

**NOTE: This bill has been prepared for the signature of the appropriate legislative officers and the Governor. To determine whether the Governor has signed the bill or taken other action on it, please consult the legislative status sheet, the legislative history, or the Session Laws.**

# An Act

HOUSE BILL 10-1304

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert, Stephens;  
also SENATOR(S) Keller, Tapia, White.

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

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

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

Section 2. **Appropriation.**

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART IX  
DEPARTMENT OF LABOR AND EMPLOYMENT**

**(1) EXECUTIVE DIRECTOR'S OFFICE**

Personal Services	13,022,715
	12,961,833
	(164.9 FTE)
Health, Life, and Dental	5,578,255
Short-term Disability	89,850
	89,243
S.B. 04-257 Amortization	
Equalization Disbursement	1,166,635
	1,158,808
S.B. 06-235 Supplemental	
Amortization Equalization	
Disbursement	729,146
	724,254
Shift Differential	26,300
Workers' Compensation	616,008
	581,591
Operating Expenses	1,555,442
Legal Services for 7,905	
hours	595,879
Purchase of Services from	
Computer Center	1,429,057
	1,379,297
Multiuse Network Payments	75,274
Management and	
Administration of OIT	118,340

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	101,565					
Payment to Risk Management and Property Funds	<del>90,416</del> 84,143					
Vehicle Lease Payments	<del>95,134</del>					
	96,635					
Leased Space	3,896,503					
Capitol Complex Leased Space	<del>36,149</del> 35,397					
Communication Services Payments	1,182					
Utilities	260,309					
Information Technology Asset Maintenance	553,627					
Statewide Indirect Cost Assessment	<u>495,382</u>					
	30,431,603			13,945,986 <sup>a</sup>	1,117,293 <sup>b</sup>	15,368,324
	30,250,919			13,864,635 <sup>a</sup>	1,096,369 <sup>b</sup>	15,289,915

<sup>a</sup> 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 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 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 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~~ \$1,601,842 shall be from various cash fund sources.

<sup>b</sup> 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 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 Environment.

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
<b>(2) DIVISION OF EMPLOYMENT AND TRAINING</b>							
<b>(A) Unemployment Insurance Programs</b>							
Program Costs COSTS <sup>34b</sup>	35,101,326				7,337,458 <sup>a</sup>		27,763,868
	42,513,686				7,356,578 <sup>a</sup>		35,157,108
	<del>(467.5 FTE)</del>						
	(467.9 FTE)						
Internet Self-Service	167,126				167,126 <sup>a</sup>		
					(2.5 FTE)		
	<u>35,268,452</u>						
	42,680,812						
<sup>a</sup> Of these amounts, <del>\$5,926,570</del> \$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 Fund created in Section 8-77-106 (1), <del>C.R.S.</del> C.R.S., AND \$44,879 SHALL BE FROM THE EMPLOYEE LEASING COMPANY CERTIFICATION FUND CREATED IN SECTION 8-70-114 (2) (g) (VI), C.R.S.							
<b>(B) Employment and Training Programs</b>							
State Operations	<del>15,522,908</del>				9,429,769 <sup>a</sup>	9,600 <sup>b</sup>	6,083,539
	13,979,485				9,405,404 <sup>a</sup>		4,564,481
					(93.8 FTE)	(0.1 FTE)	<del>(63.8 FTE)</del>
							(50.8 FTE)
One-Stop County Contracts	<del>7,694,007</del>						7,694,007
	9,164,335						9,164,335
							<del>(15.0 FTE)</del>
							(28.0 FTE)
Trade Adjustment Act Assistance	1,921,826						1,921,826
Workforce Investment Act	<del>33,180,871</del>				807,540 <sup>a</sup>		32,373,331
	33,156,506						32,348,966
							(60.0 FTE)

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Workforce Development Council	<del>466,016</del> 457,132					<del>466,016</del> <sup>c</sup> 457,132 <sup>c</sup> (4.0 FTE)	
Workforce Improvement Grants	870,000				20,000 <sup>d</sup>		850,000 (10.0 FTE)
TANF-SUPPORT SUBSIDIZED EMPLOYMENT	<u>11,250,000</u> 59,655,628					11,250,000 <sup>e</sup>	
	70,799,284						

<sup>a</sup> 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 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.

<sup>b</sup> This amount shall be from contracts with other government agencies.

<sup>c</sup> This amount shall be from federal funds transferred to the Department of Labor and Employment from other state agencies.

<sup>d</sup> This amount shall be from donations.

