

**Second Regular Session
Sixty-seventh General Assembly
STATE OF COLORADO**

REVISED

*This Version Includes All Amendments Adopted
on Second Reading in the Second House*

LLS NO. 10-0548.01 John Ziegler

HOUSE BILL 10-1304

HOUSE SPONSORSHIP

Pommer, Ferrandino, Lambert

SENATE SPONSORSHIP

Keller, Tapia, White

House Committees
Appropriations

Senate Committees
Appropriations

SENATE
2nd Reading Unamended
February 24, 2010

A BILL FOR AN ACT

101 **CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT**
102 **OF LABOR AND EMPLOYMENT.**

HOUSE
3rd Reading Unamended
February 18, 2010

Bill Summary

(Note: This summary applies to this bill as introduced and does not necessarily reflect any amendments that may be subsequently adopted.)

Supplemental appropriations are made to the department of labor and employment.

HOUSE
Amended 2nd Reading
February 17, 2010

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.

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

2 **SECTION 1.** Part IX of section 2 of chapter 464, Session Laws
3 of Colorado 2009, is amended to read:

4 Section 2. **Appropriation.**

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1							
2							
3							
4							
5	Personal Services						
6							
7							
8	Health, Life, and Dental						
9	Short-term Disability						
10							
11	S.B. 04-257 Amortization						
12	Equalization Disbursement						
13							

PART IX

DEPARTMENT OF LABOR AND EMPLOYMENT

(1) EXECUTIVE DIRECTOR'S OFFICE

~~13,022,715~~

12,961,833

(164.9 FTE)

5,578,255

~~89,850~~

89,243

~~1,166,635~~

1,158,808

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 S.B. 06-235 Supplemental							
2 Amortization Equalization							
3 Disbursement	729,146						
4	724,254						
5 Shift Differential	26,300						
6 Workers' Compensation	616,008						
7	581,591						
8 Operating Expenses	1,555,442						
9 Legal Services for 7,905							
10 hours	595,879						
11 Purchase of Services from							
12 Computer Center	1,429,057						
13	1,379,297						
14 Multiuse Network Payments	75,274						

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Management and							
2 Administration of OIT	118,340						
3	101,565						
4 Payment to Risk							
5 Management and Property							
6 Funds	90,416						
7	84,143						
8 Vehicle Lease Payments	95,134						
9	96,635						
10 Leased Space	3,896,503						
11 Capitol Complex Leased							
12 Space	36,149						
13	35,397						
14 Communication Services							
15 Payments	1,182						

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Utilities	260,309					
2	Information Technology						
3	Asset Maintenance	553,627					
4	Statewide Indirect Cost						
5	Assessment	495,382					
6		<u>30,431,603</u>			13,945,986 ^a	1,117,293 ^b	15,368,324
7		30,250,919			13,864,635 ^a	1,096,369 ^b	15,289,915
8							
9	^a Of this amount, it is estimated that \$5,627,181 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., \$5,203,382 shall be from the Workers' Compensation						
10	Cash Fund created in Section 8-44-112 (7) (a), C.R.S., \$506,784 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), C.R.S., \$369,435 shall be from the						
11	Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S. and the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S., \$298,576 shall be from the						
12	Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., \$257,435 shall be from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., and \$1,683,193						
13	\$1,601,842 shall be from various cash fund sources.						

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^b Of this amount, \$956,399 \$955,475 shall be transferred from the Division of Oil and Public Safety from funds appropriated for indirect cost recoveries from the Petroleum Storage						
2	Tank Fund created in Section 8-20.5-103 (1), C.R.S., \$156,610 \$136,610 shall be from statewide indirect cost recoveries, and \$4,284 shall be from the Department of Public Health and						
3	Environment.						
4							
5	(2) DIVISION OF EMPLOYMENT AND TRAINING						
6	(A) Unemployment Insurance Programs						
7	Program Costs COSTS ^{34b}	35,101,326			7,337,458 ^a		27,763,868
8		42,513,686			7,356,578 ^a		35,157,108
9		(467.5 FTE)					
10		(467.9 FTE)					
11	Internet Self-Service	167,126			167,126 ^a		
12					(2.5 FTE)		
13		<u>35,268,452</u>					
14		42,680,812					
15							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^a Of these amounts, \$5,926,570 \$5,900,811 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., and \$1,578,014 shall be from the Unemployment Revenue						
2	Fund created in Section 8-77-106 (1), C.R.S. C.R.S., AND \$44,879 SHALL BE FROM THE EMPLOYEE LEASING COMPANY CERTIFICATION FUND CREATED IN SECTION 8-70-114 (2) (g) (VI),						
3	C.R.S.						
4							
5	(B) Employment and Training Programs						
6	State Operations	15,522,908			9,429,769^a	9,600 ^b	6,083,539
7		13,979,485			9,405,404 ^a		4,564,481
8					(93.8 FTE)	(0.1 FTE)	(63.8 FTE)
9							(50.8 FTE)
10	One-Stop County Contracts	7,694,007					7,694,007
11		9,164,335					9,164,335
12							(15.0 FTE)
13							(28.0 FTE)
14	Trade Adjustment Act						
15	Assistance	1,921,826					1,921,826

