

## CHAPTER 197

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**EDUCATION - UNIVERSITIES AND COLLEGES**

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**HOUSE BILL 99-1289**

BY REPRESENTATIVES Berry, Smith, Alexander, Allen, Chavez, Gotlieb, Hoppe, King, Lee, McKay, Morrison, Piffner, Scott, Stengel, Tupa, Vigil, S. Williams, T. Williams, and Windels;  
also SENATORS Andrews, Teck, Chlouber, and Congrove.

**AN ACT**

CONCERNING A STUDY OF HIGHER EDUCATION, AND MAKING AN APPROPRIATION THEREFOR.

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

**SECTION 1.** Article 1 of title 23, Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW SECTION to read:

**23-1-110.5. Study of higher education organization - legislative declaration - issues - report - repeal.** (1) (a) THE GENERAL ASSEMBLY HEREBY FINDS THAT:

(I) THE CURRENT GOVERNANCE STRUCTURE FOR HIGHER EDUCATION IN THE STATE OF COLORADO WAS ESTABLISHED THROUGH LEGISLATION ENACTED IN 1985, AND AN OVERALL REVIEW OF HIGHER EDUCATION IN THE STATE HAS NOT BEEN CONDUCTED SINCE THAT TIME;

(II) THE DEMAND AND NEED FOR HIGHER EDUCATION HAS INCREASED SIGNIFICANTLY SINCE 1985 DUE, IN PART, TO POPULATION GROWTH AND CHANGES IN TECHNOLOGY THAT DRIVE CHANGES IN THE EDUCATIONAL NEEDS OF COLORADO STUDENTS;

(III) THE VOTERS OF COLORADO ADOPTED SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION IN 1992, WHICH LIMITS THE FEE AND TAX REVENUES THAT MAY BE COLLECTED BY THE STATE.

(IV) ONE EFFECT OF THE REVENUE LIMITATIONS IMPOSED IN SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION IS TO FORCE STATE GOVERNMENT, INCLUDING HIGHER EDUCATION, TO REEXAMINE ITS EXISTING METHOD OF DELIVERING SERVICES AND DETERMINE WHETHER SUCH SERVICES MAY BE DELIVERED IN A MORE

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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.*

COST-EFFECTIVE MANNER;

(V) THE HIGHER EDUCATION NEEDS OF SPECIFIC GEOGRAPHIC AREAS OF THE STATE, PARTICULARLY THE RURAL AREAS, MAY NOT BE ADEQUATELY SERVED UNDER THE CURRENT HIGHER EDUCATION STRUCTURE; AND

(VI) ADVANCES IN TECHNOLOGY AND DISTANCE LEARNING SHOULD BE EXPLORED IN THE CONTEXT OF THEIR POTENTIAL TO IMPROVE THE PROVISION OF HIGHER EDUCATION SERVICES.

(b) THE GENERAL ASSEMBLY THEREFORE CONCLUDES THAT IT WOULD BE BENEFICIAL TO CONDUCT A STUDY TO REEXAMINE HIGHER EDUCATION PERFORMANCE IN THE STATE AND DETERMINE WHETHER CHANGES AND IMPROVEMENTS MAY BE MADE IN THE DELIVERY OF HIGHER EDUCATION SERVICES TO MORE EFFECTIVELY SERVE COLORADO'S CITIZENS THROUGHOUT THE STATE.

(2) AS USED IN THIS SECTION:

(a) "COMMISSION" MEANS THE COLORADO COMMISSION ON HIGHER EDUCATION CREATED IN SECTION 23-1-102.

(b) "DEPARTMENT" MEANS THE DEPARTMENT OF HIGHER EDUCATION CREATED PURSUANT TO SECTION 24-1-114, C.R.S.

(c) "STATE INSTITUTION OF HIGHER EDUCATION" MEANS A POSTSECONDARY EDUCATIONAL INSTITUTION, INCLUDING BUT NOT LIMITED TO ANY COMMUNITY, JUNIOR, OR VOCATIONAL COLLEGE THAT IS IN THE STATE SYSTEM OF COMMUNITY AND TECHNICAL COLLEGES, ESTABLISHED AND EXISTING PURSUANT TO LAW AS AN AGENCY OF THE STATE OF COLORADO AND SUPPORTED WHOLLY OR IN PART BY TAX REVENUES.

