

CHAPTER 44

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APPROPRIATIONS

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**SENATE BILL 93-201**

BY SENATORS Bird, Traylor, Rizzuto, Hopper, and Owens;  
also REPRESENTATIVES Grampas, Owen, Romero, Salaz, and Shoemaker.

**AN ACT**

**CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.**

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

**SECTION 1.** Part III of section 2 of chapter 340, Session Laws of Colorado 1992, 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.*

## Appropriations

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

**PART III  
DEPARTMENT OF CORRECTIONS**

**(1) ADMINISTRATION AND CONSOLIDATED SERVICES**

Personal Services	<del>6,879,203</del> 7,154,203	<del>6,553,442</del> 6,828,442 (165.1 FTE)	325,761 (T) <sup>a</sup> (8.7 FTE)
Employment Security Payments <sup>1</sup>	20,800	19,922	878 <sup>b</sup>
Group Health and Life	4,083,620	3,911,291	172,329 <sup>b</sup>
Short-term Disability	190,073	182,052	8,021 <sup>b</sup>
Salary Survey and Shift Differential	4,766,059	4,649,101	116,958 <sup>b</sup>
Workers' Compensation	<del>1,034,513</del> 1,616,133	<del>990,857</del> 1,547,933	<del>43,656</del> 68,200 <sup>b</sup>
Operating Expenses	1,229,576	1,229,576	
Travel Expenses	30,000	30,000	
Legal Services	342,669	338,105	4,564 <sup>b</sup>
Purchase of Services from Computer Center <sup>2</sup>	80,722	80,722	
Payment to Risk Management and Property Funds	<del>434,069</del> 581,878	<del>415,751</del> 557,322	<del>18,318</del> 24,556 <sup>b</sup>
Vehicle Lease Payments	<del>488,552</del> 539,288	<del>488,552</del> 539,288	
Leased Space <sup>6</sup> Grand Junction Office Building Leased Space	907,179	840,071	67,108 <sup>b</sup>
Contract Training Services from Community Colleges	148,500	148,500	
Access to Courts	211,895	211,895 (3.0 FTE)	
Payments for Maintenance in a Local Jail or a Private Facility of Prisoners Sentenced to a State Correctional Facility <sup>7</sup>	<del>1,700,000</del> 5,453,297	<del>1,700,000</del> 5,453,297	
Construction Management <sup>8</sup>	1,024,168	1,024,168 (14.0 FTE)	
	<u>23,579,790</u> 28,388,252		

<sup>a</sup> Of this amount, \$281,855 shall be from the Division of Correctional Industries, \$18,960 shall be from the Surplus Property Program, and \$24,946 shall be from the Canteen Operation, and, of these amounts, \$64,589 shall be from statewide indirect cost recoveries, and \$261,172 shall be from departmental indirect cost recoveries.

<sup>b</sup> These amounts shall be from the Division of Correctional Industries, the Surplus Property Program, and the Canteen Operation.

**(2) CORRECTIONAL  
INDUSTRIES**

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM		
		GENERAL FUND	CASH FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$
Personal Services	3,979,321	445,000	3,534,321 <sup>a</sup>	
	3,534,321	(16.1 FTE)	(100.9 FTE)	(117.0 FTE)
Operating Expenses	2,861,152		2,861,152 <sup>a</sup>	
Travel Expenses	50,000		50,000 <sup>a</sup>	
Raw Materials	12,954,058		12,954,058 <sup>a</sup>	
	8			
	9,654,058		9,654,058 <sup>a</sup>	
Inmate Pay	780,010		780,010 <sup>a</sup>	
	880,010		880,010 <sup>a</sup>	
Utilities	348,964		348,964 <sup>a</sup>	
Forms Warehousing and Distribution	1,262,780		1,262,780 <sup>a</sup>	(4.0 FTE)
Indirect Cost Assessment	281,855		281,855 <sup>a</sup>	
Capital Outlay	1,800,000		1,800,000 <sup>a</sup>	
	<u>2,050,000</u>		2,050,000 <sup>a</sup>	
	24,318,140			
	20,923,140			

<sup>a</sup> These amounts shall be from sales revenues of the Division of Correctional Industries and from the Land Improvement Fund, and, of these amounts, \$4,321,765 shall be from the Highway Users Tax Fund pursuant to Section 17-24-109.5 (2), C.R.S.

**(3) SURPLUS PROPERTY PROGRAM**

Personal Services	228,075		
	(7.0 FTE)		
Operating Expenses	277,074		
	225,074		
Travel Expenses	5,000		
Raw Materials	650,000		
	400,000		
Utilities	39,442		
Indirect Cost Assessment	18,960		
	<u>1,218,551</u>		1,218,551 <sup>a</sup>
	916,551		916,551 <sup>a</sup>

<sup>a</sup> These amounts shall be from sales revenues of the Surplus Property Program.

