

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

REENGROSSED

*This Version Includes All Amendments
Adopted in the House of Introduction*

LLS NO. 01-0122.01 Michele Hanigsberg

HOUSE BILL 01-1290

HOUSE SPONSORSHIP

Lawrence, and Spradley

SENATE SPONSORSHIP

Dennis,

House Committees

Education

Senate Committees

A BILL FOR AN ACT

101 **CONCERNING NAME CHANGES WITHIN HIGHER EDUCATION, AND, IN**
102 **CONNECTION THEREWITH, ESTABLISHING GOALS TO BE MET BY**
103 **THE UNIVERSITY OF SOUTHERN COLORADO PRIOR TO ITS NAME**
104 **CHANGE.**

Bill Summary

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

Changes the name of the state board of agriculture to the board of governors of the Colorado state university system, effective July 1, 2001. Changes the name of the university of southern Colorado to Colorado state university at Pueblo, effective July 1, 2003. Establishes goals to be met by the university of southern Colorado prior to its name being

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.

HOUSE
Amended 3rd Reading
February 27, 2001

HOUSE
Amended 2nd Reading
February 26,

changed. Makes conforming amendments.

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

2 **SECTION 1.** Part 1 of article 30 of title 23, Colorado Revised
3 Statutes, is amended to read:

4 PART 1

5 GENERAL PROVISIONS

6 **23-30-101. Board of governors of the Colorado state university**
7 **system.** (1) A board is hereby constituted and established ~~which~~ THAT
8 shall be known by the name and title of the ~~state board of agriculture~~
9 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. It
10 shall consist of a total of fifteen members. Six of the offices shall be
11 advisory, without the right to vote. One shall be filled by an elected
12 officer of the student body who is a full-time junior or senior student at
13 Colorado state university, one by an elected officer of the faculty council
14 of Colorado state university having the rank of associate professor or
15 higher, one by an elected officer of the faculty council of Fort Lewis
16 college, one by an elected officer of the student body who is a full-time
17 junior or senior student at Fort Lewis college, one by an elected officer of
18 the student body who is a full-time junior or senior student at the
19 university of southern Colorado, and one by an elected officer of the
20 faculty council of the university of southern Colorado having the rank of
21 associate professor or higher. The six advisory members shall be elected
22 by their respective governing bodies from their membership. The terms
23 of these advisory offices shall be for one academic year. Commencing
24 with appointments made in 1974 and subsequent years, the remaining nine
25 members, at least two of whom shall have some connection with

1 agriculture, shall be appointed by the governor, with the consent of the
2 senate, for basic terms of four years, although interim appointments may
3 be made for lesser periods so that at least two of the nine terms will expire
4 in each calendar year. No person, elected under this section, shall serve
5 on the board for more than two terms, regardless of the length of the
6 terms; except that a member of the board, whether elected or appointed,
7 may continue to serve until his A successor is elected or appointed and
8 qualified. For the purposes of this section, "full-time student" means the
9 same as it does in the respective institutions.

10 (2) (a) WHENEVER ANY LAW OF THIS STATE REFERS TO THE STATE
11 BOARD OF AGRICULTURE, IT SHALL BE TAKEN TO REFER TO THE BOARD OF
12 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. THE LEGAL
13 EFFECT OF ANY STATUTE HERETOFORE DESIGNATING THE BOARD OF
14 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM BY ANY OTHER
15 NAME, OR PROPERTY RIGHTS HERETOFORE ACQUIRED AND OBLIGATIONS
16 HERETOFORE INCURRED UNDER ANY OTHER NAME, SHALL NOT BE
17 IMPAIRED.

18 (b) THE REVISOR OF STATUTES IS AUTHORIZED TO MAKE SUCH
19 CHANGES IN OTHER PROVISIONS OF THE STATUTES AS MAY BE NECESSARY
20 TO CONFORM SUCH PROVISIONS TO THE CHANGE OF NAME OF THE BOARD
21 SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

22 **23-30-102. Board body corporate - powers relating to real and**
23 **personal property.** (1) ~~The state board of agriculture~~ BOARD OF
24 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is a body
25 corporate, capable in law of suing and being sued; of taking, holding, and
26 selling personal property and real estate; of contracting and being
27 contracted with; of having and using a corporate seal; and of causing to

1 be done all things necessary to carry out the provisions of this part 1.

2 (2) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
3 COLORADO STATE UNIVERSITY SYSTEM has the power to lease personal
4 property, the ownership of which is vested in Colorado state university,
5 for a term not to exceed eighty years to state or federal governmental
6 agencies and to persons or corporations, public or private.

7 (2.5) Subject to such reviews and approvals of state agencies as
8 are required by law, the ~~state board of agriculture~~ BOARD OF GOVERNORS
9 OF THE COLORADO STATE UNIVERSITY SYSTEM has the power to sell, lease,
10 or exchange real property, acquired other than by general fund
11 appropriations, or any interest therein, including any mineral rights, the
12 ownership of which is vested in the ~~state board of agriculture~~ BOARD OF
13 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or any
14 organization governed by it. All moneys which arise from the sale, lease,
15 or exchange of said real property, or any interest therein, and all funds
16 transferred pursuant to this subsection (2.5), together with any interest
17 arising from the investment of said moneys and funds, shall be under the
18 exclusive control of the ~~state board of agriculture~~ BOARD OF GOVERNORS
19 OF THE COLORADO STATE UNIVERSITY SYSTEM. The state treasurer is
20 instructed to turn over to the ~~state board of agriculture~~ BOARD OF
21 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM all the moneys,
22 warrants, bonds, and other securities of any nature, and any interest
23 earned thereon, that have come from the sale, lease, or exchange of said
24 real property, or any interest therein, including any mineral rights.

25 (3) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
26 COLORADO STATE UNIVERSITY SYSTEM has the power to lease any real
27 property or any interest therein owned by it on behalf of any organization

1 governed by it for mineral exploration, development, and production
2 purposes, upon such terms and conditions as may be prescribed and
3 contracted by the board in the exercise of its best judgment as being in the
4 best interests of said organization. Any lease of mineral rights shall be for
5 a term not to exceed ten years and so long thereafter as minerals are
6 produced and shall provide for a royalty of not less than the royalty for
7 present commercial agreements which are generally accepted as fair
8 royalty returns, which royalty may be reduced proportionately under an
9 appropriate provision in the lease if the interest in said board is less than
10 a full interest in the land or mineral rights in the land described in the
11 lease. All royalties received under lease agreements made pursuant to the
12 authority of this section shall be remitted by the ~~state board of agriculture~~
13 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to
14 the state treasurer for deposit in the general fund. Whenever, in the
15 opinion of the board and because of the size, shape, or current use of any
16 tract of land owned by said board on behalf of any organization governed
17 by it, any lease of such tract provides that no mineral development or
18 production be conducted on the land covered thereby, such lease shall be
19 for a term not to exceed ten years and so long thereafter as the board may
20 share in royalties payable on account of the production of minerals from
21 lands adjacent to such tract so leased.

22 (4) Whenever deemed by the ~~state board of agriculture~~ BOARD OF
23 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to be in the
24 best interests of any organization governed by it, the board may enter into
25 a unit agreement providing for the pooling, unitization, or consolidation
26 of acreage covered by any oil and gas lease executed by the board with
27 other acreage for oil and gas exploration, development, and production

1 purposes and also providing for the apportionment or allocation of
2 royalties among the separate tracts of land included in the unit or pooling
3 agreement on an acreage or other equitable basis, and said board may
4 change, by such agreement and with the consent of the lessee under the
5 lease, any or all of the provisions of any lease issued by it, including the
6 term of years for which the lease was originally granted, in order to
7 conform such lease to the terms and provisions of the unit or pooling
8 agreement and to facilitate the efficient and economic production of oil
9 and gas from the lands subject to such agreement.

10 (5) The leasing of real property or any interest therein held by the
11 ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
12 UNIVERSITY SYSTEM under the provisions of this section shall not be
13 deemed to be a sale of such property.

14 (6) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
15 COLORADO STATE UNIVERSITY SYSTEM has the power to exchange real
16 property or any interest therein owned by the board on behalf of any
17 organization governed by it for lands or interests in lands which the board,
18 in the exercise of its best judgment, believes to be in the best interests of
19 said organization in the furtherance of its programs.

20 (7) The authority of the ~~state board of agriculture~~ BOARD OF
21 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to execute oil
22 and gas or other mineral leases of lands owned by the board prior to June
23 3, 1977, is hereby confirmed and acknowledged, and no such lease
24 heretofore executed by the board shall be invalid for want of such
25 authority.

26 **23-30-103. Vacancies - compensation.** Any vacancy in the office
27 of any member of the said board appointed by the governor caused by

1 death, resignation, or removal from the state may be filled by a majority
2 of the voting members. Any vacancy in the elected office on the board
3 shall be filled by reelection for the unexpired term. The members of the
4 board shall receive no compensation for their services but may be allowed
5 actual traveling expenses upon presenting an itemized bill for the same.

6 **23-30-104. Meetings of board.** The board shall meet at the
7 Colorado state university twice annually and may meet at other times and
8 places at the call of the president who has the power in case of emergency
9 to call special meetings of the board. Upon the written request of any
10 three members of the board, it is the duty of the president of the board to
11 call a special meeting thereof at such time and place as shall be designated
12 in the written request therefor. A quorum of the board shall be a majority
13 of voting members of the board.

14 **23-30-105. Election of officers - terms.** (1) ~~The state board of~~
15 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
16 SYSTEM shall, at its biennial meeting to be held on the second Wednesday
17 in May, elect from its membership a president and a vice-president and
18 also from outside its membership a secretary and a treasurer, all of which
19 said officers shall hold the office to which they are chosen for a period of
20 two years from said date and until their successors are duly elected and
21 qualified. The secretary shall give bond in favor of said board in the sum
22 of five thousand dollars with good and sufficient sureties to be approved
23 by said board, conditioned that he OR SHE will discharge all the duties of
24 said office, account for all moneys which lawfully come into ~~his~~ THE
25 SECRETARY'S hands, and pay the same over to the treasurer of the board
26 on or before the tenth day of each month. The treasurer shall give bond
27 in the sum of one hundred thousand dollars in favor of said board, with

1 good and sufficient sureties to be approved by said board, conditioned that
2 he OR SHE will safely keep and account for all moneys received by him
3 THE TREASURER and pay the same out only on warrants of the ~~state board~~
4 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
5 UNIVERSITY SYSTEM, signed by its president and countersigned by its chief
6 financial officer.

7 (2) The state treasurer is custodian of all funds granted to the
8 Colorado state university derived from state appropriations or
9 appropriations made by the congress of the United States. The controller
10 is entitled to draw said fund either from the state treasury or from the
11 treasury of the United States upon orders issued by the ~~state board of~~
12 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
13 SYSTEM, signed by its president and countersigned by its secretary. The
14 secretary and treasurer shall receive such compensation as may be fixed
15 by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
16 STATE UNIVERSITY SYSTEM.

17 **23-30-106. Board of governors of the Colorado state university**
18 **system fund - creation - control - use.** (1) There is hereby created in the
19 state treasury the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
20 COLORADO STATE UNIVERSITY SYSTEM fund which shall be under the
21 control of and administered by the ~~state board of agriculture~~ BOARD OF
22 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM in accordance
23 with the provisions of this article. Except as otherwise allowed by section
24 24-36-103 (2), C.R.S., all moneys received or acquired by the ~~state board~~
25 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
26 UNIVERSITY SYSTEM or any of the institutions it governs, whether by
27 appropriation, grant, contract, or gift, by sale or lease of surplus real or

1 personal property, or by any other means, whose disposition is not
2 otherwise provided for by law, and all interest derived from the deposit
3 and investment of moneys in the fund shall be credited to said fund. The
4 moneys in the fund are hereby continuously appropriated to the ~~state~~
5 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
6 UNIVERSITY SYSTEM and shall remain in the fund and shall not be
7 transferred or revert to the general fund of the state at the end of any fiscal
8 year.

