

CHAPTER 347

APPROPRIATIONS

SENATE BILL 01-184

BY SENATOR(S) Reeves, Tate, and Owen;
also REPRESENTATIVE(S) Young, Berry, Saliman, Groff, Jahn, Mace, Madden, and Williams S.

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 413, Session Laws of Colorado 2000, 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.

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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	323,642	245,577		46,692 ^a	31,373(T) ^b	
Short-term Disability	12,359	10,709		803 ^a	815(T) ^b	32
Salary Survey and Senior Executive Service	254,237	204,578		32,356 ^a	17,303(T) ^b	
Anniversary Increases	125,888	99,428		16,977 ^a	9,483(T) ^b	
Shift Differential	418	418				
Workers' Compensation	24,721	24,150		571 ^a		
Legal Services for 661 hours	36,890	36,890				
Purchase of Services from Computer Center	2,125	2,125				
Payment to Risk Management and Property Funds	7,041	5,196		1,845 ^a		
Leased Space	<u>225,894</u>	173,328		52,566 ^c		
		1,013,215				

^a These amounts shall be from various sources of cash funds throughout the Department.

^b These amounts shall be from Limited Gaming revenue received by the State Historical Society.

^c This amount shall be from the Private Occupational Schools Fund.

(2) COLORADO COMMISSION ON HIGHER EDUCATION^{60, 61}

(A) Administration	4,904,689	4,797,489		107,200(T) ^a
	4,979,689	4,872,489		
		(32.8 FTE)		

^a This amount represents a transfer from the Department of Local Affairs, Waste Tire Fund programs, pursuant to Section 24-32-114, C.R.S.

(B) Division of Private Occupational Schools	412,822		412,822 ^a	
			(6.5 FTE)	

^a This amount shall be from the Private Occupational Schools Fund.

(C) Special Purpose

Western Interstate Commission for Higher Education (WICHE)	88,000	88,000		
WICHE - Optometry	304,000	304,000		
Higher Education Programs of Excellence	4,441,483	882,773	87,847 ^a	3,470,863(T) ^b
Colorado Children's Trust Fund	504,000		216,000^c	188,000^d
	(2.5 FTE)			100,000

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Veterinary School Program Needs	285,000		162,400		122,600 ^e		
Rural Education Access Program ⁶²	800,000		800,000				
Enrollment/Cash Fund Contingency ⁶³	<u>5,000,000</u>				5,000,000 ^f		
	<u>11,422,483</u>						
	10,918,483						

^a This amount shall be from the Colorado Student Loan Program.

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

~~^c This amount shall be from the Colorado Children's Trust Fund.~~

~~^d This amount shall be from reserves in the Colorado Children's Trust Fund.~~

^e This amount shall be from the Western Interstate Commission on Higher Education.

^f This amount shall be from tuition and cash fund 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.

(D) Financial Aid

Need Based Grants	38,949,077		38,949,077				
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Governor's Opportunity			
Scholarships	2,000,000	2,000,000	
Grants for Part-time Students	1,250,000	1,250,000	
Merit Based Grants	14,371,810	14,371,810	
Work Study ⁶⁴	14,811,367	14,811,367	
Required Federal Match	3,376,350	2,076,350	1,300,000
Veterans/Law			
Enforcement/POW Tuition			
Assistance	50,747	50,747	
Native American Students/Fort			
Lewis College	<u>4,753,839</u>	4,753,839	
	79,563,190		
		96,303,184	
		95,874,184	

(3) TRUSTEES OF THE STATE COLLEGES IN COLORADO^{65, 66}

Governing Board and General Campuses			
General Fund and Tuition			
Allocation	129,601,951	73,940,439	55,661,512 ^a
	(1,899.3 FTE)		
Other Than Tuition Revenue	1,943,609		1,943,609 ^b
Auxiliary Revenue	<u>4,345,049</u>		4,345,049 ^c
	135,890,609		

^a This amount shall be from tuition revenue.

^b This amount shall be from other than tuition revenue.

^c This amount shall be from auxiliary revenue.

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(4) STATE BOARD OF AGRICULTURE^{2, 65, 66, 67}						
Governing Board and General Campuses						
General Fund and Tuition						
Allocation	<u>268,649,914</u>	<u>146,157,279</u>		122,492,635 ^a		
	268,847,559	146,354,924				
	(4,050.6 FTE)					
Other Than Tuition Revenue	27,165,155			26,640,365 ^b	524,790 ^c	
Auxiliary Revenue	<u>25,520,537</u>			25,520,537 ^d		
		321,335,606				
		321,533,251				

^a This amount shall be from tuition revenue.

^b This amount shall be from other than tuition revenue.

