

## CHAPTER 187

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**LABOR AND INDUSTRY**


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**HOUSE BILL 16-1267**

BY REPRESENTATIVE(S) Lee and Fields, Duran, Carver, Danielson, Esgar, Ginal, Hamner, Lontine, Melton, Mitsch Bush, Moreno, Pettersen, Priola, Rosenthal, Ryden, Salazar, Williams, Young, Hullinghorst, Arndt, Court, Kraft-Tharp, Lebsack, McCann, Pabon, Primavera, Roupe, Singer, Vigil;  
 also SENATOR(S) Woods and Carroll, Cadman, Aguilar, Crowder, Donovan, Garcia, Grantham, Heath, Hill, Hodge, Johnston, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Newell, Roberts, Scheffel, Steadman, Tate, Todd, Ulibarri.

**AN ACT**

**CONCERNING THE "COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM", AND, IN CONNECTION THEREWITH, CREATING A GRANT PROGRAM THROUGH THE DEPARTMENT OF LABOR AND EMPLOYMENT TO AID WORK FORCE CENTERS IN SUPPORTING VETERANS AND THEIR SPOUSES SEEKING NEW EMPLOYMENT AND CAREERS, AND MAKING AN APPROPRIATION.**

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

**SECTION 1.** In Colorado Revised Statutes, **add** part 2 to article 14.3 of title 8 as follows:

**PART 2  
 COLORADO VETERANS' SERVICE-TO-CAREER  
 PILOT PROGRAM**

**8-14.3-201. Short title.** THE SHORT TITLE OF THIS PART 2 IS THE "COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM".

**8-14.3-202. Definitions.** AS USED IN THIS PART 2, UNLESS THE CONTEXT OTHERWISE REQUIRES:

(1) "ACT" MEANS THE "WORKFORCE INNOVATION AND OPPORTUNITY ACT", PUB.L. 113-128.

(2) "APPRENTICESHIP" MEANS AN APPRENTICESHIP TRAINING PROGRAM REGISTERED WITH THE UNITED STATES DEPARTMENT OF LABOR OFFICE OF APPRENTICESHIP TRAINING.

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*Capital letters indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.*

(3) "DEPARTMENT" MEANS THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(4) "ELIGIBLE PARTICIPANT" MEANS:

(a) A VETERAN'S DEPENDENT CHILD WHO IS TWENTY-SIX YEARS OF AGE OR YOUNGER AND LIVES IN THE HOME OF THE VETERAN; AND

(b) A VETERAN'S CAREGIVER WHO IS EIGHTEEN YEARS OF AGE OR OLDER AND HAS SIGNIFICANT RESPONSIBILITY FOR MANAGING THE WELL-BEING OF AN INJURED VETERAN.

(5) "INTEGRATED SERVICE AND SUPPORT CENTER" MEANS A NONPROFIT CENTER THAT IS AFFILIATED WITH A WORK FORCE CENTER AND VETERANS SERVICE OFFICERS OR PROVIDES FINANCIAL CLASSES OR HOUSES A SMALL BUSINESS DEVELOPMENT CENTER.

(6) "PROGRAM" MEANS THE COLORADO VETERANS' SERVICE TO CAREER PILOT PROGRAM THAT IS DESIGNED TO ENHANCE WORK FORCE CENTER SERVICES THAT ARE NOT AVAILABLE UNDER THE ACT.

(7) "SPOUSE" MEANS A VETERAN'S CURRENT SPOUSE OR FORMER SPOUSE WHO IS CURRENTLY ELIGIBLE FOR VETERANS BENEFITS.

(8) "VETERAN" MEANS A PERSON WHO ACTIVELY SERVED IN THE UNITED STATES ARMED FORCES AND WHO WAS DISCHARGED OR RELEASED UNDER CONDITIONS OTHER THAN DISHONORABLE, IN ACCORDANCE WITH U.S.C. TITLE 38, AS AMENDED. "VETERAN" INCLUDES A PERSON SERVING OR WHO SERVED IN THE NATIONAL GUARD OR AS A RESERVIST.

(9) "WORK FORCE CENTER" MEANS A WORK FORCE CENTER CREATED BY A WORK FORCE INVESTMENT BOARD PURSUANT TO THE "COLORADO WORK FORCE INVESTMENT ACT", PART 2 OF ARTICLE 83 OF THIS TITLE.

