

Colorado State Officials' Compensation Commission

**SALARY RECOMMENDATIONS
FOR
SELECTED PUBLIC OFFICIALS**



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RESEARCH PUBLICATION NO. 216
COLORADO LEGISLATIVE COUNCIL
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COLORADO STATE OFFICIALS'
COMPENSATION COMMISSION

Salary Recommendations
For
Selected Public Officials

Research Publication No. 216
Colorado Legislative Council
December, 1975

Letter of Transmittal

December 30, 1975

Honorable Richard D. Lamm, Governor
Honorable Edward E. Pringle, Chief Justice
Colorado Supreme Court
Honorable Ruben A. Valdez, Speaker of the House
of Representatives, 50th General Assembly
Honorable Fred E. Anderson, President of the
Senate, 50th General Assembly

Pursuant to the provisions of Senate Bill 169, 1975 Session of the Colorado General Assembly, your Colorado State Officials' Compensation Commission herewith submits its initial findings and recommendations.

The Colorado State Officials' Compensation Commission, held its first meeting on October 22, 1975. Chester M. Alter was elected Chairman; John A. Love, Vice-Chairman; and Mark A. Hogan, Secretary.

The commission is charged with: "...a continuing study of the salaries, retirement benefits, expense allowances, and other emoluments of the members of the general assembly, justices and judges of the state judicial system, district attorneys, and elected and appointed officials of the executive branch...".

The commission does not have any power to set salaries, similar to a commission in Oklahoma, or to set salaries subject to some type of legislative veto, which is a characteristic of a few salary commissions in other states.

The commission was under severe time restraints in that its recommendations for legislative action had to be completed in time for consideration by the Governor for inclusion on his agenda for the 1976 session. For this reason, the commission limited the scope of its consideration to the salaries of elected state executive officers, members of the General Assembly, justices and judges of the state court system, district attorneys, and full-time boards and commissions. The complexity of retirement programs also forced the commission to delay consideration of fringe benefits until a later date.

In creating this commission, the General Assembly recognized that there has not been a systematic and ongoing method of reviewing salaries of its elected and appointed state government officials. As a result, the commission believes that the salaries of state government officials have not kept pace with the salaries of state employees or with the cost of living. Substantial "catching up" is needed.

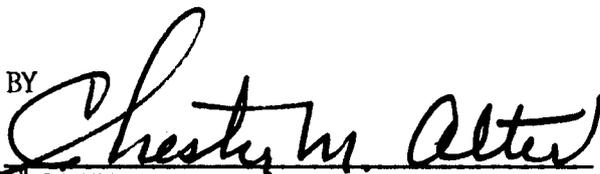
The commission would like to express its appreciation to the many persons providing insight into the issue of compensation as it relates, specifically, to attracting technically skilled and qualified persons to assume leadership positions in public service in Colorado. In particular, the commission would like to thank Governor Richard D. Lamm, Chief Justice Edward E. Pringle, Attorney General J. D. MacFarlane, Speaker of the House of Representatives Ruben A. Valdez, Senate President Fred E. Anderson, former Governor John D. Vanderhoof, and former Speaker of the House of Representatives John D. Fuhr. The commission also acknowledges the technical assistance provided by William J. Hilty and Clarence W. Molzer, Department of Personnel; Harry O. Lawson, State Court Administrator; Andy Vogt, Colorado District Attorney's Association; and Lyle C. Kyle, Legislative Council staff.

In 1976, the commission will give consideration to compensation of other state executive officials exempt from the personnel system and to the problems of designing a retirement program for public officials.

Respectfully submitted,

Chester M. Alter, Chairman
John A. Love, Vice-Chairman
Mark A. Hogan, Secretary
Arnold Alperstein
Richard H. Plock, Jr.
Wellington E. Webb
Laird Campbell
Karl E. Eitel
Emmett H. Heitler

BY



Chairman

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Part I

COMMISSION RECOMMENDATIONS

The commission, within the time available, has given careful attention to past and present state officials' salaries in Colorado and has reviewed a number of tests commonly used in determining appropriate salaries. The recommendations made herein are designed to raise the salaries of certain state officials at least somewhat commensurate with recent increases in the cost of living.

The commission recommendations reflect, in many instances, substantial increases over existing salaries. The commission believes that there exists ample justification for such increases. Many of the salaries reviewed have not been increased since 1971, and many of the proposed increases cannot go into effect until January, 1977 (District Attorneys, members of the House, and one-half of the membership of the Senate), or until 1979 (Governor, Lieutenant Governor, Attorney General, Treasurer, Secretary of State and the remaining one-half of the membership of the Senate). Thus, many of these state officials will not have received any type of pay increase for a period of six to eight years.

If the commission recommendations are implemented, the Colorado constitutional provisions prohibiting increases in salaries during a term of office will mean that for certain elected officials, salaries may not be revised until completion of terms in 1981 and 1983. Projected costs of living suggest that significant erosion of these recommended salaries will occur before and during these terms of office.

By unanimous action, the commission recommends implementation of the following salaries:

<u>Office</u>	<u>Recommended Salary</u>	<u>Earliest Date of Implementation</u>
ELECTED EXECUTIVES		
Governor	\$60,000	January 1979
Lt. Governor	36,000	January 1979
Attorney General	40,000	January 1979
Secretary of State	29,000	January 1979
State Treasurer	31,000	January 1979

<u>Office</u>	<u>Recommended Salary</u>	<u>Earliest Date of Implementation</u>
GENERAL ASSEMBLY		
Senators (Excluding leadership)	12,000	18 members January, 1977 17 members January, 1979
	\$50 per diem for interim meetings	
Representatives (Excluding leadership)	12,000	January, 1977
	\$50 per diem for interim meetings	
Leadership		
Senate President*	15,000	January, 1977*
Majority Leader*	15,000	January, 1977*
Minority Leader*	15,000	January, 1977*
House Speaker	15,000	January, 1977
Majority Leader	15,000	January, 1977
Minority Leader	15,000	January, 1977
	\$50 per diem for interim meetings	
DISTRICT ATTORNEYS	37,500	January, 1977
BOARDS AND COMMISSIONS		
Industrial Commission	30,000	July, 1976
Land Board	24,000	July, 1976
Parole Board		
Chairman	33,000	July, 1976
Members	31,500	July, 1976
Public Utilities Commission	40,000	July, 1976

*Date of implementation depends upon term for which elected.

<u>Office</u>	<u>Recommended Salary</u>	<u>Earliest Date of Implementation</u>
JUDICIAL		
Supreme Court		
Chief Justice	53,000	July, 1976
Associates	50,000	July, 1976
Court of Appeals		
Chief Judge	46,000	July, 1976
Judges	45,000	July, 1976
District Court Judges	42,500	July, 1976
Denver Juvenile Court	42,500	July, 1976
Denver Probate Court	42,500	July, 1976
Denver Superior Court	42,500	July, 1976
County Courts		
Class A	35,000	July, 1976
Class B	35,000	July, 1976
Class C and D (may engage in private practice)		
Otero	22,225	July, 1976
Douglas, Fremont, La Plata, Logan, Las Animas, Morgan, Montrose, and Summit	21,000	July, 1976
Alamosa, Chaffee, Eagle, Garfield, Gunnison, Huerfano, Lake, Montezuma, Pitkin, Prowers, and Rio Grande	17,500	July, 1976
Delta	16,450	July, 1976
Baca, Bent, Conejos, Elbert, Grand, Kit Carson, Lincoln, Moffat, Routt and Yuma	14,000	July, 1976
Sedgwick, Saguache, Costilla, and San Miguel	11,375	July, 1976

<u>Office</u>	<u>Recommended Salary</u>	<u>Earliest Date of Implementation</u>
JUDICIAL (Cont.)		
Class C and D (Cont.)		
Archuleta, Cheyenne, Gilpin, Kiowa, Park, Rio Blanco, Teller, and Washington	10,500	July, 1976
Dolores	9,800	July, 1976
Custer, Crowley, Jackson, Mineral, Ouray, Phillips, and San Juan	8,750	July, 1976
Hinsdale	3,500	July, 1976
Special Associate, Associate, and Assistant County Judges:		

The Commission made no recommendations to change current provisions (13-6-208 (5) C.R.S. 1973) regarding special associate, associate, and assistant county judges' salaries. Current statute provides that these judges' salaries be adjusted to 75%, 50%, and 25% respectively of their county judges' salaries.

