

**First Regular Session  
Seventieth General Assembly  
STATE OF COLORADO**

**PREAMENDED**

*This Unofficial Version Includes Committee  
Amendments Not Yet Adopted on Second Reading*

LLS NO. 15-1079.01 Kristen Forrester x4217

**HOUSE BILL 15-1382**

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**HOUSE SPONSORSHIP**

**Duran and DelGrosso,**

**SENATE SPONSORSHIP**

**(None),**

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**House Committees**  
Business Affairs and Labor

**Senate Committees**

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**A BILL FOR AN ACT**

101      **CONCERNING THE ALIGNMENT OF THE COLORADO STATUTES WITH**  
102              **THE FEDERAL "WORKFORCE INNOVATION AND OPPORTUNITY**  
103              **ACT".**

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**Bill Summary**

*(Note: This summary applies to this bill as introduced and does not reflect any amendments that may be subsequently adopted. If this bill passes third reading in the house of introduction, a bill summary that applies to the reengrossed version of this bill will be available at <http://www.leg.state.co.us/bills summaries>.)*

The bill changes the title of the "Colorado Work Force Investment Act" to the "Colorado Work Force Innovation and Opportunity Act" and aligns the current state statute with the federal "Workforce Innovation and Opportunity Act" (Act).

Federal law previously required each work force board to establish

Shading denotes HOUSE amendment. Double underlining denotes SENATE amendment.  
*Capital letters indicate new material to be added to existing statute.  
Dashes through the words indicate deletions from existing statute.*

a youth council as a subgroup within the work force board. Because federal law no longer requires the youth council, the bill deletes its establishment from statute. Pursuant to the opportunity created by the Act, the bill allows for the establishment of standing committees to address local work force area issues. The bill incorporates existing work force investment programs for the purpose of delivering services pursuant to the Act.

The bill deletes the requirements for designating a one-stop partner operator because federal law currently requires a procurement process.

Pursuant to federal requirements, the bill requires a one-stop career center that receives federal work force funds from the United States department of labor to provide veterans priority employment and training services.

The bill deletes the requirement that the state work force development council submit recommendations for the allocation of federal funds to the joint budget committee. The current practice is to make recommendations to the governor, and this requirement is retained in statute.

The bill deletes the requirements for making appointments to the state work force development council and requires the appointments to meet the minimum requirements of the Act.

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1 *Be it enacted by the General Assembly of the State of Colorado:*

2           **SECTION 1.** In Colorado Revised Statutes, 8-83-103, **amend** (2)  
3 as follows:

4           **8-83-103. Powers, duties, and functions - acceptance of**  
5 **moneys.** (2) The division may accept and expend moneys from  
6 INTERGOVERNMENTAL PARTNERSHIPS, gifts, grants, donations, and other  
7 ~~nongovernmental~~ contributions for the purposes for which the division is  
8 authorized.

9           **SECTION 2.** In Colorado Revised Statutes, **amend** 8-83-201 as  
10 follows:

11           **8-83-201. Short title.** This part 2 shall be known and may be  
12 cited as the "Colorado Work Force ~~Investment~~ INNOVATION AND  
13 OPPORTUNITY Act".

1           **SECTION 3.** In Colorado Revised Statutes, 8-83-202, **amend** (1)  
2 (a), (1) (e), and (2) (a) as follows:

3           **8-83-202. Legislative declaration.** (1) The general assembly  
4 hereby finds and declares that:

5           (a) Passage of the federal "~~Workforce Investment Act of 1998~~",  
6 ~~29 U.S.C. sec. 2801 et seq.~~, "WORKFORCE INNOVATION AND  
7 OPPORTUNITY ACT", 29 U.S.C. SEC. 3101 ET SEQ., gives the state a unique  
8 opportunity to develop a work force program and employment system  
9 designed to meet the needs of employers, job seekers, and those who want  
10 to further their careers;

11           (e) Therefore, it is in the state's best interest to adopt the Colorado  
12 work force ~~investment~~ DEVELOPMENT program set forth in this part 2.

13           (2) The general assembly recommends that:

14           (a) To the extent possible, counties or multi-county areas integrate  
15 their work force ~~investment~~ DEVELOPMENT program sources of funding  
16 to maximize the resources available at the local level to provide the  
17 services authorized under this part 2; and

18           **SECTION 4.** In Colorado Revised Statutes, 8-83-203, **amend**  
19 (1), (2), (3), (4), (6), (7), (8), (9), (10), (11), (17), (18), (21), and (22) as  
20 follows:

21           **8-83-203. Definitions.** As used in this part 2, unless the context  
22 otherwise requires:

23           (1) "Colorado work force ~~investment~~ DEVELOPMENT program" or  
24 "work force ~~investment~~ DEVELOPMENT program" means the program of  
25 work force development created in this part 2.

26           (2) "Consortium local elected officials board" means the local  
27 elected officials appointed by each local work force ~~investment~~

1 DEVELOPMENT board in the consortium work force investment  
2 DEVELOPMENT area to serve as the local elected official for a consortium  
3 work force investment DEVELOPMENT area.

4 (3) "Consortium work force investment DEVELOPMENT area" or  
5 "consortium area" means an area designated by the governor as a federal  
6 work force investment DEVELOPMENT area. The consortium work force  
7 investment DEVELOPMENT area may contain one or more local work force  
8 investment DEVELOPMENT areas.

9 (4) "Consortium work force investment DEVELOPMENT board" or  
10 "consortium board" means the work force board appointed by the  
11 consortium local elected officials board. The consortium work force  
12 investment DEVELOPMENT board serves, on behalf of the local work force  
13 boards in the consortium area, as the local work force investment  
14 DEVELOPMENT board for specific functions under the federal act.

15 (6) "Designated work force investment DEVELOPMENT area"  
16 means a county or group of counties that has banded together through an  
17 intergovernmental agreement to provide a work force investment  
18 DEVELOPMENT program and that is designated by the governor as a  
19 federal work force investment DEVELOPMENT area. A designated work  
20 force investment DEVELOPMENT area is not the same as the consortium  
21 work force investment DEVELOPMENT area.

22 (7) "Designated work force investment DEVELOPMENT board"  
23 means the local work force investment DEVELOPMENT board for a  
24 federally designated work force investment DEVELOPMENT area.

25 (8) "Federal act" means ~~Title I of the federal "Workforce~~  
26 ~~Investment Act of 1998", 29 U.S.C. sec. 2801 et seq.~~ "WORKFORCE  
27 INNOVATION AND OPPORTUNITY ACT", 29 U.S.C. SEC. 3101 ET. SEQ.

1 (9) "Local elected officials" means the boards of county  
2 commissioners of the county or counties operating work force investment  
3 DEVELOPMENT programs; except that, in the case of a city and county,  
4 "local elected officials" means the mayor.

5 (10) "Local plan" means a plan, developed and executed by a  
6 local work force investment DEVELOPMENT board, that outlines the  
7 functions and responsibilities for delivery of services within a work force  
8 investment DEVELOPMENT area.

9 (11) "Local work force investment DEVELOPMENT board" means  
10 the work force board of a local work force investment DEVELOPMENT  
11 area within a consortium work force investment DEVELOPMENT area. ■

12 (17) "Title I" means Title I of the federal act "WORKFORCE  
13 INVESTMENT ACT OF 1998", 29 U.S.C. SEC. 2801 ET SEQ.

14 (18) "Title I moneys" means moneys distributed pursuant to Title  
15 I.