**8-14.3-203. Colorado veterans' service to career pilot program.** (1) ONE OR MORE WORK FORCE CENTERS SELECTED BY THE DEPARTMENT PURSUANT TO THE GRANT PROGRAM DEVELOPED BY THE DEPARTMENT IN SUBSECTION (4) OF THIS SECTION MAY CONTRACT WITH A NONPROFIT AGENCY TO ADMINISTER THE PROGRAM. WORK FORCE CENTERS SELECTED BY THE DEPARTMENT AND THE NONPROFIT AGENCY SHALL DEVELOP AND EXPAND PROGRAMS TO PROVIDE WORK FORCE DEVELOPMENT-RELATED SERVICES SPECIFICALLY TAILORED TO THE UNIQUE NEEDS AND TALENTS OF VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS. THE SERVICES MAY INCLUDE:

(a) SKILLS TRAINING;

(b) OPPORTUNITIES FOR APPRENTICESHIP PLACEMENTS, INCLUDING AN APPRENTICESHIP THAT ALLOWS FOR DIRECT ENTRY OF VETERANS PURSUANT TO 38 U.S.C. SEC. 4104A;

(c) OPPORTUNITIES FOR INTERNSHIP PLACEMENTS FOR A SPECIFIED AND LIMITED

TIME PERIOD AS LONG AS THE TASKS PERFORMED BY THE INTERN DO NOT REPLACE THE TASKS CURRENTLY PERFORMED BY A PAID CONTRACTOR OR EMPLOYEE;

(d) OPPORTUNITIES FOR WORK PLACEMENTS WITH BUSINESSES OR OTHER ORGANIZATIONS; AND

(e) SUPPORT SERVICES, AS NEEDED.

(2) (a) IF AN INTERNSHIP, AS ALLOWABLE UNDER THE ACT, IS NOT FULLY FUNDED BY THE EMPLOYER, THE EMPLOYER AND THE WORK FORCE CENTER SHALL SHARE THE COST OF THE HOURLY WAGE OR STIPEND FOR THE VETERAN, SPOUSE, OR ELIGIBLE PARTICIPANT, AS DETERMINED BY THE WORK FORCE CENTER AND AS PERMITTED UNDER STATE AND FEDERAL LAW.

(b) IF A VETERAN, SPOUSE, OR ELIGIBLE PARTICIPANT IS ELIGIBLE FOR FUNDING THROUGH THE ACT, THIS FUNDING MUST BE USED FIRST. IF FUNDING IS NOT AVAILABLE OR IS LIMITED UNDER THE ACT, THE VETERAN, SPOUSE, OR ELIGIBLE PARTICIPANT MAY USE PROGRAM FUNDING.

(3) THE WORK FORCE CENTERS SELECTED BY THE DEPARTMENT AND THE NONPROFIT AGENCY ARE ENCOURAGED TO ADDITIONALLY PROVIDE SERVICES THAT INCLUDE:

(a) JOB FAIRS;

(b) MENTORSHIP OPPORTUNITIES WITH PROFESSIONALS;

(c) PROFESSIONAL AND INDUSTRY-SPECIFIC SEMINARS;

(d) CAREER AND PROFESSIONAL COUNSELING; AND

(e) COUNSELING ON EDUCATIONAL AND SKILLS TRAINING OPPORTUNITIES AVAILABLE TO VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS.

(4) THE DEPARTMENT SHALL DEVELOP A GRANT PROGRAM SO THAT WORK FORCE CENTERS MAY APPLY FOR MONEY TO ADMINISTER THE PROGRAM. EACH WORK FORCE CENTER THAT WISHES TO ADMINISTER THE GRANT PROGRAM MUST SUBMIT A GRANT APPLICATION THAT:

(a) DESCRIBES THE CURRENT SERVICES THAT THE WORK FORCE CENTER OFFERS;

(b) STATES HOW THE GRANT MONEY WOULD ENABLE THE WORK FORCE CENTER TO EXPAND ITS SERVICES FOR THE PURPOSES OF THE PROGRAM;

(c) DESCRIBES BUSINESSES OR OTHER ORGANIZATIONS IT IS PARTNERING WITH TO PROVIDE THE NECESSARY SERVICES; AND

(d) ANY OTHER REQUIREMENTS DEEMED NECESSARY BY THE DEPARTMENT.

(5) IN SELECTING WORK FORCE CENTERS TO ADMINISTER THE PROGRAM, THE DEPARTMENT SHALL GIVE PREFERENCE TO A WORK FORCE CENTER THAT:

(a) PARTNERS WITH A NONPROFIT AGENCY THAT IS AN INTEGRATED SERVICE AND SUPPORT CENTER FOR VETERANS AND THEIR FAMILIES;

(b) IS LOCATED IN THE STATE OF COLORADO, IN ORDER TO SERVE THE HIGHEST NUMBER OF VETERANS;

(c) HAS EXISTING PROGRAMS OR PARTNERSHIPS WITH BUSINESSES OR ORGANIZATIONS IN THE COMMUNITY TO PROVIDE SERVICES APPROPRIATE TO THE PROGRAM; AND

(d) HAS THE CAPACITY TO PROVIDE A WIDE RANGE OF WORK FORCE DEVELOPMENT-RELATED SERVICES TAILORED TO THE UNIQUE NEEDS OF VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS.

