

CHAPTER 452

APPROPRIATIONS

HOUSE BILL 08-1282

BY REPRESENTATIVE(S) Buescher, Pommer, White, Gallegos, Green, Labuda, McFadyen, and Stafford;
also SENATOR(S) Keller, Morse, and Johnson.

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 466, Session Laws of Colorado 2007,
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.

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART II						
DEPARTMENT OF CORRECTIONS						
(1) MANAGEMENT						
(A) Executive Director's Office Subprogram⁶						
Personal Services	1,389,552 1,327,913	1,282,285 1,180,588			107,267(T)^a 147,325(T) ^a	
		(20.6 FTE)			(1.7 FTE)	
Health, Life, and Dental	25,157,817 24,889,473	24,395,549 24,127,205			762,268 ^b	
Short-term Disability	403,991 402,147	391,488 389,644			12,503 ^b	
S.B. 04-257 Amortization Equalization Disbursement	3,625,276 3,611,186	3,509,856 3,495,766			115,420 ^b	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	644,294 645,504	620,248 621,458			24,046 ^b	
Salary Survey and Senior Executive Service	10,885,467	10,605,180			280,287 ^b	

Performance-based Pay				
Awards	4,508,469	4,369,413	139,056 ^b	
Shift Differential	5,760,369	5,752,626	7,743 ^b	
Workers' Compensation	5,325,800	5,149,516	176,284^b	
	4,726,112	4,569,678	156,434 ^b	
Operating Expenses	205,898	190,455	15,443(T)^a	
	275,631		19,176(T) ^e	66,000 ^f
Legal Services for 15,298 hours	1,183,661 ^c	1,142,892	40,769 ^b	
Payment to Risk Management and Property Funds	4,329,261	4,185,962	143,299^b	
	4,187,498	4,048,891	138,607 ^b	
Leased Space	3,254,201	3,043,996	210,205^d	
	3,289,494	3,079,289		
Capitol Complex Leased Space	139,891	78,632	61,259^d	
	174,826	98,269	76,557 ^d	
PAYMENTS TO DISTRICT ATTORNEYS	290,819	290,819		
	<u>66,813,947</u>			
	66,158,569			

^a These amounts shall be from State Victims Assistance and Law Enforcement funds appropriated in the Division of Criminal Justice in the Department of Public Safety. OF THIS AMOUNT, \$107,267 SHALL BE FROM STATE VICTIMS ASSISTANCE AND LAW ENFORCEMENT FUNDS AND \$40,058 SHALL BE FROM THE VICTIMS OF CRIME ACT. THESE FUNDS ARE APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

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

^b Of these amounts, ~~\$1,494,537~~ \$1,472,522 shall be from sales revenues earned by Correctional Industries, and ~~\$207,138~~ \$204,611 shall be from sales revenues earned by the Canteen Operation.

^c Of this amount, \$1,101,915 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

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

^e OF THIS AMOUNT, \$15,443 SHALL BE FROM STATE VICTIMS ASSISTANCE AND LAW ENFORCEMENT FUNDS AND \$3,733 SHALL BE FROM VICTIMS OF CRIME ACT FUNDS. THESE FUNDS ARE APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

^f THIS AMOUNT SHALL BE FROM THE SOCIAL SECURITY ADMINISTRATION INCENTIVE PAYMENT MEMORANDUM OF UNDERSTANDING.

(B) External Capacity Subprogram

SUBPROGRAM^{6a}

(1) Private Prison Monitoring Unit

Personal Services	1,330,048	1,330,048
		(20.5 FTE)
Operating Expenses	264,233	264,233
Start-up Costs	<u>4,733</u>	<u>4,733</u>
	1,599,014	

(2) Payments to House State Prisoners^{7, 8, 8a}

Payments to local jails at a rate of \$49.69 per inmate per day	6,885,991	6,885,991
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	8,570,233	8,570,233	
Payments to in-state private prisons at a rate of \$52.69 per inmate per day	79,291,738	76,933,031	2,358,707^a
	78,092,329	72,877,257	5,215,072 ^a
Payments to out-of-state private prisons at a rate of \$54.00 per inmate per day	10,382,742	10,382,742	
	7,295,184	7,295,184	
Payments to pre-release parole revocation facilities at a rate of \$52.69 per inmate per day	13,186,147	13,186,147	
	11,144,515	11,144,515	
Community Corrections Programs	4,725,382	4,725,382	
	4,066,636	4,066,636	
	<u>114,472,000</u>		
	109,168,897		

^a This amount shall be from reserves in the State Criminal Alien Assistance Program Cash Fund pursuant to Section 17-1-107.5, C.R.S.

