

## CHAPTER 447

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**APPROPRIATIONS**

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SENATE BILL 07-164

BY SENATOR(S) Tapia, Keller, and Johnson;  
also REPRESENTATIVE(S) Buescher, Pommer, White, Casso, Labuda, Merrifield, Peniston, and Todd.

**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 394, Session Laws of Colorado 2006, is amended to read:

Section 2. **Appropriation.**

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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.*

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	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	565,992			189,588 <sup>a</sup>	376,404 <sup>b</sup>	
Short-term Disability	7,086			3,246 <sup>a</sup>	3,359 <sup>b</sup>	481
Amortization Equalization Disbursement	47,033			21,542 <sup>a</sup>	22,295 <sup>b</sup>	3,196
Salary Survey and Senior Executive Service	217,561			71,323 <sup>a</sup>	126,579 <sup>b</sup>	19,659
Workers' Compensation	16,988			13,884 <sup>a</sup>	3,104 <sup>b</sup>	
Legal Services for <del>448 hours</del> 995 HOURS	<del>30,361</del> 67,431		37,070	22,771 <sup>a</sup>	7,590 <sup>b</sup>	
Purchase of Services from Computer Center	6,392			3,190 <sup>a</sup>	3,202 <sup>b</sup>	
Payment to Risk Management and Property Funds	<del>25,347</del> 34,033			<del>2,568<sup>a</sup></del> 3,436 <sup>a</sup>	<del>22,779<sup>b</sup></del> 30,597 <sup>b</sup>	
Leased Space	<u>353,073</u>			353,073 <sup>a</sup>		
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	<del>1,269,833</del>					
	1,315,589					

<sup>a</sup> Of these amounts \$495,087(T) shall be from statewide and departmental indirect cost recoveries, and ~~\$186,098~~ \$186,966 shall be from various sources of cash funds throughout the Department. The cash funds represents indirect cost recoveries from entities qualifying as enterprises pursuant to Article X, Section 20 of the State Constitution.

<sup>b</sup> These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

**(2) COLORADO COMMISSION ON HIGHER EDUCATION**

**(A) Administration**<sup>36, 37, 38, 38a</sup>

Administration	2,478,586			1,944,338(T) <sup>a</sup> (26.5 FTE)	184,248(T) <sup>a</sup>	350,000 (3.6 FTE)
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<sup>a</sup> These amounts shall be from statewide and departmental indirect cost recoveries.

**(B) Division of Private  
Occupational Schools**

	526,780			526,780 <sup>a</sup> (7.8 FTE)		
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<sup>a</sup> This amount shall be from the Private Occupational Schools Fund created in Section 12-59-116, C.R.S.

**(C) Special Purpose**

Western Interstate Commission for Higher Education (WICHE)	112,000	112,000(T) <sup>a</sup>	
WICHE - Optometry	399,000	399,000(T) <sup>a</sup>	
Advanced Technology Grants	825,000		825,000(T) <sup>b</sup>
Veterinary School Program Needs	285,000	285,000 <sup>c</sup>	
Enrollment/Tuition and Stipend Contingency <sup>38b</sup>	<u>20,000,000</u>		20,000,000 <sup>d</sup>
	21,621,000		

24,626,366

<sup>a</sup> These amounts shall be from statewide and departmental indirect cost recoveries.

<sup>b</sup> This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Advanced Technology Fund, and it is shown for informational purposes only, since moneys in the Advanced Technology Fund are continuously appropriated pursuant to Section 23-1-106.5 (9), C.R.S.

<sup>c</sup> Of this amount, \$122,600 shall be from the Western Interstate Commission on Higher Education, and \$162,400(T) shall be from statewide and departmental indirect cost recoveries.

<sup>d</sup> This amount shall be from tuition and stipend 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.