16 (21) "Work force board" means either the designated work force  
17 investment DEVELOPMENT board or a local work force investment  
18 DEVELOPMENT board.

19 (22) "Work force investment DEVELOPMENT area" means either  
20 the designated work force investment DEVELOPMENT area or a local work  
21 force investment DEVELOPMENT area.

22 **SECTION 5.** In Colorado Revised Statutes, 8-83-204, **amend**  
23 (1), (2) (a), and (2) (e) as follows:

24 **8-83-204. Work force DEVELOPMENT program - legislative**  
25 **declaration - purposes.** (1) The general assembly finds, determines, and  
26 declares that this part 2 is adopted pursuant to the requirements of the  
27 federal "~~Workforce Investment Act of 1998~~", ACT and is intended to

1 comply with the federal act's express requirements for participants in the  
2 operation of work force investment DEVELOPMENT programs.

3 (2) The purposes of this part 2 are to:

4 (a) Establish a central, coordinated delivery system at the local or  
5 regional level through which any citizen may look for a job, explore work  
6 preparation and career development services, and access a range of  
7 employment, training, and occupational education programs offering  
8 their services through local or regional work force investment  
9 DEVELOPMENT programs;

10 (e) Allow counties increased responsibility for the administration  
11 of the work force investment DEVELOPMENT program.

12 **SECTION 6.** In Colorado Revised Statutes, **amend** 8-83-205 as  
13 follows:

14 **8-83-205. Work force development program - creation -**  
15 **administration.** (1) Under authority of the governor, the department  
16 shall cooperate with the state council to help establish and operate a  
17 network of work force investment DEVELOPMENT areas as set forth in this  
18 part 2.

19 (2) Work force investment DEVELOPMENT areas may be  
20 established at a county level or at a multi-county level through  
21 intergovernmental agreements reached by the applicable local elected  
22 officials of the work force investment DEVELOPMENT area and subject to  
23 approval by the governor.

24 (3) Local elected officials shall govern the operation of work  
25 force investment DEVELOPMENT areas with policy guidance from work  
26 force boards appointed by the local elected officials. At the option of the  
27 local elected officials and the work force board, work force investment

1 DEVELOPMENT programs may be operated by a county, the department,  
2 other governmental agencies, nonprofit or not-for-profit organizations,  
3 or private entities; except that Wagner-Peyser funds shall not be used to  
4 award contracts to nonprofit or not-for-profit organizations or private  
5 entities. An entity that applies to become a work force program operator  
6 and is not selected may appeal the decision through any available appeal  
7 process of the applicable local governmental entity.

8 (4) If federal or state financial support for the provision of  
9 employment and training services is eliminated or is reduced by an  
10 amount that is considered substantial by the local elected officials, the  
11 local elected officials are not required to continue funding or operating  
12 work force ~~investment~~ DEVELOPMENT programs.

13 (5) The state council shall ensure that a work force ~~investment~~  
14 DEVELOPMENT area may function as a federally designated work force  
15 ~~investment~~ DEVELOPMENT area in applying for available national program  
16 grants under the federal act. Each work force board may apply for a grant  
17 for its own area in the manner it deems most appropriate. A work force  
18 board may apply for a grant for its own area and receive any  
19 corresponding moneys awarded exclusively or may apply through other  
20 means and with other work force areas. Any grant moneys awarded to a  
21 work force ~~investment~~ DEVELOPMENT area shall be a direct pass-through  
22 from the federal government to the applicable work force ~~investment~~  
23 DEVELOPMENT area or areas.

24 (6) A work force ~~investment~~ DEVELOPMENT area created pursuant  
25 to this part 2 is authorized to operate with the same authority and  
26 functions as if the area were a federally designated work force ~~investment~~  
27 DEVELOPMENT area.

1           **SECTION 7.** In Colorado Revised Statutes, **amend** 8-83-206 as  
2 follows:

3           **8-83-206. Local elected officials - function - authority.** The  
4 local elected officials shall maintain a strong role in all phases and levels  
5 of implementation of the federal act. The local elected officials of a work  
6 force ~~investment~~ DEVELOPMENT area, in agreement with the work force  
7 board, are authorized to award contracts for the administration,  
8 implementation, or operation of any aspect of the work force ~~investment~~  
9 DEVELOPMENT program to any appropriate public, private, or nonprofit  
10 entity in accordance with applicable county regulations and federal law;  
11 except that Wagner-Peyser funds shall not be used to award contracts to  
12 private or nonprofit entities.

13           **SECTION 8.** In Colorado Revised Statutes, **amend** 8-83-207 as  
14 follows:

15           **8-83-207. Designated work force development boards -**  
16 **consortium work force development boards - local work force**  
17 **development boards - authority - functions.** (1) Designated work force  
18 ~~investment~~ DEVELOPMENT boards are subject to this part 2 and the federal  
19 act. Designated work force ~~investment~~ DEVELOPMENT boards operate for  
20 a federally designated work force ~~investment~~ DEVELOPMENT area.

21           (2) (a) The consortium work force ~~investment~~ DEVELOPMENT  
22 board shall delegate to the local work force ~~investment~~ DEVELOPMENT  
23 boards the functions and requirements specified in this part 2 and in the  
24 federal act for work force boards. Subject to the limits specified in this  
25 part 2, the consortium board operates as the local work force ~~investment~~  
26 DEVELOPMENT board for the federally designated consortium work force  
27 ~~investment~~ DEVELOPMENT area.



1 (b) The consortium local elected officials board functions only as  
2 the local elected official for the consortium work force investment  
3 DEVELOPMENT board. The consortium local elected officials board  
4 performs only those specified functions authorized in section 8-83-214.

5 (3) Local work force investment DEVELOPMENT boards operate  
6 as the work force boards for the local work force investment  
7 DEVELOPMENT areas operating within the consortium work force  
8 investment DEVELOPMENT area and as further specified in section  
9 8-83-213. To the extent possible, local work force investment  
10 DEVELOPMENT boards are subject to the requirements contained in this  
11 part 2 and the federal act. If a local work force investment DEVELOPMENT  
12 board finds that compliance with any such requirement is not practicable,  
13 the work force board shall include in its local plan a description of the  
14 requirement and an explanation of why compliance is impracticable.  
15 Requirements that may be so described and explained include work force  
16 board membership requirements as specified in section 8-83-210 youth  
17 council membership requirements listed in section 8-83-212, and  
18 requirements for partners described in section 8-83-216. Although each  
19 local work force investment DEVELOPMENT board has such discretion, it  
20 is subject to the outcome and performance measures required by the  
21 federal act and as negotiated with the consortium work force investment  
22 DEVELOPMENT board in approving the local plan. Each local work force  
23 investment DEVELOPMENT board shall meet the intent and purposes of  
24 this part 2 and the federal act.

25 **SECTION 9.** In Colorado Revised Statutes, 8-83-208, **amend**  
26 (1), (2) (b) introductory portion, (2) (b) (II), (2) (b) (III), (2) (d), and (2)  
27 (h) as follows:

1           **8-83-208. Implementation - local plans.** (1) (a) The Colorado  
2 work force ~~investment~~ DEVELOPMENT program shall be administered  
3 according to the state ~~five-year~~ FOUR-YEAR plan prepared in accordance  
4 with the local plans created pursuant to this section. Each designated  
5 work force ~~investment~~ DEVELOPMENT area shall submit a plan that meets  
6 the requirements of subsection (2) of this section to the governor for  
7 approval.