9 (2) The moneys in the ~~state board of agriculture~~ BOARD OF
10 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM fund shall be
11 used by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
12 COLORADO STATE UNIVERSITY SYSTEM for the payment of salaries and
13 operating expenses of the board and the institutions it governs and for the
14 payment of any other expenses incurred by the board in carrying out its
15 statutory powers and duties.

16 (3) Moneys in the ~~state board of agriculture~~ BOARD OF GOVERNORS
17 OF THE COLORADO STATE UNIVERSITY SYSTEM fund which are not needed
18 for immediate use by the ~~state board of agriculture~~ BOARD OF GOVERNORS
19 OF THE COLORADO STATE UNIVERSITY SYSTEM may be invested by the
20 state treasurer in investments authorized by sections 24-36-109,
21 24-36-112, and 24-36-113, C.R.S. The board shall determine the amount
22 of moneys in the fund which may be invested and shall notify the state
23 treasurer in writing of such amount.

24 **23-30-107. Duties of secretary.** (1) The secretary of the board
25 shall keep ~~his~~ THE SECRETARY'S office at such place as the board directs.
26 It is ~~his~~ THE duty OF THE SECRETARY to keep a record of the transactions
27 of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO

1 STATE UNIVERSITY SYSTEM and of the Colorado state university and farms,
2 which shall be open at all times to the inspection of any citizen of the
3 state. ~~He~~ THE SECRETARY shall also have the custody of all books, papers,
4 documents, and other property which may be deposited in ~~his~~ THE
5 SECRETARY'S office, including specimens of the vegetable and animal
6 kingdoms of the state or counties; keep and file all reports which may be
7 made from time to time by the different agricultural and horticultural
8 societies and all correspondence of the office from other persons and
9 societies appertaining to the general business of husbandry; and address
10 circulars to societies and the best practical farmers in the state and
11 elsewhere with the view of eliciting information upon the newest and best
12 mode of irrigation, and the culture of those products, vegetables, and trees
13 adapted to the soil and climate of this state, and on all subjects connected
14 with field culture, horticulture, stock raising, and the dairy.

15 (2) ~~He~~ THE SECRETARY shall encourage the formation of
16 agricultural societies throughout the state and purchase, receive, and
17 distribute such rare and valuable seeds, plants, shrubbery, and trees as it
18 may be in his OR HER power to procure from the general government and
19 such other sources and as may be adapted to our climate and soils. ~~He~~
20 THE SECRETARY shall also encourage the importation of improved breeds
21 of horses, cattle, sheep, hogs, and other livestock and the invention and
22 improvement of laborsaving implements of husbandry and diffuse
23 information in relation to the same. ~~He~~ THE SECRETARY shall encourage
24 such domestic industry and household arts as are calculated to promote
25 the general thrift, wealth, and resources of the state.

26 (3) To effect these objects ~~he~~ THE SECRETARY shall correspond
27 with the patent office at Washington and representatives of our national

1 government abroad and, if possible, procure valuable contributions of
2 agriculture from those sources. ~~He~~ THE SECRETARY shall aid, as far as
3 possible, in obtaining contributions to the museums and the library of the
4 Colorado state university and thus aid in the promotion of agricultural
5 science and literature.

6 **23-30-108. Warrants signed by whom.** All expenses of the state
7 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
8 UNIVERSITY SYSTEM shall be paid from the amounts duly set aside by the
9 board for said purpose by warrants duly signed by its president and
10 countersigned by its chief financial officer as appointed by the board.

11 **23-30-109. Distribution of seeds and plants.** The seeds, plants,
12 trees, and shrubbery received by the secretary and not needed by the
13 university, as far as possible, shall be distributed equally throughout the
14 state to those farmers and others who will agree to cultivate them properly
15 and return to the secretary's office a reasonable proportion of the products
16 thereof, with a full statement of the mode of cultivation and such other
17 information as may be necessary to ascertain their value for cultivation in
18 the state. Information in regard to agriculture may be published by ~~him~~
19 THE SECRETARY from time to time in the newspapers of the state if it does
20 not involve any expense to the state.

21 **23-30-110. Plant breeding programs.** The ~~state board of~~
22 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
23 SYSTEM ~~of the state of Colorado~~ is authorized to initiate and expand plant
24 breeding programs that will result in the development of disease-resistant
25 varieties of crop plants, particularly of small grain varieties that are
26 resistant to black stem rust disease, and to continue or expand any plant
27 breeding program which may be necessary to protect important crops of

1 Colorado from diseases that would endanger or seriously reduce the
2 production of these crops in the state of Colorado.

3 **23-30-111. Cooperation with other agencies.** The ~~state board of~~
4 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
5 SYSTEM may cooperate with the United States department of agriculture
6 or any of its departments or agencies, the Colorado department of
7 agriculture, other states, counties of Colorado, any organized group of
8 Colorado citizens, and such other agencies, firms, or individuals as may
9 be necessary or desirable to prosecute the provisions of this part 1.

10 **23-30-112. Providing personnel, supplies.** The ~~state board of~~
11 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
12 SYSTEM, operating through the Colorado agricultural experiment station,
13 may provide such personnel, funds, labor, material, and supplies as are
14 necessary for the purposes specified in sections 23-30-110 and 23-30-111.

15 **23-30-113. Agricultural extension service furnished counties.**
16 Two or more counties may join in financing agricultural extension service
17 furnished counties by the COLORADO STATE university. In such event,
18 each such county shall pay its pro rata share of the cost of such work as
19 determined by negotiation between the ~~state board of agriculture~~ BOARD
20 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and the
21 board of county commissioners of each such county.

22 **23-30-114. Hesperus account created.** The proceeds of or
23 income from the property formerly known as the "Fort Lewis school",
24 granted by the United States to the state of Colorado, pursuant to an act
25 of congress approved April 4, 1910 (36 Stat. 274), as modified by an act
26 of congress approved May 18, 1916 (39 Stat. 128), shall constitute a
27 special account, which shall be known as the "Hesperus account". The

1 income from said property and from the Hesperus account shall be
2 appropriated by the general assembly and used by the ~~state board of~~
3 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
4 SYSTEM first for tuition waivers at Fort Lewis college for qualified Indian
5 pupils. Any moneys remaining after such use shall be applied to such
6 public purpose as may be determined by the board, subject to
7 appropriation by the general assembly.

8 **23-30-115. Development of natural resources.** The state board
9 of land commissioners is authorized to prudently develop such coal
10 measures, mineral deposits, and oil structures by lease or otherwise as is
11 situated on lands described in section 23-30-114, but such development
12 shall not unreasonably interfere with the use of such land as may be
13 directed from time to time by the ~~state board of agriculture~~ BOARD OF
14 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM. Applications
15 for leases of the coal measures, mineral deposits, and oil structures shall
16 be made to the state board of land commissioners, which board may
17 execute such leases in the manner required by law. Rental, royalties, and
18 income therefrom shall be deposited with the state treasurer and credited
19 to the special account established by section 23-30-114.

20 **23-30-116. Power to invest.** The ~~state board of agriculture~~ BOARD
21 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the
22 power to direct the investment of funds held by the state treasurer
23 pursuant to section 23-30-114 in such securities as are permitted for
24 private trustees and similar fiduciaries under the law of the state of
25 Colorado.

26 **SECTION 2.** 23-30-201, Colorado Revised Statutes, is amended
27 to read:

1 **23-30-201. Transfer to board of governors of the Colorado state**
2 **university system - exception.** There is transferred to and vested in the
3 ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
4 UNIVERSITY SYSTEM, referred to in this part 2 as the "board", all rights,
5 powers, and duties for protecting, promoting, and extending the
6 conservation of the forests in the state vested on or before February 14,
7 1955, in the state board of land commissioners, acting ex officio as the
8 state board of forestry; but such authority shall not extend to nor include
9 the power vested in the state board of land commissioners with respect to
10 forest lands included in the public lands of the state under the control and
11 jurisdiction of said state board of land commissioners, as provided by
12 sections 9 and 10 of article IX of the state constitution and the laws
13 relating thereto.

14 **SECTION 3.** 23-30-202, Colorado Revised Statutes, is amended
15 to read:

16 **23-30-202. Powers and duties of board of governors of the**
17 **Colorado state university system.** (1) The authority granted to the
18 board by section 23-30-201 shall include the following powers and duties:

19 (a) To provide for the protection of the forest resources of the
20 state, both public and private, from fire, insects, and diseases;

21 (b) To foster and promote the control of soil erosion on such forest
22 lands;

23 (c) To carry on an educational program with landowners, in the
24 application of the practice of forestry on forest lands, by the growing,
25 harvesting, and marketing of forest products from such lands;

26 (d) To disseminate information and statistics concerning forests
27 and forestry in the state, subject to the control and approval of the

1 executive director of the department of natural resources;

2 (e) To conduct investigations and experiments tending to further
3 the intent of this part 2;

4 (f) To report to the executive director of the department of natural
5 resources at such times and on such matters as the executive director may
6 require; and

7 (g) To cooperate with all agencies of the state which need and
8 request the aid and assistance of a trained forester.

9 (2) In addition to the powers and duties set forth in subsection (1)
10 of this section, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF
11 THE COLORADO STATE UNIVERSITY SYSTEM shall enter into an agreement
12 with the executive director of the department of natural resources pursuant
13 to section 24-33-201 (1), C.R.S.

14 **SECTION 4.** 23-30-302, Colorado Revised Statutes, is amended
15 to read:

16 **23-30-302. Forestry function named.** The forestry function of
17 the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
18 STATE UNIVERSITY SYSTEM shall be known as the "Colorado state forest
19 service".

20 **SECTION 5.** Article 55 of title 23, Colorado Revised Statutes, is
21 amended BY THE ADDITION OF A NEW SECTION to read:

22 **23-55-108. Board of governors of the Colorado state university**
23 **system - enhancements to the university of southern Colorado - repeal.**

24 (1) THE BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
25 SYSTEM, IN CONSULTATION WITH THE COLORADO COMMISSION ON HIGHER
26 EDUCATION, SHALL REQUIRE THE UNIVERSITY OF SOUTHERN COLORADO, IN
27 ADDITION TO THAT INSTITUTION'S RESPONSIBILITIES, TO MEET THE

1 FOLLOWING GOALS NO LATER THAN JUNE, 2003:

2 (a) IMPLEMENTATION OF EFFECTIVE OUTREACH ACTIVITIES IN
3 FURTHERANCE OF INCREASED ENROLLMENT IN ITS PRIMARY SERVICE AREA
4 OF SOUTHEASTERN COLORADO AND OTHER AREAS THE UNIVERSITY SERVES;

5 (b) DEMONSTRATION OF INCREASING STRENGTH AND QUALITY IN
6 THE KEY ACADEMIC PROGRAMS PROVIDED BY THE UNIVERSITY;

7 (c) ESTABLISH CONGRUOUS STANDARDS FOR FACULTY
8 APPOINTMENT, PROMOTION, TENURE, TEACHING, CREATIVE AND
9 SCHOLARLY WORK, AND OVERALL PERFORMANCE, WITH DUE ALLOWANCE
10 FOR INSTITUTIONAL SIZE, ROLE, MISSION, AND STUDENT ADMISSION
11 STANDARDS;

12 (d) ENSURE THAT THE GENERAL EDUCATION CURRICULUM AT EACH
13 CAMPUS IS OF A COMPARABLE NATURE TO FACILITATE SUCCESSFUL
14 TRANSFER AND ACADEMIC PROGRESS OF STUDENTS MOVING BETWEEN
15 INSTITUTIONS;

16 (e) AVOID UNNECESSARY DUPLICATION OF PROGRAMS AND
17 DEGREES, WITH DUE ALLOWANCE FOR THE DIFFERENT STUDENT
18 POPULATIONS SERVED AND THE DISTANCE SEPARATING THE CAMPUSES; AND

19 (f) EMPLOYMENT OF UNIFIED STRATEGIC PLANNING, FINANCIAL
20 PLANNING, AND BUDGETING PROCESSES THAT ARTICULATE LONG-TERM
21 OBJECTIVES IN FURTHERANCE OF THE UNIVERSITY'S MISSION AND
22 COLLABORATIONS WITH COLORADO STATE UNIVERSITY.