**(4) CANTEEN OPERATION**

Personal Services	541,774		
	(15.5 FTE)		
Operating Expenses	3,485,000		
	4,335,000		
Travel Expenses	10,000		
Inmate Pay	15,600		
Indirect Cost Assessment	24,946		
	<u>4,077,320</u>		4,077,320 <sup>a</sup>
	4,077,320		4,077,320 <sup>a</sup>

## Appropriations

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

4,927,320 4,927,320<sup>a</sup>

<sup>a</sup> These amounts shall be from sales revenues of the Canteen Operation.

**(5) PAROLE BOARD**

Personal Services	631,139	631,139		
		(15.0 FTE)		
Operating Expenses	22,835	22,835		
Travel Expenses	50,000	50,000		
Substance Abuse Testing and Treatment	148,500	148,500		
Contract Services	19,800	19,800		
Drug Offender Assessment	<u>14,428</u>		14,428 <sup>a</sup>	
	886,702			

<sup>a</sup> This amount shall be available pursuant to Section 18-19-103, C.R.S.

**(6) MEDICAL AND MENTAL HEALTH**

Personal Services	6,718,902	6,690,902	28,000 <sup>a</sup>	
		(164.0 FTE)	(0.8 FTE)	
Operating Expenses	1,841,159	1,841,159		
Travel Expenses	20,000	20,000		
Purchase of Services from Other Medical Facilities	2,026,244	2,026,244		
Alcohol Treatment Programs	224,740	124,740	100,000 (T) <sup>b</sup>	
Alcohol and Drug Abuse Treatment Programs	272,260	172,260	100,000 (T) <sup>b</sup>	
Service Contracts	778,401	778,401		
Sex Offender Treatment	874,045	874,045		
		(13.5 FTE)		
Settlement of Physician Assistant Suit	<u>200,000</u>	200,000		
	12,955,751			

<sup>a</sup> This amount shall be from inmate medical fees pursuant to Section 17-1-113, C.R.S.

<sup>b</sup> These amounts shall be from the Department of Health, Division of Alcohol and Drug Abuse.

**(7) MAXIMUM AND MEDIUM SECURITY FACILITIES**

Personal Services	49,019,653	49,019,653		
	3	(1,389.0 FTE)		
Operating Expenses	<del>8,052,626</del>	<del>7,256,251</del>	90,000 <sup>a</sup>	706,375
	8,082,626	7,311,565	120,000 <sup>a</sup>	651,061
Travel Expenses	40,000	40,000		
Inmate Pay	756,599	756,599		
Utilities	<del>2,392,051</del>	<del>2,392,051</del>		
	3,325,458	3,325,458		
Contract Services	1,023,892	1,023,892		
Purchase of Services	148,809	148,809		
Grants	<u>1,085,000</u>		1,085,000 <sup>b</sup>	
	62,518,630			

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

63,482,037

<sup>a</sup> This amount shall be from sales revenues of vocational programs.

<sup>b</sup> This amount shall be from various sources of grants.

**(8) MINIMUM SECURITY FACILITIES**

Personal Services	15,668,676	15,668,676		
	6			
		(457.6 FTE)		
Operating Expenses	3,251,429	<del>3,123,119</del>		<del>128,310</del>
		3,145,092		106,337
Travel Expenses	25,000	25,000		
Inmate Pay	299,346	299,346		
Utilities	<del>564,813</del>	<del>564,813</del>		
	616,656	616,656		
Contract Services	<u>1,817,984</u>	1,817,984		
	<del>21,627,248</del>			
	21,679,091			

**(9) PAROLE**

Personal Services	3,477,976			
	(80.0 FTE)			
Operating Expenses	761,009			
Travel Expenses	15,000			
Administrative Law Judge Services for 10 Hours	408			
Home Detention/ Electronic Monitoring	<u>73,000</u>			
	4,327,393	4,327,393		

**(10) DENVER DIAGNOSTIC CENTER**

Personal Services	<del>8,116,303</del>	<del>8,116,303</del>		
	8,774,535	8,774,535		
		(241.2 FTE)		
		(277.0 FTE)		
Operating Expenses	<del>1,907,864</del>	<del>1,832,864</del>		<del>75,000</del>
	1,793,573	1,724,880		68,693
Travel Expenses	10,000	10,000		
Inmate Pay	<del>95,154</del>	<del>95,154</del>		
	108,154	108,154		
Utilities	<del>579,955</del>	<del>579,955</del>		
	372,723	372,723		
Services Contracts	<del>234,665</del>	<del>234,665</del>		
	283,665	283,665		
Medical Services Contracts	<del>131,097</del>	<del>131,097</del>		
	141,097	141,097		
Alcohol and Drug Abuse Treatment	<del>91,853</del>	<del>91,853</del>		
	94,353	94,353		
Access to Courts	59,800	59,800		
Vehicle Lease Payments	<u>50,000</u>	50,000		
	<del>11,276,691</del>			
	11,687,900			