^c Of this amount, \$308,700 shall be from the Water Research Fund. For purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys are included for informational purposes as they are continuously appropriated by a permanent statute or constitutional provision. Also, \$216,090(T) shall be from the Local Government Mineral Impact Fund pursuant to Section 34-63-102, C.R.S. This amount represents a 2001 calendar year grant; any unexpended balance on June 30, 2001 is intended to roll forward and remain available for expenditure in FY 2001-02.

^d This amount shall be from auxiliary revenue.

(5) REGENTS OF THE UNIVERSITY OF COLORADO^{65, 66, 67, 67a}

(A) Board of Regents and General Campuses

General Fund and Tuition

Allocation	475,456,461	206,664,144	268,792,317 ^a	
	(5,901.1 FTE)			
Other Than Tuition Revenue	30,816,000		30,158,469 ^b	657,531(T) ^c
Auxiliary Revenue	<u>19,330,511</u>		19,330,511 ^d	
	525,602,972			

^a This amount shall be from tuition revenue.

^b This amount shall be from other than tuition revenue.

^c This amount shall be from the Local Government Mineral Impact Fund pursuant to Section 34-63-102, C.R.S. This amount represents a 2001 calendar year grant; any unexpended balance on June 30, 2001 is intended to roll forward and remain available for expenditure in FY 2001-02.

^d This amount shall be from auxiliary revenue.

(B) Health Sciences Center

Advisory Commission on Family Medicine

Residency Training Programs	2,240,783			
Commission Expenses	95,409			
	<u>(1.0 FTE)</u>			
	2,336,192	249,950		2,086,242(T) ^a

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

527,939,164

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(6) TRUSTEES OF THE COLORADO SCHOOL OF MINES^{65,66}						
General Campus						
General Fund and Tuition						
Allocation	45,154,300 (610.5 FTE)	19,495,658		25,658,642 ^a		
Other Than Tuition Revenue	434,402			434,402 ^b		
Auxiliary Revenue	<u>430,216</u>			430,216 ^c		
	46,018,918					

^a This amount shall be from tuition revenue.

^b This amount shall be from other than tuition revenue.

^c This amount shall be from auxiliary revenue.

(7) UNIVERSITY OF NORTHERN COLORADO^{65,66}

General Campus						
General Fund and Tuition						
Allocation	74,374,556 (1,026.5 FTE)	41,959,738		32,414,818 ^a		
Other Than Tuition Revenue	3,174,245			3,174,245 ^b		

Auxiliary Revenue	<u>1,260,256</u>		1,260,256 ^c
		78,809,057	

- ^a This amount shall be from tuition revenue.
- ^b This amount shall be from other than tuition revenue.
- ^c This amount shall be from auxiliary revenue.

(8) STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION STATE SYSTEM COMMUNITY COLLEGES^{65, 66}

Governing Board and General Campuses

General Fund and Tuition

Allocation	205,455,475	124,464,488	80,990,987 ^a	
	(4,144.0 FTE)			
Other Than Tuition Revenue	10,431,257		8,431,257 ^b	2,000,000(L) ^c
Auxiliary Revenue	<u>961,663</u>		961,663 ^d	
		216,848,395		

- ^a This amount shall be from tuition revenue.
- ^b This amount shall be from other than tuition revenue.
- ^c This amount shall be from local property tax collections.
- ^d This amount shall be from auxiliary revenue.

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

13,941,543	13,941,543
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(10) DIVISION OF OCCUPATIONAL EDUCATION

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(A) Administrative Costs	622,451		622,451				
			(9.0 FTE)				
(B) Colorado Vocational Act Distributions pursuant to Section 23-8-102, C.R.S.	17,792,850		17,792,850				
(C) Area Vocational School Support	10,885,321		10,885,321				
(D) Sponsored Programs							
(1) Administration	1,774,709						
	(28.5 FTE)						
(2) Programs	13,019,517						
	<u>14,794,226</u>						14,794,226
(E) Colorado First Customized Job Training TRAINING^{162a}	3,133,400					3,133,400(T) ^a	

(F) Existing Industry Training

TRAINING ^{162a}	<u>1,125,220</u>		1,125,220(T) ^a
		48,353,468	

^a These amounts represent transfers from the Department of Local Affairs, Economic Development section. Any amounts included in state fiscal year spending are accounted for in the Department of Local Affairs' appropriation.

(11) AURARIA HIGHER EDUCATION CENTER⁶⁵

Administration	15,514,447		15,514,447(T) ^a
	(196.0 FTE)		
Auxiliary Revenue	<u>51,450</u>	51,450 ^b	
		15,565,897	

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

^b This amount shall be from auxiliary revenue.

