fees and academic facility fees, and \$170,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2008 calendar year grant, and any unexpended balance on June 30, 2008 is intended to roll forward and remain available for expenditure through June 30, 2009. Of the amount from the College Opportunity Fund Program, \$51,234,630 shall be from student stipend payments and \$82,555,299 shall be from fee-for-service contracts.

(F) Trustees of Fort Lewis

College^{45, 46} 36,162,754

36,162,754^a

(432.3 FTE)

^a Of this amount, \$11,653,935(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$23,310,819 shall be from the students' share of tuition, \$1,150,000 shall be from academic fees and academic facility fees, and \$48,000(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2008 calendar year grant, and any unexpended balance on June 30, 2008 is intended to roll forward and remain available for expenditure through June 30, 2009. Of the amount from the College Opportunity Fund Program, \$6,829,860 shall be from student stipend payments and \$4,824,075 shall be from fee-for-service contracts.

(G) Regents of the

University of Colorado^{45, 47, 48} 698,561,784

698,561,784^a

(6,441.1 FTE)

^a Of this amount, \$194,986,340(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$482,155,600 shall be from the students' share of tuition, \$20,762,313 shall be from academic fees and academic facility fees, and \$657,531(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund created in Section 34-63-102 (5), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2008 calendar year grant, and any unexpended balance on June 30, 2008 is intended to roll forward and remain available for expenditure through June 30, 2009. Of the amount from the College Opportunity Fund Program, \$73,075,230 shall be from student stipend payments and \$121,911,110 shall be from fee-for-service contracts.

(H) Trustees of the Colorado

School of Mines⁴⁵ 67,684,680

67,684,680^a

(629.4 FTE)

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

^a Of this amount, \$21,737,271(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$45,797,409 shall be from the students' share of tuition, \$150,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$7,235,700 shall be from student stipend payments and \$14,501,571 shall be from fee-for-service contracts.

**(I) University of Northern
Colorado⁴⁵**

94,746,590

94,746,590^a
(1,015.0 FTE)

^a Of this amount, \$41,156,170(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$52,833,953 shall be from the students' share of tuition, and \$756,467 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$23,317,110 shall be from student stipend payments and \$17,839,060 shall be from fee-for-service contracts.

**(J) State Board for
Community Colleges and
Occupational Education
State System Community
Colleges^{45, 49}**

263,766,862

263,766,862^a
(4,576.4 FTE)

^a Of this amount, \$132,308,866(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$125,839,970 shall be from the students' share of tuition, and \$5,618,026 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$104,020,530 shall be from student stipend payments and \$28,288,336 shall be from fee-for-service contracts.

1,647,838,559

**(6) LOCAL DISTRICT
JUNIOR COLLEGE
GRANTS PURSUANT TO
SECTION 23-71-301, C.R.S.**

14,823,001 14,823,001

(7) ADVISORY COMMISSION ON FAMILY MEDICINE

Residency Training Programs 1,903,558 1,903,558(T)^a

^a This amount shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.

(8) DIVISION OF OCCUPATIONAL EDUCATION

(A) Administrative Costs 900,000 148,261 751,739(T)^a
(9.0 FTE)

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

**(B) Colorado Vocational Act
Distributions pursuant to
Section 23-8-102, C.R.S.¹⁵**

21,208,319 21,208,319(T)^a

^a This amount shall be a transfer from the Department of Education.

**(C) Area Vocational School
Support**

10,450,136 10,450,136

Ch. 456

Appropriations

2449

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(D) Sponsored Programs						
(1) Administration	2,262,431 (23.0 FTE)					
(2) Programs	<u>15,015,100</u>					
	17,277,531					17,277,531
(E) Colorado First Customized Job Training						
	2,725,022				2,725,022(T) ^a	
	52,561,008					
(9) AURARIA HIGHER EDUCATION CENTER⁴⁵						
Administration	15,686,087 (123.6 FTE)			15,686,087(T) ^a		
Auxiliary Revenue	<u>50,000</u>			50,000 ^b		
	15,736,087					

^a This amount shall be a transfer from the Governor's Office.

^a This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

^b This amount shall be from auxiliary revenue.

(10) STATE HISTORICAL SOCIETY

(A) Cumbres and Toltec

Railroad Commission	100,000	100,000		
----------------------------	---------	---------	--	--

(B) Sponsored Programs	250,000		20,000 ^a	230,000 (3.5 FTE)
-------------------------------	---------	--	---------------------	----------------------

^a This amount shall be from grants and contracts with various sources of cash funds exempt.

