

CHAPTER 301

GOVERNMENT - STATE

SENATE BILL 96-197

BY SENATORS Lacy, Blickensderfer, Rizzuto, Bishop, Meiklejohn, and Norton;
also REPRESENTATIVES Owen, Grampas, and Romero.

AN ACT

**CONCERNING REVENUES ALLOCATED TO THE CAPITAL CONSTRUCTION FUND, AND MAKING AN
APPROPRIATION IN CONNECTION THEREWITH.**

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

SECTION 1. 24-75-302 (2) (h) and (2) (i), Colorado Revised Statutes, 1988 Repl. Vol., as amended, are amended to read:

24-75-302. Capital construction fund - capital assessment fees - calculation.

(2) As of July 1, 1988, and July 1 of each year thereafter through July 1, 1998, a sum as specified in this subsection (2) shall accrue to the capital construction fund. The state treasurer and the controller shall transfer such sum out of the general fund and into the capital construction fund as moneys become available in the general fund during the fiscal year beginning on said July 1. Transfers between funds pursuant to this subsection (2) shall not be deemed to be appropriations subject to the limitations of section 24-75-201.1. The amount which shall accrue pursuant to this subsection (2) shall be as follows:

(h) On July 1, 1995, ~~one hundred twenty-five million~~ ONE HUNDRED THIRTY-ONE MILLION NINE HUNDRED FIFTY-EIGHT THOUSAND TWO HUNDRED SEVENTY-THREE dollars with seventy-five million dollars of such amount to be available for appropriation only for state highway reconstruction, repair, and maintenance projects, plus twenty-six million nine hundred ninety-four thousand five hundred thirty-six dollars pursuant to H.B. 95-1352, enacted at the first regular session of the sixtieth general assembly;

(i) (I) On July 1, 1996, ~~fifty million~~ TWO HUNDRED TEN MILLION NINE HUNDRED THIRTY-SIX THOUSAND NINETY-NINE dollars WITH ONE HUNDRED FIFTEEN MILLION

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

DOLLARS OF SUCH AMOUNT TO BE AVAILABLE FOR APPROPRIATION ONLY FOR STATE HIGHWAY RECONSTRUCTION, REPAIR, MAINTENANCE, AND CAPACITY EXPANSION PROJECTS, NOTWITHSTANDING THE LIMITATION SPECIFIED IN PARAGRAPH (a) OF SUBSECTION (1) OF THIS SECTION AND SECTION 2-3-1304 (1) (a.5), C.R.S., FOR SUCH REVENUES;

(II) IN ADDITION TO ANY OTHER MONEYS TRANSFERRED PURSUANT TO THIS PARAGRAPH (i), ON JULY 1, 1996, TWENTY MILLION DOLLARS TO BE AVAILABLE FOR APPROPRIATION ONLY FOR THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM, ESTABLISHED IN ARTICLE 11.5 OF TITLE 23, C.R.S.;

SECTION 2. 2-3-1304 (1) (a.5), Colorado Revised Statutes, 1980 Repl. Vol., as amended, is amended to read:

2-3-1304. Powers and duties of capital development committee. (1) The capital development committee shall have the following powers and duties:

(a.5) To study the capital construction request from the transportation commission for state highway reconstruction, repair, and maintenance projects to be funded from money transferred to the capital construction fund pursuant to section 24-75-302 (2), C.R.S., specifically for such purpose. On or before October 1 of each year, the transportation commission shall submit its capital construction request, based on the statewide transportation improvement programs, with a prioritized list of recommended state highway reconstruction, repair, and maintenance projects with the priority of projects on the list determined on the basis of greatest need without regard to location in the state; EXCEPT THAT, FOR THE 1996-97 FISCAL YEAR, THE PRIORITIZED LIST OF PROJECTS TO BE FUNDED BY THE REVENUES APPROPRIATED FOR SUCH YEAR BY S.B. 96-197, AS ENACTED AT THE SECOND REGULAR SESSION OF THE SIXTIETH GENERAL ASSEMBLY, SHALL CONSIST ONLY OF STATE HIGHWAY RECONSTRUCTION, REPAIR, MAINTENANCE, AND CAPACITY EXPANSION PROJECTS. The capital development committee shall determine the number of projects on the list that may be funded from money available in the capital construction fund for state highway reconstruction, repair, or maintenance projects. Only projects on the list may be funded from money available in the capital construction fund for state highway reconstruction, repair, or maintenance projects, and the projects must be funded in the priority determined by the transportation commission. Projects on the list submitted by the transportation commission by October 1 may be funded from money transferred to the capital construction fund and available in the current fiscal year or money to be transferred to the capital construction fund for the fiscal year beginning the following July 1.

