

OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS ANNUAL REPORT 2003-2004



UNIVERSITY OF COLORADO SYSTEM
Boulder • Colorado Springs • Denver • Health Sciences Center

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STATE AND FEDERAL GOVERNMENT RELATIONS OVERVIEW

MISSION

The mission of the Office of State and Federal Government Relations is to support the University of Colorado's (CU) efforts in achieving President Elizabeth Hoffman's Vision 2010 by building effective partnerships between the University and state and federal governments. This will be achieved through representation and advocacy of CU's needs and interests with state and federal elected officials in Colorado and Washington, D.C.

OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS OFFICE REORGANIZATION

The office of State and Federal Government Relations has been reorganized, effective July 1st.

Tanya Kelly-Bowry will continue to serve as Associate Vice President for State and Federal Government Relations. She will focus much of her attention on the State Legislature in the next year due to the current budget situation now facing higher education.

David Sprenger has been appointed to serve as Director of Federal Relations in a new Washington, D.C. office.

Lynne Lyons will continue her lobbying work on the federal side with a promotion to Deputy Director of Federal Relations. Lynne will remain in our Colorado office, please confer with her as well as David Sprenger on any and all Federal issues.

Kirsten Castleman, our former policy specialist, has been promoted to Deputy Director of State Relations for CU's Health Sciences Center and will be lobbying for the University at the State Legislature this spring. She will join Vicky Starbuck, our outstanding Professional Staff Assistant, at our HSC office.

Todd Saliman, a CU Alumnus and former State Representative has joined our office and will be taking on a half-time position for the University as a Policy Analyst.

Amanda Lewis will be filling the role of Assistant Director of State and Federal Government Relations. Amanda will be responsible for organizing and coordinating all office special events, as well as overseeing the CU Ambassadors Program.

Ernestine Mondragon has joined our staff as Special Assistant to the Associate Vice President, Tanya Kelly-Bowry. Ernestine is the primary contact person for scheduling requests for AVP Kelly-Bowry's calendar.

Stephannie Finley, former Director of State Relations, has left our office to pursue a position as Chief of Staff for Lt. Governor Jane Norton. In addition, Deputy Director of State Relations Hollie Stevenson will be moving to a non-legislative position within the University. She has been hired by CU-Denver and Health Sciences (UCDHSC) Chancellor Jim Shore to fill the role

of Special Assistant to the Chancellor. We would like to recognize the outstanding lobbying that Stephannie and Hollie have done over the years on behalf of CU, they will be greatly missed. The CU family wishes them the best in their new roles.

THE OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS WOULD LIKE TO THANK...

...the University of Colorado Board of Regents; President Hoffman, Chief of Staff Leonard Dinegar, Vice Presidents Charlie Sweet, Steve Golding, and Jack Burns; Chancellors Richard Byyny, University of Colorado at Boulder (UCB), Pamela Shockley, University of Colorado at Colorado Springs (UCCS), and Jim Shore, University of Colorado at Denver and Health Sciences Center (UCDHSC) and their leadership teams; Sarah Adderholt, Michel Dahlin, Marilyn Decalo, Jeremy Hueth, Michele McKinney; and all our faculty and staff for their incredible help and expertise during a very challenging year. Because of the unusual nature of the state and federal year, YOUR contributions were more valued than ever!

Additionally, we would like to thank the Colorado House and Senate Democratic leadership, the House and Senate Republican leadership, members of the Colorado General Assembly, the Colorado Congressional Delegation, Governor Owens and his staff for their support, and Lieutenant Governor Jane Norton.

The University of Colorado would like to specifically recognize and thank Senator Ben Nighthorse Campbell and Congressman Scott McInnis for their support and service to the State of Colorado.

STATE AND FEDERAL GOVERNMENT RELATIONS AND VISION 2010

President Hoffman has made both state and federal government relations a priority during her administration. Because of lobbying efforts at the state and federal level, CU has become a significant player both in the policy arena and in obtaining state and federal dollars. On the state side, it is expected that both general and capital funds will be in short supply for the foreseeable future. However, the legislature has recently focused on revising the funding formula for Colorado's higher education institutions.

In times of state economic crisis more and more state institutions of higher education turn to the federal government for resources. While working to secure federal funding for research and special projects, CU will participate in discussion of important national higher education policy issues such as the Reauthorization of the Higher Education Act.

Goals

- Promote the University's interests at the state and federal level.
- Enhance the understanding of the role and value of CU.
- Achieve status as one of the top governmental relations offices in comparison with our peers.

Strategies

- 1) Increase role/visibility at both the state and federal level through testimony, tours, outreach events, Hill visits, and other activities to increase contact with state and federal policy makers.
- 2) “Friend building” by President, Chancellors and designated officers of the University with members of the General Assembly, Colorado Congressional Delegation, and Executive branch of both the state and federal government.
- 3) Engage the Business Community, Ambassadors, and Alumni to help lobby CU’s initiatives.
- 4) Request for each campus to have federally funded special projects:
 - UCB - Center for Excellence in Micro and Nano Systems for Medical Applications
 - UCD - Center for Domestic Violence
 - UCCS - Network, Information, and Space Security Center
 - UCHSC - Fitzsimons campus
- 5) Continue to lobby for funding increases in order for CU to maintain its ranking in the top five public universities for federal research funding. The following agencies are the primary sources of funding for CU: National Science Foundation (NSF), National Institutes of Health (NIH), National Aeronautics and Space Administration (NASA), Department of Defense (DOD), Department of Energy (DOE), Department of Commerce (DOC), National Oceanic and Atmospheric Administration (NOAA), and the National Institute of Space and Technology (NIST).
- 6) Continue education of elected officials through increased contact with faculty, students, and administrators from all four campuses.
 - Facilitate Dean’s legislative breakfasts.
 - Have President, Chancellors and lobbyists meet with all 100 legislators before the session.
 - Host CU Smart Lunches for members of the Colorado General Assembly and their staff, ultimately giving each campus of the university system an opportunity to highlight a program and achieving direct exposure to the legislature.
- 7) Work to improve internal communication by
 - Holding weekly legislative strategy meetings with top officers of the University.
 - Providing legislative updates at all four campuses and via email to University community.
 - Coordinating university group tours and breakfasts at state capitol.
 - Communicating with appropriate University of Colorado faculty, administrators, and students regarding specific legislation and policy issues.



STATE AND FEDERAL GOVERNMENT RELATIONS STATE RELATIONS

2003-2004 STATE BUDGET AND LEGISLATIVE PRIORITIES

In the fall of 2003, President Hoffman established a legislative agenda for the 2004 State Legislative session that would help fulfill her Vision 2010 goals. The purpose of her agenda was to maintain the higher education budget in the short and long term, and to secure more financial and administrative flexibility for the University of Colorado. Though the 2004 session included the threat of additional budget cuts and long-term loss of state funding, CU succeeded in fulfilling much of President Hoffman's agenda. Most notably, the legislative team was able to obtain innovative legislation that grants the University of Colorado enterprise status and allows it to build academic facilities without relying on diminishing State capital funds.

Enterprise designation/College Opportunity Fund legislation (SB 189 - passed)

- Allows CU to transition to an enterprise July 1, 2004
- Allows greater management accountability and regulatory flexibility
- The legislature still sets tuition; Governor approves budget
- Permits institutions to bond against tuition and fee revenue to address capital priorities when state funding is limited

Bonding with tuition to build academic facilities (SB 252 – passed)

- Allows CU to bond tuition for academic buildings
- Allows CU to issue debt as a revenue bond, which is easier and more efficient than Certificates of Participation
- CCHE can limit the amount of tuition CU can dedicate to debt service to 10%

Securing long-term state funding for higher education

In the fall of 2003, President Hoffman and the System Budget Office performed an analysis of funding trends for higher education in the State of Colorado. They found that if the constitutional amendments TABOR and Amendment 23 are not reformed, a statewide fiscal crisis would reduce funding for higher education to near zero by the end of the decade. President Hoffman and her staff have worked diligently this year to educate the Legislature, Governor's office, and people of Colorado about this trend.

Legislators introduced several proposals during the 2003 session to put referred measures on the ballot that would address Colorado's fiscal crisis. Needing a two-thirds majority of both houses to pass, none of them made it out of the legislature and on to the ballot. Similarly, a citizen ballot initiative that would have reformed TABOR and Amendment 23 was pulled from the ballot in July 2004.

President Hoffman and her legislative team will work again next year with the Governor and legislative leadership to address this long-term funding crisis of the higher education budget.

