

CHAPTER 362

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**APPROPRIATIONS**

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HOUSE BILL 02-1374

BY REPRESENTATIVE(S) Young, Berry, and Saliman;  
also SENATOR(S) Reeves, Tate, and Owen.

**AN ACT**

**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 363, Session Laws of Colorado 2001, and the said Part IX (3) (A) and the affected totals of Part IX as amended by sections 2 and 3 of chapter 308, Session Laws of Colorado 2001, are amended to read:

Section 2. **Appropriation.**

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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.*

## Appropriations

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

## PART IX

## DEPARTMENT OF LABOR AND EMPLOYMENT

**(1) EXECUTIVE DIRECTOR'S OFFICE<sup>150</sup>**

Personal Services	10,063,052
	(165.4 FTE)
Health, Life, and Dental	<del>1,982,818</del>
	1,964,084
Short-term Disability	30,097
Salary Survey and Senior Executive Service	2,624,318
Anniversary Increases	485,218
Shift Differential	15,679
Workers' Compensation	<del>412,697</del>
	392,810
Operating Expenses <sup>151</sup>	1,583,557
Legal Services for 7,694 hours	449,560
Purchase of Services from Computer Center	<del>1,882,568</del>
	1,405,824

Payment to Risk Management and Property Funds	<del>73,999</del>				
	43,976				
Vehicle Lease Payments	<del>154,150</del>				
	123,592				
Leased Space	2,984,685				
Capitol Complex Leased Space	<del>21,401</del>				
	21,611				
Utilities	164,959				
Information Technology Asset Maintenance <sup>152</sup>	1,253,348				
Statewide Indirect Cost Assessment	<u>865</u>				
		<del>24,182,971</del>	<del>8,204,419<sup>a</sup></del>	<del>1,234,341<sup>b</sup></del>	<del>14,744,211</del>
		23,607,235	8,040,092 <sup>a</sup>	1,201,723 <sup>b</sup>	14,365,420

<sup>a</sup> Of this amount, an estimated ~~\$3,910,427~~ \$3,832,105 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112(7), C.R.S., an estimated ~~\$2,795,128~~ \$2,739,144 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., an estimated ~~\$627,224~~ \$619,661 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., an estimated ~~\$299,760~~ \$293,756 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109, C.R.S., and ~~\$571,880~~ \$555,426 shall be from other cash fund sources within the Department.

<sup>b</sup> Of this amount, ~~\$265,175(T)~~ \$258,168(T) shall be from statewide indirect cost recoveries, ~~\$587,079~~ \$571,565 shall be from reserves in the Major Medical Insurance Fund pursuant to Section 8-46-202, C.R.S., and the Subsequent Injury Fund pursuant to Section 8-46-101, C.R.S., ~~\$220,735~~ \$214,902 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103 C.R.S., ~~\$155,661~~ \$151,548 shall be from reserves in the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S., ~~\$4,552(T)~~ \$4,432(T) shall be from the Department of Public Health and Environment, and ~~\$1,139(T)~~ \$1,108(T) shall be from the Department of Human Services.

**(2) DIVISION OF EMPLOYMENT AND TRAINING**

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## Appropriations

## APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(A) Unemployment Insurance Programs</b>						
Program Costs	20,193,074 (379.0 FTE)					
Statewide Indirect Cost Assessment	502,363					
	<u>20,695,437</u>			1,005,787 <sup>a</sup>		19,689,650

<sup>a</sup> Of this amount, \$922,787 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., and \$83,000 shall be from the sale of transcripts.

**(B) Unemployment Insurance Fraud Program<sup>153</sup>**

Program Costs	1,127,115 (20.0 FTE)					
Statewide Indirect Cost Assessment	6,923					
	<u>1,134,038</u>			463,965 <sup>a</sup>	670,073 <sup>b</sup>	

<sup>a</sup> This amount shall be from the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S.

<sup>b</sup> This amount shall be from reserves in the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S.

**(C) Employment and Training Programs**

State Operations <sup>154</sup>	8,928,396			5,754,576 <sup>a</sup> (66.0 FTE)	35,885(T) <sup>b</sup> (0.7 FTE)	3,137,935 (73.7 FTE)
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One-Stop County Contracts	6,920,161		6,920,161 (51.9 FTE)
Trade Adjustment Act Assistance	2,300,000		2,300,000
Workforce Investment Act	21,929,650		21,929,650 (40.0 FTE)
Welfare-to-Work Block Grant <sup>155, 156</sup>	15,854,645		15,854,645(M) <sup>c</sup>
Statewide Indirect Cost Assessment	<u>162,561</u>	31,238 <sup>d</sup>	131,323
	56,095,413		

<sup>a</sup> Of this amount, \$5,642,691 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., \$101,319 shall be from the Displaced Homemakers Fund pursuant to Section 8-15.5-108, C.R.S., \$10,566 shall be from the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S.