(C) Inspector General Subprogram

Personal Services	3,517,463	3,517,463	
		(49.2 FTE)	
Operating Expenses	272,898	272,898	
	270,587	270,587	

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Inspector General Grants	662,775					144,591(T) ^a	518,184
	973,319					497,701(T) ^a	475,618
Start-up Costs	30,229		30,229				
	<u>4,483,365</u>						
	4,791,598						

^a This amount shall be from federal funds transferred from the Division of Criminal Justice in the Department of Public Safety. OF THIS AMOUNT, \$192,551 SHALL BE FEDERAL FUNDS TRANSFERRED FROM THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY AND \$305,150 SHALL BE FEDERAL FUNDS TRANSFERRED FROM THE COLORADO DIVISION OF EMERGENCY MANAGEMENT IN THE DEPARTMENT OF LOCAL AFFAIRS.

~~187,368,326~~
181,718,078

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	149,469		149,469				
			(1.0 FTE)				
Utilities	19,770,403		18,800,522			969,881 ^a	
	19,740,383		18,770,502				
Start-up Costs	<u>336,000</u>		336,000				

~~20,255,872~~
20,225,852

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

(B) Maintenance Subprogram

Personal Services	17,515,816	
	17,299,268	
	(308.4 FTE)	
	(303.4 FTE)	
Operating Expenses	4,891,212	
	4,861,676	
Purchase of Services	<u>1,111,424</u>	
	23,518,452	23,518,452
	23,272,368	23,272,368

(C) Housing and Security Subprogram

Personal Services	146,508,277^a	
	145,648,779 ^a	
	(3,000.3 FTE)	
	(2,980.3 FTE)	
Operating Expenses	1,817,864	
	<u>1,785,644</u>	
	148,326,141	148,326,141
	147,434,423	147,434,423

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(D) Food Service Subprogram							
Personal Services	14,010,500		14,010,500				
	13,938,318		13,938,318				
			(266.0 FTE)				
			(264.4 FTE)				
Operating Expenses	15,921,948		15,841,948				80,000 ^a
	15,804,882		15,724,882				
Purchase of Services	<u>859,098</u>		859,098				
	30,791,546						
	30,602,298						

^a This amount is anticipated to be received from the U.S. Department of Agriculture.

(E) Medical Services Subprogram

Personal Services	26,078,781	25,844,102	234,679 ^a
	25,881,753	25,647,074	
		(439.9 FTE)	(3.0 FTE)
		(436.1 FTE)	
Operating Expenses	2,764,756	2,764,756	
	2,741,020	2,741,020	
Purchase of Pharmaceuticals	10,647,119	10,647,119	
	9,999,822	9,999,822	
Purchase of Medical Services from Other Medical Facilities	22,247,012	22,247,012	
	19,142,186	19,142,186	
Purchase of Medical Services from State Hospital	1,093,116	1,093,116	
	1,528,447	1,528,447	
Catastrophic Medical Expenses	6,546,300	6,546,300	
	9,500,963	9,500,963	
Service Contracts	2,402,552	2,402,552	
	2,382,146	2,382,146	
Start-up Costs	7,907	7,907	
	<u>71,787,543</u>		
	71,176,337		

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

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(F) Laundry Subprogram							
Personal Services	2,141,949						
	(37.4 FTE)						
Operating Expenses	2,109,953						
	<u>2,093,843</u>						
	4,251,902		4,251,902				
	4,235,792		4,235,792				
(G) Superintendents Subprogram							
Personal Services	9,839,058						
	(171.2 FTE)						
Operating Expenses	3,235,829						
	3,198,453						
Dress Out	822,358						
Start-up Costs	167,894						
	<u>91,894</u>						
	14,065,139		14,065,139				
	13,951,763		13,951,763				
(H) Boot Camp Subprogram							
Personal Services	1,641,978						

