

OFFICE OF STATE AND FEDERAL GOVERNMENT RELATIONS ANNUAL REPORT 2007-2008



UNIVERSITY OF COLORADO *Boulder • Colorado Springs • Denver*

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STATE AND FEDERAL GOVERNMENT RELATIONS

Overview

Introduction

In 2008, the Office of State and Federal Government Relations had one of its best lobbying efforts in the history of the University of Colorado. On the State side, we were highly successful in our efforts on lobbying state legislation impacting the university and higher education, gaining record capital construction dollars, increasing state general fund dollars, and gaining tuition flexibility. We were also successful in one of the Office's best federal lobbying efforts with the U.S. Congress. Special thanks to the following people for their hard work and dedication to the University: Kirsten Castleman, Tanya Kelly-Bowry, David Sprenger, Lynne Lyons, Connie Johnson, Heather Kline, Elizabeth Watkins, Amanda Lewis, and Jerry Johnson; Presidents Brown and Benson; the Vice Presidents; and Chancellors G. P. "Bud" Peterson, Pam Shockley-Zalabak, and M. Roy Wilson.

Mission

The mission of the Office of State and Federal Government Relations is to support the University of Colorado by building effective partnerships between the University and state and federal governments. This is achieved through representation and advocacy of CU's needs and interests with state and federal elected officials in Colorado and Washington, D.C.

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 public university governmental relations offices in the United States.

Strategies

- 1) Maintain 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) Foster relationships between the 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, CU Ambassadors, and alumni to help lobby the university's initiatives.
- 4) Request federal funding for special projects at each campus.
- 5) Lobby for increases in funding by federal agencies. The following agencies are the primary sources of research 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)
 - National Institute of Space and Technology (NIST)
- 6) Educate elected officials about the university through contact with faculty, students, and

administrators from all three campuses.

7) Provide internal communication by:

- Holding frequent legislative strategy meetings with top university officers;
- Providing legislative updates at all three campuses and via email to the university community; and
- Communicating with appropriate university faculty, administrators, and students regarding specific legislation and policy issues.

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STATE AND FEDERAL GOVERNMENT RELATIONS

State Relations

General Fund, Cash Fund Appropriations, and Capital Construction FY2009

The sixty-sixth session of the Colorado General Assembly convened on January 9, 2008 and ended on May 6, 2008. We had one of the best lobbying efforts in the history of the University of Colorado.

FY 2009 GENERAL FUND APPROPRIATIONS

The General Assembly and the Governor approved an increase of \$51.3M for all higher education governing boards. CU received the following state appropriations through the budget bill or the “Long Bill” HB 08-1375:

- General Fund – Fee for Service: Increase to CU of \$14.1M
- General Fund – Stipend: Increase of \$90 for stipends (COF) or \$2760 per student
- General Fund – Increase to Anschutz Medical Campus of \$1.5M
- Medicaid Provider Rate – Increase of 1.5% to hospitals and providers. Increase will benefit University of Colorado Hospital, University Physicians Inc. and CU School of Dentistry.

FY 2009 CASH FUND APPROPRIATIONS (TUITION)

The JBC approved a 9.5% tuition rate cap for the University of Colorado and other research institutions.

FY 2009 CAPITAL CONSTRUCTION

CU received funding for the following capital construction projects:

- \$13.1 UC Denver AMC COP payment
- \$7M UCCS Science/Engineering Building
- \$7.1M UCB Visual Arts Complex
- \$11.6M UCB Ekeley Sciences Middle Wing Renovation
- \$8.4M UCB Ketchum Arts and Sciences Building
- \$63.6M AHEC Science Building (shared by UCD, Metro State and CCD)
- \$17.1M UCCS Science Renovation

\$127.9M - Total state funded capital

In addition, CU received \$4.1M for controlled maintenance projects.

Total CU Capital and Controlled Maintenance Funding: \$132M



STATE AND FEDERAL GOVERNMENT RELATIONS

State Capital Construction Summary FY2009

Campus and Project	State Appropriation	Cash Funds	Federal Funds	FML- COP	Total Appropriation
<u>BOULDER CAMPUS</u>					
<i>Controlled Maintenance</i>					
Henderson Bldg Fire Suppression	\$ 529,720				\$ 529,720
Ramalay and Macky Fire Suppression Upgrades	\$ 976,767				\$ 976,767
Fire Safety Upgrades	\$ 418,063				\$ 418,063
<i>Capital Construction</i>					
Andrews Hall, Smith Hall, and Buckingham Hall Renovations		\$ 41,295,359			\$ 41,295,359
Behavior Sciences Building (Institute for Behavioral Science Program Plan)		\$ 13,894,624			\$ 13,894,624
Biotechnology Building Systems		\$ 12,888,973			\$ 12,888,973
Community Dining and Student Center		\$ 65,595,535			\$ 65,595,535
Ekeley Renovation	\$ 11,559,536	\$ 1,284,396			\$ 12,843,932
Heating and Cooling Plant		\$ 75,190,106			\$ 75,190,106
JILA Addition ²		\$ 5,500,000	\$ 22,000,000		\$ 27,500,000
Ketchum Arts & Sciences Capital Renewal	\$ 8,435,946				\$ 8,435,946
Regent Drive Pedestrian Underpass ³		\$ 2,021,000	\$ 2,694,000		\$ 4,715,000
Visual Arts Complex	\$ 7,070,000	\$ 19,895,263			\$ 26,965,263
TOTAL BOULDER APPROPRIATION	\$ 28,990,033	\$ 237,565,256	\$24,694,000		\$ 291,249,289



STATE AND FEDERAL GOVERNMENT RELATIONS

State Capital Construction Summary FY2009

Campus and Project	State Appropriation	Cash Funds	Federal Funds	FML-COP	Total Appropriation
<u>COLORADO SPRINGS CAMPUS</u>					
<i>Controlled Maintenance</i>					
Repair/Replace Rooftop units, University Hall	\$ 431,436				\$ 431,436
<i>Capital Construction</i>					
Event Center		\$ 7,073,742			\$ 7,073,742
Science/Engineering Building	\$ 7,000,000				\$ 7,000,000
University Summit Real Estate Acquisition		\$ 1,975,000			\$ 1,975,000
Renovation of Existing Science Building*				\$ 17,085,472	\$ 17,085,472
TOTAL UCCS APPROPRIATION	\$ 7,431,436	\$ 9,048,742		\$17,085,472	\$ 33,565,650



STATE AND FEDERAL GOVERNMENT RELATIONS

State Capital Construction Summary FY2009

Campus and Project	State Appropriation	Cash Funds	Federal Funds	FML-COP	Total Appropriation
<u>UC-DENVER CAMPUS</u>					
Controlled Maintenance					
Replace Water Piping, Bldg 500	\$ 810,260				\$ 810,260
Art Building, Repair/Replace Indoor Air Quality, Window, and HVAC	\$ 949,467				\$ 949,467
Capital Construction					
Business School Purchase and Renovation of 1475 Lawrence Street		\$ 39,550,000			\$ 39,550,000
Fitzsimons, I-225/Colfax Interchange		\$ 1,367,000			\$ 1,367,000
Fitzsimons, Lazarra Center For Oral Facial Health 4th Floor Addition		\$ 8,200,925			\$ 8,200,925
Lease Purchase of Academic Facilities at Fitzsimons	\$ 13,142,688				\$ 13,142,688
Pharmacy Building Supplemental		\$ 17,447,060			\$ 17,447,060
Auraria Science Building *This building is shared by UCD, Metro and CCD		\$ 22,227,526*		\$ 63,619,180*	\$ 85,846,706
TOTAL UC DENVER APPROPRIATION	\$ 14,902,415	\$ 88,792,511		\$ 63,619,180	\$167,314,106
UNIVERSITY OF COLORADO TOTAL CAPITAL CONSTRUCTION APPROPRIATIONS					
Total Controlled Maintenance	\$ 4,115,713				\$ 4,115,713
Total Capital Construction	\$ 47,208,171	\$ 335,406,509	\$ 24,694,000	\$ 80,704,652	\$ 488,013,332
Total	\$ 51,323,884	\$ 335,406,509	\$ 24,694,000	\$ 80,704,652	\$ 492,129,045



STATE AND FEDERAL GOVERNMENT RELATIONS
CU Initiated State Legislation

House Bill 08-1106 *Campus Security at Institutions of Higher Education* **(Carroll/Tupa)**

Lead: Kirsten Castleman

Grants authority to state institutions of higher education to employ police officers and reserve police officers who are certified by the peace officer standards and training board. Delineates the powers, duties, rights, and liabilities of higher education police officers. Provides the governing board of the institution of higher education with the power of supervision and control of the officers. States the qualifications for the officers. Differentiates between the powers and duties of higher education police officers and higher education security officers. Encourages cooperation between law enforcement agencies and security officers at educational institutions in emergency preparedness and response planning.

APPROVED by Governor March 18, 2008

EFFECTIVE March 18, 2008

House Bill 08-1120 *Increase the Members of the University of Colorado Hospital Board* **(Green/Boyd)**

Lead: Kirsten Castleman

Increases the number of members on the University of Colorado Hospital authority board from nine members to eleven members. Permits no more than four of the board members to be employees of the university or the authority.

