

CHAPTER 439

APPROPRIATIONS

HOUSE BILL 10-1304

BY REPRESENTATIVE(S) Pommer, Ferrandino, Lambert, Stephens;
also SENATOR(S) Keller, Tapia, White.

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 464, Session Laws of Colorado 2009, 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	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART IX
DEPARTMENT OF LABOR AND EMPLOYMENT**

(1) EXECUTIVE DIRECTOR'S OFFICE

Personal Services	13,022,715
	12,961,833
	(164.9 FTE)
Health, Life, and Dental	5,578,255
Short-term Disability	89,850
	89,243
S.B. 04-257 Amortization	
Equalization Disbursement	1,166,635
	1,158,808
S.B. 06-235 Supplemental	
Amortization Equalization	
Disbursement	729,146
	724,254
Shift Differential	26,300
Workers' Compensation	616,008
	581,591
Operating Expenses	1,555,442

Legal Services for 7,905 hours	595,879
Purchase of Services from Computer Center	1,429,057
	1,379,297
Multiuse Network Payments	75,274
Management and Administration of OIT	118,340
	101,565
Payment to Risk Management and Property Funds	90,416
	84,143
Vehicle Lease Payments	95,134
	96,635
Leased Space	3,896,503
Capitol Complex Leased Space	36,149
	35,397
Communication Services Payments	1,182
Utilities	260,309
Information Technology Asset Maintenance	553,627

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
Statewide Indirect Cost Assessment	495,382					
	30,431,603			13,945,986	1,117,293	15,368,324
	30,250,919			13,864,635 ^a	1,096,369 ^b	15,289,915

^a Of this amount, it is estimated that \$5,627,181 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., \$5,203,382 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7) (a), C.R.S., \$506,784 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), C.R.S., \$369,435 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S. and the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S., \$298,576 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., \$257,435 shall be from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., and ~~\$1,683,193~~ \$1,601,842 shall be from various cash fund sources.

^b Of this amount, ~~\$956,399~~ \$955,475 shall be transferred from the Division of Oil and Public Safety from funds appropriated for indirect cost recoveries from the Petroleum Storage Tank Fund created in Section 8-20.5-103 (1), C.R.S., ~~\$156,610~~ \$136,610 shall be from statewide indirect cost recoveries, and \$4,284 shall be from the Department of Public Health and Environment.

(2) DIVISION OF EMPLOYMENT AND TRAINING

(A) Unemployment Insurance Programs

Program Costs COSTS ^{34b}	35,101,326			7,337,458		27,763,868
	42,513,686			7,356,578 ^a		35,157,108
	(467.5 FTE)					
	(467.9 FTE)					
Internet Self-Service	167,126			167,126 ^a		
				(2.5 FTE)		

35,268,452
42,680,812

^a Of these amounts, ~~\$5,926,570~~ \$5,900,811 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., ~~and~~ \$1,578,014 shall be from the Unemployment Revenue Fund created in Section 8-77-106 (1), ~~C.R.S.~~ C.R.S., AND \$44,879 SHALL BE FROM THE EMPLOYEE LEASING COMPANY CERTIFICATION FUND CREATED IN SECTION 8-70-114 (2) (g) (VI), C.R.S.

(B) Employment and Training Programs

State Operations	15,522,908	9,429,769^a	9,600 ^b	6,083,539
	13,979,485	9,405,404 ^a		4,564,481
		(93.8 FTE)	(0.1 FTE)	(63.8 FTE)
				(50.8 FTE)
One-Stop County Contracts	7,694,007			7,694,007
	9,164,335			9,164,335
				(15.0 FTE)
				(28.0 FTE)
Trade Adjustment Act Assistance	1,921,826			1,921,826
Workforce Investment Act	33,180,871	807,540 ^a		32,373,331
	33,156,506			32,348,966
				(60.0 FTE)
Workforce Development Council	466,016		466,016^a	
	457,132		457,132 ^c	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
					(4.0 FTE)	
Workforce Improvement Grants	870,000			20,000 ^d		850,000 (10.0 FTE)
TANF-SUPPORT SUBSIDIZED EMPLOYMENT	11,250,000				11,250,000 ^e	
	59,655,628					
	70,799,284					