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	ITEM & SUBTOTAL AL	TOTAL	APPROPRIATION FROM		
			GENERAL	CASH	FEDERAL
			FUND	FUNDS	FUNDS
	\$	\$	\$	\$	\$
<b>(11) LIMON CORRECTIONAL FACILITY</b>					
Personal Services	9,989,198		9,989,198		
	10,257,738		10,257,738		
			(345.4 FTE)		
			(361.2 FTE)		
Operating Expenses	3,193,801		2,636,301	446,250 <sup>a</sup>	111,250
	2,825,261		2,379,561	346,250 <sup>a</sup>	99,450
Travel Expenses	15,000		15,000		
Inmate Pay	253,809		182,559	71,250 <sup>a</sup>	
Utilities	951,429		951,429		
	573,411		573,411		
Services Contracts	772,404		772,404		
Medical Services					
Contracts	374,301		374,301		
Alcohol and Drug Abuse					
Treatment	119,700		119,700		
Access to Courts	95,850		95,850		
Vehicle Lease Payments	60,000		60,000		
Raw Materials	1,425,000			1,425,000 <sup>a</sup>	
	500,000			500,000 <sup>a</sup>	
		17,250,492			
		15,847,474			

<sup>a</sup> These amounts shall be from sales revenues of the Division of Correctional Industries.

**(12) COLORADO STATE PENITENTIARY**

PERSONAL SERVICES	1,267,336			
	(56.2 FTE)			
OPERATING EXPENSES	30,000			
UTILITIES	140,906			
VEHICLE LEASE PAYMENTS	14,684			
START-UP COSTS	350,000			
		1,802,926	1,802,926	

**TOTALS PART III (CORRECTIONS)**

	\$184,036,708	\$149,729,241	\$33,286,532 <sup>a</sup>	\$1,020,935
	\$187,824,537	\$156,978,682 <sup>b</sup>	\$29,920,314 <sup>a</sup>	\$925,541

<sup>a</sup> Of this amount, \$525,761 contains a (T) notation, and \$4,321,765 is from the Highway Users Tax Fund pursuant to Section 17-24-109.5(2), C.R.S.

<sup>b</sup> OF THIS AMOUNT, \$1,621,400 IS APPROPRIATED PURSUANT TO FEDERAL COURT ORDER AND IS EXEMPT FROM THE STATUTORY LIMIT ON STATE GENERAL FUND APPROPRIATIONS PURSUANT TO SECTION 24-75-201.1(1)(a)(III)(B), C.R.S.

**SECTION 2.** Footnote No. 7 of section 2 of chapter 340, Session Laws of Colorado 1992, is amended to read:

**SECTION 2. Appropriation.**

**FOOTNOTES --**

7 Department of Corrections, Administration and Consolidated Services, Payments for Maintenance in a Local Jail or a Private Facility of Prisoners Sentenced to a State Correctional Facility -- ~~If a Private Pre-Parole facility is available, funds from this line shall be used first to make per diem payments for state inmates in the private facility.~~ IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT USE THE FUNDING IN THIS LINE ITEM TO UTILIZE THE BENT COUNTY DETENTION CENTER AS WELL AS OTHER COMMUNITY ALTERNATIVES TO REDUCE THE NUMBER OF STATE INMATES IN LOCAL JAILS IN FY 1992-93. FURTHER, THE DEPARTMENT SHOULD NOT CONSIDER THE ADDITION OF THE BENT COUNTY BEDS AS PERMANENT CAPACITY OF THE DEPARTMENT OF CORRECTIONS AS THIS EXPENDITURE SHALL BE REVIEWED AND SUBJECT TO TERMINATION ANNUALLY. THE DEPARTMENT IS DIRECTED TO NEGOTIATE A PER DIEM RATE WITH BENT COUNTY AT THE SAME OR LESS COST AS THE COMPARABLE SECURITY LEVEL WITHIN THE DEPARTMENT'S FACILITIES. THE DEPARTMENT MAY TRANSFER UP TO \$225,000 OF THIS LINE ITEM APPROPRIATION TO SUBPART (9) OF THIS PART III AND CREATE THE FTE POSITIONS NECESSARY FOR THE ADDITION OF 150 INTENSIVE SUPERVISION PAROLE (ISP) SLOTS. THROUGH THIS FLEXIBILITY, THE GENERAL ASSEMBLY INTENDS TO REDUCE THE COUNTY JAIL BACKLOG BY APPROXIMATELY 450 BY JULY 1, 1993.

**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 30, 1993