APPROVED by Governor March 6, 2008

EFFECTIVE August 5, 2008

House Bill 08-1197 *Extension of the Repeal of the Fitzsimons Trust Fund* **(McFayden/Windels)**

Lead: Kirsten Castleman

Extends the repeal of the Fitzsimons trust fund to July 1, 2032.

APPROVED by Governor April 3, 2008

EFFECTIVE April 3, 2008

Senate Bill 08-230 *Hospital Medicaid Units of Government* **(Morse/Buescher)**

Lead: Kirsten Castleman

Authorizes specified governmental hospital care providers, subject to voter approval, to levy and collect a sales tax within certain geographic areas.

Establishes a definition of "state university teaching hospital." Authorizes the general assembly to appropriate moneys annually to state university teaching hospitals for services provided under the state's medicaid program.

APPROVED by Governor May 22, 2008

EFFECTIVE May 22, 2008



STATE AND FEDERAL GOVERNMENT RELATIONS

Key State Higher Education Legislation

House Bill 08-1001

Bioscience Research Grant Program

(Riesberg/Bacon)

Eliminates in the bioscience discovery evaluation grant program ("program") provisions concerning federal agency small business innovation research programs, federal agency small business technology transfer programs, and biofuel research. Adds early-stage bioscience companies as possible recipients of program grants. Specifies which portion of moneys appropriated to the bioscience discovery evaluation cash fund ("cash fund") shall be used to provide grants to offices of technology transfer at research institutions and which portion of moneys shall be used to provide grants to early-stage bioscience companies. Allows an office of technology transfer that receives a grant under the program to designate a party to present the office's bioscience research project to elementary and secondary school science teachers who are employed in the geographic region in which the technology is being developed.

For the 2007-08 fiscal year, appropriates \$5,500,000 from the general fund to the cash fund for the implementation of the program. For the 2008-09 fiscal year, transfers \$4,500,000, and for each of the 2009-10, 2010-11, and 2011-12 fiscal years, transfers \$5,500,000 from the general fund portion of the limited gaming fund to the cash fund for the implementation of the program.

APPROVED by Governor April 24, 2008

EFFECTIVE April 24, 2008

House Bill 08-1026

Colorado Water Institute

(Fischer/Schwartz)

Changes the name of the Colorado Water Resources Research Institute to the Colorado Water Institute (institute). Expands the purposes and duties of the institute. Authorizes state funds made available for water research to pass through the administrative control of the institute. Authorizes the institute to assess an administrative fee not to exceed 20 percent of the total cost of the project being administered by the institute.

Designates the executive directors of the departments of natural resources, agriculture, and public health and environment as members of the advisory committee on water research policy. Repeals the limitation of the use of the general fund for the institute.

APPROVED by Governor March 20, 2008

EFFECTIVE March 20, 2008

House Bill 08-1058

Uniform Athlete Agents Act

(McGihon/Gordon)

Enacts the "Uniform Athlete Agents Act," drafted by the national conference of commissioners on uniform state laws, and amends and repeals statutes that previously limited the activities and conduct of athlete agents making contracts with college athletes.

APPROVED by Governor May 21, 2008

EFFECTIVE July 1, 2008

House Bill 08-1173***Prudent Institutional Funds*****(McGihon/Shaffer)**

Replaces the "Uniform Management of Institutional Funds Act" with the "Uniform Prudent Management of Institutional Funds Act," drafted by the national conference of commissioners on uniform state laws. Excludes funds held by the public employees' retirement association and funds held by a school district retirement system from the act. Establishes the same standards for managing and investing institutional funds regardless of whether a charitable organization is organized as a trust, a nonprofit corporation, or some other entity. Imposes additional duties on those who manage and invest charitable funds to provide additional protections for charities and also protects the interests of donors who want to see their contributions used wisely. Establishes stricter guidelines on spending from endowment funds. Updates the provisions governing the release and modification of restrictions on charitable funds to permit more efficient management of these funds. Authorizes a court to modify the purposes to which a hospital foundation's funds are dedicated if the foundation proves that continued dedication of the funds to the purposes originally specified is impractical or wasteful. Directs the reviser of statutes to publish, as non-statutory matter, the official comments to the uniform act.

APPROVED by Governor April 21, 2008**EFFECTIVE** April 21, 2008**House Bill 08-1201*****Collegeinvest Clean-up And Clarification*****(A.Kerr/Kopp)**

Permits the collegeinvest authority ("authority") to use moneys in the collegeinvest fund for payment of expenses incurred by the authority. Removes the requirement of executive director approval when the authority: engages private consultants or legal counsel; is collecting and paying reasonable fees and charges; or is investing the Colorado achievement scholarship fund moneys.

Changes the name of the Colorado Achievement Scholarship Program to the Colorado Collegeinvest Scholarship Program. Authorizes the authority to develop and administer loan forgiveness programs and administer and fund scholarship programs. Removes the authority's \$2 billion bond limit. Directs the investment of the collegeinvest fund.

Removes the requirement that institutions of higher education that receive loan origination and disbursement services pay an implementation and ongoing disbursement fee. Makes charging the fee permissive based on certain criteria.

APPROVED by Governor March 26, 2008**EFFECTIVE** August 5, 2008**House Bill 08-1205*****Increase Higher Ed CDC Expectations*****(Riesberg/Windels)**

For institutions of higher education, increases the dollar-amount thresholds from \$500,000 to \$2M for: (1) exceptions from the requirements for program and physical planning; (2) exceptions from Colorado Commission on Higher Education ("commission") approval and Capital Development Committee ("CDC") and Joint Budget Committee ("JBC") review of capital construction projects funded from certain sources; and (3) exceptions from commission approval of capital construction projects funded from cash funds.

Provides for CDC and JBC review of cash-funded projects over \$2M. Exempts cash-funded capital construction projects for higher education institutions from the requirement that professional service contracts be entered into within six months after the appropriation is made for the project.

APPROVED by Governor March 31, 2008

EFFECTIVE March 31, 2008

House Bill 08-1252 *Tuition Assistance CO National Guard* **(Rice/Shaffer)**

Allows a member of the Colorado National Guard to receive tuition assistance when enrolled at a private institution of higher education in a certificate or degree program in homeland security.

APPROVED by Governor April 10, 2008

EFFECTIVE April 10, 2008

House Bill 08-1255 *Teacher Loan Forgive Program* **(C. Gardner/Gibbs)**

Expands the definition of "rural school district" to allow more teachers who teach in rural areas to qualify for the teacher loan forgiveness pilot program ("program"). Specifies that the teacher loan forgiveness fund shall consist of all moneys appropriated to the fund by the general assembly in addition to gifts, grants, and donations. Increases the dollar amount that rural teachers under the program can receive in loan forgiveness. Extends the repeal date of the program to July 1, 2019.

APPROVED by Governor May 29, 2008

EFFECTIVE August 5, 2008

Senate Bill 08-018 *Higher Education Clean-up* **(Windels/Massey)**

Clarifies the roles of the Department of Higher Education and the Colorado Commission on Higher Education. Consolidates the statutes related to the private occupational school division. Repeals obsolete higher education provisions.

APPROVED by Governor May 28, 2008

EFFECTIVE May 28, 2008

Senate Bill 08-024 *Protect Consumers Event Ticket Resales* **(Tochtrop/Soper)**

Requires ticket resellers to guarantee a full refund to a purchaser if an event is cancelled, the ticket would not grant the purchaser admission to the event, the ticket is counterfeit, or the ticket fails to conform to its description as advertised. Specifies that it is void as against public policy to apply a term or condition to an original sale to the purchaser to limit the terms or conditions of resale, but allows an original seller of tickets to prohibit the resale of a contractual right in a season ticket package agreement that gives the original purchaser a priority or other preference to enter into a subsequent season ticket package agreement with the original seller. Prohibits the denial of access to an event based solely on the grounds that a ticket was resold through a reseller not approved by the operator.

APPROVED by Governor March 19, 2008

EFFECTIVE March 19, 2008

Senate Bill 08-044 *Tuberculosis Screening College Students* **(Renfroe/McFayden)**

Allows each college and university in Colorado to create a tuberculosis screening process. Allows the department of public health and environment to attend and participate in meetings regarding the creation of a screening process. Requires colleges and universities that participate in the process to report recommendations to the health and human services committees of the general assembly.

APPROVED by Governor May 21, 2008

EFFECTIVE July 1, 2008

Senate Bill 08-073 *Publishers of College Textbooks* **(Tupa/Kefalas)**

Requires a publisher of college textbooks and supplemental learning materials ("textbooks") to make immediately available on its web site and to faculty members and instructors at state institutions of higher education information concerning the price of the textbooks, history of substantive revisions to the textbooks, and other formats in which the textbooks may be available. Requires a publisher of a bundled textbook package to offer the option of purchasing the textbook and each of the individual products separately.