(d) "STATE SYSTEM OF HIGHER EDUCATION" MEANS THE DEPARTMENT OF HIGHER EDUCATION, THE COLORADO COMMISSION ON HIGHER EDUCATION, THE GOVERNING BOARDS FOR THE STATE INSTITUTIONS OF HIGHER EDUCATION, AND THE STATE INSTITUTIONS OF HIGHER EDUCATION.

(3) THE DEPARTMENT:

(a) SHALL CONDUCT A TWO-YEAR STUDY OF THE PERFORMANCE OF THE STATE SYSTEM OF HIGHER EDUCATION, INCLUDING COLLECTION OF THE INFORMATION SPECIFIED IN SUBSECTION (4) OF THIS SECTION AND CONSIDERATION OF THE ISSUES SPECIFIED IN SUBSECTION (5) OF THIS SECTION. THE DEPARTMENT MAY ALSO INCLUDE INFORMATION GATHERED FROM NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION IN THE STUDY.

(b) IN CONDUCTING THE STUDY, SHALL SEEK INPUT THROUGH PUBLIC MEETINGS AND OTHER MEANS FROM THE COMMISSION, THE GOVERNING BOARDS OF THE INSTITUTIONS OF HIGHER EDUCATION, THE STATE INSTITUTIONS OF HIGHER EDUCATION, NONPUBLIC INSTITUTIONS OF HIGHER EDUCATION AND, WHENEVER FEASIBLE, FROM BUSINESSES, COMMUNITY ORGANIZATIONS, STUDENTS, AND MEMBERS OF THE PUBLIC;

(c) SHALL HOLD A JOINT MEETING ON OR BEFORE JULY 1, 1999, WITH THE JOINT BUDGET COMMITTEE AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE TO DISCUSS PLANS FOR THE HIGHER EDUCATION STUDY AND ANY ACTION TAKEN BY THE DEPARTMENT AS OF THAT DATE;

(d) SHALL HOLD JOINT MEETINGS WITH THE JOINT BUDGET COMMITTEE AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE ON OR BEFORE JANUARY 15, 2000, AND ON OR BEFORE JANUARY 15, 2001, TO DISCUSS THE FIRST AND SECOND REPORTS OF THE FINDINGS OF THE STUDY. THE FIRST AND SECOND REPORTS MAY INCLUDE RECOMMENDATIONS TO THE JOINT BUDGET COMMITTEE AND THE EDUCATION COMMITTEES FOR LEGISLATION ARISING FROM SUCH FINDINGS. THE DEPARTMENT MAY HOLD ADDITIONAL JOINT MEETINGS WITH THE JOINT BUDGET COMMITTEE AND THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE, AT THE DISCRETION OF SUCH COMMITTEES.

(e) SHALL CONTRACT WITH A PRIVATE ENTITY FOR ASSISTANCE IN CONDUCTING THE STUDY AND PREPARING THE SECOND REPORT.

(4) (a) THE FIRST REPORT OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION SHALL INCLUDE THE FOLLOWING INFORMATION:

(I) IDENTIFICATION OF UNNECESSARY DUPLICATION IN THE AREAS OF ADMINISTRATIVE OVERSIGHT, REPORTING, CURRICULUM, AND PERSONNEL MANAGEMENT IN HIGHER EDUCATION GOVERNANCE;

(II) COLLECTION OF INFORMATION CONCERNING THE TOTAL BUDGET, INCLUDING TOTAL PERSONNEL COSTS, ADMINISTRATIVE COSTS, AND OVERHEAD COSTS FOR EACH ENTITY IN THE STATE SYSTEM OF HIGHER EDUCATION FROM FISCAL YEAR 1988 THROUGH FISCAL YEAR 1999, AND EXAMINATION OF THE EXISTING HIGHER EDUCATION FUNDING PROCESS, INCLUDING ALLOCATION AND DISTRIBUTION OF GENERAL FUNDS AND COURSE-REIMBURSEMENT PAYMENTS;