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Workforce Investment Act	33,180,871				807,540 ^a		32,373,331
2	33,156,506						32,348,966
3							(60.0 FTE)
4 Workforce Development							
5 Council	466,016					466,016 ^e	
6	457,132					457,132 ^c	
7						(4.0 FTE)	
8 Workforce Improvement							
9 Grants	870,000				20,000 ^d		850,000
10							(10.0 FTE)
11 TANF-SUPPORT SUBSIDIZED							
12 EMPLOYMENT	<u>11,250,000</u>					11,250,000 ^e	
13	59,655,628						
14	70,799,284						
15							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^a Of these amounts, \$10,032,642 \$10,008,277 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., \$120,887 shall be from the Displaced Homemakers						
2	Fund created in Section 8-15.5-108 (1), C.R.S., and \$83,780 shall be from the Nonimmigrant Agricultural Seasonal Worker Pilot Program Cash Fund created in Section 8-3.5-108, C.R.S.						
3	^b This amount shall be from contracts with other government agencies.						
4	^c This amount shall be from federal funds transferred to the Department of Labor and Employment from other state agencies.						
5	^d This amount shall be from donations.						
6	^e THIS AMOUNT SHALL BE FROM THE DEPARTMENT OF HUMAN SERVICES FROM THE ADDITIONAL FEDERAL FUNDING MADE AVAILABLE BY THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES						
7	EMERGENCY FUND PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.						
8							
9	(C) Labor Market Information						
10	Program Costs	2,043,331			11,509 ^a		2,031,822
11		1,980,826					1,969,317
12							(30.3 FTE)
13							
14	^a This amount shall be from the sale of publications.						
15							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1		96,967,411					
2		115,460,922					
3							
4	(3) DIVISION OF LABOR						
5	Program Costs	1,188,889			1,188,889 ^a		
6		1,154,149			1,154,149 ^a		
7					(15.0 FTE)		
8							
9	^a This amount shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S.						
10							
11	(4) DIVISION OF OIL AND PUBLIC SAFETY						
12	Personal Services	5,537,468					
13		5,592,427					
14		(78.3 FTE)					
15		(80.0 FTE)					

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Operating Expenses	481,881					
2		519,175					
3	Indirect Cost Assessment	956,399					
4		954,559					
5			6,975,748		6,397,084 ^a	19,161 ^b	559,503
6			7,066,161		6,491,018 ^a	19,050 ^b	556,093
7							

^a Of this amount, ~~\$3,425,686~~ \$3,408,261 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103 (1), C.R.S., ~~\$1,521,137~~ \$1,512,621 shall be from the Public Safety Inspection Fund created in Section 8-1-151, C.R.S., ~~\$1,089,109~~ \$1,083,859 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., ~~\$204,186~~ \$330,068 shall be from the Conveyance Safety Fund created in Section 9-5.5-111 (2) (b), C.R.S., and ~~\$156,966~~ \$156,209 shall be from the Liquefied Petroleum Gas Inspection Fund created in Section 8-20-206.5 (1) (e) (I), C.R.S.

^b This amount shall be from the Department of Public Health and Environment.

(5) DIVISION OF WORKERS' COMPENSATION

(A) Workers' Compensation

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1 Personal Services	6,905,283						
2	6,825,062						
3	(102.0 FTE)						
4 Operating Expenses	710,390						
5 Administrative Law Judge							
6 Services	2,610,443						
7 Physicians Accreditation	140,000						
8 Utilization Review	60,000						
9 Immediate Payment	10,000						
10	<u>10,436,116</u>				10,436,116*		
11	10,355,895				10,355,895 ^a		
12							