APPROVED by Governor April 8, 2008

EFFECTIVE August 5, 2008

Senate Bill 08-079 *In-state Tuition for US Citizens* **(Sandoval/Massey)**

Provides that the following students who are United States citizens are entitled to receive in-state student classification for purposes of tuition at state-supported institutions of higher education: if the student graduated from a Colorado high school and attended high school in the state for three years prior to enrolling in college in Colorado; and the student completed a general equivalency diploma in Colorado and resided in the state for at least three years prior to enrolling in college in Colorado.

APPROVED by Governor May 20, 2008

EFFECTIVE May 20, 2008

Senate Bill 08-081 *Colorado Renewable Energy Authority* **(Schwartz/Madden)**

Clarifies the duties of the Colorado Renewable Energy Authority ("authority"). Clarifies the manner in which the authority is required to report to the business affairs and labor committee of the house of representatives and the business, labor, and technology committee of the senate concerning the results achieved by an energy research project. Repeals the requirement that the authority remit to the state treasurer 50 percent of any revenues received by the authority as a result of the licensing of any patent, trademark, or copyright. Allows the director of the national renewable energy laboratory and the presidents of the Colorado School of Mines, Colorado State University, and the University of Colorado to appoint designees to the board of directors of the Colorado Renewable Energy Authority.

APPROVED by Governor April 10, 2008

EFFECTIVE April 10, 2008

Senate Bill 08-133

Math and Science Scholarships Teachers

(Shaffer/A. Kerr)

Creates the teach Colorado Grant Initiative ("grant initiative") in the department of higher education ("department") to award grants to public institutions of higher education to fund scholarship programs for students who are enrolled or who are enrolling in approved teacher preparation programs with the intent to teach in high-need content areas in Colorado public schools upon graduation.

Requires the department to implement and administer the grant initiative and to collaborate annually with the department of education in determining the high-need content areas.

Directs the department in awarding the grants to public institutions of higher education to give special consideration to scholarship programs that meet certain criteria, including the need for teachers in high-need content areas and in rural and high-poverty school districts.

Limits the amount of each scholarship to no more than the amount of in-state tuition charged by the awarding public institution of higher education for 30 semester hours of credit.

Requires the Colorado Commission on Higher Education to report to the education committees of the senate and house of representatives concerning the grant initiative. Authorizes the department to seek and accept gift, grants, and donations for implementation of the grant initiative.

Appropriates \$500,000 to the department from the general fund for implementation of the act.

APPROVED by Governor May 12, 2008

EFFECTIVE May 12, 2008

Senate Bill 08-166

Natl Guard College Opportunity Fund

(Shaffer/McNulty)

Allows members of the Colorado National Guard who are eligible for in-state tuition status to receive college opportunity fund moneys.

Appropriates from the general fund to the department of higher education for the college opportunity fund \$28,612.

APPROVED by Governor May 29, 2008

EFFECTIVE August 5, 2008

Senate Bill 08-180

Authority of Auraria Boards

(Penry/Marostica)

Authorizes the board of trustees of Metropolitan State College of Denver to: enter into lease-purchase agreements and issue revenue bonds for the construction of necessary facilities; and transfer or pledge certain revenues to the Auraria Higher Education Center ("Auraria center") to finance the construction of auxiliary or complementary facilities.

Authorizes the board of directors of the Auraria Higher Education Center to: create special districts within the Auraria center; construct complementary facilities within the Auraria center and finance the construction of complementary facilities in the same manner as auxiliary facilities, including through lease-purchase agreements or revenue bonds.

APPROVED by Governor May 22, 2008

EFFECTIVE May 22, 2008

Senate Bill 08-193***Public Contracts for Services*****(McElhany/Judd)**

Updates the definition of a federal electronic employment eligibility verification program to reflect the program's new name. Excludes certain types of agreements from the definition of public contract for services as used in the law relating to public contracts for services and illegal aliens.

Creates the department program in the department of labor and employment, which program requires participating contractors that enter into a public contract for services to affirm that the contractor has examined the legal work status of each employee who is newly hired for employment to perform work under the public contract for services. Modifies the precontract certification required of a prospective contractor to limit the scope of the statement about its employees and to require future participation in the federal electronic employment eligibility verification program or the department program. Requires all public contracts for services to include a provision that requires a contractor to use the federal electronic employment eligibility verification program or the department program to verify the employment eligibility of certain employees. Clarifies that nothing in the act requires a contractor to violate any terms of participation in the federal electronic employment eligibility verification program.

APPROVED by Governor May 13, 2008**EFFECTIVE** May 13, 2008**Senate Bill 08-212*****Preschool to Postsecondary Ed Alignment*****(Romer/Witwer)**

Makes legislative findings concerning the importance of aligning education standards and assessments from preschool through postsecondary and workforce readiness. Allows the use of state education fund moneys for the purposes of the act.

APPROVED by Governor May 14, 2008**EFFECTIVE** May 14, 2008**House Bill 08-218*****Allocation of Federal Mineral Lease Revs*****(Schwartz/Buescher)**

Beginning July 1, 2008, modifies the allocation of federal mineral lease (FML) revenues, other than FML revenues generated by oil shale production on oil shale lands that current law segregates from other FML revenues. Segregates the portion of FML revenues attributable to bonus payments from other FML revenues, and requires 50 percent of the bonus payment revenues to be transferred to a newly created local government permanent fund (permanent fund) and 50 percent of the bonus payment revenues to be transferred to a newly created higher education maintenance and reserve fund (maintenance and reserve fund). For any fiscal year in which the total amount of FML revenues received by the state declines by at least 10 percent, allows the general assembly to appropriate and the executive director of the department of local affairs (DOLA) to make formula-based direct distributions of permanent fund moneys to counties and municipalities to the extent necessary to prevent any reduction from the prior fiscal year in the amount of formula-based direct distributions of FML revenues to counties and municipalities.

Allows the general assembly to appropriate moneys in the revenues fund to directly pay for or pay the costs of financing capital construction projects at state-supported institutions of higher education that are included on a specified prioritized list of such projects approved pursuant to a joint resolution of the general assembly, and also allows the general assembly to appropriate

such moneys to the department of education for distribution by the department, or any board or division within the department that the department may designate, to school districts for capital construction projects at area vocational schools. Requires priority consideration to be given to projects located in communities that are substantially impacted by energy production or conversion activities.

APPROVED by Governor June 4, 2008

EFFECTIVE June 4, 2008

Senate Bill 08-233

FML - Funded Higher Ed Projects

(Windels/Riesberg)

Directs the Colorado Commission on Higher Education ("commission") to submit to the Office of State Planning and Budgeting ("OSPB") and the Capital Development Committee ("CDC") a prioritized list of capital construction projects at state-supported institutions of higher education ("higher education projects") to be constructed through lease-purchase agreements funded through the higher education federal mineral lease revenues fund ("fund"). Directs the OSPB to submit its prioritized list of higher education projects to the CDC. Directs the CDC to submit its prioritized list of higher education projects to the Joint Budget Committee ("JBC"). Directs the JBC to sponsor a joint resolution that proposes a prioritized list of higher education projects and that, if approved by the general assembly, is presented to the governor for approval. Limits the amount of the total average annual payments under all lease-purchase agreements related to the prioritized list and entered into during the fiscal year commencing July 1, 2008. If projects on the prioritized list are not subject to lease-purchase agreements entered into during the fiscal year commencing July 1, 2008, provides that the remaining projects in the joint resolution shall constitute a prioritized list for the fiscal year commencing July 1, 2009.

Appropriates from the higher education federal mineral lease revenues fund \$10,000,000 to the state treasurer to make payments on any lease-purchase agreements. Appropriates cash funds of \$22,227,526 to the Auraria Higher Education Center for the science building addition and renovation, but reduces the appropriation by any amount that is included in a lease-purchase agreement. Reduces the cash fund appropriation to the Colorado School of Mines for the Marquez hall petroleum engineering building by \$20,000,000.

Specifies that the act will take effect only if Senate Bill 08-218 becomes law. Specifies that certain sections of the act shall take effect only if House Joint Resolution 08-1042 is adopted by the general assembly and is signed by the governor.

APPROVED by Governor May 12, 2008

EFFECTIVE May 12, 2008

NOTE: Senate Bill 08-218 was signed by the governor June 4, 2008, and House Joint Resolution 08-1042 was signed by the governor June 5, 2008.

Senate Bill 08-245

Higher Ed Intercept Program

(Windels/Buescher)

Requires the state treasurer to make a scheduled payment of principal and interest on revenue bonds or refunding bonds issued on or after the effective date of the act by a state-supported institution of higher education ("institution") on behalf of the institution if the institution will not make the payment by the date on which it is due unless the bonds did not satisfy specified criteria at the time of issuance; or the institution adopted a resolution before issuing the bonds that indicates that it will not accept the making of such a payment.

Requires an institution that issues bonds on which the state treasurer may be required to make payments to file specified legal documents related to the bonds with the state treasurer. Specifies that the state will not modify the provisions of the act in a way that impairs the legal rights and remedies of purchasers and owners of bonds but that the act does not create any debt or other obligation of the state. Requires the department of higher education to initiate an audit of any institution for which the state treasurer makes a bond payment to determine why the institution could not make the payment and, if necessary, assist the institution in developing and implementing measures to ensure that the institution makes future bond payments when due.