SECTION 3. 24-30-202 (4), Colorado Revised Statutes, 1988 Repl. Vol., is amended to read:

24-30-202. Procedures - vouchers and warrants - rules - penalties. (4) The controller is hereby authorized to grant special authority for any department, institution, or other agency, during any fiscal year, to make specific purchases of supplies or materials to be used in the next ensuing fiscal year or to enter into contracts in anticipation of appropriations already made or to be made for the next ensuing fiscal year for any purpose authorized by any existing law, INCLUDING CONTRACTS BY THE DEPARTMENT OF TRANSPORTATION FOR STATE HIGHWAY

RECONSTRUCTION, REPAIR, MAINTENANCE, AND CAPACITY EXPANSION PROJECTS TO BE FUNDED BY THE REVENUES APPROPRIATED OUT OF THE CAPITAL CONSTRUCTION FUND UNDER SECTION 24-75-302 (2), but in no case for any amount exceeding that necessary to meet the requirements for the first quarter of the next fiscal year. No such purchase order shall be issued nor contract entered into unless such purchase order or contract has been approved and countersigned by the controller or ~~his~~ THE CONTROLLER'S authorized agent, whose duty it shall be to see that the special authority so granted is not exceeded, except that this restriction shall not apply to contracts for capital outlay projects for which appropriations have been provided for obligations to be incurred in two or more fiscal years. Payments made at the close of a fiscal year under such authority shall be treated as deferred charges to the appropriations and expenses of the next ensuing fiscal year until the beginning of such year.

SECTION 4. Title 23, Colorado Revised Statutes, 1995 Repl. Vol., is amended BY THE ADDITION OF A NEW ARTICLE to read:

ARTICLE 11.5
Technology Learning Grant and
Revolving Loan Program

23-11.5-101. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS THAT:

(a) DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING WILL BE AN INDISPENSABLE PART OF THE FUTURE OF EDUCATION IN COLORADO AS IT INCREASES ACCESS, EXCELLENCE, AND EFFICIENCY IN EDUCATIONAL PROGRAMS IN KINDERGARTEN THROUGH TWELFTH GRADE AND POSTSECONDARY EDUCATION SYSTEMS;

(b) DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING WILL AFFORD EXTRAORDINARY OPPORTUNITIES TO STUDENTS AND EDUCATIONAL INSTITUTIONS TO LOWER, AND IN SOME CASES ENTIRELY REMOVE, THE GEOGRAPHIC BARRIERS TO EDUCATIONAL OPPORTUNITIES IN COLORADO, WHILE SIMULTANEOUSLY CREATING NEW AND REMARKABLE OPPORTUNITIES FOR COLORADO'S MOST TALENTED FACULTY AND TEACHERS TO BROADEN THEIR REACH TO NEW STUDENT POPULATIONS;

(c) INFORMATION AGE SERVICES ARE EXTENSIVELY REDEFINING WHOLE SECTORS OF THE AMERICAN ECONOMY. WITH RESPECT TO EDUCATION, DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING PROMISE TO PROVIDE A VAST AND CRITICAL NEW ELEMENT OF INTELLECTUAL INFRASTRUCTURE IN AMERICAN EDUCATION THAT WILL PERMIT ANYONE, AT ANYTIME, ANYWHERE, AND ON ANY SUBJECT, TO RECEIVE AT AN AFFORDABLE COST THE HIGHEST QUALITY INSTRUCTION FROM THE MOST GIFTED AND HIGHLY MOTIVATED FACULTY AND TEACHERS IN OUR EDUCATIONAL SYSTEM;

