

CHAPTER 14

EDUCATION - UNIVERSITIES AND COLLEGES

SENATE BILL 03-170

BY SENATOR(S) Teck, Owen, and Reeves;
also REPRESENTATIVE(S) Plant, Witwer, and Young.

AN ACT

CONCERNING THE APPROPRIATION OF MONEYS FOR THE SUPPORT OF METROPOLITAN STATE COLLEGE OF DENVER AND FORT LEWIS COLLEGE IN THE 2002-03 GENERAL APPROPRIATION BILL AS A DIRECT APPROPRIATION TO THE BOARD OF TRUSTEES FOR EACH SUCH INSTITUTION.

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

SECTION 1. 23-1-104 (4), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

23-1-104. Financing the system of postsecondary education - repeal. (4) (c.5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ANY MONEYS APPROPRIATED FOR THE SUPPORT OF METROPOLITAN STATE COLLEGE OF DENVER IN THE GENERAL APPROPRIATION BILL FOR THE 2002-03 FISCAL YEAR SHALL BE MADE AS A DIRECT APPROPRIATION TO THE BOARD OF TRUSTEES FOR METROPOLITAN STATE COLLEGE OF DENVER.

SECTION 2. 23-1-104 (7), Colorado Revised Statutes, is amended BY THE ADDITION OF A NEW PARAGRAPH to read:

23-1-104. Financing the system of postsecondary education - repeal. (7) (b.5) NOTWITHSTANDING ANY PROVISION OF THIS SECTION TO THE CONTRARY, ANY MONEYS APPROPRIATED FOR THE SUPPORT OF FORT LEWIS COLLEGE IN THE GENERAL APPROPRIATION BILL FOR THE 2002-03 FISCAL YEAR SHALL BE MADE AS A DIRECT APPROPRIATION TO THE BOARD OF TRUSTEES FOR FORT LEWIS COLLEGE.

SECTION 3. Part VI (4) and the affected totals of section 2 of chapter 399, Session Laws of Colorado 2002, are 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.

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

**PART VI
DEPARTMENT OF HIGHER EDUCATION**

(4) GOVERNING BOARDS AND LOCAL DISTRICT JUNIOR COLLEGES¹

(A) TRUSTEES OF THE STATE COLLEGES IN COLORADO^{67a, 73, 74, 75}

Governing Board and General Campuses

General Fund and Tuition

Allocation	121,930,004	81,871,741	40,058,263^a
	52,273,410	36,347,708	15,925,702 ^a
	(1,874.7 FTE)		
	(888.7 FTE)		
Other Than Tuition Revenue	2,401,231		2,401,231^b
	910,260		910,260 ^b
Auxiliary Revenue	6,869,697		6,869,697^c
	<u>2,943,868</u>		<u>2,943,868^c</u>
	131,200,932		
	56,127,538		

^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.

(B) TRUSTEES OF METROPOLITAN STATE COLLEGE ^{67a, 73, 74, 75}

GOVERNING BOARD AND GENERAL CAMPUSES

GENERAL FUND AND TUITION

ALLOCATION	69,656,594	45,524,033	24,132,561 ^a
	(986.0 FTE)		

OTHER THAN TUITION

REVENUE	1,490,971		1,490,971 ^b
AUXILIARY REVENUE	<u>3,925,829</u>		3,925,829 ^c
	75,073,394		

^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.

~~(B) STATE BOARD OF AGRICULTURE~~ ^{67a, 73, 74, 75} (C) BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM ^{67a, 73, 74, 75}

Governing Board and General Campuses

General Fund and Tuition

Allocation	277,703,174	158,226,222	119,476,952^a
	251,270,797	147,602,241	103,668,556 ^a
	(4,033.3 FTE)		
	(3,630.4 FTE)		

Other Than Tuition Revenue	31,412,435	31,196,345^b	216,090(T)^c
	29,253,269	29,083,269 ^b	170,000(T) ^c

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Auxiliary Revenue	29,135,121				29,135,121 ^a		
	<u>26,972,354</u>				26,972,354 ^d		
	338,250,730						
	307,496,420						

^a This amount shall be from tuition revenue.

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

^c This amount shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund, created in Section 34-63-102 (5), C.R.S. This amount represents a 2003 calendar year grant; any unexpended balance on June 30, 2003, is intended to roll forward and remain available for expenditure in FY 2003-04.

^d This amount shall be from auxiliary revenue.

(D) TRUSTEES OF FORT LEWIS COLLEGE ^{67A, 73, 74, 75}

GOVERNING BOARD AND GENERAL CAMPUS

GENERAL FUND AND TUITION

ALLOCATION	26,432,377	10,623,981	15,808,396 ^a	
	(402.9 FTE)			

OTHER THAN TUITION

REVENUE	2,159,166		2,113,076 ^b	46,090(T) ^c
AUXILIARY REVENUE	<u>2,162,767</u>		2,162,767 ^d	

30,754,310

^a THIS AMOUNT SHALL BE FROM TUITION REVENUE.

^b THIS AMOUNT SHALL BE FROM OTHER THAN TUITION REVENUE.

^c THIS AMOUNT SHALL BE FROM MONEYS APPROPRIATED TO THE DEPARTMENT OF LOCAL AFFAIRS FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND, CREATED IN SECTION 34-63-102 (5), C.R.S. THIS AMOUNT REPRESENTS A 2003 CALENDAR YEAR GRANT; ANY UNEXPENDED BALANCE ON JUNE 30, 2003, IS INTENDED TO ROLL FORWARD AND REMAIN AVAILABLE FOR EXPENDITURE IN FY 2003-04.

^d THIS AMOUNT SHALL BE FROM AUXILIARY REVENUE.

