

CHAPTER 400

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**APPROPRIATIONS**

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**HOUSE BILL 00-1404**

BY REPRESENTATIVES Tool, Berry, Saliman, and Mace;  
also SENATORS Lacy, Owen, and Tanner.

**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 364, Session Laws of Colorado 1999, is 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.*

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**

Personal Services	9,600,710
	(169.9 FTE)
Health, Life, and Dental	1,957,003
Short-term Disability	92,342
Salary Survey, Anniversary Increases, and Shift Differential	2,058,042
Workers' Compensation	693,573
Operating Expenses	<del>1,449,697</del> 1,511,174
Legal Services for 7,694 hours	406,782
Purchase of Services from Computer Center	1,729,407
Payment to Risk Management and Property Funds	53,209

Vehicle Lease Payments	143,252				
Leased Space	2,900,774				
Capitol Complex Leased Space	17,924				
Utilities	159,782				
Information Technology Asset Maintenance <sup>143</sup>	572,072				
Statewide Indirect Cost Assessment	<u>1,399</u>				
		21,835,968	6,385,542 <sup>a</sup>	1,208,541 <sup>b</sup>	14,241,885
		21,897,445	6,429,190 <sup>a</sup>	1,209,771 <sup>b</sup>	14,258,484

<sup>a</sup> Of this amount, an estimated ~~\$3,292,791~~ \$3,310,685 shall be from the Workers' Compensation Cash Fund, ~~\$1,550,535~~ \$1,568,480 shall be from the Employment Support Fund, and estimated ~~\$632,628~~ \$635,593 shall be from the Petroleum Storage Tank Fund, an estimated ~~\$214,113~~ \$217,968 shall be from the Boiler Inspection Fund, an estimated \$199,590 shall be from the Unemployment Insurance Revenue Fund, an estimated \$133,840 shall be from the Public Employees Social Security Fund, an estimated ~~\$268,026~~ \$269,015 shall be from other cash fund sources within the Department, and \$94,019 shall be from local governments and other payments for services.

<sup>b</sup> Of this amount, ~~\$607,153(F)~~ \$608,383(T) shall be from statewide indirect cost recoveries, \$497,125 shall be from reserves in the Major Medical Insurance Fund and the Subsequent Injury Fund, \$73,630 shall be from reserves in the Petroleum Storage Tank Fund, \$15,980(T) shall be from the Department of Human Services, \$8,205 shall be from reserves in the Public Safety Fund, and \$6,448(T) shall be from other government agencies.

**(2) DIVISION OF EMPLOYMENT AND TRAINING<sup>88, 144</sup>**

**(A) Unemployment Insurance Programs**

Program Costs	20,115,751				
	(390.0 FTE)				
Statewide Indirect Cost Assessment	<u>1,519,968</u>				
	21,635,719		1,252,171 <sup>a</sup>		20,383,548

Ch. 400

Appropriations



Trade Adjustment Act Assistance	2,843,172			2,843,172
Job Training Partnership Act Programs	26,166,049			26,166,049 (40.0 FTE)
Welfare-to-Work Block Grant <sup>147, 148</sup>	9,878,865			9,878,865(M) <sup>c</sup>
Statewide Indirect Cost Assessment	<u>241,004</u>	50,906 <sup>a</sup>	1,203(T) <sup>b</sup>	188,895
	54,309,394			

<sup>a</sup> Of these amounts, \$4,224,067 shall be from the Employment Support Fund, \$103,065 shall be from the Displaced Homemakers Fund, and \$600 shall be from county contracts.

<sup>b</sup> These amounts shall be from contracts with other government agencies.

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

**(D) Labor Market Information**

Program Costs	2,066,247	11,626 <sup>a</sup>		2,054,621 (34.5 FTE)
Statewide Indirect Cost Assessment	<u>35,442</u>			35,442
	2,101,689			

<sup>a</sup> This amount shall be from the sale of publications.

79,129,305

Ch. 400

Appropriations

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 APPROPRIATION FROM
 

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
<b>(3) DIVISION OF LABOR</b>						
<b>(A) Administration, Statistics, and Labor Standards</b>						
Personal Services	624,336					
	(12.0 FTE)					
Operating Expenses	61,718					
Administrative Law Judge						
Services for 108 hours	10,681					
Welfare Reform <sup>149</sup>	85,678					
	(2.0 FTE)					
	<u>782,413</u>					782,413(T) <sup>a</sup>

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

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

Personal Services	3,047,659
	(58.3 FTE)
Operating Expenses	334,203
Public Safety Management	
Information System	318,316

Statewide Indirect Cost				
Assessment	<u>43,220</u>			
	3,743,398	2,429,484 <sup>a</sup>	891,894 <sup>b</sup>	422,020

<sup>a</sup> Of this amount, \$1,625,401 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$731,163 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109, C.R.S., and \$72,920 shall be from the Public Safety Inspection Fund pursuant to Section 8-1-151, C.R.S.

<sup>b</sup> Of this amount, \$555,398(T) shall be from statewide indirect cost recoveries, \$279,157 shall be from the Public Safety Fund pursuant to Section 8-1-151, C.R.S., \$40,155 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109, C.R.S., \$10,184 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., and \$7,000(T) shall be from the Department of Public Health and Environment.