Part II

GENERAL FINDINGS

A cost of living adjustment was an important consideration in the commissions's recommendations. The cost of living, as measured by the Consumer Price Index, has risen substantially since 1971. The percent of annual increase in the Consumer Price Index for selected years follows:

1971-1972	3.3%
1972-1973	6.2%
1973-1974	11.0%
1974-1975	9.9% (estimated).

The cost of living was not the only factor considered by the commission in making its recommendations. The commission also recognized:

(1) That salaries of public officials may not be expected to keep pace with the higher salaries paid for similar managerial positions in the private sector of the economy;

(2) That there are a number of highly specialized positions, particularly salaries for officials in higher education and medical institutions, in which the compensation exceeds that of the Governor, Justices of the Supreme Court, the Attorney General, and others of the state's highest officials. Some of these specialized salaries are in excess of \$50,000 annually;

(3) That tenure for many public officials is limited and a number of benefits available in the private sector are not always available to elected and appointed public officials;

(4) That there is substantial support for the concept of a part-time citizen legislature, yet the continued imposition of an unrealistically low salary may prevent the attracting of a cross section of competent individuals;

(5) That many of the factors involved in the compensation of non-elected state officials are beyond the control of state government, such as pressures from collective bargaining agreements, competition for managers and other specialists on a national basis, inflation, and others;

(6) That salaries of appointed and elected state officials should bear a direct relationship to their levels of responsibility and should not be less than those salaries set by the classified service for subordinates in key positions;

(7) That salaries for public officials and employees must be viewed in terms of the total state revenues and expenditures;

(8) That salaries for state officials should be set at a level so as to induce all qualified candidates to be attracted to state service so public offices will not be limited to those persons having independent financial means or separate incomes, and to enable state officials to continue to seek office or remain in state service without undue financial sacrifice or hardship upon them or their families;

(9) That salaries for employees in the state personnel system (which are expected to increase between five and seven percent in 1975-76) have increased at the following rates since July, 1972.

July 1, 1971 to July 1, 1972	- 3.2%
July 1, 1972 to July 1, 1973	- 8.8
July 1, 1973 to July 1, 1974	- 8.8
July 1, 1974 to July 1, 1975	- 10.4

(10) That general responsibility, mental demands, accountability, and program complexity are similar for public officials in the executive, legislative and judicial branches of state government;

(11) That the salaries of the Governor and Colorado Supreme Court Justices were similar for many years, perhaps giving recognition to the independence and equality of the executive and judicial branches of state government; and

(12) That salaries for state elected and appointed officials have not kept pace with either the Consumer Price Index, or the increases granted employees in the state personnel system. For example, if the Governor's salary had been increased each year (since it was established at the current level in 1971) at the rates shown above for the state personnel system, the Governor would be receiving, in 1975, approximately \$63,900; a member of the General Assembly would be receiving approximately \$10,250.

Part III

RATIONALE FOR COMMISSION RECOMMENDATIONS

Based upon the annual Consumer Price Index increases from 1971 to 1975, average annual percent increases may be summarized as follows:

From 1971 to 1975	7.6% (low estimate)
From 1972 to 1975	9.0% (medium estimate)
From 1973 to 1975	10.5% (high estimate)

Although there is not an exact measurement of what the Consumer Price Index may be in the future, the above average annual increases in the Consumer Price Index may be utilized as a guide in predicting future levels of the Consumer Price Index. In making its recommendations, the commission utilized the low estimate for projecting possible cost of living increases to 1977.

Consumer Price Index

Year	Consumer Price Index <u>1/</u>	Year	Predicted Estimates			
			Based on Average Annual Increases of:			
			<u>7.6%</u> <u>2/</u>	<u>9.0%</u> <u>3/</u>	<u>10.5%</u> <u>4/</u>	
1971	100%					
1972	103.3	1976	144.0%	145.8%	147.8%	
1973	109.7	1977	154.9	158.9	163.3	
1974	121.8	1978	166.7	173.2	180.4	
1975	133.8 <u>5/</u>	1979	174.4	188.8	199.3	

1/ Actual Consumer Price Index "Table I22, The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics 1975 - Reference Edition, U. S. Department of Labor.

2/ Estimates are calculated utilizing the predicted annual increase in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.

3/ Estimates are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.

4/ Estimates are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

5/ National consumer price index for 1975 is based on July, 1975, estimates from the Denver Metropolitan Area Consumer Price Index, Vol, 12, No. 3, University of Denver.

In addition to the cost of living, the commission considered a number of factors commonly used in setting salaries; among these was a comparison of salaries in other states. As the commission was somewhat selective in the states utilized in its comparison, a brief explanation of the method of selection is necessary. Two basic categories of states were established: 1) states with similar populations, and 2) states with similar patterns of urban populations. Both categories were modified in terms of per capita incomes being comparable to Colorado's per capita income.

States with similar populations and per capita incomes include: Arizona, Colorado, Connecticut, Iowa, Kansas, Kentucky, Nebraska, Oklahoma, Oregon and Washington. Tables I, part of III, V, VII, and part of X in the Appendices contain the salaries of various state officials for these states.

Over 70 percent of Colorado's population, according to the 1970 census, is located in standard metropolitan statistical areas (SMSA's). States with 50 percent or more of their populations in SMSA's and per capita incomes within five percent of Colorado include: Florida, Massachusetts, Minnesota, Ohio, Oregon, Pennsylvania, Rhode Island, Virginia, Washington, and Wisconsin. This second group of states was selected because of the demands placed upon their state governments by large urban areas. Many of Colorado's neighboring states do not share these kind of urban issues. See Tables II, part of III, VI, and part of X in the Appendices for salaries of various public officials in these states.

Executive Salaries

For the nine states with similar populations, the current Governor's salary averages \$37,800. In the urbanized states (the second group listed above), the current Governor's salary ranged as high as \$60,000 (Pennsylvania). The current average for all 17 states included in these two classifications is \$42,232. ^{1/} A brief summary of salaries for key elective positions in the aforementioned states follows:

	<u>Governor</u>	<u>Lt. Gov.</u>	<u>Att. Gen.</u>
Average of 10 states -- similar urban populations and per capita income	\$45,800	\$27,600	\$35,400
Average of 9 states -- similar populations	37,800	18,800	30,300
Average of the 17 states -- similar populations and similar urban patterns	42,200	24,200	33,100
Colorado salary	40,000	25,000	32,500

For the Governor and Attorney General, Colorado's salary seems to follow a mid-range. The governor's present salary (\$40,000) became effective January of 1971. In terms of constant 1971 dollars this salary will be worth \$25,823 in January of 1977. In terms of the cost of living, estimates suggest that in 1977 a Governor's salary of \$61,960 would be necessary to keep pace with 1971; by 1979 this could approach \$71,800. The commission utilized the above 1977 projection but rounded its recommendation to an even \$60,000 (see Table IV, Appendices).

