

CHAPTER 312

APPROPRIATIONS

HOUSE BILL 96-1325

BY REPRESENTATIVES Grampas, Owen, and Romero;
also SENATORS Lacy, Blickensderfer, and Rizzuto.

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 X of section 2 of chapter 283, Session Laws of Colorado 1995,
is amended to read:

Section 2. **Appropriation.**

*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 X
DEPARTMENT OF LABOR AND EMPLOYMENT**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	7,632,597					
(156.7 FTE)						
Health, Life and Dental	1,936,253					
	1,962,194					
Short-term Disability	88,182					
	89,953					
Salary Survey, Anniversary Increases and Shift Differential	1,882,455					
	1,919,781					
Workers' Compensation	923,728					
Operating Expenses	1,208,330					
Legal Services for 7,632 hours	366,891					
Purchase of Services from Computer Center	2,497,971					

Payment to Risk Management and Property Funds	99,593				
Vehicle Lease Payments	125,320				
Leased Space	2,572,627				
Capitol Complex Leased Space	34,920				
Utilities	159,782				
Displaced Homemakers	103,065				
	(0.5 FTE)				
Statewide Indirect Cost Assessment	<u>1,668</u>				
		19,633,382	4,447,233 ^a	1,320,521 ^b	13,865,628
		19,698,420	4,578,812 ^a	1,241,666 ^b	13,877,942

^a Of this amount, \$142,624 shall be from local government and other payments for services, \$131,579 SHALL BE FROM THE PETROLEUM STORAGE TANK FUND, and \$4,304,609 shall be from other cash fund sources within the Department.

^b Of this amount, \$19,087(T) shall be from the Department of Human Services, \$4,649 shall be from other government agencies, ~~\$106,851 shall be from the Underground Storage Tank Fund pursuant to Section 25-18-109, C.R.S.~~, \$27,996 SHALL BE FROM RESERVES IN THE PETROLEUM STORAGE TANK FUND, \$148,590 shall be from the Highway Users Tax Fund, \$293,818(T) shall be from statewide indirect cost recoveries, \$14,203 shall be from reserves in the Displaced Homemakers Fund, \$147,545 shall be from reserves in the Boiler Inspection Fund, \$5,761 shall be from reserves in the Workers' Compensation Cash Fund, and \$580,017 shall be from reserves in the Major Medical Insurance and Subsequent Injury Funds.

(2) DIVISION OF EMPLOYMENT AND TRAINING

(A) Unemployment Insurance Programs

Program Costs	23,117,373
	(488.0 FTE)

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Statewide Indirect Cost							
Assessment	<u>1,549,787</u>						
	24,667,160				120,000 ^a		24,547,160
(B) Unemployment Insurance Fraud Program							
Program Costs ⁹⁰	430,753				430,753 ^a		
					(9.0 FTE)		
Statewide Indirect Cost							
Assessment	<u>15,014</u>				15,014 ^a		
	445,767						
^a These amounts shall be from the Unemployment Insurance Revenue Fund.							
(C) Employment and Training Programs⁹¹							
Personal Services	11,663,570				1,679,591^a	97,500 ^b	9,886,479
	11,465,179				1,754,562 ^a		9,613,117
					(39.1 FTE)	(2.3 FTE)	(230.4 FTE)
Operating Expenses	1,460,902				180,536 ^a	9,516 ^b	1,270,850
Trade Adjustment Act							

Assistance	1,002,085			1,002,085
Statewide Indirect Cost				
Assessment	<u>278,673</u>	59,113 ^a	3,837 ^b	215,723
	14,405,230			
	14,206,839			

^a Of these amounts, ~~\$1,890,640~~ \$1,965,611 shall be from the Employment Support Fund, and \$28,600 shall be from county contracts.

^b These amounts shall be from contracts with other government agencies.

(D) Labor Market Information

Program Costs	1,292,254	11,626 ^a		1,280,628 (27.6 FTE)
Statewide Indirect Cost				
Assessment	<u>28,032</u>			28,032
	1,320,286			

^a This amount shall be from the sale of publications.