(d) COLORADO'S INFORMATION TECHNOLOGY INFRASTRUCTURE IN CONJUNCTION WITH THE PRIVATE SECTOR WILL SERVE AS THE MEANS BY WHICH BOTH PRIVATE AND PUBLIC SECTOR EDUCATIONAL INSTITUTIONS MAY BE ABLE TO RESTRUCTURE AND LOWER COST TO TRADITIONAL STUDENTS, EMPLOYEE AND WORK FORCE STUDENTS, AND THE COLORADO TAXPAYER. DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING INVITE NOT ONLY GREATER EFFICIENCIES THROUGH BETTER MANAGEMENT OF PERSONNEL AND FACILITIES RESOURCES BUT ALSO PROMISE TO LOWER DIRECT,

INDIRECT, AND INCIDENTAL COSTS TO COLORADO'S STUDENTS, SCHOOLS, PUBLIC LIBRARIES, AND HIGHER EDUCATION INSTITUTIONS.

(e) FROM THE PERSPECTIVES OF ACCESS, EXCELLENCE, AND EFFICIENCY, DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING MAY BE THE SINGLE MOST IMPORTANT, EMERGING EDUCATIONAL REFORM THAT SUPPORTS THE CONCEPT OF UNIVERSAL PUBLIC EDUCATION IN COLORADO AND THE NATION. MOREOVER, IN THE MINDS OF MANY, UNIVERSAL PUBLIC EDUCATION IS ONE OF THE ELEMENTS THAT BRING TOGETHER THE PEOPLE OF OUR COUNTRY.

23-11.5-102. Definitions. AS USED IN THIS SECTION:

(1) "COMMITTEE" MEANS THE TECHNOLOGY LEARNING COMMITTEE ESTABLISHED IN SECTION 23-11.5-105.

(2) "DISTANCE LEARNING" MEANS ANY INTERACTIVE INSTRUCTION CONDUCTED VIA TECHNOLOGY IN WHICH LEARNERS AND TEACHERS ARE SEPARATED BY GEOGRAPHY OR TIME.

(3) "GRANT AND REVOLVING LOAN PROGRAM" MEANS THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM ESTABLISHED IN THIS ARTICLE.

(4) "INSTITUTION OF HIGHER EDUCATION" HAS THE SAME MEANING AS DEFINED IN SECTION 23-3.5-102 (3), C.R.S.

(5) "MULTIPLE-USE NETWORK" MEANS A DIGITAL NETWORK CAPABLE OF CARRYING INTEGRATED VOICE AND VIDEO AS WELL AS TEXT, GRAPHICS, AND OTHER ELECTRONIC DATA BETWEEN AND AMONG SCHOOLS, PUBLIC LIBRARIES, INSTITUTIONS OF HIGHER EDUCATION, AND STATE AGENCIES.

(6) "SCHOOL" MEANS ANY PUBLIC OR PRIVATE ELEMENTARY, MIDDLE, JUNIOR HIGH, OR SECONDARY SCHOOL.

(7) "TECHNOLOGY-ASSISTED LEARNING" MEANS ANY INSTRUCTION IN WHICH ANY TECHNOLOGY TOOLS, INCLUDING BUT NOT LIMITED TO MICROCOMPUTER HARDWARE AND SOFTWARE, VIDEO RECORDERS, TELEVISIONS, MONITORS, CD-ROM, AND LASER DISKS, ARE USED TO ENHANCE THE INSTRUCTIONAL PROCESS.