DEFEATED LEGISLATION

Several pieces of legislation introduced during the 2004 State session would have had a detrimental impact on the University of Colorado. CU's legislative team successfully defeated these bills.

- Anti-affirmative action – Legislation would have made it illegal to use race as a factor in admissions, hiring and contracting.
- Medical malpractice/governmental immunity – Costly legislation would have terminated governmental immunity protection for many members of the University of Colorado Health Sciences Center and University Hospital community.
- Academic Bill of Rights – In place of legislation, legislators and higher education leaders signed a Memorandum of Understanding on Academic Freedom that clearly states the political and religious rights of students and faculty.
- Anti-offensive materials in libraries – Legislation would have prohibited materials deemed to be pornographic to be available to minors. Would have included materials in CU libraries and classrooms.
- Privatization of higher education by 2007 – Legislation proposed to reduce state funding for higher education to near zero by 2007 to free up state resources for other state priorities.

 **STATE AND FEDERAL GOVERNMENT RELATIONS
GENERAL FUND AND CASH FUND APPROPRIATIONS
FY2005**

FY 2005 GENERAL FUND APPROPRIATIONS

The University successfully prevented any additional General Fund cuts for FY 2005. With the adoption of SB 04-189 and SB 04-252 last session, the University was able to apply for enterprise status under the Taxpayer's Bill of Rights. In August 2004, the Legislative Audit Committee designated the University an enterprise. With this designation, the University's state appropriation was reduced by \$4.5 million and provided a corresponding increase in tuition.

CU's state appropriation for FY 2005 is \$150.7 million.

FY 2005 CASH FUND APPROPRIATIONS (TUITION)

With enterprise status, CU was able to increase its tuition above the 1.1 percent inflationary tuition increase the General Assembly approved for other institutions. This flexibility gave CU the ability to increase tuition to enhance and maintain the quality of education at the University while maintaining access and affordability.

Resident Undergraduate Arts & Sciences programs increased on average 6.0 percent, which constitutes two-thirds of the student body at CU.

Professional and Graduate Programs at all four campuses increased their tuition differentially to reflect the diverse needs and unique cost structure of professional and graduate programs.

UCD's graduate tuition structure was realigned to more accurately and equitably assess a tuition rate that reflects the graduate student population. As a result, UCD has begun to charge graduate students by the credit hour.

Finally, with the designation of CU as an enterprise, each institution increased its tuition 3.0 percent to offset the \$4.5 million reduction in state appropriations.



**STATE AND FEDERAL GOVERNMENT RELATIONS
STATE CAPITAL CONSTRUCTION SUMMARY
FY 2005**

Campus and Project	State Appropriation	Cash Appropriation	Total Appropriation
BOULDER CAMPUS			
<i>Capital Construction</i>			
Laboratory for Atmospheric and Space Physics Space Technology Research Center Addition	\$0	\$13,022,000	\$13,022,000
TOTAL UCB CAPITAL APPROPRIATION	\$0	\$13,022,000	\$13,022,000
COLORADO SPRINGS CAMPUS			
<i>Capital Construction</i>			
Student Housing	\$0	\$16,000,000	\$16,000,000
Science/Engineering Building (Phase I)	\$0	\$23,200,000	\$23,200,000
Parking Garage & Health Services Addition	\$0	\$6,802,000	\$6,802,000
TOTAL UCCS CAPITAL APPROPRIATION	\$0	\$46,002,000	\$46,002,000
DENVER/AURARIA CAMPUS			
<i>Capital Construction</i>			
Auraria Parking Structure	\$0	\$17,236,165	\$17,236,165
Tivoli Student Union Revitalization	\$0	\$28,140,774	\$28,140,774
TOTAL UCD/AURARIA CAPITAL APPROPRIATION	\$0	\$45,376,939	\$45,376,939

Campus and Project	State Appropriation	Cash Appropriation	Total Appropriation
HEALTH SCIENCES CENTER			
<i>Capital Construction</i>			
Barbara Davis Center Phase III	\$0	\$6,442,374	\$6,442,374
Building 500 Renovation, Phase 3	\$0	\$9,000,376	\$9,000,376
Fitzsimons, Infrastructure Phase 8	\$0	\$4,357,389	\$4,357,389
Fitzsimons Trust Fund/Lease Purchase Payment	\$0	\$1,900,000	\$1,900,000
Parking Structure	\$0	\$23,000,000	\$23,000,000
TOTAL UCHSC CAPITAL APPROPRIATION	\$0	\$44,700,139	\$44,700,139
UNIVERSITY OF COLORADO TOTAL CAPITAL APPROPRIATIONS			
Capital Construction Projects	\$0	\$149,101,078	\$149,101,078
GRAND TOTAL	\$0	\$149,101,078	\$149,101,078



**STATE AND FEDERAL GOVERNMENT RELATIONS
KEY STATE HIGHER EDUCATION LEGISLATION**

Senate Bill 7 *Higher Ed Personnel System Exemptions* (Anderson/T. Williams)

Modifies the criteria for determining which administrative employees of educational institutions and the Department of Higher Education are exempt from the state personnel system to focus on an employee's duties and responsibilities rather than whether the employee reports to an officer.

Transfers the authority to determine which administrative positions in each educational institution are exempt under the criteria from the state personnel director to the president of each institution, subject to postaudit review by the state personnel director. Requires annual report.

APPROVED by Governor April 13, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause

Senate Bill 8 *State Employee Health Benefits* (Tupa/Rhodes)

Allows the State Personnel Director to adopt procedures to determine benefit eligibility requirements and the percentage of the state contribution to health benefits for all employees who work less than full time, are subject to the rules of the state personnel system, and are hired on or after January 1, 2005.

APPROVED by Governor April 8, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause

Senate Bill 25 *Colorado Mental Health Institute* (Tapia/Butcher)

Authorizes the Colorado mental health institute at Pueblo to contract with any governing board of a state-supported institution of higher education for services from a physician or other health care practitioner.

APPROVED by Governor March 23, 2004

EFFECTIVE March 23, 2004

Senate Bill 42 *Student Loan Advisory Committee* (Arnold/Mitchell)

Decreases the membership of the student loan advisory committee from 12 to 11 members. Directs the Governor to appoint 7 voting members, one from each congressional district. Specifies that 4 nonvoting members are to be members of the General Assembly. Requires a person seeking appointment to the committee to disclose any affiliation he or she may have with another entity acting as a guarantor pursuant to federal law. Prohibits the appointment of a person who is employed by a company in competition with the student loan division. Deletes

requirements that some members of the committee represent industry associations and higher education institutions.

APPROVED by Governor April 8, 2004

EFFECTIVE April 8, 2004

Senate Bill 106 ***Substitute Venture Capital For CAPCO*** **(Teck/Stengel)**

Reduces the aggregate value of premium tax credits applicable to insurance companies' investments of certified capital in certified capital companies made after January 31, 2004, from \$100 million to \$50 million.

Creates venture capital premium tax credits, which may be claimed by insurance companies that have made a contribution to the authority and received a tax credit certificate from the authority. Directs the authority to deposit 25% of the contributions into one or more rural venture capital funds, 50% of the contributions into one or more statewide venture capital funds, and 25% of the contributions into one or more distressed urban community capital funds ("certified capital"). Directs the fund managers to use certified capital to make seed and early-stage investments in qualified businesses or qualified rural businesses ("qualified investments").

Creates a revolving enterprise fund to be used for future qualified investments. Requires fund managers to remit to the revolving fund an amount equal to 100% of certified capital and, thereafter, a negotiated percentage of certified capital and proceeds.

APPROVED by Governor March 4, 2004

EFFECTIVE March 4, 2004

Senate Bill 132 ***Modify Existing PERA Benefits*** **(Arnold/Young)**

Reduces the rate of interest credited to the member contribution accounts of members of the Public Employees' Retirement Association (PERA) from 80% of the actuarial investment assumption rate to a maximum of 5% per year, effective July 1, 2004. Changes the due date for contributions and contribution reports to PERA to 5 days after the date members are paid.

Requires that matching employer contributions on members' voluntary contributions to tax-deferred retirement programs terminate for payroll periods that end after the last day of the calendar month following the effective date of the act, and thereafter resume only when PERA's assets exceed 110% of actuarial liabilities. Removes the one percent of salary limit on year-to-year changes in the amount of matching contributions.

Considers a division to be overfunded and requires a reduction in the employer contribution rate when the actuarial value of assets exceeds 110% rather than 100% of liabilities. Removes restrictions governing the minimum and maximum percentage change in employer contribution rates due to overfunding.

