

CHAPTER 242

LABOR AND INDUSTRY

HOUSE BILL 18-1343

BY REPRESENTATIVE(S) Lee and Carver, Valdez, Danielson, Landgraf, Duran, Covarrubias, Kraft-Tharp, Liston, Lundeen, Melton, Pabon, Becker K., Bridges, Buckner, Coleman, Esgar, Exum, Ginal, Gray, Hamner, Herod, Hooton, Kennedy, Lontine, McLachlan, Michaelson Jenet, Pettersen, Rankin, Roberts, Rosenthal, Salazar, Singer, Weissman, Winter, Young, Wilson; also SENATOR(S) Lambert and Todd, Garcia, Coram, Crowder, Donovan, Fields, Gardner, Hill, Jones, Kefalas, Kerr, Martinez Humenik, Merrifield, Moreno, Tate, Williams A., Zenzinger, Grantham.

AN ACT

CONCERNING THE CONTINUATION OF THE "COLORADO VETERANS' SERVICE-TO-CAREER PROGRAM", AND, IN CONNECTION THEREWITH, MAKING AN APPROPRIATION.

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

SECTION 1. In Colorado Revised Statutes, **amend** 8-14.3-201 as follows:

8-14.3-201. Short title. The short title of this part 2 is the "Colorado Veterans' Service-to-career ~~Pilot~~ Program".

SECTION 2. In Colorado Revised Statutes, **add** 8-14.3-201.5 as follows:

8-14.3-201.5. Legislative declaration. (1) THE GENERAL ASSEMBLY FINDS, DETERMINES, AND DECLARES THAT:

(a) THE PILOT PROGRAM ENACTED IN HOUSE BILL 16-1267, WHICH CREATED THE COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM THAT AUTHORIZED NONPROFIT AGENCIES TO PARTNER WITH WORK FORCE CENTERS SELECTED BY THE DEPARTMENT TO PROVIDE VETERANS AND OTHER ELIGIBLE PARTICIPANTS WITH SKILLS TRAINING, INTERNSHIPS, WORK PLACEMENTS, MENTORSHIP OPPORTUNITIES, CAREER AND PROFESSIONAL COUNSELING, AND SUPPORT SERVICES, HAS BEEN SUCCESSFUL IN INCREASING THE EMPLOYMENT RATES FOR VETERANS, VETERANS' SPOUSES, AND ELIGIBLE PARTICIPANTS; AND

(b) THE SERVICES OFFERED THROUGH THE PILOT PROGRAM WERE DESIGNED TO ENHANCE WORK FORCE CENTER SERVICES NOT AVAILABLE UNDER THE FEDERAL ACT.

Capital letters or bold & italic numbers indicate new material added to existing statutes; dashes through words indicate deletions from existing statutes and such material not part of act.

(2) THE GENERAL ASSEMBLY FURTHER FINDS, DETERMINES, AND DECLARES THAT THE COLORADO VETERANS' SERVICE-TO-CAREER PILOT PROGRAM SHOULD CONTINUE AS A PROGRAM WHOSE GOAL IS TO ASSIST VETERANS, SPOUSES, AND ELIGIBLE PARTICIPANTS IN SEEKING, OBTAINING, AND RETAINING EMPLOYMENT.

SECTION 3. In Colorado Revised Statutes, 8-14.3-202, **amend** (1), (4), (5), (6), and (9); and **add** (5.5) and (8.5) as follows:

8-14.3-202. Definitions. As used in this part 2, unless the context otherwise requires:

(1) "Act" means the FEDERAL "Workforce Innovation and Opportunity Act", Pub.L. 113-128.

(4) "Eligible participant" means A:

(a) VETERAN;

(b) VETERAN'S SPOUSE;

~~(a)~~(c) ~~A~~ Veteran's dependent child who is twenty-six years of age or younger and lives in the home of the veteran; ~~and~~

~~(b)~~(d) ~~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; AND

(e) PERSON WHO IS ACTIVELY SERVING IN THE UNITED STATES ARMED FORCES AND WHO IS WITHIN SIX MONTHS OF BEING DISCHARGED UNDER CONDITIONS OTHER THAN DISHONORABLE OR A MEMBER OF THE NATIONAL GUARD OR MILITARY RESERVES WHO HAS COMPLETED INITIAL ENTRY TRAINING.