The Governor's salary, and that of other elected officials cannot become effective until the end of the incumbent's governor's term -- 1979. Statutorily, the commission is directed with a continuing review of state officials' salaries. It may well be that prior to 1979 such additional review may lead the commission to recommend further adjustments in some or all of the above salaries.

^{1/} SOURCE: "Administrative Officials - Annual Salaries - 1975 Worksheets", Council of State Governments.

Lieutenant Governor. Salary setting for a Lieutenant Governor is a difficult issue because the General Assembly has vested the office with few major statutory duties. A commission in one state (Florida) suggested that if the Lieutenant Governor serves in a capacity of an agency director (in Florida as Secretary of Commerce) then his salary should be \$36,000. If he is not assigned this role, then the salary should be \$12,000. Colorado's Lieutenant Governor does not have responsibility for a major department and generally depends upon the Governor for assignments.

The commission recognizes, however, that in recent years the Lieutenant Governor has been expected to serve on a full-time basis. It is the opinion of the commission that as a full-time office holder who is normally assigned, by the Governor, an extensive ceremonial and public relations role, the Lieutenant Governor should receive a salary high enough to allow him to adequately fulfill such a role. The \$36,000 recommended salary, in addition to approaching the cost of living adjustment (\$38,725 for 1977), is reasonable (for 1979 the same projection suggests a salary approaching \$44,850 -- see Table IV, Appendices).

Attorney General, Treasurer, Secretary of State. The commission recommendations regarding the Attorney General, Treasurer and Secretary of State reflect a recognition of the impact of inflation (See Table IV, Appendices). Secondly, in the judgment of the commission, next to the Governor, the Attorney General has the most discretionary authority of any statewide elected officer, followed by the Treasurer and the Secretary of State. The recommended salary differentials between these offices reflect this judgment.

Legislative Salaries

The commission recognizes that the burden of implementing its recommendations falls upon the General Assembly. The most difficult decision facing the General Assembly will be to raise its own member's salary level. However, the commission is convinced that increases at least at the level it recommends are not only justifiable, they are badly needed.

The commission found that it is extremely difficult to make comparisons among the states in regard to legislative compensation because of the variations in the method of compensation, restrictions on length of sessions, staff and district allowances, vouchered and unvouchered expenses, and the lack of detailed information available on actual compensation and allowances paid. A brief examination of the nine states with similar populations and per capita incomes revealed that the total biennial compensation paid during 1973-1974 in these states was slightly in excess of Colorado. The average biennial compensation in the nine states was about \$16,000, compared to Colorado's \$15,200 -- 5.26 percent greater. See Tables V, VI, and VII for a comparison of compensation for legislators in other states.

If the compensation is examined in terms of days in which the legislature is actually in session, an entirely different relationship develops. Based on actual days in session, 1973-74 biennium, only Nebraska legislators received less than members of the Colorado General Assembly for the nine similar states (see Table VII, Appendices).

The trend in state legislatures across the country is to meet in longer and longer sessions. As table VII (Appendices) shows, in the 1973-74 biennium, none of the states compared exceeded Colorado's 203 session days. Only one of these nine states (Iowa) has unlimited annual sessions similar to Colorado. The other eight states have some type of limitation for at least part of the biennium.

The Colorado General Assembly has taken a number of significant steps to improve the efficiency of the legislative process and to reduce the length of sessions. A 1965 committee recommended that the Colorado General Assembly make a comprehensive study of its rules and procedures in order to implement schedule controls. A legislative committee has been working for a number of years on this matter. Reference committees operate under fixed schedules and deadlines have been established for introduction of bills, report of bills by committees of reference, and final passage of bills through both the house of introduction and the second house. Despite these steps, pressures continue for longer sessions.

In terms of total time spent in legislative business, data presented to the commission suggests that legislators were scheduled for almost seven months of work in 1975, over five months in 1974, and about 6.5 months in 1973.

Total Time Scheduled --
Members General Assembly

<u>Year</u>	<u>Session</u>	<u>Interim Committee</u>	<u>Total</u>
1975	5.39 months	1.30 months	6.69 months
1974	4.18 months	0.99 months	5.17 months
1973	5.56 months	0.90 months	6.46 months

Of course, this does not include the variety of duties and responsibilities a legislator has -- including attending to local constituency requests, local meetings, speeches, studying materials, and others -- beyond attending meetings of the General Assembly and its interim committees.

In terms of constant dollars, the current annual \$7,600 base salary (enacted in 1971) will be equal to approximately \$4,900 in

January, 1977. Based on a cost of living estimate, the salary should be increased to roughly \$11,780 by 1977 (see Table VIII, Appendices).

The commission recommends an annual salary of \$12,000. It also recommends that the majority and minority leaders of both houses be paid 125 percent (\$15,000) of the \$12,000 base salary for members; that the current extra per diem granted to the leadership be abolished (\$35 for 24 days); and that the current \$35 per diem for interim meetings be raised to \$50 with retention of the 30-day annual limitation.

District Attorneys Salaries

The commission's recommendations regarding salaries for District Attorneys is not limited to the primary pattern of recommending a cost of living adjustment. The commission believes that the salaries paid to District Attorneys must be upgraded. Elections of District Attorneys will be held in November, 1976. Thus, any salary enacted by the 1976 General Assembly will remain the same and cannot be changed until after elections are held again in 1980 (effective in January, 1981).

In making its recommendations, the commission was aware that the policy of Colorado since 1972 has been that the office of District Attorney is a full-time position. Prior to 1972, District Attorneys were divided into classes depending on the population of their district, and they were paid accordingly. However, only District Attorneys in the largest class of districts were considered full-time, while the others were allowed to continue a private law practice. The commission agrees that they should be full-time officers. However, the commission discussed establishing a range of salaries for District Attorneys but took no action. That is, some members believed that the proposed salary may be too low and may not adequately reflect the duties and responsibilities placed on the Denver District Attorney. In other instances, it may appear to be too high.

The recommended salary is between the salaries proposed for county and district judges -- the two courts with whom the District Attorney may have the most dealings. The commission also considered a recommendation of the Attorney General that salaries in District Attorneys' offices be raised to at least the levels now paid to the state's public defenders, who are also officers of the state and who may appear in court in defense of an individual being prosecuted by the District Attorney.

In 1975, the General Assembly, in House Bill 1491 (now cited as Chapter 179, Session Laws of Colorado 1975), retained the statutory salary for District Attorneys but made it a minimum salary instead of a maximum. The state's share -- 80 percent of \$24,000 (\$19,200) -- was retained, but counties within the district are now authorized to contribute additional funds to increase the salary beyond \$24,000. In addition, for District Attorneys' salaries, the method of computing each county's share was changed. Instead of determining a county's

share based on its proportion of the district's population, a county's share of a District Attorney's salary would be based on the proportion of its caseload bears to the caseload of the entire district.

Perhaps the General Assembly could give consideration to 100 percent state support for District Attorneys' salaries. Full state funding also suggests repeal of the option on additional local compensation for salaries of District Attorneys.