Changes the due date for contributions to the association's 401(k) plan to 5 days after the date members are paid and requires the contributions to be delivered to the service provider designated by the association.

Reduces the portion of employer contributions that is placed in the health care trust fund from 1.1% to 1.02% of salary.

For any person who becomes a member of the association on or after July 1, 2005, specifies the age and service credit requirements for service retirement eligibility; and that the annual increase applied to benefits shall be the lesser of 3% or the increase in the consumer price index.

APPROVED by Governor April 30, 2004

PORTIONS EFFECTIVE April 30, 2004

PORTIONS EFFECTIVE July 1, 2004

PORTIONS EFFECTIVE July 1, 2005

Senate Bill 189

Higher Ed

(Anderson/King)

Establishes the college opportunity fund program ("program") in the Department of Higher Education ("department"), to be administered by the Colorado Student Loan Program ("CSLP"). Establishes that the fund shall consist of a stipend for each student.

Specifies that a student who attends a private institution may receive 50% of the stipend amount set for students enrolled in state institutions and that the amount of the stipend for the student may increase in proportion to the percentage of unfunded enrollment growth that is appropriated to the governing boards in subsequent years.

Limits the number of credit hours for which a student can receive a stipend to 145 credit hours, but allows the commission to grant a waiver of the limitation under specified circumstances. Authorizes a state institution to grant annually a one-year waiver of the lifetime-credit-hour limitation for up to 5% of the students enrolled in the institution.

Beginning July 1, 2004, requires each governing board of a state institution, and any private institution of higher education that intends to receive stipends on behalf of students, to negotiate a performance contract with the department that shall specify the performance goals the institution shall achieve during the period that it operates under the performance contract. Allows such state institution exemption from the procurement code and the central motor vehicle fleet system. Specifies that such institutions need not consult with nor obtain approval from the commission to create, modify, or eliminate academic and vocational programs, if in line with mission.

Specifies that the General Assembly retains the authority to approve tuition spending authority for the governing board of the institution. Requires the tuition increases from which the general assembly derives the total cash spending authority for each governing board to be noted in a footnote to the general appropriations bill.

Beginning July 1, 2005, authorizes the governing board of a state institution to negotiate a fee-for-service contract with the department. Specifies the higher education services that may be the subject of the fee-for-service agreement.

Authorizes a state institution or a group of institutions to be designated as an enterprise by resolution of the governing board of the institution or group of institutions. Grants and specifies authorities for cash-funded project.

Contingent on the Regents of the University of Colorado designating the University of Colorado as an enterprise under the provisions of the act during state fiscal year 2004-05, reduces the general fund appropriation to the Regents by \$4,500,000 and increases the Regents' cash fund spending authority by the same amount.

APPROVED by Governor May 10, 2004

EFFECTIVE July 1, 2004

Senate Bill 252 ***Revenue for Higher Ed Enterprises*** **(McElhany/King)**

Authorizes a state institution of higher education ("institution") or a group of institutions to be designated as an enterprise by resolution of the governing board of the institution or group of institutions for the purposes of section 20 of Article X of the State Constitution. Specifies that an institution or group of institutions may be designated as an enterprise only so long as the governing board of the institution or group of institutions retains authority to issue revenue bonds on behalf of the institution or group of institutions and the institution or group of institutions receives less than 10% of total annual revenues in grants from all Colorado state and local governments combined.

Specifies that the governing board of an institution or group of institutions that is designated as an enterprise may pledge up to 10% of tuition revenues of such an enterprise and all or a portion of a facility construction fee for a contract for the advancement of money on behalf of such institution. Specifies that the governing board shall not pledge general fund moneys appropriated by the general assembly. Repeals the exclusive authority of an institution that has been designated as an enterprise to approve cash-funded capital expenditures for projects that are to be constructed, operated, and maintained solely from student fees, research building revolving funds, or other sources.

Contingent on the Regents of the University of Colorado designating the University of Colorado as an enterprise under the provisions of this act during state fiscal year 2004-05 reduces the general fund appropriation to the Regents by \$4,500,000 and increases the Regents' cash fund spending authority by the same amount.

APPROVED by Governor June 4, 2004

EFFECTIVE July 1, 2004

Senate Bill 257 ***Modify Pub Employee Retirement Plan*** **(Owen/Young)**

Separates the state and school division of the Public Employees' Retirement Association (PERA) into a state division and a school division.

Clarifies the composition of the PERA board as a result of the separation of the state and school division and the renaming of the municipal division as the local government division.

Creates two separate trust funds for the state division and the school division of PERA and renames the division trust fund the local government division trust fund.

Changes the due date for the delivery of contribution reports by PERA employers and the full amount of employer and employee contributions to PERA. Reflects the reduction in the employer contribution rate table in the former state and school division, now the state division

and the school division, and in the judicial division that began in 2000 as provided by existing law. States that the employer contribution rate for the school division shall be 10.55% on and after January 1, 2013. Further specifies the manner of the calculation, reporting, and payment of contributions to PERA.

Further specifies changes and requirements of modified plan.

APPROVED by Governor June 4, 2004

PORTIONS EFFECTIVE July 1, 2004

PORTIONS EFFECTIVE July 1, 2005

PORTIONS EFFECTIVE January 1, 2006

House Bill 1007 ***Higher Ed Optional Retirement Plans*** **(T. Williams/Takis)**

Requires each governing board of a state college or university that establishes an optional retirement plan to establish a formal process for selecting companies to act as fund sponsors from which participants in the plan may select investment alternatives. Specifies that the selection process shall include requirements governing the following: participant access to investment alternatives; monitoring of the fund sponsor's contractual obligations; periodic review of the viability and attractiveness of combining plans; and periodic review of the fund sponsor's performance.

Specifies that a governing board of a state college or university shall be deemed to have met its responsibilities and fiduciary duties, and limits the liability of the board and specified individuals, as long as the board complies with the requirements.

APPROVED by Governor February 20, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause

House Bill 1009 ***Exempt Higher Ed from State Restrictions*** **(King/Reeves)**

Allows the governing board of each institution of higher education, by formal action of the board, and the Colorado Commission on Higher Education, by formal action of the Commission, to elect to be exempt from the requirements of the state motor vehicle fleet system, the state risk management system, and the procurement code.

APPROVED by Governor April 23, 2004

EFFECTIVE July 1, 2004

House Bill 1020 ***State Employee Incentive Programs*** **(Romanoff/Teck)**

Eliminates the current statutory incentive award suggestion system and the incentive award suggestion system board in the department of personnel. Requires the state personnel director to submit a report to the Joint Budget Committee with recommendations for the implementation of a new state employee incentive program.

APPROVED by Governor April 7, 2004

EFFECTIVE April 7, 2004

House Bill 1022 ***Duties of Division of Central Services*** **(Vigil/Anderson)**

Makes changes to the statutes that relate to the department of personnel that are administered by the division of central services, including: Changes the definition of the services provided by the department; Requires the department to work with state agencies to prepare a strategic plan every 5 years, instead of providing recommendations for current and long-range operations; Adds responsibilities related to services, software related to services, and digital imaging and digital conversion techniques; Modifies the statutes pertaining to the permanent assignment and replacement of state-owned motor vehicles; Eliminates the requirement that the department acquire motor vehicle liability insurance on all state-owned motor vehicles under the control of the department; Eliminates the state vanpool program; Allows the department to grant a waiver that allows a state agency to acquire a vehicle from a source other than the department; Eliminates a pilot program related to the procurement of travel products for state employees.

APPROVED by Governor April 7, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause

House Bill 1037 ***American Sign Language Credit in Education*** **(Hodge/Keller)**

Permits a higher education institution to offer one or more elective courses in American Sign Language ("ASL"). Requires the Colorado Commission on Higher Education ("CCHE") to adopt policies and procedures to require higher education institutions to treat ASL as a foreign language for purposes of granting and receiving academic credit. Directs CCHE to adopt policies that: Allow students to receive academic credit either by completing the courses or by demonstrating proficiency in ASL; and permit ASL academic credit to be counted toward satisfaction of a higher education institution's foreign language requirements, except those requirements related to the content of an academic major, and toward satisfaction of the foreign language entrance requirements of the institution.

Allows the Colorado school for the deaf and the blind, upon request, to provide assistance for the implementation of this act to CCHE, higher education institutions, the state board of education, and school districts.

APPROVED by Governor April 5, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause

House Bill 1039***Expand Teacher Loan Forgiveness*****(Spence/McElhany)**

Beginning in the 2004-05 academic year, extends the teacher loan forgiveness pilot program to allow for payment of all or part of the principal and interest of the educational loans of a teacher who is hired for a qualified position, teaching math, science, special education, or linguistically diverse education, regardless of how long the teacher has been teaching.