(12) COUNCIL ON THE ARTS

Personal Services	451,408	357,936	93,472 ^a	
		(6.0 FTE)	(2.0 FTE)	
Operating Expenses	93,630	79,568	14,062 ^a	
	95,470	81,408		
Programs/Scientific and Cultural				
Facilities District	980,424	724,474	1,250 ^b	254,700
Programs/Greater Colorado	<u>980,424</u>	724,474	1,250 ^b	254,700

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	2,505,886					
	2,507,726					

^a These amounts shall be from the Art in Public Places Fund originating from capital construction appropriations.

^b These amounts shall be from gifts, grants, and donations.

(13) STATE HISTORICAL SOCIETY

(A) Administration

Administration and General	3,761,614	2,500,444	600,810 ^a	152,247 ^b	508,113
	3,767,352	2,506,182			
(78.1 FTE)					
Utilities	51,404	27,787	23,617 ^a		
Cumbres and Toltec Railroad Commission	48,635	48,635			
	45,635	45,635			
Certified Local Government Program	65,000				65,000
	3,926,653				
	3,929,391				

^a These amounts shall be from museum admission fees, user charges, and other sources of cash funds.

^b Of this amount, \$107,247(T) shall be from indirect cost recoveries within the agency and \$45,000 shall be from various sources of cash funds exempt.

(B) Sponsored Programs

Program Costs	355,000	110,000(T) ^a	185,000 ^b	60,000
	(2.5 FTE)			

^a This amount shall be from a contract with Correctional Industries for the Ordway Conservation Center.

^b This amount shall be from donations and gifts.

(C) Auxiliary Programs

Program Costs	1,150,000	1,020,000 ^a	130,000 ^b	
	(12.5 FTE)			

^a This amount shall be from museum shop sales, microphoto 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

Historic Preservation for Gaming				
Cities	3,528,000			
Historic Preservation Grant				
Program	14,112,000			
	(13.0 FTE)			
	<u>17,640,000</u>			
				17,640,000(T) ^a

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	23,071,653					
	23,074,391					
TOTALS PART VI (HIGHER EDUCATION)^{5,6}	\$1,527,596,595	\$746,737,430		\$716,438,446*	\$47,083,948*	\$17,336,771
	<u>\$1,527,369,818</u>	<u>\$747,014,653</u>		<u>\$716,222,446^a</u>	<u>\$46,895,948^a</u>	<u>\$17,236,771</u>

^a This amount shall be from the Department of Revenue, Division of Gaming, and is dedicated to historic preservation.

^a Of these amounts, \$44,227,214 contains a (T) notation and \$2,000,000 contains an (L) notation.

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

2 Department of Agriculture, Agricultural Services Division; Department of Higher Education, State Board of Agriculture; Department of Natural Resources, State Board of Land Commissioners, State Trust Land Evaluations; Parks and Outdoor Recreation; and Division of Wildlife; and Department of Transportation, Construction, Maintenance, and Operations -- Pursuant to Executive Order D00699 issued July 19, 1999, and requirements of Sections 35-5.5-104, 35-5.5-110, and 35-5.5-112, C.R.S., the Departments of Agriculture, Higher Education, Natural Resources, and Transportation are requested to coordinate noxious weed control measures. Each department's designated noxious weed coordinator is requested to collaborate with the state weed coordinator at the Department of Agriculture to prepare a report, to be submitted to the Joint Budget Committee on or before November 1, 2000. The report should identify weed management needs of each applicable program within each respective department; include each department's

integrated weed management plan; identify all appropriated funding, staff resources, and programs or procedures undertaken to address noxious weed control for FY 2000-01; identify all applicable federal, state, and local partners in managing noxious weeds; and identify programs or procedures previously accomplished. In order to ensure resources are being prioritized and implemented effectively, and to avoid duplication of effort, departments are also requested to consult with the state weed coordinator on any funding changes requested for FY 2001-02, prior to submission to the Governor's Office of State Planning and Budgeting.

5 (Governor lined through this provision. See L. 2000, p. 2752.)

6 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. Each principal department of the state shall produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.

60 Department of Higher Education, Colorado Commission on Higher Education -- For the FY 2001-02 budget request, the Colorado Commission on Higher Education is directed to submit a unified budget request representing all functions performed by the Governing Boards and Local District Junior Colleges. This request should include the independent Colorado State University agencies and the various occupational education programs under the Colorado Community College and Occupational Education System. In recognition of the state's General Fund appropriation limitation, the Commission is directed to limit the total General Fund increase requested to no more than 6 percent.