23 (2) DURING THE PERIOD IN WHICH THE UNIVERSITY OF SOUTHERN
24 COLORADO UNDERTAKES THE ACTIVITIES SET FORTH IN SUBSECTION (1) OF
25 THIS SECTION, COLORADO STATE UNIVERSITY SHALL ASSIST THE
26 UNIVERSITY OF SOUTHERN COLORADO IN THE COORDINATION AND
27 DEVELOPMENT OF OUTREACH, CONTINUING EDUCATION AND SPECIAL

1 PROGRAMS, AND IN ADVANCING RECRUITMENT AND ENROLLMENT
2 MANAGEMENT STRATEGIES AND RESOURCES, STRATEGIC PLANNING, AND
3 OBJECTIVES OF MEETING REGIONAL NEEDS IN ACADEMIC PROGRAMMING.

4 (3) (a) THE BOARD OF GOVERNORS OF THE COLORADO STATE
5 UNIVERSITY SYSTEM SHALL ISSUE A REPORT BY JANUARY 1, 2003, TO THE
6 EDUCATION COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE
7 SENATE REGARDING THE PROGRESS OF THE UNIVERSITY OF SOUTHERN
8 COLORADO IN MEETING THE GOALS SPECIFIED IN SUBSECTION (1) OF THIS
9 SECTION AND AN ANALYSIS OF ENHANCEMENT OPTIONS FOR THE
10 POLYTECHNIC MISSION OF THE UNIVERSITY OF SOUTHERN COLORADO
11 INCLUDING, BUT NOT LIMITED TO, A PLAN AND TIMETABLE FOR THE
12 UNIVERSITY OF SOUTHERN COLORADO TO OFFER CURRICULUMS FOR CIVIL,
13 MECHANICAL, AND ELECTRICAL ENGINEERING DEGREES.

14 (b) PRIOR TO ISSUING THE REPORT UNDER PARAGRAPH (a) OF THIS
15 SUBSECTION (3), THE BOARD OF GOVERNORS OF THE COLORADO STATE
16 UNIVERSITY SYSTEM SHALL HOLD AT LEAST ONE PUBLIC MEETING
17 REGARDING THE PROGRESS OF THE UNIVERSITY OF SOUTHERN COLORADO
18 IN MEETING THE GOALS SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

19 (4) THE GOALS OUTLINED IN SUBSECTION (1) OF THIS SECTION
20 SHALL BE IMPLEMENTED WITHIN EXISTING RESOURCES.

21 (5) THIS SECTION IS REPEALED, EFFECTIVE JULY 1, 2003.

22 **SECTION 6.** Article 55 of title 23, Colorado Revised Statutes, is
23 amended to read:

24 **ARTICLE 55**

25 **Colorado State University - Pueblo**

26 **23-55-101. University established - role and mission.** There is
27 hereby established a university at Pueblo, to be known as ~~the university~~

1 of southern Colorado COLORADO STATE UNIVERSITY - PUEBLO, which shall
2 be a ~~general baccalaureate~~ COMPREHENSIVE REGIONAL and polytechnic
3 institution with moderately selective admission standards. The university
4 shall offer a limited number of professional and engineering technology
5 programs, education programs, and traditional liberal arts and sciences.
6 All two-year programs shall be phased out by July 1, 1987. The
7 university shall offer selective graduate programs compatible with its
8 polytechnic mission which shall be in academic areas which uniquely
9 serve southeastern Colorado.

10 **23-55-102. Objectives of university. (Repealed)**

11 **23-55-103. State board of agriculture to supervise.** The state
12 board of agriculture has the general supervision of ~~the university of~~
13 ~~southern Colorado~~ COLORADO STATE UNIVERSITY - PUEBLO and the
14 control and direction of the funds and appropriations made thereto and has
15 the power to receive, demand, and hold for the uses and purposes of said
16 university all money, lands, and other property ~~which~~ THAT may be
17 donated, devised, or conveyed thereto and to apply the same in such
18 manner as shall best serve the objects and interests of the said university.

19 **23-55-104. Power to acquire land.** The state board of agriculture
20 also has the power to take and hold, by gift, devise, or purchase or through
21 exercise of the power of eminent domain pursuant to law, so much
22 additional land as may become necessary for the location and construction
23 of such additional buildings, structures, and other facilities as may be
24 required for the uses and purposes of said university.

25 **23-55-105. Effect of name change.** (1) The legal effect of any
26 statute heretofore designating ~~the university of Southern Colorado~~
27 COLORADO STATE UNIVERSITY - PUEBLO by any other name, or property

1 rights heretofore acquired and obligations heretofore incurred under any
2 other name, shall not be impaired.

3 (2) THE REVISOR OF STATUTES IS AUTHORIZED TO MAKE SUCH
4 CHANGES IN OTHER PROVISIONS OF THE STATUTES AS MAY BE NECESSARY
5 TO CONFORM SUCH PROVISIONS TO THE CHANGE OF NAME OF THE
6 UNIVERSITY AS SPECIFIED IN SUBSECTION (1) OF THIS SECTION.

7 **23-55-106. Additional powers of board.** (1) The state board of
8 agriculture also has the power to lease portions of the grounds of ~~the~~
9 ~~university of southern Colorado~~ COLORADO STATE UNIVERSITY - PUEBLO
10 to private persons and corporations for the construction of dormitory,
11 living, dining, or cottage buildings and to rent, lease, maintain, operate,
12 and purchase such buildings at such university, all in the manner provided
13 by and subject to the limitations contained in sections 23-56-103 to
14 23-56-109; except that none of such grounds or improvements shall be
15 used in any manner that discriminates against anyone because of race,
16 creed, color, or religion.

17 (2) In exercising the powers conferred by subsection (1) of this
18 section, the state board of agriculture is authorized to enter into
19 agreements ~~which~~ THAT establish fixed building rental rates for the full
20 term of any building lease, to let individual rooms and quarters within
21 leased buildings at such rental rates as are approved by the said board and
22 prescribed in the lease, and to enter into agreements not to alter such rates
23 during the term of any lease agreement without the prior consent of the
24 building lessor or his OR HER assigns.

25 (3) In addition to those powers conferred elsewhere in this article,
26 the state board of agriculture has the power to:

27 (a) Appoint a president of ~~the university of southern Colorado~~

1 COLORADO STATE UNIVERSITY - PUEBLO who shall hold ~~his~~ THE office
2 until removed by the said board or until he OR SHE resigns;

3 (b) Appoint such other executive officers of the university as may
4 be required;

5 (c) Appoint such faculty and employees as the necessities of the
6 university demand;

7 (d) Determine the compensation to be paid to the president,
8 executive officers, faculty, and professional staff.

9 **23-55-107. Board of agriculture - powers relating to real**
10 **property.** The state board of agriculture shall have the powers specified
11 in section 23-30-102 regarding the sale, lease, or exchange of real
12 property, or any interest therein, the ownership of which is vested in the
13 state board of agriculture or ~~the university of southern Colorado~~
14 COLORADO STATE UNIVERSITY - PUEBLO. The state board of agriculture
15 shall report all proposed sales, leases, or exchanges of such real property
16 adjacent to or titled in ~~university of southern Colorado~~ COLORADO STATE
17 UNIVERSITY - PUEBLO to the Colorado commission on higher education,
18 which will review and approve or disapprove the proposed transaction
19 pursuant to section 23-1-106.

20 **SECTION 7.** 23-50-101 (1) (e), Colorado Revised Statutes, is
21 amended to read:

22 **23-50-101. Governing board for state colleges.** (1) (e) The
23 trustees of the state colleges in Colorado shall retain such authority over
24 the setting of fees and other fiscal matters at the university of southern
25 Colorado directly related to present and future facilities and pledges under
26 the systemwide bonding agreement in effect as of May 1, 1972, but no
27 action changing the liabilities of said university with reference to the

1 system may be taken without thirty days' prior notice to the ~~state board of~~
2 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
3 SYSTEM.

4 **SECTION 8.** 24-1-114 (4) (b), Colorado Revised Statutes, is
5 amended to read:

6 **24-1-114. Department of higher education - creation.** (4) For
7 the purposes of section 22 of article IV of the state constitution, the
8 following are allocated to the department of higher education but shall
9 otherwise continue to be administered as provided by law:

10 (b) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
11 COLORADO STATE UNIVERSITY SYSTEM, created by part 1 of article 30 of
12 title 23, C.R.S.; Colorado state university, created by article 31 of title 23,
13 C.R.S.; Fort Lewis college, created by part 1 of article 52 of title 23,
14 C.R.S.; and the university of southern Colorado, created by article 55 of
15 title 23, C.R.S.;

16 **SECTION 9.** Article 31 of title 22, Colorado Revised Statutes, is
17 amended to read:

18 **ARTICLE 31**

19 **Colorado State University**

20 **23-31-101. University established - role and mission.** There is
21 hereby established a university at Fort Collins to be known as Colorado
22 state university. Colorado state university shall be a comprehensive
23 graduate research university with high admission standards offering a
24 comprehensive array of undergraduate programs consistent with the
25 tradition of land grant universities. The Colorado commission on higher
26 education shall, after consultation with the ~~state board of agriculture~~
27 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM,

1 further define the role and mission of the institution and establish as great
2 a distinction among the graduate offerings at the Boulder campus of the
3 university of Colorado, Colorado state university, and the university of
4 northern Colorado as is in its judgment educationally, geographically, and
5 economically appropriate. The governing board shall adhere to this
6 further definition of role and mission. Colorado state university has the
7 responsibility to provide on a statewide basis, utilizing when possible and
8 appropriate the faculty and facilities of other educational institutions,
9 those graduate level programs designated by the commission as primarily
10 its statewide responsibility. The commission shall include in its funding
11 recommendations a level of general fund support for these programs.

12 **23-31-102. Name changed.** The agricultural college at Fort
13 Collins, declared to be an institution of the state by section 5 of article
14 VIII of the state constitution, and designated under the name and title of
15 the "Colorado agricultural and mechanical college" by section 124-10-1,
16 CRS 53, after May 1, 1957, shall be designated under the name and title
17 of the "Colorado state university". The legal effect of any statute prior to
18 May 1, 1957, designating such institution by any other name, or property
19 rights acquired and obligations incurred prior to May 1, 1957, under any
20 other name, shall not be impaired hereby.

21 **23-31-103. Qualifications of students.** No student shall be
22 admitted to the institution who is not fifteen years of age and who does
23 not pass a satisfactory examination in arithmetic, geography, grammar,
24 reading, spelling, and penmanship.

25 **23-31-104. Program to be made.** The board and faculty shall
26 annually make a program of theoretical and practical instruction.

27 **23-31-105. Duration of course.** A full course of study in the

1 institution shall embrace not less than four years. The ~~state board of~~
2 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
3 SYSTEM may institute winter courses of lectures for persons other than
4 students of the institution under necessary rules and regulations.

5 **23-31-106. Academic year - term - suspension.** The academic
6 year shall consist of not less than nine calendar months. This academic
7 year may be divided into such terms by the ~~state board of agriculture~~
8 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM as
9 in their judgment will best secure the objects for which the university was
10 founded. The board at any time may temporarily suspend the university
11 in case of fire, the prevalence of fatal diseases, or other unforeseen
12 calamity.

