

CHAPTER 211

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 96-226

BY SENATORS Ament, Martinez, Matsunaka, Meiklejohn, Tanner, and Wham;
also REPRESENTATIVES Musgrave, Acquafresca, Bishop, and Sullivan.

AN ACT

CONCERNING ACCEPTANCE OF NORTHEASTERN JUNIOR COLLEGE INTO THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES, AND, IN CONNECTION THEREWITH, APPROVING THE PLAN OF DISSOLUTION OF THE NORTHEASTERN JUNIOR COLLEGE DISTRICT.

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

SECTION 1. Part 2 of article 71 of title 23, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW SECTION to read:

23-71-206. Northeastern junior college - approval of plan - date of entry into state system - continuation of mill levy. (1) (a) THE GENERAL ASSEMBLY HEREBY APPROVES THE PLAN OF DISSOLUTION SUBMITTED BY NORTHEASTERN JUNIOR COLLEGE PURSUANT TO SECTION 23-71-203, REFERRED TO IN THIS SECTION AS THE "PLAN". CONTINGENT UPON APPROVAL OF THE PLAN IN A SPECIAL ELECTION HELD PURSUANT TO SECTION 23-71-204 AND ENACTMENT OF AN APPROPRIATION OF GENERAL FUND MONEYS TO THE BOARD FOR ALLOCATION TO NORTHEASTERN JUNIOR COLLEGE, WHETHER IN AN ANNUAL GENERAL APPROPRIATIONS BILL OR BY SUPPLEMENTAL APPROPRIATION, THE GENERAL ASSEMBLY APPROVES THE ENTRY OF NORTHEASTERN JUNIOR COLLEGE INTO THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES.

(b) NOTWITHSTANDING THE PROVISIONS OF SECTION 23-71-204 (4), AT THE SPECIAL ELECTION FOR APPROVAL OF THE PLAN, THE QUESTION SHALL BE:

"SHALL NORTHEASTERN JUNIOR COLLEGE JOIN THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES UPON ENACTMENT OF AN APPROPRIATION TO FUND NORTHEASTERN JUNIOR COLLEGE AS PART OF THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES, AND SHALL THE NORTHEASTERN JUNIOR COLLEGE DISTRICT

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

CONTINUE TO COLLECT PROPERTY TAXES FOR THREE YEARS AFTER THE APPROPRIATION IS ENACTED IN THE AMOUNT OF 20.311 MILLS IN YEAR ONE, 18.000 MILLS IN YEAR TWO, AND 16.000 MILLS IN YEAR THREE, AFTER WHICH TIME THE NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL BE DISSOLVED, ALL ASSETS BE TRANSFERRED TO THE STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION, AND PROVISION BE MADE FOR MEETING ALL LIABILITIES AS PROVIDED IN THE PLAN OF DISSOLUTION?

Yes ___ No ___ "

(2) NOTWITHSTANDING THE PROVISIONS OF SECTION 23-71-203 (1), IF THE PLAN IS APPROVED AND MONEYS ARE APPROPRIATED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, NORTHEASTERN JUNIOR COLLEGE SHALL ENTER THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES ON THE EFFECTIVE DATE OF THE APPROPRIATION, BUT THE NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL CONTINUE AS PROVIDED IN SUBSECTION (3) OF THIS SECTION. ON ENTRY INTO THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES, NORTHEASTERN JUNIOR COLLEGE SHALL BE UNDER THE MANAGEMENT AND CONTROL OF THE BOARD. ON ENTRY INTO THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES, THE ASSETS AND LIABILITIES OF NORTHEASTERN JUNIOR COLLEGE, WITH THE EXCEPTION OF THE PROPERTY TAX MONEYS COLLECTED AND THE PHYSICAL EDUCATION AND EVENTS CENTER BUILT PURSUANT TO SUBSECTION (3) OF THIS SECTION AND THE PROPERTY ON WHICH SAID CENTER IS LOCATED, SHALL BE TRANSFERRED TO THE BOARD; EXCEPT THAT, IF CONSTRUCTION OF THE PHYSICAL EDUCATION AND EVENTS CENTER IS COMPLETED PRIOR TO APPROVAL OF THE PLAN AND APPROPRIATION OF MONEYS PURSUANT TO SUBSECTION (1) OF THIS SECTION, THE PHYSICAL EDUCATION AND EVENTS CENTER AND THE PROPERTY ON WHICH SAID CENTER IS LOCATED SHALL BE TRANSFERRED TO THE BOARD AT THE TIME NORTHEASTERN JUNIOR COLLEGE ENTERS THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES.