^a Of these amounts, ~~\$10,032,642~~ \$10,008,277 shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S., \$120,887 shall be from the Displaced Homemakers Fund created in Section 8-15.5-108 (1), C.R.S., and \$83,780 shall be from the Nonimmigrant Agricultural Seasonal Worker Pilot Program Cash Fund created in Section 8-3.5-108, C.R.S.

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

^c This amount shall be from federal funds transferred to the Department of Labor and Employment from other state agencies.

^d This amount shall be from donations.

^e THIS AMOUNT SHALL BE FROM THE DEPARTMENT OF HUMAN SERVICES FROM THE ADDITIONAL FEDERAL FUNDING MADE AVAILABLE BY THE TEMPORARY ASSISTANCE FOR NEEDY FAMILIES EMERGENCY FUND PROVISIONS OF THE AMERICAN RECOVERY AND REINVESTMENT ACT OF 2009.

(C) Labor Market Information

Program Costs	2,043,331			11,509 ^a		2,031,822
	1,980,826					1,969,317

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

~~96,967,411~~
115,460,922

(3) DIVISION OF LABOR

Program Costs	1,188,889	1,188,889^a
	1,154,149	1,154,149 ^a
		(15.0 FTE)

^a This amount shall be from the Employment Support Fund created in Section 8-77-109 (1), C.R.S.

(4) DIVISION OF OIL AND PUBLIC SAFETY

Personal Services	5,537,468
	5,592,427
	(78.3 FTE)
	(80.0 FTE)

Operating Expenses	481,881
	519,175

Indirect Cost Assessment	956,399
	<u>954,559</u>

	6,975,748	6,397,084^a	19,161^a	559,503
	7,066,161	6,491,018 ^a	19,050 ^b	556,093

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

^a Of this amount, ~~\$3,425,686~~ \$3,408,261 shall be from the Petroleum Storage Tank Fund pursuant to Section 8-20.5-103 (1), C.R.S., ~~\$1,521,137~~ \$1,512,621 shall be from the Public Safety Inspection Fund created in Section 8-1-151, C.R.S., ~~\$1,089,109~~ \$1,083,859 shall be from the Boiler Inspection Fund created in Section 9-4-109 (4), C.R.S., ~~\$204,186~~ \$330,068 shall be from the Conveyance Safety Fund created in Section 9-5.5-111 (2) (b), C.R.S., and ~~\$156,966~~ \$156,209 shall be from the Liquefied Petroleum Gas Inspection Fund created in Section 8-20-206.5 (1) (e) (I), C.R.S.

^b This amount shall be from the Department of Public Health and Environment.

(5) DIVISION OF WORKERS' COMPENSATION

(A) Workers' Compensation

Personal Services	6,905,283	
	6,825,062	
	(102.0 FTE)	
Operating Expenses	710,390	
Administrative Law Judge Services	2,610,443	
Physicians Accreditation	140,000	
Utilization Review	60,000	
Immediate Payment	10,000	
	<u>10,436,116</u>	10,436,116 ^a
	10,355,895	10,355,895 ^a

^a Of this amount, ~~\$9,641,832~~ \$9,561,611 shall be from the Workers' Compensation Cash Fund created in Section 8-44-112 (7) (a), C.R.S., \$316,737 shall be from the Cost Containment Fund created in Section 8-14.5-108, C.R.S., \$267,547 shall be from the Workers' Compensation Self-Insurance Fund created in Section 8-44-202 (2), C.R.S., \$140,000 shall be from the Physicians Accreditation Program Cash Fund created in Section 8-42-101 (3.6) (I), C.R.S., \$60,000 shall be from the Utilization Review Cash Fund created in Section 8-43-501 (2) (a), C.R.S., and \$10,000 shall be from the Immediate Payment Fund created in Section 8-44-206 (3) (b) (I), C.R.S. Of this amount, \$200,000 is included for informational purposes only as the funds are continuously appropriated pursuant to Sections 8-42-101 (3.6) (I) and 8-43-501 (2) (a), C.R.S.