**(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID**

**(A) Need Based Grants**

General Need Based Grants	52,136,963
Governor's Opportunity Scholarships	<del>8,000,000</del>
	<u>7,960,000</u>

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					FEDERAL FUNDS
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT		
\$	\$	\$	\$	\$	\$	\$	\$
<del>60,136,963</del>		<del>60,136,963</del>					
60,096,963		60,096,963					
<b>(B) Merit Based Grants</b>	1,500,000	1,500,000					
<b>(C) Work Study<sup>39</sup></b>	<del>15,003,374</del>	<del>15,003,374</del>					
	14,884,300	14,884,300					
<b>(D) Special Purpose</b>							
Scholarships for Precollegiate Programs <sup>39a</sup>	800,000	800,000					
Required Federal Match	3,026,350	1,726,350				1,300,000	
Veterans/Law Enforcement/ POW Tuition Assistance	364,922	364,922					
National Guard Tuition Assistance Fund <sup>40</sup>	<del>430,197</del>	<del>430,197</del>					
	589,271	589,271					
Native American Students/Fort Lewis College	7,634,353	7,634,353					
Early Childhood Professional Loan Repayment Program <sup>41</sup>	<u>5,000</u>					5,000(T) <sup>a</sup>	
	12,419,896						

<sup>a</sup> This amount shall be from federal Child Care Development Funds transferred from the Department of Human Services.

88,901,159

**(4) COLLEGE OPPORTUNITY FUND PROGRAM**

**(A) Stipends<sup>41b</sup>**

Stipends for an estimated 123,524 eligible full-time equivalent students attending state institutions at \$2,580.00 per 30 credit hours	318,691,920		
Stipends for an estimated 600 eligible full-time equivalent students attending participating private institutions at \$1,290.00 per 30 credit hours	<u>774,000</u>		
	319,465,920	84,065,920	235,400,000 <sup>a</sup>

<sup>a</sup> This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

**(B) Fee-for-service Contracts  
with State Institutions**

<del>258,636,124</del>	<del>258,636,124</del>
260,032,610	260,032,610
<del>578,102,044</del>	
579,498,530	

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(5) GOVERNING BOARDS</b>						
<b>(A) Trustees of Adams State</b>						
<b>College<sup>42, 43</sup></b>	19,022,617				19,022,617 <sup>a</sup>	(286.1 FTE)
<sup>a</sup> Of this amount, \$12,562,412(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$6,368,109 shall be from the students' share of tuition, and \$92,096 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,898,380 shall be from student stipend payments and \$8,664,032 shall be from fee-for-service contracts.						
<b>(B) Trustees of Mesa State</b>						
<b>College<sup>42, 43</sup></b>	40,740,708				40,740,708 <sup>a</sup>	(426.6 FTE)
<sup>a</sup> Of this amount, \$20,632,636(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$19,958,072 shall be from the students' share of tuition, and \$150,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$11,586,780 shall be from student stipend payments and \$9,045,856 shall be from fee-for-service contracts.						
<b>(C) Trustees of Metropolitan</b>						
<b>State College of Denver<sup>42, 43</sup></b>	85,940,425				85,940,425 <sup>a</sup>	(1,023.1 FTE)

<sup>a</sup> Of this amount, \$41,165,915(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$44,214,860 shall be from the students' share of tuition, and \$559,650 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$37,002,360 shall be from student stipend payments and \$4,163,555 shall be from fee-for-service contracts.

**(D) Trustees of Western State**

<b>College</b> <sup>42, 43</sup>	19,751,596	19,751,596 <sup>a</sup>
		(205.1 FTE)

<sup>a</sup> Of this amount, \$10,470,780(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$8,980,816 shall be from the students' share of tuition, and \$300,000 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$3,893,220 shall be from student stipend payments and \$6,577,560 shall be from fee-for-service contracts.

**(E) Board of Governors of the Colorado State University System**<sup>42, 43</sup>

	293,191,717	293,191,717 <sup>a</sup>
		(3,750.1 FTE)

<sup>a</sup> Of this amount, \$123,364,193(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$163,433,524 shall be from the students' share of tuition, \$6,224,000 shall be from academic fees and academic facility fees, and \$170,000(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 AMOUNT FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND REPRESENTS A 2007 CALENDAR YEAR GRANT, AND ANY UNEXPENDED BALANCE ON JUNE 30, 2007 IS INTENDED TO ROLL FORWARD AND REMAIN AVAILABLE FOR EXPENDITURE THROUGH JUNE 30, 2008. Of the amount from the College Opportunity Fund Program, \$49,577,280 shall be from student stipend payments and \$73,786,913 shall be from fee-for-service contracts.

