

CHAPTER 318

APPROPRIATIONS

HOUSE BILL 98-1340

BY REPRESENTATIVES Grampas, Owen, Romero, and Epps;
also SENATORS Lacy, Blickensderfer, and Rizzuto.

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 II of section 2 of chapter 310, Session Laws of Colorado 1997,
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.

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APPROPRIATION FROM

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

PART II

DEPARTMENT OF CORRECTIONS

(1) MANAGEMENT

(A) Executive Director's Office Subprogram^{5,6}

Personal Services	3,396,356	3,370,136			26,220(T) ^a
	3,494,394	3,468,174			
		(57.0 FTE)			(1.0 FTE)
		(59.0 FTE)			
Health, Life, and Dental	8,081,752	7,764,427	22,761 ^b	294,564 ^c	
Short-term Disability	229,289	216,889	1,179 ^b	11,221 ^c	
Salary Survey, Anniversary Increases, and Shift Differential	10,715,996	10,487,928	22,467 ^b	205,601 ^c	
Workers' Compensation	7,682,224	7,382,617	30,729 ^b	268,878 ^c	
Operating Expenses	426,629	426,629			
Legal Services for 12,153 hours	583,330	560,581	2,333 ^b	20,416 ^c	
	665,075	642,326			

Payment to Risk Management and Property Funds	2,117,441	2,034,861	8,470 ^b	74,110 ^c
Leased Space	<u>1,145,174</u>	1,044,012		101,162 ^c
	34,378,191			
	34,557,974			

^a This amount shall be from State Victims Assistance and Law Enforcement funds appropriated in the Department of Public Safety, Division of Criminal Justice.

^b These amounts shall be from sales revenues earned by the Canteen Operation.

^c These amounts shall be from sales revenues earned by Correctional Industries.

(B) Jail Backlog Subprogram

Personal Services	260,800			
	(6.0 FTE)			
Operating Expenses	182,205			
Payments to House State Prisoners in Local Jails ^{7,8}	9,836,584			
	9,870,851			
Payments to House State Prisoners in Private Facilities ^{7,8,9,10,11}	35,873,240			
	<u>41,391,663</u>			
	46,152,829	40,859,515		5,293,314 ^a
	51,705,519	46,412,205		

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

^a This amount shall be from a federal reimbursement for housing illegal aliens that is anticipated to be awarded in the 1997-98 fiscal year and is subject to appropriation by the General Assembly.

80,531,020
86,263,493

(2) INSTITUTIONS

(A) Utilities Subprogram¹²	6,364,701	5,921,061		443,640^a
	7,295,783	6,803,540		492,243 ^a

^a This amount shall be from sales revenues earned by Correctional Industries.

(B) Maintenance Subprogram

Personal Services	8,551,080
	8,528,362
	(211.8 FTE)
	(211.1 FTE)
Operating Expenses	2,567,719
	2,548,597

Purchase of Services	<u>136,606</u>	
	11,255,405	11,255,405
	11,213,565	11,213,565

(C) Housing and Security Subprogram

Personal Services	66,463,426	
	64,382,188	
	(1,905.2 FTE)	
	(1,854.4 FTE)	
Operating Expenses	1,072,415	
	<u>1,056,533</u>	
	67,535,841	67,535,841
	65,438,721	65,438,721

(D) Food Service Subprogram

Personal Services	6,870,597	6,870,597	
	6,781,858	6,781,858	
		(184.5 FTE)	
		(181.7 FTE)	
Operating Expenses	9,232,739	9,222,739	10,000
	9,153,241	9,077,449	75,792
Purchase of Services	312,117	312,117	
	<u>321,717</u>	321,717	
	16,415,453		
	16,256,816		

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(E) Medical Services Subprogram¹³							
Personal Services	11,761,417		11,733,417		28,000 ^a		
	11,807,110		11,779,110				
			(235.9 FTE)		(0.8 FTE)		
			(237.0 FTE)				
Operating Expenses	3,223,213		3,193,781			29,432(T) ^b	
	3,175,676		3,146,244				
Purchase of Inpatient Services from Other Medical Facilities ¹⁴	3,718,505		3,718,505				
	3,679,008		3,679,008				
Purchase of Outpatient Services from Other Medical Facilities ¹⁴	4,521,135		4,521,135				
	4,452,282		4,452,282				
Service Contracts	1,415,168		1,415,168				
	1,413,716		1,413,716				
	<u>24,639,438</u>						
	24,527,792						

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

^b This amount shall be from Medicaid funds appropriated in the Department of Health Care Policy and Financing.

