

Second Regular Session
Sixty-sixth General Assembly
STATE OF COLORADO

REVISED

LLS NO. R08-0987.01 Nicole Myers

HJR08-1011

HOUSE SPONSORSHIP

Buescher, Pommer, and White

SENATE SPONSORSHIP

Keller, Morse, and Johnson

House Committees

Senate Committees
Education

HOUSE JOINT RESOLUTION 08-1011

101 CONCERNING THE CERTIFICATION BY THE GENERAL ASSEMBLY OF THE
102 AMOUNT OF STATE EDUCATION FUND REVENUES THAT SHOULD
103 BE CONSIDERED AVAILABLE FOR APPROPRIATION FOR THE
104 2008-09 STATE FISCAL YEAR.

1 WHEREAS, Section 22-55-104, Colorado Revised Statutes,
2 requires the General Assembly to make an annual certification of the
3 amount of moneys in the state education fund created in section
4 22-55-103, Colorado Revised Statutes, that should be considered
5 available for appropriation for the next state fiscal year; and

6 WHEREAS, A total of \$3,561.4 million in state moneys is
7 required to meet the public education funding requirements of sections
8 22-55-106 and 22-55-107, Colorado Revised Statutes, for the 2008-09
9 state fiscal year, including the following components:

SENATE
Final Reading
February 29, 2008

HOUSE
Final Reading
February 27, 2008

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.

State Moneys Required for FY 2008-09 (\$ millions)	
Description	FY 2008-09 (Based on 2.2 percent Inflation Rate for CY 2007)
State share of districts' total program pursuant to the "Public School Finance Act of 1994" (Article 54 of Title 22, Colorado Revised Statutes), based on a required increase in the statewide base per pupil funding of 3.2 percent	\$3,344.1
State funding for all categorical programs	<u>217.2</u>
Total	3,561.4

WHEREAS, The amount of state moneys available from funds other than the general fund and the state education fund to meet the funding requirements of sections 22-55-106 and 22-55-107, Colorado Revised Statutes, is \$105.8 million, including the following components:

State Moneys Available Other Than General Fund and State Education Fund (\$ millions)	
Description	FY 2008-09
State Public School Fund	\$105.5
Comprehensive Health Education Fund	<u>0.3</u>
Total	105.8

WHEREAS, The projection of revenues in the state education fund for the 2008-09 state fiscal year is \$457.8 million; and

WHEREAS, Pursuant to section 17 (5) of article IX of the state constitution and section 22-55-105, Colorado Revised Statutes, the minimum amount of moneys that can be appropriated from the general fund for the 2008-09 state fiscal year for districts' total program under the "Public School Finance Act of 1994", article 54 of title 22, Colorado Revised Statutes, is \$2,930.0 million, calculated as follows:

Minimum Amount of Moneys That Can Be Appropriated from the General Fund for FY 2008-09 to Meet Public Education Funding Requirements (\$ millions)	
Aggregate General Fund appropriations for districts' total program for FY 2007-08	\$2,790.5
Plus: 5.0 percent increase	<u>139.5</u>
Minimum General Fund appropriation for districts' total program for FY 2008-09	2,930.0

WHEREAS, The maximum amount of moneys that can be appropriated from the state education fund and the minimum amount of

1 moneys that can be appropriated from the general fund for the 2008-09
 2 state fiscal year to meet the public education funding requirements of
 3 sections 22-55-106 and 22-55-107, Colorado Revised Statutes, without
 4 adversely impacting the solvency of the state education fund or the ability
 5 of the General Assembly to comply with said funding requirements in
 6 future years are as follows:

7 (1) \$334.5 million from the state education fund; and

8 (2) \$3,121.1 million from the general fund, calculated as follows:

9
10
11

Sources of Funds Necessary to Meet Public Education Funding Requirements for FY 2008-09, Assuming a 5.3 Percent Increase in the General Fund Appropriations for Districts' Total Program (\$ millions)			
	FY 2007-08	FY 2008-09	Change
State Share of Districts' Total Program Funding	<u>\$3,152.2</u>	<u>\$3,344.1</u>	<u>\$191.9</u>
General Fund	2,790.5	2,938.4	147.9
State Public School Fund	103.1	105.5	2.3
State Education Fund	258.6	300.2	41.7
State Funding for Categorical Programs	<u>\$210.5</u>	<u>\$217.2</u>	<u>\$6.7</u>
General Fund	182.7	182.7	0.0
Comprehensive Health Education Fund	0.3	0.3	0.0
State Education Fund	27.5	34.3	6.7
Total	<u>\$3,362.7</u>	<u>\$3,561.4</u>	<u>\$198.7</u>
General Fund	2,973.2	3,121.1	147.9
State Public School Fund	103.1	105.5	2.3
Comprehensive Health Education Fund	0.3	0.3	0.0
State Education Fund	286.1	334.5	48.4

12
13
14
15
16
17
18
19
20
21
22
23
24
25
26

27 WHEREAS, The additional information in this Joint Resolution
 28 regarding the aggregate amount of the general fund appropriation for
 29 districts' total program under the "Public School Finance Act of 1994",
 30 article 54 of title 22, Colorado Revised Statutes, and the availability of
 31 revenues from other state funds is furnished for the purpose of providing
 32 direction and guidance to the Joint Budget Committee in the preparation
 33 of the general appropriation act for the 2008-09 state fiscal year and to the
 34 General Assembly in the consideration of the general appropriation act
 35 for the 2008-09 state fiscal year, the school finance bill for the 2008-09
 36 state fiscal year, and any other bill that would require an appropriation
 37 from the state education fund, and does not affect the ability of the
 38 General Assembly to make spending decisions in the general
 39 appropriation act and the school finance bill; and

40 WHEREAS, The projections and estimates contained in this Joint
 41 Resolution are not binding and may be adjusted if additional relevant

1 information is received by the General Assembly after the adoption
2 thereof; and

3 WHEREAS, For purposes of section 39 of article V of the state
4 constitution, this Joint Resolution relates solely to the transaction of
5 business of the two houses of the General Assembly; now, therefore,

6 *Be It Resolved by the House of Representatives of the Sixty-sixth*
7 *General Assembly of the State of Colorado, the Senate concurring herein:*

8 (1) That, in accordance with section 22-55-104, Colorado Revised
9 Statutes, the General Assembly hereby certifies that the amount of
10 moneys in the state education fund that should be considered available for
11 appropriation for the state fiscal year beginning July 1, 2008, is \$341.4
12 million;

13 (2) That, based on a general fund appropriation for districts' total
14 program under the "Public School Finance Act of 1994", article 54 of title
15 22, Colorado Revised Statutes, equal to 5.3 percent over \$2,790.5 million,
16 which is the aggregate amount of the general fund appropriation for
17 districts' total program under the "Public School Finance Act of 1994",
18 article 54 of title 22, Colorado Revised Statutes, for the 2007-08 state
19 fiscal year, the General Assembly further certifies that \$341.4 million
20 should be considered available for appropriation from the state education
21 fund for the 2008-09 state fiscal year, including the following
22 components:

Amount That Should Be Considered Available for Appropriation from the State Education Fund for FY 2008-09, Assuming a 5.3 Percent Increase in the General Fund Appropriations for Districts' Total Program (\$ millions)	
State Share of Districts' Total Program	\$300.2
Categorical Programs	34.3
Other Programs Authorized Under Current Law	6.9
New Programs Authorized by the General Assembly in the 2008 Regular Session	<u>0.0</u>
Amount of State Education Fund Moneys Available for Appropriation for FY 2008-09	341.4

33 (3) That no additional moneys should be considered available
34 from the state education fund to provide either ongoing or one-time
35 funding for new programs that are authorized by the General Assembly
36 in the 2008 Regular Session and that are consistent with section 17 (4) (b)
37 of article IX of the state constitution.

38 *Be It Further Resolved*, That a copy of this Joint Resolution be
39 transmitted to every member of the General Assembly.