**(F) Trustees of Fort Lewis**

<b>College</b> <sup>42, 43</sup>	<del>34,349,658</del>	<del>34,349,658<sup>a</sup></del>
	34,351,658	34,351,658 <sup>a</sup>
		(425.2 FTE)



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

\* Of this amount, \$10,745,793(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$22,407,865 shall be from the students' share of tuition, \$1,150,000 shall be from academic fees and academic facility fees, and ~~\$46,000(T)~~ \$48,000(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 AMOUNT FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND REPRESENTS A 2007 CALENDAR YEAR GRANT, AND ANY UNEXPENDED BALANCE ON JUNE 30, 2007 IS INTENDED TO ROLL FORWARD AND REMAIN AVAILABLE FOR EXPENDITURE THROUGH JUNE 30, 2008. Of the amount from the College Opportunity Fund Program, \$6,651,240 shall be from student stipend payments and \$4,094,553 shall be from fee-for-service contracts.

**(G) Regents of the University of Colorado<sup>42, 43</sup>**

649,674,913	649,674,913*
651,071,399	651,071,399*
	(6,169.8 FTE)

\* Of this amount, ~~\$178,395,392(T)~~ \$179,791,878(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$453,264,459 shall be from the students' share of tuition, \$17,357,531 shall be from academic fees and academic facility fees, 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 AMOUNT FROM THE LOCAL GOVERNMENT MINERAL IMPACT FUND REPRESENTS A 2007 CALENDAR YEAR GRANT, AND ANY UNEXPENDED BALANCE ON JUNE 30, 2007 IS INTENDED TO ROLL FORWARD AND REMAIN AVAILABLE FOR EXPENDITURE THROUGH JUNE 30, 2008. Of the amount from the College Opportunity Fund Program, \$72,879,840 shall be from student stipend payments and ~~\$105,515,552~~ \$106,912,038 shall be from fee-for-service contracts.

**(H) Trustees of the Colorado School of Mines<sup>42, 43</sup>**

62,145,318	62,145,318*
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(591.2 FTE)

° Of this amount, \$20,043,357(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$40,759,486 shall be from the students' share of tuition, \$142,475 shall be from academic fees and academic facility fees, and \$1,200,000 shall be from the Oil and Gas Conservation and Environmental Response Fund created in Section 34-60-122 (5), C.R.S., pursuant to Section 23-41-114, C.R.S. Of the amount from the College Opportunity Fund Program, \$6,976,320 shall be from student stipend payments and \$13,067,037 shall be from fee-for-service contracts.

**(I) University of Northern**

**Colorado**<sup>42, 43</sup> 89,730,758

89,730,758\*

(1,006.9 FTE)

° Of this amount, \$37,949,011(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$51,043,730 shall be from the students' share of tuition, and \$738,017 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$23,078,100 shall be from student stipend payments and \$14,870,911 shall be from fee-for-service contracts.

**(J) State Board for  
Community Colleges and  
Occupational Education State  
System Community**

**Colleges**<sup>42, 43</sup> 240,004,864

240,004,864\*

(4,669.5 FTE)

° Of this amount, \$121,998,555(T) shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education, \$110,930,010 shall be from the students' share of tuition, and \$7,076,299 shall be from academic fees and academic facility fees. Of the amount from the College Opportunity Fund Program, \$103,148,400 shall be from student stipend payments and \$18,850,155 shall be from fee-for-service contracts.

~~1,534,552,574~~

1,535,951,060

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(6) LOCAL DISTRICT JUNIOR COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.</b>						
	13,668,051	13,668,051				
<b>(7) ADVISORY COMMISSION ON FAMILY MEDICINE</b>						
Residency Training Programs	1,703,558				1,703,558(T) <sup>a</sup>	
<sup>a</sup> This amount shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.						
<b>(8) DIVISION OF OCCUPATIONAL EDUCATION</b>						
<b>(A) Administrative Costs</b>	900,000			900,000(T) <sup>a</sup>		
	(9.0 FTE)					
<sup>a</sup> This amount shall be from statewide and departmental indirect cost recoveries.						
<b>(B) Colorado Vocational Act</b>						
<b>Distributions pursuant to Section 23-8-102, C.R.S.<sup>8</sup></b>	20,635,922				20,635,922(T) <sup>a</sup>	
<sup>a</sup> This amount shall be a transfer from the Department of Education.						