(F) Laundry Subprogram

Personal Services	857,176	
	878,440	
	(22.3 FTE)	
	(22.9 FTE)	
Operating Expenses	802,104	
	799,037	
	<u>1,659,280</u>	1,659,280
	1,677,477	1,677,477

(G) Superintendents Subprogram

Personal Services	7,372,885	
	7,404,384	
	(157.2 FTE)	
	(158.4 FTE)	
Operating Expenses	2,497,106	
	2,435,387	
Contract Services	786,677	
	823,932	
Start-Up Costs	287,000	
	335,700	
	<u>10,943,668</u>	10,943,668

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
10,999,403		10,999,403				
(H) Boot Camp Subprogram						
Personal Services	1,280,347					
	(39.0 FTE)					
Operating Expenses	<u>61,075</u>					
	1,341,422	1,341,422				
(I) Youth Offender System Subprogram						
Personal Services	2,976,562	2,976,562				
	3,481,651	3,481,651				
		(78.0 FTE)				
		(91.2 FTE)				
Operating Expenses	92,433	92,433				
	110,355	110,355				
Contract Services	94,792	94,792				
Residential Contract Services	7,332,120	7,332,120				
	6,116,766	6,116,766				

PURCHASE OF SERVICES	52,853	52,853	
Youth Offender System			
Grants	55,271		55,271(T) ^a
START-UP COSTS	<u>221,209</u>	221,209	
	10,551,178		
	10,132,897		

^a This amount shall be from federal Job Training Partnership Act funds appropriated in the Department of Labor and Employment.

(J) Case Management Subprogram

Personal Services	5,797,122		
	7,063,616		
	(133.8 FTE)		
	(162.8 FTE)		
Operating Expenses	27,529		
	<u>79,048</u>		
	5,824,651	5,824,651	
	7,142,664	7,142,664	

(K) Mental Health Subprogram

Personal Services	2,460,739		
	2,454,166		
	(42.3 FTE)		
	(42.2 FTE)		
Operating Expenses	29,304		
	29,337		
Medical Contract Services	530,255		

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	<u>522,479</u>					
	3,020,298	3,020,298				
	3,005,982	3,005,982				
(L) Inmate Pay Subprogram						
	<u>1,669,246</u>	1,669,246				
	1,648,574	1,648,574				
(M) San Carlos Subprogram						
Personal Services	9,736,239					
	(223.4 FTE)					
Operating Expenses	<u>247,608</u>					
	239,608					
Service Contracts	<u>565,950</u>					
	<u>10,549,797</u>	10,549,797				
	10,541,797	10,541,797				
(N) Legal Access Subprogram						
Personal Services	<u>589,719</u>					

	588,197	
	(10.4 FTE)	
Operating Expenses	202,877	
	<u>196,910</u>	
	792,596	792,596
	785,107	785,107

**(O) Dress Out
Subprogram**

Operating Expenses	459,194	459,194
	467,519	467,519
	173,022,168	
	172,475,519	

(3) SUPPORT SERVICES

(A) Business Operations Subprogram

Personal Services	4,168,318	3,700,528	32,527 ^a	435,263(T) ^b
	4,220,855	3,753,065		
		(89.4 FTE)	(1.0 FTE)	(11.5 FTE)
		(90.8 FTE)		
Operating Expenses	<u>230,247</u>	230,247		
	4,398,565			
	4,451,102			

^a This amount shall be from funds collected pursuant to Section 17-2-201(5)(c)(III), C.R.S.

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

^b Of this amount, \$390,809 shall be from sales revenues earned by Correctional Industries and \$44,454 shall be from sales revenues earned by the Canteen Operation. For informational purposes, of the sales revenues earned by Correctional Industries and the Canteen Operation, \$67,417 shall be from statewide indirect cost recoveries and \$367,846 shall be from departmental indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	671,933				
	(20.0 FTE)				
Operating Expenses	<u>34,575</u>				
	706,508		706,508		

(C) Offender Services Subprogram

Personal Services	1,103,766				
	1,269,715				
	(27.0 FTE)				
	(33.0 FTE)				
Operating Expenses	42,347				
	<u>50,710</u>				
	1,146,113		1,146,113		
	1,320,425		1,320,425		

(D) Communications Subprogram

Personal Services	284,868	
	(6.0 FTE)	
Operating Expenses	<u>490,733</u>	
	775,601	775,601

(E) Transportation Subprogram

Personal Services	672,475	
	(16.6 FTE)	
Operating Expenses	86,031	
Vehicle Lease Payments	1,527,115	
	<u>1,531,056</u>	
	2,285,621	2,236,249
	2,289,562	49,372 ^a
		2,240,190

^a This amount shall be from sales revenues earned by Correctional Industries.