8           (b) The consortium work force ~~investment~~ DEVELOPMENT board  
9 shall develop a local plan that consists of a compilation of local plans  
10 submitted by each local work force ~~investment~~ DEVELOPMENT board. The  
11 consortium work force ~~investment~~ DEVELOPMENT board shall ensure that  
12 the local plan for the consortium area, in total, meets the requirements  
13 specified in subsection (2) of this section and shall submit such plan to  
14 the governor for approval. Local work force ~~investment~~ DEVELOPMENT  
15 boards within the consortium work force ~~investment~~ DEVELOPMENT area  
16 shall submit local plans to the consortium work force ~~investment~~  
17 DEVELOPMENT board for approval.

18           (2) **Local plans for work force DEVELOPMENT areas.** Subject  
19 to the approval of, and in partnership with, the local elected officials,  
20 each work force board shall develop a comprehensive ~~five-year~~  
21 FOUR-YEAR local plan. The plan shall include:

22           (b) A description of the work force ~~investment~~ DEVELOPMENT  
23 program to be established in the work force ~~investment~~ DEVELOPMENT  
24 area, including:

25           (II) A copy of each memorandum of understanding between the  
26 work force board and each of the federally required one-stop partners  
27 concerning the operation of the work force ~~investment~~ DEVELOPMENT

1 program in the local area; and

2 (III) A description of the local levels of performance negotiated  
3 with the governor and local elected officials, for the purpose of  
4 measuring the performance of the local area and to be used by the work  
5 force board for measuring the performance of the local fiscal agent, if  
6 designated, eligible providers, and the work force investment  
7 DEVELOPMENT program in the local area;

8 (d) A description of how the work force board will coordinate  
9 work force investment DEVELOPMENT activities carried out in the area  
10 with statewide rapid response activities, as appropriate;

11 (h) A description of the competitive process to be used to award  
12 the grants and contracts in the work force investment DEVELOPMENT area  
13 for activities implemented pursuant to this part 2; and

14 **SECTION 10.** In Colorado Revised Statutes, 8-83-209, **amend**  
15 (1), (2) (b), (2) (e), (2) (h) (I), (2) (k), (2) (l), (2) (n), (2) (o), (2) (q), (2)  
16 (r), (2) (t), and (3) as follows:

17 **8-83-209. State work force DEVELOPMENT plan.** (1) In  
18 accordance with the federal act, the governor shall submit to the federal  
19 government a state plan that outlines a five-year strategy for the Colorado  
20 work force investment DEVELOPMENT program that meets the  
21 requirements of the federal act. In addition to the plan requirements  
22 specified in subsection (2) of this section, the state plan must be based  
23 upon and consistent with the local plans submitted to the governor  
24 pursuant to section 8-83-208.

25 (2) **Content.** The state plan must include:

26 (b) A description of state-imposed requirements for the Colorado  
27 work force investment DEVELOPMENT program;

1 (e) An identification of the work force investment DEVELOPMENT  
2 areas in the state, designated work force investment DEVELOPMENT areas,  
3 the consortium work force investment DEVELOPMENT area, and the local  
4 work force investment DEVELOPMENT areas in the consortium area,  
5 including a description of the process used for the designation of such  
6 areas;

7 (h) A description of the procedures that will be taken by the state  
8 to assure coordination of and avoid duplication among:

9 (I) Work force investment DEVELOPMENT activities authorized  
10 pursuant to the federal act and this part 2;

11 (k) Information identifying how the state will use Title I moneys  
12 the state receives under the federal act to leverage other federal, state,  
13 local, and private resources in order to maximize the effectiveness of  
14 such resources and to expand the participation of business, employees,  
15 and individuals in the Colorado work force investment DEVELOPMENT  
16 program;

17 (l) Assurances that the state will continue to provide, in  
18 accordance with federal requirements for fiscal control, accounting  
19 procedures that may be necessary to ensure the proper disbursement of,  
20 and accounting for, Title I moneys paid by the federal government to the  
21 state and allocated to the work force investment DEVELOPMENT areas;

22 (n) A description of how the state consulted with the local elected  
23 officials in work force investment DEVELOPMENT areas throughout the  
24 state in determining such money distribution, in accordance with section  
25 8-83-223;

26 (o) A description of the formula for the allocation of Title I  
27 moneys to work force investment DEVELOPMENT areas for dislocated

1 worker employment and training activities, in accordance with section  
2 8-83-223;

3 (q) A description of the strategy of the state for assisting local  
4 governments in the development and implementation of a fully  
5 operational work force ~~investment~~ DEVELOPMENT program in the state;

6 (r) A description of the appeals process allowing a county or  
7 group of counties that requests but is not granted authority to form a work  
8 force ~~investment~~ DEVELOPMENT area to submit an appeal of such decision  
9 to the state council;

10 (t) A description of the employment and training activities and  
11 youth activities provided by work force ~~investment~~ DEVELOPMENT areas.

12 (3) The state plan must also include, to the extent practicable,  
13 how the state will pursue coordination and integration with other  
14 applicable federal and state programs in work force ~~investment~~  
15 DEVELOPMENT areas.

16 **SECTION 11.** In Colorado Revised Statutes, 8-83-210, **amend**  
17 (1), (2) (a), (2) (c), and (2) (f) as follows:

18 **8-83-210. Work force boards - membership.** (1) There shall be  
19 established, in each work force ~~investment~~ DEVELOPMENT area of the  
20 state, a work force board, which the local elected officials of the work  
21 force ~~investment~~ DEVELOPMENT area shall appoint to oversee the  
22 one-stop career center or work force ~~investment~~ DEVELOPMENT program  
23 in that county or area. Work force boards operate in partnership with and  
24 subject to the approval of the local elected officials for the work force  
25 ~~investment~~ DEVELOPMENT area. Such boards are authorized to operate  
26 only with the approval of the local elected officials. Subject to  
27 requirements under the federal act, the local elected officials shall

1 determine the membership and functions of the boards.

2 (2) Membership of each such board must include, at a minimum:

3 (a) Representatives of business in the work force investment  
4 DEVELOPMENT area who are owners of businesses, who represent  
5 businesses with employment opportunities that reflect the employment  
6 opportunities of the local area, and who are appointed from among  
7 individuals nominated by local business organizations and business trade  
8 associations;

9 (c) Representatives of organized labor for those work force  
10 investment DEVELOPMENT areas that have organized labor organizations;

11 (f) Representatives of each of the work force partners for the  
12 work force investment DEVELOPMENT area.

13 **SECTION 12.** In Colorado Revised Statutes, 8-83-211, **amend**  
14 (1) introductory portion, (1) (b), (1) (j), and (1) (k) as follows:

15 **8-83-211. Functions of work force boards.** (1) Each work force  
16 board shall, in partnership with and subject to the approval of the local  
17 elected officials for the work force investment DEVELOPMENT area,  
18 conduct the following functions:

19 (b) Designate, certify, and oversee work force investment  
20 DEVELOPMENT programs;

21 (j) Coordinate and develop employer linkages with work force  
22 investment DEVELOPMENT activities carried out in the local area,  
23 including coordination of economic development strategies; and

24 (k) Promote participation of private employers with the work  
25 force investment DEVELOPMENT program while ensuring the effective  
26 provision, through the work force system, of connecting, brokering, and  
27 coaching activities through intermediaries such as the one-stop operator

1 in the local area or through other organizations to assist such employers  
2 in meeting their hiring needs.

