

CHAPTER 443

APPROPRIATIONS

SENATE BILL 09-184

BY SENATOR(S) Keller, Tapia, White;
also REPRESENTATIVE(S) Pommer, Ferrandino, Marostica, Primavera, Schafer S..

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 474, as Part II (3) (G) is amended by section 20 of chapter 284, Session Laws of Colorado 2008, 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	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$

**PART II
DEPARTMENT OF CORRECTIONS**

(1) MANAGEMENT

(A) Executive Director's Office Subprogram²

Personal Services	1,484,544	1,336,851			147,693 ^a	
	1,399,593	1,186,851			212,742 ^a	
		(22.4 FTE)			(1.7 FTE)	
					(4.0 FTE)	
Health, Life, and Dental	31,963,927	30,919,858		1,044,069 ^b		
Short-term Disability	431,965	417,032		14,933 ^b		
S.B. 04-257 Amortization						
Equalization Disbursement	5,416,547	5,232,759		183,788 ^b		
S.B. 06-235 Supplemental						
Amortization Equalization						
Disbursement	2,614,829	2,528,678		86,151 ^b		
Salary Survey and Senior						
Executive Service	7,966,152	7,747,555		218,597 ^b		
Performance-based Pay						
Awards	5,030,339	4,877,783		152,556 ^b		
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Shift Differential	6,364,428		6,351,160		13,268 ^b		
Workers' Compensation	6,027,568		5,828,055		199,513 ^b		
Operating Expenses	276,631 314,533		191,455			19,176^c 47,478 ^a	66,000^c 75,600 ^c
Legal Services for 15,298 hours	1,230,626 ^d		1,188,239		42,387 ^b		
Payment to Risk Management and Property Funds	5,405,253		5,226,339		178,914 ^b		
Leased Space	3,518,650		3,308,445		210,205 ^c		
Capitol Complex Leased Space	175,498		98,646		76,852 ^c		
Planning and Analysis Contracts	56,160		56,160				
Payments to District Attorneys	150,000 300,000		150,000 300,000				
Start-up Costs	<u>8,210</u>		8,210				
	<u>78,121,327</u>						
	78,224,278						

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

^b Of these amounts, \$1,874,392 shall be from sales revenues earned by Correctional Industries, and \$259,784 shall be from sales revenues earned by the Canteen Operation.

^c This amount shall be from the Social Security Administration Incentive Payment Memorandum of Understanding.

^d Of this amount, \$1,148,880 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.

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

(B) External Capacity Subprogram*

(1) Private Prison Monitoring Unit

Personal Services	1,450,144	1,450,144	
		(21.4 FTE)	
Operating Expenses	231,514	231,514	
Start-up Costs	<u>4,174</u>	4,174	
	1,685,832		

(2) Payments to House State Prisoners^{4, 5}

Payments to local jails at a rate of \$50.44 per inmate per day	7,949,041	7,949,041	
Payments to in-state private prisons at a rate of \$54.93 per inmate per day ^{5a}	97,304,409	94,945,702	2,358,707 ^a
	95,696,985	93,338,278	

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Payments to pre-release parole revocation facilities at a rate of \$54.93 per inmate per day DAY ^{5a}	14,435,604 14,201,076		14,435,604 14,201,076				
Community Corrections Programs	<u>4,426,094</u> 124,115,148 122,273,196		4,426,094				

^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	3,676,080 3,607,350		3,676,080 3,607,350 (49.2 FTE)				
Operating Expenses	304,959		299,999		4,960 ^a		
Inspector General Grants	973,319 449,563				497,701^a 223,144 ^b (1.0 FTE)	475,618^a 226,419 ^c	
	<u>4,954,358</u> 4,361,872						

^a This amount shall be from the Offender Identification Fund created in Section 24-33.5-415.6 (1), C.R.S.

^b Of this amount, ~~\$305,150~~ shall be from federal funds appropriated to the Division of Emergency Management in the Department of Local Affairs; \$153,951 SHALL BE FROM FEDERAL FUNDS APPROPRIATED TO THE OFFICE OF THE GOVERNOR IN THE DEPARTMENT OF THE GOVERNOR - LIEUTENANT GOVERNOR - STATE PLANNING AND BUDGETING, and ~~\$192,551~~ \$69,193 shall be from federal funds appropriated to the Division of Criminal Justice in the Department of Public Safety.