APPROVED by Governor April 13, 2004

EFFECTIVE April 13, 2004

House Bill 1206***Replace CoverColorado CAPCO Tax*****(Mitchell/Hillman)**

Reduces the aggregate value of premium tax credits applicable to insurance companies' investments of certified capital made after January 31, 2004, from \$100 million to \$50 million. Offsets the net revenue gains directly caused by such reduction by creating \$50 million in premium tax credits for insurance companies' contributions to CoverColorado. Allows an assessment against insurance companies for the CoverColorado program to occur only when other revenues, including the contributions made pursuant to the tax credit, are insufficient. If Senate Bill 04-106 is declared unconstitutional, reduces the premium tax credit for investments of certified capital from \$50 million to zero and increases the aggregate value of CoverColorado tax credits from \$50 million to \$100 million.

APPROVED by Governor March 4, 2004

EFFECTIVE March 4, 2004

House Bill 1350***College Invest and College Savings Plans*****(Berry/Anderson)**

Changes the name of the Colorado student obligation bond authority to collegeinvest. Changes the name of the student loan program to the Colorado college access network.

Allows persons who are not residents of the state to obtain student loans through the state student loan programs. Allows trust companies and domestic branches of foreign banks that are licensed by a state or the United States to participate as lenders in the state student loan programs. Broadens the definition of "student loan" to include loans made by institutions of higher education that are not located in Colorado or by a nonprofit corporation from another state that is operating on behalf of an institution of higher education, and allows collegeinvest to make an institutional loan to such institutions and nonprofit corporations.

Allows the board of directors of collegeinvest to take action upon an affirmative vote of a majority of the board members. Repeals the provision that requires the student loan division to originate and disburse any student obligations made or purchased by collegeinvest that are not guaranteed student loans or institutional loans.

Clarifies that the state treasurer shall invest moneys in the prepaid expense trust fund ("trust fund") based on the direction of collegeinvest.

Repeals the requirement that collegeinvest, prior to financing the making of student obligations or institutional loans, submit a report of proposals, plans, or expectations to the Colorado commission on higher education.

Extends the protections against personal liability to the agents, as well as employees, of collegeinvest.

APPROVED by Governor April 21, 2004

EFFECTIVE July 1, 2004

House Bill 1449 *State Employee Group Benefit Plan Year* **(Rhodes/Tupa)**

Authorizes the state personnel director to establish the annual group benefit plan year, and specifies that for the 2005-06 fiscal year and each fiscal year thereafter, recommended changes in the state contribution for group benefit plans are effective on the first day of the annual group benefit plan year established by the director.

APPROVED by Governor May 28, 2004

EFFECTIVE August 4, 2004

Note: No Safety Clause



STATE AND FEDERAL GOVERNMENT RELATIONS
KEY STATE HEALTH CARE LEGISLATION

Senate Bill 051 *Temporary License For Foreign Physicians* **(Grossman/Witwer)**

Extends the length of time from two years to five years for which a physician from another country and who is a full time faculty member may receive a temporary license.

APPROVED by Governor April 8, 2004

EFFECTIVE April 8, 2004

Senate Bill 057 *Meningitis Information At Colleges* **(Johnson S/Johnson R)**

Requires each postsecondary institution to provide to each new student or the student's parent or guardian certain information concerning meningococcal disease. Requires the student, parent, or guardian to acknowledge receipt of the information and to indicate whether the student has elected to receive a vaccination for meningococcal disease. Provides immunity to a postsecondary institution that reasonably complies with the requirements of the act.

APPROVED by Governor April 20, 2004

EFFECTIVE August 4, 2004
No Safety Clause

Senate Bill 166 *Damages Cap In Med Malpractice Actions* **(Lamborn/Stengel)**

Makes a one-time adjustment for inflation to the one-million-dollar damages limitation in medical malpractice actions in accordance with the consumer price index of the United States bureau of labor statistics. Clarifies that the adjustment does not alter or amend the limitations on noneconomic damages in medical malpractice actions

APPROVED by Governor April 20, 2004

EFFECTIVE January 1, 2005

Senate Bill 178 *Promote Anatomical Donations* **(Lamborn/Mitchell)**

Eliminates the requirement that an individual who chooses to authorize an anatomical donation by driver's license or identification card sign the back of the license or card. Requires the department of revenue to place contact information for the organ and tissue donor registry on the back of each minor driver's license, driver's license, and state identification card. For income tax years that commence on or after January 1, 2004, but before January 1, 2007, requires a voluntary contribution designation line for the organ and tissue donation awareness fund (fund) to appear on individual income tax return forms.

APPROVED by Governor June 4, 2004

EFFECTIVE August 4, 2004
No Safety Clause

Senate Bill 206 ***Hospice Care Under Medicaid*** **(McElhany/Witwer)**

Authorizes the department of health care policy and financing ("state department") to seek the appropriate federal authorization for hospice care services ("services") for children eligible under the state's medicaid program. Specifies that the services shall include but may not be limited to: Respite care; expressive therapies; palliative care from the time of diagnosis of a potentially life-threatening illness; and continuum of care through the coordination of services, which may include skilled, intermittent, and around-the-clock nursing care. Authorizes the state department to seek federal approval for modifications to the provision of hospice care for adults who are eligible for the state's medicaid program. Specifies the federal medicaid requirements for the eligibility of and election for hospice care from which the state department shall seek an exemption. Requires the state department, in any application for federal authorization under this act, to retain bereavement services to the extent available under federal law.

APPROVED by Governor May 27, 2004

EFFECTIVE May 27, 2004

Senate Bill 246 ***Pharmacist & Supervised Personnel Ratio*** **(Johnson S/Clapp)**

Changes the number of pharmacy interns and pharmacy technicians a pharmacist may supervise from two to three, of whom no more than two may be pharmacy interns.

APPROVED by Governor May 27, 2004

EFFECTIVE May 27, 2004

House Bill 1102 ***Regulation Of Dentists And Hygienists*** **(Clapp/Johnson S)**

Recreates the state dental board (board) and its regulation of dentists and dental hygienists. Continues the board's authority until 2012. Reorganizes provisions within the "Dental Practice Law of Colorado" for clarity and ease of usage. Amends the definition of dentistry to conform with the American dental association's definition. Clarifies the practice of dentistry. Defines "accredited". Increases the membership of the board by three members, of whom two are dentists and one is a dental hygienist.

APPROVED by Governor May 21, 2004

EFFECTIVE July 1, 2004

House Bill 1123 ***CO Mental Health Institute Fort Logan*** **(Coleman/Owen)**

Requires the department of human services ("state department") to undertake an in-depth review of an alternative option to the existing administration, organization, and operation of the Colorado mental health institute at Fort Logan ("institute"). Requires the Executive Director of the state department to create a committee to assist in the review. Specifies that the review shall consider opportunities for the institute to merge with another hospital in the Denver metropolitan area. Requires the state department to identify a timetable for such a merger, if a merger between the institute and another hospital is feasible.

APPROVED by Governor May 28, 2004

EFFECTIVE upon conditions specified in Bill

House Bill 1127 ***Title Protection For Nurses*** **(Johnson R/Johnson S)**

Restricts persons who are not licensed as registered professional nurses or licensed practical nurses from using the title of "nurse," "registered nurse," or "licensed practical nurse" or the abbreviations for such titles.

APPROVED by Governor May 12, 2004

EFFECTIVE May 12, 2004

House Bill 1285 *Notice Of Unpaid Bills* **(Johnson R/Kester)**
Requires a health care provider to give a patient, who relies on a third party payer, written notice of an unpaid portion of a bill prior to such amount being forwarded to a collection agency, debt collector, or before submitting adverse information to a credit reporting agency.

APPROVED by Governor April 13, 2004 **EFFECTIVE** August 4, 2004
No Safety Clause

House Bill 1354 *Health Care Credentials Uniform Act* **(Hefley/Johnson S)**
Creates a healthcare credentials application review committee to recommend to the State Board of Health (State Board) a single, uniform credentials application form. Requires that credentials data be kept confidential unless the health care professional provides written consent to release such data. Provides exceptions to confidentiality for use in proceedings to challenge credentialing, judicial review, the credentialing process, use by a professional liability insurance carrier, and use by an accreditation body. Requires health care entities and health care plans that collect core credentials data to use the uniform health care professional credentials application established by rule of the state board of health.