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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<p><sup>b</sup> This amount shall be from auxiliary revenue.</p>						
<b>(10) STATE HISTORICAL SOCIETY</b>						
<b>(A) Cumbres and Toltec Railroad Commission</b>						
510,000		510,000				
<b>(B) Sponsored Programs</b>						
250,000 (3.5 FTE)					20,000 <sup>a</sup>	230,000
<p><sup>a</sup> This amount shall be from grants and contracts with various sources of cash funds exempt.</p>						
<b>(C) Auxiliary Programs</b>						
1,535,699 (14.5 FTE)				1,035,699 <sup>a</sup>	500,000 <sup>b</sup>	
<p><sup>a</sup> This amount shall be from museum shop sales, micro-photo services, public education programs, membership and publication services, traveling exhibits, rentals, and special event fees.</p> <p><sup>b</sup> This amount shall be from donations and gifts.</p>						
<b>(D) Gaming Revenue</b>						
Gaming Cities Distribution	5,668,939				5,668,939 <sup>a</sup>	

Statewide Preservation Grant Program	<del>17,270,244</del>		<del>17,270,244</del>	
	17,170,319		17,170,319 <sup>a</sup>	
	(18.0 FTE)			
Society Museum and Preservation Operations	<del>5,969,330</del>	695,347 <sup>b</sup>	<del>4,635,263</del>	638,720
	6,069,255		4,735,188 <sup>a</sup>	
	<u>(90.9 FTE)</u>			
	28,908,513			

<sup>a</sup> These amounts shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S.

<sup>b</sup> This amount shall be from museum admission fees, user charges, and other sources of cash funds.

31,204,212

**TOTALS PART VI**

<b>(HIGHER EDUCATION)<sup>2,3</sup></b>	<del>\$2,340,327,670</del>	<del>\$454,112,156</del>	\$235,400,000 <sup>a</sup>	<del>\$21,444,110</del>	<del>\$1,609,291,082</del>	\$20,080,322
	<u>\$2,345,558,398</u>	<u>\$455,545,712</u>		<u>\$23,834,978</u> <sup>b</sup>	<u>\$1,610,697,386</u> <sup>b</sup>	

<sup>a</sup> This amount shall be from the General Fund Exempt Account created in Section 24-77-103.6 (2), C.R.S.

<sup>b</sup> Of these amounts, ~~\$623,107,911~~ \$624,506,397 contains a (T) notation.

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

2 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. Until such time as the Secretary of State publishes the code of Colorado regulations and the Colorado register in electronic form pursuant to section 24-4-103

(11) (b), C.R.S., each principal department of the state is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should be submitted to the Office of Legislative Legal Services for publishing on the Internet. Alternatively, the Office of Legislative Legal Services may provide links on its internet web site to such rules. It is the intent of the General Assembly that this be done within existing resources.

3 (Governor lined through this provision. See L. 2006, p. 2896.)

8 (Governor lined through this provision. See L. 2006, p. 2898.)

18 (Governor lined through this provision. See L. 2006, p. 2903.)

36 (Governor lined through this provision. See L. 2006, p. 2908.)

37 (Governor lined through this provision. See L. 2006, p. 2908.)

38 (Governor lined through this provision. See L. 2006, p. 2909.)

38a (Governor lined through this provision. See L. 2006, p. 2909.)

38b Department of Higher Education, Colorado Commission on Higher Education, Special Purpose, Enrollment/Tuition and Stipend 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 stipend 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 of spending authority from this line item to support tuition or fee increases.

39 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.

39a (Governor lined through this provision. See L. 2006, p. 2909.)

- 40 Department of Higher Education, Colorado Commission on Higher Education Financial Aid, Special Purpose, National Guard Tuition Assistance Fund -- It is the intent of the General Assembly that only the minimum funds necessary to pay tuition assistance for qualifying applicants pursuant to section 23-5-111.4, C.R.S. will be transferred to the National Guard Tuition Fund administered by the Department of Military Affairs. Any funds appropriated in this line item that are in excess of the minimum necessary to pay tuition assistance for qualifying applicants may be used for need based financial aid.
- 41 (Governor lined through this provision. See L. 2006, p. 2910.)
- 41b Department of Higher Education, College Opportunity Fund Program, Stipends -- It is the intent of the General Assembly that no stipends from the College Opportunity Fund shall be disbursed on behalf of non-legal residents of the United States.
- 42 Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; 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; and 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.
- 43 Department of Higher Education, Governing Boards, Trustees of Adams State College; Trustees of Mesa State College; Trustees of Metropolitan State College of Denver; Trustees of Western State College; 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 no governing board increase the tuition credit hour rate for resident undergraduate students more than 2.5 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 and programs under the governing board's jurisdiction.



**SECTION 2. 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 22, 2007