

CHAPTER 336

APPROPRIATIONS

SENATE BILL 05-116

BY SENATOR(S) Tapia, Keller, and Owen;
also REPRESENTATIVE(S) Plant, Buescher, and Hall.

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 427, Session Laws of Colorado 2004, 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.

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	11,495,921
	(169.4 FTE)
Health, Life, and Dental	2,499,287
Short-term Disability	93,049
Salary Survey and Senior Executive Service	1,286,607
Performance-based Pay	
Awards	705,388
Shift Differential	27,287
Workers' Compensation	459,949
	471,181
Operating Expenses ⁸⁹	1,462,886
	1,465,334
Legal Services for 7,694 hours	473,720
Purchase of Services from Computer Center	1,418,739
	1,465,318

Multiuse Network					
Payments	110,265				
	105,236				
Payment to Risk					
Management and					
Property Funds	134,955				
	150,108				
Vehicle Lease Payments	122,358				
	85,701				
Leased Space	3,306,387				
Capitol Complex Leased					
Space	27,076				
	25,908				
Communications					
Services Payments	444				
	585				
Utilities	139,959				
	205,121				
Information Technology					
Asset Maintenance	553,627				
Statewide Indirect Cost					
Assessment	<u>255,458</u>				
		24,573,362	8,008,459 ^a	1,472,952 ^b	15,091,951
		24,671,223	8,082,023 ^a	1,476,611 ^b	15,112,589

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APPROPRIATION FROM

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

^a Of this amount, it is estimated that \$3,701,751 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., ~~\$2,594,630~~ \$2,668,194 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., \$822,509 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$190,563 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109 (4), C.R.S., and \$699,006 shall be from various cash fund sources.

^b Of this amount, ~~\$914,636~~ \$915,847 shall be from reserves in both 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 (1) (b) (I), C.R.S., \$297,933 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$258,547 shall be from reserves in the Unemployment Revenue Fund pursuant to Section 8-77-106, C.R.S., and ~~\$1,836(T)~~ \$4,284(T) shall be from the Department of Public Health and Environment.

(2) DIVISION OF EMPLOYMENT AND TRAINING

(A) Unemployment Insurance Programs

Program Costs	29,613,748			775,623 ^a		28,838,125
	(447.1 FTE)					

^a Of this amount, \$770,623 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., and \$5,000 shall be from the sale of transcripts.

(B) Unemployment Insurance Fraud Program⁹⁰

Program Costs ⁹¹	1,338,539			719,935 ^a	618,604 ^b	
	(26.0 FTE)					

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

(C) Employment and Training Programs⁹²

State Operations ⁹³	11,637,614	5,433,171 ^a (66.0 FTE)	35,814(T) ^b (0.7 FTE)	6,168,629 (81.8 FTE)
One-Stop County Contracts	8,478,536			8,478,536 (36.0 FTE)
Trade Adjustment Act Assistance	2,300,000			2,300,000
Workforce Investment Act	24,870,164			24,870,164 (53.5 FTE)
	<hr/> 47,286,314			

^a Of this amount, \$5,346,232 shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S., and \$86,939 shall be from the Displaced Homemakers Fund pursuant to Section 8-15.5-108, C.R.S.

^b This amount shall be from contracts with other government agencies.

(D) Labor Market Information

Program Costs	2,542,460	11,625 ^a		2,530,835 (44.2 FTE)
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^a This amount shall be from the sale of publications.

80,781,061

(3) DIVISION OF LABOR

Program Costs	813,602	813,602 ^a		
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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
				(13.5 FTE)		

^a This amount shall be from the Employment Support Fund pursuant to Section 8-77-109, C.R.S.

(4) DIVISION OF OIL AND PUBLIC SAFETY

Personal Services	3,507,846					
	(53.3 FTE)					
Operating Expenses	316,655					
	<u>327,807</u>					
	3,824,501			2,968,253 ^a	304,861 ^b	551,387
	3,835,653				316,013 ^b	

^a Of this amount, \$1,802,811 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., \$808,446 shall be from the Boiler Inspection Fund pursuant to Section 9-4-109 (4), C.R.S., \$213,173 shall be from the Public Safety Inspection Fund pursuant to Section 8-1-151, C.R.S., and \$143,823 shall be from the Liquefied Petroleum Gas Inspection Fund pursuant to Section 8-20-206.5 (1) (e) (I), C.R.S.