Salaries of Boards and Commissions

The salaries of the states two full-time boards and two full-time commission's need adjustment. These are the Public Utilities Commission, the Industrial Commission, the Parole Board, and the State Board of Land Commissioners. For the most part, the commissions recommendations essentially reflect adjustments needed to keep pace with recent increases in the cost of living, and the commission's judgment as to the relative policy responsibilities and duties of each (see Table IX, Appendices, for cost of living estimates). The commission did question the need for retaining the State Board of Land Commissioners but concluded this is beyond the scope of its charge and is an item for consideration by the General Assembly.

Judicial Salaries

For many years the salaries of the Supreme Court Justices were the same as that of the Governor, a reflection, perhaps, of the historical philosophy of the independence and equality of the judicial and executive branches of government. This practice has disappeared. The commission concludes, however, that the differential should not be allowed to become substantial.

Following this approach, the commission utilized its recommended \$60,000 Governor's salary as a ceiling in determining the salaries for justices of the Supreme Court. In making their recommendations, the commission concluded:

(a) That most citizens appearing in court find themselves in one of the courts under our state system, rather than a federal court;

(b) That salaries for judges of federal courts are higher than in our states' highest court;

(c) That the salaries for judges must be attractive enough to appeal to the best legal talent;

(d) That, while salaries at all levels of the judiciary are not, and in many cases cannot be, competitive with the salaries top level talent can earn in private practice, they should not be so low as to cause qualified people to reject an appointment solely for financial reasons;

(e) That in comparing Colorado with the aforementioned states, based upon the population, per capita income, and urbanization patterns in these states, judicial salaries both for the respective Supreme Courts and District Courts are higher than for those courts in Colorado. Of sixteen states for which data was available, Colorado ranks fourteenth in district court and tenth of eighteen states for supreme court salaries (see Table X, Appendices); and

(f) That judges' salaries were adjusted in 1973. Yet, based on 1973 constant dollars, the \$37,500 salary now paid to the Chief Justice of the Supreme Court will have declined in value to roughly \$26,500 by January, 1977. On the other hand, a base salary of \$52,950 is the minimum necessary amount (estimated for January, 1977) to stay at the same level as the compensation set in 1973. Data on the judges of the Court of Appeals, District Court Judges, and Class A and B County Court Judges is shown in Tables XI and XII, Appendices. Traditionally, the modest differential between the salaries of the Associate Justices and the Chief Justice of the Supreme Court probably was more a token reflection of the honor than it was a recognition of any great difference in duties and responsibilities. However, with the recent organization and unification of our State Court System far greater policy and administrative responsibilities are placed on the Chief Justice. With this in mind, the commission recommends a differential in salary between the Chief Justice (\$53,000) and the Associate Justices (\$50,000).

There is currently a slight difference between the salaries paid to judges of the Court of Appeals and the District Court. This is retained in the commission's recommendation. The differential between the county courts and the district courts is increased because the commission believes that there is a significant difference in responsibility between these courts. The civil jurisdiction of County Court is limited to smaller claims, while criminal jurisdiction involves preliminary proceedings for misdemeanors and felonies and trials of misdemeanors. The civil jurisdiction of District Court is not limited, and the criminal jurisdiction deals with felonies. In addition, the district court has appellate authority with regard to certain County Court decisions.

The commission recommends that judicial salary increases become effective July 1, 1976. It is aware that this will mean that a number of judges will be receiving higher salaries (between 1976 and 1979) than the Governor. However, if all the commission's proposals are enacted in 1976, an action the commission recommends, the authorized salary for the Governor will be higher than judicial salaries.

Part IV
FISCAL IMPACT

For fiscal 1976-77, the proposed salary changes recommended by the commission will mean an additional salary expense of \$2,640,670 (see Table XIII, Appendices). This figure reflects the difference between current salaries and the first-year-costs of the commission's recommendations. Fringe benefit and other miscellaneous expense is not included in this figure.

For the current fiscal year, total state program expenditures are nearly \$1.8 billion. The salary increase proposed by the commission amounts to less than two-tenths of one percent of current state program expenditures.

Part V
CONCLUSION

The State of Colorado is over a billion dollar per year business, larger than any other single Colorado enterprise. A business this large demands a variety of management and technical skills. The commission believes that if Colorado citizens are to receive the most economical and efficiently run government possible, an on-going effort must be made to encourage competent individuals from all aspects of our society to seek elective and appointive office.

The commission was impressed with testimony revealing the dedication and sacrifices that are often made by individuals in public service. The commission believes, however, that sacrifices asked of people in public office must not be so unrealistic that public service is limited to a few specialized classes of citizens.

The vast majority of state employees are covered by the state personnel system. Salary surveys and annual wage adjustments keep compensation for these employees competitive with other public and private employees in Colorado. Salary adjustments for elected officers and others exempt from the personnel system, however, are not reviewed annually. Furthermore, those officials that are elected cannot, under the State Constitution, receive adjustments during the term for which they are elected. Thus revisions in compensation for those positions which tend to be the most critical in managing state government are not made in terms of the continually changing economic situation.

The commissions' recommendations are designed to bring these critical positions into line with other salaries and with the changing economic situation. It is hoped that by fulfilling its statutory duty of continually reviewing said salaries, Colorado can continue to attract and retain competent individuals in state government service.



The State of Colorado

DEPARTMENT OF LAW
OFFICE OF THE ATTORNEY GENERAL

December 29, 1975

J.D. MacFarlane
Attorney General

Jean E. Dubofsky
Deputy Attorney General

Edward G. Donovan
Solicitor General

Mr. Chester Alter
Chairman
Colorado State Officials
Compensation Commission
46 State Capitol Building
Denver, Colorado 80203

Dear Mr. Alter:

In response to your letter of December 1, 1975, asking for an opinion with regard to effective dates of salary adjustments for holdover state senators, it is my opinion that no senator elected in November of 1974 may receive an increase in compensation during the term for which he was elected.

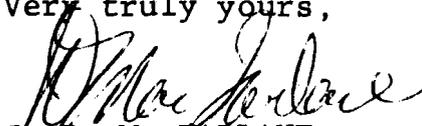
Although I indicated to you during informal committee testimony that the opposite might be the case, upon closer examination it appears that the former constitutional prohibition with regard to increases of salary during the term of office is still in effect with regard to salary only. Amendment six, passed in 1974, changed the former language of §§ 9 and 6 of art. V which, if standing alone, would not prohibit a holdover senator from receiving an increase in pay, if voted by a precedent general assembly, even though during the senator's term of office. Amendment six eliminated the former § 9 of art. V, which constituted a prohibition of a holdover senator from receiving an increase in either salary or mileage during the term for which he was elected. The same amendment changed the language in § 6 of said art. V to provide that no general assembly shall affix its own salary.

However, amendment six went further, and amended § 11 of art. XII by adding the language "Nor shall the salary of any elected public officer be increased or decreased during the term of office for which he was elected." Thus, the art. V language standing alone would no longer constitute a prohibition to holdover senators receiving an increase in salary

Mr. Chester Alter
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December 29, 1975

voted by the immediately preceding general assembly session. Indeed, this is now the result with regard to expense allowance increases. (See my attached opinion of January 29, 1975.) However, the new language added to § 11 of art. XII constrains me to opine that holdover senators may not receive a salary increase during their term of office, as has been the case in the past. In re Interrogatories, 163 Colo. 118, 429 P.2d 304 (1967).

