

## CHAPTER 289

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**APPROPRIATIONS**

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**HOUSE BILL 12-1185**

BY REPRESENTATIVE(S) Gerou, Becker, Levy, Casso, Fields, Hamner, Labuda, Peniston, Solano, Todd, Vigil, Williams A., Wilson, Young;  
also SENATOR(S) Hodge, Steadman, Lambert, Brophy.

**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. Appropriation to the department of higher education for the fiscal year beginning July 1, 2011.** In Session Laws of Colorado 2011, section 2 of chapter 335, (SB 11-209), **amend** Part VI as follows:

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	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART VI  
DEPARTMENT OF HIGHER EDUCATION**

**(1) DEPARTMENT ADMINISTRATIVE OFFICE**

Health, Life, and Dental	1,028,168			709,171 <sup>a</sup>	201,398 <sup>b</sup>	117,599
Short-term Disability	14,120			9,810 <sup>a</sup>	2,507 <sup>b</sup>	1,803
S.B. 04-257 Amortization Equalization Disbursement	223,346			155,179 <sup>a</sup>	39,652 <sup>b</sup>	28,515
S.B. 06-235 Supplemental Amortization Equalization Disbursement	179,475			124,698 <sup>a</sup>	31,863 <sup>b</sup>	22,914
Workers' Compensation	41,652			35,643 <sup>a</sup>	6,009 <sup>b</sup>	
Legal Services for 448 hours	33,918			9,360 <sup>a</sup>	24,558 <sup>b</sup>	
Administrative Law Judge Services	<del>467</del> 496			<del>467</del> 496 <sup>a</sup>		
Purchase of Services from Computer Center	107,140			102,158 <sup>a</sup>	4,982 <sup>b</sup>	
Multiuse Network Payments	74,792			74,792 <sup>a</sup>		

Ch. 289

Appropriations

1731

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Management and Administration of OIT	98,276				98,276 <sup>a</sup>		
Payment to Risk Management and Property Funds	29,090				27,803 <sup>a</sup>	1,287 <sup>b</sup>	
Leased Space	<u>514,210</u>				102,842 <sup>a</sup>	411,368 <sup>b</sup>	
		<del>2,344,654</del>					
		2,344,683					

<sup>a</sup> Of these amounts, \$1,273,749 shall be from Limited Gaming Revenues deposited in the State Historical Fund, pursuant to Section 12-47.1-1201, C.R.S., and ~~\$176,450~~ \$176,479 shall be from various sources of cash funds.

<sup>b</sup> These amounts shall be from departmental indirect cost recoveries.

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

**(A) Administration**

Administration	2,503,570			256,074 <sup>a</sup>	1,862,910 <sup>b</sup>	384,586
				(0.4 FTE)	(25.5 FTE)	(3.6 FTE)

<sup>a</sup> Of this amount, \$187,754 shall be from statewide indirect cost recoveries from CollegeInvest and College Assist and \$68,320 shall be from private college and university fees paid pursuant to Section 23-1-125 (5), C.R.S. and Section 23-2-104.5, C.R.S.

<sup>b</sup> Of this amount, \$1,757,730 shall be from statewide indirect cost recoveries and \$105,180 shall be from the Department of Education for assistance in aligning public education with postsecondary and workforce readiness standards.

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

633,554

633,554<sup>a</sup>  
(7.8 FTE)

<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)

125,000

125,000<sup>a</sup>

WICHE - Optometry

399,000

399,000<sup>a</sup>

Distribution to Higher

Education Competitive

Research Authority

1,330,000

1,330,000<sup>b</sup>

Veterinary School Program

Needs

285,000

122,600<sup>c</sup>

162,400<sup>a</sup>

2,139,000

5,276,124

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

<sup>b</sup> This amount shall be from Waste Tire Recycling Development Cash Fund moneys deposited in the Innovative Higher Education Research Fund pursuant to Section 25-17-202 (3) (a) (I), C.R.S.

<sup>c</sup> This amount shall be from the Western Interstate Commission on Higher Education.

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 APPROPRIATION FROM
 

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(3) COLORADO COMMISSION ON HIGHER EDUCATION FINANCIAL AID</b>							
<b>(A) Need Based Grants</b>	74,859,186		74,515,865			343,321 <sup>a</sup>	
<b>(B) Work Study<sup>15</sup></b>	16,612,357		16,612,357				
<b>(C) Special Purpose</b>							
Veterans/Law Enforcement/ POW Tuition Assistance	364,922		364,922				
National Guard Tuition Assistance Fund <sup>16</sup>	800,000		800,000				
Native American Students/Fort Lewis College	11,785,002		11,465,492			319,510 <sup>a</sup>	
Nursing Teacher Loan Forgiveness Pilot	161,600		161,600				
GEAR - UP	<u>600,000</u>						600,000
	13,711,524						
		105,183,067					