4,525,811

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

**(A) Workers' Compensation<sup>150</sup>**

Personal Services	5,005,530			
	(106.4 FTE)			
Operating Expenses	<del>592,903</del>			
	916,275			
Administrative Law Judge				
Services for 17,037 hours	1,662,473			
Physicians Accreditation	75,000			
Utilization Review	76,000			
Immediate Payment	10,000			
Statewide Indirect Cost				
Assessment	<u>104,926</u>			
	<del>7,526,832</del>	7,496,972 <sup>a</sup>	<del>29,860<sup>b</sup></del>	
	7,850,204		353,232 <sup>b</sup>	

Ch. 400

Appropriations

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<sup>a</sup> Of this amount, \$6,992,971 shall be from the Workers' Compensation Cash Fund, \$208,584 shall be from the Workers' Compensation Self-Insurance Fund, \$164,277 shall be from the Cost Containment Fund, \$74,890 shall be from the Physicians Accreditation Program Cash Fund, and \$56,250 shall be from the Utilization Review Cash Fund. Of this amount, \$131,140 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.

<sup>b</sup> Of this amount, \$323,372 SHALL BE FROM RESERVES IN THE WORKERS' COMPENSATION CASH FUND, \$19,750 shall be from the Utilization Review Fund, \$10,000 shall be from the Immediate Payment Fund, and \$110 shall be from the Physician's Accreditation Fund. Of this amount, \$19,860 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 Sections ~~8-42-101(3.6)(l)~~ 8-42-101 (3.6)(l), 8-43-501(2), and 8-44-206(3)(b), C.R.S.

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

Personal Services	1,185,770	1,185,770 <sup>a</sup> (23.0 FTE)
Operating Expenses	123,774	123,774 <sup>a</sup>
Statewide Indirect Cost		
Assessment	115,601	115,601 <sup>a</sup>
Major Medical Benefits	6,000,000	6,000,000 <sup>b</sup>
Major Medical Legal Services for 448 hours	23,686	23,686 <sup>b</sup>

Subsequent Injury Benefits	5,200,000	5,200,000 <sup>c</sup>
Subsequent Injury Legal		
Services for 11,000 hours	581,570	581,570 <sup>c</sup>
Medical Disaster	<u>15,000</u>	15,000 <sup>b</sup>
	13,245,401	

<sup>a</sup> Of these amounts, \$1,177,294 shall be from reserves in the Major Medical Insurance Fund, and \$247,851 shall be from reserves in the Subsequent Injury Fund.

<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.

~~20,772,233~~

21,095,605

**TOTALS PART IX**

**(LABOR AND**

**EMPLOYMENT)<sup>5,6</sup>**

~~\$126,263,317~~

\$126,648,166

~~\$22,247,221~~

\$22,290,869

~~\$16,934,727<sup>a</sup>~~

\$17,259,329<sup>a</sup>

~~\$87,081,369~~

\$87,097,968

<sup>a</sup> Of this amount, ~~\$2,012,201~~ \$2,013,431 contains a (T) notation.

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

5 (Governor lined through this provision. See L. 99, p. 2245.)

6 All Departments, Totals -- The General Assembly requests that copies of all reports requested in other footnotes

Appropriations

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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 and regulations in an electronic format that is suitable for public access through electronic means. Such rules and regulations 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.

- 88 (Governor lined through this provision. See L. 99, p. 2250.)
- 143 Department of Labor and Employment, Executive Director's Office, Information Technology Asset Maintenance; and Division of Employment and Training, Employment and Training Programs -- The Department is requested to submit any FY 2000-01 funding requests for information technology replacement as a separate decision item.
- 144 Department of Labor and Employment, Division of Employment and Training -- It is the intent of the General Assembly that the Department develop a plan to achieve efficiencies in the administration of Unemployment Insurance and Employment Programs. This plan shall include estimated implementation costs, an implementation schedule, and information on how the department intends to decrease costs in the Division in order to adjust to expected federal funding levels. This plan shall be submitted to the Joint Budget Committee no later than November 1, 1999.
- 145 Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program -- The Department is requested to investigate potential funding sources for the Unemployment Insurance Fraud Program. The Department should include the findings of this investigation in its FY 2000-01 budget request. In addition, the

Department is requested to include in its FY 2000-01 budget request information on fraud detection and recovery, including, but not limited to, an estimate of the amount of unemployment insurance fraud that may have occurred in FY 1999-2000, how much of this fraud was detected, and how much of this fraud was recovered.

146 (Governor lined through this provision. See L. 99, p. 2250.)

147 Department of Labor and Employment, Division of Employment and Training, Employment and Training Programs, Welfare-to-Work Block Grant -- It is the intent of the General Assembly that the Department access the full amount of federal funds available to Colorado under the federal Welfare-to-Work Program. Thus, the Department should count a portion of the General Fund or cash funds exempt appropriated to the Department of Human Services, Self-Sufficiency, for Colorado Works Program County Block Grants, as the state match for federal Welfare-to-Work Block Grant funds. However, it is the intent of the General Assembly that only that portion of such funds that exceeds the minimum federal maintenance of effort requirement for the Temporary Assistance to Needy Families program be used in such a manner. In addition, the Department is requested to identify any other existing resources that could be counted as the state's match for the federal Welfare-to-Work Block Grant. Such existing resources might include, but shall not be limited to: state funds appropriated for programs administered by the Department of Corrections, the Department of Education, the Department of Higher Education, the Department of Human Services, the Department of Local Affairs, and the Department of Public Safety; tax credits provided to employers that hire individuals receiving public assistance; and reduced-price bus passes provided through the Regional Transportation District to individuals receiving public assistance.

148 (Governor lined through this provision. See L. 99, p. 2251.)

149 Department of Labor and Employment, Division of Labor, Administration, Statistics, and Labor Standards, Welfare Reform -- The Department is requested to provide, no later than November 1, 1999, 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.

150 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 November 1, 1999, regarding the workers compensation self-insurance program. The report should include, by employer: The annual amount of losses incurred;

Appropriations

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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. 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 6, 2000

Ch. 400

Appropriations