Very truly yours,


J. D. MacFARLANE
Attorney General

JDM:ms

Attachment

APPENDIX B

Table I

ANNUAL SALARIES OF FIVE ELECTED
STATE OFFICIALS BY SELECTED STATES *

(States Selected on the Basis of Populations
Within 50 Percent of Colorado's Population and With
Personal Per Capita Incomes Within
20 Percent of Colorado's Per Capita Incomes)

<u>State</u>	<u>Governor</u>	<u>Lieutenant Governor</u>	<u>Secretary of State</u>	<u>Attorney General</u>	<u>Treasurer</u>
Colorado	\$40,000	\$25,000	\$25,000	\$32,500	\$25,000
Arizona	40,000	none	24,000	35,000	22,500
Connecticut	42,000	18,000	20,000	30,000	20,000
Iowa	40,000	12,000	22,500	29,000	22,500
Kansas	35,000	12,275	18,500	32,500	18,500
Kentucky	35,000	22,500	22,500	22,500	22,500
Nebraska	25,000	25,000	25,000	32,500	25,000
Oklahoma	42,500	24,000	18,500	27,500	22,000
Oregon	38,500	none	31,900	31,900	31,900
Washington	<u>42,150</u>	<u>17,800</u>	<u>21,400</u>	<u>31,500</u>	<u>24,150</u>
Average (other states)	\$37,794	\$18,796	\$22,700	\$30,267	\$23,228

*SOURCE: "Administrative Officials - Annual Salaries - 1975 Worksheets",
Council of State Governments.

Table II

ANNUAL SALARIES OF FIVE ELECTED STATE
OFFICIALS BY SELECTED STATES *

(States selected on the basis of personal per capita incomes within
five percent of Colorado's and with 50 percent or more of their
populations in standard metropolitan statistical areas)

<u>State</u>	<u>Governor</u>	<u>Lieutenant Governor</u>	<u>Secretary of State</u>	<u>Attorney General</u>	<u>Treasurer</u>
Colorado	\$40,000	\$25,000	\$25,000	\$32,500	\$25,000
Florida	50,000	36,000	40,000	40,000	40,000
Massachusetts	40,000	25,000	25,000	30,000	25,000
Minnesota	41,000	30,000	25,000	36,500	25,000
Ohio	50,000	30,000	38,000	38,000	38,000
Oregon	38,500	none	31,900	31,900	31,900
Pennsylvania	60,000	45,000	35,000	40,000	42,500
Rhode Island	42,500	25,500	25,500	31,875	25,500
Virginia	50,000	10,525	17,400	37,500	34,500
Washington	42,150	17,800	21,400	31,500	24,150
Wisconsin	44,292	28,668	22,140	36,450	22,140
Average (other states)	\$45,844	\$27,610	\$28,134	\$35,373	\$30,869

*Source: "Administrative Officials - Annual Salaries - 1975 Worksheets", Council of State Governments.

Table III

**ANNUAL SALARIES OF FIVE ELECTED STATE
OFFICIALS BY SELECTED STATES***

<u>State</u>	<u>Governor</u>	<u>Lieutenant Governor</u>	<u>Secretary of State</u>	<u>Attorney General</u>	<u>Treasurer</u>
Colorado	\$40,000	\$25,000	\$25,000	\$32,500	\$25,000
Arizona	40,000	none	24,000	35,000	22,500
Connecticut	42,000	18,000	20,000	30,000	20,000
Florida	50,000	36,000	40,000	40,000	40,000
Iowa	40,000	12,000	22,500	29,000	22,500
Kansas	35,000	12,275	18,500	32,500	18,500
Kentucky	35,000	22,500	22,500	22,500	22,500
Massachusetts	40,000	25,000	25,000	30,000	25,000
Minnesota	41,000	30,000	25,000	36,500	25,000
Nebraska	25,000	25,000	25,000	32,500	25,000
Ohio	50,000	30,000	38,000	38,000	38,000
Oklahoma	42,500	24,000	18,500	27,500	22,000
Oregon	38,500	none	31,900	31,900	31,900
Pennsylvania	60,000	45,000	35,000	40,000	42,500
Rhode Island	42,500	25,500	25,500	31,875	25,500
Virginia	50,000	10,525	17,400	37,500	34,500
Washington	42,150	17,800	21,400	31,500	24,150
Wisconsin	44,292	28,668	22,140	36,450	22,140
Average (other states)	\$42,232	\$24,151	\$23,579	\$33,101	\$27,158

*Source: "Administrative Officials - Annual Salaries - 1975 Worksheets", Council of State Governments. States selected on the same basis as Table I and II, that is, on the basis of population, per capita personal income and extent of urbanization.

Table IV

Salaries of Elected State Officials and Theoretical Adjustments
Thereof Based on Cost of Living Increases

(Amounts Adjusted in Terms of the National Consumer Price Index*)

Year	Consumer Price Index	Governor Estimated Salary	Lt. Governor Estimated Salary	Consumer Price Index	Attorney General's Est. Salary	Sec. of State Estimated Salary	State Treasurer, Est. Salary
1971	100.0%	\$40,000	\$25,000				
1972	103.3	41,320	25,825				
1973	109.7	43,880	27,425				
1974	121.8	48,720	30,450				
1975 ^{1/}	133.8	53,520	33,450	100.0% ^{2/}	\$32,500	\$25,000	\$25,000
(Predicted Estimates - 7.6% average annual increase) ^{3/}							
1976	144.0	57,600	36,000	107.6	34,970	26,900	26,900
1977	154.9	61,960	38,725	115.8	37,635	28,950	28,950
1978	166.7	66,680	41,675	124.6	40,495	31,150	31,150
1979	179.4	71,760	44,850	134.1	42,912	33,525	33,525
(Predicted Estimates - 9.0% average annual increase) ^{4/}							
1976	145.8	58,320	36,450	109.0	35,425	27,250	27,250
1977	158.9	63,560	39,725	118.8	38,016	29,700	29,700
1978	173.2	69,280	43,300	129.5	42,088	32,375	32,375
1979	188.8	75,520	47,200	141.2	45,890	35,300	35,300
(Predicted Estimates - 10.5% average annual increase) ^{5/}							
1976	147.8	59,120	36,950	110.5	35,913	27,625	27,625
1977	163.3	65,320	40,825	122.1	39,683	30,525	30,525
1978	180.4	72,160	45,100	134.9	43,843	33,725	33,725
1979	199.3	79,720	49,825	149.1	48,458	37,275	37,275

*SOURCE: "Table 122. The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics. The 1967 base adjusted to 1975.

^{1/} The 1975 consumer price index is based on July 1975, national estimates from the Denver Metropolitan Area Consumer Price Index, Vol. 12, No. 3, University of Denver. The 1967 base adjusted to 1971.

^{2/} The 1967 base adjusted to 1975.

^{3/} Estimates of salaries are calculated utilizing the predicted annual increase in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.

^{4/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.

