

Second Regular Session
Sixty-ninth General Assembly
STATE OF COLORADO

ENGROSSED

LLS NO. R14-1067.01 Kate Meyer x4348

SCR14-003

SENATE SPONSORSHIP

Hodge,

HOUSE SPONSORSHIP

Rosenthal, Landgraf

Senate Committees

State, Veterans, & Military Affairs

House Committees

SENATE CONCURRENT RESOLUTION 14-003

101 SUBMITTING TO THE REGISTERED ELECTORS OF THE STATE OF
102 COLORADO AN AMENDMENT TO THE COLORADO CONSTITUTION
103 CONCERNING LOCAL DETERMINATION OF COUNTY OFFICER
104 SALARIES, AND, IN CONNECTION THEREWITH, AUTHORIZING
105 COUNTIES TO ESTABLISH SALARIES FOR COUNTY
106 COMMISSIONERS, SHERIFFS, TREASURERS, ASSESSORS, CLERKS,
107 CORONERS, AND SURVEYORS; DIVESTING THE GENERAL
108 ASSEMBLY OF THAT FUNCTION; AND DIRECTING THE GENERAL
109 ASSEMBLY TO CREATE CITIZENS' COMMISSIONS IN EACH COUNTY
110 FOR THE PURPOSE OF REGULARLY EVALUATING COUNTY
111 OFFICER SALARIES.

Resolution Summary

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.
Capital letters indicate new material to be added to existing statute.
Dashes through the words indicate deletions from existing statute.

SENATE
Amended 2nd Reading
May 2, 2014

(Note: This summary applies to this resolution as introduced and does not reflect any amendments that may be subsequently adopted. If this resolution passes third reading in the house of introduction, a resolution summary that applies to the reengrossed version of this resolution will be available at <http://www.leg.state.co.us/billsummaries>.)

Pursuant to section 15 of article XIV of the state constitution, the salaries paid to county commissioners, sheriffs, treasurers, assessors, clerks, coroners, and surveyors (collectively, "county officers") are currently set forth in statute. The concurrent resolution empowers each board of county commissioners to establish the salaries paid to its county officers, and directs the general assembly to enact legislation creating citizens' commissions on county officer compensation for the purpose of making findings and recommendations to boards of county commissioners in the future. Such commissions must make their first recommendations by January 1, 2016, and at least biennially thereafter.

1 WHEREAS, The salary amounts of county officers, being
2 committed to statute, are infrequently modified and are thus often
3 insufficient recompense for the work performed by those officers; and

4 WHEREAS, Inadequate compensation is not only unfair to those
5 officers, but is a powerful deterrent to persons who would otherwise seek
6 to serve in these official capacities; and

7 WHEREAS, The categorical approach reflected in statute
8 disregards the individual characteristics of counties, including current
9 economic conditions, and other relevant factors; and

10 WHEREAS, The unique characteristics of Colorado's counties
11 make county officer compensation a matter best suited to local, not state,
12 control; now, therefore,

13 *Be It Resolved by the Senate of the Sixty-ninth General Assembly*
14 *of the State of Colorado, the House of Representatives concurring herein:*

15 **SECTION 1.** At the next election at which such question may be
16 submitted, there shall be submitted to the registered electors of the state

1 of Colorado, for their approval or rejection, the following amendment to
2 the constitution of the state of Colorado, to wit:

3 In the constitution of the state of Colorado, **amend** section 15 of
4 article XIV as follows:

5 **Section 15. Fees and compensation of county officers - how**
6 **established.** (1) The general assembly shall ~~fix the compensation of~~
7 ~~county officers in this state by law, and shall~~ establish scales of fees to be
8 charged and collected by ~~such~~ county officers. All such fees shall be paid
9 into the county general fund.

10 (2) (a) (I) ~~When fixing the compensation of county officers, the~~
11 ~~general assembly shall give due consideration to county variations,~~
12 ~~including population; the number of persons residing in unincorporated~~
13 ~~areas; assessed valuation; motor vehicle registrations; building permits;~~
14 ~~military installations; and such other factors as may be necessary to~~
15 ~~prepare compensation schedules that reflect variations in the workloads~~
16 ~~and responsibilities of county officers and in the tax resources of the~~
17 ~~several counties~~ EACH BOARD OF COUNTY COMMISSIONERS HAS THE
18 POWER TO ESTABLISH THE COMPENSATION OF ITS COUNTY OFFICERS.

19 (II) IN ESTABLISHING SALARIES UNDER THIS SECTION, A BOARD OF
20 COUNTY COMMISSIONERS MAY CONSIDER AND ADOPT, WITH OR WITHOUT
21 MODIFICATIONS, THE RECOMMENDATIONS MADE BY ITS CITIZENS'
22 COMMISSIONS ON COUNTY OFFICER COMPENSATION CREATED PURSUANT
23 TO SUBPARAGRAPH (II) OF PARAGRAPH (c) OF THIS SUBSECTION (2), ONCE
24 SUCH COMMISSION IS ESTABLISHED.

25 (III) UNTIL A BOARD OF COUNTY COMMISSIONERS ACTS TO MODIFY
26 ITS COUNTY OFFICER SALARIES, THE SALARIES SET FORTH IN LAW AS OF
27 THE EFFECTIVE DATE OF THIS SUBPARAGRAPH (III) CONTINUE TO APPLY.

