

STATE OF COLORADO

OFFICE OF THE GOVERNOR

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Bill Ritter, Jr.
Governor

D 006 07

EXECUTIVE ORDER

Rescinding Executive Order D 007 01

Pursuant to the authority vested in the Office of the Governor of the State of Colorado, I, Bill Ritter, Jr., Governor of the State of Colorado, hereby issue this Executive Order rescinding Executive Order D 007 01, which designated the Colorado Combined Campaign as the sole or only entity authorized as “state-sponsored for all state employees” for purposes of C.R.S. § 24-50-104(8)(c).

1. Background and Purpose.

From the 1930s until 2001, the State of Colorado allowed its employees to sign up for payroll deductions. The State of Colorado deducted the dues from employees' paychecks and forwarded the money collected to the employee associations. This process is known as “dues checkoff.”

In 1996, the General Assembly enacted Senate Bill 96-228, which reorganized the Department of Personnel and Administration. This bill also repealed two statutes enacted in the 1970s and replaced them with C.R.S. § 24-50.3-104(8). This new subsection continued to require the Executive Director of the Department of Personnel and Administration to “regulate, approve, and review all payroll deductions for all state employees,” and continued to exempt deductions that were “expressly authorized by statute, or state-sponsored.” Under that law, the employee associations no longer had a statutory right to automatic payroll deductions. In 1998, House Bill 98-1312 repealed C.R.S. § 24-50.3-104(8) and reenacted it at its current location, C.R.S. § 24-50-104(8). Despite the statutory changes affecting automatic payroll deductions, the dues checkoff program continued unchanged, and employee associations as well as many other entities continued to utilize the program until 2001.

On May 25, 2001, five years after the most recent substantive statutory change, Governor Owens issued Executive Order D 007 01. In that Executive Order, the dues checkoff program was substantially altered. Specifically, Executive Order D 007 01 designated the Colorado Combined Campaign as the “sole entity authorized as ‘state-sponsored for all state employees’” under C.R.S. § 24-50-104(8)(c). The statute and legislative history, however, support a broader interpretation of which entities qualify as “state-sponsored for all state employees” under C.R.S. § 24-50-104(8)(c) than is set forth in the Executive Order. Therefore, I am rescinding Executive Order D 007 01.

2. Directive.

I hereby rescind Executive Order D 007 01. This rescission of Executive Order D 007 01 does not alter or effect the Colorado Combined Campaign's designation as an entity that is "state-sponsored for all state employees." However, all other designations and directives in Executive Order D 007 01, including the designation of the Colorado Combined Campaign as the sole or only entity "state-sponsored for all state employees" under C.R.S. §24-50-104(8)(c), are hereby rescinded.

3. Duration

This Executive Order shall remain in force until further modification or rescission by the Governor.



GIVEN under my hand and
the Executive Seal of the
State of Colorado, this 15th
day of March, 2007.

A handwritten signature in cursive script that reads "Bill Ritter, Jr.".

Bill Ritter, Jr.
Governor