^{5/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

Table V

SALARY AND ESTIMATED PER DIEM COMPENSATION FOR MEMBERS OF SELECTED STATE LEGISLATURES

(States Selected on the Basis of Populations within 50 Percent of Colorado's Population and with Personal Per Capita Incomes within 20 Percent of Colorado's Personal Per Capita Income)

State	Population (1974 Census Estimates)	Per Capita Personal Income (1974)	**Living Exp. Allow./Day (During Session)		Length of Legislative Session				Est. Total Per Diem Allow. X No. of Days	Annual Salary*	Sum Est. Comp. - Annual Salaries & Est. Total Living Exp. Allow. (During Session)
			Vouchered	Not Vouchered	1975	1975	Total Days of Session	Total Week Days			
					Date Convened	Date Adjourned					
Colorado	2,496,000	\$5,515	\$10 ^{a/}	---	Jan. 8	July 1	175	125	\$1,250 ^{a/}	\$7,600	\$ 8,850
Oklahoma	2,709,000	4,581	---	---	Jan. 7	June 6	151	109	---	9,960	9,960
Kansas	2,270,000	5,500	---	\$44 - 7 days/wk.	Jan. 13	May 6	114	82	5,016	2,870 ^{b/}	7,886
Oregon	2,266,000	5,284	---	\$35 - 7 days/wk.	Jan. 13	June 14	153	110	5,355	5,280	10,635
Arizona	2,153,000	5,127	---	\$15 - 7 days/wk. ^{c/}	Jan. 13	June 13	152	110	2,280	6,000	8,280
Iowa	2,855,000	5,279	---	\$20 - 7 days/wk.	Jan. 13	June 27	166	120	3,320	8,000	11,320
Connecticut	3,088,000	6,455	---	<u>d/</u>	Jan. 8	June 4	148	106	1,000 ^{d/}	5,500	6,500
Kentucky	3,357,000	4,442	---	\$25	---	---	---	---	<u>e/</u>	1,500 ^{f/}	1,500 ^{g/}
Nebraska	1,543,000	5,278	---	---	Jan. 7	May 23	137	99	---	4,800	4,800
Washington	3,476,000	5,710	---	\$40 - 7 days/wk.	Jan. 13	Mar. 13	60	44	2,400	3,800	6,200

*SOURCE: Work Sheet, 1975 "Table 6 - Legislative Salaries and Retirement Systems", The Council of State Governments.

**SOURCE: Work Sheet, 1975 "Table 5 - Legislative Travel and Legislative Expense Allowance", The Council of State Governments. Data on the rate of per diem for Arizona and Washington has been revised as a result of a telephone survey, conducted by the Legislative Council staff.

^{a/} \$10 per diem for all members. Members living outside of Denver metropolitan area receive an additional \$10 per diem. The \$1,250 above is based upon \$10/day per diem for Denver area legislators, assuming an average 5-day week in session.

^{b/} Computed salary based on \$35 per day for 82 weekdays.

^{c/} Members living outside of Maricopa County receive an additional \$15.

^{d/} \$1,000 annual unvouchered expense allowance.

^{e/} Not certain of number of days allowable for per diem.

^{f/} Maximum for 60 calendar days at \$25 per day.

^{g/} Excludes per diem allowance.

TABLE VI

SALARY AND ESTIMATED PER DIEM COMPENSATION FOR MEMBERS OF SELECTED STATE LEGISLATURES

(States selected on the Basis of Personal Per Capita Incomes within Five Percent of Colorado's Personal Per Capita Income and with 50 Percent or More of their Populations in Standard Metropolitan Statistical Areas)

% of State In SMSA	State	Population	Estimated Living Expense Allowance (During Session)						Est. Total Per Diem Allow. X No. of Days	Annual Salary*	Sum Est. Comp. Annual Salaries and Est. Total Living Exp. Allow. (During Session)
			Living Exp. Allow./Day** (During Session) (Regular and Special)		Length of Legislative Session						
			Vouchered	Not Vouchered	1975 Date Convened	1975 Date Adjourned	Total Days of Session	Total Week Days			
71.1%	Colorado	2,496,000	a/	--	Jan. 8	July 1	175	125	\$1,250a/	\$ 7,600	\$ 8,850
56.9%	Minnesota	3,917,000	--	\$25 - 7 days/wk.	Jan. 7	May 19	133	95	3,325	8,400	11,725
57.6%	Wisconsin	4,566,000	\$25b/	--	--	--	--	--	--	15,678	15,789
61.2%	Oregon	2,266,000	--	\$35 - 7 days/wk.	Jan. 13	June 14	153	110	5,355	5,280	10,635
61.2%	Virginia	4,908,000	--	\$50	Jan. 8	Feb. 22	46	33	1,450	5,475	7,125
66.0%	Washington	3,476,000	--	\$40 - 7 days/wk.	Jan. 13	Mar. 13	60	44	2,400	3,800	6,200
68.6%	Florida	8,090,000	--	\$25 - 7 days/wk.	Apr. 8	June 5	59	43	1,475	12,000	13,475
77.7%	Ohio	10,737,000	--	--	Jan. 6	--	--	--	--	17,500	17,500
79.4%	Pennsylvania	11,835,000	--	--	Jan. 7	--	--	--	--	15,600	15,600
84.7%	Massachusetts	5,800,000	--	\$1,200c/	Jan. 1	--	--	--	1,200	12,688	13,888
84.7%	Rhode Island	937,000	--	--	Jan. 7	May 15	129	93	--	300	300

*SOURCE: Work Sheet - 1975 "Table 6 - Legislative Salaries and Retirement Systems", The Council of State Governments.

**SOURCE: Work Sheet - 1975 "Table 5 - Legislative Travel and Legislative Expense Allowance", The Council of State Governments. Data on the rate of per diem for Washington has been revised as a result of a telephone survey conducted by the Legislative Council staff.

a/ \$10 per diem for all members. Members living outside the Denver metropolitan area receive an additional \$10 per diem. The \$1,250 above is based upon \$10 per day for Denver area legislators assuming an average five-day week in session.

b/ Applies only for those who must establish temporary residence in Madison.

c/ Annual unvouchered expense allowance.

Table VII

OTHER STATES DAILY LEGISLATIVE COMPENSATION
IN RELATION TO THAT OF COLORADO

(States Selected on the Basis of Populations within 50 Percent of Colorado's Population and with Personal Per Capita Incomes within 20 Percent of Colorado's Personal Per Capita Income)

State	1973-74			Total Biennial Compensation**	Average Pay Per Day in Session	Compensation in Relation to Colorado
	1973-74 Regular Session*	1973-74 Special Session*	1973-74 Total Days in Session*			
Colorado	203	--	203	\$15,200	\$ 74.88	100.00%
Arizona	151	63	200 <u>1/</u>	21,690	108.45	144.83
Connecticut	162	--	162	13,000	80.25	107.17
Iowa	195	--	195	19,900	102.05	136.28
Kansas	118	--	118	13,272	112.47	150.21
Kentucky	134	--	134	12,000	89.55	119.59
Nebraska	150	--	150	10,000	66.67	89.04
Oklahoma	155	--	155	22,745 <u>2/</u>	146.74	195.97
Oregon	156	--	156	17,385	111.44	148.82
Washington	125 <u>3/</u>	--	125	13,480	107.84 <u>4/</u>	144.02

*SOURCE: "Table 1 - Length and Frequency of Legislative Sessions", Research Memorandum No. 18, September, 1975, The Citizens Conference on State Legislatures.

**SOURCE: "Table 3 - Legislator Income in the 50 State Legislatures, August, 1975", Research Memorandum No. 18, September, 1975, The Citizens Conference on State Legislatures.

*, **, Data has been corrected or supplemented as a result of a telephone survey conducted by the Legislative Council Staff.

1/ The total reflects the fact that a portion of the regular and special sessions occurred concurrently. The 200 days is an average of the total days the House (201) and the Senate (199) were actually in session.

2/ This total reflects a \$250/yr. allowance given to House members. Senate members are provided a \$350/yr. expense allowance.

3/ Washington officials indicated that a special session occurred in both 1973 and 1974. The 125-day total includes the special sessions.