13 **23-31-107. Tuition fees - discrimination.** The ~~state board of~~
14 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
15 SYSTEM shall fix tuition in accordance with the level of cash fund
16 appropriations set by the general assembly for the university pursuant to
17 section 23-1-103.5. The board may discriminate in regard to tuition
18 between students from this state and students from other states.

19 **23-31-108. Board to control college and farm.** The ~~state board~~
20 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
21 UNIVERSITY SYSTEM has the general control and supervision of the
22 Colorado state university, the farm pertaining thereto, and lands which
23 may be vested in the university by state or national legislation and of all
24 appropriations made by the state for the support of the same. The board
25 has plenary power to adopt all such ordinances, bylaws, and regulations,
26 not in conflict with the law, as they may deem necessary to secure the
27 successful operation of the university and promote the designed objects.

1 **23-31-109. Board to choose president, faculty, and employees.**

2 It is the duty of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF
3 THE COLORADO STATE UNIVERSITY SYSTEM to choose a president of the
4 Colorado state university before the first academic term of the institution.
5 The board shall then proceed to choose such professors, tutors, and
6 employees as the necessities of the institution demand. In case of vacancy
7 in the office of president or in case a suitable man cannot be selected, the
8 senior professor shall perform the duties of the office until the board
9 elects a president.

10 **23-31-110. Board to appoint vice-president.** In addition to the
11 powers delegated to the ~~state board of agriculture~~ BOARD OF GOVERNORS
12 OF THE COLORADO STATE UNIVERSITY SYSTEM, the board is vested with the
13 power to appoint a vice-president of the Colorado state university from
14 the faculty and designate the work and duties of said vice-president.

15 **23-31-111. Board to fix salaries.** The board shall fix the salaries
16 of the president, professors, and other employees of the university and
17 prescribe their respective duties. The board may remove the president or
18 subordinate officers and fill all vacancies.

19 **23-31-112. Board to prescribe books and confer degrees.** The
20 board, with the advice of the faculty, shall prescribe the books to be used
21 in the institution and confer such degrees or testimonials as are conferred
22 by similar institutions.

23 **23-31-113. Who shall constitute faculty.** The president,
24 professors, and farm managers shall constitute the faculty of the Colorado
25 state university. The president of the college shall be the president of the
26 faculty. The secretary of the ~~state board of agriculture~~ BOARD OF
27 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall be a

1 member and secretary of the faculty.

2 **23-31-114. Faculty to make rules.** The faculty shall pass all
3 needful rules and regulations necessary to the government and discipline
4 of the university, regulate the routine of labor, study, meals, and the duties
5 and exercises, and all such rules and regulations as are necessary to the
6 preservation of all morals, decorum, and health.

7 **23-31-115. Duty of faculty.** The faculty shall have charge of the
8 laboratories, library, and museums of the institution.

9 **23-31-116. Annual report.** The head of each department in the
10 university, through the president of the faculty, shall make a report to the
11 board at the regular meetings held in June and December of each year.
12 The report in December shall be an annual report and shall comprise a
13 thorough and comprehensive history and statement of the work of the
14 department for the year closing at that time. The reports of the president
15 of the university at each meeting of the board shall embrace matters
16 relating to the university not otherwise reported and may contain a
17 summary of the whole. The president shall cause an inventory to be taken
18 annually in December and shall embody a summary of the same in his OR
19 HER annual report to the ~~state board of agriculture~~ BOARD OF GOVERNORS
20 OF THE COLORADO STATE UNIVERSITY SYSTEM at its annual meeting, such
21 inventory to embrace all property belonging to the Colorado state
22 university at that time.

23 **23-31-117. President - duties.** The president shall be chief
24 executive officer of the Colorado state university, and it is his OR HER
25 duty to see that the rules and regulations of the ~~state board of agriculture~~
26 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and
27 the faculty are observed and executed.

1 **23-31-118. President may remove officers.** The subordinate
2 officers and employees, not members of the faculty, shall be under the
3 direction of the president and, in the recess of the board, removable at his
4 OR HER discretion. He THE PRESIDENT may fill vacancies that may be thus
5 or otherwise created. His THE PRESIDENT'S action in these respects shall
6 be submitted to the approval of the ~~state board of agriculture~~ BOARD OF
7 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM at its next
8 meeting.

9 **23-31-119. President may be professor.** The president may or
10 may not perform the duties of a professor, as the ~~state board of agriculture~~
11 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall
12 determine. If he OR SHE performs the duties of professor or if the duties
13 of the president are exercised by a president pro tem, a superintendent of
14 the farm may be appointed who shall have the general superintendence of
15 the business pertaining to the farm and the land and other property of the
16 institution and who shall be a member of the faculty.

17 **23-31-120. Current expenses, how paid.** (1) The current
18 expenses of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
19 COLORADO STATE UNIVERSITY SYSTEM, the Colorado state university, and
20 the experiment station shall be paid from the amounts duly set aside by
21 the board for said purpose, by warrants drawn on the treasurer of said
22 board, duly signed by its president and countersigned by its secretary.
23 The secretary shall collect all moneys due the university on account of
24 any fees, sales of stock, property, and farm produce and pay the same over
25 to said treasurer, taking his A receipt therefor.

26 (2) It is the duty of the controller when any funds are available for
27 the use and benefit of the university, upon an order signed by the

1 president and countersigned by the secretary of the ~~state board of~~
2 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
3 SYSTEM in favor of the treasurer of the board, to issue a warrant upon the
4 state treasurer in favor of the treasurer of the board.

5 (3) The treasurer of the board shall keep a just and true account of
6 all funds so received in separate accounts according to the source of said
7 funds and make a report thereon, from time to time, to the ~~state board of~~
8 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
9 SYSTEM, including an annual report at the close of the fiscal year and such
10 separate and other reports as the board may require, concerning all of said
11 funds.

12 **23-31-121. Report of experimental operations.** All agricultural
13 operations on the farm shall be carried on experimentally for the
14 instruction of the students and with a view to the improvement of the
15 science of agriculture in the state of Colorado. Such reports as may be
16 required by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
17 COLORADO STATE UNIVERSITY SYSTEM shall be submitted in accordance
18 with the directions of the board.

19 **23-31-122. Permanent fund of college.** The state treasurer is
20 hereby authorized to have transferred upon his OR HER books ten percent
21 of the gross receipts from the sale of public lands granted to the state of
22 Colorado for the use and benefit of the Colorado state university, the
23 amount so transferred to be computed upon the total amount of receipts
24 received by the state of Colorado and passed to the permanent fund
25 belonging to the said university and, when so transferred upon the books
26 of said office, the same to be available for disbursement by the ~~state board~~
27 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE

1 UNIVERSITY SYSTEM under certificates of indebtedness to be issued by the
2 ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
3 UNIVERSITY SYSTEM and signed by its president and countersigned by its
4 secretary for the purposes provided in sections 23-31-122 to 23-31-125.

5 **23-31-123. Purposes of fund.** The ~~state board of agriculture~~
6 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is
7 authorized to purchase such lands for sites and for experimental farms as
8 it may deem necessary for the better conduct of the work in connection
9 with the Colorado state university and experiment station in connection
10 therewith. The sum transferred as set forth in section 23-31-122 is hereby
11 appropriated for said purposes.

12 **23-31-124. Exclusive use.** The funds appropriated by section
13 23-31-123 shall be used exclusively for the purposes therein stated.

14 **23-31-125. Warrants.** The controller is hereby authorized to
15 draw warrants on the fund created by sections 23-31-123 and 23-31-124
16 upon presentation of certificates of indebtedness issued by the ~~state board~~
17 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
18 UNIVERSITY SYSTEM and signed by the president and countersigned by the
19 secretary.

20 **23-31-126. Revolving fund. (Repealed)**

21 **23-31-127. Pledge of income from facilities or equipment.**

22 (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
23 COLORADO STATE UNIVERSITY SYSTEM, designated in this section as the
24 "board", is authorized to enter into a contract for the advancement of
25 moneys for the acquisition of facilities or equipment, or both, for the
26 Colorado state university auditorium-gymnasium, and in connection with
27 or as a part of such contract to pledge the net income, or any part of such

1 net income, to be derived from such facilities or equipment, or both, so
2 acquired, and to pledge special student fees assessed for the purpose of
3 financing such facilities or equipment, or both, as security for the
4 repayment of the moneys advanced therefor, together with interest
5 thereon. For the same purpose, the board is also authorized to pledge the
6 net income derived from any similar facility or equipment, or portion
7 thereof, which was not acquired with moneys appropriated to Colorado
8 state university, if such net income derived from such similar facility or
9 equipment, or portion thereof, is unpledged or, if pledged, is currently in
10 excess of the amount required to amortize the advancements and interest
11 thereon for which such net income has been obligated.

12 (2) The board shall not pledge the general income of the university
13 or create any mortgage upon property belonging to such institution or
14 obligate the state of Colorado for the purpose of repaying or receiving any
15 funds raised or advanced under the provisions of this section.

16 (3) Any advancement of moneys may be evidenced by revenue
17 bonds or warrants to be executed by and on behalf of Colorado state
18 university and containing such terms and provisions, including provisions
19 for redemption prior to maturity and a maximum net effective interest rate,
20 as may be determined by the board of such institution. Such revenue
21 bonds or warrants shall bear interest at a rate such that the net effective
22 interest rate of the issue of bonds does not exceed the maximum net
23 effective interest rate fixed, which interest shall be payable semiannually
24 or annually. Such revenue bonds or warrants may be sold at less than par,
25 but they may not be sold at a price such that the net effective interest rate
26 of the issue of bonds or warrants exceeds the maximum net effective
27 interest rate fixed. Any such revenue bonds or warrants may be refunded

1 if in the judgment of the board such refunding is to the best interests of the
2 university.

3 (4) If the net income derived from such facilities or equipment so
4 acquired under the provisions of this section exceeds the amount required
5 for the amortization of any advancement made therefor, together with
6 interest thereon, the board may apply such surplus to the redemption of
7 such securities prior to maturity of such securities according to
8 redemption provisions thereof, or such surplus net income may be used by
9 the board for the purposes of altering or adding to any existing equipment
10 or facilities acquired pursuant to the provisions of this section.

11 (5) All obligations and the income therefrom shall be exempt from
12 taxation, except inheritance, estate, and transfer taxes.

13 **23-31-128. Rents or charges for buildings and facilities for**
14 **research.** ~~The state board of agriculture of Colorado state university~~
15 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is
16 authorized to contract for or impose and collect rents or charges for the
17 use of university buildings and facilities for research, including research
18 conducted by or under the auspices of Colorado state university. Such
19 rents or charges shall be at a level reasonably calculated to return or
20 amortize the cost of such buildings and facilities within a reasonable
21 period not exceeding the life of such buildings and facilities; but such user
22 charges or rents may not be imposed and collected in such a manner as to
23 require payment directly or indirectly from the state general fund, tuition
24 receipts, or student fees.

25 **23-31-129. Research building revolving fund - appropriation of**
26 **fund.** There is established in the office of the state treasurer a fund to be
27 known as the Colorado state university research building revolving fund,

1 and there shall be credited to said fund the user charges or rents
2 authorized by section 23-31-128 and imposed by the ~~state board of~~
3 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
4 SYSTEM, specific appropriations or grants or gifts made to said fund, the
5 proceeds of the sale of anticipation warrants authorized by sections
6 23-31-128 to 23-31-130, and the proceeds from the issuance and sale of
7 bonds pursuant to section 23-31-134. No payments from student fees,
8 tuition receipts, or general funds shall be deposited in the research
9 building revolving fund. All interest earned on the investment of moneys
10 in the fund shall be credited to the fund and shall be a part of the fund,
11 and such moneys shall not be transferred or credited to the general fund
12 or to any other fund. All such moneys so credited to said fund are
13 appropriated to Colorado state university for the payment of maintenance
14 and operating costs for its research buildings and facilities and for
15 planning, constructing, acquiring, renovating, and equipping research
16 buildings and facilities, wherever located in the state of Colorado, for
17 Colorado state university. Any such buildings and facilities shall be
18 related to the research mission of the university.