APPROVED by Governor June 4, 2008

EFFECTIVE June 4, 2008



STATE AND FEDERAL GOVERNMENT RELATIONS

Key State Health Care Legislation

House Bill 08-1060

Advanced Practice Nurse Network Provider

(Gagliardi/Hagedorn)

Beginning in 2009, requires carriers that provide health benefit plans to use objective and reasonable criteria, and to consider the provider-to-covered-person ratio for the covered benefits that may be provided by an advanced practice nurse, when evaluating an application for status as a participating provider submitted by an advanced practice nurse. Specifies that the carrier is to make the determination on the advanced practice nurse's participating provider application, and notify the applicant of its determination, within the same period in which the carrier makes a participating provider determination for physicians. When an application is denied, requires the carrier to notify the advanced practice nurse of the reason for the denial. When an application is approved, requires the carrier to include the advanced practice nurse in the provider directory for the health benefit plan.

APPROVED by Governor March 20, 2008

EFFECTIVE January 1, 2009

House Bill 08-1203

Material Change Hospital Transactions

(M.Carroll/Boyd)

For purposes of the laws relating to transactions involving licensed hospitals, requires the attorney general to consider, among other factors, the reduction in the accessibility or availability of health care services in the communities served by a hospital in determining whether a material change exists in the charitable purposes to which the assets of the hospital have been dedicated.

APPROVED by Governor May 27, 2008

EFFECTIVE August 5, 2008

Senate Bill 08-11

Trauma Care Funding

(Morse/Massey)

Requires automobile insurance policies issued, delivered, or renewed in the state on or after January 1, 2009, to contain coverage for medical payments with benefits of \$5,000 for bodily injury, sickness, or disease arising from the ownership, maintenance, or use of a motor vehicle. Allows the named insured under an automobile insurance policy to reject medical payments coverage, in which case the insurer is required to maintain proof of such coverage rejection for at least 3 years after the date of the rejection. Protects an insurance agent or insurer that obtains a rejection of medical payments coverage from liability to any person thereafter seeking medical payments coverage under the policy.

APPROVED by Governor June 5, 2008

EFFECTIVE January 1, 2009

Creates the "Physician Designation Disclosure Act" to address the practice of health care entities ("entities") making physician designations. Describes acceptable criteria for entities to use in making physician designations and requires a disclaimer to accompany any designation. Mandates that entities disclose all data and methodologies used in formulating designations if such information is requested by the designated physician or the commissioner of insurance. Requires written and timely notice of a change to an existing designation. Entitles physicians to appeal designations and describes the processes by which physicians may challenge designations.

Makes a violation of the act an unfair or deceptive trade practice under insurance laws. Authorizes private rights of action as an enforcement mechanism.

APPROVED by Governor June 3, 2008

EFFECTIVE September 1, 2008



STATE AND FEDERAL GOVERNMENT RELATIONS

Federal Relations

The 110th Congress, 2nd Session convened on January 22, 2008 and is currently scheduled to adjourn on October 1, 2008. Because the congressional calendar runs year round many issues remain outstanding at the time of the publication of this report.

We are optimistic for another successful year in getting funding for special projects.

The Office of State and Federal Government Relations supports the university by building effective partnerships between the University and the federal government. This is achieved through representation and advocacy of CU's needs and interests with federal elected officials in Washington, D.C. By working in coordination with all CU administrators and faculty members, we effectively communicate our priorities to Congress. In order to do this, the office requests CU employees read the OSFGR policy, "Guidelines on Meetings, Testifying and Correspondence with Federal Congressional Members," and follow its provisions prior to contact with congressional staff or members. The policy is located at http://www.cusys.edu/govt_relations/federal/Policy-Hill-Visits.pdf.

FY2008 AND FY2009 FEDERAL PRIORITIES

Special Projects Funding Received from FY2008 Appropriations: \$6,725,850

- UCB received \$312,550 for the Colorado Schools Safety Program
- UCCS received \$3.2 million for the first federally-funded PhD in Homeland Defense in partnership with U.S. Northern Command, the Naval Post Graduate School at UCCS, and the GSPA program at UCD
- UCCS and UCD received \$1.6 million for the Partnership in Innovative Preparation for Educators and Students (PIPES)
- UCD received \$709,700 for the National Center for Audio and Video Forensics project
- UCD received \$247,000 for the Linda Crnic Institute for Down Syndrome
- The city of Aurora received \$656,600 for the intersection at I-225 and Colfax Avenue to improve access to the Fitzsimmons Redevelopment Project (CU supported this project)

Special Projects Funding Requests in FY2009

This year the Office of State and Federal Government Relations will seek funding for the following projects:

- \$3.5 Million for the University of Colorado at Boulder's Center for Space Entrepreneurship
- \$850,000 for the University of Colorado at Boulder's Total Solar Irradiance System Instrument
- \$700,000 for the University of Colorado at Boulder's Colorado School Safety Program
- \$2.5 Million for the University of Colorado at Colorado Springs' Trauma, Health and Hazards Center SupportNet for Frontline Providers for Traumatic Stress at Fort Carson
- \$1.7 Million for the University of Colorado at Colorado Springs' joint Student and Educator Training Academy, established between the Partnership in Innovative Preparation for Educators and Students (PIPES) and the Space Education Consortium (SEC)
- \$2.1 Million for the University of Colorado Denver for the establishment of the Linda Crnic Institute for Research and Treatment of Down Syndrome
- \$500,000 for the University of Colorado Denver National Center for Audio/Video Forensics



STATE AND FEDERAL GOVERNMENT RELATIONS

Research Funding in FY2008

In addition to the federal initiatives, the university lobbied the congressional delegation for their support of federal research funding.

The University of Colorado continues to be a national leader in research funding by attracting \$660.8 million in FY2008, a nearly \$24 million increase from FY2007. The University of Colorado at Boulder had a \$14.1 million increase from \$266 million in FY2007 to \$280.1 million in FY2008. The University of Colorado Denver remains the top research institution in the state, with \$371.5 million, the majority from the National Institutes of Health. The University of Colorado at Colorado Springs received \$9.2 million.

Research awards at the university's three campuses have increased nearly 86 percent over the past decade.

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) National Aeronautics & Space Administration (NASA) National Oceanic & Atmospheric Administration (NOAA) National Institute of Standards & Technology (NIST)	Commerce / Justice / Science
Department of Defense (DOD)	Defense
Department of Energy (DOE)	Energy & Water
National Endowment for the Humanities (NEH)	Interior
Department of Homeland Security (DHS)	Homeland Security



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Higher Education Federal Legislation

110th Congress, 2nd Session

H.R. 890 *Student Loan Sunshine Act* **(Miller)**

Establishes requirements for lenders and institutions of higher education in order to protect students and other borrowers receiving educational loans. Among other provisions, H.R. 890 would require institutions to develop their own codes of conduct for student financial aid employees, which must include a ban on gifts and other types of payments from student loan providers. The bill also would ban such employees from consulting or serving on advisory councils for lenders, and would prohibit revenue sharing agreements between institutions and lenders. Institutions could retain preferred lender lists, but would have to provide information to the public on how those lenders were selected and ensure that students have access to all lenders of their choice. Institutions would also have to disclose a variety of information about loan interest rates, fees, and repayment terms.

Status: Still in Committee

H.R. 906 *Global Change Research and Data Management Act of 2007* **(Udall)**

Would require the President to establish an interagency United States Global Change Research Program to improve understanding of global change, to respond to the information needs of communities and decision makers, and to provide periodic assessments of the vulnerability of the United States and other regions to global change. The bill would repeal The Global Change Research Act of 1990.

Status: Placed on Union Calendar

H.R. 1469 *Senator Paul Simon Study Abroad Foundation Act of 2007* **(Lantos)**

Establishes in the executive branch the Senator Paul Simon Study Abroad Foundation to carry out this Act under the authorities of the Mutual Educational and Cultural Exchange Act of 1961. Requires the Foundation to award grants, increasingly for study in nontraditional study abroad destinations to: (1) U.S. students; (2) nongovernmental institutions that provide and promote study abroad opportunities for U.S. students, in consortium with institutions of higher education (IHEs); and (3) IHEs, individually or in consortium.

Status: Placed on Senate Calendar

H.R. 2669 *College Cost Reduction Act of 2007* **(Miller)**

Amends the Higher Education Act of 1965 (HEA) to reauthorize the Pell grant program through FY2013. Authorizes and appropriates additional funding for the program for FY2008-FY2017 to increase the amount of the maximum Pell grant for which a student is eligible by \$200 for each of the award years 2008-2009 and 2009-2010, \$300 for award year 2010-2011, and \$500 for each subsequent award year. Increases the authorized maximum Pell grant to \$7,600 for academic year 2008-2009 and by \$1,000 increments each academic year thereafter until it stands at \$11,600 for academic year 2012-2013.