61 Department of Higher Education, Colorado Commission on Higher Education -- The Colorado Commission on Higher Education is requested to work with the governing boards to submit a report to the Joint Budget Committee by no later than November 1, 2000, comparing growth in the number of non-teaching, non-auxiliary FTE with student enrollment over the last ten years. The Colorado Commission on Higher Education is requested to include an explanation and justification to be provided by the institutions for each campus with significantly higher rates of growth in FTE than in students.

62 Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Rural Education Access Program -- It is the intent of the General Assembly to allow the Colorado Commission on Higher Education to roll forward the appropriation for the Rural Education Access Program to the next fiscal year.

63 Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Enrollment/Cash Fund 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 other cash

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

fund 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 for spending authority from this line item to support tuition or fee increases.

64 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 2 percent of the Work Study appropriation to the next fiscal year.

65 Department of Higher Education, Trustees of the State Colleges in Colorado; State Board of Agriculture; 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; 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.

66 Department of Higher Education, Trustees of the State Colleges in Colorado; State Board of Agriculture; 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 -- It is the intent of the General Assembly that the resident tuition rates by Governing Board be raised up to 2.9 percent and nonresident tuition rates by Governing Board be raised up to 4.0 percent. These rates are used in order to increase spending authority for program enhancements and this is not an attempt by the General Assembly to set tuition policy. Each Governing Board will give consideration to establishing equity of tuition increases among the campuses under the Governing Board's jurisdiction. In addition to the tuition increases outlined above, the General Assembly has approved an additional \$1,438,605 in tuition spending authority for the University of Colorado for the following: at the Colorado Springs campus for the resident graduate, education, engineering, and business programs and all nonresident tuition; at the Denver campus for resident

undergraduate lower division freshman and sophomore tuition; at the Boulder campus for nonresident graduate business, engineering, journalism/music programs, and other miscellaneous programs where the nonresident graduate tuition rate is currently less than the nonresident undergraduate tuition rate.

67 (Governor lined through this provision. See L. 2000, p. 2755.)

67a (Governor lined through this provision. See L. 2000, p. 2756.)

162a GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING, ECONOMIC DEVELOPMENT PROGRAMS, COLORADO FIRST CUSTOMIZED JOB TRAINING; AND EXISTING INDUSTRY TRAINING; AND DEPARTMENT OF HIGHER EDUCATION, DIVISION OF OCCUPATIONAL EDUCATION, COLORADO FIRST CUSTOMIZED JOB TRAINING; AND EXISTING INDUSTRY TRAINING -- THESE PROGRAMS ARE REQUESTED TO SUBMIT TO THE JOINT BUDGET COMMITTEE BY NOVEMBER 1, 2000, A DETAILED PLAN FOR ACCOUNTABILITY, INCLUDING REVIEW CRITERIA FOR SELECTION OF COMPANIES TO PARTICIPATE, THE NUMBER OF NEW JOBS CREATED BY THE PROGRAMS, THE NUMBER OF UNEMPLOYED AND UNDEREMPLOYED INDIVIDUALS WHO WERE TRAINED AND EMPLOYED BY THESE PROGRAMS, THE AMOUNT OF NEW PERSONAL INCOME AND STATE PERSONAL AND CORPORATE INCOME TAX GENERATED BY THESE PROGRAMS, THE TIME PERIOD FOR REPAYMENT OF STATE INVESTMENT IN THESE PROGRAMS, AND THE NUMBER OF PERSONS TAKEN OFF STATE SUPPORT PROGRAMS AND THE MONEY SAVED THEREBY. UP TO TEN PERCENT OF THE CUSTOMIZED JOB TRAINING APPROPRIATION MAY BE USED TO SUPPLEMENT THE EXISTING INDUSTRY TRAINING APPROPRIATION.

SECTION 2. Part VI (13)(C) and the affected totals of section 2 of chapter 364, Session Laws of Colorado 1999, as amended by section 1 of chapter 397, Session Laws of Colorado 2000, are amended to read:

Section 2. **Appropriation.**

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(13) STATE HISTORICAL SOCIETY

(C) Auxiliary Programs

Program Costs	1,250,000	1,130,000*	120,000 ^b
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1,315,640 (12.5 FTE)				1,195,640 ^a		
		21,872,174				21,937,814
TOTALS PART VI (HIGHER EDUCATION)^{5,6}		\$1,463,554,987	\$715,653,536	\$680,537,766 ^a	\$50,049,724 ^a	\$17,313,961
		<u>\$1,463,620,627</u>		<u>\$680,603,406^a</u>		

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

^b This amount shall be from donations and gifts.

^a Of these amounts, \$29,475,674 contains a (T) notation and \$3,193,800 contains an (L) notation.

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 5, 2001

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