23-11.5-103. Technology learning grant and revolving loan program - created - distribution of funds. (1) THERE IS HEREBY ESTABLISHED IN THE DEPARTMENT OF HIGHER EDUCATION THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM THROUGH WHICH INSTITUTIONS OF HIGHER EDUCATION, SCHOOLS, AND PUBLIC LIBRARIES MAY RECEIVE FUNDING FOR THE DEVELOPMENT OF DISTANCE LEARNING AND TECHNOLOGY-ASSISTED LEARNING PROGRAMS. ANY GOVERNING BOARD, INSTITUTION OF HIGHER EDUCATION, SCHOOL, OR PUBLIC LIBRARY MAY APPLY TO RECEIVE FUNDS UNDER THIS PROGRAM ACCORDING TO PROCEDURES ESTABLISHED BY THE COMMITTEE. THE COMMITTEE SHALL ANNUALLY PREPARE A PRIORITIZED LIST OF THE PROGRAMS IT SELECTS TO RECEIVE FUNDS THROUGH THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM, BASED ON THE CRITERIA SPECIFIED IN SUBSECTION (3) OF THIS SECTION. THE COMMITTEE SHALL SUBMIT THE LIST TO THE GOVERNOR AND TO THE CAPITAL

DEVELOPMENT COMMITTEE FOR APPROVAL OR REJECTION OF THE ENTIRE LIST. ON APPROVAL, THE COMMITTEE SHALL DISTRIBUTE THE FUNDS AS PROVIDED IN THE LIST OF PROGRAMS. ON REJECTION BY EITHER THE GOVERNOR OR THE CAPITAL DEVELOPMENT COMMITTEE, THE COMMITTEE SHALL REPRIORITIZE AND RESUBMIT THE LIST TO THE GOVERNOR AND THE CAPITAL DEVELOPMENT COMMITTEE FOR APPROVAL.

(2) ANY PROPOSAL OR PROGRAM THAT RECEIVES FUNDS THROUGH THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM SHALL USE A PORTION OF THE AMOUNT RECEIVED FOR THE PURCHASE OF EDUCATIONAL COMPUTER SYSTEM EQUIPMENT.

(3) TO RECEIVE A GRANT OR A REVOLVING LOAN, A PROPOSAL OR PROGRAM AT A MINIMUM SHALL DEMONSTRATE THE FOLLOWING:

- (a) INCREASED ACCESS TO EDUCATIONAL OPPORTUNITY FOR COLORADO STUDENTS;
- (b) DELIVERY OF EXPANDED EDUCATIONAL SERVICES BY THE MOST QUALIFIED FACULTY AND TEACHERS AVAILABLE;
- (c) HIGH OR INCREASED EFFICIENCIES IN EDUCATIONAL SERVICE DELIVERY;
- (d) BENEFITS THAT WILL ACCRUE TO THE COLORADO ECONOMY;
- (e) ACCOUNTABILITY, INCLUDING IMPLEMENTATION OF SELF-AUDIT PROCEDURES AND APPLICATION OF PERFORMANCE MEASUREMENT OBJECTIVES;
- (f) HOW THE PROPOSAL OR PROGRAM WILL SERVE AREAS OF THE STATE IN WHICH NO STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION ARE LOCATED;
- (g) THE NEED FOR FACILITIES IMPROVEMENTS TO CONNECT TO ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO SECTION 23-11.5-104 AND SPECIFICATION OF THOSE NEEDS. FACILITIES IMPROVEMENTS UNDER THIS PARAGRAPH (g) MAY INCLUDE, BUT ARE NOT LIMITED TO, HARD WIRING IMPROVEMENTS FROM ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO SECTION 23-11.5-104 TO THE FACILITY AT WHICH THE PROGRAM WOULD BE LOCATED, HARD WIRING IMPROVEMENTS WITHIN THE FACILITY THAT ARE NECESSARY TO OPERATE EXPANDED TECHNOLOGY CAPABILITIES, AND EQUIPMENT NECESSARY TO EXPAND THE TECHNOLOGY CAPABILITIES AT THE FACILITY.