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

<sup>c</sup> This amount shall be from the Welfare-to-Work Block Grant.

<sup>d</sup> This amount shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S.

**(D) Labor Market Information**

Program Costs	2,129,888	11,626 <sup>a</sup>	2,118,262 (39.5 FTE)
Statewide Indirect Cost Assessment	<u>19,902</u>		19,902
	2,149,790		

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APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	80,074,678					
<b>(3) DIVISION OF LABOR</b>						
<b>(A) Administration, Statistics, and Labor Standards</b>						
Personal Services	694,610					
	(11.5 FTE)					
Operating Expenses	61,822					
Administrative Law						
Judge Services for 54 hours	6,217					
Welfare Reform <sup>157</sup>	95,117					
	(2.0 FTE)					
LABOR STANDARDS						
INFORMATION SYSTEM	90,000					
	<u>857,766</u>			437,947 <sup>a</sup>		419,819(T) <sup>b</sup>
	947,766			527,947 <sup>a</sup>		

<sup>a</sup> This amount shall be from the employment support fund.

<sup>b</sup> This amount shall be from statewide indirect cost recoveries.

**(B) Public Safety and Inspection Programs**

Personal Services	3,253,218			
	(57.3 FTE)			
Operating Expenses	342,845			
Statewide Indirect Cost Assessment	<u>34,209</u>			
	3,630,272	2,331,802 <sup>a</sup>	761,037 <sup>b</sup>	537,433

<sup>a</sup> Of this amount, \$1,449,256 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$771,114 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109, C.R.S., and \$111,432 shall be from the Public Safety Inspection Fund pursuant to Section 8-1-151, C.R.S.

<sup>b</sup> Of this amount, \$437,947(T) shall be from indirect cost recoveries, \$315,140 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., and \$7,950(T) shall be from the Department of Public Health and Environment.

~~4,488,038~~  
4,578,038

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

**(A) Workers' Compensation<sup>158</sup>**

Personal Services	5,482,720
	(106.4 FTE)
Operating Expenses	619,781
Administrative Law	
Judge Services for	
<del>21,160</del> 21,960 hours	<del>2,065,979</del>
	2,329,301
Physicians Accreditation	122,096
Utilization Review	76,000
Immediate Payment	10,000

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Statewide Indirect Cost Assessment	341,968					
	<u>8,718,544</u>			8,435,714 <sup>a</sup>	282,830 <sup>b</sup>	
	8,981,866			8,699,036 <sup>a</sup>		

<sup>a</sup> Of this amount, ~~\$7,896,193~~ \$8,159,425 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112(7), C.R.S., \$212,411 shall be from the Workers' Compensation Self-Insurance Fund pursuant to Section 8-44-202, C.R.S., \$122,096 shall be from the Physicians Accreditation Program Cash Fund pursuant to Section 8-42-101(3.6)(1), C.R.S., \$64,500 shall be from the Utilization Review Cash Fund pursuant to Section 8-43-501, C.R.S., and \$140,604 shall be from the Cost Containment Fund pursuant to Section 8-14.5-108, C.R.S. Of this amount, \$186,596 is shown for the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Sections 8-42-101(3.6)(1), and 8-43-501(2), C.R.S.

<sup>b</sup> Of this amount, \$181,298 shall be from reserves in the Workers' Compensation Cash Fund pursuant to Section 8-44-112(7), C.R.S., \$76,221 shall be from reserves in the Cost Containment Fund pursuant to Section 8-14.5-108, C.R.S., \$11,500 shall be from reserves in the Utilization Review Cash Fund pursuant to Section 8-43-501, C.R.S., \$10,000 shall be from the Immediate Payment Fund pursuant to Section 8-44-206, C.R.S., and \$3,811 shall be from the Workers' Compensation Self-Insurance Fund pursuant to Section 8-44-202, C.R.S. Of this amount, \$11,500 is shown for purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution. Such moneys are included for informational purposes as they are continuously appropriated by Section 8-43-501(2), C.R.S.

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

Personal Services	1,235,992	1,235,992 <sup>a</sup> (22.0 FTE)
Operating Expenses	123,650	123,650 <sup>a</sup>
Statewide Indirect Cost Assessment	54,150	54,150 <sup>a</sup>



Major Medical Benefits	6,000,000	6,000,000 <sup>b</sup>
Major Medical Legal Services for 426 hours	24,891	24,891 <sup>b</sup>
Subsequent Injury Benefits	5,200,000	5,200,000 <sup>c</sup>
Subsequent Injury Legal Services for 6,000 hours	350,580	350,580 <sup>c</sup>
Medical Disaster	<u>15,000</u>	15,000 <sup>b</sup>
	13,004,263	

<sup>a</sup> Of these amounts, \$1,142,453 shall be from reserves in the Major Medical Insurance Fund pursuant to Section 8-46-202, C.R.S., and \$271,339 shall be from reserves in the Subsequent Injury Fund pursuant to Section 8-46-101, C.R.S.