(III) IDENTIFICATION OF THE AMOUNT OF MONEYS COLLECTED BY STATE INSTITUTIONS OF HIGHER EDUCATION, THE SOURCES FROM WHICH SAID MONEYS ARE RECEIVED, AND THE PORTION OF SAID MONEYS THAT HAS CONTRIBUTED OR MAY CONTRIBUTE TO ANY EXCESS REVENUES COLLECTED BY THE STATE, AS IDENTIFIED UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION;

(IV) COLLECTION OF FISCAL DATA FROM EACH HIGHER EDUCATION GOVERNING BOARD IN THE STATE AND FROM THE COMMISSION RELATING TO ADMINISTRATIVE COSTS, INCLUDING BUT NOT LIMITED TO "CHARGE BACKS" ASSESSED AGAINST INSTITUTIONS;

(V) EXAMINATION OF HIGHER EDUCATION TUITION AND FEES IN OTHER STATES, INCLUDING RATIOS OF STATE PAYMENTS AND BASE LEVELS OF STATE SUPPORT;

(VI) EXAMINATION OF THE PRACTICE OF FUNDING GRADUATE EDUCATION IN THIS STATE AND HOW THIS PRACTICE COMPARES WITH GRADUATE FUNDING PRACTICES IN OTHER STATES;

(VII) IDENTIFICATION OF THE AMOUNT OF CREDIT HOURS USED BY STATE

INSTITUTIONS OF HIGHER EDUCATION IN PROVIDING REMEDIAL CLASSES FOR STUDENTS, THE TYPES OF REMEDIAL CLASSES PROVIDED, AND AN EXPLANATION OF THE NEED FOR REMEDIAL CLASSES;

(VIII) EXAMINATION OF THE IMPACT OF THE STATE PERSONNEL SYSTEM ON THE FLEXIBILITY AND ACCOUNTABILITY OF STATE INSTITUTIONS OF HIGHER EDUCATION;

(IX) SUBMITTAL OF INFORMATION CONCERNING ENROLLMENT, RETENTION, TRANSFER, AND GRADUATION OF STUDENTS INCLUDING THE LENGTH OF TIME TAKEN BY STUDENTS TO COMPLETE DEGREE PROGRAMS AND THE PERCENTAGE OF INCOMING STUDENTS WHO NEED REMEDIATION;

(X) EXAMINATION OF THE QUALITY INDICATOR SYSTEM CREATED IN ARTICLE 13 OF THIS TITLE, INCLUDING THE CRITERIA FOR MEASURING ACHIEVEMENT OF THE INDICATORS AND THE METHOD OF ALLOCATING FUNDS AS INCENTIVES FOR ACHIEVEMENT;

(XI) EXAMINATION AND IDENTIFICATION OF THE TRANSFERABILITY OF CREDITS AND DEGREES AMONG INSTITUTIONS, AND THE COMMISSION'S ROLE IN COORDINATING THESE ISSUES. THE INFORMATION COLLECTED PURSUANT TO THIS SUBPARAGRAPH (XI) SHALL INCLUDE, BUT NEED NOT BE LIMITED TO, A LISTING OF THE COURSES INCLUDED IN ARTICULATION AGREEMENTS AND THE NUMBER OF STUDENTS TAKING EACH COURSE AND TRANSFERRING THE EARNED CREDITS PURSUANT TO THE AGREEMENTS.