(F) Training Subprogram

Personal Services	1,088,838
	1,098,747
	(24.0 FTE)
	(24.3 FTE)
Operating Expenses	130,326
	138,740
Contract Training from Community Colleges	<u>128,500</u>

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		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
1,347,664		1,347,664				
1,365,987		1,365,987				
(G) Information Systems Subprogram						
Personal Services	1,203,310	1,203,310				
	1,037,361	1,037,361				
		(26.0 FTE)				
		(20.0 FTE)				
Operating Expenses	445,029	445,029				
	436,666	436,666				
Purchase of Services from						
Computer Center	33,205	33,205				
Grants ¹⁵	<u>987,041</u>				94,395(T) ^a	892,646 ^b
	2,668,585					
	2,494,273					

^a This amount shall be from the Department of Public Safety, Division of Criminal Justice.

^b This amount shall be from federal reimbursement for housing illegal aliens that was awarded and received in the 1996-97 fiscal year and is subject to appropriation by the General Assembly.

(H) Facility Services Subprogram¹⁶

Personal Services	1,356,573		
	(26.6 FTE)		
Operating Expenses	<u>124,432</u>		
	1,481,005		1,481,005
		14,809,662	
		14,884,463	

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	3,028,332		
	2,939,406		
	(84.5 FTE)		
	(81.2 FTE)		
Operating Expenses	54,649		
	<u>54,451</u>		
	3,082,951		3,082,951
	2,993,857		2,993,857

(B) Education Subprogram

Personal Services	4,608,175	4,608,175	
	4,646,990	4,646,990	
		(88.6 FTE)	
		(89.9 FTE)	
Operating Expenses	524,717	345,917	178,800*

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	585,878		327,078		258,800 ^a		
Contract Services	3,180,726		3,180,726				
	2,912,180		2,912,180				
Education Grants	285,523					285,523(T) ^b	
						(4.5 FTE)	
Vocational Grants	<u>341,624</u>					341,624(T) ^c	
	8,940,765						
	8,772,195						

^a This amount shall be from sales revenue from vocational programs.

^b This amount shall be from the Department of Education.

^c Of this amount, \$137,472 shall be from federal Job Training Act funds appropriated in the Department of Labor and Employment, and \$204,152 shall be from the Department of Higher Education, State Board for Community Colleges and Occupational Education.

(C) Recreation Subprogram

Personal Services	2,806,638
	2,947,159
	(73.9 FTE)
	(77.4 FTE)

Operating Expenses	55,099			
	39,770			
CONTRACT SERVICES	<u>235,610</u>			
	2,861,737	2,861,737		
	3,222,539	3,222,539		
(D) Drug and Alcohol Treatment Subprogram				
Personal Services	199,704	199,704		
		(4.0 FTE)		
Alcohol Treatment Program ¹⁷	663,427	563,427		100,000(T) ^a
	666,085	566,085		
Drug Treatment Program ¹⁷	542,012	442,012		100,000(T) ^a
Drug Offender Surcharge Program	357,900		315,000 ^b	42,900(T)^c
	457,738			142,738(T) ^c
			(1.0 FTE)	
Contract Services	1,431,574	1,431,574		
	1,441,355	1,441,355		
Treatment Grants	<u>308,187</u>			308,187(T) ^c
	3,502,804			
	3,615,081			

^a These amounts shall be from the Department of Human Services, Health and Rehabilitation Services, Alcohol and Drug Abuse Division.

^b This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S.

^c These amounts shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice.

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(E) Sex Offender Treatment Subprogram						
Personal Services	1,181,696					
	(24.2 FTE)					
Operating Expenses	<u>271,354</u>					
	1,453,050	1,453,050				
(F) Volunteers Subprogram						
Personal Services	261,649					
	(6.0 FTE)					
Operating Expenses	<u>19,800</u>					
	281,449	281,449				
		20,122,756				
		20,338,171				
(5) COMMUNITY SERVICES						
(A) Parole						
Personal Services	3,347,642					
	(73.5 FTE)					

Operating Expenses	671,590	
	650,290	
Post-Parole Transitional Release Facility	110,000	
	<u>4,129,232</u>	4,129,232
	4,107,932	4,107,932

(B) Parole Intensive Supervision Subprogram

Personal Services	1,227,392	
	(31.0 FTE)	
Operating Expenses	639,681	
	628,881	
Non-residential Services	651,682	
Home Detention	73,000	
	<u>2,591,755</u>	2,591,755
	2,580,955	2,580,955

