CHAPTER 284

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EDUCATION - UNIVERSITIES AND COLLEGES

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SENATE BILL 09-043

BY SENATOR(S) Isgar, Kester, Tapia, Bacon, Heath, Hodge, King K., Penry, Schwartz, Shaffer B., Spence, Williams, Boyd;
also REPRESENTATIVE(S) Roberts, Massey, McFadyen, Pace, Tipton, Acree, Kerr J., Labuda, Merrifield, Priola, Schafer S., Stephens, Summers, Todd, Vigil, Waller.

AN ACT

CONCERNING THE MERGER OF PUEBLO COMMUNITY COLLEGE AND SAN JUAN BASIN AREA VOCATIONAL SCHOOL, AND, IN CONNECTION THEREWITH, CLARIFYING THE TWO-YEAR AUTHORITY OF FORT LEWIS COLLEGE AND MAKING AN APPROPRIATION.

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

SECTION 1. Legislative declaration. (1) The general assembly hereby finds and declares that:

(a) The leaders of Pueblo community college and the San Juan basin area vocational school have determined that a merger of these two institutions is in the best interests of these institutions and the residents of the state of Colorado; and

(b) The merger plan is supported by the state board for community colleges and occupational education and the school districts of Cortez, Dolores, and Mancos.

(2) Now, therefore, the general assembly hereby declares that Pueblo community college and the San Juan basin area vocational school shall merge, and the San Juan basin area vocational school shall operate and be known as Southwest Colorado community college, a division of Pueblo community college.

SECTION 2. 23-52-101 (2) (a), Colorado Revised Statutes, is amended to read:

23-52-101. College established - role and mission - governance. (2) (a) Fort Lewis college shall be a regional education provider and shall have two-year authority which shall be utilized in collaboration with a community college and any area vocational school ONLY FOR AN ASSOCIATES OF ARTS DEGREE IN AGRICULTURAL SCIENCE.

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

SECTION 3. 23-60-103 (1), Colorado Revised Statutes, is amended to read:

23-60-103. Definitions. As used in this article, unless the context otherwise requires:

(1) "Area vocational school" means a school offering approved postsecondary vocational programs for credit, operated by a local school district or by a board of cooperative services, and designated by the general assembly as an area vocational school in conformity with standards established by the state board for community colleges and occupational education. Tuition rates and fees charged any person not enrolled in a secondary school curriculum shall be uniform for any group classification. For the purposes of this article, the following schools, as named in this subsection (1) or as their names may be changed pursuant to section 23-60-801, are declared to be area vocational schools: The Emily Griffith opportunity school, ~~the San Juan basin area vocational school,~~ the Delta-Montrose area vocational school, and the Aurora tech center.

SECTION 4. Part 13 of article 30 of title 24, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

24-30-1309. Eligibility of certain buildings for controlled maintenance. NOTWITHSTANDING THE PROVISIONS OF SECTION 24-30-1301 (2) (a) (II) (A), ON AND AFTER JULY 1, 2009, CONTROLLED MAINTENANCE FUNDS MAY BE USED FOR FACILITIES THAT ARE TRANSFERRED FROM THE SAN JUAN BASIN AREA VOCATIONAL SCHOOL TO PUEBLO COMMUNITY COLLEGE AS PART OF A MERGER TRANSACTION BETWEEN THE SAN JUAN BASIN AREA VOCATIONAL SCHOOL AND PUEBLO COMMUNITY COLLEGE.

SECTION 5. Adjustments to the 2009 long bill. For the implementation of this act, appropriations to the department of higher education made in the annual general appropriation act for the fiscal year beginning July 1, 2009, shall be adjusted as follows:

(1) The general fund appropriation to the college opportunity fund created in section 23-18-202, Colorado Revised Statutes, for stipends is increased by six hundred twelve thousand dollars ($612,000), for an estimated 300.0 full-time equivalent students attending the division of Pueblo community college known as Southwest Colorado community college.

(2) The general fund appropriation for fee-for-service contracts with state institutions is increased by five hundred one thousand three hundred seventy-four dollars ($501,374), for a fee-for-service contract with the state board for community colleges and occupational education, for the division of Pueblo community college known as Southwest Colorado community college.

(3) The appropriation for the state board for community colleges and occupational education state system community colleges is increased by two million two hundred sixteen thousand four hundred fourteen thousand dollars ($2,216,414). Of said sum, seven hundred fifty thousand dollars ($750,000) shall be cash funds from the students' share of tuition, one million one hundred thirteen thousand three

hundred seventy-four dollars ($1,113,374) shall be reappropriated funds out of the appropriations made in subsections (1) and (2) of this section for student stipend payments and fee-for-service contracts, and three hundred fifty-three thousand forty dollars ($353,040) represents federal funds anticipated to be received from the education stabilization fund pursuant to the federal American recovery and reinvestment act of 2009.

(4) The appropriation for area vocational school support is decreased by one million four hundred sixty-six thousand four hundred fourteen dollars ($1,466,414). Of said sum, one million one hundred thirteen thousand three hundred seventy-four dollars ($1,113,374) shall be from the general fund and three hundred fifty-three thousand forty dollars ($353,040) represents federal funds anticipated to be received from the education stabilization fund pursuant to the federal American recovery and reinvestment act of 2009.

SECTION 6. 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: May 20, 2009