(4) ANY SCHOOL THAT APPLIES FOR FUNDS UNDER THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM SHALL HAVE IN PLACE A LONG-RANGE TECHNOLOGY UTILIZATION PLAN AND SHALL SUBMIT A COPY OF SAID PLAN TO THE COMMITTEE WITH ITS APPLICATION. AT A MINIMUM, EACH LONG-RANGE TECHNOLOGY UTILIZATION PLAN SHALL INCLUDE THE FOLLOWING ELEMENTS:

- (a) THE SPECIFIC GOALS TO BE ACHIEVED THROUGH THE INCORPORATION AND UTILIZATION OF SPECIFIED TECHNOLOGY IN THE SCHOOL CURRICULUM OR A PORTION OF THE CURRICULUM;
- (b) THE METHODS THE SCHOOL WILL EMPLOY TO ACHIEVE SUCH INCORPORATION AND UTILIZATION;

(c) SPECIFICATION OF THE EQUIPMENT, HARDWARE, AND SOFTWARE NEEDED TO IMPLEMENT THE PLAN, INCLUDING A DESCRIPTION OF ANY EQUIPMENT, HARDWARE, OR SOFTWARE THAT THE SCHOOL MUST ACQUIRE OR DEVELOP AND THE ESTIMATED COSTS OF SUCH ACQUISITION OR DEVELOPMENT;

(d) HOW, PURSUANT TO THE PLAN, THE SCHOOL WILL USE EQUIPMENT, HARDWARE, OR SOFTWARE THAT IS ALREADY OWNED BY THE SCHOOL OR SCHOOL DISTRICT;

(e) THE METHOD BY WHICH TEACHERS AND OTHER RELEVANT PERSONS WILL LEARN TO USE THE TECHNOLOGY AVAILABLE;

(f) THE ESTIMATED ONGOING OPERATIONAL COSTS DIRECTLY ASSOCIATED WITH IMPLEMENTATION OF THE PLAN; AND

(g) THE EXTENT TO WHICH THE PLAN IS CONSISTENT WITH ANY PLANS DEVELOPED PURSUANT TO ARTICLES 81 AND 83 OF THIS TITLE CONCERNING THE IMPROVEMENT OF MATHEMATICS, SCIENCE, AND TECHNOLOGY EDUCATION.

(5) NO GOVERNING BOARD, INSTITUTION OF HIGHER EDUCATION, SCHOOL, OR PUBLIC LIBRARY THAT RECEIVES MONEYS THROUGH THE TECHNOLOGY LEARNING GRANT AND REVOLVING LOAN PROGRAM MAY USE ANY OF SAID MONEYS FOR THE PAYMENT OF SALARIES.

(6) IN AWARDING FUNDS UNDER THE GRANT AND REVOLVING LOAN PROGRAM, THE COMMITTEE SHALL GIVE PRIORITY TO APPLICANTS LOCATED IN AREAS OF THE STATE THAT THE COMMITTEE DETERMINES ARE NOT ADEQUATELY SERVED BY STATE-SUPPORTED INSTITUTIONS OF HIGHER EDUCATION. IN ADDITION, THE COMMITTEE SHALL CONSIDER THE OTHER RESOURCES THAT ARE AVAILABLE TO THE APPLICANT TO SUPPORT THE INCREASED USE OF TECHNOLOGY IN EDUCATION.

(7) IN AWARDING FUNDS TO SCHOOLS UNDER THE GRANT AND REVOLVING LOAN PROGRAM, THE COMMITTEE SHALL GIVE SOME PREFERENCE TO PUBLIC ELEMENTARY AND SECONDARY SCHOOLS.