(5) "Integrated service and support center" means a nonprofit center that is affiliated with a work force center and veterans service offices ~~or provides financial classes or houses a small business development center~~ IN A CENTRALIZED LOCATION WHERE GOVERNMENT AGENCIES, NONPROFIT ORGANIZATIONS, AND OTHER ENTITIES COLLABORATE TO PROVIDE SERVICES TO ELIGIBLE PARTICIPANTS. SERVICES OFFERED MAY INCLUDE ASSISTANCE FOR ELIGIBLE PARTICIPANTS IN SECURING FEDERAL BENEFITS, COUNSELING SERVICES, EMPLOYMENT SUPPORT, EDUCATION, LIFE SKILLS, AND WELLNESS SUPPORT.

(5.5) "INTERNSHIP" MEANS A TRAINING PROGRAM WITH A BUSINESS OR NONPROFIT ORGANIZATION DURING WHICH THE ELIGIBLE PARTICIPANT RECEIVES SKILLS TRAINING THAT COULD RESULT IN FUTURE EMPLOYMENT IN THAT SECTOR OR INDUSTRY.

(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~~ CREATED IN THIS PART 2.

(8.5) "WORK-BASED LEARNING" MEANS A CONTINUUM OF ACTIVITIES THAT

OCCUR, IN PART OR IN WHOLE, IN THE WORKPLACE, PROVIDING THE LEARNER WITH HANDS-ON, REAL-WORLD WORK EXPERIENCE.

(9) (a) "Work force center" means a work force center created by a work force investment DEVELOPMENT board pursuant to the "Colorado Work Force Investment CAREER ADVANCEMENT Act", part 2 of article 83 of this title 8.

(b) FOR PURPOSES OF A GRANT APPLICATION UNDER SECTION 8-14.3-203, "WORK FORCE CENTER" ALSO INCLUDES A NONPROFIT ENTITY THAT:

- (I) HAS A PRIMARY FOCUS OF SERVING VETERANS; AND
- (II) JOINS WITH THE WORK FORCE CENTER TO SUBMIT A JOINT APPLICATION.

SECTION 4. In Colorado Revised Statutes, 8-14.3-203, **amend** (1) introductory portion, (1)(b), (2), (3)(e), (4), (5), and (6); and **add** (1.5) as follows:

8-14.3-203. Colorado veterans' service-to-career program - report. (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:

(b) Opportunities for apprenticeship OR INTERNSHIP placements, including an ~~apprenticeship~~ INTERNSHIP that allows for direct entry of ~~veterans pursuant to 38 U.S.C. sec. 4104A~~ ELIGIBLE PARTICIPANTS;

(1.5) THE DEPARTMENT SHALL COLLABORATE WITH STAKEHOLDERS AND, IF FEASIBLE, DEVELOP A GRANT APPLICATION FORM BY MARCH 1, 2019, SO THAT A NONPROFIT AGENCY MAY SUBMIT ONE APPLICATION FOR MULTIPLE SERVICE CENTERS EFFECTIVE WITH THE FISCAL YEAR 2019-20 GRANT CYCLE.

(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~~ MAY 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~~ AN eligible participant is eligible for funding through the act, this funding must be used first. If funding is not available or is limited OR IF THE USE OF FUNDS IS NOT ALLOWABLE 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:

(e) Counseling on educational and skills training opportunities available to ~~veterans, spouses, and~~ eligible participants.

(4) The department shall develop a grant ~~program~~ PROCESS 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 AND DEMONSTRATES THAT THOSE SERVICES:

(I) DO NOT DUPLICATE SERVICES CURRENTLY PROVIDED UNDER THE FEDERAL ACT; AND

(II) WILL COMPLEMENT OTHER SERVICES OFFERED UNDER THE PROGRAM;

(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.~~ EXPLAINS HOW THE SERVICES WILL BE TAILORED OR SPECIFICALLY MARKETED TO ANY SUBGROUP OF ELIGIBLE PARTICIPANTS, INCLUDING:

(I) ELIGIBLE PARTICIPANTS WITH SIGNIFICANT BARRIERS TO EMPLOYMENT, INCLUDING THOSE SPECIFIED IN 38 U.S.C. SEC. 4100 ET SEQ., SUCH AS VETERANS WITH BAD CONDUCT DISCHARGES;

(II) VETERANS EXPERIENCING HOMELESSNESS;

(III) VIETNAM-ERA VETERANS WHO SERVED FOR MORE THAN ONE HUNDRED DAYS BETWEEN 1965 AND 1975;

(IV) ELIGIBLE PARTICIPANTS EXPERIENCING ADDICTION;

(V) NATIONAL GUARD AND MILITARY RESERVE VETERANS; AND

(VI) VETERANS WHO ARE NOT ABLE TO ENROLL UNDER THE FEDERAL ACT OR WHO ARE ENROLLED UNDER THE FEDERAL ACT BUT COULD BENEFIT FROM GREATER SUPPORT; AND

(e) ADDRESSES ANY OTHER REQUIREMENTS THE DEPARTMENT DEEMS NECESSARY.