Status: Became Public Law 110-84

Effective Date: September 27, 2007

H.R. 4137 *Higher Education Opportunity Act* **(Miller)**

Amends the Higher Education Act of 1965 (HEA) to revise and reauthorize HEA programs.

Status: Became Public Law N: 110-315

Effective Date: August 14, 2008

S. 911 *Senator Paul Simon Study Abroad Foundation Act of 2007* **(Durbin)**

Establishes in the executive branch the Senator Paul Simon Study Abroad Foundation to carry out this Act under the authorities of the Mutual Educational and Cultural Exchange Act of 1961. Requires the foundation to award grants, increasingly for study in nontraditional study abroad destinations to: (1) U.S. students; (2) nongovernmental institutions that provide and promote study abroad opportunities for U.S. students, in consortium with institutions of higher education (IHEs); and (3) IHEs, individually or in consortium.

Status: Placed on Senate Calendar

S. 1642 *Higher Education Amendments of 2007* **(Kennedy)**

Provides a five-year reauthorization authorization of programs under the Higher Education Act of 1965.

Status: Held at the Desk



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Research Federal Legislation 110th Congress, 2nd Session

H.R. 85 *Energy Technology Transfer Act* **(Biggert)**

Amends the Energy Policy Act of 2005 to direct the secretary of energy to award grants for a five-year period to nonprofit institutions, state and local governments, cooperative extension services, or institutions of higher education to establish a geographically dispersed network of advanced energy technology transfer centers, located in areas the secretary determines have the greatest need of their services.

Status: Placed on Senate Legislative Calendar

H.R. 363 *Sowing the Seeds Through Science and Engineering
Research Act* **(Gordon)**

Authorizes appropriations for FY2008-FY2012 to: (1) the National Science Foundation (NSF), Department of Energy (DOE), National Aeronautics and Space Administration (NASA), and National Institute of Standards and Technology (NIST) for support of basic research activities in the physical sciences, mathematics and computer sciences, and engineering; and (2) the Department of Defense (DOD) for support of basic research activities. Makes at least 8 percent of such amounts available for high-risk, potentially high-payoff research.

Status: Passed out of House. Still in Senate Committee.

H.R. 906 *Global Change Research and Data Management Act of 2007* **(Udall)**

Would require the President to establish an interagency United States Global Change Research Program to improve understanding of global change, to respond to the information needs of communities and decision makers, and to provide periodic assessments of the vulnerability of the United States and other regions to global change. The bill would repeal The Global Change Research Act of 1990.

Status: Placed on Union Calendar

H.R. 977 *Genomic Research and Accessibility Act* **(Becerra)**

Prohibits patents from being obtained for a nucleotide sequence, or its functions or correlations, or the naturally occurring products it specifies.

Status: Still in Committee

H.R. 1068 *To amend the High-Performance Computing Act of 1991* **(Baird)**

Amends the High-Performance Computing Act of 1991 to revise program requirements for the National High-Performance Computing Program. Requires the Director of the Office of Science and Technology Policy to: (1) establish the goals and priorities for federal high-performance computing research, development, networking, and other activities; (2) establish program component areas that implement such goals and identify the grand challenges (i.e., fundamental problems in science or engineering, with broad economic and scientific impact, whose solutions will require the application of high-performance computing resources) that the program should

address; and (3) develop and maintain a research, development, and deployment road map for the provision of high-performance computing systems.

Status: Still in Committee

H.R. 1834 *To authorize the national ocean exploration program and the national undersea research program within the National Oceanic and Atmospheric Administration* **(Saxton)**

Requires a coordinated national ocean exploration program in the National Oceanic and Atmospheric Administration (NOAA). Requires NOAA to: (1) appoint an Ocean Exploration Advisory Board; and (2) convene an ocean technology and infrastructure task force.

Status: Placed on Senate Legislative Calendar

H.R. 2642 *Supplemental Appropriations Act, 2008* **(Edwards)**

Makes appropriations for military construction, the Department of Veterans Affairs, and related agencies for the fiscal year ending September 30, 2008. The bill also provides additional science research funding, including \$150 million for the National Institutes of Health (NIH), \$62.5 million for the National Science Foundation (NSF), \$62.5 million for the Department of Energy (DOE), and \$62.5 million for NASA. The bill also includes a provision that extends the Medicaid rule(s) Moratorium until April 1, 2009.

Status: Became Public Law 110-252

Effective Date: June 30, 2008

H.R. 2272 *America COMPETES Act* **(Reid)**

Focuses on three areas that are important for maintaining and improving U.S. innovation: 1) increasing research investment; 2) strengthening educational opportunities in science, technology, engineering and mathematics, from elementary through graduate school; and 3) developing an innovation infrastructure.

Status: Became Public Law 110-69

Effective Date: August 9, 2007

S. 761 *America COMPETES Act* **(Reid)**

Focuses on three areas that are important for maintaining and improving U.S. innovation: 1) increasing research investment; 2) strengthening educational opportunities in science, technology, engineering and mathematics, from elementary through graduate school; and 3) developing an innovation infrastructure.

Status: Senate incorporated this measure in H.R. 2272 as an amendment



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Intellectual Property Federal Legislation

110th Congress, 2nd Session

H.R. 1908 *The Patent Act of 2007*

(Berman)

To amend title 35, United States Code, to provide for patent reform. Modifies conditions under which a patent may be obtained for an invention or discovery, including by: (1) defining "inventor" to include a joint inventor and co-inventor; (2) making the effective filing date of a claimed invention the filing date of the patent or the patent application; and (3) revising procedures for patent interference disputes.

Status: Passed in House. Placed on Senate Calendar

H.R. 5353 *Internet Freedom Preservation Act of 2008*

(Markey)

Amends the Communications Act of 1934 to declare that it is U.S. policy to: (1) maintain the freedom to use broadband telecommunications networks, including the internet, without interference or discrimination by network operators; (2) enable the United States to preserve its global leadership in online commerce and technological innovation; (3) promote open and interconnected broadband networks that enable consumers to reach, and service providers to offer content, applications, and services of their choosing; and (4) guard against unreasonable discriminatory favoritism for content by network operators based upon its source, ownership, or destination on the internet. Also requires a report from the Federal Communications Commission (FCC) to specified congressional committees on a provider's delivery of broadband content, applications, and services.

Status: Still in Committee

S. 215 *Internet Freedom Preservation Act of 2008*

(Dorgan)

(1) Amends the Communications Act of 1934 to establish certain internet neutrality duties for broadband service providers (providers), including not interfering with or discriminating against the ability of any person to use broadband service in a lawful manner. Allows providers to engage in activities in furtherance of certain management and business-related practices, such as protecting network security and offering consumer protection services such as parental controls. (2) Prohibits a provider from requiring a subscriber, as a condition on the purchase of broadband service, to purchase any cable service, telecommunications service, or IP-enabled voice service. (3) Requires a report from the Federal Communications Commission (FCC) to specified congressional committees on provider delivery of broadband content, applications, and services.

Status: Still in Committee

S. 1145 *The Patent Act of 2007*

(Leahy)

To amend title 35, United States Code, to provide for patent reform. Modifies conditions under which a patent may be obtained for an invention or discovery, including by: (1) defining "inventor" to include a joint inventor and co-inventor; (2) making the effective filing date of a claimed invention the filing date of the patent or the patent application; and (3) revising procedures for patent interference disputes.

Status: Placed on Senate Calendar



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Security Federal Legislation

110th Congress, 2nd Session

H.R. 1482 *Citizen Involvement in Campaigns Act of 2007* **(Petri)**

Amends the Internal Revenue Code to allow: (1) a \$200 tax credit (\$400 for joint returns) for contributions to a candidate for Federal elective public office or to the national committee of a national political party; and (2) a tax deduction (available to taxpayers who do not itemize deductions) for such political contributions up to \$600 (\$1,200 for joint returns).

Status: Placed on Senate Calendar

S. 239 *Notification of Risk to Personal Data Act of 2007* **(Feinstein)**

Requires any federal agency or business entity engaged in interstate commerce that uses, accesses, transmits, stores, disposes of, or collects sensitive, personally identifiable information, following the discovery of a security breach, to notify (as specified): (1) any U.S. resident whose information may have been accessed or acquired; and (2) the owner or licensee of any such information the agency or business does not own or license.

Status: Still in Committee

S. 495 *Personal Data Privacy and Security Act of 2007* **(Leahy)**

A bill to prevent and mitigate identity theft, to ensure privacy, to provide notice of security breaches, and to enhance criminal penalties, law enforcement assistance, and other protections against security breaches, fraudulent access, and misuse of personally identifiable information.

Status: Placed on Senate Calendar



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Trade Federal Legislation 110th Congress, 2nd Session

H.R. 910 *American Competitiveness and Adjustment Act* **(English)**

To amend the Trade Act of 1974 to make certain modifications to the trade adjustment assistance program. Changes funding from \$16,000,000 for each of fiscal years 2003 through 2007 and inserts "\$50,000,000 for each of fiscal years 2008 through 2012".