^b Of this amount, \$296,497 shall be from reserves in the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103, C.R.S., and ~~\$8,364 (T)~~ \$19,516(T) shall be from the Department of Public Health and Environment.

(5) DIVISION OF WORKERS' COMPENSATION

(A) Workers' Compensation

Personal Services	5,925,021
	(106.3 FTE)

Operating Expenses	608,735		
Administrative Law			
Judge Services	2,133,352		
	2,010,774		
Physicians Accreditation	165,834		
Utilization Review	76,000		
Immediate Payment	10,000		
	<u>8,918,942</u>	8,382,914 ^a	536,028 ^b
	8,796,364	8,260,336 ^a	

^a Of this amount, ~~\$7,774,969~~ \$7,652,391 shall be from the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., \$239,520 shall be from the Workers' Compensation Self-Insurance Fund pursuant to Section 8-44-202, C.R.S., \$165,834 shall be from the Physicians Accreditation Program Cash Fund pursuant to Section 8-42-101 (3.6) (I), C.R.S., \$138,091 shall be from the Cost Containment Fund pursuant to Section 8-14.5-108, C.R.S., and \$64,500 shall be from the Utilization Review Cash Fund pursuant to Section 8-43-501 (2) (a), C.R.S. Of this amount, \$230,334 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) (I) and 8-43-501 (2) (a), C.R.S.

^b Of this amount, \$415,324 shall be from reserves in the Workers' Compensation Cash Fund pursuant to Section 8-44-112 (7), C.R.S., \$95,704 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 (2) (a), C.R.S., \$10,000 shall be reserves from the Immediate Payment Fund pursuant to Section 8-44-206 (3) (b) (I), C.R.S., and \$3,500 shall be from reserves in 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) (a), C.R.S.

(B) Major Medical Insurance and Subsequent Injury Funds

Personal Services	1,316,866	1,316,866 ^a
		(22.0 FTE)
Operating Expenses	123,422	123,422 ^a
Major Medical Benefits	6,000,000	6,000,000 ^b

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Major Medical Legal Services for 426 hours	26,229				26,229 ^b	
Subsequent Injury Benefits	5,200,000				5,200,000 ^c	
Subsequent Injury Legal Services for 2,400 hours	147,768				147,768 ^c	
Medical Disaster	15,000				15,000 ^b	
	<u>12,829,285</u>					

^a Of these amounts, \$1,152,231 shall be from reserves in the Major Medical Insurance Fund pursuant to Section 8-46-202, C.R.S., and \$288,057 shall be from reserves in the Subsequent Injury Fund pursuant to Section 8-46-101 (1) (b) (I), C.R.S.

^b These amounts shall be from reserves in the Major Medical Insurance Fund created in Section 8-46-202, C.R.S. These amounts are included for informational purposes as they are continuously appropriated by Section 8-46-202 (2), C.R.S.

^c These amounts shall be from reserves in the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I). These amounts are included for informational purposes as they are continuously appropriated by Section 8-46-101 (1) (b), C.R.S.

~~21,748,227~~

21,625,649

TOTALS PART IX

(LABOR AND

EMPLOYMENT)^{1,2}

\$131,740,753

\$27,113,582

\$15,797,544*

\$88,829,627

\$131,727,188

\$27,064,568

\$15,812,355^a

\$88,850,265

^a Of this amount, ~~\$46,014~~ \$59,614 contains a (T) notation.

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

1 (Governor lined through this provision. See L. 2004, p. 2712.)

2 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 is requested to produce its rules in an electronic format that is suitable for public access through electronic means. Such rules in such format should 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.

89 (Governor lined through this provision. See L. 2004, p. 2733.)

90 (Governor lined through this provision. See L. 2004, p. 2733.)

91 Department of Labor and Employment, Division of Employment and Training, Unemployment Insurance Fraud Program, Program Costs -- The Department is requested to provide the Joint Budget Committee an assessment of the performance of the Unemployment Insurance Benefit Overpayment Collections Unit on or before November 1, 2004. This report should include relevant performance measurements, including overpayments collected, and a recommendation to continue, modify, or discontinue the Collections Unit.

92 (Governor lined through this provision. See L. 2004, p. 2733.)

93 (Governor lined through this provision. See L. 2004, p. 2734.)

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 11, 2005