4/ This average does not include a \$50 per month expense allowance.

TABLE VIII

THEORETICAL LEGISLATIVE COMPENSATION

Amounts Adjusted in Terms of the
National Consumer Price Index

<u>Year</u>	<u>Consumer Price Index</u>	<u>Estimated Annual Salary</u>	<u>Interim Committee Attendance Per Diem Allowance</u>
1971	100 %	\$ 7,600	\$35.00
1972	103.3	7,851	36.16
1973	109.7	8,337	38.40
1974	121.8	9,257	42.63
1975 <u>1/</u>	133.8	10,169	46.83
(Predicted Estimates - 7.6% average annual increase) <u>2/</u>			
1976	144.0%	\$10,944	\$50.40
1977	154.9	11,772	54.21
1978	166.7	12,669	58.34
1979	179.4	13,634	62.79
(Predicted Estimates - 9.0% average annual increase) <u>3/</u>			
1976	145.8%	\$11,080	\$51.03
1977	158.9	12,076	55.62
1978	173.2	13,163	60.62
1979	188.8	14,349	66.08
(Predicted Estimates - 10.5% average annual increase) <u>4/</u>			
1976	147.8	\$11,233	\$51.73
1977	163.3	12,411	57.16
1978	180.4	13,710	63.14
1979	199.3	15,146	69.76

SOURCE: "Table 122. The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics. The 1967 base adjusted to 1971.

- 1/ The 1975 consumer price index is based on July 1975, national estimates from the Denver Metropolitan Area Consumer Price Index, Vol. 12, No. 3, University of Denver. The 1967 base adjusted to 1971.
- 2/ Estimates of salaries and per diem allowances are calculated utilizing the predicted annual increase in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.
- 3/ Estimates of salaries and per diem allowances are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.
- 4/ Estimates of salaries and per diem allowances are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

Table IX

THEORETICAL COMPENSATION FOR BOARDS AND COMMISSIONS

Amounts Adjusted in Terms of the
National Consumer Price Index

Year	Consumer Price Index 1/	Industrial Commission	Land Board	Public Utilities	Consumer Price Index 2/	Parole Board	
						Chairman	Members
1973	100.0%	\$22,100	\$17,160	\$28,000	--	\$--	\$--
1974	111.0	24,531	19,048	31,080	100.0	26,000	24,500
1975 3/	121.9	26,940	20,918	34,132	109.9	28,574	26,926
(Predicted Estimates - 7.6% Average Annual Increase) 4/							
1976	131.2	28,995	22,514	36,736	118.3	30,758	28,984
1977	141.2	31,205	24,230	39,536	127.3	33,098	31,119
1978	151.9	33,570	26,066	42,532	137.0	35,620	33,565
1979	163.4	36,111	28,039	45,752	147.4	38,324	36,113
(Predicted Estimates - 9.0% Average Annual Increase) 5/							
1976	132.9	29,371	22,806	37,212	119.8	31,148	29,351
1977	144.9	32,023	24,865	40,572	130.6	33,956	31,997
1978	158.0	34,918	27,113	44,240	142.4	37,024	34,888
1979	172.2	38,056	29,550	48,216	155.2	40,352	38,024
(Predicted Estimates - 10.5% Average Annual Increase) 6/							
1976	134.7	29,769	23,115	37,716	121.4	31,564	29,743
1977	148.8	32,885	25,534	41,664	134.1	34,866	32,855
1978	164.4	36,332	28,211	46,032	148.2	38,532	36,309
1979	181.7	40,156	31,179	50,876	163.8	42,588	40,131

SOURCE: "Table 122. The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics. The 1967 base adjusted to 1973 and to 1974.

1/ 1967 base adjusted to 1973.

2/ 1967 base adjusted to 1974.

3/ The 1975 consumer price index is based on July 1975, national estimates from the Denver Metropolitan Area Consumer Price Index, Vol. 12, No. 3, University of Denver.

4/ Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.

5/ Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.

6/ Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

Table X

ANNUAL SALARIES OF JUSTICES AND JUDGES FOR SELECTED STATES*

State	Supreme Court				Court of Appeals	Rank No.	District Court	Rank No.
	Chief Justice	Rank No.	Assoc. Justice	Rank No.				
Colorado	\$37,500	10	\$35,000	14	\$32,000	8 ^{1/}	\$28,000	14
Arizona	37,000	11	37,000	8	35,000	6	33,000	7
Connecticut	40,000	6	36,000	10	---		34,500	4
Florida	40,000	6	40,000	4	38,000	2	36,000	3
Iowa	37,000	11	36,000	10	---		31,500	10
Kansas	35,000	15	32,500	16	---		28,766 ^{2/}	13
Kentucky	31,500	17	31,500	17	---		26,000	15
Massachusetts	42,236	5	40,788	3	37,771	3	36,203	2
Minnesota	40,000	6	36,500	9	---		32,000 ^{3/}	8
Nebraska	35,500	13	35,500	12	---		^{4/}	
Ohio	43,500	3	40,000	4	37,000	4	34,000	6
Oklahoma	30,000	18	30,000	18	26,000	9	25,000	16
Oregon	35,200	14	35,200	13	34,100	7	31,900	9
Pennsylvania	52,500	1	50,000	1	48,000	1	41,000	1
Rhode Island	34,000	16	33,000	15	---		31,000	12
Virginia	42,300	4	41,300	2	---		31,350	11
Washington	39,412	9	39,412	7	36,325	5	34,250	5
Wisconsin	44,292	2	39,726	6	---		^{4/}	
Average (Other States)	\$38,791		\$37,319		\$36,525		\$32,431	

*SOURCE: Quarterly Survey of Judicial Salaries in State Court Systems, Vol. 2, No. 2, September 1975, National Center for State Courts

*States selected on the basis of similar population, per capita personal income, and extent of urbanization.

^{1/} 9 states with an equivalent position

^{2/} Includes minimum local supplement

^{3/} \$33,500 for Ramsey, Henepin, and St. Louis counties

^{4/} Salary not listed due to variations in local supplements.

Table XI

JUDICIAL COMPENSATION

Amounts Adjusted to Constant Dollars
In Terms of the National Consumer Price Index

Year	Consumer Price Index	Supreme Court		Court of Appeals		District Court Judges	County Courts (Class A & B)
		Chief Justice	Associate Justices	Chief Judge	Judges		
1973	100.0%	\$37,500	\$35,000	\$32,500	\$32,000	\$28,000	\$25,000
1974	111.0	33,784	31,532	29,279	28,829	25,225	22,523
1975 ^{1/}	121.9	30,763	28,712	26,661	26,251	22,970	20,509
(Predicted Estimates - 7.6% average annual increase) ^{2/}							
1976	131.2	28,582	26,677	24,771	24,390	21,341	19,055
1977	141.2	26,558	24,788	23,017	22,663	19,830	17,705
1978	151.9	24,687	23,041	21,396	21,066	18,433	16,458
1979	163.4	22,950	21,420	19,890	19,584	17,136	15,300
(Predicted Estimates - 9.0% average annual increase) ^{3/}							
1976	132.9	28,217	26,336	24,454	24,078	21,068	18,811
1977	144.9	25,880	24,155	22,429	22,084	19,324	17,253
1978	158.0	23,734	22,152	20,570	20,253	17,722	15,823
1979	172.2	21,777	20,325	18,873	18,583	16,260	14,518
(Predicted Estimates - 10.5% average annual increase) ^{4/}							
1976	134.7	27,840	25,984	24,128	23,756	20,787	18,560
1977	148.8	25,202	23,522	21,841	21,505	18,817	16,801
1978	164.4	22,810	21,290	19,769	19,465	17,032	15,207
1979	181.7	20,638	19,263	17,887	17,611	15,410	13,759

SOURCE: "Table 122. The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics. The 1967 base adjusted to 1973.

