

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

February 25, 2010
Date

Committee on Education.

After consideration on the merits, the Committee recommends the following:

SB10-039 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

1 Amend printed bill, strike everything below the enacting clause and
2 substitute:

3 "SECTION 1. Part 2 of article 3.1 of title 23, Colorado Revised
4 Statutes, is amended BY THE ADDITION OF A NEW SECTION to
5 read:

6 **23-3.1-206.6. Scholarships for education and job retraining -**
7 **legislative declaration - administration - repeal.** (1) (a) THE GENERAL
8 ASSEMBLY FINDS AND DECLARES THAT:

9 (I) A NUMBER OF COLORADANS HAVE RECENTLY EXPERIENCED
10 LOSS OF EMPLOYMENT AS A RESULT OF A SIGNIFICANT DOWNTURN IN THE
11 ECONOMY AND A CONTRACTION IN THE JOB MARKET. AS A RESULT, MANY
12 COLORADANS HAVE APPLIED FOR UNEMPLOYMENT INSURANCE BENEFITS
13 AND ARE LOOKING FOR WORK.

14 (II) SOME UNEMPLOYED COLORADANS WILL BE UNABLE TO FIND
15 WORK IN THEIR CURRENT FIELD OR WITH THEIR CURRENT LEVEL OF
16 EDUCATION OR TRAINING.

17 (III) THE GENERAL ASSEMBLY THEREFORE FINDS AND DECLARES
18 THAT IT IS APPROPRIATE TO USE COLORADO COLLEGEINVEST SCHOLARSHIP
19 TRUST FUND MONEYS PURSUANT TO SECTION 23-3.1-206.9 (5), TO AWARD

1 SCHOLARSHIPS TO PERSONS WHO ARE RECEIVING UNEMPLOYMENT
2 INSURANCE BENEFITS FROM THE DEPARTMENT OF LABOR AND
3 EMPLOYMENT TO ASSIST THESE PERSONS IN OBTAINING THE ADDITIONAL
4 JOB RETRAINING OR EDUCATION NECESSARY TO BE REEMPLOYED.

5 (2) AS USED IN THIS SECTION, "INSTITUTION OF HIGHER
6 EDUCATION" MEANS:

7 (a) A STATE INSTITUTION OF HIGHER EDUCATION AS DEFINED IN
8 SECTION 23-18-102 (10);

9 (b) A JUNIOR COLLEGE THAT IS PART OF A JUNIOR COLLEGE
10 DISTRICT ORGANIZED PURSUANT TO ARTICLE 71 OF THIS TITLE; AND

11 (c) A NONPUBLIC INSTITUTION OF HIGHER EDUCATION AS DEFINED
12 IN SECTION 23-3.7-102 (3).

13 (3) (a) THERE IS HEREBY CREATED THE COLORADO JOB
14 RETRAINING SCHOLARSHIP PROGRAM, REFERRED TO IN THIS SECTION AS
15 THE "SCHOLARSHIP PROGRAM", FOR THE PURPOSE OF PROVIDING JOB
16 TRAINING AND RETRAINING OPPORTUNITIES AND INCREASED ACCESS TO
17 HIGHER EDUCATION FOR INDIVIDUALS WHO ARE UNEMPLOYED.

18 (b) THE AUTHORITY SHALL IMPLEMENT AND ADMINISTER THE
19 SCHOLARSHIP PROGRAM. SUBJECT TO THE APPROVAL OF THE EXECUTIVE
20 DIRECTOR, THE BOARD SHALL ADOPT ANY POLICIES NECESSARY TO
21 IMPLEMENT THE SCHOLARSHIP PROGRAM. THE BOARD SHALL ENSURE
22 THAT THE POLICIES ADOPTED BY THE BOARD DO NOT POSE SIGNIFICANT
23 BARRIERS TO PARTICIPATION FOR APPLICANTS OR ADD INEFFICIENT
24 ADMINISTRATIVE BURDENS FOR THE AUTHORITY OR PARTICIPATING
25 INSTITUTIONS OF HIGHER EDUCATION.

26 (c) THE AUTHORITY SHALL REVIEW EACH SCHOLARSHIP
27 APPLICATION WHEN RECEIVED, APPLYING THE FOLLOWING ELIGIBILITY
28 CRITERIA:

29 (I) AT ANY TIME ON OR AFTER JULY 1, 2008, THE DEPARTMENT OF
30 LABOR AND EMPLOYMENT HAS DETERMINED THE APPLICANT FOR THE
31 SCHOLARSHIP PROGRAM TO BE ELIGIBLE TO RECEIVE UNEMPLOYMENT
32 BENEFITS PURSUANT TO THE "COLORADO EMPLOYMENT SECURITY ACT",
33 ARTICLES 70 TO 82 OF TITLE 8, C.R.S.; AND

1 (II) THE APPLICANT CERTIFIES THAT THE JOB TRAINING OR
2 EDUCATION COURSES OR PROGRAM FOR WHICH THE APPLICANT SEEKS A
3 SCHOLARSHIP WILL ASSIST THE APPLICANT TO ACHIEVE GAINFUL
4 EMPLOYMENT, INCLUDING SELF-EMPLOYMENT, IN A RECOGNIZED
5 OCCUPATION OR A HIGH-NEED EMPLOYMENT AREA.

