

CHAPTER 214

GOVERNMENT - STATE

SENATE BILL 03-273

BY SENATOR(S) Owen, Reeves, and Teck;
also REPRESENTATIVE(S) Young, Plant, Witwer, May M., and Williams S.

AN ACT

CONCERNING THE ELIMINATION OF SALARY INCREASES FOR CERTAIN STATE EMPLOYEES FOR THE
2003-04 FISCAL YEAR, AND MAKING AN APPROPRIATION IN CONNECTION THEREWITH.

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

SECTION 1. 24-50-104 (4) (c), Colorado Revised Statutes, is amended, and the said 24-50-104 (4) is further amended BY THE ADDITION OF THE FOLLOWING NEW PARAGRAPHS, to read:

24-50-104. Job evaluation and compensation - repeal. (4) **Annual total compensation survey.** (c) The state personnel director shall submit the final total compensation recommendations and estimated increased costs, including those costs resulting from implementation of section 24-50-110 (1) (a), to the governor and the joint budget committee of the general assembly by November 1, 2001, and by August 1 of each year thereafter and shall publish such report. If the amount of the final total compensation recommendations and estimated costs submitted on November 1, 2001, results in an amount that exceeds the amount of general fund moneys requested for salaries as contained in the original budget requests of all the departments for the 2002-03 fiscal year, the office of state planning and budgeting shall submit to the joint budget committee by January 24, 2002, budget amendments that reduce the amount of general fund moneys requested for purposes other than salaries in such budget requests so that the total amount of general fund moneys requested does not exceed the total amount of general fund moneys requested by all departments as contained in such original budget requests.

(d) (I) FOR FISCAL YEARS COMMENCING PRIOR TO THE 2003-04 FISCAL YEAR, the recommended changes to salaries shall be effective on July 1 of the ensuing fiscal year unless the general assembly, acting by bill, establishes a different effective date for that fiscal year or the governor orders otherwise pursuant to section 24-50-109.5

Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

and such order is adopted by the general assembly through a joint resolution declaring a fiscal emergency and approved by the governor in accordance with section 39 of article V of the Colorado constitution.

(II) FOR THE 2003-04 FISCAL YEAR AND EVERY FISCAL YEAR THEREAFTER, THE RECOMMENDED CHANGES TO SALARIES SHALL BE EFFECTIVE ON JULY 1 OF THE FISCAL YEAR FOLLOWING THE FISCAL YEAR FOR WHICH THE RECOMMENDED CHANGES WERE MADE UNLESS THE GENERAL ASSEMBLY, ACTING BY BILL, ESTABLISHES A DIFFERENT EFFECTIVE DATE FOR THAT FISCAL YEAR OR THE GOVERNOR ORDERS OTHERWISE PURSUANT TO SECTION 24-50-109.5 AND SUCH ORDER IS ADOPTED BY THE GENERAL ASSEMBLY THROUGH A JOINT RESOLUTION DECLARING A FISCAL EMERGENCY AND APPROVED BY THE GOVERNOR IN ACCORDANCE WITH SECTION 39 OF ARTICLE V OF THE COLORADO CONSTITUTION.

(e) THE PROVISIONS OF SUBPARAGRAPH (II) OF PARAGRAPH (d) OF THIS SUBSECTION (4) SHALL NOT APPLY TO TEACHERS EMPLOYED BY THE COLORADO SCHOOL FOR THE DEAF AND BLIND AND COMPENSATED PURSUANT TO SECTION 22-80-106.5, C.R.S. NOTHING IN SUBPARAGRAPH (II) OF PARAGRAPH (d) OF THIS SUBSECTION (4) SHALL BE CONSTRUED TO AFFECT THE SALARY INCREASES THAT SUCH TEACHERS RECEIVE IN THE 2003-04 FISCAL YEAR AND ANY FISCAL YEAR THEREAFTER PURSUANT TO THE SALARY SCHEDULE, SALARY POLICY, OR COMBINATION SALARY SCHEDULE AND SALARY POLICY ADOPTED PURSUANT TO SECTION 22-63-401, C.R.S., BY THE SCHOOL DISTRICT IN WHICH THE COLORADO SCHOOL FOR THE DEAF AND BLIND IS LOCATED.