(3) (a) IF THE PLAN IS APPROVED AND MONEYS ARE APPROPRIATED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, THE NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL BE DISSOLVED THREE YEARS AFTER NORTHEASTERN JUNIOR COLLEGE ENTERS THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES. PRIOR TO DISSOLUTION OF THE NORTHEASTERN JUNIOR COLLEGE DISTRICT AND NOTWITHSTANDING ANY OTHER PROVISIONS OF THIS PART 2 TO THE CONTRARY, THE NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL CONTINUE TO COLLECT PROPERTY TAX IN THE DISTRICT. FOLLOWING APPROVAL OF THE PLAN, THE MILL LEVY IMPOSED BY THE NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL NOT EXCEED THE MILL LEVY IMPOSED FOR THE TAX YEAR DURING WHICH THE PLAN IS APPROVED AND MAY BE REDUCED PRIOR TO DISSOLUTION OF THE DISTRICT.

(b) NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL USE A PORTION OF THE PROPERTY TAX MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (3) FOR CONSTRUCTION OF A PHYSICAL EDUCATION AND EVENTS CENTER ON THE NORTHEASTERN JUNIOR COLLEGE CAMPUS, AS PROVIDED IN THE PLAN; EXCEPT THAT, IF CONSTRUCTION OF THE PHYSICAL EDUCATION AND EVENTS CENTER IS COMPLETED PRIOR TO THE TIME THAT THE PLAN IS APPROVED AND MONEYS ARE APPROPRIATED AS PROVIDED IN SUBSECTION (1) OF THIS SECTION, ALL OF THE PROPERTY TAX MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (3) SHALL BE USED AS PROVIDED IN PARAGRAPH (c) OF THIS SUBSECTION (3).

(c) NORTHEASTERN JUNIOR COLLEGE DISTRICT SHALL USE THE PROPERTY TAX MONEYS COLLECTED PURSUANT TO THIS SUBSECTION (3) THAT ARE NOT USED FOR CONSTRUCTION OF THE PHYSICAL EDUCATION AND EVENTS CENTER ON THE NORTHEASTERN JUNIOR COLLEGE CAMPUS TO ASSIST RESIDENTS OF THE NORTHEASTERN JUNIOR COLLEGE DISTRICT WHO ARE ENROLLED AT NORTHEASTERN JUNIOR COLLEGE IN DEFRAYING ANY INCREASES IN TUITION THAT MAY RESULT FROM ENTRY INTO THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES.

(d) ON DISSOLUTION OF THE NORTHEASTERN JUNIOR COLLEGE DISTRICT, THE PHYSICAL EDUCATION AND EVENTS CENTER BUILT PURSUANT TO PARAGRAPH (b) OF THIS SUBSECTION (3), REGARDLESS OF WHETHER SAID CENTER IS COMPLETED, THE PROPERTY ON WHICH SAID CENTER IS LOCATED, AND ANY MONEYS REMAINING UNDER CONTROL OF THE DISTRICT SHALL BE TRANSFERRED TO THE BOARD.

SECTION 2. Future appropriations. Although no appropriation is included in this act for the fiscal year beginning July 1, 1996, it appears that this act will require appropriations from the general fund for subsequent fiscal years in an annual amount estimated to be three million six hundred thousand dollars (\$3,600,000).

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: May 23, 1996