6 (4) A PERSON WHO RECEIVES A SCHOLARSHIP AWARDED PURSUANT
7 TO THIS SECTION MAY APPLY THE SCHOLARSHIP TO A SKILLED TRADES
8 APPRENTICESHIP PROGRAM, ONE OR MORE HIGHER EDUCATION COURSES,
9 OR A CERTIFICATE OR DEGREE PROGRAM AT AN INSTITUTION OF HIGHER
10 EDUCATION.

11 (5) THE AUTHORITY SHALL ANNUALLY AWARD AND PAY ONE
12 MILLION DOLLARS IN SCHOLARSHIPS PURSUANT TO THIS SECTION FROM
13 MONEYS IN THE COLORADO COLLEGE INVEST SCHOLARSHIP TRUST FUND.
14 THE AUTHORITY SHALL NOT USE GENERAL FUND APPROPRIATIONS TO PAY
15 SCHOLARSHIPS AWARDED PURSUANT TO THIS SECTION. IF ANY PORTION OF
16 THE ONE MILLION DOLLARS IN ANNUAL SCHOLARSHIP PROGRAM MONEYS
17 REMAINS UNCOMMITTED AT THE END OF A FISCAL YEAR, SAID AMOUNT
18 SHALL BE TRANSFERRED, PURSUANT TO THE PROVISIONS OF SECTION
19 23-3.1-206.9 (5), TO THE TEACH COLORADO GRANT INITIATIVE FUND
20 CREATED IN SECTION 23-3.3-901.

21 (6) ON OR BEFORE FEBRUARY 1, 2011, AND ON OR BEFORE
22 FEBRUARY 1 EACH YEAR THEREAFTER, THE AUTHORITY SHALL REPORT TO
23 THE EDUCATION COMMITTEES OF THE SENATE AND THE HOUSE OF
24 REPRESENTATIVES, OR ANY SUCCESSOR COMMITTEES, CONCERNING THE
25 STATUS OF THE SCHOLARSHIP PROGRAM. THE REPORT SHALL INCLUDE,
26 BUT NEED NOT BE LIMITED TO, THE AMOUNT OF MONEY AVAILABLE TO
27 AWARD SCHOLARSHIPS, THE AMOUNT OF MONEY ANNUALLY SPENT IN
28 ADMINISTERING THE SCHOLARSHIP PROGRAM, THE TOTAL AMOUNT
29 AWARDED IN SCHOLARSHIPS, THE AVERAGE SCHOLARSHIP AWARD
30 AMOUNT, THE NUMBER OF STUDENTS PARTICIPATING IN THE SCHOLARSHIP
31 PROGRAM, AND A GENERAL DESCRIPTION OF THE PARTICIPANTS' CAREER
32 GOALS.

33 (7) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2013.

34 **SECTION 2.** 23-3.1-206.9 (4), Colorado Revised Statutes, is
35 amended, and the said 23-3.1-206.9 is further amended BY THE
36 ADDITION OF A NEW SUBSECTION, to read:

1 **23-3.1-206.9. Colorado collegeinvest scholarship program -**
2 **administration - fund - policies - repeal.** (4) On or before February 1
3 of each year, the ~~board~~ AUTHORITY shall report to the education
4 committees of the senate and the house of representatives, or any
5 successor committees, on the status of the Colorado collegeinvest
6 scholarship program. The report shall include, but need not be limited to,
7 the financial status of the Colorado collegeinvest scholarship trust fund,
8 the amount of money annually spent on administration, the average
9 scholarship award amount, and the number of students participating in the
10 Colorado collegeinvest scholarship program.

11 (5) (a) NOTWITHSTANDING ANY PROVISIONS OF SUBSECTION (2) OF
12 THIS SECTION TO THE CONTRARY, BEGINNING IN THE 2010-11 FISCAL YEAR
13 AND CONTINUING THROUGH THE 2012-13 FISCAL YEAR, THE AUTHORITY
14 SHALL ANNUALLY USE ONE MILLION DOLLARS OF THE MONEYS IN THE
15 COLORADO COLLEGEINVEST SCHOLARSHIP TRUST FUND CREATED IN
16 SUBSECTION (2) OF THIS SECTION, OTHER THAN MONEYS APPROPRIATED
17 FROM THE GENERAL FUND, TO ADMINISTER THE COLORADO JOB
18 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6
19 AND TO AWARD SCHOLARSHIPS PURSUANT TO THAT PROGRAM.

20 (b) ANY PORTION OF THE ONE MILLION DOLLARS IN ANNUAL
21 COLORADO JOB RETRAINING SCHOLARSHIP PROGRAM MONEYS THAT
22 REMAINS UNCOMMITTED AT THE END OF EACH FISCAL YEAR SHALL BE
23 TRANSFERRED TO THE TEACH COLORADO GRANT INITIATIVE FUND
24 CREATED IN SECTION 23-3.3-901 TO IMPLEMENT THE TEACH COLORADO
25 GRANT INITIATIVE.