SECTION 2. Appropriation - adjustments to the 2003 long bill. (1) For the implementation of section 24-50-104 (4) (d) (I), Colorado Revised Statutes, appropriations made in the annual general appropriation act, for the fiscal year beginning July 1, 2003, for salary survey and senior executive service, shall be reduced by the sum of forty-five million six hundred twenty-five thousand nine hundred sixty-eight dollars (\$45,625,968). Said sum shall be derived from such sources as detailed in the following table:

Department	General Fund	Cash Funds	Cash Funds Exempt	Highway Users Tax Fund	Federal Funds	Total
Agriculture	(244,080)	(245,333)	0	0	(5,015)	(494,428)
Corrections	(12,240,936)	(56,589)	(372,008)	0	0	(12,669,533)
Education	(348,331)	(29,872)	(42,025)	0	(318,030)	(738,258)
Governor	(203,657)	0	(43,423)	0	(3,971)	(251,051)
Health Care Policy and Financing	(170,286)	0	(3,656)	0	(204,650)	(378,592)
Higher Education	(84,855)	(37,458)	(148,799)	0	0	(271,112)
Human Services	(5,835,897)	(50,301)	(2,530,585)	0	(1,132,432)	(9,549,215)
Judicial	(6,164,153)	(517,306)	0	0	0	(6,681,459)
Labor and Employment	0	(400,553)	(228,860)	0	(1,315,019)	(1,944,432)
Law	(225,788)	(4,799)	(503,715)	0	(22,191)	(756,493)
Local Affairs	(226,460)	(11,919)	(17,079)	0	(55,465)	(310,923)
Military and Veterans Affairs	(79,580)	(2)	(2,784)	0	(72,741)	(155,107)
Natural Resources	(648,209)	(233,131)	(1,353,682)	0	(163,245)	(2,398,267)

Department	General Fund	Cash Funds	Cash Funds Exempt	Highway Users Tax Fund	Federal Funds	Total
Personnel and Administration	(395,712)	(18,361)	(493,259)	0	0	(907,332)
Public Health and Environment	(235,094)	(327,375)	(450,534)	0	(1,028,476)	(2,041,479)
Public Safety	(545,503)	(93,265)	(115,658)	(1,728,326)	(86,029)	(2,568,781)
Regulatory Agencies	(52,870)	(811,295)	(178,704)	0	0	(1,042,869)
Revenue	(1,506,147)	(91,155)	(451,960)	(198,332)	0	(2,247,594)
State	0	(164,109)	0	0	0	(164,109)
Transportation	0	(10,071)	0	0	(5,035)	(15,106)
Treasury	(25,280)	(14,548)	0	0	0	(39,828)
Total	(29,232,838)	(3,117,442)	(6,936,731)	(1,926,658)	(4,412,299)	(45,625,968)

(2) For the implementation of section 24-50-104 (4) (d) (I), Colorado Revised Statutes, appropriations made in the annual general appropriation act, to the department of transportation, for administration, for the fiscal year beginning July 1, 2003, shall be reduced by the sum of four hundred nine thousand eight hundred seven dollars (\$409,807) cash funds exempt. Said sum shall be from the state highway fund created in section 43-1-219, Colorado Revised Statutes.

(3) Footnote number 101 as enacted in Part VIII of section 2 of Senate Bill 03-258, enacted at the First Regular Session of the Sixty-fourth General Assembly, is amended to read:

- 101 Judicial Department, Supreme Court/Court of Appeals, Appellate Court Programs; Trial Courts, Trial Court Programs; Public Defender, Personal Services; Alternate Defense Counsel, Personal Services -- In accordance with Section 13-30-104 (3), C.R.S., funding is provided for ~~a one-year increase in~~ judicial compensation, as follows:

	<u>Current FY 2003-04 Salary</u>	<u>Increase</u>	<u>FY 2003-04 Salary</u>
Chief Justice, Supreme Court	116,117	3,716	119,833
Associate Justice, Supreme Court	113,637	3,636	117,273
Chief Judge, Court of Appeals	111,637	3,572	115,209
Associate Judge, Court of Appeals	109,137	3,492	112,629
District Court Judge	104,637	3,348	107,985
County Court Judge	100,137	3,204	103,341

~~Judicial increases are based upon the percentage salary survey increase received by ALJ III's. Funding is provided to maintain the salary of the Public Defender at the level of an associate judge of the Court Appeals, and to maintain the salary of the Alternate Defense Counsel at the level of a district court judge.~~

SECTION 3. Safety clause. The general assembly hereby finds, determines, and declares that this act is necessary for the immediate preservation of the public peace, health, and safety.

Approved: May 1, 2003