(6) EACH WORK FORCE CENTER CHOSEN TO RECEIVE A GRANT SHALL USE THE MONEY FOR DIRECT SERVICES TO VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS. EACH WORK FORCE CENTER CHOSEN TO RECEIVE A GRANT SHALL REPORT ON THE SERVICES OFFERED; VETERAN, SPOUSE, AND ELIGIBLE PARTICIPANT PARTICIPATION; THE PROGRAM'S SUCCESS MEASURED THROUGH GAINFUL EMPLOYMENT AND PARTICIPATION IN SKILLS TRAINING OR EDUCATIONAL PROGRAMS OF VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS; AND ANY OTHER REQUIREMENTS THAT THE DEPARTMENT DEEMS NECESSARY. THE REPORTS SHALL BE MADE TO THE DEPARTMENT, WHICH SHALL RELAY ALL INFORMATION FROM THE REPORTS ANNUALLY TO THE STATE, VETERANS, AND MILITARY AFFAIRS COMMITTEES OF THE HOUSE OF REPRESENTATIVES AND THE SENATE OR TO THEIR SUCCESSOR COMMITTEES.

**8-14.3-204. Appropriation.** FOR THE FISCAL YEAR BEGINNING ON JULY 1, 2016, THE GENERAL ASSEMBLY MAY ANNUALLY APPROPRIATE MONEY FROM THE MARIJUANA TAX CASH FUND CREATED IN SECTION 39-28.8-501, C.R.S., TO THE DEPARTMENT TO BE USED FOR THE PROGRAM. THE CASH FUND CREATED IN SECTION 39-28.8-501, C.R.S., DEPARTMENT MAY USE UP TO FIVE PERCENT OF ANY MONEY APPROPRIATED BY THE GENERAL ASSEMBLY FOR DEVELOPMENT AND ADMINISTRATIVE COSTS INCURRED BY THE DEPARTMENT PURSUANT TO THIS SECTION. UP TO SEVEN PERCENT OF THE MONEY MAY ALSO BE USED BY THE WORK FORCE CENTER FOR ADMINISTRATIVE COSTS INCURRED BY THE WORK FORCE CENTER AND THE NONPROFIT AGENCY TO IMPLEMENT AND OPERATE THE PROGRAM.

**8-14.3-205. Repeal of part.** THIS PART 2 IS REPEALED, EFFECTIVE JANUARY 1, 2019.

**SECTION 2.** In Colorado Revised Statutes, 8-14.3-101, **amend** the introductory portion as follows:

**8-14.3-101. Definitions.** As used in this ~~article~~ PART 1, unless the context otherwise requires:

**SECTION 3.** In Colorado Revised Statutes, **amend** 8-14.3-103 as follows:

**8-14.3-103. Repeal of article.** This ~~article~~ PART 1 is repealed, effective January 1, 2018.

**SECTION 4.** In Colorado Revised Statutes, 39-28.8-501, **amend** (2) (b) (IV) introductory portion, (2) (b) (IV) (J), and (2) (b) (IV) (K); and **add** (2) (b) (IV) (L) as follows:

**39-28.8-501. Marijuana tax cash fund - creation - distribution - repeal.** (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any ~~moneys~~ MONEY in the fund for any fiscal year following the fiscal year in which they were received by the state for the following purposes:

(J) For the start-up expenses of the division of financial services related to the regulation of marijuana financial services cooperatives pursuant to article 33 of title 11, C.R.S., until the state commissioner of financial services first collects assessments on such cooperatives; ~~and~~

(K) Grants to local governments for documented retail marijuana impacts through the local government retail marijuana impact grant program created in section 24-32-117, C.R.S.; AND

(L) FOR THE COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM CREATED IN PART 2 OF ARTICLE 14.3 OF TITLE 8, C.R.S.

**SECTION 5. Appropriation.** For the 2016-17 state fiscal year, \$500,000 is appropriated to the department of labor and employment for use by the division of employment and training. This appropriation is from the marijuana tax cash fund created in section 39-28.8-501 (1), C.R.S., and is based on an assumption that the division will require an additional 0.2 FTE. To implement this act, the division may use this appropriation for the veterans' service-to-career pilot program.

**SECTION 6. Act subject to petition - effective date.** This act takes effect at 12:01 a.m. on the day following the expiration of the ninety-day period after final adjournment of the general assembly (August 10, 2016, if adjournment sine die is on May 11, 2016); except that, if a referendum petition is filed pursuant to section 1 (3) of article V of the state constitution against this act or an item, section, or part of this act within such period, then the act, item, section, or part will not take effect unless approved by the people at the general election to be held in November 2016 and, in such case, will take effect on the date of the official declaration of the vote thereon by the governor.

Approved: May 20, 2016