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	^a Of this amount, \$9,641,832 \$9,561,611 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7) (a), C.R.S., \$316,737 shall be from the Cost Containment						
2	Fund created in Section 8-14.5-108, C.R.S., \$267,547 shall be from the Workers' Compensation Self-Insurance Fund created in Section 8-44-202 (2), C.R.S., \$140,000 shall be from						
3	the Physicians Accreditation Program Cash Fund created in Section 8-42-101 (3.6) (1), C.R.S., \$60,000 shall be from the Utilization Review Cash Fund created in Section 8-43-501 (2)						
4	(a), C.R.S., and \$10,000 shall be from the Immediate Payment Fund created in Section 8-44-206 (3) (b) (I), C.R.S. Of this amount, \$200,000 is included for informational purposes only						
5	as the funds are continuously appropriated pursuant to Sections 8-42-101 (3.6) (1) and 8-43-501 (2) (a), C.R.S.						
6							
7	(B) Major Medical Insurance and Subsequent Injury Funds						
8	Personal Services	1,277,994			1,277,994 ^a		
9		1,247,305			1,247,305 ^a		
10					(16.0 FTE)		
11	Operating Expenses	88,324			88,324 ^a		
12	Major Medical Benefits	7,000,000			7,000,000 ^b		
13	Major Medical Legal						
14	Services for 100 hours	7,538			7,538 ^b		
15	Subsequent Injury Benefits	3,200,000			3,200,000 ^c		

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	Subsequent Injury Legal						
2	26,383				26,383 ^c		
3	6,000				6,000 ^d		
4	<u>11,606,239</u>						
5	11,575,550						
6							

7 ^a Of these amounts, ~~\$1,133,969~~ \$1,109,418 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S., and ~~\$232,349~~ \$226,211 shall be from the
8 Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S.

9 ^b These amounts shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S.

10 ^c These amounts shall be from the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S.

11 ^d This amount shall be from the Medical Disaster Insurance Fund created in Section 8-46-302 (1), C.R.S.

12							
13		22,042,355					
14		21,931,445					

15

		APPROPRIATION FROM					
	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
1	TOTALS PART IX						
2	(LABOR AND						
3	EMPLOYMENT)	\$157,606,006			\$61,347,716	\$1,612,070	\$94,646,220
4		\$175,863,596			\$61,209,404	\$12,832,151	\$101,822,041
5							

6 **FOOTNOTES** -- The following statements are referenced to the numbered footnotes throughout section 2.

7

8 34b DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF EMPLOYMENT AND TRAINING, UNEMPLOYMENT INSURANCE PROGRAMS, PROGRAM COSTS, SPECIAL

9 TRANSFER DISTRIBUTIONS FOR UNEMPLOYMENT INSURANCE WORKLOAD ASSISTANCE -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE \$7,549,591

10 APPROPRIATED OUT OF THE COLORADO UNEMPLOYMENT INSURANCE TRUST FUND, CREATED IN SECTION 8-77-102 (4), COLORADO REVISED STATUTES, FROM

11 MONEYS DISTRIBUTED IN ACCORDANCE WITH SECTION 903 (G) OF THE FEDERAL SOCIAL SECURITY ACT, TO THE COLORADO DEPARTMENT OF LABOR AND

12 EMPLOYMENT IN HOUSE BILL 10-1304 BE ALLOWED TO ROLL FORWARD TO FY 2010-11.

1 **SECTION 2.** Section 10 (1) and (2) of chapter 405, Session Laws
2 of Colorado 2009, are amended to read:

3 Section 10. **Appropriation.** (1) In addition to any other
4 appropriation, there is hereby appropriated, out of any moneys in the
5 unemployment compensation fund, created in section 8-77-101 (1) (a),
6 Colorado revised statutes, not otherwise appropriated, to the department
7 of labor and employment, for allocation to the division of employment
8 and training, for the fiscal year beginning July 1, 2009, the sum of two
9 hundred thirty-four thousand one hundred ninety-two dollars (\$234,192)
10 FEDERAL FUNDS, or so much thereof as may be necessary, for the
11 implementation of this act.

12 (2) In addition to any other appropriation, there is hereby
13 appropriated, out of the Colorado unemployment insurance trust fund,
14 created in section 8-77-102 (4), Colorado revised statutes, from moneys
15 distributed in accordance with Section 903 (g) of the federal Social
16 Security Act, not otherwise appropriated, to the department of labor and
17 employment, for allocation to the division of employment and training,
18 for regional workforce center outreach, for the fiscal year beginning July
19 1, 2009, the sum of five hundred thousand dollars (\$500,000) FEDERAL
20 FUNDS. This amount shall remain available until June 30, 2012.

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