^c Of this amount, ~~\$407,618~~ \$208,750 shall be from funds from the Prison Rape Elimination Act, and ~~\$68,000~~ \$17,669 shall be from drug enforcement forfeitures.

~~208,876,665~~

206,545,178

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	316,310	316,310 (2.8 FTE)	
Utilities	<u>19,597,518</u>	18,627,637	969,881 ^a
	19,913,828		

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

(B) Maintenance Subprogram

Personal Services	18,086,116 (306.8 FTE)		
Operating Expenses	5,246,228		
Purchase of Services	<u>1,111,424</u>		
	24,443,768	24,443,768	

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(C) Housing and Security Subprogram							
Personal Services	150,449,160 ^a						
	150,391,533 ^a						
	(2,995.7 FTE)						
Operating Expenses	1,820,166						
Start-up Costs	4,105						
	<u>152,273,431</u>		<u>152,273,431</u>				
	152,215,804		152,215,804				

^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 \$1,549,754 General Fund appropriation contained in Sections 17-1-151 (1) (e), 17-1-152 (1) (d) (II), 17-1-153 (1) (c) (II), 17-1-154 (1) (c), 17-1-155 (1) (c) (II), 17-1-156 (1) (c) (II), 17-1-157 (1) (c) (II), 17-1-158 (1) (c) (II), 17-1-159 (1) (c), 17-1-160 (1) (c) (II), 17-1-161 (1) (c), 17-1-162 (1) (c), 17-1-164 (1) (b) (II), 17-1-165 (1) (b) (II), C.R.S., for these purposes. Also, it is the intent of the General Assembly that the Department of Corrections utilize the \$5,000 anticipated revenue from Section 17-1-163 (1) (b) (II), C.R.S., for these purposes.

(D) Food Service Subprogram

Personal Services	14,462,948		14,462,948				
			(265.2 FTE)				
Operating Expenses	16,116,662		16,036,662				80,000 ^a
Purchase of Services	<u>859,098</u>		859,098				
	31,438,708						

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

(E) Medical Services Subprogram

Personal Services	27,202,489	26,973,863 (438.0 FTE)	228,626 ^a (3.0 FTE)
Operating Expenses	2,763,684	2,763,684	
Purchase of Pharmaceuticals	10,195,764	10,195,764	
Purchase of Medical Services from Other Medical Facilities	19,782,394	19,782,394	
Purchase of Medical Services from State Hospital	1,572,650	1,572,650	
Catastrophic Medical Expenses	9,775,729	9,775,729	
Service Contracts	2,401,631	2,401,631	
Indirect Cost Recoveries	<u>6,053</u>		6,053 ^a
	73,700,394		

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

**(F) Laundry
Subprogram**

Personal Services	2,216,400 (37.4 FTE)
Operating Expenses	<u>2,191,334</u>

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	4,407,734		4,407,734				
(G) Superintendents Subprogram							
Personal Services	10,276,508						
	10,261,971						
	(173.0 FTE)						
Operating Expenses	3,237,061						
Dress Out	949,082						
Start-up Costs	2,492						
	<u>14,465,143</u>		<u>14,465,143</u>				
	14,450,606		14,450,606				
(H) Boot Camp Subprogram							
Personal Services	1,695,452						
	(32.7 FTE)						
Operating Expenses	<u>52,419</u>						
	1,747,871		1,747,871				
(I) Youthful Offender System Subprogram							
Personal Services	9,713,705						
	(172.9 FTE)						
Operating Expenses	182,323						

Contract Services	28,820	
Purchase of Services	<u>624,589</u>	
	10,549,437	10,549,437

(J) Case Management Subprogram

Personal Services	15,243,198	
	(230.7 FTE)	
Operating Expenses	<u>153,664</u>	
	15,396,862	15,396,862