<sup>e</sup> THIS AMOUNT SHALL BE FROM THE DEPARTMENT OF HUMAN SERVICES FROM THE ADDITIONAL FEDERAL FUNDING MADE AVAILABLE BY THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES EMERGENCY FUND PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

**(C) Labor Market Information**

Program Costs	<del>2,043,331</del> 1,980,826				11,509 <sup>a</sup>		<del>2,031,822</del> 1,969,317 (30.3 FTE)
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<sup>a</sup> This amount shall be from the sale of publications.

~~96,967,411~~

115,460,922

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(3) DIVISION OF LABOR</b>						
Program Costs	1,188,889			1,188,889 <sup>a</sup>		
	1,154,149			1,154,149 <sup>a</sup>		(15.0 FTE)
<b>(4) DIVISION OF OIL AND PUBLIC SAFETY</b>						
Personal Services	<del>5,537,468</del>					
	5,592,427					
	(78.3 FTE)					
	(80.0 FTE)					
Operating Expenses	<del>481,881</del>					
	519,175					
Indirect Cost Assessment	<del>956,399</del>					
	954,559					
		6,975,748		6,397,084 <sup>a</sup>	19,161 <sup>b</sup>	559,503
		7,066,161		6,491,018 <sup>a</sup>	19,050 <sup>b</sup>	556,093

<sup>a</sup> This amount shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S.

<sup>a</sup> 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.

<sup>b</sup> This amount shall be from the Department of Public Health and Environment.

**(5) DIVISION OF WORKERS' COMPENSATION**

**(A) Workers' Compensation**

Personal Services	<del>6,905,283</del>
	6,825,062

APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(102.0 FTE)						
Operating Expenses	710,390						
Administrative Law Judge Services	2,610,443						
Physicians Accreditation	140,000						
Utilization Review	60,000						
Immediate Payment	10,000						
	<u>10,436,116</u>				10,436,116 <sup>a</sup>		
	10,355,895				10,355,895 <sup>a</sup>		

<sup>a</sup> 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 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 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) (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 as the funds are continuously appropriated pursuant to Sections 8-42-101 (3.6) (1) and 8-43-501 (2) (a), C.R.S.

**(B) Major Medical Insurance and Subsequent Injury Funds**

Personal Services	<del>1,277,994</del>			1,277,994 <sup>a</sup>
	1,247,305			1,247,305 <sup>a</sup>
				(16.0 FTE)
Operating Expenses	88,324			88,324 <sup>a</sup>
Major Medical Benefits	7,000,000			7,000,000 <sup>b</sup>
Major Medical Legal Services for 100 hours	7,538			7,538 <sup>b</sup>
Subsequent Injury Benefits	3,200,000			3,200,000 <sup>c</sup>
Subsequent Injury Legal Services for 350 hours	26,383			26,383 <sup>c</sup>
Medical Disaster	6,000			6,000 <sup>d</sup>
	<u>11,606,239</u>			
	11,575,550			

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

<sup>a</sup> 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 Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S.

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

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

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

22,042,355

21,931,445

**TOTALS PART IX  
(LABOR AND  
EMPLOYMENT)**

\$157,606,006

\$175,863,596

\$61,347,716

\$61,209,404

\$1,612,070

\$12,832,151

\$94,646,220

\$101,822,041

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

34b DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF EMPLOYMENT AND TRAINING, UNEMPLOYMENT INSURANCE PROGRAMS, PROGRAM COSTS, SPECIAL TRANSFER DISTRIBUTIONS FOR UNEMPLOYMENT INSURANCE WORKLOAD ASSISTANCE -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE \$7,549,591 APPROPRIATED OUT OF THE COLORADO UNEMPLOYMENT INSURANCE TRUST FUND, CREATED IN SECTION 8-77-102 (4), COLORADO REVISED STATUTES, FROM MONEYS DISTRIBUTED IN ACCORDANCE WITH SECTION 903 (G) OF THE FEDERAL SOCIAL SECURITY ACT, TO THE COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT IN HOUSE BILL 10-1304 BE ALLOWED TO ROLL FORWARD TO FY 2010-11.



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

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

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

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

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Terrance D. Carroll  
SPEAKER OF THE HOUSE  
OF REPRESENTATIVES

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Brandon C. Shaffer  
PRESIDENT OF  
THE SENATE

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Marilyn Eddins  
CHIEF CLERK OF THE HOUSE  
OF REPRESENTATIVES

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Karen Goldman  
SECRETARY OF  
THE SENATE

APPROVED \_\_\_\_\_

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Bill Ritter, Jr.  
GOVERNOR OF THE STATE OF COLORADO