26 (c) THIS SUBSECTION (5) IS REPEALED, EFFECTIVE JULY 1, 2013.

27 **SECTION 3.** 23-3.1-206 (1) (x) and (1) (y), Colorado Revised
28 Statutes, are amended, and the said 23-3.1-206 (1) is further amended BY
29 THE ADDITION OF A NEW PARAGRAPH, to read:

30 **23-3.1-206. General powers and duties of the authority -**
31 **repeal.** (1) In addition to any other powers and duties specifically
32 granted to the authority in this part 2, the authority has the following
33 powers:

34 (x) To organize entities pursuant to title 7, C.R.S., and transfer
35 funds to the entities for the purpose of investing the moneys in the

1 Colorado collegeinvest scholarship trust fund and any other trusts and
2 funds under the authority's control; and

3 (y) To develop and administer loan forgiveness programs,
4 including those established under article 3.6 of this title; AND

5 (z) (I) TO IMPLEMENT AND ADMINISTER THE COLORADO JOB
6 RETRAINING SCHOLARSHIP PROGRAM CREATED IN SECTION 23-3.1-206.6.

7 (II) THIS PARAGRAPH (z) IS REPEALED, EFFECTIVE JULY 1, 2013.

8 **SECTION 4.** 23-3.3-901 (7), Colorado Revised Statutes, is
9 amended to read:

10 **23-3.3-901. Teach Colorado grant initiative created - award**
11 **of grants - legislative declaration - fund.** (7) (a) ~~In addition to any~~
12 ~~general funds appropriated by the general assembly to the department for~~
13 ~~the implementation of the teach Colorado grant initiative;~~ The department
14 is authorized to seek and accept gifts, grants, and donations from private
15 and public sources for the implementation of the teach Colorado grant
16 initiative; EXCEPT THAT THE DEPARTMENT MAY NOT ACCEPT A GIFT,
17 GRANT, OR DONATION THAT IS SUBJECT TO CONDITIONS THAT ARE
18 INCONSISTENT WITH THIS SECTION OR ANY OTHER LAW OF THE STATE. THE
19 DEPARTMENT SHALL TRANSFER ALL MONEYS RECEIVED THROUGH GIFTS,
20 GRANTS, OR DONATIONS TO THE STATE TREASURER, WHO SHALL CREDIT
21 THE SAME TO THE TEACH COLORADO GRANT INITIATIVE FUND CREATED IN
22 PARAGRAPH (b) OF THIS SUBSECTION (7).

23 (b) (I) THERE IS HEREBY CREATED IN THE STATE TREASURY THE
24 TEACH COLORADO GRANT INITIATIVE FUND, REFERRED TO IN THIS
25 SUBSECTION (7) AS THE "FUND". THE FUND SHALL CONSIST OF MONEYS
26 CREDITED TO THE FUND PURSUANT TO PARAGRAPH (a) OF THIS SUBSECTION
27 (7), MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION
28 23-3.1-206.9 (5), AND SUCH ADDITIONAL MONEYS AS THE GENERAL
29 ASSEMBLY MAY APPROPRIATE TO THE FUND. THE MONEYS IN THE FUND
30 SHALL BE SUBJECT TO ANNUAL APPROPRIATION BY THE GENERAL
31 ASSEMBLY TO THE DEPARTMENT FOR THE DIRECT AND INDIRECT COSTS
32 ASSOCIATED WITH IMPLEMENTING THIS SECTION; EXCEPT THAT ANY
33 MONEYS TRANSFERRED TO THE FUND PURSUANT TO SECTION 23-3.1-206.9
34 (5) ARE CONTINUOUSLY APPROPRIATED TO THE DEPARTMENT FOR THE
35 DIRECT AND INDIRECT COSTS ASSOCIATED WITH IMPLEMENTING THIS
36 SECTION.

1 (II) ANY MONEYS IN THE FUND NOT EXPENDED FOR THE PURPOSE
2 OF THIS SECTION MAY BE INVESTED BY THE STATE TREASURER AS
3 PROVIDED BY LAW. ALL INTEREST AND INCOME DERIVED FROM THE
4 INVESTMENT AND DEPOSIT OF MONEYS IN THE FUND SHALL BE CREDITED
5 TO THE FUND.

6 (III) ANY UNEXPENDED AND UNENCUMBERED MONEYS REMAINING
7 IN THE FUND AT THE END OF A FISCAL YEAR SHALL REMAIN IN THE FUND
8 AND SHALL NOT BE CREDITED OR TRANSFERRED TO THE GENERAL FUND OR
9 ANOTHER FUND.

10 **SECTION 5. 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."

13 Page 1, line 101, strike "TRAINING, AND MAKING AN" and substitute
14 "TRAINING."

15 Page 1, strike line 102.

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