

IN THE HOUSE OF REPRESENTATIVES

HOUSE BILL NO. 73

BY EDUCATION COMMITTEE

AN ACT

1 RELATING TO COMMUNITY COLLEGES; AMENDING SECTION 33-2107A, IDAHO CODE, TO  
2 PROVIDE CORRECT TERMINOLOGY, TO PROVIDE THAT UPPER DIVISION COURSES AND  
3 PROGRAMS ARE SUBJECT TO CERTAIN APPROVAL, TO CLARIFY TERMINOLOGY, TO  
4 PROVIDE THAT CERTAIN STUDENTS SHALL BE GIVEN PREFERENCE FOR ADMISSION  
5 TO THE UPPER DIVISION AND TO MAKE A TECHNICAL CORRECTION; AMENDING SEC-  
6 TION 33-2107B, IDAHO CODE, TO PROVIDE CORRECT TERMINOLOGY, TO REMOVE A  
7 PROVISION RELATING TO DISTRICT DESIGNATION AND TO MAKE TECHNICAL COR-  
8 RECTIONS; AND AMENDING SECTION 33-2107C, IDAHO CODE, TO PROVIDE CORRECT  
9 TERMINOLOGY, TO CLARIFY TERMINOLOGY AND TO REVISE CRITERIA REGARDING  
10 URBAN AREA DISTRICTS AND TO MAKE TECHNICAL CORRECTIONS.  
11

12 Be It Enacted by the Legislature of the State of Idaho:

13 SECTION 1. That Section 33-2107A, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15 33-2107A. ESTABLISHMENT AND OPERATION OF THIRD AND FOURTH YEAR COL-  
16 LEGE CURRICULUM IN JUNIOR COMMUNITY COLLEGE DISTRICTS. The board of trustees  
17 of a junior community college district of an urban area, upon filing with the  
18 state board of education a notice of intent to exercise the powers herein  
19 granted, shall thereafter be authorized and empowered to organize and op-  
20 erate an upper division consisting of the third and fourth years of college  
21 curriculum with powers to grant baccalaureate degrees in liberal arts and  
22 sciences, business and education. Upper division courses and programs are  
23 subject to approval pursuant to section 33-107(8), Idaho Code. The oper-  
24 ation of the junior community college and the upper division shall be kept  
25 separate; however, the joint use of facilities is authorized ~~providing~~  
26 provided a proper cost allocation is made. The buildings and equipment for  
27 the use of said upper division may be purchased, leased, constructed, main-  
28 tained, and administered from funds obtained by the board of trustees' levy.  
29 Such levy shall not exceed two hundredths percent (.02%) of the market value  
30 for assessment purposes on all taxable property within the taxing district.  
31 Said board under section 33-2113, Idaho Code, may obtain capital funds  
32 through issuance of general obligation bonds for such equipment and build-  
33 ings, with the total tax levy for operation and bonds of the upper division  
34 not to exceed the levy limit authorized in this section. Such tax shall be  
35 certified and levied as provided for other taxes of the district. All other  
36 costs of operation of said upper division shall be provided by tuition and  
37 fees paid by the student. Gifts and grants may be accepted by the board of  
38 trustees for this or other purposes. A student who has been a resident of the  
39 community college district pursuant to section 33-2110B, Idaho Code, for not  
40 less than one (1) year at time of admission to the upper division, or who has  
41 completed the first two (2) years in the college, shall be given preference  
42 for admission to the upper division.

1 SECTION 2. That Section 33-2107B, Idaho Code, be, and the same is hereby  
2 amended to read as follows:

3 33-2107B. POWERS GRANTED BY PRECEDING SECTION IN ADDITION TO OTHER  
4 POWERS. The provisions of this Aact shall be in addition to all powers and  
5 authorities heretofore vested by law or by regulation of the ~~S~~state ~~B~~board of  
6 ~~E~~education in the ~~B~~board of ~~T~~rustees of a junior community college district  
7 and all provisions of ~~Section~~ sections 33-2101, 33-2103 ~~to~~ through 33-2115,  
8 Idaho Code, and any additions or supplements amendatory thereto, shall be  
9 applicable to providing the third and fourth year college curriculum within  
10 such junior community college districts, unless the same are specifically  
11 in contradiction with any provision of this Aact. ~~Districts exercising the~~  
12 ~~powers herein granted may drop the word "Junior" from their designation.~~

13 SECTION 3. That Section 33-2107C, Idaho Code, be, and the same is hereby  
14 amended to read as follows:

15 33-2107C. DEFINITION OF URBAN AREA DISTRICTS EMPOWERED TO CREATE UP-  
16 PER DIVISIONS. The powers provided herein for instruction of the third and  
17 fourth year college curriculum shall ~~only~~ be exercisable only by ~~junior~~  
18 community college districts which at the date of the filing of notice of es-  
19 tablishment of upper divisions as required are urban area districts, which  
20 is defined as a taxing district containing: (a) market value for assessment  
21 purposes of taxable property of not less than three hundred fifty million  
22 dollars (\$350,000,000); and (b) a population of not less than ninety thou-  
23 sand (90,000) persons, in the ~~county of the~~ taxing district where the college  
24 is located.