(C) Community Intensive Supervision Subprogram

Personal Services	579,606	
	(15.7 FTE)	
Operating Expenses	<u>1,512,989</u>	
	2,092,595	2,092,595

(D) Community Supervision Subprogram

Personal Services	1,221,212	1,221,212
		(26.5 FTE)
Operating Expenses	56,456	56,456

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
\$	\$	\$	\$	\$	\$	\$	
YOS Phases II and III Aftercare	1,381,725 1,789,082	1,381,725 1,789,082		(5.5 FTE)			
Community Mental Health Services	84,200	84,200					
Contract Services for Fugitive Returns	<u>32,475</u>					32,475(T) ^a	
	2,776,068 3,183,425						

^a This amount shall be from the Department of Public Safety, Division of Criminal Justice.

~~11,589,650~~
11,964,907

(6) PAROLE BOARD

Personal Services 651,731
(13.5 FTE)

Operating Expenses	84,388		
Contract Services	<u>6,692</u>		
		742,811	742,811

(7) CORRECTIONAL INDUSTRIES¹⁸

Personal Services	6,037,571		
	(147.0 FTE)		
Operating Expenses	4,692,329		
Raw Materials	14,132,828		
Inmate Pay	1,858,142		
Capital Outlay	1,274,200		
Lease Purchase	1,449,056		
Indirect Cost Assessment	<u>390,809</u>		
		29,834,935	29,834,935 ^a

^a Of this amount, \$16,707,563(T) is estimated to be from sales to other state agencies, \$7,892,412 is estimated to be from sales to nonstate entities, \$5,216,960(T) is estimated to be from the Department of Revenue for the purchase of license plates, and \$18,000 is estimated to be from the Land Improvement Fund.

**(8) CANTEEN
OPERATION**

Personal Services	650,842		
	(17.2 FTE)		
Operating Expenses	6,235,862		
Inmate Pay	28,200		
Indirect Cost Assessment	<u>44,454</u>		
		6,959,358	6,959,358 ^a

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\$	\$	\$	\$	\$	\$	\$
TOTALS PART II						
(CORRECTIONS)^{2,3,4}	\$337,612,360	\$290,659,587		\$7,601,624	\$33,155,189 ^a	\$6,195,960
	<u>\$343,463,657</u>	<u>\$296,216,651</u>		<u>\$7,681,624</u>	<u>\$33,303,630^a</u>	<u>\$6,261,752</u>

^a This amount shall be from sales revenues of the Canteen Operation.

^a Of this amount, ~~\$23,775,813~~ \$23,875,651 contains a (T) notation.

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

- 2 (Governor lined through this provision. See L. 97, p. 2030.)
- 3 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.
- 4 (Governor lined through this provision. See L. 97, p. 2030.)
- 5 Department of Corrections, Management, Executive Director's Office Subprogram -- It is the intent of the General Assembly

that the Department of Corrections perform a climate survey with regard to race and gender discrimination within the Department. The Department should report the results of the survey to the Joint Budget Committee by January 1, 1998.

6 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Division of Youth Corrections, and Health and Rehabilitation Services, Alcohol and Drug Abuse Division; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice -- It is the intent of the General Assembly that state criminal justice agencies involved in multi-agency programs requiring separate appropriations to each agency designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee. Each agency must still submit its portion of such request with its own budget document.

7 (Governor lined through this provision. See L. 97, p. 2031.)

8 (Governor lined through this provision. See L. 97, p. 2031.)

9 Department of Corrections, Management, Jail Backlog Subprogram, Payments to House State Prisoners in Private Facilities -- It is the intent of the General Assembly that funds in this line item be used to contract with Bent County, Colorado, for housing up to 695 inmates under the jurisdiction of the Department and with Huerfano County, Colorado, for housing up to 665 inmates under the jurisdiction of the Department in the county-operated detention facilities. The contracts with Bent County and Huerfano County shall be subject to annual review and possible termination depending on bed space needs for the state in any future year. The Department should not consider the Bent County and Huerfano County beds as permanent capacity for the Department.

10 (Governor lined through this provision. See L. 97, p. 2032.)

11 (Governor lined through this provision. See L. 97, p. 2033.)

12 Department of Corrections, Institutions, Utilities Subprogram -- The Department of Corrections is requested to continue the energy management program designed to reduce overall energy consumption in the department's facilities. Up to \$100,000 of the department's utility appropriation may be for this program and a portion of these funds may be used to hire

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the equivalent of 1.0 FTE as an energy management program manager. The Department is requested to submit with its annual budget document a detailed accounting of any savings achieved as a result of the program.

13 (Governor lined through this provision. See L. 97, p. 2033.)

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 12, 1998