(K) Mental Health Subprogram

Personal Services	7,236,432	
	(105.1 FTE)	
Operating Expenses	91,904	
Medical Contract Services	572,577	
Start-up Costs	<u>77,995</u>	
	7,978,908	7,978,908

**(L) Inmate Pay
Subprogram**

1,501,642	1,501,642
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(M) San Carlos Subprogram

Personal Services	12,175,300	
	(196.1 FTE)	
Operating Expenses	199,092	
Service Contracts	<u>725,309</u>	

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
13,099,701		13,099,701				
(N) Legal Access Subprogram						
Personal Services	1,146,647					
	(21.5 FTE)					
Operating Expenses	299,602					
Contract Services	<u>70,905</u>					
	1,517,154	1,517,154				
	372,434,581					
	372,362,417					
(3) SUPPORT SERVICES						
(A) Business Operations Subprogram						
Personal Services	5,937,088	5,331,718		604,671^a		699 ^b
	5,894,237	5,413,111		480,427 ^a		
		(100.1 FTE)		(10.6 FTE)		
Operating Expenses	229,487	229,487				
	231,627	231,627				
START-UP COSTS	<u>23,512</u>	23,512				
	6,166,575					

6,149,376

^a Of this amount, \$372,933 shall be from sales revenues earned by Correctional Industries, ~~\$125,830 shall be from various sources~~; \$67,416 shall be from sales revenues earned by the Canteen Operation, and \$38,492 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S., AND \$1,586 SHALL BE FROM VARIOUS SOURCES. For informational purposes, ~~\$459,175~~ \$334,931 shall be for department-wide indirect cost recoveries, and \$145,496 shall be for statewide indirect cost recoveries.

^b This amount shall be from federal grants transferred from the Education Subprogram in the Department of Corrections for statewide indirect cost recoveries.

(B) Personnel Subprogram

Personal Services	1,143,654	
	(18.5 FTE)	
Operating Expenses	93,431	
Start-up Costs	<u>8,210</u>	
	1,245,295	1,245,295

(C) Offender Services Subprogram

Personal Services	2,558,692	
	(41.8 FTE)	
Operating Expenses	<u>52,544</u>	
	2,611,236	2,611,236

(D) Communications Subprogram

Personal Services	600,628	600,628	
		(8.2 FTE)	
Operating Expenses	1,501,175	1,501,175	
Multiuse Network			
Payments	1,242,017	1,174,948	67,069 ^a

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Dispatch Services	230,270		230,270				
Communication Services Payments	<u>1,687,070</u>		1,687,070				
	5,261,160						

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

(E) Transportation Subprogram

Personal Services	1,901,736		1,901,736				
			(36.1 FTE)				
Operating Expenses	291,545		291,545				
Vehicle Lease Payments	<u>1,911,143</u>		1,848,075		63,068 ^a		
	4,104,424						

^a Of this amount, \$55,391 shall be from sales revenues earned by Correctional Industries, and \$7,677 shall be from sales revenues earned by the Canteen Operation.

**(F) Training
Subprogram**

Personal Services	1,878,533						
	(27.3 FTE)						
Operating Expenses	<u>278,976</u>						
	2,157,509		2,157,509				

(G) Information Systems Subprogram

Personal Services	3,870,301		
	3,787,079	3,787,079	
	(50.6 FTE)		
		(50.6 FTE)	
Operating Expenses	1,378,378		
	1,388,378	1,378,378	10,000 ^a
Purchase of Services from Computer Center	202,327		
		202,327	
MANAGEMENT AND ADMINISTRATION OF OIT	<u>142,138</u>	142,138	
	5,451,006	5,451,006	
	5,519,922		

^a THIS AMOUNT SHALL BE FROM AN INTERAGENCY AGREEMENT WITH THE DEPARTMENT OF LABOR AND EMPLOYMENT.