Status: Still in Committee

S. 122 *Trade Adjustment Assistance Improvement Act of 2007* **(Baucus)**

Amends the Trade Act of 1974 to allow the filing of a petition for certification of eligibility to apply for trade adjustment assistance by adversely affected: (1) workers in a service sector firm, its subdivision, or public agency; and (2) service sector firms. Authorizes the Secretary of Commerce to provide technical assistance to service industries adversely affected by import competition. Extends the trade adjustment assistance program through FY2012. Would authorize the program at \$50,000,000.

Status: Still in Committee



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Lobbying Federal Legislation

110th Congress, 2nd Session

H Res 6 *Adopting the Rules of the House of Representatives for the* **(Hoyer)**
One Hundred Tenth Congress

Amends Rule XXIII (Code of Official Conduct) to prohibit members, with the intent to influence on the basis of partisan political affiliation an employment decision or practice of private entities, from: (1) taking or withholding, or offering or threatening to take or withhold, an official act; or (2) influencing, or offering or threatening to influence, the official act of another. Sets numerous limits on gifts, transportation and more to provide greater transparency.

Status: Title V of the resolution approved: 232 - 200

HCON 314 *Establishing a Joint Select Committee on Earmark Reform* **(Hensarling)**

Establishes a Joint Select Committee of sixteen members on earmark reform. Authorizes committee to study the practices of the House, Senate, and executive branch regarding congressional earmarks in authorizing, appropriation, tax, and tariff measures. Requires the committee to submit a report of its findings to the House and Senate, where thirty days after report submission the committee will be dissolved. Also states that House, for remainder of the 110th Congress, will not consider a bill, joint resolution, or conference report containing a congressional earmark, limited tax benefit, or limited tariff benefit (according to clause 9 of rule XXI of the Rules of the House of Representatives).

Status: Still in Committee

S. 1 *A bill to provide greater transparency in the legislative* **(Reid)**
process

Authorizes a point of order by any Senator against consideration of any item in a conference report that includes any matter not committed to the conferees by either chamber. Prohibits Members, officers, or employees from knowingly accepting gifts from lobbyists, agents of a foreign principal, or private entities that retain or employ such individuals, except in specified circumstances. Also sets limitations on reimbursement for transportation as well as others.

Status: Became Public Law No: 110-81

Effective Date: September 14, 2007



STATE AND FEDERAL GOVERNMENT RELATIONS

Key Health Care Federal Legislation 110th Congress, 2nd Session

H.R. 3 *Stem Cell Research Enhancement Act of 2007 (Engrossed as Agreed to or Passed by House)* **(DeGette)**

Amends the Public Health Service Act to require the Secretary of Health and Human Services to conduct and support research that utilizes human embryonic stem cells, regardless of the date on which the stem cells were derived from a human embryo, provided such embryos: (1) have been donated from in vitro fertilization clinics; (2) were created for the purposes of fertility treatment; (3) were in excess of the needs of the individuals seeking such treatment and would never be implanted in a woman and would otherwise be discarded (as determined in consultation with the individuals seeking fertility treatment); and (4) were donated by such individuals with written informed consent and without any financial or other inducements.

Status: Placed on Senate Calendar

H.R. 1093 *Resident Physician Shortage Reduction Act of 2007* **(Meek)**

Amends title XVIII (Medicare) of the Social Security Act to direct the Secretary of Health and Human Services to increase, over five cost reporting periods, the Medicare caps on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine (graduate medical education (GME) positions) for states with a shortage of residents.

Status: Still in Committee

H.R. 1323 *A bill to authorize a major medical facility project for the Department of Veterans Affairs at Denver, Colorado* **(Salazar)**

Would allow the Secretary of Veterans Affairs to carry out a major medical facility project for a replacement facility for the Department of Veterans Affairs Medical Center, Denver, Colorado, in an amount not to exceed \$523,000,000. Would also allow the secretary of veterans affairs to obligate and expend any unobligated amount in the Construction, Major Projects account of the Department of Veterans Affairs to purchase a site for, and for the construction of, the Department of Veterans Affairs replacement facility.

Status: Still in Committee

H.R. 1480 *A bill to impose a 2-year moratorium on implementation of a proposed rule relating to the Federal-State financial partnerships under Medicaid and the State Children's Health Insurance Program* **(Klein)**

Imposes a two-year moratorium on implementation of a proposed rule "Medicaid Program; Cost Limit for Providers Operated by Units of Government and Provisions To Ensure the Integrity of Federal-State Financial Partnership" relating to the federal-state financial partnerships under Medicaid and the State Children's Health Insurance Program (SCHIP) under titles XIX and XXI of the Social Security Act.

Status: Still in Committee

manufacturers of covered drugs, devices, or medical supplies under titles XVIII (Medicare), XIX (Medicaid), or XXII (State Children's Health Insurance Program (SCHIP)) of the Social Security Act.

Status: Still in Committee

H.R. 5613 *Protecting the Medicaid Safety Net Act of 2008* **(Dingell)**

Extends a moratorium on Public Law 110-28 section 7002(a)(1) and imposes additional moratoria on certain Medicaid regulations through April 1, 2009. Also appropriates \$25,000,000 to the Secretary of Health and Human Services each fiscal year (beginning fiscal year 2009) for the purpose of reducing fraud and abuse in the Medicaid program, the secretary in turn submitting a report on his/her findings and activities. Also requires each state to implement an asset verification program to determine/re-determine an individual's eligibility for medical assistance under the state plan.

Status: Placed on Senate Calendar

H.R. 5856 *A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009, and for other purposes* **(Michaud)**

Authorizes major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009. The bill specifically authorizes the replacement of the Department of Veterans Affairs Medical Center in Denver, Colorado for \$769.2 million.

Status: Referred to Senate Committee

S. 5 *Stem Cell Research Enhancement Act of 2007* **(Reid)**

Amends the Public Health Service Act to require the Secretary of Health and Human Services to conduct and support research that utilizes human embryonic stem cells, regardless of the date on which the stem cells were derived from a human embryo. Limits such research to stem cells that meet the following ethical requirements: (1) the stem cells were derived from human embryos donated from in vitro fertilization clinics for the purpose of fertility treatment and were in excess of the needs of the individuals seeking such treatment; (2) the embryos would never be implanted in a woman and would otherwise be discarded; and (3) such individuals donate the embryos with written informed consent and receive no financial or other inducements.

Status: Vetoed by the President

S. 472 *A bill to authorize a major medical facility project for the Department of Veterans Affairs at Denver, Colorado* **(Allard)**

Would allow the Secretary of Veterans Affairs to carry out a major medical facility project for a replacement facility for the Department of Veterans Affairs Medical Center, Denver, Colorado, in an amount not to exceed \$523,000,000. Would also allow the Secretary of Veterans Affairs to obligate and expend any unobligated amount in the Construction, Major Projects account of the Department of Veterans Affairs to purchase a site for, and for the construction of, the Department of Veterans Affairs replacement facility.

Status: Still in Committee

S. 588 *Resident Physician Shortage Reduction Act of 2007* **(Nelson)**

Amends title XVIII (Medicare) of the Social Security Act to direct the Secretary of Health and Human Services to increase, over five cost reporting periods, the Medicare caps on the total number of full-time equivalent residents in the field of allopathic or osteopathic medicine (graduate medical education (GME) positions) for states with a shortage of residents.

Status: Still in Committee

S. 787 *A bill to impose a 2-year moratorium on implementation of a proposed rule relating to the Federal-State financial partnerships under Medicaid and the State Children's Health Insurance Program* **(Martinez)**

Imposes a two-year moratorium on implementation of a proposed rule ("Medicaid Program; Cost Limit for Providers Operated by Units of Government and Provisions To Ensure the Integrity of Federal-State Financial Partnership") relating to the federal-state financial partnerships under Medicaid and the State Children's Health Insurance Program (SCHIP) under titles XIX and XXI of the Social Security Act.

Status: Still in Committee

S. 937 *Expanding the Promise for Individuals With Autism Act of 2007* **(Clinton)**

Amends the Public Health Service Act to require the Secretary of Health and Human Services to: (1) convene, on behalf of the Interagency Autism Coordinating Committee, a Treatments, Interventions, and Services Evaluation Task Force to evaluate evidence-based biomedical and behavioral treatments and services for individuals with autism; (2) establish a multi-year demonstration grant program for states to provide evidence-based autism treatments, interventions, and services; (3) establish planning and demonstration grant programs for adults with autism; (4) award grants to states for access to autism services following diagnosis; (5) award grants to university centers of excellence for developmental disabilities to provide services and address the unmet needs of individuals with autism and their families; (6) make grants to protection and advocacy systems to address the needs of individuals with autism and other emerging populations of individuals with disabilities; and (7) award a grant to a national nonprofit organization for the establishment and maintenance of a national technical assistance center for autism services and information dissemination.

Status: Still in Committee

S. 1882 *Public Health Preparedness Workforce Development Act of 2007* **(Hagel)**

Amends the Public Health Service Act to require the Secretary of Health and Human Services to establish the Public Health Workforce Scholarship Program to assure an adequate supply of public health professionals to eliminate critical public health preparedness workforce shortages in federal, state, local, and tribal public health agencies by offering four year scholarships in return for employment at such agencies.