(XII) EXAMINATION OF ANNUAL CAMPUS MAINTENANCE COSTS, INCLUDING BUT NOT LIMITED TO COSTS OF DEFERRED MAINTENANCE;

(XIII) COLLECTION OF INFORMATION CONCERNING CAPITAL CONSTRUCTION NEEDS RELATING TO CAPACITY FOR ALL FACILITIES OWNED OR OPERATED BY STATE INSTITUTIONS OF HIGHER EDUCATION AND BY THE COMMISSION;

(XIV) EXAMINATION OF THE CURRENT USE OF DISTANCE LEARNING TECHNIQUES AND TECHNOLOGIES BY STATE INSTITUTIONS OF HIGHER EDUCATION, INCLUDING THE AMOUNTS PAID TO THE INSTITUTIONS BY THE COMMISSION, AMOUNTS CHARGED TO STUDENTS BY INSTITUTIONS AND ENTITIES OTHER THAN THE INSTITUTIONS, AND REIMBURSEMENTS MADE TO STUDENTS FOR SUCH CHARGES, AND THE POTENTIAL FOR INCREASED USE OF DISTANCE LEARNING TECHNIQUES AND TECHNOLOGIES IN MEETING FUTURE DEMAND FOR HIGHER EDUCATION SERVICES, ESPECIALLY IN RURAL AREAS OF THE STATE;

(XV) REVIEW OF THE ROLE AND MISSION STATEMENT FOR EACH STATE INSTITUTION OF HIGHER EDUCATION. SUCH REVIEW SHALL INCLUDE EXAMINATION AND EVALUATION OF THE ADMISSIONS CRITERIA AND STANDARDS FOR EACH STATE INSTITUTION AND DETERMINATION OF PROJECTED ENROLLMENT GROWTH OR DECLINE AT EACH STATE INSTITUTION DURING THE NEXT FIVE YEARS. IN REVIEWING THE INSTITUTIONAL ROLE AND MISSION STATEMENTS, THE DEPARTMENT SHALL SOLICIT EVALUATIONS OF THE APPLICABILITY AND RELEVANCE OF EACH INSTITUTION'S ROLE AND MISSION STATEMENT FROM THE RESPECTIVE INSTITUTION.

(XVI) REVIEW OF THE ROLES, STRENGTHS, AND WEAKNESSES OF THE DEPARTMENT

OF HIGHER EDUCATION AND THE COMMISSION, INCLUDING IMPLEMENTATION OF LEGISLATIVE INTENT AND STATUTORY RESPONSIBILITIES;

(XVII) EXAMINATION AND IDENTIFICATION OF THE GEOGRAPHIC DISTRIBUTION OF GRADUATE EDUCATION PROGRAMS THROUGHOUT THE STATE, INCLUDING BUT NOT LIMITED TO THE SOURCES AND ACCESSIBILITY OF SUCH PROGRAMS, PARTICULARLY IN THE RURAL AREAS OF THE STATE.

(b) THE SECOND REPORT OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION SHALL INCLUDE THE FOLLOWING INFORMATION:

(I) IDENTIFICATION OF AREAS OF STRENGTH THAT MAY BE EXPANDED AND WEAKNESS THAT MAY BE ELIMINATED OR RESTRUCTURED FOR EACH STATE INSTITUTION OF HIGHER EDUCATION IN THE STATE AND FOR THE COMMISSION. IN IDENTIFYING STRENGTHS AND WEAKNESSES, THE DEPARTMENT SHALL CONSIDER ANY ASSESSMENTS FROM STATE INSTITUTIONS OF HIGHER EDUCATION SUBMITTED PURSUANT TO SUBSECTION (6) OF THIS SECTION.

(II) EXAMINATION OF THE EXISTING HIGHER EDUCATION GOVERNANCE STRUCTURE IN THE STATE OF COLORADO;

(III) EXAMINATION OF THE HIGHER EDUCATION GOVERNANCE STRUCTURES IN OTHER STATES, INCLUDING THE USE OF BONDING AUTHORITIES AND OTHER TYPES OF HIGHER EDUCATION CORPORATE STRUCTURES;

(IV) EXAMINATION OF THE ABILITY AND CAPACITY OF THE STATE SYSTEM OF HIGHER EDUCATION TO RESPOND TO THE STATE'S CURRENT AND EMERGING WORK FORCE DEVELOPMENT NEEDS;

(V) EXAMINATION OF FACULTY SALARIES AT EACH STATE INSTITUTION OF HIGHER EDUCATION;

(VI) REVIEW OF THE POTENTIAL FOR INCREASED USE OF PRIVATIZATION, ESPECIALLY IN OBTAINING AND APPLYING DISTANCE LEARNING TECHNIQUES AND TECHNOLOGIES BY STATE INSTITUTIONS OF HIGHER EDUCATION;

(VII) COLLECTION OF INFORMATION CONCERNING THE USE AND COORDINATION OF TECHNOLOGY IN HIGHER EDUCATION SYSTEMS IN OTHER STATES AND BETWEEN THE STATE SYSTEM OF HIGHER EDUCATION AND OTHER STATES.