	(32.7 FTE)	
Operating Expenses	<u>52,419</u>	
	1,694,397	1,694,397

(I) Youthful Offender System Subprogram⁹

Personal Services	9,396,762	
	(172.9 FTE)	
Operating Expenses	182,323	
Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	10,232,494	10,232,494

(J) Case Management Subprogram

Personal Services	14,572,791	
	14,489,515	
	(231.5 FTE)	
	(229.9 FTE)	
Operating Expenses	158,839	
	148,099	
Start-up Costs	<u>3,438</u>	
	14,735,068	14,735,068
	14,637,614	14,637,614

(K) Mental Health Subprogram

Personal Services	5,671,386	
	5,593,668	

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(77.5 FTE)						
	(75.9 FTE)						
Operating Expenses	61,260						
	59,864						
Medical Contract Services	568,561						
	558,035						
Start-up Costs	<u>3,438</u>						
	6,304,645		6,304,645				
	6,211,567		6,211,567				
(L) Inmate Pay							
Subprogram	1,502,398		1,502,398				
	1,485,644		1,485,644				
(M) San Carlos Subprogram							
Personal Services	11,780,273						
	(196.1 FTE)						
Operating Expenses	199,092						
Service Contracts	<u>725,309</u>						
	12,704,674		12,704,674				

 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(C) Offender Services Subprogram						
Personal Services	2,363,160					
	(41.8 FTE)					
Operating Expenses	52,499					
Start-up Costs	3,155					
	<u>2,418,814</u>	2,418,814				
(D) Communications Subprogram						
Personal Services	562,454	562,454				
		(8.2 FTE)				
Operating Expenses	1,459,640	1,459,640				
	1,446,920	1,446,920				
Multiuse Network Payments	1,078,262	1,020,360			57,902 ^a	
	1,201,263	1,136,756			64,507 ^a	
Dispatch Services	230,270	230,270				
Communication Services Payments	1,559,575	1,559,575				
	1,615,195	1,615,195				
	<u>4,890,201</u>					
	5,056,102					

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

(E) Transportation Subprogram

Personal Services	1,866,510	1,866,510	
		(36.1 FTE)	
Operating Expenses	289,230	289,230	
Vehicle Lease Payments	1,823,574	1,776,173	47,401 ^a
	1,603,479	1,562,116	41,363 ^a
Start-up Costs	<u>3,091</u>	3,091	
	3,982,405		
	3,762,310		

^a Of this amount, \$36,317 shall be from sales revenues earned by Correctional Industries, and \$5,046 shall be from sales revenues earned by the Canteen Operation.

(F) Training Subprogram

Personal Services	1,826,389		
	(27.3 FTE)		
Operating Expenses	277,156		
	<u>276,744</u>		
	2,103,545	2,103,545	
	2,103,133	2,103,133	

(G) Information Systems Subprogram

Personal Services	3,682,196		
	(53.6 FTE)		

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	1,358,665 1,354,625						
Purchase of Services from Computer Center	12,160 8,818						
	<u>5,053,021</u> 5,045,639		<u>5,053,021</u> 5,045,639				
(H) Facility Services Subprogram							
Personal Services	824,510 (10.0 FTE)		824,510				
			(10.0 FTE)				
Operating Expenses	82,096		82,096				
FACILITY SERVICES GRANT	<u>28,620</u>					28,620 ^a	
	<u>906,606</u> 935,226		<u>906,606</u>				

^a THIS AMOUNT SHALL BE FROM GRANT FUNDS FROM THE COLORADO HISTORICAL SOCIETY.