19 **23-31-130. Anticipation warrants.** The state treasurer is
20 authorized to issue anticipation warrants in such amounts as requested by
21 the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
22 STATE UNIVERSITY SYSTEM, the total amount of which shall not exceed
23 one million dollars, to be repaid exclusively from the user revenues
24 accruing to the Colorado state university research building revolving fund
25 as provided in sections 23-31-128 to 23-31-130. The anticipation
26 warrants shall not be sold at a price less than the face value thereof.
27 Disbursements from said fund shall be only by warrant upon vouchers

1 certified by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
2 COLORADO STATE UNIVERSITY SYSTEM.

3 **23-31-131. Purchase of anticipation warrants.** It is lawful for
4 any public entity, as defined in section 24-75-601 (1), C.R.S., to purchase
5 anticipation warrants issued in pursuance of section 23-31-130 if such
6 warrants satisfy the investment requirements established in part 6 of
7 article 75 of title 24, C.R.S.; but not to exceed twenty percent of the total
8 of any specific fund of such public entity shall be invested in such
9 warrants.

10 **23-31-132. Warrants as security - when.** Anticipation warrants
11 issued in pursuance of sections 23-31-128 to 23-31-134 may be used as
12 security for any depository bond or obligation where any kind of bonds
13 or other securities must or may, by law, be deposited as security.

14 **23-31-133. Tax exemption.** Any anticipation warrants issued
15 pursuant to the provisions of section 23-31-130 by the ~~state board of~~
16 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
17 SYSTEM shall be exempt from taxation for state, county, school district,
18 special district, municipal, or any other purpose in the state of Colorado.

19 **23-31-134. Borrowing funds.** (1) For the purposes described in
20 section 23-31-129, the ~~state board of agriculture~~ BOARD OF GOVERNORS
21 OF THE COLORADO STATE UNIVERSITY SYSTEM is authorized to:

22 (a) Enter into contracts with any person, corporation, or state or
23 federal government agency for the advancement of money for such
24 purposes and providing for the repayment of such advances with interest
25 from the Colorado state university research building revolving fund; and

26 (b) Issue bonds as provided in this section.

27 (2) (a) Any bonds issued pursuant to this section shall mature at

1 such time or times, shall bear or accrue interest at such rate or rates, and
2 shall otherwise be sold and issued in such manner and on such terms as
3 provided by the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
4 COLORADO STATE UNIVERSITY SYSTEM.

5 (b) Such bonds shall be payable exclusively from, and shall be
6 secured by a pledge of, the Colorado state university research building
7 revolving fund created in section 23-31-129.

8 (c) The authority contained in this section to issue bonds shall be
9 in addition to the authority granted to the ~~state board of agriculture~~ BOARD
10 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to issue
11 anticipation warrants pursuant to section 23-31-130; except that nothing
12 in this section shall be construed to authorize the issuance of bonds if by
13 such issuance the obligation of any contract entered into with respect to
14 any outstanding anticipation warrants would thereby be impaired.

15 (d) Any bonds issued pursuant to this section shall be exempt from
16 taxation for state, county, school district, special district, municipal, or
17 other purposes in the state of Colorado.

18 (e) The total amount of bonds that may be issued and outstanding
19 pursuant to this section shall be limited to the extent that no additional
20 bonds may be issued if the maximum future annual debt service for all
21 bonds, including the additional bonds, would exceed six percent of the
22 average total current restricted fund revenues of the university from
23 research gifts, contracts, and grants for the three fiscal years ending
24 immediately prior to the date for the proposed issuance of the bonds as
25 determined using the revenue figures as stated in the annual financial
26 reports of the university for said three fiscal years. If the average total
27 current restricted fund revenues of the university from research gifts,

1 contracts, and grants declines so that the total amount of the maximum
2 future annual debt service for bonds issued and outstanding exceeds the
3 six percent limitation, such occurrence shall not impair adversely any of
4 said bonds outstanding at the time of any such decline. Bonds issued
5 pursuant to the provisions of this section shall not constitute a debt or an
6 indebtedness of the state within the meaning of any applicable provision
7 of the state constitution or state statutes.

8 **23-31-135. Advancement of moneys and pledge of income.**

9 (1) ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE
10 COLORADO STATE UNIVERSITY SYSTEM, designated in this section as the
11 "board", is authorized to enter into contracts for the advancement of
12 moneys for the construction and acquisition of facilities or equipment, or
13 both, for the Colorado state university veterinary medicine hospital, or any
14 part thereof, and, in connection with or as a part of such contracts, to
15 pledge revenues from a special hospital fee that the board shall collect
16 pursuant to agreements entered into with or with respect to each
17 accountable student as security for the repayment of the moneys advanced
18 therefor, together with interest thereon. The maximum number of
19 accountable students at any given time shall not exceed three hundred
20 eight; except that, should the total enrollment in the professional
21 veterinary medicine program exceed five hundred forty-eight head-count
22 students, additional accountable students may not exceed forty-five
23 percent of each admitted class. For purposes of this section, an
24 "accountable student" is a person who, as of the date of his or her
25 selection for admission into the professional veterinary medicine program,
26 is not receiving funding, either from the state of Colorado or from a state
27 that has entered into a cooperative agreement with the state of Colorado

1 pursuant to section 24-60-601, C.R.S., for all or any portion of the costs
2 incurred in participating in the professional veterinary medicine program.
3 An agreement shall be entered into with or with respect to each
4 accountable student, and each such agreement shall provide that, as a
5 condition to that student's continued enrollment in the professional
6 veterinary medicine program, there shall be paid annually by or on behalf
7 of the student the special hospital fee provided for in this section, which
8 fee shall be fixed by the board annually in an amount sufficient to meet
9 the obligation authorized by this section.

10 (2) The board shall annually assess each cooperative state or
11 accountable student a support fee to reimburse Colorado for instructional
12 costs. This support fee includes an equipment and renovation fee of one
13 thousand one dollars assessed to each cooperative state or accountable
14 student for acquisition or replacement of equipment and for renovation.
15 Said equipment and renovation fee shall be credited to a separate reserve
16 account for appropriation by the general assembly for such acquisition or
17 replacement of equipment and such renovation. Colorado shall share
18 proportionately in the acquisition or replacement of equipment and
19 renovation projects. The amount to be paid by Colorado shall be
20 determined by the annual ratio of Colorado students to accountable
21 students based upon beginning enrollment of each school year. The fee
22 required to be collected pursuant to this subsection (2) is based on a
23 student's status as an "accountable student" at the time of selection for
24 admission into the professional veterinary medicine program and shall not
25 be reduced or waived regardless of the student's status as an in-state
26 student, pursuant to the provisions of section 23-7-103, at any time during
27 the student's participation in the professional veterinary medicine

1 program.

2 (3) The board shall not pledge any income of the university except
3 that authorized in subsection (1) of this section and shall not create any
4 mortgage upon property belonging to such institution or obligate the state
5 of Colorado for the purpose of repaying or receiving any funds raised or
6 advanced under the provisions of this section.

7 (4) Any advancement of moneys, not to exceed two million five
8 hundred thousand dollars, may be evidenced by revenue bonds or
9 anticipation warrants to be executed by the board for and on behalf of
10 Colorado state university and containing such terms and provisions,
11 including provisions for adequate reserves and for redemption prior to
12 maturity and a maximum net effective interest rate, as may be determined
13 by the board of such institution. Such revenue bonds or anticipation
14 warrants shall bear interest at a rate such that the net effective interest rate
15 of the issue of bonds or anticipation warrants does not exceed the
16 maximum net effective interest rate fixed, which interest shall be payable
17 semiannually or annually. Such revenue bonds or warrants may be sold
18 at less than par, but they may not be sold at a price such that the net
19 effective interest rate of the issue of bonds or warrants exceeds the
20 maximum net effective interest rate fixed. Any such revenue bonds or
21 warrants may be refunded pursuant to article 54 of title 11, C.R.S., if in
22 the judgment of the board such refunding is to the best interests of the
23 university.

24 (5) If the sources of pledged revenues described in subsection (1)
25 of this section exceed the amount required for the amortization of any
26 advancement made pursuant to this section, and the payment of interest
27 thereof, together with reserve requirements, the board may apply such

1 surplus to the redemption of such securities prior to maturity of such
2 securities according to redemption provisions thereof, or such surplus may
3 be used by the board for the purposes of maintaining, repairing, altering,
4 or adding to any existing equipment or facilities acquired pursuant to the
5 provisions of this section for any lawful purpose.

6 (6) All obligations issued pursuant to this section and the income
7 therefrom shall be exempt from taxation, except inheritance, estate, and
8 transfer taxes.

9 (7) No action shall be brought questioning the legality of any
10 contract, proceedings, revenue bonds, or anticipation warrants issued or
11 to be issued by the board in connection with the provision of all or any
12 part of the Colorado state university veterinary medicine hospital pursuant
13 to this section after the expiration of thirty days from the effective date of
14 any resolution or other official action authorizing such contract, adopting
15 such proceedings, or authorizing the issuance of such warrants or bonds.

16 **23-31-136. Board of governors of the Colorado state university**
17 **system - powers relating to real property.** The ~~state board of agriculture~~
18 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall
19 have the powers specified in section 23-30-102 regarding the sale, lease,
20 or exchange of real property, or any interest therein, the ownership of
21 which is vested in the ~~state board of agriculture~~ BOARD OF GOVERNORS OF
22 THE COLORADO STATE UNIVERSITY SYSTEM or Colorado state university.
23 The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
24 STATE UNIVERSITY SYSTEM shall report all proposed sales, leases, or
25 exchanges of such real property adjacent to or titled in Colorado state
26 university to the Colorado commission on higher education, which will
27 review and approve or disapprove the proposed transaction pursuant to

1 section 23-1-106.

2 **SECTION 10.** Article 32 of title 23, Colorado Revised Statutes,
3 is amended to read:

4 **ARTICLE 32**

5 **Cooperation with United States**

6 **23-32-101. Acceptance of congressional grant of 1862.** Full and
7 complete acceptance, ratification, and assent is made and given by the
8 state of Colorado to all of the provisions, terms, grants, and conditions and
9 purposes of the grants made and prescribed by the act of the congress of
10 the United States entitled "An Act to apply a portion of the proceeds of
11 the public lands to the more complete endowment and support of the
12 colleges for the benefit of agriculture and the mechanic arts." established
13 under the provisions of an act of congress, approved July 2, 1862.

14 **23-32-102. Board of governors of the Colorado state university**
15 **system to control fund.** ~~The state board of agriculture~~ BOARD OF
16 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the control
17 of the fund appropriated by the said act of congress and shall disburse the
18 same for the use and benefit of the Colorado state university and in
19 accordance with the terms and provisions of said act of congress.

20 **23-32-103. Acceptance of congressional act of 1883.** Full and
21 complete acceptance, ratification, and assent is made and given by the
22 state of Colorado to all the provisions, terms, grants, and conditions and
23 the purposes of the grants made and prescribed by the act of congress of
24 the United States entitled "An Act donating public lands to the several
25 states and territories which may provide colleges for the benefit of
26 agriculture and mechanic arts.", approved July 2, 1862, as well as the
27 amendments thereto, as made by the act of congress passed and adopted

1 March 3, 1883, entitled "An Act to amend an act donating public lands to
2 the several states and territories which may provide colleges for the
3 benefit of agriculture and mechanic arts.", and all acts amendatory or
4 supplementary to said acts.