APPROVED by Governor April 14, 2004 **EFFECTIVE** April 14, 2004

House Bill 1406 *Public Notice Med Malpractice Actions* **(Clapp/Johnson S)**
Requires the state board of medical examiners to electronically post information concerning final judgments in court cases in which a physician or physician assistant are found to have committed malpractice or professional negligence.

APPROVED by Governor May 21, 2004 **EFFECTIVE** August 4, 2004
No Safety Clause

House Bill 1438 *Hospital Payments Indigent Care Program* **(Stafford/Johnson S)**
Directs the department of health care policy and financing ("state department") to require any hospital provider who may receive payment under the Colorado indigent care program ("program") to annually submit specified data. Requires the state department to include this information by hospital in the state department's annual budget request to the joint budget committee of the general assembly and the annual program report. Specifies that in order to qualify for a disproportionate share hospital factor as defined in rule by the medical services board under the program, a hospital provider's percent of medicaid days relative to total in-patient days must be equal or exceed one standard deviation above the mean.

APPROVED by Governor May 28, 2003 **EFFECTIVE** July 1, 2004

House Joint Resolution 1005 *Consolidation Of UCD And UCHSC* **(Spence/Arnold)**
Endorses the University of Colorado's process to study the consolidation of the University of Colorado Health Sciences Center and the University of Colorado at Denver

House Joint Resolution 1066 *Lazzara Dentistry Center At Fitzsimons* **(Spence/Takis)**
Concerning The Lazzara Center For Oral Facial Health At Fitzsimons



STATE AND FEDERAL GOVERNMENT RELATIONS FEDERAL RELATIONS

FY2004 AND FY2005 FEDERAL PRIORITIES

The congressional calendar runs year round so many issues remain outstanding at the time of this report. Generally, Congress convenes in January and attempts to adjourn in October. This year is the 108th Congress, 2nd Session.

Thanks to the strong relationships built by President Hoffman and the Chancellors with our Congressional delegation, this year we succeeded in getting funding for special projects on all four campuses for the first time ever in CU's history. The fact that relationships were stronger than ever translated not only into increased federal funding, but also into more visits to the campuses by members and their staffs, more quality time spent with members and their staffs at various functions, and more interest from the Colorado Congressional delegation in how they could be helpful to the University.

We urge faculty and staff to contact our office regarding any congressional tours you need arranged and any Hill visits you do, even if they are with your professional associations. Also, we ask that faculty or staff contact us prior to sending any correspondence on University of Colorado letterhead to any member of Congress. Thank you.

Special Projects Funding Received from FY2004 Appropriations

FY2004 was a very successful year for the University of Colorado:

- ◆ UCHSC received \$3,000,000 for the Audiology Center.
- ◆ UCCS received \$2,000,000 for the Network Information and Space Security Center.
- ◆ UCD received \$750,000 for the Center on Domestic Violence
- ◆ UCB received \$600,000 for the Institute for Micro/Nano Technology for Engineering and Life Sciences at University of Colorado at Boulder.

Special Projects Funding Requests in FY2005

In February 2004, President Hoffman and Assistant Vice President Kelly-Bowry traveled to Washington, DC, to do Hill visits with all our congressional members to discuss the University of Colorado's federal initiatives for FY05 and to enlist their support. This year the Office of State and Federal Government Relations will seek funding for the following projects:

- ◆ \$10 million for the University of Colorado Health Sciences Center Fitzsimons campus.
- ◆ \$10 million for the University of Colorado at Colorado Springs Network and Information Security Center (NISSC).
- ◆ \$2.25 million for the University of Colorado at Denver Center for Domestic Violence.
- ◆ \$4.4 million for the Institute for Micro/Nano Technology for Engineering and Life Sciences at University of Colorado at Boulder.
- ◆ Funding for the Center for Transportation Research at the University of Colorado at Boulder.

Research Funding in FY2004

In addition to the federal initiatives, President Hoffman lobbied the congressional delegation for their support of federal research funding. The University of Colorado continues to be extremely competitive in the peer review process on all four of our campuses. In FY03, the University of Colorado received \$436.4 million in federal research awards. In FY02, the University of Colorado had a total of \$340.5 million in federal research expenditures. In FY01, the National Science Foundation ranked the University of Colorado 15th in total research expenditures, and 5th in federal research expenditures among all US public institutions. The Office of State and Federal Government Relations will continue to advocate on behalf of increased federal research funding particularly from the following federal agencies:

Agency	Appropriations Bill
National Institutes of Health (NIH) Department of Health and Human Services (HHS) Center for Disease Control and Prevention (CDC) Department of Education	Labor/HHS/Education
National Science Foundation (NSF) ❶ National Aeronautics & Space Administration (NASA)	VA/HUD/Independent Agencies
Department of Defense (DOD)	Defense
Department of Energy (DOE)	Energy & Water
National Oceanic & Atmospheric Administration (NOAA)	Commerce / Justice / State
National Endowment for the Humanities (NEH)	Interior
Department of Transportation	Transportation / Treasury
Department of Homeland Security (DHS) ❷	Homeland Security

❶ NSF: In 2002, Congress passed H.R. 4664, the National Science Foundation Authorization Act of 2002, which authorized the doubling of the NSF budget by FY 2007. Although NSF funding has increased it has not grown sufficiently to be on a doubling path. We will continue to lobby Congress to appropriate funding to double the NSF budget. This year we lobbied our House delegation to sign on to a letter in support of NSF funding. Representatives DeGette, Beauprez, McInnis and Udall signed on.

❷ Homeland Security: We will continue to work with CU Vice President Jack Burns; CU Chancellors Richard Byyny, Pamela Shockley-Zalabak, and James Shore; and the CU Homeland Security Steering Committee to identify and pursue funding opportunities within the Department of Homeland Security, particularly with regard to the establishment of the Centers of Excellence.

Key Legislative Issues during the 108th Congress, 2nd Session

Higher Education Reauthorization: Congress took up the work of reauthorizing the Higher Education Act in 2003. The House Education & the Workforce Subcommittee on 21st Century Competitiveness held hearings and introduced legislation during the summer and fall. Senate Democrats introduced a few pieces of legislation that would increase the Pell Grant, expand HOPE scholarships, and remove barriers to student loans, though we expect the bulk of the Senate Reauthorization work to occur this year.

House Bills that were introduced as part of the Reauthorization include: Ready to Teach Act of 2003, HR 2211 - Gingrey (GA); Expanding Opportunities in Higher Education Act of 2003, HR 3039 - Cole (OK); Graduate Opportunities in Higher Education Act, HR 3076 - Hoekstra (MI); International Studies in Higher Education Act, HR 3077 - Hoekstra (MI), and Affordability in Higher Education Act, HR 3311 - McKeon (CA).

Research Issues

Stem Cell Research: In 2001, President Bush announced that federal funding for stem cell research was limited to currently existing stem cell lines. Due to the treatment potential of stem cell research for diseases such as cancer, Alzheimer's, diabetes, Parkinson's, spinal cord injuries, heart disease, and ALS, CU continues to monitor this issue to ensure that therapeutic cloning remains a legal and viable form of scientific research. CU lobbied our delegation to sign on to congressional letters to President Bush urging him to expand the current federal policy concerning embryonic stem cell research. President Hoffman joined 142 organizations in signing a letter to President Bush urging the Administration to modify its policy.

Human Subjects Research Protections: Congresswoman Diana DeGette, working with the UCHSC, introduced a bill that applies the "Common Rule" to all institutions, both public and private. The bill is H.R.3594, Protection for Participants in Research Act.

Intellectual Property

Sovereign Immunity: Two bills, H.R. 2344 and S. 1191, Intellectual Property Protection Restoration Act, are of concern to CU because they propose to grant states the right to protect intellectual property rights only if those states are willing to give up their own sovereign immunity from lawsuits for intellectual property infringements by a state entity or official.



**STATE AND FEDERAL GOVERNMENT RELATIONS
KEY HIGHER EDUCATION FEDERAL LEGISLATION
108th CONGRESS, 2ND SESSION**

S. 28 *To Amend the Provisions of the Homeland Security Act of 2002 relating to the establishment of university-based centers for homeland security* **(Nelson)**

Replace specific criteria that the Secretary of Homeland Security must consider in the selection of one or more university-based centers for homeland security; and (2) eliminate the requirement that the Secretary report to Congress on establishment of such a center.

Status: Still in Committee

S. 238 *Museum and Library Services Act* **(Reed)**

Bill reauthorizes the Museum and Library Services Act (MLSA) and the Library Services and Technology Act to extend authorizations of appropriations and revise programs under such Acts.