~~26,217,064~~

26,183,696

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,227,879	
	(97.3 FTE)	
Operating Expenses	91,065	
	<u>90,527</u>	
	5,318,944	5,318,944
	5,318,406	5,318,406

(B) Education Subprogram

Personal Services	8,377,882	8,377,882		
	8,301,726	8,301,726		
		(145.4 FTE)		
		(143.8 FTE)		
Operating Expenses	1,895,723		1,238,985 ^a	656,738 ^b
	2,210,531			971,546 ^b
Contract Services	5,991,743	4,991,743		1,000,000 ^c
Education Grants	651,288			194,896^d
	1,986,705			235,808 ^d
				(1.0 FTE)
Start-up Costs	3,438			3,438 ^e
Indirect Cost Recoveries	<u>394</u>			
	16,920,468			
	18,491,099			1,750,897

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

^a This amount shall be from sales revenues earned by vocational programs.

^b Of this amount, \$463,001 shall be from sales revenues earned by the Canteen Operation, and ~~\$193,737(F)~~ \$508,545(T) shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

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

^d Of this amount, ~~\$168,754(F)~~ \$211,642(T) shall be from federal funds appropriated to the Department of Education, ~~\$16,142(F)~~ \$14,166(T) shall be from federal funds appropriated to the Colorado Department of Public Health and Environment, and \$10,000 shall be from gifts, grants, and donations.

(C) Recreation Subprogram

Personal Services	6,177,042	6,177,042			
		(118.2 FTE)			
Operating Expenses	76,754			76,754^a	
	<u>76,216</u>			76,216 ^a	
	<u>6,253,796</u>				
	6,253,258				

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

(D) Drug and Alcohol Treatment Subprogram

Personal Services	213,857	213,857		
		(3.5 FTE)		
Drug Offender Surcharge Program	995,127		995,127 ^a	
Contract Services	4,301,737	4,301,737		
	4,342,956	4,342,956		
Treatment Grants	512,704		212,726(T)^b	299,978
	468,884		193,874(T) ^b	275,010
	<u>6,023,425</u>			
	6,020,824			

^a This amount shall be from the Drug Offender Surcharge Fund created in Section 18-19-103(4), C.R.S.

^b This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(E) Sex Offender Treatment Subprogram

Personal Services	2,413,838	2,385,027	28,811 ^a	
		(44.1 FTE)	(1.0 FTE)	
Operating Expenses	269,516	269,016	500 ^a	
Polygraph Testing	99,569	99,569		
Sex Offender Treatment Grants	209,076		41,000(T)^b	168,076
	127,070			127,070
	<u>2,991,999</u>			
	2,909,993			

^a These amounts shall be from the Sex Offender Surcharge Fund created in Section 18-21-103 (3), C.R.S.

 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
^b This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.							
(F) Volunteers Subprogram							
Personal Services	519,114						
	(9.0 FTE)						
Operating Expenses	<u>17,912</u>						
	537,026					537,026 ^a	

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

~~38,045,658~~

39,530,606

(5) COMMUNITY SERVICES SERVICES^{6a}**(A) Parole Subprogram**

Personal Services	8,592,347						
	8,751,474		8,751,474				
	(159.2 FTE)						
Operating Expenses	<u>996,648</u>			(162.7 FTE)			

	1,016,260	1,016,260	
Administrative Law Judge Services	5,556		
	4,603	4,603	
Contract Services	712,252		
	851,285	851,285	
Start-up Costs	316,317		
	415,230	415,230	
PAROLE GRANTS	<u>49,208</u>		49,208 ^a
	10,623,120	10,623,120	
	11,088,060		

^a THIS AMOUNT SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE DIVISION OF CRIMINAL JUSTICE IN THE DEPARTMENT OF PUBLIC SAFETY.

(B) Parole Intensive Supervision Subprogram

Personal Services	4,195,958
	4,282,045
	(83.4 FTE)
	(85.4 FTE)
Operating Expenses	444,756
	454,967
Contract Services	1,438,802
	1,579,185
Non-residential Services	1,109,122
	1,217,338
Home Detention	69,383

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Start-up Costs	148,791						
	<u>202,715</u>						
	7,406,812		7,406,812				
	7,805,633		7,805,633				
(C) Community Intensive Supervision Subprogram							
Personal Services	3,120,680						
	(57.5 FTE)						
Operating Expenses	535,728						
Contract Services	3,698,184						
	3,766,809						
Start-up Costs	<u>47,920</u>						
	7,402,512		7,402,512				
	7,471,137		7,471,137				
(D) Community Supervision Subprogram							
(1) Community Supervision							
Personal Services	2,670,882		2,670,882				
			(46.8 FTE)				
Operating Expenses	166,954		166,954				