~~40,838,443~~
40,640,052

(3) DIVISION OF LABOR

(A) Administration, Statistics, and Labor Standards

Personal Services	556,261
	(13.0 FTE)
Operating Expenses	68,079

Ch. 312

Appropriations

Appropriations

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Administrative Law Judge Services for 108 hours	9,650					
	633,990				633,990(T) ^a	

^a This amount shall be from statewide indirect cost recoveries.

(B) Public Safety and Inspection Programs

Personal Services	1,389,730					
(36.6 FTE)						
Operating Expenses	230,446					
Oil Inspection Equipment	14,000					
Statewide Indirect Cost						
Assessment	59,231					
	1,693,407			408,806 ^c	1,144,527 ^b	140,074
				832,560 ^a	720,773 ^b	

^a Of this amount, \$7,404 shall be from the Underground Storage Tank Licensing Fund pursuant to Section 8-20-607, C.R.S., \$82,926 shall be from the Public Safety Inspection Fund pursuant to Section 8-1-151, C.R.S., \$423,754 SHALL BE FROM THE PETROLEUM STORAGE TANK FUND, and \$318,476 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109, C.R.S.

^b Of this amount, \$477,391 shall be from the Highway Users Tax Fund, ~~\$423,754 shall be from the Underground Storage Tank Fund pursuant to Section 25-18-109, C.R.S.~~, \$12,955(T) shall be from the Automobile Inspection and Readjustment program in the Department of Public Health and Environment, and \$230,427 shall be from reserves in the Boiler Inspection Fund.

2,327,397

(4) DIVISION OF WORKERS' COMPENSATION

(A) Workers' Compensation^{92, 93}

Personal Services	4,138,961		
	(109.4 FTE)		
Operating Expenses	620,956		
Administrative Law Judge			
Services for 17,037 hours	1,430,104		
Medical Treatment			
Guidelines Study	90,000		
Physicians Accreditation	60,000		
Utilization Review	43,750		
Immediate Payment	36,000		
Statewide Indirect Cost			
Assessment	<u>192,517</u>		
	6,612,288	6,466,567 ^a	145,721 ^b

^a Of this amount, \$5,966,517 shall be from the Workers' Compensation Cash Fund, \$203,455 shall be from the Workers' Compensation Self-Insurance Fund, \$156,845 shall be from the Cost Containment Fund, \$60,000 shall be from the Physicians Accreditation Program Cash Fund, \$43,750 shall be from the Utilization Review Cash Fund, and \$36,000 shall be from the Immediate Payment Fund. Of this amount, \$139,750 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)(l), 8-43-501(2), and 8-44-206(3)(b), C.R.S.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				FEDERAL FUNDS
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	
	\$	\$	\$	\$	\$	\$	\$
Personal Services	990,553					990,553 ^a	
						(24.5 FTE)	
Operating Expenses	187,812					187,812 ^a	
Statewide Indirect Cost							
Assessment	98,741					98,741 ^a	
Major Medical Benefits	11,019,961					11,019,961 ^b	
Major Medical Legal							
Services for 512 hours	24,613					24,613 ^b	
Subsequent Injury Benefits	16,110,253					16,110,253 ^c	
Subsequent Injury Legal							
Services for 11,388 hours	547,453					547,453 ^c	
Medical Disaster	22,000					22,000 ^b	
	<u>29,001,386</u>						

^b This amount shall be from reserves in the Workers' Compensation Cash fund.

(B) Major Medical Insurance and Subsequent Injury Funds

^a Of these amounts, \$1,068,555 shall be from reserves in the Major Medical Insurance Fund, and \$208,551 shall be from reserves in the Subsequent Injury Fund.

^b For the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys 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.

° For the purposes of complying with the limitation on state fiscal year spending imposed by Article X, Section 20 of the State Constitution, these moneys 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.