Status: Still in committee

S. 256 *CARE Act* **(Grassley)**

Bill allows taxpayers to make tax-free donations to charities, including universities, from proceeds of their Individual Retirement Accounts (IRA's)

Status: Still in Committee

S. 272 *CARE Act* **(Santorum)**

Bill allows taxpayers to make tax-free donations to charities, including universities, from proceeds of their Individual Retirement Accounts (IRA's)

Status: Still in Committee

S.476 *CARE Act* **(Grassley)**

Bill would allow individuals to “rollover”, or donate, funds in their Individual Retirement Accounts (IRAs) to charitable organizations, including institutions of higher education, without incurring tax penalties.

Status: Passed in the Senate

S. 888

Museum and Library Services Act

(Gregg)

Bill reauthorizes the Museum and Library Services Act (MLSA) and the Library Services and Technology Act to extend authorizations of appropriations and revise programs under such Acts. Authorization number is \$250 million.

Status: Signed into law September 25, 2003

S.1191

Intellectual Property Protection Restoration Act (Leahy)

The bill proposes to grant states the right to protect intellectual property rights only if those states that are willing to give up their own sovereign immunity from lawsuits for intellectual property infringements by a state entity or official.

Status: Still in committee

S. 1350

Risk to Personal Data Act

(Feinstein)

A bill to require Federal agencies, and persons engaged in interstate commerce, in possession of electronic data containing personal information, to disclose any unauthorized acquisition of such information.

Status: Still in Committee

S. 1545

Dream Act (Development, Relief, and Education for Alien Minors Act of 2003) (Hatch)

Amends the Illegal Immigration Reform and Immigrant Responsibility Act of 1996 to repeal the denial of unlawful aliens eligibility for education benefits based on Senate residence unless U.S. national is similarly eligible without regard to such residence.

Status: Placed on the Senate Legislative Calendar

H.R.7

Charitable Giving Act

(Blunt)

Bill would allow tax free donations from Individual Retirement Accounts (IRA's) for charitable purposes, including institutions of higher education. Also the bill repeals grassroots expenditure limit for charitable organizations.

Status: Passed in the House and referred to the Senate

H.R. 13

Museum and Library Services Act

(Hoekstra)

The bill would revise several visa processes and procedures, including those related to international students.

Status: Signed into law September 25, 2003

H.R. 107 *Digital Media Consumers' Rights Act* **(Boucher)**
Bill proposes three key changes to sections of the Digital Millennium Copyright Act (DMCA) of 1998 and reaffirms fair use in the digital environment.

Status: Still in committee

H.R. 484 *To Make Certain Amendments to the Homeland Security Act of 2002* **(Ose)**
Amends the Homeland Security Act of 2002 to direct the Secretary of Homeland Security, acting through the Under Secretary for Science and Technology, to designate one or more university-based centers for homeland security.

Status: Still in Committee

H.R. 2211 *Ready to Teach Act of 2003* **(Gingrey)**
Bill would reauthorize Title II of the Higher Education Act of 1965. Related to H.RES.310

Status: Passed in the House and referred to the Senate

H.R. 2344 *Intellectual Property Protection Restoration* **(Smith)**
See S. 1191, Intellectual Property Protection Restoration Act.

Status: Still in committee

H.R.2391 *Cooperative Research and Technology Enhancement (CREATE) Act* **(Smith)**
Bill proposes to promote research among universities, the public sector, and private enterprise by allowing a patent application to be approved if it involves multiple organizations. This is in response to the Federal Circuit Court of Appeals decision in *Oddzon Products, Inc., v. Just Toys, Inc., et. al*, in which the court held that confidential information exchanged between members of a research team who represent multiple organizations may be used to invalidate a patent application.

Status: Passed in the House, sent to the Senate for consideration

H.R. 3076 *Graduate Opportunities in Higher Education Act* **(Hoekstra)**
Except as otherwise expressly provided, whenever in this Act an amendment or repeal is expressed in terms of an amendment to, or repeal of, a section or other provisions, the reference shall be considered to be made to a section or other provision of the Higher Education Act of 1965 (20 U.S.C. 1001 et seq.). It would ensure graduate opportunities in postsecondary education, and for other purposes.

Status: Passed in the House and referred to the Senate

H.R. 3077 *International Studies in Higher Education Act* **(Hoekstra)**

Amends the Higher Education Act of 1965 to revise requirements and reauthorize appropriations through FY 2009 for International Education Programs.

Status: Passed in the House and referred to the Senate

H.R. 3261 *Database and Collections of Information Misappropriation Act* **(Coble)**

Bill provides a broad exclusion from liability for educational institutions using databases for nonprofit educational, scientific, or research purposes.

Status: Placed on Union Calendar in the House

H.R. 3311 *Affordability in Higher Education Act of 2003* **(McKeon)**

Amends the Higher Education Act of 1965 (HEA) to establish: (1) a college Affordability Index for consumer information and public accountability in higher education; (2) a college Affordability Demonstration Program for supporting innovative approaches to higher education; and (3) requirements as conditions of participation in HEA student aid programs, for institutions of higher education and accrediting agencies with respect to acceptance of transfers of student credits. Expresses the sense of Congress with respect to reducing the administrative and regulatory burden of Federal student financial assistance programs on institutions and such burden's impact on their tuition and fees.

Status: Still in Committee



**STATE AND FEDERAL GOVERNMENT RELATIONS
KEY HEALTH CARE FEDERAL LEGISLATION
108th CONGRESS, 2ND SESSION**

S 15 *Project BioShield Act* (Judd)

Amends the Public Health Service Act to declare that the National Institute of Allergy and Infectious Diseases shall be the lead institute for performing, administering, or supporting biomedical countermeasure research and development.

Status: Signed into law July 21, 2004

S. 138 *A bill to temporarily increase the Federal medical assistance percentage for the Medicaid program* (Rockefeller)

Bill requires each eligible State for the third and fourth calendar quarters of FY 2003 and each calendar quarter of FY 2004 to have its FMAP increased by 2.45 percentage points.

Status: Still in Committee

S.303 *Human Cloning Ban and Stem Cell Research Protection Act* (Hatch)

Bill bans reproductive cloning but allows therapeutic cloning.

Status: Still in Committee

S.613 *Veterans' New Fitzsimons Health Care Facilities Act* (Campbell)

Bill authorizes the move of the VAMC to Fitzsimons.

Status: Still in Committee

S. 652 *Access to Hospitals Act* (Chafee)

Bill extends Medicaid DSH allotments that expired last Oct to FY2003 and beyond.

Status: Still in Committee

S. 991 *RN Safe Staffing Act* (Inouye)

Bill would require participating hospitals to adopt and implement a staffing system that ensures a number of registered nurses on each shift and in each unit of the hospital to ensure appropriate staffing levels for patient care.

Status: Still in Committee

S.1156 *The Department of Veterans Affairs Long-Term (Specter)
Care and Personnel Authorities Enhancement
Act of 2003.*

A bill to amend Title 38, United States Code, to improve and enhance the provision of health care for veterans, to authorize major construction projects and other facilities matters for the Department of Veterans Affairs, to enhance and improve authorities relating to the administration of personnel of the Department of Veterans Affairs, and for other purposes

Status: Signed into Law December 6, 2003

S.1899 *Human Cloning Prohibition Act* **(Brownback)**

Bill would prohibit (1) performing or attempting to perform human cloning; (2) participating in such an attempt; (3) shipping or receiving an embryo produced by human cloning or any product derived from such embryo; or (4) importing such an embryo or product.

Status: Still in Committee

H.R. 1 *Medicare Prescription Drug Modernization Act* **(Hastert)**

Bill would enact legislation to amend Title XVIII (Medicare) of the Social Security Act to make improvements in the Medicare program and to provide prescription drug coverage under the Medicare program.

Status: Signed into law December 8, 2003

H.R. 116 *Veterans' New Fitzsimons Health (Hefley)
Care Facilities Act*

Bill authorizes the move of the VAMC to Fitzsimons.

Status: Placed on Union Calendar in the House

H.R. 328 *Access to Hospitals Act* **(Whitfield)**

Bill extends Medicaid DSH allotments that expired last Oct to FY2003 and beyond

Status: Still in Committee

H.R. 531 *State Children's Health Insurance Program* **(Tauzin)**

Bill would Amend Title XXI of the Social Security Act to revise the rule for redistribution and extended availability of allotments to States.

Status: Passed in the House and referred to the Senate

H.R. 801***Cloning Prohibition Act*****(Greenwood)**

Bill allows research using therapeutic cloning while maintaining criminal penalties for reproductive cloning. AAMC endorses this bill.