Community Mental Health Services	565,488	565,488	
Psychotropic Medication ¹⁰	1,346,880	1,346,880	
	171,000	171,000	
Contract Services for High Risk Offenders	300,832	300,832	
Contract Services for Fugitive Returns	74,524	42,049	32,475(T) ^a
Start-up Costs	<u>34,628</u>	34,628	
	<u>5,160,188</u>		
	3,984,308		

^a This amount shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

(2) Youthful Offender System Aftercare

Personal Services	574,117	
	(9.5 FTE)	
Operating Expenses	141,067	
Contract Services	<u>1,062,396</u>	
	1,777,580	1,777,580

(E) Community Re-entry Subprogram

Personal Services	674,544	674,544
		(13.0 FTE)
Operating Expenses	15,000	15,000
Offender Emergency Assistance	86,844	86,844

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Contract Services	190,000		190,000				
Offender Re-employment Center	110,000		100,000			10,000 ^a	
Community Reintegration Grants	739,092 779,500					118,919(T) ^b 333,200 ^b	620,173
Start-up Costs	5,248		5,248				446,300
	<u>1,820,728</u>						
	1,861,136						

^a This amount shall be from gifts, grants, and donations.

^b ~~This amount~~ OF THIS AMOUNT, \$13,200(T) shall be from federal funds appropriated to the Colorado Department of Labor and ~~Employment~~. EMPLOYMENT AND \$320,000 SHALL BE GRANT FUNDS FROM THE JUSTICE, EQUALITY, HUMAN DIGNITY AND TOLERANCE FOUNDATION.

~~34,190,940~~
33,987,854

(6) PAROLE BOARD

Personal Services	1,150,377
	1,175,295
	(13.5 FTE)

	(14.2 FTE)		
Operating Expenses	104,890		
	105,390		
Contract Services	152,000		
START-UP COSTS	<u>20,220</u>		
		1,407,267	1,407,267
		1,452,905	1,452,905

(7) CORRECTIONAL INDUSTRIES

Personal Services	9,364,192		
	(155.0 FTE)		
Operating Expenses	5,409,030		
Raw Materials	21,928,799		
	35,228,799		
Inmate Pay	1,553,702		
Capital Outlay	1,406,200		
Indirect Cost Assessment	<u>365,761</u>		
		40,027,684	40,027,684^a
		53,327,684	53,327,684 ^a

^a Of this amount, ~~\$26,201,759(T)~~ \$35,511,759(T) is estimated to be from sales to other state agencies, ~~\$8,475,007~~ \$12,465,007 is estimated to be from sales to non-state entities, \$5,200,918(T) is estimated to be from the Department of Revenue for the purchase of license plates, and \$150,000 is estimated to be from the Land Improvement Fund.

(8) CANTEEN OPERATION

Personal Services	1,618,683
	(28.7 FTE)

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Operating Expenses	12,262,080						
Inmate Pay	34,986						
Indirect Cost Assessment	<u>67,117</u>						
		13,982,866				13,982,866 ^a	

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

TOTALS PART II

(CORRECTIONS)^{4, 5, 11}		\$702,876,269	\$635,194,353		\$2,969,472 ^a	\$62,569,247^a	\$2,143,197
		<u>\$709,515,105</u>	<u>\$623,626,507</u>		<u>\$2,969,472^a</u>	<u>\$79,697,837^a</u>	<u>\$3,221,289</u>

^a Of these amounts, ~~\$32,887,003~~ \$42,784,053 contain a (T) notation.