(B) Major Medical Insurance and Subsequent Injury Funds

Personal Services	1,277,994	1,277,994^a
	1,247,305	1,247,305 ^a
		(16.0 FTE)
Operating Expenses	88,324	88,324 ^a
Major Medical Benefits	7,000,000	7,000,000 ^b
Major Medical Legal Services for 100 hours	7,538	7,538 ^b
Subsequent Injury Benefits	3,200,000	3,200,000 ^c
Subsequent Injury Legal Services for 350 hours	26,383	26,383 ^c
Medical Disaster	<u>6,000</u>	6,000 ^d
	11,606,239	
	11,575,550	

^a Of these amounts, ~~\$1,133,969~~ \$1,109,418 shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S., and ~~\$232,349~~ \$226,211 shall be from the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S.

^b These amounts shall be from the Major Medical Insurance Fund created in Section 8-46-202 (1) (a), C.R.S.

^c These amounts shall be from the Subsequent Injury Fund created in Section 8-46-101 (1) (b) (I), C.R.S.

^d This amount shall be from the Medical Disaster Insurance Fund created in Section 8-46-302 (1), C.R.S.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	22,042,355					
	21,931,445					
TOTALS PART IX (LABOR AND EMPLOYMENT)	\$157,606,006			\$61,347,716	\$1,612,070	\$94,646,220
	<u>\$175,863,596</u>			<u>\$61,209,404</u>	<u>\$12,832,151</u>	<u>\$101,822,041</u>

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

34b DEPARTMENT OF LABOR AND EMPLOYMENT, DIVISION OF EMPLOYMENT AND TRAINING, UNEMPLOYMENT INSURANCE PROGRAMS, PROGRAM COSTS, SPECIAL TRANSFER DISTRIBUTIONS FOR UNEMPLOYMENT INSURANCE WORKLOAD ASSISTANCE -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE \$7,549,591 APPROPRIATED OUT OF THE COLORADO UNEMPLOYMENT INSURANCE TRUST FUND, CREATED IN SECTION 8-77-102 (4), COLORADO REVISED STATUTES, FROM MONEYS DISTRIBUTED IN ACCORDANCE WITH SECTION 903 (G) OF THE FEDERAL SOCIAL SECURITY ACT, TO THE COLORADO DEPARTMENT OF LABOR AND EMPLOYMENT IN HOUSE BILL 10-1304 BE ALLOWED TO ROLL FORWARD TO FY 2010-11.

SECTION 2. Section 10 (1) and (2) of chapter 405, Session Laws of Colorado 2009, are amended to read:

Section 10. **Appropriation.** (1) In addition to any other appropriation, there is hereby appropriated, out of any moneys in the unemployment compensation fund, created in section 8-77-101 (1) (a), Colorado revised statutes, not otherwise appropriated, to the department of labor and employment, for allocation to the division of employment and training, for the fiscal year beginning July 1, 2009, the sum of two hundred thirty-four thousand one hundred ninety-two dollars (\$234,192) FEDERAL FUNDS, or so much thereof as may be necessary, for the implementation of this act.

(2) In addition to any other appropriation, there is hereby appropriated, out of the Colorado unemployment insurance trust fund, created in section 8-77-102 (4), Colorado revised statutes, from moneys distributed in accordance with Section 903 (g) of the federal Social Security Act, not otherwise appropriated, to the department of labor and employment, for allocation to the division of employment and training, for regional workforce center outreach, for the fiscal year beginning July 1, 2009, the sum of five hundred thousand dollars (\$500,000) FEDERAL FUNDS. This amount shall remain available until June 30, 2012.

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 10, 2010