<sup>b</sup> For the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these amounts from reserves in the Major Medical Insurance Fund are included for informational purposes as they are continuously appropriated by Section 8-46-202(1)(b), C.R.S.

<sup>c</sup> For the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these amounts from reserves in the Subsequent Injury Fund are included for informational purposes as they are continuously appropriated by Section 8-46-101(1)(b), C.R.S.

~~21,722,807~~  
21,986,129

**TOTALS PART IX  
(LABOR AND  
EMPLOYMENT)<sup>4,5</sup>**

<del>\$130,468,494</del>	<del>\$26,677,074</del>	<del>\$16,408,248<sup>a</sup></del>	<del>\$87,383,172</del>
<u>\$130,246,080</u>	<u>\$26,866,069</u>	<u>\$16,375,630<sup>a</sup></u>	<u>\$87,004,381</u>

<sup>a</sup> Of this amount, ~~\$1,172,467~~ \$1,165,309 contains a (T) notation.

## Appropriations

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

- 4 (Governor lined through this provision. See L. 2001, p. 2345.)
- 5 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes contained in this act be delivered to the Joint Budget Committee and the majority and minority leadership in each house of the General Assembly. Each principal department of the state shall produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format shall be submitted to the Office of Legislative Legal Services for publishing on the Internet. It is the intent of the General Assembly that this be done within existing resources.
- 150 Department of Labor and Employment, Executive Director's Office - The Department is requested to provide as part of its regular budget request for FY 2002-03, a report on alternatives to the use of the revised third edition of the American Medical Association Guide to Permanent Impairment for the purposes of determining levels of medical impairment pursuant to articles 40-47 of Title 8, Colorado Revised Statutes, including alternatives not including use of a guide.
- 151 Department of Labor and Employment, Executive Director's Office, Operating Expenses -- The Department is requested to include estimated costs of computer contract maintenance agreements in its annual budget request.
- 152 Department of Labor and Employment, Executive Director's Office, Information Technology Asset Maintenance - The Department is requested to submit any FY 2002-03 funding requests for information technology replacement as a separate decision item.
- 153 (Governor lined through this provision. See L. 2001, p. 2360.)

- 154 (Governor lined through this provision. See L. 2001, p. 2360.)
- 155 (Governor lined through this provision. See L. 2001, p. 2361.)
- 156 (Governor lined through this provision. See L. 2001, p. 2361.)
- 157 Department of Labor and Employment, Division of Labor, Administration, Statistics, and Labor Standards, Welfare Reform -- The Department is requested to provide, as part of its FY 2002-03 budget submission, a report to the Joint Budget Committee detailing the number of grievances filed, the number requiring mediation or arbitration and the outcome of each, and the amount of staff time involved in each.
- 158 Department of Labor and Employment, Division of Workers' Compensation, Workers' Compensation -- The Department is requested to provide a report to the Joint Budget Committee, as part of its 2002-03 budget submission, regarding the worker's compensation self-insurance program. The report should include, by employer: The annual amount of losses incurred; the annual amount of claim expenditures; the total amount of outstanding liabilities; and the amount of security held. The report should also include the number of and grounds for revoked permits and denied applications.

**SECTION 2. Effective date.** This act shall take effect upon passage; except that this act shall only take effect if the following bills are enacted at the Second Regular Session of the Sixty-third General Assembly and become law: House Bill 02-1366; House Bill 02-1367; House Bill 02-1368; House Bill 02-1369; House Bill 02-1370; House Bill 02-1371; House Bill 02-1372; House Bill 02-1373; House Bill 02-1375; House Bill 02-1376; House Bill 02-1377; House Bill 02-1378; House Bill 02-1379; House Bill 02-1380; House Bill 02-1381; House Bill 02-1382; House Bill 02-1383; House Bill 02-1384; House Bill 02-1385; House Bill 02-1386; House Bill 02-1387; House Bill 02-1388; House Bill 02-1389; House Bill 02-1390; House Bill 02-1391; House Bill 02-1392; House Bill 02-1393; and House Bill 02-1394.

**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.

Approved: March 27, 2002

**Editor's note:** Section 2 of this act provided that this act is effective upon passage only if House Bills 02-1366 through 02-1394 are enacted and become law. Said bills were signed March 27, 2002.