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

- 4 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.
- 5 All Departments, Totals -- Every Department is requested to submit to the Joint Budget Committee information on the number of additional federal and cash funds exempt FTE associated with any federal grants or private donations that are applied for or received during FY 2007-08. The information should include the number of FTE, the associated costs (such as workers' compensation, health and life benefits, need for additional space, etc.) that are related to the additional FTE, the direct and indirect matching requirements associated with the federal grant or donated funds, the duration of the grant, and a brief description of the program and its goals and objectives.
- 6 Department of Corrections, Management, Executive Director's Office Subprogram; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice -- State agencies involved in multi-agency programs requiring separate appropriations to each agency are requested to designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee, including prior year, request year, and three year forecasts for revenues into the fund and expenditures from the fund by agency. The requests should be sustainable for the length of the forecast based on anticipated revenues. Each agency is still requested to submit its portion of such request with its own budget document. This footnote applies to requests for appropriation from the Drug Offender Surcharge Fund, the Sex Offender Surcharge Fund, the Persistent Drunk Driver Cash Fund, and the Alcohol and Drug Driving Safety Fund, among other programs.
- 6a DEPARTMENT OF CORRECTIONS, MANAGEMENT, EXTERNAL CAPACITY SUBPROGRAM; AND COMMUNITY SERVICES -- IT IS THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF CORRECTIONS BE AUTHORIZED TO TRANSFER UP TO \$2,000,000 THAT WOULD OTHERWISE REVERT FROM LINE ITEMS WITHIN THE EXTERNAL CAPACITY SUBPROGRAM TO ANY LINE ITEMS WITHIN THE COMMUNITY SERVICES SECTION. IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT IF THE DEPARTMENT DOES NOT EXPEND ANY SUCH TRANSFERRED FUNDS PRIOR TO JUNE 30, 2008, THE DEPARTMENT BE ALLOWED TO ROLL FORWARD SUCH FUNDS FOR EXPENDITURE IN FY 2008-09. IF SAVINGS DO NOT OCCUR IN THE EXTERNAL CAPACITY SUBPROGRAM, IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY THAT THE DEPARTMENT OF CORRECTIONS FUND THE FIRST \$2,000,000 OF ANY UNFUNDED NEED WITHIN THE EXTERNAL CAPACITY SUBPROGRAM WITH MONEYS TRANSFERRED FROM ONE OR MORE PERSONAL SERVICES LINE ITEMS. THE DEPARTMENT OF CORRECTIONS IS REQUESTED TO SUBMIT A REPORT TO THE JOINT BUDGET COMMITTEE ON OR BEFORE NOVEMBER 1, 2008, SUMMARIZING TRANSFERS THAT WERE MADE PURSUANT TO THIS FOOTNOTE.

- 7 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the intent of the General Assembly that the Department of Corrections be authorized to transfer 5.0 percent of the total appropriation for external capacity subprogram between line items in the external capacity subprogram for purposes of reimbursing local jails, private prison providers, and community corrections providers. It is further the intent of the General Assembly that the Department provide a report to the Joint Budget Committee on November 1, 2007, summarizing transfers that were made pursuant to the provisions of this footnote.
- 8 Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- It is the intent of the General Assembly that the appropriations made for payments to private facilities housing state inmates be used exclusively for the purpose of per-diem payments. It is the intent of the General Assembly that the Department not withhold funds from the per diem payments to cover major medical expenses incurred by state inmates assigned to private facilities. It is the intent of the General Assembly that appropriations made in the medical services subprogram are sufficient to cover major medical expenses incurred by state inmates held in both state and private facilities.
- 8a Department of Corrections, Management, External Capacity Subprogram, Payments to House State Prisoners -- The Department of Corrections is requested to require private prison providers to break-out their respective operating expenses and capital construction costs in the invoices that they submit to the Department for housing Colorado inmates. The Department of Corrections is further requested to submit a report to the Joint Budget Committee by November 1, 2007, summarizing this information for each of the private prison providers reimbursed from the External Capacity Subprogram.
- 9 Department of Corrections, Institutions, Youthful Offender System Subprogram -- The Department of Corrections is requested to submit a report to the Joint Budget Committee by November 1, 2007, justifying the ongoing need for the Youthful Offender System. The report is requested to summarize the cost effectiveness of the program, including the cost per offender, taking into consideration drop-out rates and recidivism rates for the program.
- 10 Department of Corrections, Community Services, Community Supervision Subprogram, Community Supervision, Psychotropic Medication -- The Department is requested to submit a report to the Joint Budget Committee on or before February 1, 2008, summarizing the outcomes of offenders who were provided psychotropic medication from this line item. The report is requested to include the number of mentally ill offenders who receive medication from this line item, the regression rate of the offenders, and the number of offenders who commit new crimes. The report is requested to compare these outcomes with the population of mentally ill offenders in community corrections programs in FY 2005-06.