Status: Still in Committee

S. 2029 *Physician Payments Sunshine Act of 2007* **(Grassley)**

Amends part A of title XI of the Social Security Act to require quarterly transparency reports to the Secretary of Health and Human Services for payments to physicians or their employers by

manufacturers of covered drugs, devices, or medical supplies under titles XVIII (Medicare), XIX (Medicaid), or XXII (State Children's Health Insurance Program (SCHIP)) of the Social Security Act.

Status: Still in Committee

S. 2056 *Medicare Anesthesiology Teaching Funding Restoration Act of 2007* **(Rockefeller)**

Amends title XVIII (Medicare) of the Social Security Act with respect to part B (supplementary medical insurance) to set forth a special payment rule of 100 percent of the fee schedule amount for teaching anesthesiologists involved in the training of physician residents, if certain presence and availability requirements are met.

Status: Still in Committee

S. 2112 *Nurse-Managed Health Clinic Investment Act of 2007* **(Inouye)**

Would create a \$50 million grant program to support nurse managed health clinics (NMHC). The new grant program would be placed within the Public Health Service Act and be administered by the Health Resources and Services Administration's Bureau of Primary Health Care.

Status: Still in Committee

S. 2460 *To extend by one year the moratorium on implementation of a rule relating to the Federal-State financial partnership under Medicaid and the State Children's Health Insurance Program* **(Bingaman)**

Extends the moratorium of the rule relating to the Federal-State partnership with Medicaid and State Children's Health Programs by one year. The rule would (1) impose a cost limit on payments made under these programs to governmentally operated providers; (2) limit the permissible sources of the non-Federal shares required under these programs and the types of contributors to their shares; (3) impose new requirements on participating providers and States under these programs; and (4) remove the ability for States to make payments related to graduate medical education.

Status: Still in Committee

S. 2499 *Medicare, Medicaid, and SCHIP Extension Act of 2007* **(Baucus)**

Amends title XVIII (Medicare) of the Social Security Act (SSA) and certain related acts to: (1) increase the physician payment update; and (2) extend through June 30, 2008, specified components of the Medicare program. Also amends SSA title XXI (State Children's Health Insurance) (SCHIP) to extend SCHIP funding through March 31, 2009.

Status: Became Public Law No: 110-173

Effective Date: December 29, 2007

S. 2705 *Troops to Nurse Teachers Act of 2008* **(Durbin)**

Develops partnerships between military and civilian schools of nursing in which nurse corps officers would serve as nurse educators. The bill authorizes programs to increase the number of nurses within the armed forces through assistance for service as nurse faculty or education as nurses.

Status: Still in Committee

S. 2773 *A bill to amend title IV of the Public Health Service Act to provide for the establishment of pediatric research consortia* **(Allard)**

Would allow the Director of the National Institutes of Health to award grants, contracts, or cooperative agreements to public or nonprofit private entities to pay for all or part of the cost of planning, establishing, and providing basic operating support for up to 20 national pediatric research consortia. Each consortium will work in collaboration with a lead institution and will coordinate information among other consortia. Support for a consortium will be provided for a period of five years and can be extended for additional increments of five years. Payments cannot exceed \$2,500,000 per year for each consortium in the first 5 year cycle.

Status: Still in Committee

S. 2797 *A bill to authorize major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009, and for other purposes* **(Akaka)**

Authorizes major medical facility projects and major medical facility leases for the Department of Veterans Affairs for fiscal year 2009. The bill specifically authorizes the replacement of the Department of Veterans Affairs Medical Center in Denver, Colorado for \$769.2 million.

Status: Still in Committee

S. 2819 *Economic Recovery in Health Care Act of 2008* **(Rockefeller)**

Extends prior moratorium on Public Law 110-28 to April 1, 2009. The extended moratorium aims to preserve access to Medicaid and the State Children's Health Insurance Programs in Round one/two qualifying states during an economic downturn in the nation.

Status: Still in Committee

S. 3101 *Medicare Improvements for Patients and Providers Act of 2008* **(Baucus)**

Would delay for eighteen months a 10.6 percent reduction in Medicare physician reimbursements scheduled to take effect on July 1 and increase payments by 1.1 percent. The bill includes provisions to promote electronic prescribing and expand rural health care programs. In addition, the legislation would require Medicare to promptly pay pharmacies for medication dispensed to beneficiaries and impose new marketing restrictions for Medicare Advantage plans. The bill would reduce the co-payments that beneficiaries pay for mental health services from 50 percent to 20 percent. The legislation includes reductions to MA spending to offset the cost.

Status: On Senate Floor



STATE AND FEDERAL GOVERNMENT RELATIONS

FY2009 U.S. President's Budget Request

Summary of the President's FY2009 Requests by Agency

National Science Foundation (NSF)

- The FY09 budget request for NSF is \$6.85 billion, an increase of \$822.1 million, or 13.6 percent, above the FY08 budget request.
- NSF is one of the agencies targeted for a funding increase under the President's American Competitiveness Initiative (ACI).
- The request for Research and Related Activities is \$5.59 billion, an increase of \$772.5 million, or 16.0 percent, over the FY2008 appropriated amount.
 - Biological sciences - \$675.0 million, an increase of \$63.0 million, or 10.3 percent.
 - Computer and information science and engineering - \$638.7 million, an increase of \$104.2 million, or 19.5 percent.
 - Engineering - \$759.3 million, an increase of \$122.4 million, or 19.2 percent.
 - Geosciences - \$848.7 million, an increase of \$96.0 million, or 12.8 percent.
 - Mathematics and physical sciences - \$1.4 billion, an increase of \$235.4 million, or 20.1 percent.
 - Social sciences - \$233.5 million, an increase of \$18.4 million, or 8.6 percent.

National Aeronautics and Space Administration (NASA)

- The FY09 budget request for NASA is \$17.6 billion, an increase of 1.8 percent over the FY2008 enacted appropriated level.
- The Science account would receive \$4.4 billion, a reduction of \$264 million from FY2008 enacted levels. The Science budget is broken down further into four sub-accounts: Earth Science, Planetary Science, Astrophysics, and Heliophysics.
- The Education account would receive \$115.6 million, a reduction of \$31 million from the FY2008 enacted level.

National Institutes of Health (NIH)

- The FY2009 budget request for NIH is \$29.465 billion, an increase of \$844 million over the FY2008 request of \$28.621 billion.
- \$300 million from NIH will go towards the Global Fund for HIV/AIDS, Tuberculosis, and Malaria, an increase of \$5 million over the FY2008 transfer.
- The President's budget would support 9,757 new and competing renewal research project grants (RPGs), a decrease of fourteen from FY08, and a total of 36, 526 RPGs, an increase of seventeen from last year.

Department of Defense (DOD)

- The FY09 budget would increase the overall basic research (6.1) budget by \$65 million above the FY2008 appropriated amount of 1.43 billion; a 4.5% increase (based on the “R-1” report).
- In the recent past, the Administration had proposed basic research budget at levels below the previous year’s appropriated levels.
- The Army would receive \$379.4 million (\$379.1 million in FY2008), the Navy would receive \$528.3 million (\$497.7 million in FY2008), the Air Force would receive \$452.3 million (\$421.1 million in FY2008), and Defense-wide would receive \$338.7 million (\$336.0 million in FY2008).

Department of Education (DOED)

- The FY09 budget for the Pell award is \$4,800, an increase of \$69.
- The Supplemental Educational Opportunity Grant (SEOG), the Leveraging Educational Assistance Partnership (LEAP), and Perkins loan cancellation programs may be eliminated, while TRIO and the GEAR UP programs may receive level funding.

National Endowment for the Humanities (NEH)

- The President's FY2009 budget would provide \$144.3 million for NEH, a \$3.3 million increase above the FY2008 budget; or an increase of 2.29%.
- The request includes \$2 million for a new digital humanities initiative and \$84 million for NEH grant programs that support the study, preservation, and teaching of the humanities.

National Endowment for the Arts (NEA)

- The President's FY2009 budget would provide \$128.4 million for NEA, \$16.3 million below the FY2008 enacted funding level; or a decrease of 11.3%.
- The request includes \$101.3 million for grant making activities.

Department of Energy (DOE)

- The FY09 budget for the Office of Science is \$4.72 billion, an increase of \$748.8 million, or 18.8 percent, over the FY2008 appropriated amount. The Office of Science plays a critical role in the American Competitiveness Initiative.
 - High Energy Physics - \$805 million, an increase of \$115.6 million or 16.8 percent.
 - Nuclear Physics - \$510.1 million, an increase of \$77.3 million, or 17.9 percent.
 - Biological and Environmental Research would receive \$568.5 million, an increase of \$24.1 million or 4.4 percent.

- Basic Energy Sciences - \$1.57 billion, an increase of \$298.2 million or 23.5 percent.
- Advanced Super Computing Research - \$368.8 million, an increase of \$17.6 million or 5 percent.
- Fusion Energy Sciences - \$493.1 million, an increase of \$206.5 million or 72.1 percent.
- Workforce Development - \$13.6 million, an increase of \$5.5 million or 68.9 percent.
- The Energy Frontier Research Centers (EFRCs) - \$100 million.