3 **SECTION 13.** In Colorado Revised Statutes, **repeal** 8-83-212 as  
4 follows:

5 **8-83-212. Youth council.** ~~(1) Each work force board shall~~  
6 ~~establish, as a subgroup within the work force board, a youth council.~~  
7 ~~The work force board shall appoint the youth council with the~~  
8 ~~cooperation and approval of the local elected officials. Members of the~~  
9 ~~youth council who are not members of the work force board are voting~~  
10 ~~members of the youth council but are not voting members of the work~~  
11 ~~force board.~~

12 ~~(2) **Membership.** Membership of the youth council must be as~~  
13 ~~required under the federal act and must include:~~

14 ~~(a) Members of the work force board with a special interest or~~  
15 ~~expertise in youth policy;~~

16 ~~(b) Representatives of youth service agencies, including juvenile~~  
17 ~~justice and local law enforcement agencies, and representatives of local~~  
18 ~~public housing authorities;~~

19 ~~(c) Parents of eligible youth seeking assistance under the youth~~  
20 ~~grant provisions of the federal act that may include parents representing~~  
21 ~~issues affecting youth with disabilities;~~

22 ~~(d) Individuals, including former participants and representatives~~  
23 ~~or organizations, that have experience relating to youth activities;~~

24 ~~(e) Representatives of the federal job corps if represented in the~~  
25 ~~local area; and~~

26 ~~(f) Other individuals as the board, in cooperation with and with~~  
27 ~~the approval of the local elected officials, determine to be appropriate.~~

1           ~~(3) **Duties.** The youth council shall perform the following duties~~  
2 ~~as specified in the federal act:~~

3           ~~(a) Develop the portion of the local plan relating to eligible youth,~~  
4 ~~as determined by the chairperson of the work force board;~~

5           ~~(b) Subject to the approval of the work force board and consistent~~  
6 ~~with section 123 of the federal act, recommend eligible providers of~~  
7 ~~youth activities to be awarded grants or contracts on a competitive basis~~  
8 ~~by the board to carry out youth activities;~~

9           ~~(c) Conduct performance oversight of eligible providers of youth~~  
10 ~~activities in the local area;~~

11           ~~(d) Coordinate youth activities authorized under section 129 of~~  
12 ~~the federal act in the local area; and~~

13           ~~(e) Other duties determined to be appropriate by the chairperson~~  
14 ~~of the work force board.~~

15           **SECTION 14.** In Colorado Revised Statutes, **add** 8-83-212.5 as  
16 follows:

17           **8-83-212.5. Local work force development board standing**  
18 **committees.** (1) A LOCAL WORK FORCE DEVELOPMENT BOARD MAY  
19 DESIGNATE STANDING COMMITTEES THAT INCLUDE LOCAL WORK FORCE  
20 DEVELOPMENT BOARD MEMBERS AND MEMBERS OF THE PUBLIC WITH  
21 APPROPRIATE EXPERIENCE, AS FOLLOWS:

22           (a) A STANDING COMMITTEE THAT INCLUDES REPRESENTATIVES  
23 OF ONE-STOP PARTNERS TO PROVIDE INFORMATION AND ASSIST WITH  
24 OPERATIONAL AND OTHER ISSUES RELATING TO THE ONE-STOP DELIVERY  
25 SYSTEM AS ESTABLISHED IN SECTION 121 OF THE FEDERAL ACT;

26           (b) A STANDING COMMITTEE THAT INCLUDES A  
27 COMMUNITY-BASED ORGANIZATION WITH A DEMONSTRATED RECORD OF



1 SUCCESS IN SERVING YOUTH TO PROVIDE INFORMATION AND ASSIST WITH  
2 PLANNING, OPERATIONAL, AND OTHER ISSUES RELATING TO THE PROVISION  
3 OF SERVICES TO YOUTH;

4 (c) A STANDING COMMITTEE TO PROVIDE INFORMATION AND TO  
5 ASSIST WITH OPERATIONAL AND OTHER ISSUES RELATING TO THE  
6 PROVISION OF SERVICES TO INDIVIDUALS WITH DISABILITIES, INCLUDING  
7 ISSUES RELATING TO COMPLIANCE WITH 29 U.S.C. SEC. 3248, AND  
8 APPLICABLE SECTIONS OF THE "AMERICAN DISABILITIES ACT OF 1990", 42  
9 U.S.C. 12101 ET. SEQ., REGARDING PROGRAMMATIC AND PHYSICAL  
10 ACCESS TO THE SERVICES, PROGRAMS, AND ACTIVITIES OF THE ONE-STOP  
11 DELIVERY SYSTEM AND APPROPRIATE TRAINING FOR STAFF CONCERNING  
12 THE PROVISION OF SUPPORT OR ACCOMMODATION TO, AND FINDING  
13 EMPLOYMENT OPPORTUNITIES FOR, INDIVIDUALS WITH DISABILITIES; AND

14 (d) ANY ADDITIONAL STANDING COMMITTEES THAT THE LOCAL  
15 WORK FORCE DEVELOPMENT BOARDS DEEM NECESSARY.

16 (2) THIS SECTION DOES NOT PROHIBIT ANOTHER ENTITY FROM  
17 ADDRESSING THE ISSUES IN THIS SUBSECTION (1).

18 **SECTION 15.** In Colorado Revised Statutes, 8-83-213, **amend**  
19 (1), (2) introductory portion, (2) (a), (2) (b), (2) (f), (2) (g), (2) (h), (2) (i),  
20 (2) (j), and (3) as follows:

21 **8-83-213. Consortium work force development board.** (1) The  
22 consortium local elected officials board in a consortium work force  
23 ~~investment~~ DEVELOPMENT area shall establish and appoint a consortium  
24 work force ~~investment~~ DEVELOPMENT board. At a minimum, the  
25 membership of the consortium board must consist of representatives who  
26 are members of local work force ~~investment~~ DEVELOPMENT boards. The  
27 consortium board shall meet the membership requirements under the

1 federal act for a work force board for each local work force investment  
2 DEVELOPMENT area of the consortium; except that members, as  
3 appropriate, may represent more than one entity specified by the federal  
4 act for the purpose of meeting local work force investment  
5 DEVELOPMENT board membership requirements. The consortium board  
6 shall develop its own operational procedures.

7 (2) **Functions of consortium board - delegation to local**  
8 **boards.** Unless otherwise specified in this section and subject to federal  
9 law, the consortium board shall delegate to the local work force  
10 investment DEVELOPMENT boards in the consortium area such local work  
11 force investment DEVELOPMENT board authority and functions specified  
12 under this part 2 and the federal act. Authority and functions of the  
13 consortium board are limited to the following:

14 (a) Meeting the federal membership requirements for a designated  
15 work force investment DEVELOPMENT board for the local work force  
16 investment DEVELOPMENT areas;

17 (b) Negotiating with, and approving local plans submitted by,  
18 local work force investment DEVELOPMENT boards;

19 (f) Making recommendations to the governor concerning  
20 procedures to temporarily replace or correct a local work force  
21 investment DEVELOPMENT area that is out of compliance with its local  
22 plan, as appropriate;

23 (g) Facilitating and coordinating local work force investment  
24 DEVELOPMENT area grant applications, as appropriate;

25 (h) Ensuring that any grant moneys awarded to a local work force  
26 investment DEVELOPMENT area or areas are a direct pass-through from  
27 the federal government to the eligible local work force investment

1 DEVELOPMENT area or areas;

2 (i) ~~Establishing as a subgroup within the consortium board, a~~  
3 ~~youth council appointed by the consortium board in cooperation with the~~  
4 ~~consortium local elected officials board. Establishment of a consortium~~  
5 ~~youth council must meet the federal act requirements for youth council~~  
6 ~~membership. The consortium youth council shall review and comment,~~  
7 ~~as appropriate, upon that portion of the local plan relating to eligible~~  
8 ~~youth and shall submit the plan to the consortium work force investment~~  
9 ~~board. Subject to federal law, the consortium board shall delegate to the~~  
10 ~~local work force investment boards in the consortium area duties and~~  
11 ~~functions specified in the federal act and in section 8-83-212 concerning~~  
12 ~~youth councils~~ STANDING COMMITTEES PURSUANT TO SECTION  
13 8-83-212.5.