11 Department of Corrections, Totals; Department of Human Services, Mental Health and Alcohol and Drug Abuse Services, Alcohol and Drug Abuse Division; and Division of Youth Corrections; Department of Public Safety, Division of Criminal Justice -- It is the intent of the General Assembly that the impacts of the Governor's Recidivism Reduction and Offender Diversion Package funded by the General Assembly in 2007, be analyzed using contract funding appropriated for this purpose to the Department of Public Safety, Division of Criminal Justice. The evaluation should specifically address: the Short-term Intensive Residential Remediation Treatment Program (STIRRT) in the Department of Human Services, Diversion Community Corrections Beds in the Department of Public Safety, Mental Health Beds in the Department of Public Safety, and any new programs or services created or implemented through additional budgetary flexibility provided to the Division of Youth Corrections in the Department of Human Services. It is the intent of the General Assembly that the contractor compare the outcomes for offenders who participate in these programs with outcomes for offenders in predetermined control groups. The Department of Public Safety, Division of Criminal Justice, in conjunction with other state departments, is requested to submit an annual progress report to the Joint Budget Committee by November 1 of each year. This report is requested to include a summary of the number of offenders served by each program and a summary of the program evaluation techniques that will be used to examine the effectiveness of each program. The Department of Public Safety, Division of Criminal Justice, is requested to submit a final report to the Joint Budget Committee on or before November 1, 2012. The final report should specifically address whether any of the interventions funded were cost-effective and, based on this, recommendations for continuation, modification or elimination of each program.

SECTION 2. Part II (1) (A), (2) (B), (2) (C), (2) (D), (2) (E), (2) (K), (3) (E), (5) (B), (5) (C), and the affected totals of section 2 of chapter 394, Session Laws of Colorado 2006, as amended by section 1 of chapter 442, Session Laws of Colorado 2007, are amended to read:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram⁴

Personal Services	1,374,652	1,267,385	107,267(T) ^a
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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
			(20.6 FTE)			(1.7 FTE)	
Health, Life, and Dental	20,905,682		20,293,442			612,240 ^b	
	20,686,629		20,074,389				
Short-term Disability	330,774		319,332			11,442 ^b	
	326,408		314,966				
Amortization Equalization Disbursement	2,067,842		1,991,895			75,947 ^b	
Salary Survey and Senior Executive Service	9,345,846		9,000,741			345,105 ^b	
Shift Differential	4,812,671		4,804,621			8,050 ^b	
Workers' Compensation	4,428,224		4,281,654			146,570 ^b	
Operating Expenses	205,898		190,455			15,443(T) ^a	
Legal Services for 15,298 hours	1,118,491 ^c		1,080,133			38,358 ^b	
Payment to Risk Management and Property Funds	4,982,853		4,817,924			164,929 ^b	
Leased Space	2,876,318		2,666,113			210,205 ^d	
Capitol Complex Leased Space	<u>202,182</u>		113,645			88,537 ^d	
	52,651,433						
	52,428,014						

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

^b Of these amounts, \$1,231,903 shall be from sales revenues earned by Correctional Industries, and \$170,738 shall be from sales revenues earned by the Canteen Operation.

^c Of this amount, \$1,036,745 shall be used to purchase 15,298 hours of legal services from the Department of Law, and \$81,746 shall be used to contract for legal services from private firms for litigation related to the Rifle Correctional Center.