^{1/} The 1975 consumer price index is based on July 1975, national estimates from the Denver Metropolitan Area Consumer Price Index, Vol. 12, No. 3, University of Denver. The 1967 base adjusted to 1973.

^{2/} Estimates of salaries are calculated utilizing the predicted annual increase in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.

^{3/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.

^{4/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

Table XII

THEORETICAL JUDICIAL COMPENSATION

Amounts Adjusted in Terms of the
National Consumer Price Index

Year	Consumer Price Index	Supreme Court		Court of Appeals		District Court Judges	County Courts (Class A & B)
		Chief Justice	Associate Justices	Chief Judge	Judges		
1973	100.0%	\$37,500	\$35,000	\$32,500	\$32,000	\$28,000	\$25,000
1974	111.0	41,625	38,850	36,075	35,520	31,080	27,750
1975 ^{1/}	121.9	45,713	42,665	39,618	39,008	34,132	30,475
(Predicted Estimates, 7.6% average annual increase) ^{2/}							
1976	131.2	49,200	45,920	42,640	41,984	36,736	32,800
1977	141.2	52,950	49,420	45,890	45,184	39,536	35,300
1978	151.9	56,963	53,165	49,368	48,608	42,532	37,975
1979	163.4	61,275	57,190	53,105	52,288	45,752	40,850
(Predicted Estimates - 9.0% average annual increase) ^{3/}							
1976	132.9	49,838	46,515	43,193	42,528	37,212	33,225
1977	144.9	54,338	50,715	47,093	46,368	40,572	36,225
1978	158.0	59,250	55,300	51,350	50,560	44,240	39,500
1979	172.2	64,500	60,270	55,650	55,104	48,216	43,050
(Predicted Estimates - 10.5% average annual increase) ^{4/}							
1976	134.7	50,513	47,145	43,778	43,104	37,716	33,675
1977	148.8	55,800	52,080	48,360	47,616	41,664	37,200
1978	164.4	61,650	57,540	53,430	52,608	46,032	41,100
1979	181.7	68,375	63,595	59,053	58,144	50,876	45,425

SOURCE: "Table 122. The Consumer Price Index, 1800-1974, Selected Groups, and Purchasing Power of the Consumer Dollar, 1913-74", Handbook of Labor Statistics. The 1967 base adjusted to 1973.

^{1/} The 1975 consumer price index is based on July 1975, national estimates from the Denver Metropolitan Area Consumer Price Index, Vol. 12, No. 3, University of Denver. The 1967 base adjusted to 1973.

^{2/} Estimates of salaries are calculated utilizing the predicted annual increase in the consumer price index based on an average annual increase of 7.6% in the consumer price index from 1971 to 1975.

^{3/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 9.0% in the consumer price index from 1972 to 1975.

^{4/} Estimates of salaries are calculated utilizing the predicted annual increases in the consumer price index based on an average annual increase of 10.5% in the consumer price index from 1973 to 1975.

Table XIII

TOTAL PROPOSED AND CURRENT SALARIES AND
DIFFERENCE THEREOF FOR FISCAL YEAR 1976-77

<u>State Office</u>	<u>Number of Officials</u>	<u>Total Proposed Salaries</u>	<u>Total Present Salaries</u>	<u>Difference</u>
District Attorneys ^{1/}	22	\$412,500	\$264,000	\$148,500
General Assembly ^{2/}				
Senators	18	108,000	68,400	39,600
Representatives	62	372,000	235,600	136,400
Leadership	3	22,500	11,400	11,100
Subtotal	<u>83</u>	<u>\$502,500</u>	<u>\$315,400</u>	<u>\$187,100</u>
Boards and Commissions				
Industrial Comm.	3	\$ 90,000	\$ 66,300	\$ 23,700
Land Board	3	72,000	51,480	20,520
Parole Board				
Chairman	1	33,000	26,000	7,000
Members	2	63,000	49,000	14,000
Public Utilities Comm.	3	120,000	84,000	36,000
Subtotal	<u>12</u>	<u>\$378,000</u>	<u>\$276,780</u>	<u>\$101,220</u>
Judicial				
Supreme Court				
Chief Justice	1	\$ 53,000	\$ 37,500	\$ 15,500
Associate	6	300,000	210,000	90,000
Court of Appeals				
Chief Justice	1	46,000	32,500	13,500
Associate	9	405,000	288,000	117,000
District Court Judges	94	3,995,000	2,632,000	1,363,000
Denver Juvenile	3	127,500	84,000	43,500
Denver Probate	1	42,500	28,000	14,500
Denver Superior	1	42,500	28,000	14,500
County Court				
Class B	32	1,120,000	800,000	320,000
Class C & D				
Otero	1	22,225	15,875	6,350
Douglas, Fremont, La Plata, Logan, Las Animas, Morgan, Montrose, and Summit	8	168,000	120,000	48,000
Alamosa, Chaffee, Eagle, Garfield, Gunnison, Huerfano, Lake, Montezuma Pitkin, Prowers, and Rio Grande	11	192,500	137,500	55,000

<u>State Office</u>	<u>Number of Officials</u>	<u>Total Proposed Salaries</u>	<u>Total 1975 Salaries</u>	<u>Difference</u>
County Court Class C & D (Cont.)				
Delta	1	\$ 16,450	\$ 11,750	\$ 4,700
Baca, Bent, Cone- jos, Elbert, Grand, Kit Carson, Lincoln, Moffat, Routt, and Yuma	10	140,000	100,000	40,000
Sedgwick, Saguache, Costilla, San Miguel	4	45,500	32,500	13,000
Archuleta, Cheyenne, Gilpin, Kiowa, Park, Rio Blanco, Teller, Washington	8	84,000	60,000	24,000
Dolores	1	9,800	7,000	2,800
Custer, Crowley, Jackson, Mineral, Ouray, Phillips, and San Juan	7	61,250	43,750	17,500
Hinsdale	1	3,500	2,500	1,000
Special Associate, Asso- ciate, and Assistant County Judges ^{3/}	--	----	---	---
Subtotal (Judicial)	200	\$6,874,725	\$4,670,875	\$2,203,850
Total	317	\$8,167,725	\$5,527,055	\$2,640,670

1/ Proposed Salaries for district attorneys would be effective as of January 1, 1977; therefore, the fiscal totals for 1976-77 include only a one-half year total.

2/ Proposed salaries for members of the General Assembly would be effective as of January 1, 1977. Therefore, the fiscal totals for 1976-77 include only a one-half year total. Totals are for 18 senators (since holdovers will not be eligible until 1979), 62 representatives, and three leaders. Please note: Six leaders of the General Assembly are eligible for the new proposed salaries. However, assuming that three leaders may be holdovers, only the remaining three leaders have been listed. In January of 1977, it may be that all leaders will not be holdovers. In this case, the totals would be adjusted.

3/ The Commission made no recommendations to change current provisions (13-6-208 (5) C.R.S. 1973) regarding special associate, associate, and assistant county judges' salaries. Current statute provides that these judges' salaries be adjusted to 75%, 50%, and 25% respectively of their county judges' salaries.