23-11.5-104. Multiple-use network - selection - operation. (1) THE DEPARTMENT OF HIGHER EDUCATION, IN CONSULTATION WITH THE DEPARTMENT OF EDUCATION AND THE INFORMATION MANAGEMENT COMMISSION, SHALL INVESTIGATE ALL PRIVATE AND PUBLIC MULTIPLE-USE NETWORK ALTERNATIVES AND SELECT ONE OR MORE MULTIPLE-USE NETWORKS TO CONNECT COLORADO SCHOOLS, PUBLIC LIBRARIES, AND INSTITUTIONS OF HIGHER EDUCATION FOR THE PURPOSES OF ENHANCING INSTRUCTION AND INFORMATION ACCESS. IN CONNECTING TO ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO THIS SECTION, EACH SCHOOL, PUBLIC LIBRARY, AND INSTITUTION OF HIGHER EDUCATION SHALL USE THE MOST APPROPRIATE AVAILABLE TECHNOLOGY TO MEET THE INSTRUCTIONAL AND INFORMATION ACCESS NEEDS OF THE INSTITUTION.

(2) FROM THE PROGRAMS AND PROPOSALS SUBMITTED PURSUANT TO SECTION 23-11.5-103, THE COMMITTEE SHALL DETERMINE THOSE PROGRAMS OR PROPOSALS THAT ARE APPROPRIATE TO PARTICIPATE IN ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO THIS SECTION BASED ON THE CRITERIA SPECIFIED IN SECTION 23-11.5-103 (3).

(3) THE ACCESS COLORADO LIBRARY INFORMATION NETWORK SHALL BE INTEGRATED INTO ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO THIS SECTION.

23-11.5-105. Technology learning committee - membership - duties.

(1) THERE IS HEREBY CREATED IN THE DEPARTMENT OF HIGHER EDUCATION THE TECHNOLOGY LEARNING COMMITTEE TO DISTRIBUTE FUNDS, ADMINISTER THE GRANT AND REVOLVING LOAN PROGRAM, AND DETERMINE THOSE PROGRAMS AND PROPOSALS THAT ARE APPROPRIATE FOR CONNECTION TO ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO SECTION 23-11.5-104. THE COMMITTEE SHALL CONSIST OF THE FOLLOWING MEMBERS:

(a) ONE MEMBER APPOINTED BY THE PRESIDENT OF THE SENATE;

(b) TWO MEMBERS APPOINTED BY THE SPEAKER OF THE HOUSE OF REPRESENTATIVES;

(c) NINE MEMBERS APPOINTED BY THE GOVERNOR AS FOLLOWS:

(I) TWO MEMBERS WHO REPRESENT THE ELEMENTARY AND SECONDARY EDUCATION COMMUNITY;

(II) TWO MEMBERS WHO REPRESENT THE POSTSECONDARY EDUCATION COMMUNITY;

(III) ONE MEMBER WHO REPRESENTS THE LIBRARY COMMUNITY;

(IV) TWO MEMBERS WHO REPRESENT STATE OR LOCAL GOVERNMENT; AND

(V) TWO MEMBERS WHO REPRESENT THE BUSINESS COMMUNITY; AND

(d) THE EXECUTIVE DIRECTOR OF THE DEPARTMENT OF PERSONNEL, WHO SHALL ACT AS CHAIRPERSON OF THE COMMITTEE.

(2) (a) THE APPOINTED MEMBERS OF THE COMMITTEE SHALL SERVE TERMS OF TWO YEARS, AND NO APPOINTED MEMBER MAY SERVE MORE THAN TWO CONSECUTIVE TERMS.

(b) THE COMMITTEE SHALL MEET AS OFTEN AS NECESSARY TO CARRY OUT ITS DUTIES UNDER THIS SECTION BUT NOT LESS THAN ONCE A YEAR.

(c) LEGISLATIVE AND OTHER MEMBERS NOT OTHERWISE COMPENSATED BY THE STATE OR A PUBLIC EDUCATIONAL INSTITUTION SHALL RECEIVE FIFTY DOLLARS PER DIEM FOR ATTENDANCE AT OFFICIAL MEETINGS PLUS REIMBURSEMENT FOR ACTUAL AND NECESSARY EXPENSES INCURRED IN THE CONDUCT OF OFFICIAL BUSINESS.