~~(C)~~ (E) REGENTS OF THE UNIVERSITY OF COLORADO^{67a, 73, 74, 75, 76}

Governing Board and General Campuses

General Fund and Tuition

Allocation	505,470,657	225,941,651	279,529,006 ^a	
	(6,037.5 FTE)			
Other Than Tuition Revenue	50,280,934		41,704,674 ^b	8,576,260 ^c
Auxiliary Revenue	<u>30,340,618</u>		30,340,618 ^d	
	586,092,209			

^a This amount shall be from tuition revenue.

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

^c Of this amount, \$7,918,729 shall be from the Tobacco Litigation Settlement Cash Fund created in Section 24-22-115, C.R.S., pursuant to Section 24-75-1104 (1) (c), C.R.S., and \$657,531(T) shall be from moneys appropriated to the Department of Local Affairs from the Local Government Mineral Impact Fund, created in Section 34-63-102 (5), C.R.S. The Local Government Mineral Impact Fund amount represents a 2003 calendar year grant; any unexpended balance on June 30, 2003, is intended to roll forward and remain available for expenditure in FY 2003-04.

^d This amount shall be from auxiliary revenue.

~~(D)~~ (F) TRUSTEES OF THE COLORADO SCHOOL OF MINES^{67a, 73, 74, 75}

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Governing Board and General Campus						
General Fund and Tuition						
Allocation	41,229,098	20,525,170		20,703,928 ^a		
	(570.1 FTE)					
Other Than Tuition Revenue	1,584,406			1,334,406 ^b	250,000(T) ^c	
Auxiliary Revenue	<u>631,068</u>			631,068 ^d		
	43,444,572					

^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 Oil and Gas Conservation Commission in the Department of Natural Resources and shall be for the management and operations of the Colorado Energy Research Institute created pursuant to Section 23-41-114, C.R.S.

^d This amount shall be from auxiliary revenue.

~~(E)~~ (G) UNIVERSITY OF NORTHERN COLORADO^{67a, 73, 74,}

75

Governing Board and General Campus

General Fund and Tuition

Allocation	71,214,889	44,811,849		26,403,040 ^a		
	(1,079.9 FTE)					

Other Than Tuition Revenue	4,332,385		4,332,385 ^b
Auxiliary Revenue	<u>1,220,125</u>		1,220,125 ^c
	76,767,399		

- ^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.

(F) (H) STATE BOARD FOR COMMUNITY COLLEGES AND OCCUPATIONAL EDUCATION STATE SYSTEM COMMUNITY COLLEGES^{67a, 73, 74, 75}

Governing Board and General Campuses

General Fund and Tuition

Allocation	205,279,050	139,604,591	65,674,459 ^a	
	(4,495.1 FTE)			
Other Than Tuition Revenue	11,232,086		9,232,086 ^b	2,000,000(L) ^c
Auxiliary Revenue	<u>1,331,646</u>		1,331,646 ^d	
	217,842,782			

- ^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.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(I) LOCAL DISTRICT JUNIOR COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.	14,894,754	14,894,754				
	1,408,493,378					
TOTALS PART VI (HIGHER EDUCATION)⁵						
⁶	<u>\$1,625,761,674</u>	<u>\$797,870,851</u>	<u> </u>	<u>\$721,408,270^a</u>	<u>\$87,008,845^a</u>	<u>\$19,473,708</u>

^a Of these amounts, \$76,557,335 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.

- 1 (Governor lined through this provision. See L. 2002, p. 3033.)
- 5 (Governor lined through this provision. See L. 2002, p. 3034.)
- 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.

20 (Governor lined through this provision. See L. 2002, p. 3040.)

65 (Governor lined through this provision. See L. 2002, p. 3054.)

66 Department of Higher Education, Colorado Commission on Higher Education; and Governing Boards and Local District Junior Colleges, Regents of the University of Colorado -- It is the intent of the General Assembly that in the future requests for enrollment funding for the University of Colorado Health Sciences Center's nursing program will be calculated in a manner similar to the request for enrollment funding for all other higher education institutions.

67 (Governor lined through this provision. See L. 2002, p. 3054.)

67a (Governor lined through this provision. See L. 2002, p. 3055.)

68 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.

69 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 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.

- 70 (Governor lined through this provision. See L. 2002, p. 3055.)
- 71 (Governor lined through this provision. See L. 2002, p. 3055.)
- 72 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 two percent of the Work Study appropriation to the next fiscal year.
- 73 Department of Higher Education, Governing Boards and Local District Junior Colleges, Trustees of the State Colleges in Colorado; TRUSTEES OF METROPOLITAN STATE COLLEGE; ~~State Board of Agriculture~~; BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM; TRUSTEES OF FORT LEWIS COLLEGE; 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.
- 74 (Governor lined through this provision. See L. 2002, p. 3056.)
- 75 Department of Higher Education, Governing Boards and Local District Junior Colleges, Trustees of the State Colleges in Colorado; TRUSTEES OF METROPOLITAN STATE COLLEGE; ~~State Board of Agriculture~~; BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM; TRUSTEES OF FORT LEWIS COLLEGE; 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 higher education institutions that choose to increase resident tuition rates by more than 4.7 percent shall devote at least 25 percent of the additional revenue from this action toward providing financial aid to resident students on the basis of need. This does not apply to the \$3,274,351 in additional tuition spending authority approved for specific programs of the Regents of the University of Colorado, or the \$878,422 in additional tuition spending authority approved for the State Board of Agriculture

for the college of veterinary medicine. The Colorado Commission on Higher Education is requested to submit a report to the Joint Budget Committee by November 1, 2002, on the amount of new tuition revenue devoted to need based financial aid in the FY 2002-03 budget developed by each higher education institution.

76 (Governor lined through this provision. See L. 2002, p. 3057.)

SECTION 4. 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, 2003