Status: Still in Committee**H.R. 816*****State and Budget Relief Act*****(King)**

Bill provides certain temporary increases in the Federal Medical Assistance Percentage (FMAP) to help states finance increases in enrollment due to rising unemployment and to prevent reductions in health insurance coverage due to state budget crises.

Status: Still in Committee**H.R. 1710/S. 899*****American Hospital Preservation Act*****(Foley)**

Bill would restore the full market basket percentage increase applied to payments to hospitals for inpatient hospital services furnished to Medicare beneficiaries as well as restore the reimbursement factor for indirect medical education payments to teaching hospitals.

Status: Still in Committee**H.R. 2122*****Project BioShield Act*****(Tauzin)**

Amends the Public Health Service Act regarding preparations for public health emergencies affecting national security, including a bio-terrorist attack

Status: Passed in the House, referred to the Senate



STATE AND FEDERAL GOVERNMENT RELATIONS FY2005 U.S. PRESIDENT'S BUDGET REQUEST

The proposed FY05 budget seeks to meet three national priorities: "winning the war on terror, protecting the homeland, and strengthening the economy." It also "continues this spending trend: significant increases in funding our security programs combined with a dramatic reduction in the growth of discretionary spending unrelated to security."

The President's budget calls for overall spending of \$2.4 trillion in FY05, an increase of 3.5 percent. Discretionary spending would rise by 3.9 percent, to \$818.4 billion.

- Much of the additional discretionary spending in FY05 would be allocated to defense and homeland security.
- Discretionary spending not related to defense or homeland security would increase by \$2 billion, or 0.5 percent overall, to \$386 billion. That increase is below the rate of inflation. Some agencies will receive actual budget cuts.

Summary of the President's FY2004 Request by Agency

Department of Defense (DOD): R&D; proposed a \$4.37 billion, or 7 percent increase. FS&T; proposed a \$660 million or 11 percent reduction.

Department of Homeland Security (DHS): R&D; proposed a \$163 million, or 15 percent increase.

National Science Foundation (NSF): Proposed a \$137 million, or 3 percent, increase.

National Institutes of Health (NIH): Proposed a \$764 million, or 2.6 percent, increase.

NASA: R&D, proposed a \$415 million, or 4 percent, increase; FS&T, proposed a 1 percent, increase.

Department of Energy (DOE): R&D, proposed a \$58 million, or 1 percent increase; FS&T, proposed a \$116 million, or 2 percent, reduction.

National Institutes of Health

The proposed \$764 million increase for the National Institutes of Health (NIH) is 2.7 percent above the FY04 appropriated level of \$28.041 billion, and would provide total funding for NIH of \$28.805 billion.

Funding for the "NIH Roadmap for Biomedical Research" will increase to \$237 million in FY05, an 85 percent increase above FY04. This project was announced by NIH last fall and is an initiative to "exploit and extend past discoveries to meet tomorrow's challenges."

The Roadmap has three principal initiatives:

- New Pathways to Discovery, \$137 million
- Multidisciplinary Research Teams of the Future, \$39 million
- Re-engineering the Clinical Research Enterprise, \$61 million.

The FY05 NIH budget provides \$150 million in the extramural construction line, but this

funding is for further construction of BSL-3 and 4 facilities. As in FY04, the Administration is again attempting to “zero-out” non-biodefense extramural construction.

National Science Foundation

The President's FY05 budget request for the National Science Foundation (NSF) is \$5.745 billion, an increase of \$167 million, or 3 percent above the FY04 level of \$5.578 billion. Of the \$167 million increase, approximately \$75 million is directed to the salaries and expense account for internal operations and staffing, making the real increase for NSF programs \$92 million, an increase of 1.6 percent.

In addition to NSF's "core" research and education activities, six focused areas are highlighted in the agency's request with the following proposed funding levels:

- **Nanoscale Science and Engineering**--\$305.05 million, an increase of \$51.55 million, or 20.3 percent, over FY04 funding
- **Mathematical Sciences**--\$89.11 million, slightly more than the FY04 level of \$89.09 million
- **Human and Social Dynamics**--\$23.25 million, a reduction of about \$1 million, or 4.1 percent, from the FY04 funding level.
- **Biocomplexity in the Environment**--\$99.83 million, the same as in FY04
- **Workforce for the 21st Century**--\$20 million
- **Information Technology Research (ITR)**— Beginning in FY05, activities previously funded through the ITR will be merged into new and ongoing research programs across NSF.

NASA

The President's FY2004 budget request for NASA is \$15.469 billion, an increase of \$469 million (5 percent) over the FY2003 estimate.

NASA's budget structure has been revised for the second year in a row. The new Science, Aeronautics, and Exploration (SAE) account includes Space Science, Biological and Physical Research, Earth Science, the Aeronautics portion of Aerospace Technology, and Academic Programs (now renamed Education Programs). In addition, a portion of Safety, Mission Assurance, and Engineering (SMA&E), formerly included in the Human Space Flight account, will move into the SAE account as an indirect charge to programs there. Specific requests for the SAE account include the following:

- ◆ The total request for the Office of Space Science is \$4.007 billion, which represents an increase of \$593 million, or 17.4 percent, above the FY2003 estimate.
- ◆ The request for the Office of Earth Science is \$1.552 billion, which is \$76 million, or 4.7 percent, less than the FY2003 estimate.
- ◆ The request for the Office of Earth Science is \$959 million, which represents an increase of \$12 million, or 1.3 percent, over the FY2003 estimate.
- ◆ The request for Education Programs is \$170 million, an increase of \$26 million, or 18 percent, over the FY2003 estimate.

Department of Defense

President Bush is requesting \$16.244 billion for NASA in FY05, an increase of \$866 million, or 5.6 percent, above FY04. The 2005 budget focuses on the President's new vision of sustained solar system exploration involving both humans and robots. The agency will be required to reprogram \$11 billion out of its budget over the next five years for the Moon-Mars initiative.

The Office of Space Science would receive \$4.138 billion in FY05. This is a \$195 million or 4.9 percent increase over FY04. The request includes a new program of lunar exploration, and further robotic exploration of the solar system. The request, however, also includes the cancellation of the next Hubble servicing mission and the delay of several Beyond Einstein missions. In addition, \$438 million in funds related to Project Prometheus would be transferred to the new Exploration System Enterprise.

The Office of Earth Science would receive \$1.485 billion in FY05. This is a \$128 million, or 7.9 percent, reduction. Funding for NASA's climate change science programs apparently will drop from \$1.334 billion to \$1.271 billion, a cut of \$63 million, or 5 percent.

Department of Homeland Security

The President's budget provides \$28.3 billion in net discretionary budget authority for the Department of Homeland Security (DHS). This does not include bio-defense and mandatory fee-funded activities.

Science and Technology Directorate: Within DHS, \$1.039 billion is designated for the S&T directorate, an increase of \$126 million over the FY04 level of \$913 million. Out of the S&T total, \$988 million is designated for Research, Development, Acquisition and Operations programs and its 12 portfolios, and \$52 million is allocated for Management and Administration. The DHS budget justification documents provide no information about specific funding levels for the Homeland Security Advanced Research Projects Agency (HSARPA) or the Office of Research and Development (ORD).

The University & Fellowship Programs are funded at \$30 million, which is \$40 million less than the \$70 million provided by Congress in FY04.

Department of Education

The President's FY05 budget would provide \$73.1 billion for federal student financial aid, excluding the consolidation of existing student loans. This represents a \$4.4 billion or 6-percent increase over 2004.

The FY05 budget would provide \$2 billion for higher education programs, which include graduate and international education and institutional aid programs.

The budget proposes \$269.1 million total funding for FY05, an increase of \$120 million, as part of the President's *Jobs for the 21st Century Initiative*. The proposed increase is essentially a transfer of funds from the National Science Foundation's (NSF) Math & Science Partnerships program, which the Administration proposes not to fund in FY05.

Department of Energy

The Department of Energy (DOE) is requesting \$24.3 billion in discretionary funding for FY04, including funding for all of the agency's defense, environmental management, energy supply R&D, and science programs. The DOE request places strong emphasis on enhanced national security, with the National Nuclear Security Administration (NNSA) slated to receive \$ 9 billion, a \$383 million, or 4.4 percent, increase above FY04.

The President's FY05 budget proposes \$3.432 billion for DOE's Office of Science programs, which is \$68 million, or 2 percent, less than was appropriated by Congress in FY04.

National Endowment for the Humanities

For the National Endowment for the Humanities (NEH), the Administration is requesting \$162 million for core programs and to continue the President's "We the People" initiative. This is an increase of \$27 million over FY04.