(3) STAFF MEMBERS FROM THE DEPARTMENTS OF EDUCATION AND HIGHER EDUCATION SHALL ASSIST THE COMMITTEE IN DETERMINING WHICH PROGRAMS AND PROPOSALS SHALL RECEIVE GRANTS OR REVOLVING LOANS PURSUANT TO SECTION 23-11.5-103 AND WHICH PROGRAMS AND PROPOSALS SHALL BE INCLUDED IN ANY MULTIPLE-USE NETWORK SELECTED PURSUANT TO SECTION 23-11.5-104.

23-11.5-106. Annual report. ANY PROGRAM THAT RECEIVES FUNDING UNDER THE GRANT AND REVOLVING LOAN PROGRAM SHALL SUBMIT AN ANNUAL REPORT TO THE COMMITTEE THAT SHOWS, AT A MINIMUM, ACHIEVEMENT OF THE CRITERIA SPECIFIED IN SECTION 23-11.5-103. THE COMMITTEE SHALL PROVIDE A SUMMARY OF THE ANNUAL REPORTS TO THE GENERAL ASSEMBLY ON OR BEFORE JANUARY 30, 1998, AND ON OR BEFORE JANUARY 30 EACH YEAR THEREAFTER.

SECTION 5. 24-75-201.1 (1) (c.5) (II) (B), Colorado Revised Statutes, 1988 Repl. Vol., as amended, is amended, and the said 24-75-201.1 (1) (c.5) (II) is further amended BY THE ADDITION OF A NEW SUB-SUBPARAGRAPH, to read:

24-75-201.1. Restriction on state appropriations. (1) (c.5) (II) (B) EXCEPT AS OTHERWISE PROVIDED IN SUB-SUBPARAGRAPH (B.7) OF THIS SUBPARAGRAPH (II), for the 1995-96 fiscal year and for each fiscal year thereafter, following the adoption by the general assembly of the general appropriation bill, there may be transferred to the controlled maintenance trust fund fifty percent of the general fund revenues for the prior fiscal year in excess of general fund appropriations, statutory rebates, and statutory transfers, not to exceed fifty million dollars, and after retention of the reserve required by paragraph (d) of this subsection (1). The capital development committee shall consider the extent to which excess general fund revenues are the result of expenditures of other general fund dollars and make a recommendation to the joint budget committee regarding excess dollars to be allocated to the controlled maintenance trust fund. The general assembly shall, by joint resolution, presented to and signed by the governor, determine the amount to be transferred and direct the state treasurer and the controller to make such transfer to the controlled maintenance trust fund.

(B.7) FOR THE 1995-96 FISCAL YEAR ONLY, TWENTY MILLION DOLLARS SHALL BE TRANSFERRED FROM THE GENERAL FUND TO THE CAPITAL CONSTRUCTION FUND, AND SUCH MONEYS ARE HEREBY APPROPRIATED FROM THE CAPITAL CONSTRUCTION FUND TO THE CONTROLLED MAINTENANCE TRUST FUND.

SECTION 6. Technology learning grant and revolving loan program appropriations. In addition to any other appropriation, there is hereby appropriated, out of any moneys in the capital construction fund not otherwise appropriated, to the department of higher education for allocation to the technology learning grant and revolving loan program created in article 11.5 of title 23, Colorado Revised Statutes, for the fiscal year beginning July 1, 1996, the sum of twenty million dollars (\$20,000,000), or so much thereof as may be necessary, for the implementation of this act.

SECTION 7. Capital construction appropriation. The sum of one hundred fifteen million dollars (\$115,000,000) is hereby appropriated out of the capital construction fund to the department of transportation for state highway reconstruction, repair, maintenance, and capacity expansion projects included on the prioritized list of projects submitted by the transportation commission to the capital development committee pursuant to section 2-3-1304 (1) (a.5), Colorado Revised Statutes. The appropriation made by this section shall become available to the department upon passage of this act and, if any project is initiated within the fiscal year, the appropriation shall remain available until completion of all the projects or for a period of three years, whichever comes first, at which time the unexpended and

unencumbered balance shall revert to the capital construction fund.

SECTION 8. 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: June 6, 1996