(c) IN ADDITION TO THE INFORMATION SPECIFIED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (4), THE DEPARTMENT MAY COLLECT SUCH INFORMATION AS MAY BE REQUESTED BY THE JOINT BUDGET COMMITTEE OR THE EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE.

(5) (a) THE FIRST REPORT OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION SHALL INCLUDE RECOMMENDATIONS ON THE FOLLOWING ISSUES:

(I) WHERE GROWTH OR DECLINE IS PROJECTED TO OCCUR IN HIGHER EDUCATION POPULATIONS WITHIN THE STATE OVER THE NEXT FIVE YEARS AND HOW TO ADDRESS SUCH GROWTH OR DECLINE;

(II) HOW TO MEET THE HIGHER EDUCATION NEEDS OF DIVERSE POPULATIONS, INCLUDING BUT NOT LIMITED TO THE NEEDS OF PERSONS LIVING IN RURAL AREAS OF THE STATE;

(III) WHETHER THE STUDENT ADMISSION STANDARDS SHOULD BE CHANGED FOR ANY OR ALL OF THE STATE INSTITUTIONS OF HIGHER EDUCATION AND SUGGESTIONS AS TO APPROPRIATE ADMISSION STANDARDS;

(IV) WHETHER THE EXISTING PHYSICAL FACILITIES AND HUMAN RESOURCES AT STATE INSTITUTIONS OF HIGHER EDUCATION MAY BE MANAGED AND USED IN A MORE EFFICIENT AND COST-EFFECTIVE MANNER;

(V) THE DISTRIBUTION AND ORGANIZATION OF HIGHER EDUCATION CAMPUSES THROUGHOUT THE STATE, INCLUDING BUT NOT LIMITED TO WHETHER THE EXISTING CAMPUS STRUCTURES ARE THE MOST EFFICIENT AND EFFECTIVE MEANS OF DELIVERING HIGHER EDUCATION SERVICES TO PERSONS IN ALL AREAS OF THE STATE;

(VI) WHETHER A VOUCHER SYSTEM MAY BE EFFECTIVELY USED FOR FUNDING THE STATE SYSTEM OF HIGHER EDUCATION AND SUGGESTIONS AS TO THE STRUCTURE OF SUCH A VOUCHER SYSTEM;

(VII) WHETHER THE GENERAL ASSEMBLY SHOULD CONSIDER A CONCURRENT RESOLUTION TO EXCLUDE ALL OR ANY PORTION OF HIGHER EDUCATION REVENUES AND FUNDING OR ANY PORTION OF THE STATE SYSTEM OF HIGHER EDUCATION FROM FISCAL YEAR SPENDING UNDER SECTION 20 OF ARTICLE X OF THE STATE CONSTITUTION.

(b) THE SECOND REPORT OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION SHALL INCLUDE RECOMMENDATIONS ON THE FOLLOWING ISSUES:

(I) HOW STATE INSTITUTIONS OF HIGHER EDUCATION CAN MORE EFFICIENTLY AND COST-EFFECTIVELY USE DISTANCE LEARNING TO MEET THE NEEDS OF HIGHER EDUCATION AND THE DEMANDS OF POPULATIONS THROUGHOUT THE STATE, INCLUDING CONSIDERATION OF APPROPRIATE AREAS FOR PRIVATIZATION IN THE DELIVERY OF DISTANCE LEARNING SERVICES;