14 (j) Subject to federal law, delegating to the local work force  
15 ~~investment~~ DEVELOPMENT boards in the consortium area duties and  
16 functions specified in the federal act and in ~~sections~~ SECTION 8-83-216  
17 ~~and 8-83-217~~ outlining requirements for one-stop partners. ~~and the~~  
18 ~~memorandum of understanding between work force boards and one-stop~~  
19 ~~partners.~~

20 (3) **Local work force development boards.** (a) To the extent  
21 possible and as outlined in the applicable local plan, each local work  
22 force ~~investment~~ DEVELOPMENT board shall function as set forth in the  
23 federal act. In carrying out its duties, the local work force ~~investment~~  
24 DEVELOPMENT board shall operate in partnership with, and subject to the  
25 approval of, the local elected officials for the designated work force  
26 ~~investment~~ DEVELOPMENT area.

27 (b) **Membership.** Notwithstanding section 8-83-210 (3), the local

1 elected officials shall appoint members of each local work force  
2 ~~investment~~ DEVELOPMENT board. Membership, to the extent possible,  
3 must meet the requirements of the federal act.

4 (c) **Functions.** Notwithstanding section 8-83-211, at a minimum,  
5 functions of the local work force ~~investment~~ DEVELOPMENT board must  
6 be as set forth in this part 2 and the federal act. In addition, each local  
7 work force ~~investment~~ DEVELOPMENT board shall:

8 (I) Upon the approval of and in partnership with the local elected  
9 officials, develop a comprehensive five-year local plan for its local work  
10 force ~~investment~~ DEVELOPMENT area and shall submit the local plan for  
11 approval to the consortium work force ~~investment~~ DEVELOPMENT board.  
12 The plan must include a description of those requirements under the  
13 federal act that the local work force ~~investment~~ DEVELOPMENT board  
14 determines cannot be reasonably met while still fulfilling the intent and  
15 purposes of the federal act.

16 (II) Apply for federal grants. Each local work force ~~investment~~  
17 DEVELOPMENT board may apply for national program grants on behalf of  
18 the area or in partnership with any other work force ~~investment~~  
19 DEVELOPMENT area. Any national program grant moneys awarded to a  
20 local work force ~~investment~~ DEVELOPMENT area are a direct pass-through  
21 from the federal government to the applicable work force ~~investment~~  
22 DEVELOPMENT area or areas.

23 (III) To the extent possible and as outlined in the local plan, with  
24 the agreement of the local elected officials and notwithstanding the  
25 provisions of ~~sections~~ SECTION 8-83-216, ~~and 8-83-217~~ designate or  
26 certify the one-stop partners. ~~and develop and negotiate the memorandum~~  
27 ~~of understanding as set forth in sections 8-83-216 and 8-83-217;~~

1 (IV) ~~Establish, as a subgroup within the local work force~~  
2 ~~investment board, a youth council to be appointed by the work force~~  
3 ~~board in cooperation with the local elected officials. To the extent~~  
4 ~~possible and as outlined in the local plan, the youth council's membership~~  
5 ~~and functions must be as set forth in the federal act and section 8-83-212.~~

6 (V) Oversee the one-stop system in the local work force  
7 ~~investment~~ DEVELOPMENT area.

8 **SECTION 16.** In Colorado Revised Statutes, **amend** 8-83-214  
9 as follows:

10 **8-83-214. Consortium local elected officials board.** (1) In order  
11 to satisfy requirements under the federal act for the role of local elected  
12 officials in a work force area, there shall be a consortium local elected  
13 officials board for the local consortium work force ~~investment~~  
14 DEVELOPMENT board. The consortium local elected officials board  
15 consists of one local elected official appointed by each local work force  
16 ~~investment~~ DEVELOPMENT area in the consortium. Membership is for a  
17 term of two years, which term may be renewable.

18 (2) Functions of the consortium local elected officials board are  
19 to appoint members to the consortium work force ~~investment~~  
20 DEVELOPMENT board and ensure that the consortium work force  
21 ~~investment~~ DEVELOPMENT board meets federal requirements for  
22 membership and delegate fiscal responsibility and contractual  
23 responsibility to the local elected officials of local work force ~~investment~~  
24 DEVELOPMENT areas. The consortium local elected officials board shall  
25 develop its own operational procedures.

26 **SECTION 17.** In Colorado Revised Statutes, **amend** 8-83-215  
27 as follows:

1           **8-83-215. Designation of work force investment areas.**

2           (1) Subject to section 116(a) of chapter 2 of the federal act "WORKFORCE  
3           INVESTMENT ACT OF 1998", 29 U.S.C. SEC. 2801 ET SEQ., concerning  
4           designation of work force areas, any current or previously recognized  
5           service delivery area operating before August 7, 1998, may automatically  
6           be designated as a work force investment DEVELOPMENT area.

7           (2) If an area does not qualify for automatic designation, on an  
8           annual basis any county or group of counties may petition the governor  
9           to form a new work force investment DEVELOPMENT area.

10          (3) Subject to the governor's approval, counties may choose,  
11          through intergovernmental agreements, to band together to form a work  
12          force investment DEVELOPMENT area for an area consisting of more than  
13          one county or may choose to operate a work force investment  
14          DEVELOPMENT area as a single county. If the proposed work force  
15          investment DEVELOPMENT area meets the minimum federal requirements  
16          for an area as set forth in the federal act, the governor should not  
17          unreasonably withhold approval of the work force investment  
18          DEVELOPMENT area.

19          (4) (a) The governor may authorize and approve as a federally  
20          designated work force investment DEVELOPMENT area any area that  
21          applies and qualifies as specified in subsection (1) of this section.

22          (b) Automatic designation as a designated work force investment  
23          DEVELOPMENT area shall be granted to any unit of local government with  
24          a population of five hundred thousand or more.

25          (c) Automatic temporary designation as a designated work force  
26          investment DEVELOPMENT area shall be granted to any unit or units of  
27          local government with a total population of two hundred thousand or

1 more that constituted a service delivery area before August 7, 1998, and  
2 that requests such designation. Temporary designation is for a period of  
3 not more than two years; except that the period may be extended until the  
4 end of the period covered by the five-year plan if the work force  
5 ~~investment~~ DEVELOPMENT area has substantially met the local  
6 performance measures and sustained the fiscal integrity of its Title I  
7 moneys.

8 (5) (a) The governor shall designate an additional federally  
9 designated work force ~~investment~~ DEVELOPMENT area for the state,  
10 specified as the "consortium of local work force ~~investment~~  
11 ~~DEVELOPMENT~~ areas", which consists of all approved local work force  
12 ~~investment~~ DEVELOPMENT areas. Any current or previously recognized  
13 service delivery area operating after August 7, 1998, may enter into or  
14 withdraw from the consortium of local work force ~~investment~~  
15 DEVELOPMENT areas. Such decision shall be allowed on an annual basis,  
16 with notice to be given by February 1, for any designation to go into  
17 effect for the subsequent program year by July 1 of the same year.