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

~~162,468,381~~

162,244,962

(2) INSTITUTIONS

(B) Maintenance Subprogram

Personal Services	16,341,986	
	16,096,312	
	(294.5 FTE)	
Operating Expenses	4,315,502	
Purchase of Services	<u>1,032,048</u>	
	21,689,536	21,689,536
	21,443,862	21,443,862

(C) Housing and Security Subprogram

Personal Services	136,977,637^a
	136,127,637 ^a
	(2,879.2 FTE)
Operating Expenses	<u>1,656,760</u>

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
138,634,397		138,634,397				
137,784,397		137,784,397				

^a In addition to the funding provided in this line, it is the intent of the General Assembly that the Department of Corrections utilize the \$1,829,356 General Fund appropriation contained in Sections 17-1-140 (1) (e), 17-1-141 (1) (e), 17-1-142 (1) (e), 17-1-143 (1) (e), 17-1-144 (1) (e), 17-1-145 (1) (c) (II), 17-1-147 (1) (b) (II), 17-1-148 (1) (e), 17-1-149 (1) (c) (II), 17-1-151 (1) (c), 17-1-152 (1) (b) (II), C.R.S., for these purposes.

(D) Food Service Subprogram

Personal Services	13,201,313	13,201,313			
	12,930,313	12,930,313			
		(255.6 FTE)			
Operating Expenses	15,184,316	15,104,316			80,000 ^a
Purchase of Services	683,324	683,324			
Start-up Costs	<u>33,000</u>	33,000			
	29,101,953				
	28,830,953				

^a This amount is anticipated to be received from the U.S. Department of Agriculture.

(E) Medical Services Subprogram

Personal Services	24,546,320	24,321,644	224,679 ^a
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	23,646,320	23,421,641	
		(421.1 FTE)	(3.0 FTE)
Operating Expenses	2,617,560	2,617,560	
Purchase of Pharmaceuticals	9,988,366	9,988,366	
Purchase of Medical Services from Other Medical Facilities ^{5a}	20,461,482	20,461,482	
Purchase of Medical Services from State Hospital	1,006,681	1,006,681	
Catastrophic Medical Expenses	6,033,095	6,033,095	
Service Contracts	2,098,394	2,098,394 ^e	
Start-up Costs	70,783	70,783	
	<u>66,822,681</u>		
	65,922,681		

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

^e Of this amount, \$455,430 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.

(K) Mental Health Subprogram

Personal Services	5,371,878	
	4,952,878	
	(75.7 FTE)	
Operating Expenses	56,872	
Medical Contract Services	501,595	
Start-up Costs	14,476	
	<u>5,944,821</u>	5,944,821

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 APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	5,525,821	5,525,821				
	342,346,049					
	339,660,375					
(3) SUPPORT SERVICES						
(E) Transportation Subprogram						
Personal Services	1,694,797	1,694,797				
	1,551,797	1,551,797				
		(32.2 FTE)				
Operating Expenses	218,348	218,348				
Vehicle Lease Payments	1,614,159	1,565,173			48,986 ^a	
Start-up Costs	<u>149,766</u>	149,766				
	3,677,070					
	3,534,070					

^a Of this amount, \$43,023 shall be from sales revenues earned by Correctional Industries, and \$5,963 shall be from sales revenues earned by the Canteen Operation.

~~24,550,939~~
24,407,939

(5) COMMUNITY SERVICES

(B) Parole Intensive Supervision Subprogram

Personal Services	3,294,548	
	3,094,548	
	(70.6 FTE)	
Operating Expenses	375,788	
Contract Services	1,264,039	
Non-residential Services	974,403	
Home Detention	69,383	
Start-up Costs	<u>175,575</u>	
	6,153,736	6,153,736
	5,953,736	5,953,736

(C) Community Intensive Supervision Subprogram

Personal Services	2,869,840	
	2,669,840	
	(53.3 FTE)	
Operating Expenses	513,810	
Contract Services	3,507,912	
Start-up Costs	<u>40,927</u>	
	6,932,489	6,932,489
	6,732,489	6,732,489

~~29,701,951~~
29,301,951

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
TOTALS PART II (CORRECTIONS)^{2,3}	\$648,823,292	\$582,842,768^b		\$2,628,871^a	\$60,986,913^a	\$2,364,740
	<u>\$645,371,199</u>	<u>\$579,390,675^b</u>				

^a Of these amounts, \$32,243,372 contains a (T) notation.

^b Of this amount, \$582,885 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 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 17, 2008