

**First Regular Session  
Sixty-seventh General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 09-0263.01 Richard Sweetman

**SENATE BILL 09-043**

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**SENATE SPONSORSHIP**

**Isgar, Kester, Tapia**

**HOUSE SPONSORSHIP**

**Roberts, Massey, McFadyen, Pace, Tipton**

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**Senate Committees**  
Education

**House Committees**  
Education  
Appropriations

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**A BILL FOR AN ACT**

101     **CONCERNING THE MERGER OF PUEBLO COMMUNITY COLLEGE AND**  
102             **SAN JUAN BASIN AREA VOCATIONAL SCHOOL, AND, IN**  
103             **CONNECTION THEREWITH, CLARIFYING THE TWO-YEAR**  
104             **AUTHORITY OF FORT LEWIS COLLEGE AND MAKING AN**  
105             **APPROPRIATION.**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)*

Limits the 2-year authority of Fort Lewis college to include only an associates of arts degree in agricultural science, which authority is to be utilized in collaboration with a community college and an area

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.*  
*Dashes through the words indicate deletions from existing statute.*

SENATE  
3rd Reading Unamended  
February 2, 2009

SENATE  
Amended 2nd Reading  
January 30, 2009

vocational school. Allows controlled maintenance funds to be used for facilities that are transferred from the San Juan basin area vocational school to Pueblo community college.

Makes a conforming amendment.

Makes an appropriation.

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

2 **SECTION 1. Legislative declaration.** (1) The general assembly  
3 hereby finds and declares that:

4 (a) The leaders of Pueblo community college and the San Juan  
5 basin area vocational school have determined that a merger of these two  
6 institutions is in the best interests of these institutions and the residents  
7 of the state of Colorado; and

8 (b) The merger plan is supported by the state board for community  
9 colleges and occupational education and the school districts of Cortez,  
10 Dolores, and Mancos.

11 (2) Now, therefore, the general assembly hereby declares that  
12 Pueblo community college and the San Juan basin area vocational school  
13 shall merge, and the San Juan basin area vocational school shall operate  
14 and be known as Southwest Colorado community college, a division of  
15 Pueblo community college.

16 **SECTION 2.** 23-52-101 (2) (a), Colorado Revised Statutes, is  
17 amended to read:

18 **23-52-101. College established - role and mission - governance.**

19 (2) (a) Fort Lewis college shall be a regional education provider and shall  
20 have two-year authority which shall be utilized in collaboration with a  
21 community college and any area vocational school ONLY FOR AN  
22 ASSOCIATES OF ARTS DEGREE IN AGRICULTURAL SCIENCE.

23 **SECTION 3.** 23-60-103 (1), Colorado Revised Statutes, is

1 amended to read:

2 **23-60-103. Definitions.** As used in this article, unless the context  
3 otherwise requires:

4 (1) "Area vocational school" means a school offering approved  
5 postsecondary vocational programs for credit, operated by a local school  
6 district or by a board of cooperative services, and designated by the  
7 general assembly as an area vocational school in conformity with  
8 standards established by the state board for community colleges and  
9 occupational education. Tuition rates and fees charged any person not  
10 enrolled in a secondary school curriculum shall be uniform for any group  
11 classification. For the purposes of this article, the following schools, as  
12 named in this subsection (1) or as their names may be changed pursuant  
13 to section 23-60-801, are declared to be area vocational schools: The  
14 Emily Griffith opportunity school, ~~the San Juan basin area vocational~~  
15 ~~school~~, the Delta-Montrose area vocational school, and the Aurora tech  
16 center.

17 **SECTION 4.** Part 13 of article 30 of title 24, Colorado Revised  
18 Statutes, is amended BY THE ADDITION OF A NEW SECTION to  
19 read:

20 **24-30-1309. Eligibility of certain buildings for controlled**  
21 **maintenance.** NOTWITHSTANDING THE PROVISIONS OF SECTION  
22 24-30-1301 (2) (a) (II) (A), ON AND AFTER JULY 1, 2009, CONTROLLED  
23 MAINTENANCE FUNDS MAY BE USED FOR FACILITIES THAT ARE  
24 TRANSFERRED FROM THE SAN JUAN BASIN AREA VOCATIONAL SCHOOL TO  
25 PUEBLO COMMUNITY COLLEGE AS PART OF A MERGER TRANSACTION  
26 BETWEEN THE SAN JUAN BASIN AREA VOCATIONAL SCHOOL AND PUEBLO  
27 COMMUNITY COLLEGE.

1           **SECTION 5. Adjustments to the 2009 long bill.** For the  
2 implementation of this act, appropriations to the department of higher  
3 education made in the annual general appropriation act for the fiscal year  
4 beginning July 1, 2009, shall be adjusted as follows:

5           (1) The general fund appropriation to the college opportunity fund  
6 created in section 23-18-202, Colorado Revised Statutes, for stipends is  
7 increased by six hundred twelve thousand dollars (\$612,000), for an  
8 estimated 300.0 full-time equivalent students attending the division of  
9 Pueblo community college known as Southwest Colorado community  
10 college.

11           (2) The general fund appropriation for fee-for-service contracts  
12 with state institutions is increased by five hundred one thousand three  
13 hundred seventy-four dollars (\$501,374), for a fee-for-service contract  
14 with the state board for community colleges and occupational education,  
15 for the division of Pueblo community college known as Southwest  
16 Colorado community college.

17           (3) The appropriation for the state board for community colleges  
18 and occupational education state system community colleges is increased  
19 by two million two hundred sixteen thousand four hundred fourteen  
20 thousand dollars (\$2,216,414). Of said sum, seven hundred fifty thousand  
21 dollars (\$750,000) shall be cash funds from the students' share of tuition,  
22 one million one hundred thirteen thousand three hundred seventy-four  
23 dollars (\$1,113,374) shall be reappropriated funds out of the  
24 appropriations made in subsections (1) and (2) of this section for student  
25 stipend payments and fee-for-service contracts, and three hundred fifty-  
26 three thousand forty dollars (\$353,040) represents federal funds  
27 anticipated to be received from the education stabilization fund pursuant

1 to the federal American recovery and reinvestment act of 2009.

2 (4) The appropriation for area vocational school support is  
3 decreased by one million four hundred sixty-six thousand four hundred  
4 fourteen dollars (\$1,466,414). Of said sum, one million one hundred  
5 thirteen thousand three hundred seventy-four dollars (\$1,113,374) shall  
6 be from the general fund and three hundred fifty-three thousand forty  
7 dollars (\$353,040) represents federal funds anticipated to be received  
8 from the education stabilization fund pursuant to the federal American  
9 recovery and reinvestment act of 2009.

10 **SECTION 6. Safety clause.** The general assembly hereby finds,  
11 determines, and declares that this act is necessary for the immediate  
12 preservation of the public peace, health, and safety.