18 (b) Any approved local work force ~~investment~~ DEVELOPMENT  
19 area in the consortium work force ~~investment~~ DEVELOPMENT area shall  
20 operate with the same authority as, and function as if it were, a federally  
21 designated work force ~~investment~~ DEVELOPMENT area.

22 **SECTION 18.** In Colorado Revised Statutes, 8-83-216, **amend**  
23 (1) introductory portion, (1) (a), (1) (k); **repeal** (2) (b); and **add** (1) (m),  
24 (1) (n), (2) (c.3), and (2) (c.5) as follows:

25 **8-83-216. Required and optional partners of work force**  
26 **boards.** (1) **Required partners.** Each work force board, with the  
27 agreement of the local elected officials, is authorized to designate or

1 certify the following partners for purposes of participating in the delivery  
2 of services for the one-stop system or work force investment  
3 DEVELOPMENT program in the work force investment DEVELOPMENT area:

4 (a) Work force investment DEVELOPMENT programs;

5 (k) Programs under 38 U.S.C. sec. 4100 et seq., concerning local  
6 veterans' employment representatives and disabled veterans' outreach  
7 programs; and

8 (m) PROGRAMS AUTHORIZED UNDER THE FEDERAL "SOCIAL  
9 SECURITY ACT", 42 U.S.C. SEC. 601; AND

10 (n) PROGRAMS AUTHORIZED UNDER THE FEDERAL "SECOND  
11 CHANCE ACT OF 2007", 42 U.S.C. SEC. 17532.

12 (2) **Optional partners.** Optional partners may include:

13 (b) ~~Programs authorized under the federal "Food Stamp Act of~~  
14 ~~1977", 7 U.S.C. sec. 2011 et seq.;~~

15 (c.3) PROGRAMS AUTHORIZED UNDER THE "FOOD AND NUTRITION  
16 ACT OF 2008", 7 U.S.C. SECTIONS 2015 (d) (4) AND 2015 (o);

17 (c.5) PROGRAMS AUTHORIZED UNDER THE "REHABILITATION ACT  
18 OF 1973", 29 U.S.C. 732, SEC. 112.

19 **SECTION 19.** In Colorado Revised Statutes, **repeal** 8-83-217 (2)  
20 as follows:

21 **8-83-217. Memorandum of understanding - one-stop**  
22 **partners. (2) ~~One-stop operators.~~ (a) ~~Consistent with the~~**  
23 ~~requirements of the federal act for one-stop partners, the work force~~  
24 ~~board, with the agreement of the local elected official, is authorized to~~  
25 ~~designate or certify one-stop operators and to terminate for cause the~~  
26 ~~eligibility of such operators.~~

27 (b) ~~To be eligible to receive moneys to operate a one-stop career~~



1 center, an entity, which may be a consortium of entities, must be  
2 designated or certified as a one-stop operator by any of the following  
3 three methods:

4 (I) If a one-stop system or work force investment program was  
5 established in a local area prior to August 7, 1998, the work force board  
6 and local elected official for that area may agree with each other and with  
7 the governor, on a case-by-case basis, to designate or certify as a one-stop  
8 operator an entity carrying out activities under such preexisting system  
9 or program, subject to the requirements of section 8-83-216 and this  
10 section and of the memorandum of understanding.

11 (II) An entity may be selected for designation or certification as  
12 a one-stop operator through a competitive process.

13 (III) An entity may be selected for designation or certification as  
14 a one-stop operator in accordance with an agreement reached between the  
15 work force board and a consortium of entities that, at a minimum,  
16 includes three or more of the required one-stop partners described in  
17 section 8-83-216 and may be a public or private entity, or consortium of  
18 entities, of demonstrated effectiveness in the local area and may include  
19 the following:

20 (A) A postsecondary educational institution;

21 (B) An employment service agency established under the federal  
22 "Wagner-Peyser Act";

23 (C) A private, nonprofit organization, which may include a  
24 community-based organization;

25 (D) A private for-profit entity;

26 (E) A government agency; and

27 (F) Another interested organization or entity, which may include

1 a local chamber of commerce or other business organization.

2 (c) Elementary schools and secondary schools are not eligible for  
3 designation or certification as one-stop operators; except that  
4 nontraditional public secondary schools and area vocational education  
5 schools shall be eligible for such designation or certification.

6 **SECTION 20.** In Colorado Revised Statutes, 8-83-218, **amend**  
7 (1) introductory portion, (1) (j), and (3); and **add** (1) (k) as follows:

8 **8-83-218. Core services.** (1) The work force investment  
9 DEVELOPMENT program, as implemented through one-stop career centers,  
10 shall provide a ~~core~~ set of services, as defined by the federal act, to  
11 individuals who are adults or dislocated workers, including, at a  
12 minimum, access for job seekers to a comprehensive array of services  
13 and information, which may include:

14 (j) Veterans' benefits and services information, subject to the  
15 availability of Wagner-Peyser funds and to the following:

16 (I) Any one-stop career center receiving ~~Wagner-Peyser funds or~~  
17 ~~housing Wagner-Peyser Act staff~~ FEDERAL WORK FORCE FUNDS  
18 DISTRIBUTED BY THE UNITED STATES DEPARTMENT OF LABOR shall  
19 provide veterans with priority employment and training services in  
20 accordance with chapter 41 of title 38, U.S.C.; AND

21 (II) In one-stop career centers that have been assigned disabled  
22 veteran outreach program and local veteran employment representative  
23 positions, ~~such~~ THE positions must be held by state employees and are in  
24 addition to, and do not supplant, Wagner-Peyser staff in providing  
25 priority employment and training services; ~~and~~ OR

26 (III) ~~All one-stop career centers shall make the full array of core~~  
27 ~~services available to veterans in the following order of priority: Disabled~~

1 ~~veterans, Vietnam-era veterans, veterans, and other eligible persons.~~

2 (k) CASE MANAGEMENT, ASSESSMENT, EMPLOYABILITY AND  
3 CAREER PLANNING, AND JOB SEARCH WORKSHOPS THAT ARE NEEDED TO  
4 PROMOTE AND SUPPORT JOB READINESS.

5 (3) At the option of the local elected officials, other services for  
6 job seekers and employers may be offered to meet the needs of a work  
7 force ~~investment~~ DEVELOPMENT area.

8 **SECTION 21.** In Colorado Revised Statutes, 8-83-219, **amend**  
9 (2); and **repeal** (1) as follows:

10 **8-83-219. Training services - individual training accounts.**

11 (1) ~~Access to intensive services, as specified in the federal act, must be~~  
12 ~~available to individuals who are adults or dislocated workers who are~~  
13 ~~unemployed, unable to obtain employment through core services, and~~  
14 ~~have been determined by a one-stop operator to be in need of more~~  
15 ~~intensive services to obtain employment or who are employed but are~~  
16 ~~determined by a one-stop operator to be in need of such services. Such~~  
17 ~~services may include diagnostic testing, individual or group counseling~~  
18 ~~and career planning, case management and follow-up services, and~~  
19 ~~training services specified in subsection (2) of this section.~~

20 (2) Participants who ~~have met the eligibility requirements for~~  
21 ~~intensive services,~~ are unable to obtain or retain employment through  
22 ~~such~~ TRAINING services, are determined by the one-stop operator to be in  
23 need of ~~such~~ THE services, and are eligible for ~~such~~ THE services as  
24 specified in the federal act must have access to training services, as  
25 specified in the federal act. ~~Such~~ Training services include occupational  
26 skills training, on-the-job training, and training programs operated by the  
27 private sector.