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

**(4) COLLEGE OPPORTUNITY FUND PROGRAM**

**(A) Stipends**

Stipends for an estimated 147,334 eligible full-time equivalent students attending state institutions at \$1,860.00 per 30 credit hours	274,041,240		
Stipends for an estimated 1,160 eligible full-time equivalent students attending participating private institutions at \$930.00 per 30 credit hours	<u>1,078,800</u>		
	275,120,040	262,791,137	12,328,903 <sup>a</sup>

**(B) Fee-for-service**

<b>Contracts with State Institutions</b>	<del>214,404,430</del>		214,404,430 <sup>a</sup>
	225,424,632	11,020,202	
	<del>489,524,470</del>		
	500,544,672		

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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(5) GOVERNING BOARDS</b>						
<b>(A) Trustees of Adams</b>						
<b>State College<sup>17, 18</sup></b>	30,070,363			18,879,948 <sup>a</sup>	11,190,415 <sup>b</sup>	
(294.7 FTE)						
<b>(B) Trustees of Mesa State</b>						
<b>College<sup>17, 18</sup></b>	65,990,642			47,490,067 <sup>a</sup>	18,500,575 <sup>b</sup>	
(534.5 FTE)						

<sup>a</sup> Of this amount, \$15,904,891 shall be from the students' share of tuition, \$2,951,165 shall be from academic fees and academic facility fees, and \$23,892 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

<sup>b</sup> Of this amount, \$2,944,380 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$8,246,035 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

<sup>a</sup> Of this amount, \$46,647,066 shall be from the students' share of tuition, \$632,210 shall be from academic fees and academic facility fees, and \$210,791 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

<sup>b</sup> Of this amount, \$11,437,140 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$7,063,435 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

**(C) Trustees of  
Metropolitan State College  
of Denver<sup>17, 18</sup>**

131,098,699  
(1,299.0 FTE)

94,137,220<sup>a</sup>

36,961,479<sup>b</sup>

<sup>a</sup> Of this amount, \$76,625,526 shall be from the students' share of tuition and \$17,511,694 shall be from academic fees and academic facility fees.

<sup>b</sup> Of this amount, \$33,515,340 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$3,446,139 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

**(D) Trustees of Western  
State College<sup>17, 18</sup>**

21,227,956  
(231.9 FTE)

11,883,709<sup>a</sup>

9,344,247<sup>b</sup>

<sup>a</sup> Of this amount \$10,652,217 shall be from the student's share of tuition and \$1,231,492 shall be from shall be from academic fees and academic facility fees.

<sup>b</sup> Of this amount, \$2,497,980 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$6,846,267 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

**(E) Board of Governors of  
the Colorado State  
University System<sup>17, 18</sup>**

390,756,718  
(4,037.8 FTE)

284,110,185<sup>a</sup>

106,646,533<sup>b</sup>

<sup>a</sup> Of this amount, \$267,356,992 shall be from the students' share of tuition and \$16,753,193 shall be from academic fees and academic facility fees.

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

<sup>b</sup> Of this amount, \$39,089,760 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$67,386,773 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$170,000 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) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2011 calendar year grant, and any unexpended balance on June 30, 2011, is intended to roll forward and remain available for expenditure through June 30, 2012.

**(F) Trustees of Fort Lewis**

<b>College</b> <sup>17, 18</sup>	41,250,496		31,879,379 <sup>a</sup>	9,371,117 <sup>b</sup>
	(417.8 FTE)			

<sup>a</sup> Of this amount, \$30,782,564 shall be from the students' share of tuition and \$1,096,815 shall be from academic fees and academic facility fees.

<sup>b</sup> Of this amount, \$4,283,580 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$5,039,537 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$48,000 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) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2011 calendar year grant, and any unexpended balance on June 30, 2011, is intended to roll forward and remain available for expenditure through June 30, 2012.

**(G) Regents of the**

<b>University of Colorado</b> <sup>17, 18</sup>	884,220,891		737,787,628 <sup>a</sup>	146,433,263 <sup>b</sup>
	(6,797.7 FTE)			

<sup>a</sup> Of this amount, \$678,240,901 shall be from the students' share of tuition, \$45,000,000 shall be from academic fees and academic facility fees, and \$14,546,727 shall be from the Tobacco Litigation Settlement Moneys Health Education Fund pursuant to Section 24-75-1104.5 (1.5) (a) (I), C.R.S.

<sup>b</sup> Of this amount, \$53,164,380 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$92,611,352 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$657,531 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) (a) (I), C.R.S. The amount from the Local Government Mineral Impact Fund represents a 2011 calendar year grant, and any unexpended balance on June 30, 2011 is intended to roll forward and remain available for expenditure through June 30, 2012.