National Endowment for the Arts

For the National Endowment for the Arts (NEA), the President is requesting \$117 million, the same level requested in FY2003.



STATE AND FEDERAL GOVERNMENT RELATIONS HIGHLIGHTED HILL VISITS, TOURS, AND EVENTS

Washington, DC advocacy visits in 2004:

- Associate Vice President Kelly-Bowry took part in over 71 hill visits and department visits in Washington, DC with President Hoffman, VP Jack Burns, Chancellors Shockley, Byyny, Shore and UCH President Brimhall as well as faculty from all four campuses. This is almost **double** the number of hill visits from last year.

Tours:

- During the state legislative session, the office coordinated special tours of the State Capitol and meetings with legislators who spoke about the legislative process to the following CU and outside groups:
 - o Emerging Leaders Program
 - o Staff Council
 - o University Perspectives
 - o 50 for Colorado
- The Office of State and Federal Government Relations conducted over 30 in-state tours/meetings to all four CU campuses with our Congressional members and/or their staff.

Events:

- In January 2004, President Hoffman's office co-hosted the CU/CSU/UNC Legislative Reception.
- The Office of State and Federal Government Relations helped to coordinate and participated in Congressman Scott McInnis' *Power of One Women's Conference* in February 2004.
- Congressman Mark Udall visited the CU Boulder School of Engineering for a presentation on the Engineers without Borders program on February 17. The Congressman heard from faculty, staff, and students from CU as well as the Colorado School of Mines.
- The state legislative *CU Smart Lunch* series continued in 2004 with four lunches highlighting our campuses. Members of the legislature and legislative staff attended the luncheons and outstanding faculty, staff, and students from all of CU's campuses presented.
- On May 24, Congressman Bob Beauprez toured CU Colorado Springs as well as Northern Command. While at UCCS the Congressman had the opportunity to visit the Network Information Space Securities Center (NISSC) program.



STATE AND FEDERAL GOVERNMENT RELATIONS CU AMBASSADORS PROGRAM

The Office of State and Federal Government Relations coordinates President Hoffman's grassroots legislative advocacy group, the CU Ambassadors Program. CU Ambassadors are a group of Colorado residents who advocate on behalf of CU and higher education with their elected officials. The group was formed in 2001. Participation in CU Ambassadors is strictly voluntary.

The primary goal of CU Ambassadors is to increase awareness and advocate for CU's interests among lawmakers. By influencing state legislative opinion, the program seeks to strengthen the University of Colorado academic programs and support research in a way that benefits all Colorado citizens.

Through their participation in the program, Ambassadors receive:

- ◆ An invitation to attend an Ambassadors-only annual meeting with CU President Elizabeth Hoffman.
- ◆ Regular email communication including updates from President Hoffman, legislative updates and advance notice of CU outreach events.
- ◆ Legislative Calls to Action - during the legislative session, President Hoffman calls on Ambassadors to contact their legislators to advocate for action supporting the University or the interests of higher education.

During the 2004 state session, President Hoffman and the Office of State and Federal Government Relations asked CU's Ambassadors many times to contact their state elected officials in opposition to proposed budget cuts, and in favor of enterprise designation/College Opportunity Fund. A critical number of Ambassadors responded with phone calls and emails to their state legislators and the governor's office and assisted the University in achieving its goals.

As state funding for higher education continues to decline and be threatened by Colorado's fiscal crisis, CU Ambassadors are an increasingly important part of the University's advocacy corps. Ambassadors sound a critical voice with our elected officials, as alumni, friends, and current or future parents of CU students.

Special thanks to all of our Ambassadors who made critical contacts with our elected officials this year.

To join the CU Ambassadors program, please email cuambassadors@cu.edu. Only non-university resources may be used to contact state elected officials.



STATE AND FEDERAL GOVERNMENT RELATIONS
THE OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS TEAM



Tanya Kelly-Bowry
Associate Vice President

Tanya Kelly-Bowry is the Associate Vice President of State and Federal Government Relations. She is the chief state and federal lobbyist for the CU System. Ms. Kelly-Bowry has served the University of Colorado for the past five years. Previously, she was the University's Director of Federal Relations for two years and prior to that, she was the Associate Director of State Legislative Relations at the CU Health Sciences Center. Additionally, Ms. Kelly-Bowry worked for eight years as the Public Media Relations Director for the Colorado State Senate. Tanya was raised in the San Luis Valley and she is fluent in Spanish. An international affairs graduate of CU-Boulder, she received a Master's in nonprofit management from Regis University on a fellowship.



Kirsten Castleman
Deputy Director of State Relations

Kirsten Castleman serves as Deputy Director for State Relations. She lobbies on health care policy issues for the University of Colorado Health Sciences Center, University of Colorado Hospital, and the Colorado Springs Beth El College of Nursing and Health Sciences. In addition, she represents the University of Colorado at Denver at the state legislature. Kirsten has a Bachelor of Arts from the University of Virginia, Charlottesville and a Master of Arts in Higher Education from the University of Michigan, Ann Arbor. You may contact her at 303-315-6623 or kirten.castleman@uchsc.edu.



Amanda Lewis
Assistant Director of State and Federal Relations

Amanda Lewis is the Assistant Director of State and Federal Relations. She serves as chief of staff for the office and is responsible for organizing and coordinating all office special events. In addition, Amanda oversees the CU Ambassadors Program, manages much of the internal and external office communication, analyzes and tracks state higher ed policy and assists in the coordination of campus tours for congressional members and state legislators. She has worked in the office for the past four years and she is a graduate of the University of Colorado at Boulder. You may contact her 303-492-8276 or amanda.lewis@cu.edu.



Lynne Lyons
Deputy Director of Federal Relations

Lynne Lyons serves as Deputy Director of Federal Relations in our Colorado office. Lynne lobbies on issues ranging from research funding, academic health legislation, hospital legislation, and intellectual property legislation. She assists Associate Vice President Kelly-Bowry and Director Sprenger on federal special projects for all three campuses. Lynne has a Bachelor of Science from the University of Colorado at Boulder and a Masters in Public Administration from the University of Colorado at Denver. You may contact her at 303-492-1851 or lynne.lyons@cu.edu.



Ernestine Mondragon
Special Assistant to the Associate Vice President

Ernestine Mondragon is the Special Assistant to Associate Vice President Kelly-Bowry. Her position manages the AVP's calendar and travel, inter-office budget maintenance and many of the office administrative duties. Previously, Ernestine worked in the Office of the President as a student assistant for Business and Community Relations and Special Events. She is a recent graduate of the University of Colorado at Boulder. You may contact her at 303-492-4598 or ernestine.mondragon@cu.edu.



Todd Saliman
Policy Advisor

Todd Saliman is a Policy Advisor in the Office of State and Federal Government Relations. He focuses on state budget issues, higher education legislation, and the CU-Boulder campus. He graduated from the University of Colorado at Boulder in 1989. He served in the State House of Representatives from 1994 through 2002. During his first four years at the Capitol, he served on the Local Government, Transportation, Finance and Appropriations committees. In 1999, he was elected by his colleagues to the Joint Budget Committee. He was responsible for allocating and balancing Colorado's \$13 billion budget. During his tenure on the Joint Budget Committee, he prioritized budgets for Executive Branch elected officials, all state departments and the Judicial Branch.



David Sprenger
Director of Federal Relations

David Sprenger serves as the Director of Federal Relations representing the University of Colorado System before the U.S. Congress and government agencies. David, a Colorado native, has opened a new Washington, D.C. office for the University of Colorado's Office of State and Federal Government Relations. Prior to coming to CU, David worked as an Assistant Vice President for B&D Sagamore, a government relations consulting firm and an affiliate of the international law firm of Baker & Daniels. David also served as Congressman McInnis' legislative aid and health policy advisor where he provided key policy and legislative strategy to Members on the House Committee on Ways and Means. It is in this capacity that David drafted legislation that increased Medicare reimbursements for rural health care providers, which was signed into law in November 2003.



Vicky Starbuck
Professional Staff Assistant

Vicky Starbuck is a Professional Staff Assistant at the University of Colorado Health Sciences Center campus. She divides her time by providing administrative support to Chancellor James Shore and Deputy Director Stevenson. She also serves as the UCHSC campus Legislative Liaison. She maintains the healthcare legislative website and tracks healthcare bills. Ms. Starbuck responds to legislative and constituent requests, including physician referrals, as well as coordinates campus tours.

You may contact her at 303-315-7527 or vicky.starbuck@uchsc.edu.

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