1           **SECTION 22.** In Colorado Revised Statutes, 8-83-220, **amend**  
2 (1) as follows:

3           **8-83-220. Encouragement of nursing education programs -**  
4 **legislative declaration.** (1) The consortium work force ~~investment~~  
5 DEVELOPMENT board shall encourage work force ~~investment~~  
6 DEVELOPMENT programs and work force ~~investment~~ DEVELOPMENT areas  
7 to enroll individuals in educational programs related to practical nursing.

8           **SECTION 23.** In Colorado Revised Statutes, **amend** 8-83-221  
9 as follows:

10           **8-83-221. Title I appropriation - allocation.** As specified in  
11 section 191(a) of the federal ~~act~~ "WORKFORCE INVESTMENT ACT OF  
12 1998", 29 U.S.C. SEC. 2801 ET SEQ., Title I moneys received by the state  
13 under the ~~federal~~ act are subject to appropriation by the general assembly,  
14 consistent with the terms and conditions required under the ~~federal~~ act.  
15 The local elected officials or their designee shall serve as the local grant  
16 recipient for the Title I moneys allocated to the work force ~~investment~~  
17 DEVELOPMENT area by the governor for the purposes of a work force  
18 ~~investment~~ DEVELOPMENT area's administration and implementation of  
19 the work force ~~investment~~ DEVELOPMENT program pursuant to the  
20 allocation formula described in section 8-83-223. The department shall  
21 contract directly with each local work force ~~investment~~ DEVELOPMENT  
22 board. In order to assist in the administration of Title I moneys, the local  
23 elected officials may designate an entity to serve as a local grant  
24 sub-recipient for ~~such~~ THE moneys or as a local fiscal agent. Except when  
25 the designee is the department, a designation does not relieve the local  
26 elected officials of the liability for any misuse of grant moneys.

27           **SECTION 24.** In Colorado Revised Statutes, **amend** 8-83-222

1 as follows:

2 **8-83-222. County block grants formula - use of**  
3 **moneys.** Subject to available appropriations by the general assembly, the  
4 department shall allocate Title I moneys to each work force investment  
5 DEVELOPMENT area for the operation of the work force investment  
6 DEVELOPMENT program in that work force investment DEVELOPMENT  
7 area.

8 **SECTION 25.** In Colorado Revised Statutes, **amend** 8-83-223  
9 as follows:

10 **8-83-223. Allocation process.** Subject to federal law and  
11 available appropriations ~~within thirty days after receipt of the federal~~  
12 ~~appropriation~~ from the United States department of labor, the local  
13 elected officials from each LOCAL work force investment DEVELOPMENT  
14 area in the state ~~shall~~ MAY develop OR MODIFY an allocation formula for  
15 TITLE III OF THE FEDERAL ACT, FOR each LOCAL work force investment  
16 DEVELOPMENT area. Development of the allocation formula by the local  
17 elected officials ~~shall be facilitated~~ MUST OCCUR ONLY UPON THE  
18 REQUEST OF ONE OR MORE LOCAL WORK FORCE DEVELOPMENT AREAS AND  
19 MUST NOT OCCUR MORE FREQUENTLY THAN ONCE PER YEAR. LOCAL  
20 ELECTED OFFICIALS SHALL DEVELOP THE ALLOCATION FORMULA through  
21 a statewide association of county commissioners, referred to in this  
22 section as Colorado counties, incorporated, or CCI. CCI shall ensure that  
23 the local elected officials from each LOCAL work force investment  
24 DEVELOPMENT area have an opportunity to participate in the development  
25 and final approval of the recommendations for allocation formulas. The  
26 department and the state council shall provide technical assistance to CCI  
27 as requested in the development of recommended allocations. ~~The local~~

1 ~~elect~~ed officials shall recommend the allocation formula to be applied  
2 and each allocation for adult, youth, and dislocated worker services under  
3 ~~Title I~~. CCI shall forward the local elected officials' recommendations to  
4 the state council pursuant to section 8-83-224 (2) (f) for review and  
5 comment. The state council shall then submit such recommendations,  
6 together with the state council's comments, to ~~the joint budget committee~~  
7 ~~of the general assembly for review and comment before forwarding such~~  
8 ~~recommendations to~~ the governor for final determination. If the local  
9 elected officials cannot agree on an allocation, the local elected officials  
10 shall prepare alternatives and CCI shall submit the alternatives WITH  
11 REVIEW AND COMMENT to the state council, which shall select one  
12 alternative and forward it to the governor for final determination. The  
13 local elected officials and CCI shall develop their own operational  
14 procedures. Any moneys received by the state under ~~Title I~~ Title III OF  
15 THE FEDERAL ACT, together with any associated state full-time equivalent  
16 personnel positions, are subject to appropriation by the general assembly.

17 **SECTION 26.** In Colorado Revised Statutes, 8-83-224, **amend**  
18 (1), (2) (c), (2) (d), and (2) (f) as follows:

19 **8-83-224. State council - duties.** (1) The state council shall  
20 function as, and is intended to meet the requirements for, the state work  
21 force ~~investment~~ DEVELOPMENT board referred to in the federal act. In  
22 addition to performing the functions set forth in subsection (2) of this  
23 section, the state council shall serve in an advisory role to the governor  
24 for those areas specified by the federal act and shall serve as a conduit for  
25 information to local work force ~~investment~~ DEVELOPMENT areas,  
26 including facilitation of grant applications and assistance to work force  
27 ~~investment~~ DEVELOPMENT areas to enable work force ~~investment~~

1 DEVELOPMENT areas to successfully implement programs under the  
2 federal act.

3 (2) The state council shall assist the governor in the following:

4 (c) Review of local plans submitted by the designated work force  
5 ~~investment~~ DEVELOPMENT boards and consortium work force ~~investment~~  
6 DEVELOPMENT board;

7 (d) Designation of local work force ~~investment~~ DEVELOPMENT  
8 areas;

9 (f) Review and comment on, and ~~submission to the joint budget~~  
10 ~~committee for review and comment on~~, SUBMIT TO THE GOVERNOR FOR  
11 A FINAL DETERMINATION, RECOMMENDED allocation formulas for the  
12 distribution of ~~Title I~~ TITLE III moneys UNDER TITLE III OF THE FEDERAL  
13 ACT for ~~adult employment and training activities and youth activities~~  
14 WAGNER-PEYSER ACTIVITIES to LOCAL work force ~~investment~~  
15 DEVELOPMENT areas in accordance with the process established in section  
16 8-83-223;

17 **SECTION 27.** In Colorado Revised Statutes, 8-83-225, **amend**  
18 (1) introductory portion, (1) (e), and (1) (f) as follows:

19 **8-83-225. Colorado department of labor and employment -**  
20 **functions.** (1) The DEPARTMENT SHALL SERVE AS THE ADMINISTRATIVE  
21 ENTITY FOR TITLE I MONEYS RECEIVED AND MONEYS received pursuant to  
22 TITLE III the federal act. The department also is responsible for:

23 (e) With input from the applicable work force ~~investment~~  
24 DEVELOPMENT areas, continuing the centralized computer system that  
25 links work force ~~investment~~ DEVELOPMENT programs and includes  
26 training and technical support. A description of the state centralized  
27 system and procedures for developing, maintaining, and training must be

1 included in the state plan required in section 8-83-209.