(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~~ AN 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~~ ELIGIBLE PARTICIPANTS;

(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) (a) 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 BY EACH SUBGROUP OF ELIGIBLE PARTICIPANTS; 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. NOTWITHSTANDING SECTION 24-1-136 (1)(a)(I), the ~~reports~~ WORK FORCE CENTER shall ~~be made~~ SUBMIT THE REPORT 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.

(b) THE DEPARTMENT SHALL DEVELOP AN EVALUATION METHODOLOGY TO MEASURE PROGRAM OUTCOMES AND EFFECTIVENESS PRIOR TO INITIATING THE BID PROCESS FOR AWARDING GRANTS. TO THE EXTENT FEASIBLE, THE EVALUATION PROCESS MUST ENABLE A COMPARISON BETWEEN PROGRAMS SERVING SIMILAR POPULATIONS. IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT AWARD THE GRANTS NO LATER THAN JANUARY 1, 2019. THE GRANT PERIOD MAY BE EXTENDED FOR ONE YEAR SUBJECT TO MONEY APPROPRIATED BY THE GENERAL ASSEMBLY. THE GRANT AWARD MUST INCLUDE DATA TRACKING REQUIREMENTS THAT WILL BE USED TO MEASURE OUTCOMES AND EFFECTIVENESS.

(c) ANY UNSPENT MONEY REMAINING IN THE DEPARTMENT'S FISCAL YEAR 2017-18 APPROPRIATION FOR ADMINISTRATIVE COSTS MAY BE USED FOR THE PURPOSE OF DESIGNING AN EVALUATION METHODOLOGY OR CONTRACTING OUT THE DESIGN. ANY UNSPENT MONEY FOR DIRECT PROGRAM SERVICES REMAINING AS OF JUNE 30, 2018, MAY BE USED BY THE PROGRAMS IN EFFECT AS OF JUNE 30, 2018, FOR THE FISCAL YEAR STARTING JULY 1, 2018. UNSPENT MONEY AVAILABLE AT THE END OF EACH FISCAL YEAR ROLLS OVER TO THE NEXT FISCAL YEAR TO BE SPENT IN THAT YEAR.

(d) IN ANALYZING AND REPORTING ON THE PERFORMANCE DATA DESCRIBED IN SUBSECTIONS (6)(a) AND (6)(b) OF THIS SECTION, THE DEPARTMENT SHALL SEPARATELY ACCOUNT FOR DATA PERTAINING TO SIGNIFICANT BARRIERS TO EMPLOYMENT.

SECTION 5. In Colorado Revised Statutes, **amend** 8-14.3-204 as follows:

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 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; EXCEPT THAT THIS FIVE-PERCENT LIMITATION DOES NOT APPLY TO ANY CONTRACT THE DEPARTMENT ENTERS INTO IN CONNECTION WITH AN EVALUATION OF THE PROGRAM PURSUANT TO SECTION 8-14.3-203 (6). Up to ~~seven~~ EIGHT 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.

SECTION 6. In Colorado Revised Statutes, **amend** 8-14.3-205 as follows:

8-14.3-205. Repeal of part. This part 2 is repealed, effective ~~January 1, 2019~~
JANUARY 1, 2024.

SECTION 7. In Colorado Revised Statutes, 39-28.8-501, **amend** (2)(b)(IV)(L)
as follows:

39-28.8-501. Marijuana tax cash fund - creation - distribution - legislative declaration. (2) (b) (IV) Subject to the limitation in subsection (5) of this section, the general assembly may annually appropriate any money in the fund for any fiscal year following the fiscal year in which it was received by the state for the following purposes:

(L) For the Colorado veterans' service-to-career ~~pilot~~ program created in part 2 of article 14.3 of title 8;

SECTION 8. Appropriation. For the 2018-19 state fiscal year, \$1,000,000 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 0.5 FTE. To implement this act, the division may use this appropriation for the Colorado veterans' service-to-career program.

SECTION 9. Effective date. This act takes effect July 1, 2018.

SECTION 10. 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.

Approved: May 24, 2018