**(H) Trustees of the  
Colorado School of  
Mines<sup>17, 18</sup>**

102,981,042	<del>11,020,202</del>	86,726,800 <sup>a</sup>	<del>5,234,040<sup>b</sup></del>
(766.6 FTE)			16,254,242 <sup>b</sup>

<sup>a</sup> Of this amount, \$82,523,386 shall be from the students' share of tuition and \$4,203,414 shall be from academic fees and academic facility fees.

<sup>b</sup> This amount shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments.

**(I) University of Northern  
Colorado<sup>17, 18</sup>**

111,457,751		78,651,145 <sup>a</sup>	32,806,606 <sup>b</sup>
(1,003.1 FTE)			

<sup>a</sup> Of this amount, \$73,534,005 shall be from the students' share of tuition and \$5,117,140 shall be from academic fees and academic facility fees.

<sup>b</sup> Of this amount, \$14,935,800 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments and \$17,870,806 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(J) State Board for Community Colleges and Occupational Education State System Community Colleges<sup>17, 18</sup></b>	387,072,701 (5,736.6 FTE)			272,739,775 <sup>a</sup>	114,332,926 <sup>b</sup>	

<sup>a</sup> Of this amount, \$255,384,239 shall be from the students' share of tuition, \$11,652,406 shall be from academic fees and academic facility fees, and \$5,703,130 represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

<sup>b</sup> Of this amount, \$106,938,840 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for student stipend payments, \$5,894,086 shall be from General Fund appropriated to the College Opportunity Fund Program in the Department of Higher Education for fee-for-service contracts, and \$1,500,000 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) (a) (I), C.R.S., for faculty and the development of community college-level curricula on alternative, renewable, and existing energies.

2,166,127,259

**(6) LOCAL DISTRICT JUNIOR COLLEGE GRANTS PURSUANT TO SECTION 23-71-301, C.R.S.<sup>19</sup>**

	12,506,424	11,909,951	596,473 <sup>a</sup>
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<sup>a</sup> This amount represents an estimate of limited gaming tax revenues that will be distributed pursuant to Section 12-47.1-701.5 (3) (c) (I), C.R.S.

**(7) DIVISION OF OCCUPATIONAL EDUCATION**

<b>(A) Administrative Costs</b>	900,000		900,000 <sup>a</sup>
			(9.0 FTE)

<sup>a</sup> Of this amount, \$463,826 shall be from statewide indirect cost recoveries and \$436,174 shall be from departmental indirect cost recoveries.

**(B) Distribution of State Assistance for Career and Technical Education pursuant to Section 23-8-102. C.R.S.**

	23,584,498		23,584,498 <sup>a</sup>
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<sup>a</sup> This amount shall be from moneys appropriated in the Department of Education.

**(C) Area Vocational School Support**

	7,664,871	7,664,871	
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**(D) Sponsored Programs**

(1) Administration	2,220,227		
	(23.0 FTE)		
(2) Programs	<u>14,737,535</u>		
	16,957,762		16,957,762

**(E) Colorado First Customized Job Training**

	2,725,022		2,725,022 <sup>a</sup>
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Ch. 289	Appropriations		1741
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> This amount shall be from moneys appropriated in the Governor's Office.

51,832,153

**(8) AURARIA HIGHER EDUCATION CENTER<sup>17</sup>**

Administration	17,670,252				17,670,252 <sup>a</sup>	
					(172.9 FTE)	

<sup>a</sup> This amount shall be from the appropriations for the State Board of Community Colleges and Occupational Education, the Trustees of Metropolitan State College, and the Regents of the University of Colorado.

**(9) STATE HISTORICAL SOCIETY**

**(A) Cumbres and Toltec**

Railroad Commission	202,500	202,500				
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**(B) Sponsored Programs**

250,000			20,000 <sup>a</sup>			230,000
						(3.5 FTE)

<sup>a</sup> This amount shall be from grants and contracts.



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

- 15 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.
- 16 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.
- 17 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.
- 18 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; and State Board for Community Colleges and Occupational Education State System Community Colleges -- The cash funds appropriations from tuition and from academic and academic facility fees are for informational purposes only. Within the parameters of Section 23-5-130.5, C.R.S., higher education governing boards may set the tuition rates for the institutions they govern. The appropriation reflects the projected tuition if institutions increase Colorado resident tuition rates 9.0 percent and nonresident rates 5.0 percent. The General Assembly requests that with the FY 2012-13 budget request the Governor and the Colorado Commission on Higher Education include the assumed tuition rate increases with the level of General Fund support requested.
- 19 Department of Higher Education, Local District Junior College Grants Pursuant to Section 23-71-301, C.R.S. -- It is the intent of the General Assembly in making this appropriation that local district tax revenue supplement, rather than supplant, the amount of General Fund provided, and thus annual General Fund adjustments should be equitable with General Fund adjustments for the state-operated governing boards.

**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: February 23, 2012