5 **23-32-104. Control, investment, and expending of funds.**

6 (1) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
7 COLORADO STATE UNIVERSITY SYSTEM has control of the funds derived
8 from the sale of lands donated by the said act of congress of 1862, and
9 shall invest the same in securities which yield a fair and reasonable rate
10 of return, and shall disburse the income therefrom for the use and benefit
11 of the Colorado state university as required in the said act of congress.
12 Said funds derived from the sale of lands donated by said act of 1862, and
13 from lease or rental of unsold lands of such land grant, and from coal, oil,
14 and mineral royalties from said lands may be invested in bonds of the
15 United States; in state, county, municipal, and school district bonds; in
16 state, county, and municipal registered warrants; in registered warrants of
17 school districts; and in state anticipation building levy warrants, or in any
18 or all of these, in the discretion of the said ~~state board of agriculture~~
19 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM.

20 (2) The warrants of the ~~state board of agriculture~~ BOARD OF
21 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to purchase
22 such bonds, registered warrants, and anticipation warrants shall be
23 approved and paid when accompanied by favorable opinion of the
24 attorney general. All bonds, registered warrants, and anticipation warrants
25 so purchased shall be registered in the name of the "treasurer of the state
26 of Colorado for the account of the land grant fund of the Colorado state
27 university" and deposited with the state treasurer.

1 (3) The general assembly of the state of Colorado engages that the
2 principal of such fund shall forever remain unimpaired and the income
3 thereof shall be applied without diminution to the uses and purposes
4 prescribed in said act of congress; except that, as prescribed in said act of
5 congress, a sum not exceeding ten percent of the principal of such fund
6 may be expended by the ~~state board of agriculture~~ BOARD OF GOVERNORS
7 OF THE COLORADO STATE UNIVERSITY SYSTEM for the purchase or
8 exchange of lands for sites or experimental stations, subject to the
9 approval of the governor and the provisions of sections 24-75-301 to
10 24-75-303, C.R.S.

11 **23-32-105. Report of value of bonds.** It is the duty of the county
12 treasurer of each county in this state, upon the request of the ~~state board~~
13 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
14 UNIVERSITY SYSTEM, to make and transmit a report to such board on forms
15 furnished by it, in such detail as may be required, as to the value of any
16 county, municipal, or school district bonds of his OR HER county offered
17 to the board for investment.

18 **23-32-106. Other funds - investment.** The ~~state board of~~
19 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
20 SYSTEM has the right to invest in the same manner as provided in section
21 23-32-104 any other permanent funds, the principal of which is not
22 subject to use, that may be held by or granted to the state for the use of the
23 Colorado state university or other institutions under the control of the ~~state~~
24 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
25 UNIVERSITY SYSTEM.

26 **23-32-107. Report on condition - appropriation.** The ~~state board~~
27 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE

1 UNIVERSITY SYSTEM, on or before the fifteenth day of December
2 immediately preceding the convening of the general assembly, shall make
3 a report to the governor and the joint budget committee showing the
4 condition of said fund, the investment thereof, the security taken therefor,
5 and the amount of income derived therefrom. The report shall be
6 submitted by the governor to the general assembly. If such report shows
7 any loss in such funds, the amount of such loss shall be included in the
8 governor's budget in order that the general assembly may fulfill the
9 contractual obligations assumed by the state in accepting the provisions
10 and grants of said act of congress of 1862 through an appropriation to
11 repay such loss and keep the principal of such fund unimpaired.

12 **23-32-108. Management of funds.** The state board of agriculture
13 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is
14 designated to receive, manage, and disburse all funds not permanent in
15 character derivable and derived under the several acts of congress
16 supplementary to the act of congress of 1862.

17 **23-32-109. Purpose of sections.** It is the design of the general
18 assembly in passing sections 23-32-103 to 23-32-109 to supplement and
19 make more definite previous acts of acceptance of said several grants and
20 the conditions thereof, and particularly to definitely provide for the
21 management and investment of the permanent funds so derived, to the end
22 that the engagements of the state with reference thereto may be kept.

23 **23-32-110. Acceptance of congressional act of 1928.** Full and
24 complete acceptance, ratification, and assent is made and given by the
25 state of Colorado to all the provisions, terms, grants, and conditions and
26 purposes of the grants made and prescribed by the act of congress of the
27 United States entitled "An Act to provide for the further development of

1 agricultural extension work at the agricultural colleges in the several
2 states, receiving the benefit of the act entitled 'An Act donating public
3 lands to the several states and territories which may provide colleges for
4 the benefit of agriculture and mechanic arts.', approved July 2, 1862, and
5 all acts supplementary thereto, and the United States department of
6 agriculture, approved May 22, 1928." The action of the governor of the
7 state in accepting in behalf of the state of Colorado the provisions of the
8 said act of congress for the period from its approval to the adjournment of
9 the present session of the general assembly as authorized by said act of
10 congress is ratified.

11 **23-32-111. Control of funds.** ~~The state board of agriculture~~
12 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has
13 the control of the funds appropriated by the said act of congress and shall
14 disburse the same in accordance with the terms and provisions of the act
15 of congress.

16 **23-32-112. Congressional act of 1914 accepted.** Full and
17 complete acceptance and assent is made and given by the state of
18 Colorado to the provisions, terms, and conditions made and prescribed by
19 the act of congress of the United States entitled "An Act to provide for
20 cooperative agricultural extension work between the agricultural colleges
21 in the several states receiving the benefits of an act of congress approved
22 July 2, 1862, and of acts supplementary thereto, and the United States
23 department of agriculture, known as the Smith-Lever Act, approved May
24 8, 1914." The Colorado state university in the state of Colorado is
25 designated as the beneficiary of said act under the direction of the ~~state~~
26 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
27 UNIVERSITY SYSTEM.

1 **23-32-113. Board to receive and expend funds.** The state board
2 of agriculture BOARD OF GOVERNORS OF THE COLORADO STATE
3 UNIVERSITY SYSTEM is designated as the officer of the state of Colorado
4 duly authorized to receive and expend the funds available under said act
5 of congress to the state of Colorado for the uses and purposes therein
6 prescribed.

7 **23-32-114. Acceptance of congressional act of 1935.** Full and
8 complete acceptance, ratification, and assent is made and given by the
9 state of Colorado to all the provisions, terms, grants, and conditions and
10 purposes of the grants made and prescribed by the act of congress of the
11 United States entitled "An Act to provide for research into basic laws and
12 principles relating to agriculture and to provide for the further
13 development of cooperative agricultural extension work and the more
14 complete endowment and support of land-grant colleges.", approved June
15 29, 1935. The action of the governor of the state in accepting in behalf of
16 the state of Colorado the provisions of the said act of congress for the
17 period from its approval to the adjournment of the thirty-first session of
18 the general assembly as authorized by said act of congress is ratified.

19 **23-32-115. Control of funds from 1935 act.** The state board of
20 agriculture BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
21 SYSTEM has the control of the funds appropriated by the said act of
22 congress and shall disburse the same for the use and benefit of the
23 Colorado state university for instruction, for research and investigations,
24 and for cooperative agricultural extension work in accordance with the
25 terms and provisions of said act of congress.

26 **SECTION 11.** Article 33 of title 23, Colorado Revised Statutes,
27 is amended to read:

1 **ARTICLE 33**

2 **Experiment Stations**

3 **23-33-101. Acceptance of congressional act of 1862.** Full and
4 complete acceptance, ratification, and assent is made and given by the
5 state of Colorado to all of the provisions, terms, grants, and conditions and
6 purposes of the grants made and prescribed by the act of congress of the
7 United States entitled "An Act to establish agricultural experiment stations
8 in connection with the colleges established in the several states, under the
9 provisions of an act approved July 2, 1862, and of the acts supplementary
10 thereto.

11 **23-33-102. Control of fund.** The state board of agriculture BOARD
12 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has the
13 control of the fund appropriated by the said act of congress and shall
14 disburse the same for the use and benefit of the agricultural experiment
15 station department of the Colorado state university in accordance with the
16 terms and provisions of said act of congress.

17 **23-33-103. Acceptance of congressional act of 1906.** Full and
18 complete acceptance, ratification, and assent is made and given by the
19 state of Colorado to all the provisions, terms, grants, and conditions and
20 purposes of the grants made and prescribed by the act of congress of the
21 United States entitled "An Act to provide for an increased annual
22 appropriation for agricultural experiment stations and regulate the
23 expenditure thereof.", approved March 16, 1906.

24 **23-33-104. Board to control fund.** The state board of agriculture
25 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has
26 the control of the fund appropriated by the said act of congress and shall
27 disburse the same for the use and benefit of the agricultural experiment

1 station department of the Colorado state university in accordance with the
2 terms and provisions of said act of congress.

3 **23-33-105. Board to cooperate with counties.** The ~~state board~~
4 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
5 UNIVERSITY SYSTEM is authorized to cooperate with the several counties
6 of the state in research work and in investigations of matters pertaining to
7 the agricultural and industrial development of the counties and state upon
8 such terms and in such manner as may be mutually agreed upon by the
9 respective boards of county commissioners and the ~~state board of~~
10 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
11 SYSTEM.

12 **23-33-106. Employees and specialists.** The ~~state board of~~
13 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
14 SYSTEM is vested with the power to employ and to discharge, as in its
15 opinion the interests of the service require, all employees and specialists
16 engaged to carry out the provisions of this section and section 23-33-105.

17 **23-33-107. Station established on the divide.** For the furtherance
18 and promotion of the agricultural interests of this state, an agricultural
19 experimental station is established in that section of country commonly
20 known as the divide in the northern part of El Paso county, more
21 particularly described as township eleven, range sixty-five west, or eleven,
22 range sixty-four west, of the sixth principal meridian. The precise
23 location shall be determined as provided in section 23-33-108.

24 **23-33-108. Board to secure lands.** The ~~state board of agriculture~~
25 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM is
26 authorized to select the necessary lands, secure the same either by lease
27 or purchase, make all necessary improvements in the way of buildings and

1 fences, and take such steps as it deems necessary to successfully establish
2 said stations.

3 **23-33-109. Board to supervise.** The ~~state board of agriculture~~
4 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has
5 the control and supervision of said station. It shall appoint a
6 superintendent and such other officers and employees as necessary to
7 carry on the said station successfully. It shall have power to fix salaries
8 and all compensation of employees and is empowered to fix such rules
9 and regulations necessary for the successful attainment of the object for
10 which said station is established and maintained. It shall also appoint
11 three resident trustees who shall act without compensation; except that,
12 when it becomes necessary, they may be allowed traveling expenses in
13 attending to the discharge of their duties.

14 **23-33-110. Objects of station.** The object of this agricultural
15 experimental station is to determine the adaptability of crops of grain,
16 grasses, root crops, and all other growths which may grow in this latitude
17 and the most economical method of producing the best results in growing
18 such crops with and without irrigation. In aid of these objects, the ~~state~~
19 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
20 UNIVERSITY SYSTEM may select land, not to exceed two hundred acres, in
21 the San Luis valley, out of the state lands there found for this purpose, and
22 shall appoint three local trustees for the management of the same. In aid
23 of these objects, the ~~state board of agriculture~~ BOARD OF GOVERNORS OF
24 THE COLORADO STATE UNIVERSITY SYSTEM may select land, not to exceed
25 two hundred acres, in the Arkansas valley in the county of Bent, out of the
26 state lands there found for this purpose, and shall appoint three local
27 trustees for the management of the same. In further aid of these objects,

1 the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
2 STATE UNIVERSITY SYSTEM may select lands, to the extent of two hundred
3 acres, in the valley of the Uncompahgre river, or the valley of the
4 Gunnison river, or the valley of the north fork of the Gunnison river in
5 Delta county, state of Colorado, for the purpose of an experimental
6 agricultural station, and shall appoint three local trustees to manage the
7 same. Such lands shall be selected from state lands or secured by
8 purchase, gift, or donation, as the ~~state board of agriculture~~ BOARD OF
9 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM may decide.