(C) Auxiliary Programs	1,535,699	1,035,699 ^a (14.5 FTE)	500,000 ^b	
-------------------------------	-----------	--------------------------------------	----------------------	--

^a This amount shall be from museum shop sales, micro-photo services, public education programs, membership and publication services, traveling exhibits, rentals, and special event fees.

^b This amount shall be from donations and gifts.

(D) Gaming Revenue

Gaming Cities Distribution	5,878,129		5,878,129 ^a	
Statewide Preservation Grant Program	17,863,255		17,863,255^a	
	17,847,403		17,847,403 ^a (18.0 FTE)	

Ch. 456

Appropriations

2451

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Society Museum and Preservation Operations	6,189,164			692,748 ^b	4,843,309 ^a	653,107
	6,204,765				4,858,910 ^a	
	(90.9 FTE)					
	<u>29,930,548</u>					
	29,930,297					
		31,816,247				
		31,815,996				
TOTALS PART VI (HIGHER EDUCATION)^{4,5}	\$2,516,664,410	\$435,528,032	\$310,700,000^a	\$22,329,472^b	\$1,727,628,670^b	\$20,478,236
	<u>\$2,516,811,616</u>	<u>\$435,664,278</u>			<u>\$1,727,639,630^b</u>	

^a This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

^b Of these amounts, \$675,035,433 contains a (T) notation.

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

- 4 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 15 Department of Education, Assistance to Public Schools, Categorical Programs; and Department of Higher Education, Division of Occupational Education, Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S. -- The Department of Education is requested to work with the Department of Higher Education and to provide to the Joint Budget Committee information concerning the distribution of state funds available for each categorical program excluding grant programs. The information for special education - children with disabilities, English language proficiency programs, public school transportation, Colorado Vocational Act distributions, and small attendance center aid is requested to include the following: (a) A comparison of the state funding distributed to each district or administrative unit for each program in fiscal year 2006-07 and the maximum allowable distribution pursuant to state law and/or State Board of Education rule; and (b) a comparison of the state and federal funding distributed to each district or administrative unit for each program in fiscal year 2005-06 and actual district expenditures for each program. The information for special education services - gifted and talented children is requested to include a comparison of the state funding distributed to each district or administrative unit for each program in fiscal year 2005-06 and actual district expenditures.
- 38 Department of Higher Education, Colorado Commission on Higher Education, Administration -- The Department should continue its efforts to provide data on the efficiency and effectiveness of state financial aid in expanding access to higher education for Colorado residents. The Department is requested to provide to the Joint Budget Committee by November 1 of each year an evaluation of financial aid programs, which should include, but not be limited to: 1) An estimate of the amount of federal, institutional, and private resources (including tax credits) devoted to financial aid; 2) the number of recipients from all sources; 3) information on typical awards; and 4) the typical debt loads of graduates. To the extent possible, the Department should differentiate the data based on available information about the demographic characteristics of the recipients. To the extent that this information is not currently available, the Department is requested to provide a

reasonable estimate, or identify the additional costs that would be associated with collecting the data.

- 39 Department of Higher Education, Colorado Commission on Higher Education, Administration -- The Department is requested to submit a report to the Joint Budget Committee by November 1, 2007, comparing the retention rates of students receiving Governor's Opportunity Scholarships with retention rates for low-income students receiving other types of financial aid packages.
- 40 Department of Higher Education, Colorado Commission on Higher Education, Administration -- The Department is requested to submit a report to the Joint Budget Committee by November 1 each year documenting the base level of institutional financial aid at each institution and demonstrating that at least 20 percent of any increase in undergraduate resident tuition revenues in excess of inflation is being devoted to need-based financial assistance pursuant to section 23-18-202 (3) (c), C.R.S.
- 41 Department of Higher Education, Colorado Commission on Higher Education, Administration -- The Department is requested to submit a report to the House and Senate Education Committees and the Joint Budget Committee by November 1, 2007, analyzing the impact of need based financial aid programs on the recruitment, retention, and academic performance of under-served students, and making recommendations for improvement.
- 42 Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Enrollment/Tuition and Stipend Contingency -- The Colorado Commission on Higher Education may transfer spending authority from this line item to the Governing Boards in the event that tuition or stipend revenues increase beyond appropriated levels. The spending authority for this line item shall be in addition to the funds appropriated directly to the Governing Boards. The Colorado Commission on Higher Education shall not authorize transfers of spending authority from this line item to support tuition or fee increases.
- 43 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Work Study -- It is the intent of the General Assembly to allow the Colorado Commission on Higher Education to roll forward two percent of the Work Study appropriation to the next fiscal year.
- 44 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, National Guard Tuition Assistance Fund -- It is the intent of the General Assembly that only the minimum funds necessary to pay tuition assistance for qualifying applicants pursuant to section 23-5-111.4, C.R.S. will be transferred to the National Guard Tuition Fund administered by the Department of Military Affairs. Any funds appropriated in this line item that are in excess of the minimum necessary to pay tuition assistance for qualifying

applicants may be used for need based financial aid.

