

SENATE COMMITTEE OF REFERENCE REPORT

Chairman of Committee

March 3, 2004
Date

Committee on Education.

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

SB04-189 be amended as follows, and as so amended, be referred to the Committee on Appropriations with favorable recommendation:

- 1 Amend printed bill, page 7, after line 22, insert the following:
- 2 "(8) The general assembly finds and declares that:
- 3 (a) The provision of higher education services is a business; and
- 4 (b) For the purposes of determining whether an institution or
- 5 group of institutions may be designated as an enterprise, so long as the
- 6 institution or group of institutions receives less than ten percent of its
- 7 total annual revenues in grants from all Colorado state and local
- 8 governments combined, it is sufficient that the governing board of an
- 9 institution of higher education has authority to issue revenue bonds on
- 10 behalf of such institution or group of institutions."
- 11 Renumber succeeding subsections accordingly.
- 12 Page 10, line 11, after "UNIVERSITY", insert "THAT IS NOT PERVASIVELY
- 13 SECTARIAN AND";
- 14 strike lines 12 through 14 and substitute the following:

1 "PLACE OF BUSINESS IN THE STATE OF COLORADO, THAT OFFERS GENERAL
2 BACCALAUREATE DEGREES IN ARTS AND SCIENCES, AND THAT IS
3 INSTITUTIONALLY ACCREDITED ON THE BASIS".

4 Page 13, strike line 25 and substitute the following:

5 "ANNUAL APPROPRIATION, IN";

6 line 26, strike "FOR DEPOSIT IN" and substitute "TO".

7 Page 14, line 1, after the period, insert "MONEYS APPROPRIATED TO THE
8 COLLEGE OPPORTUNITY FUND ARE FOR THE SOLE PURPOSE OF
9 DISBURSEMENT ON BEHALF OF ELIGIBLE UNDERGRADUATE STUDENTS IN
10 ACCORDANCE WITH THIS PART 2 AND ARE NOT FOR THE GENERAL
11 OPERATION OR ANY OTHER FUNCTION OF THE COLORADO STUDENT LOAN
12 PROGRAM."

13 Page 15, line 4, after the period, insert "THE VALUE OF THE PER CREDIT
14 HOUR STIPEND SHALL BE THE SAME FOR EACH ELIGIBLE UNDERGRADUATE
15 STUDENT, REGARDLESS OF THE STATE INSTITUTION OF HIGHER EDUCATION
16 THAT THE STUDENT ATTENDS."

17 Page 16, line 14, after "BY", insert "AN INSTITUTION, UNDER THE
18 DIRECTION AND CONTROL OF";

19 line 15, strike "BOARD" and substitute "BOARD,";

20 strike lines 19 and 20 and substitute the following:

21 "OF ELIGIBLE STUDENT CREDIT HOURS THAT ARE ESTIMATED TO BE
22 ATTRIBUTABLE TO EACH INSTITUTION OF".

23 Page 17, line 13, after the period, insert "A PAYMENT BY THE COLORADO
24 STUDENT LOAN PROGRAM TO AN INSTITUTION OF HIGHER EDUCATION FROM
25 THE COLLEGE OPPORTUNITY FUND SHALL NOT BE SUBJECT TO THE
26 ASSESSMENT OF A TRANSACTION FEE PURSUANT TO SECTION 24-36-120,
27 C.R.S."

1 Page 25, line 14, strike "OR" and substitute "AND".

2 Page 32, line 8, after "BY", insert "AN INSTITUTION, UNDER THE DIRECTION
3 AND CONTROL OF";

4 line 9, strike "BOARD" and substitute "BOARD,".

5 Page 39, after line 27, insert the following:

6 **"SECTION 13.** 24-36-120 (4), Colorado Revised Statutes, is
7 amended to read:

8 **24-36-120. Authority to assess transaction fees.** (4) The state
9 treasurer shall not assess a fee for an eligible transaction involving any of
10 the following funds:

11 (a) The state education fund created in section 17 (4) of article IX
12 of the state constitution;

13 (b) The highway users tax fund created in section 43-4-201,
14 C.R.S.;

15 (c) The great outdoors Colorado trust fund created in section 2 of
16 article XXVII of the state constitution;

17 (d) The public school fund described in section 3 of article IX of
18 the state constitution;

19 (e) The old age pension fund created in section 1 of article XXIV
20 of the state constitution; ~~and~~

21 (f) Any other fund against which the assessment of a fee would
22 be contrary to the state constitution; AND

23 (g) THE COLLEGE OPPORTUNITY FUND CREATED IN ARTICLE 18 OF
24 TITLE 23, C.R.S.".

25 Renumber succeeding sections accordingly.

** ** ** ** **

SB189_C.001