35,613,674

TOTALS PART X

(LABOR AND

EMPLOYMENT)^{10,11,11a}

\$98,412,896	\$13,819,239	\$32,356,998 ^a	\$52,236,659
<u>\$98,279,543</u>	<u>\$14,449,543</u>	<u>\$31,854,389^a</u>	<u>\$51,975,611</u>

^a Of this amount, \$959,850 contains a (T) notation, and \$625,981 is from the Highway Users Tax Fund subject to Section 43-4-201(3)(a), C.R.S.

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

10 (Governor lined through this provision. See L. 95, p. 1956.)

11 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.

11a (Governor lined through this provision. See L. 95, p. 1957.)

90 Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program, Program Costs -- The Department is requested to reflect in its budget request for FY 1996-97, all expenditures associated with the Unemployment Insurance Fraud Program, including but not limited to, personal services, operating expenses, and indirect costs.

91 Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs -- The Department is requested to provide a report to the Joint Budget Committee on or before December 1, 1995, regarding a long-term plan for state employment and training programs. The report should address the following: a) what populations job service centers are intended to serve and the projected caseload; b) what opportunities exist to consolidate various state and local employment and training programs; c) what impact the expiration of the Employment Support Fund will have on the Department; and d) what impact anticipated changes in federal funding will have on the operation of state job service centers.

92 Department of Labor and Employment, Division of Workers' Compensation, Workers' Compensation -- The Department is requested to provide a report to the Joint Budget Committee on or before January 1, 1996, regarding the effectiveness of the Employer Compliance unit. The report should include the number of potentially uninsured employers identified through the computer match pursuant to H.B. 94-1271, the number of employers investigated, and the amount of annual workers'

Appropriations

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

compensation premium dollars paid by employers who insure as a result of the investigation.

93 Department of Labor and Employment, Division of Workers' Compensation, Workers' Compensation -- The Department is requested to provide a report to the Joint Budget Committee on or before January 1, 1996, regarding the workers' 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. Section 13 of chapter 119, Session Laws of Colorado 1995, is REPEALED AND REENACTED, WITH AMENDMENTS, to read:

Section 13. **Adjustments to the 1995 Long Bill.** (1) OF THE APPROPRIATIONS MADE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, HAZARDOUS MATERIALS AND WASTE MANAGEMENT DIVISION, STORAGE TANK REMEDIATION PROGRAM, FOR PROGRAM COSTS, THE CASH FUNDS APPROPRIATION IS DECREASED BY SIX HUNDRED TWENTY-EIGHT THOUSAND NINETY-FIVE DOLLARS (\$628,095) AND 11.7 FTE, THE CASH FUNDS EXEMPT APPROPRIATION IN DECREASED BY SEVENTY-NINE THOUSAND TWO HUNDRED FIFTY-THREE DOLLARS (\$79,253) AND 1.5 FTE AND THE FEDERAL FUNDS APPROPRIATION IS DECREASED BY THREE HUNDRED THIRTEEN THOUSAND THREE HUNDRED THIRTY-FIVE DOLLARS (\$313,335) AND 6.5 FTE.

(2) OF THE APPROPRIATIONS MADE TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF LABOR, PUBLIC SAFETY AND INSPECTION PROGRAMS, THE APPROPRIATION FOR PERSONAL SERVICES IS INCREASED BY ONE MILLION ONE HUNDRED FORTY-SIX THOUSAND SEVEN HUNDRED THIRTY-EIGHT DOLLARS (\$1,146,738) AND 19.7 FTE. OF THIS AMOUNT, SEVEN HUNDREDEIGHTY-TWO THOUSAND TWO HUNDRED FOURTEEN DOLLARS (\$782,214) SHALL BE FROM CASH FUNDS IN THE PETROLEUM STORAGE TANK FUND, SEVENTY-THREE THOUSAND FIVE HUNDRED EIGHTY-EIGHT DOLLARS (\$73,588) SHALL BE FROM RESERVES IN THE PETROLEUM STORAGE TANK FUND AND TWO HUNDRED NINETY THOUSAND NINE HUNDRED THIRTY-SIX DOLLARS (\$290,936) SHALL BE FROM FEDERAL FUNDS.