- 45 Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Board of Governors of the Colorado State University System; Trustees of Fort Lewis College; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado; State Board for Community Colleges and Occupational Education State System Community Colleges; and Auraria Higher Education Center -- Notwithstanding the limitations set forth in subsection (3) of section 1 of this act, the FTE reflected in these line items are shown for informational purposes and are not intended to be a limitation on the budgetary flexibility allowed by section 23-1-104 (1) (a) (I), C.R.S.
- 46 Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; Trustees of Fort Lewis College -- Undergraduate resident tuition credit hour rate increases are limited to 5%. However, for four-year institutions, governing boards have the option to set tuition levels within a 5% total tuition revenue limit, provided that all resident undergraduate students with any unmet need (i.e., Levels 1, 2 and 3) receive sufficient financial aid to cover any increase in unmet need resulting from an increase in tuition credit hour rates above 5%. These limitations are intended to restrict resident tuition rate increases. It is the intent of the General Assembly that institutions may increase nonresident tuition rates to reflect market conditions and that any additional spending authority necessary for nonresident tuition rate increases will be addressed through a supplemental appropriation during the 2008 legislative session. The General Assembly will not back-fill lost revenue from nonresident tuition if governing boards increase nonresident tuition rates above market conditions.
- 47 Department of Higher Education, Governing Boards, Board of Governors of the Colorado State University System; Regents of the University of Colorado; Trustees of the Colorado School of Mines; University of Northern Colorado -- Undergraduate resident tuition credit hour rate increases are limited to 7%. However, for research institutions, governing boards have the option to set tuition levels within a 7% total tuition revenue limit, provided that all resident undergraduate students with any unmet need (i.e., Levels 1, 2 and 3) receive sufficient financial aid to cover any increase in unmet need resulting from an increase in tuition credit hour rates above 5%. These limitations are intended to restrict resident tuition rate increases. It is the intent of the General Assembly that institutions may increase nonresident tuition rates to reflect market conditions and that any additional spending authority necessary for nonresident tuition rate increases will be addressed through a supplemental appropriation during the 2008 legislative session. The General Assembly will not back-fill lost revenue from nonresident tuition if governing boards increase nonresident tuition rates above market conditions.
- 48 Department of Higher Education, Governing Boards, Regents of the University of Colorado -- Of the amount appropriated to the Regents of

the University of Colorado, it is the intent of the General Assembly that \$104,189,992 shall be for the University of Colorado Health Sciences Center, including \$1,223,762 from student stipend payments, \$61,329,192 from fee-for-service contracts, \$38,157,595 from the students' share of tuition, and \$3,479,443 from academic fees and academic facility fees.

- 49 Department of Higher Education, Governing Boards, State Board for Community Colleges and Occupational Education State System Community Colleges -- Undergraduate resident tuition credit hour rate increases are limited to 3.5%. These limitations are intended to restrict resident tuition rate increases. It is the intent of the General Assembly that institutions may increase nonresident tuition rates to reflect market conditions and that any additional spending authority necessary for nonresident tuition rate increases will be addressed through a supplemental appropriation during the 2008 legislative session. The General Assembly will not back-fill lost revenue from nonresident tuition if governing boards increase nonresident tuition rates above market conditions.

SECTION 2. Section 14 (1) of chapter 41, Session Laws of Colorado 2007, as amended by Section 6 of chapter 423, Session Laws of Colorado 2007, is amended to read:

Section 14. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the tobacco litigation settlement moneys health education fund created in section 24-75-1104.5 (1.5) (a) (I), Colorado Revised Statutes, not otherwise appropriated, to the department of higher education, regents of the university of Colorado, for allocation to the health sciences center, for the fiscal year beginning July 1, 2007, the sum of ~~eight million three hundred ninety-three thousand one hundred forty-nine dollars (\$8,393,149)~~ EIGHT MILLION FIVE HUNDRED ELEVEN THOUSAND THREE HUNDRED FORTY-FIVE DOLLARS (\$8,511,345), cash funds exempt, or so much thereof as may be necessary, for the implementation of this act.

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: March 17, 2008