10 **23-33-111. Proceeds from station.** The proceeds arising from the
11 sale of products of agricultural experimental stations shall be applied in
12 the liquidation of the running expenses. All moneys so accruing shall be
13 credited as coming from the state and applied as part or whole payment
14 of any amount which may be appropriated from the funds of the state for
15 the maintenance of the stations.

16 **23-33-112. Expenses, how paid.** To enable the ~~state board of~~
17 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
18 SYSTEM to carry out the provisions of sections 23-33-107 to 23-33-112,
19 it is authorized to expend such amount as it may deem necessary in
20 establishing agricultural experimental stations, out of any moneys which
21 may accrue to the state by action of the congress of the United States for
22 the purpose of establishing agricultural experimental stations in the
23 various states and territories of the United States.

24 **23-33-113. Station in Cheyenne county.** (1) For the furtherance
25 and promotion of the agricultural interests of this state, an agricultural
26 experiment station shall be established in the eastern half of Cheyenne
27 county, more particularly described as township fourteen, south, range

1 forty-four west.

2 (2) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
3 COLORADO STATE UNIVERSITY SYSTEM is authorized to select the
4 necessary lands, secure the same by gift or donation, make all necessary
5 improvements in the way of buildings and fences, and take such steps as
6 it deems necessary to establish said station.

7 **23-33-114. Control and supervision of station.** The ~~state board~~
8 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
9 UNIVERSITY SYSTEM has absolute control and supervision of said station.
10 Pursuant to section 13 of article XII of the state constitution, it shall
11 appoint a superintendent and such other officers and employees deemed
12 necessary to carry on successfully the said station. The board is
13 empowered to make such rules and regulations as deemed necessary and
14 expedient. It shall appoint three resident trustees who shall act without
15 compensation; except that, when it becomes necessary, they may be
16 allowed traveling expenses in the discharge of their duties.

17 **23-33-115. Objects of station.** The object of this agricultural
18 experiment station is to determine the adaptability of crops of grain,
19 grasses, root crops, and all other growths which may grow in this latitude
20 and the most economical methods of producing the best results in growing
21 such crops without irrigation.

22 **23-33-116. Disposition of proceeds.** The proceeds arising from
23 the sale of the products of said station and from all other sources shall be
24 paid to the treasurer of the board and by the board disbursed for the use
25 and benefit of said station.

26 **23-33-117. Expenses of station, how paid.** To enable the ~~state~~
27 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE

1 UNIVERSITY SYSTEM to carry out the provisions of sections 23-33-113 to
2 23-33-117, it is authorized to expend such amount as it deems necessary
3 in establishing the station described in section 23-33-113 out of any
4 moneys which accrue to the state by action of the congress of the United
5 States for the purpose of establishing agricultural experiment stations in
6 the various states and territories of the United States.

7 **23-33-118. Experiment station at Greeley.** For the furtherance
8 and promotion of the agricultural interests of this state, particularly to
9 investigate the nature and causes of potato diseases and to find remedial
10 or preventative measures therefor and generally to improve the potato
11 industry of Colorado, an agricultural experiment station is established at
12 or near Greeley, Weld county, Colorado. The station shall be under the
13 joint control and management of the Colorado state university and the
14 bureau of plant industry of the United States department of agriculture, as
15 provided in the memorandum of agreement between the board of county
16 commissioners of Weld county, Colorado, the agricultural experiment
17 station of said university, and the bureau of plant industry of the United
18 States relative to cooperative work on potato culture and potato diseases
19 under irrigation.

20 **23-33-119. Joint control with U.S. bureau of plant industry.**
21 ~~The state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
22 STATE UNIVERSITY SYSTEM has joint control of said station established in
23 section 23-33-118 with the said bureau of plant industry of the United
24 States as determined by the parties. ~~The state board of agriculture~~ BOARD
25 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM of the state
26 of Colorado has control of all moneys appropriated by the state for the use
27 of said station, and has power to fix the compensation of employees,

1 except those employed by the United States department of agriculture.

2 **23-33-120. Purchase of lands.** In order to improve the work of
3 the experiment station at Greeley established under sections 23-33-118
4 and 23-33-119 and maintained under a cooperative agreement between the
5 board of county commissioners of Weld county, the experiment station of
6 the Colorado state university, and the bureau of plant industry of the
7 United States department of agriculture, the ~~state board of agriculture~~
8 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and
9 Weld county, represented by the board of county commissioners, are
10 authorized to purchase land for the use of said station on a
11 dollar-for-dollar basis.

12 **23-33-121. Where title to vest.** The title to said land when
13 purchased and to said improvements shall vest in the said ~~state board of~~
14 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
15 SYSTEM as trustee for the state of Colorado.

16 **23-33-122. Sale of lands - proceeds.** If for any reason the use of
17 said land for such experimental purposes as are provided in sections
18 23-33-118 and 23-33-119 is discontinued, the land shall be sold. The
19 proceeds of such sale shall be divided equally between said county and
20 the state of Colorado, and the part thereof belonging to the state of
21 Colorado shall be returned to the general fund of the state. The controller
22 is authorized to draw ~~his~~ warrants against this appropriation upon
23 vouchers of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
24 COLORADO STATE UNIVERSITY SYSTEM, signed by its president and
25 countersigned by its secretary.

26 **23-33-123. Dryland branch experiment station.** (1) For the
27 furtherance, promotion, and conservation of the agricultural interests of

1 this state, a dryland branch experiment station is authorized to be
2 established in Baca county on lands leased from the federal government.

3 (2) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
4 COLORADO STATE UNIVERSITY SYSTEM is authorized to secure the
5 necessary lands either by lease or purchase, as it sees fit, and to make all
6 necessary improvements thereon, and to take such steps as it deems
7 necessary to successfully establish said station.

8 (3) The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
9 COLORADO STATE UNIVERSITY SYSTEM has absolute control and
10 supervision of said station. Pursuant to section 13 of article XII of the
11 state constitution, the board shall appoint a superintendent and such other
12 officers and employees as it deems necessary to carry on successfully the
13 said station. The board is empowered to make such rules and regulations
14 as deemed necessary and expedient. The board shall appoint three
15 resident trustees who shall act without compensation; except that, when
16 it becomes necessary, they may be allowed traveling expenses in the
17 discharge of their duties.

18 (4) The object of this dryland branch experiment station is to
19 conduct applied research on methods of preventing and controlling wind
20 erosion on crop and range land in southeastern Colorado, to evaluate these
21 methods in terms of costs and benefits to the farmer and rancher, and to
22 establish time-tried and economically feasible systems of crop rotation,
23 tillage management, and reseedling which will minimize the hazards of
24 wind erosion and stabilize thereby the agricultural economy of the area.

25 (5) The proceeds arising from the sale of products of said station
26 shall be applied in the liquidation of the running expenses. All moneys
27 so accruing shall be credited as coming from the state and applied as part

1 or whole payment of any amount which may be appropriated from the
2 funds of the state for the maintenance of said station.

3 **SECTION 12.** 23-34-104 (1), Colorado Revised Statutes, is
4 amended to read:

5 **23-34-104. Organization - cooperative relationships.** (1) The
6 service is an organizational unit of the Colorado state university, under the
7 supervision and control of the university's administration and the ~~state~~
8 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
9 UNIVERSITY SYSTEM.

10 **SECTION 13.** 23-35-101 (2) and (3), Colorado Revised Statutes,
11 are amended to read:

12 **23-35-101. Colorado water resources research institute -**
13 **creation.** (2) The institute shall be a unit of the Colorado state university
14 under the supervision and control of the university's administration and
15 the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
16 STATE UNIVERSITY SYSTEM.

17 (3) The principal administrative officer of the institute shall be a
18 director, who shall be appointed by the president of the Colorado state
19 university with the approval of the ~~state board of agriculture~~ BOARD OF
20 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM and who shall
21 be under the direct supervision of the president of Colorado state
22 university or a vice-president thereof designated by the president. To
23 meet the purposes of the institute, the director, with the advice of the
24 advisory committee established pursuant to section 23-35-102, shall
25 develop appropriate policies and procedures for identification of priority
26 research problems; for collaborating with water user associations, other
27 universities, federal, state, and local government agencies, and the general

1 assembly in the formulation of its research program; for selection of
2 projects to be funded; and for the dissemination of information and
3 transfer of technology which is produced by the research.

4 **SECTION 14.** Part 1 of article 52 of title 23, Colorado Revised
5 Statutes, is amended to read:

6 **PART 1**

7 **FORT LEWIS COLLEGE**

8 **23-52-101. Legislative declaration.** The general assembly finds,
9 determines, and declares: That Fort Lewis college had its beginnings on
10 land originally set aside by the federal government as an Indian school;
11 that a sizeable Indian student population on the campus of Fort Lewis
12 college is desirable; that the state will continue and improve the
13 outstanding Indian education program now in existence at Fort Lewis
14 college; that although this part 1 is intended to establish the obligation of
15 the state of Colorado in this regard, the state intends to pursue all other
16 possible sources of funding for program development and student aid for
17 the Indian education program; and that the state further intends to assure
18 continuity in the Fort Lewis college program for all qualified Indian
19 students who were enrolled and in good standing prior to July 1, 1971.

20 **23-52-102. College established - role and mission.** There is
21 hereby established a college at Durango, to be known as Fort Lewis
22 college, which shall be a general baccalaureate institution with moderately
23 selective admission standards. Fort Lewis college shall offer selected
24 undergraduate professional programs.

25 **23-52-103. Governing board - general power.** The governing
26 board of Fort Lewis college is the ~~state board of agriculture~~ BOARD OF
27 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, which shall

1 have general supervision of the college and plenary power to enact rules
2 and regulations for the governing of the college. However, Fort Lewis
3 college shall be operated independently of other institutions of higher
4 education until April 15, 1986.

5 **23-52-104. Governing board - powers.** (1) In addition to those
6 powers conferred elsewhere in this part 1, the ~~state board of agriculture~~
7 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM has
8 the power to:

9 (a) Appoint a president of Fort Lewis college who shall hold his
10 office until removed by the board or until he OR SHE resigns the same;

11 (b) Appoint such other executive officers of the college as may be
12 required;

13 (c) Appoint such faculty and employees as the necessities of the
14 college demand;

15 (d) Determine the compensation to be paid to the president,
16 executive officers, faculty, and professional staff;

17 (e) Sell, lease, or exchange real property, or any interest therein,
18 as specified in section 23-30-102, the ownership of which is vested in the
19 ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
20 UNIVERSITY SYSTEM or Fort Lewis college. The ~~state board of agriculture~~
21 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM shall
22 report all proposed sales, leases, or exchanges of such real property
23 adjacent to or titled in Fort Lewis college to the Colorado commission on
24 higher education, which will review and approve or disapprove the
25 proposed transaction pursuant to section 23-1-106.

26 **23-52-104.5. Powers and duties of the president.** The president
27 of Fort Lewis college shall report directly to the ~~state board of agriculture~~

1 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM until
2 April 15, 1986.

3 **23-52-105. Tuition fees - Indians.** (1) The ~~state board of~~
4 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
5 SYSTEM shall fix tuition in accordance with the level of cash fund
6 appropriations set by the general assembly for the college pursuant to
7 section 23-1-103.5, subject to the restriction that all qualified Indian
8 pupils shall at all times be admitted to such college free of charge for
9 tuition and on terms of equality with other pupils. The general assembly
10 shall appropriate from the state general fund one hundred percent of the
11 moneys required for tuition for such qualified Indian pupils.

12 (2) Special programs may also be offered to assist Indian pupils to
13 prepare for, begin, or continue their college education at Fort Lewis
14 college. Indian pupils shall not be charged tuition for such programs. The
15 size of any special programs offered pursuant to this subsection (2) shall
16 be limited by the facilities and revenues available and by the level of
17 appropriations set therefor by the general assembly.