(3) OF THE APPROPRIATIONS MADE TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF LABOR, PUBLIC SAFETY AND INSPECTION PROGRAMS, THE APPROPRIATION FOR OPERATING EXPENSES IS INCREASED BY ONE HUNDRED THOUSAND EIGHT HUNDRED FIFTEEN DOLLARS (\$100,815). OF THIS AMOUNT, SEVENTY-TWO THOUSAND SEVEN HUNDRED FIFTY-ONE DOLLARS (\$72,751) SHALL BE FROM CASH FUNDS IN THE PETROLEUM STORAGE TANK

FUND, FIVE THOUSAND SIX HUNDRED SIXTY-FIVE DOLLARS (\$5,665) SHALL BE FROM RESERVES IN THE PETROLEUM STORAGE TANK FUND AND TWENTY-TWO THOUSAND THREE HUNDRED NINETY-NINE DOLLARS (\$22,399) SHALL BE FROM FEDERAL FUNDS.

(4) THE CASH FUNDS APPROPRIATION TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, EXECUTIVE DIRECTOR'S OFFICE, FOR LEGAL SERVICES IS INCREASED BY FIFTY-NINE THOUSAND EIGHTY DOLLARS (\$59,080). THIS AMOUNT SHALL BE FROM THE PETROLEUM STORAGE TANK FUND.

(5) THE CASH FUNDS APPROPRIATION TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, EXECUTIVE DIRECTOR'S OFFICE, FOR LEASED SPACE IS INCREASED BY FIFTY-FIVE THOUSAND TWO HUNDRED FIFTY DOLLARS (\$55,250). THIS AMOUNT SHALL BE FROM THE PETROLEUM STORAGE TANK FUND.

(6) OF THE CAPITAL CONSTRUCTION APPROPRIATIONS MADE TO THE DEPARTMENT OF PUBLIC HEALTH AND ENVIRONMENT, FOR UNDERGROUND STORAGE TANK SITE CLEANUP, THE CASH FUNDS APPROPRIATION IS DECREASED BY SIX MILLION NINE-HUNDRED FORTY-FOUR THOUSAND SIX HUNDRED DOLLARS (\$6,944,600), THE CASH FUNDS EXEMPT APPROPRIATION IS DECREASED BY FIVE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$5,637,700) AND THE FEDERAL FUNDS APPROPRIATION IS DECREASED BY EIGHT HUNDRED THOUSAND DOLLARS (\$800,000).

(7) IN ADDITION TO ANY OTHER CAPITAL CONSTRUCTION APPROPRIATIONS, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, FOR UNDERGROUND STORAGE TANK SITE CLEANUP, A TOTAL OF THIRTEEN MILLION THREE HUNDRED SIXTY-THREE THOUSAND TWO HUNDRED TWENTY DOLLARS (\$13,363,220). OF THIS AMOUNT, SIX MILLION NINE HUNDRED TWENTY-FIVE THOUSAND FIVE HUNDRED TWENTY DOLLARS (\$6,925,520) SHALL BE FROM CASH FUNDS IN THE PETROLEUM STORAGE TANK FUND, FIVE MILLION SIX HUNDRED THIRTY-SEVEN THOUSAND SEVEN HUNDRED DOLLARS (\$5,637,700) SHALL BE FROM RESERVES IN THE PETROLEUM STORAGE TANK FUND AND EIGHT HUNDRED THOUSAND DOLLARS (\$800,000) SHALL BE FROM FEDERAL FUNDS.

(8) IN ADDITION TO ANY OTHER CAPITAL CONSTRUCTION APPROPRIATIONS, THERE IS HEREBY APPROPRIATED TO THE DEPARTMENT OF LABOR AND EMPLOYMENT, FOR INTEREST PAID ON CLAIMS, A TOTAL OF ONE HUNDRED NINETEEN THOUSAND FIVE HUNDRED SIXTY-SEVEN DOLLARS (\$119,567). THIS AMOUNT SHALL BE FROM CASH FUNDS IN THE PETROLEUM STORAGE TANK FUND.

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 7, 1996