(II) WHETHER THE EXISTING HIGHER EDUCATION GOVERNANCE STRUCTURE MAY BE CONSOLIDATED OR OTHERWISE REALIGNED TO MORE EFFECTIVELY AND EFFICIENTLY MEET THE ADMINISTRATIVE NEEDS AND THE GOALS OF STATE INSTITUTIONS OF HIGHER EDUCATION, INCLUDING BUT NOT LIMITED TO THE FISCAL IMPACT OF ANY CONSOLIDATION OR REALIGNMENT, AND ANY SUGGESTIONS FOR SUCH CONSOLIDATION OR REALIGNMENT;

(III) ANY STATUTORY OR CONSTITUTIONAL CHANGES THAT MAY BE NECESSARY TO IMPROVE THE EXISTING STATE SYSTEM OF HIGHER EDUCATION TO ENHANCE PRODUCTIVITY AND EFFICIENCY IN THE STATEWIDE DELIVERY OF HIGHER EDUCATION SERVICES TO THE PEOPLE OF COLORADO;

(IV) WHETHER THE ROLE AND MISSION STATEMENTS FOR THE STATE INSTITUTIONS OF HIGHER EDUCATION SHOULD BE UPDATED AND ANY SUGGESTIONS FOR UPDATING SAID STATEMENTS;

(V) WHETHER THE ROLES AND STATUTORY DUTIES OF THE DEPARTMENT OF HIGHER EDUCATION AND THE COMMISSION SHOULD BE UPDATED AND ANY SUGGESTIONS FOR UPDATING SAID ROLES AND DUTIES;

(VI) ANY ADDITIONAL CONSIDERATION OF ANY OF THE ISSUES INCLUDED IN THE FIRST REPORT.

(c) IN ADDITION TO THE ISSUES SPECIFIED IN PARAGRAPHS (a) AND (b) OF THIS SUBSECTION (5), THE FIRST AND SECOND REPORTS OF THE STUDY CONDUCTED PURSUANT TO THIS SECTION MAY INCLUDE RECOMMENDATIONS ON OTHER ISSUES ARISING FROM THE INFORMATION COLLECTED PURSUANT TO SUBSECTION (4) OF THIS SECTION.

(6) EACH STATE INSTITUTION OF HIGHER EDUCATION SHALL COOPERATE FULLY WITH THE DEPARTMENT IN CONDUCTING THE STUDY PURSUANT TO THIS SECTION. EACH STATE INSTITUTION OF HIGHER EDUCATION IS STRONGLY ENCOURAGED TO SUBMIT TO THE DEPARTMENT AN ASSESSMENT OF THE AREAS IN WHICH THE INSTITUTION SHOWS STRONG PERFORMANCE AND HOW SUCH AREAS MAY BE EXPANDED AND AN ASSESSMENT OF THE AREAS IN WHICH THE INSTITUTION SHOWS WEAK PERFORMANCE AND HOW THOSE AREAS MAY BE EITHER ELIMINATED OR RESTRUCTURED TO IMPROVE PERFORMANCE. EACH NONPUBLIC INSTITUTION OF HIGHER EDUCATION IS ALSO ENCOURAGED TO WORK WITH THE DEPARTMENT IN PROVIDING INFORMATION FOR THE STUDY.

(7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2001.

**SECTION 2. Appropriation - adjustment in 1999 long bill.** (1) (a) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of higher education, for the fiscal year beginning July 1, 1999, the sum of two hundred thousand dollars (\$200,000), or so much thereof as may be necessary, for the implementation of this act.

(b) Notwithstanding the provisions of section 24-75-102, Colorado Revised Statutes, any portion of the appropriation made pursuant to paragraph (a) of this subsection (1) that remains unexpended and unencumbered as of June 30, 2000, shall continue to be available to the department of higher education for the fiscal year beginning July 1, 2000, for the implementation of this act.

(2) For the implementation of this act, appropriations made in the annual general appropriations act for the fiscal year beginning July 1, 1999, shall be adjusted as follows:

(a) The general fund appropriation to the capital construction fund outlined in section 3 (1) (f) is reduced by two hundred thousand dollars (\$200,000).

(b) The capital construction fund exempt appropriation to the department of transportation, construction projects, is reduced by two hundred thousand dollars (\$200,000).

**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 18, 1999