National Oceanic and Atmospheric Administration (NOAA)

- The President's budget would provide \$4.1 billion for NOAA, an increase of 5.2 percent from FY2008 enacted levels.
- The Office of Oceanic and Atmospheric Research (OAR) would receive \$382.6 million, a decrease of \$15.4 million over current levels.
- The National Integrated Drought Information Systems would receive \$10.4 million, an increase of \$2 million.
- The National Sea Grant College Program Base would be reduced by \$2.0 million, or 3.6 percent, to \$55 million.
- The Integrated Ocean Observing System would be increased by \$7 million.

United States Geological Survey (USGS)

- The President's budget would provide \$969 million for USGS, a reduction of \$37 million or 4 percent, from the FY2008 omnibus.
- The FY2009 budget would provide \$208 million for geologic activities, a reduction of \$35.5 million from the FY2008 enacted level.
- The National Cooperative Geologic Mapping Program would receive an increase of \$1.5 million.
- Activities in the oceans initiative would receive an increase of \$6.5 million. This increase includes mapping efforts with the National Oceanic and Atmospheric Administration, and competitively-awarded projects that support the President's Ocean Research Priorities Plan.
- The Earthquake Hazards Program would be reduced by \$5 million, including a \$3 million reduction for lower priority earthquake hazards research grants and the elimination of \$2 million in non-requested increases in FY08.



STATE AND FEDERAL GOVERNMENT RELATIONS

Highlighted Hill Visits, Tours, and Events

Washington, DC advocacy visits July 2007 - June 2008:

- The Office of State and Federal Government Relations has participated in more than 100 hill and department visits in Washington, DC with President Benson, Chancellors Peterson, Shockley-Zalabak, and Wilson, UCH President Schroffel as well as faculty from all three campuses.

Tours:

- The Office of State and Federal Government Relations conducted over 30 in-state tours/meetings to all three CU campuses with our Congressional members, state legislators and/or their staff.
- The office also participated in outreach tours with the President and Chancellors.

Events:

In addition to our lobbying efforts on both the state and federal side, highlighted below are a few of the many events our office participated in to help garner our internal relationships as well as those with outside entities:

- During the state legislative session, the office coordinated special events at the State Capitol with legislators and other elected officials who spoke about the legislative process to the following CU and outside groups:
 - Emerging Leaders Program
 - University Perspectives
 - 50 for Colorado
- CU/UNC/CSU Legislative Reception
- CU Boulder Music in the Senate
- Women's Health Care Symposium
- Perlmutter Veterans Affairs Health Forum
- President Brown's DC Alumni College



STATE AND FEDERAL GOVERNMENT RELATIONS

CU Ambassadors Program

The Office of State and Federal Government Relations coordinates the University's CU Ambassadors program. The CU Ambassadors are a group of Colorado residents who advocate on behalf of CU and higher education with the Colorado state legislature.

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 the CU President.
- Regular email communication including updates on issues of importance to the University, legislative updates, and advance notice of CU outreach events.
- Legislative Calls to Action - during the legislative session, the President calls on Ambassadors to contact their legislators to advocate for action supporting the University or the interests of higher education.

During the 2008 state session, President Benson and the Office of State and Federal Government Relations asked CU's Ambassadors to contact their state elected officials and asked for their support of the introduced version of HB 08-1375 Long Appropriations Bill (the Long Bill). Ambassadors responded with phone calls and emails to their state legislators and assisted the University in achieving its goals.

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 vital 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



Hollie Stevenson
Executive Director

Hollie Stevenson is the Executive Director of State and Federal Government Relations at the University of Colorado. She is responsible for the development and implementation of CU's state and federal legislative agendas. Ms. Stevenson participates as a member of the President's Team and weighs in on critical policy issues impacting the University. Additionally, she lobbies on important university matters with State and federal officials in Colorado and Washington, D.C. Previously, Hollie served as Deputy Director in the Office of Government Relations. She also served as Director of Privacy and Public Policy at the Colorado

Department of Health Care Policy and Financing and as an Assistant Attorney General with the Colorado State Attorney General's Office. Hollie holds a J.D. from the University of Denver College of Law, and a B.S. in Business Administration from Regis College.



Connie Johnson
Senior Policy Analyst and Chief of Staff

Connie Johnson serves as the Senior Policy Analyst and Chief of Staff for the Office of State and Federal Government Relations. She is responsible for managing the office, providing support to Executive Director Hollie Stevenson, managing the CU Ambassador's program and handling many other issues. Before she joined the department in July, Connie held temporary assignments for both the President's Office and the UCD Chancellor's Office. She has more than eighteen years of experience in higher education. Connie has a B.S. in Accounting from Central Washington University and a Master of Public Administration

from the Daniel J. Evans School of Public Affairs at the University of Washington.



Kirsten Castleman
Deputy Director of State Relations

Kirsten Castleman serves as Deputy Director for State Relations. She serves all three campuses of the CU system by taking the lead on most of CU-initiated legislation, as well as being the lead on system-wide capital construction funding and health care policy issues for the University of Colorado Hospital, University of Colorado Denver, and the CU Colorado Springs Beth El College of Nursing and Health Sciences. She also takes special interest in CU's issues related to research, technology transfer, academic programs and administration.

Kirsten is an alumnus of the 50 for Colorado 2005 program and is active in the Denver metro non-profit community. In her free time she enjoys hiking, camping, traveling to exotic places and spending time with friends and family. Kirsten has a Bachelor of Arts from the University of Virginia and a Master of Arts in Higher Education from the University of Michigan, Ann Arbor.



Tanya Kelly-Bowry
Policy Analyst

Tanya Kelly-Bowry is the Policy Analyst for State Relations and is the lead lobbyist for the University's budget issues at the Capitol. Ms. Kelly-Bowry previously served the University of Colorado as Associate Director for State Relations, Director of Federal Relations, and Associate Vice President of State and Federal Government Relations. In July 2004, Tanya attended Harvard University's Kennedy School of Government and was appointed by Governor Bill Owens to the Colorado Commission on Community Service. She is a Hispanic

woman who was raised in the San Luis Valley and 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 from the Colorado Trust.



Heather Kline
Policy Analyst for State Relations and Special Assistant

Heather Kline is the Policy Analyst of State Relations and Special Assistant. She is responsible for tracking state higher education and health care legislation during the session, as well as preparing state legislative fact sheets. Heather also organizes state legislator tours and events. Additionally, she assists Deputy Director Castleman with scheduling and correspondence. Heather worked in the office as a student assistant for three years while attending college. She also served as Executive Assistant to our state and federal lobbyists and as Special Assistant to Executive Director Stevenson. She has a Bachelor

of Arts in Political Science from the University of Colorado at Boulder.



David Sprenger
Director of Federal Relations

David Sprenger, Director of Federal Relations is based in Washington, DC, and has expanded the presence of the University of Colorado by developing strong and effective relationships with legislative staff, professional organizations, and key advocacy groups within the federal departments and with the Congressional offices. He brings the office an extensive background on public policy and direct advocacy. He also represents the University of Colorado before AAU and is also an honorary member of the DC CU Alumni Buffs Club.

Prior to joining the University of Colorado, David served as the senior healthcare policy advisor to former Colorado Congressman Scott McInnis, managing the Congressman's seat on the Ways and Means Committee. He also served as an Assistant Vice President for the firm of B&D Consulting in Washington directing advocacy efforts for healthcare and higher education clientele. David received Bachelor degrees in Political Science and History from Regis University, and is currently pursuing his Masters in Public Policy at George Mason University.



Lynne Lyons
Deputy Director of Federal Relations

Lynne Lyons serves as Deputy Director of Federal Relations. She is lead on Federal special projects for UC Denver and also works on federal special projects for the other two campuses. Lynne lobbies on legislation ranging from research funding, academic health, hospital, copyright and intellectual property legislation. She serves on the AAMC Government Relations Steering Committee, the NASULGC Council of Federal Relations and Executive Steering Committee, as well as the AAU Council on Federal Relations. 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. In 2005, she was selected by President Hoffman to participate in the University's Emerging Leaders Program.



Elizabeth Watkins
Policy Analyst for Federal Relations and Special Assistant

Elizabeth Watkins is the Federal Policy Analyst and Special Assistant. Her position aids in tracking federal legislation, preparing fact sheets and other correspondence related to the university's legislative priorities, and arranging the meetings and tours between Congressional members/staff and university officials. She also assists the Director of Federal Relations, David Sprenger, and Deputy Director of Federal Relations, Lynne Lyons, with scheduling, correspondence and travel. Elizabeth has a Bachelor of Arts from the University of Colorado Denver and is currently pursuing a Masters in Social Sciences from the University of Colorado Denver.



Amanda Lewis
Assistant Director of State and Federal Relations

Amanda Lewis served as the Assistant Director of State and Federal Relations until June 30, 2008. On July 1, 2008, she transferred to the University of Colorado at Boulder as the Government Relations Manager.

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