2 (f) Providing staff development and training services and  
3 technical assistance to local work force ~~investment~~ DEVELOPMENT areas.

4 **SECTION 28.** In Colorado Revised Statutes, 22-10-103, **amend**  
5 (7) (g), (7) (h), and (11) (c) (I) as follows:

6 **22-10-103. Definitions.** As used in this article, unless the context  
7 otherwise requires:

8 (7) "Local education provider" means one of the following  
9 entities that the department recognizes as providing appropriate and  
10 effective adult education and literacy programs:

11 (g) A work force board, as defined in section 8-83-203, C.R.S.,  
12 that oversees a work force ~~investment~~ DEVELOPMENT program described  
13 in the "Colorado Work Force ~~Investment~~ INNOVATION AND OPPORTUNITY  
14 Act", part 2 of article 83 of title 8, C.R.S.;

15 (h) A one-stop partner, as described in section 8-83-216, C.R.S.,  
16 under the "Colorado Work Force ~~Investment~~ INNOVATION AND  
17 OPPORTUNITY Act", part 2 of article 83 of title 8, C.R.S.; or

18 (11) (c) For purposes of this subsection (11), a workforce  
19 development provider includes, but need not be limited to:

20 (I) A work force ~~investment~~ DEVELOPMENT program described in  
21 the "Colorado Work Force ~~Investment~~ INNOVATION AND OPPORTUNITY  
22 Act", part 2 of article 83 of title 8, C.R.S.; and

23 **SECTION 29.** In Colorado Revised Statutes, 24-46.3-101,  
24 **amend** (1), (2), (7) (b), and (8); and **repeal** (6) as follows:

25 **24-46.3-101. State work force development council - creation**  
26 **- membership - funding through gifts, grants, and donations - talent**  
27 **pipeline cash fund.** (1) There is hereby created within the department



1 of labor and employment, also referred to in this article as the  
2 "department", the state work force development council, also referred to  
3 in this article as the "state council". The state council shall be established  
4 as a state work force ~~investment~~ DEVELOPMENT board in accordance with  
5 the federal "~~Workforce Investment Act of 1998~~", 29 U.S.C. sec. 2801 et  
6 ~~seq.~~; "WORKFORCE INNOVATION AND OPPORTUNITY ACT", 29 U.S.C. SEC.  
7 3101 ET. SEQ., as amended, also referred to in this article as the "federal  
8 act".

9 (2) Membership of the state council must ~~include~~:

10 (a) ~~The governor;~~

11 (b) ~~Two members of the house of representatives appointed by the~~  
12 ~~speaker of the house of representatives and two members of the senate~~  
13 ~~appointed by the president of the senate;~~

14 (c) ~~Representatives of business in the state, appointed by the~~  
15 ~~governor, who are:~~

16 (I) ~~Owners of businesses, chief executives or operating officers~~  
17 ~~of businesses, and other business executives or employers with optimum~~  
18 ~~policy-making or hiring authority, including members of local work force~~  
19 ~~investment boards as specified in part 2 of article 83 of title 8, C.R.S.;~~

20 (II) ~~Representatives of businesses with employment opportunities~~  
21 ~~that reflect the employment opportunities in the state;~~

22 (III) ~~Representatives that are appointed from among individuals~~  
23 ~~nominated by state business organizations and business trade~~  
24 ~~associations;~~

25 (d) ~~Other members appointed by the governor, who are:~~

26 (I) ~~Local elected officials;~~

27 (II) ~~Representatives of labor organizations, nominated by state~~

1 labor federations;

2 ~~(III) Representatives of organizations and individuals that have~~  
3 ~~experience with respect to youth activities;~~

4 ~~(IV) Representatives of organizations and individuals that have~~  
5 ~~experience and expertise in the delivery of work force investment~~  
6 ~~activities, including chief executive officers of community colleges and~~  
7 ~~community-based organizations in the state;~~

8 ~~(V) The lead state agency officials with responsibility for the~~  
9 ~~programs and activities authorized in the federal act for the establishment~~  
10 ~~of one-stop systems and carried out by the partners at the one-stop career~~  
11 ~~centers. If no lead state agency official has responsibility for such~~  
12 ~~programs or activities, membership shall include a representative in the~~  
13 ~~state with expertise relating to such programs or activities.~~

14 ~~(VI) Such other representatives as the governor may designate,~~  
15 ~~including persons with disabilities who can represent statewide~~  
16 ~~cross-disability issues, which may include nonvoting members. MEET THE~~  
17 ~~MINIMUM REQUIREMENTS OUTLINED IN THE FEDERAL ACT AND THE~~  
18 ~~STIPULATIONS EXPRESSED BY THE GOVERNOR THROUGH EXECUTIVE~~  
19 ~~ORDER.~~

20 ~~(6) In order to create a small-voting-member state council~~  
21 ~~consistent with the requirements of the federal act, state council members~~  
22 ~~may be appointed to satisfy more than one of the membership categories~~  
23 ~~specified in the federal act for the state work force investment board.~~

24 ~~(7) (b) The terms of the members appointed by the speaker of the~~  
25 ~~house of representatives and the president of the senate and who are~~  
26 ~~serving on March 22, 2007, shall be extended to and expire on or shall~~  
27 ~~terminate on the convening date of the first regular session of the~~

1 ~~sixty-seventh general assembly. As soon as practicable after such~~  
2 ~~convening date, the speaker and the president shall appoint or reappoint~~  
3 ~~members in the same manner as provided in paragraph (b) of subsection~~  
4 ~~(2) of this section. Thereafter, the terms of the members appointed or~~  
5 ~~reappointed by the speaker and the president shall expire on the~~  
6 ~~convening date of the first regular session of each general assembly, and~~  
7 ~~all subsequent appointments and reappointments by the speaker and the~~  
8 ~~president shall be made as soon as practicable after such convening date.~~  
9 ~~The person making the original appointment or reappointment shall fill~~  
10 ~~any vacancy by appointment for the remainder of an unexpired term~~ THE  
11 EFFECTIVE DATE OF THIS ACT SHALL SERVE ACCORDING TO THE MINIMAL  
12 FEDERAL REQUIREMENTS ESTABLISHED IN PARAGRAPH (a) OF THIS  
13 SUBSECTION (7).

14 (8) The staff of the department, in consultation with the state  
15 council and governor, shall establish an annual budget for basic state  
16 council functions, activities, meetings, travel, per diem, reports, and staff.  
17 Funding for the state council's budget shall come from a portion of the  
18 administrative moneys available to the mandatory and additional federal  
19 partner programs specified in ~~29 U.S.C. sec. 2841~~ 29 U.S.C. SEC. 3151  
20 (b) (1) and (b) (2). The amount of the administrative moneys from each  
21 mandatory and additional federal partner program to be transferred to the  
22 state council shall be determined by the office of state planning and  
23 budgeting, proportionate to the annual federal partner program or activity  
24 grant amounts to the state and appropriated by the general assembly. In  
25 addition to the federal partner programs grant funding, the state council  
26 shall seek other federal, state, and private grants, gifts, and contributions  
27 to fund state council special duties, demonstration projects, and

1 initiatives.

2 **SECTION 30. Safety clause.** The general assembly hereby finds,

3 determines, and declares that this act is necessary for the immediate

4 preservation of the public peace, health, and safety.