18 **23-52-106. Donations - power to invest.** All donations of money,
19 securities, or other property of whatever kind and wherever situated made
20 to Fort Lewis college shall be held by the ~~state board of agriculture~~ BOARD
21 OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the use
22 and benefit of Fort Lewis college, to be expended subject to appropriation
23 by the general assembly or invested in such securities as are permitted for
24 private trustees and similar fiduciaries under the law of the state of
25 Colorado.

26 **23-52-107. Board empowered to lease grounds.** For the purpose
27 of providing dormitories, living and dining halls, or cottages and

1 equipment for the use of the college, and to enable the construction,
2 financing, and ultimate acquisition thereof, and to aid in improving
3 undeveloped portions of the grounds of the Fort Lewis college, the ~~state~~
4 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
5 UNIVERSITY SYSTEM is empowered to lease grounds under its control to
6 private persons or corporations for a term not exceeding fifty years and
7 subject to such regulations as it may prescribe and upon the condition that
8 such private persons or corporations shall construct and equip on such
9 leased grounds such buildings or improvements as the board designates or
10 approves and secure reimbursement for money invested therein from the
11 rentals of such buildings or from their sale to the board acting for the
12 state.

13 **23-52-108. No authority to obligate state.** Nothing in sections
14 23-52-107 to 23-52-113 shall constitute any authority to enter into any
15 contract which in any way creates any debt or obligation upon the state on
16 account of the construction of such buildings or improvements; but
17 buildings and improvements erected on any such lands under the control
18 of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO
19 STATE UNIVERSITY SYSTEM and devoted to the uses of the college under
20 the terms of sections 23-52-107 to 23-52-113 and the leasehold interest
21 shall be exempt from taxation so far as permitted by the state constitution.

22 **23-52-109. Buildings - control of.** The management of buildings
23 erected and equipped under the terms of sections 23-52-107 to 23-52-113
24 and the scale of rentals thereof shall be subject to the approval of the ~~state~~
25 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
26 UNIVERSITY SYSTEM.

27 **23-52-110. Board may rent buildings.** The ~~state board of~~

1 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
2 SYSTEM is authorized to lease or rent such buildings constructed under the
3 provisions of sections 23-52-107 to 23-52-113 from the private persons
4 or corporations constructing the same upon such terms as it deems
5 satisfactory as to current rental, maintenance, and ultimate purchase,
6 paying therefor out of the revenues derived from the operation of such
7 buildings by the board or from other funds under its control available for
8 general maintenance purposes.

9 **23-52-111. To be state property at lease end.** Upon the
10 termination of any lease or contract executed under the terms of sections
11 23-52-107 to 23-52-113 providing for the construction and equipment of
12 buildings, such buildings shall become the property of the state, together
13 with all equipment, furnishings, or appurtenances therein contained or
14 thereto attached; except that personal goods or effects of any occupant
15 may be removed.

16 **23-52-112. Leasehold interest may be sold.** Nothing in sections
17 23-52-107 to 23-52-113 shall prevent the transfer or sale of the leasehold
18 interests prior to their expiration, subject to the approval of the ~~state board~~
19 ~~of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
20 UNIVERSITY SYSTEM.

21 **23-52-113. Board may rent rooms.** Upon the termination of any
22 lease or contract executed with private persons or corporations for the
23 construction of buildings under the terms of sections 23-52-107 to
24 23-52-113, the board is empowered to rent rooms or quarters in buildings
25 erected under such leases or contracts for such reasonable compensation
26 as it deems best in relation to current operation, maintenance, and upkeep
27 costs.

1 **SECTION 15.** 23-73-102 (1), Colorado Revised Statutes, is
2 amended to read:

3 **23-73-102. Institute established.** (1) The regents of the
4 university of Colorado, the ~~state board of agriculture~~ BOARD OF
5 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM for the
6 Colorado state university system, the state board of community colleges
7 and occupational education, the board of trustees of the university of
8 northern Colorado, the trustees of the Colorado school of mines, the
9 trustees of the state colleges in Colorado, Aims community college, and
10 Colorado mountain college, acting in concert, are hereby authorized to
11 incorporate, the Colorado institute of technology, referred to in this article
12 as the "institute"; except that any of the named governing boards may
13 choose not to participate in incorporating the institute. The governing
14 boards may also work with the university of Denver, the Colorado
15 technical university, and any other nonpublic institution in incorporating
16 the institute. The institute shall be a Colorado nonprofit corporation with
17 the condition that the corporation be structured and function in accordance
18 with the remaining terms of this article.

19 **SECTION 16.** 24-33-102 (4), Colorado Revised Statutes, is
20 amended to read:

21 **24-33-102. Powers and duties of the executive director and**
22 **deputy director.** (4) The executive director may request from the ~~state~~
23 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE
24 UNIVERSITY SYSTEM such information and statistics concerning forests and
25 forestry in the state and other reports at such times and on such matters as
26 the executive director may require.

27 **SECTION 17.** 24-33-201 (1), Colorado Revised Statutes, is

1 amended to read:

2 **24-33-201. Division of forestry - creation - state forest service**

3 **agreement.** (1) There is hereby created the division of forestry in the
4 department of natural resources. The executive director of the department
5 of natural resources shall enter into an agreement with Colorado state
6 university, through the ~~state board of agriculture~~ BOARD OF GOVERNORS
7 OF THE COLORADO STATE UNIVERSITY SYSTEM, to cooperate in the state's
8 efforts to improve the management and health of Colorado's forests and
9 to provide staff for the division of forestry.

10 **SECTION 18.** 30-11-107 (1) (m), Colorado Revised Statutes, is
11 amended to read:

12 **30-11-107. Powers of the board.** (1) The board of county
13 commissioners of each county has power at any meeting:

14 (m) To negotiate with the board or boards of county
15 commissioners of another county or counties, and with the ~~state board of~~
16 ~~agriculture of Colorado state university~~ BOARD OF GOVERNORS OF THE
17 COLORADO STATE UNIVERSITY SYSTEM, for agricultural extension service
18 to be furnished such counties, and to be financed on a pro rata share by
19 the counties receiving such service;

20 **SECTION 19.** 30-15-201 (2), Colorado Revised Statutes, is
21 amended to read:

22 **30-15-201. Notice to extinguish campfires - penalty.** (2) The
23 erection of such notices shall be at the expense of each county, and at
24 least twenty notices shall be posted and maintained in each county in this
25 state. The ~~state board of agriculture~~ BOARD OF GOVERNORS OF THE
26 COLORADO STATE UNIVERSITY SYSTEM may also post similar notices,
27 signed by the board and erected and maintained at its expense, at such

1 points throughout the state as it deems necessary or expedient.

2 **SECTION 20.** 30-24-102 (1) (g), Colorado Revised Statutes, is
3 amended to read:

4 **30-24-102. Authority of county commissioners.** (1) For the
5 purposes set forth in this article, the boards of county commissioners of
6 the several counties of the state are authorized to:

7 (g) Enter into cooperative agreements with the ~~state board of~~
8 ~~agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY
9 SYSTEM for the assistance of Colorado state university, including all of its
10 agencies, in the developing and financing of the projects to be included in
11 the operations of the county agricultural research work each year;

12 **SECTION 21.** 35-1-106 (1) (k), Colorado Revised Statutes, is
13 amended to read:

14 **35-1-106. Powers and duties of commission.** (1) In addition to
15 all other powers and duties conferred upon the commission by the
16 provisions of this article, the commission has the following specific
17 powers and duties:

18 (k) To avoid duplication of effort within the department and to
19 clarify responsibilities under this title (except part 2 of article 7 and
20 articles 14, 42, 51, 65, 70, and 72) and articles 11 and 16 of title 12 and
21 article 24 of title 30, C.R.S.; to enter into cooperative agreements with the
22 state board of health, the ~~state board of agriculture~~ BOARD OF GOVERNORS
23 OF THE COLORADO STATE UNIVERSITY SYSTEM, or any other state board or
24 commission which is authorized by law to perform like or similar duties
25 to those delegated by law to this commission, wherein it shall be
26 prescribed whether this commission, the state board of health, the ~~state~~
27 ~~board of agriculture~~ BOARD OF GOVERNORS OF THE COLORADO STATE

1 UNIVERSITY SYSTEM, or such other state board or commission shall
2 perform and be responsible for the performance of such duties mentioned
3 in said agreements, so that there is no duplication of effort as between this
4 commission and the state board of health, the ~~state board of agriculture~~
5 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, or
6 any other state board or commission; and to enter into agreements with the
7 state board of health, the ~~state board of agriculture~~ BOARD OF GOVERNORS
8 OF THE COLORADO STATE UNIVERSITY SYSTEM, or any other state board or
9 commission relative to the cooperative use by this commission of any
10 laboratories, equipment, or facilities owned or used by this commission
11 or any other state board or commission;

12 **SECTION 22.** 35-27-103 (4), Colorado Revised Statutes, is
13 amended to read:

14 **35-27-103. Definitions.** As used in this article, unless the context
15 otherwise requires:

16 (4) "Certifying agency" means the seed certification service of the
17 Colorado State University authorized by the ~~state board of agriculture~~
18 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM or
19 the authorized seed certifying agency of another state.

20 **SECTION 23.** 36-1-142, Colorado Revised Statutes, is amended
21 to read:

22 **36-1-142. Receipts from agricultural lands.** The state board of
23 land commissioners is required to transmit or cause to be transmitted to
24 the secretary of the ~~state board of agriculture~~ BOARD OF GOVERNORS OF
25 THE COLORADO STATE UNIVERSITY SYSTEM, as the same are received,
26 statements showing each item of receipt of money from all leases or sales
27 and royalties, or as interest on purchase money passing through its hands,

1 derived from agricultural college land grant land, which statement shall
2 name and describe the lands to which the money paid applies, from whom
3 and for what received, and whether the item is credited to land income or
4 permanent fund.

5 **SECTION 24.** 36-1-143 (1), Colorado Revised Statutes, is
6 amended to read:

7 **36-1-143. Statement to board of agriculture.** (1) On or before
8 the second Wednesday in December of every year, the state board of land
9 commissioners shall furnish to the ~~state board of agriculture~~ BOARD OF
10 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM a complete
11 statement of all transactions had by it in connection with agricultural
12 college lands, which statement shall show:

13 (a) Amounts received from sales of such lands, describing the
14 lands sold and the price received for each tract and giving the name of the
15 purchaser;

16 (b) Amounts received from leases and royalties, describing the
17 lands leased from which such income is derived and giving the name of
18 the lessee or operator;

19 (c) Amounts received as interest on purchase money and other
20 items, giving the name of the payer;

21 (d) Amounts due and unpaid on purchases and leases and other
22 delinquencies, if any;

23 (e) Such other items as will enable said ~~state board of agriculture~~
24 BOARD OF GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM to
25 keep informed as to the condition of said lands, the income therefrom, and
26 the manner in which the same are being administered.

27 **SECTION 25.** 38-2-105, Colorado Revised Statutes, is amended

1 to read:

2 **38-2-105. Educational boards of control have right of eminent**
3 **domain.** The regents of the university of Colorado, the ~~state board of~~
4 ~~agriculture for Colorado state university and Fort Lewis college~~ BOARD OF
5 GOVERNORS OF THE COLORADO STATE UNIVERSITY SYSTEM, the board of
6 trustees of the Colorado school of mines, the board of trustees of the
7 university of northern Colorado, and the trustees of the state colleges in
8 Colorado have the power to acquire real property, which they may deem
9 necessary, by the exercise of eminent domain through condemnation
10 proceedings in accordance with law.

11 **SECTION 26. Effective date.** This act shall take effect July 1,
12 2001; except that section 6 of this act shall take effect July 1, 2003.

13 **SECTION 27. Safety clause.** The general assembly hereby finds,
14 determines, and declares that this act is necessary for the immediate
15 preservation of the public peace, health, and safety.