1 (b) (I) The compensation of any county officer, OTHER THAN
2 COUNTY COMMISSIONERS, shall be increased or decreased only when the
3 compensation of all county officers within the same county ~~or when the~~
4 ~~compensation for the same county officer within the several counties of~~
5 ~~the state~~, is increased or decreased.

6 (II) County ~~officers~~ COMMISSIONERS shall not have their
7 compensation increased or decreased during the terms of office to which
8 they have been elected or appointed. OTHER COUNTY OFFICERS'
9 COMPENSATION MAY BE INCREASED AT THE BEGINNING OF EACH FISCAL
10 YEAR, BUT THOSE OFFICERS' COMPENSATION MAY ONLY BE DECREASED AT
11 THE BEGINNING OF ANY TERM OF OFFICE.

12 (III) A COUNTY OFFICER'S SALARY SHALL NEVER BE SET AT AN
13 AMOUNT LOWER THAN THE AMOUNT ESTABLISHED FOR THAT COUNTY'S
14 OFFICER IN SECTION 30-2-102 (2.2), COLORADO REVISED STATUTES, AS
15 THAT SECTION EXISTED ON JANUARY 15, 2015.

16 (c) (I) THE GENERAL ASSEMBLY MAY, FROM TIME TO TIME AS IT
17 DEEMS NECESSARY OR APPROPRIATE, ENACT LEGISLATION TO IMPLEMENT
18 OR FACILITATE THE OPERATION OF THIS SECTION.

19 (II) (A) IN ADDITION TO ANY LEGISLATION THAT IS ENACTED
20 UNDER SUBPARAGRAPH (I) OF THIS PARAGRAPH (c), DURING THE FIRST
21 REGULAR SESSION OF THE SEVENTIETH REGULAR GENERAL ASSEMBLY, THE
22 GENERAL ASSEMBLY SHALL ENACT LEGISLATION CREATING CITIZENS'
23 COMMISSIONS ON COUNTY OFFICER COMPENSATION IN EACH COUNTY IN
24 THE STATE. FOR EACH SUCH COMMISSION, THE GENERAL ASSEMBLY SHALL
25 DETERMINE THE APPROPRIATE NUMBER, METHOD OF APPOINTMENT, AND
26 QUALIFICATIONS OF CITIZENS WHO MAY SERVE AS MEMBERS; THE SCOPE
27 OF EACH COMMISSION'S FUNCTIONS AND DUTIES; AND THE FACTORS THAT

1 THE COMMISSIONS MAY CONSIDER WHEN EVALUATING THE SALARIES PAID
2 TO COUNTY OFFICERS AND WHETHER THE COMMISSION RECOMMENDS
3 RAISING, LOWERING, OR MAKING NO ADJUSTMENTS TO THOSE SALARIES.
4 SUCH FACTORS MUST INCLUDE THE RESPONSIBILITIES OF EACH COUNTY
5 OFFICER AND THE SCOPE OF AUTHORITY OF THE ENTITY IN WHICH EACH
6 OFFICER SERVES; THE RELATIVE LEVEL OF DIFFICULTY IN PERFORMING THE
7 DUTIES OF EACH OFFICER; THE AMOUNT OF TIME DIRECTLY OR INDIRECTLY
8 RELATED TO THE PERFORMANCE OF THE DUTIES, FUNCTIONS, AND
9 SERVICES OF EACH OFFICER; THE CURRENT LEVELS OF SALARIES FOR
10 COMPARABLE EMPLOYMENT IN OTHER PLACES OF PUBLIC AND PRIVATE
11 EMPLOYMENT IN COMPETITIVE LABOR MARKETS; THE HISTORICAL SALARY
12 AMOUNTS PAID FOR THE POSITIONS UNDER ANALYSIS; THE COST OF LIVING
13 IN THE COUNTY; AND ANY OTHER RELEVANT FACTORS.

14 (B) THE FIRST RECOMMENDATIONS FROM THE COUNTY CITIZENS'
15 COMMISSIONS ARE DUE ON OR BEFORE JANUARY 1, 2016. AFTER THAT, THE
16 COMMISSIONS SHALL MEET AND SUBMIT FINDINGS TO THEIR BOARDS OF
17 COUNTY COMMISSIONERS AS SPECIFIED BY LAW, BUT NO LESS FREQUENTLY
18 THAN ON A BIENNIAL BASIS.

19 **SECTION 2.** Each elector voting at said election and desirous of
20 voting for or against said amendment shall cast a vote as provided by law
21 either "Yes/For" or "No/Against" on the proposition: "Shall there be an
22 amendment to the Colorado constitution concerning local determination
23 of county officer salaries, and, in connection therewith, authorizing
24 counties to establish salaries for county commissioners, sheriffs,
25 treasurers, assessors, clerks, coroners, and surveyors; divesting the
26 general assembly of that function; and directing the general assembly to
27 create citizens' commissions in each county for the purpose of regularly

1 evaluating county officer salaries?"

2 **SECTION 3.** The votes cast for the adoption or rejection of said
3 amendment shall be canvassed and the result determined in the manner
4 provided by law for the canvassing of votes for representatives in
5 Congress, and if a majority of the electors voting on the question shall
6 have voted "Yes/For", the said amendment shall become a part of the
7 state constitution.