(H) Facility Services Subprogram

Personal Services	945,710		
	(11.8 FTE)		
Operating Expenses	83,096		
Start-up Costs	<u>8,210</u>		
	1,037,016	1,037,016	

~~28,034,221~~
28,085,938

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(4) INMATE PROGRAMS							
(A) Labor Subprogram							
Personal Services	5,405,327						
	(97.3 FTE)						
Operating Expenses	<u>91,040</u>						
	5,496,367		5,496,367				
(B) Education Subprogram							
Personal Services	14,049,940		13,138,418		911,522^a		
			12,265,374		1,784,566 ^a		
			(245.6 FTE)				
Operating Expenses	2,231,766		20,000		1,700,751^a	511,015^b	
	2,531,766				1,900,751 ^a	611,015 ^b	
Contract Services	592,003		592,003				
Education Grants	1,986,705				10,000 ^c	225,808^a	1,750,897
	632,620					261,126 ^d	361,494
						(1.0 FTE)	
Start-up Costs	175,140		175,140				
Indirect Cost Recoveries	<u>702</u>						702
	19,036,256						

17,982,171

^a Of these amounts, ~~\$1,374,523~~ \$2,247,567 shall be from sales revenues earned by the Canteen Operation, and ~~\$1,237,750~~ \$1,437,750 shall be from sales revenues earned by vocational programs.

^b This amount shall be from sales revenues earned by vocational programs for products and services sold to other government agencies.

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

^d Of this amount, ~~\$211,642~~ \$246,038 shall be from federal funds appropriated to the Department of Education, and ~~\$14,166~~ \$15,088 shall be from federal funds appropriated to the Department of Public Health and Environment.

(C) Recreation Subprogram

Personal Services	6,386,745	6,386,745	
		(118.2 FTE)	
Operating Expenses	<u>76,485</u>		76,485 ^a
	6,463,230		

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

(D) Drug and Alcohol Treatment Subprogram

Personal Services	2,877,795	2,877,795	
		(60.8 FTE)	
Operating Expenses	74,000	74,000	
Drug Offender Surcharge Program	995,127		995,127 ^a
Contract Services	2,074,956	2,074,956	
Treatment Grants	468,884		193,874^c 275,010
	<u>255,532</u>		91,096 ^b 164,436
	6,490,762		

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
6,277,410						

^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	2,695,280	2,666,469		28,811 ^a		
		(47.7 FTE)		(1.0 FTE)		
Operating Expenses	100,724	100,224		500 ^a		
Polygraph Testing	99,569	99,569				
Sex Offender Treatment Grants	127,070					127,070
	<u>2,895,573</u>					

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

(F) Volunteers Subprogram

Personal Services	543,935					
	(9.0 FTE)					
Operating Expenses	<u>17,912</u>					
	561,847			561,847 ^a		

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

41,071,105
39,676,598

(5) COMMUNITY SERVICES*

(A) Parole Subprogram

Personal Services	10,192,309	10,192,309	
	9,901,666	9,901,666	
		(179.2 FTE)	
Operating Expenses	1,078,379	1,078,379	
Administrative Law Judge Services	4,825	4,825	
Contract Services	889,082	889,082	
Wrap-Around Services Program	1,800,000	1,800,000	
Parole Grants	49,208		49,208 ^a
	92,050		92,050 ^a
Start-up Costs	245,578	245,578	
	<u>14,259,381</u>		
	12,211,580		

^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 5,059,854

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(94.0 FTE)						
Operating Expenses	487,071						
Contract Services	1,642,172						
Non-residential Services	1,265,893						
Home Detention	69,383						
Start-up Costs	129,343						
	<u>8,653,716</u>		8,653,716				
(C) Community Intensive Supervision Subprogram							
Personal Services	3,377,794						
	(57.5 FTE)						
Operating Expenses	535,728						
Contract Services	3,777,380						
	<u>2,777,380</u>						
	7,690,902		7,690,902				
	6,690,902		6,690,902				
(D) Community Supervision Subprogram							
(1) Community Supervision							
Personal Services	2,997,627		2,997,627				
			(50.0 FTE)				

Operating Expenses	178,297	178,297	
Community Mental Health Services	584,496	584,496	
Psychotropic Medication	131,400	131,400	
Contract Services for High Risk Offenders	310,944	310,944	
Contract Services for Fugitive Returns	74,524	42,049	32,475 ^a
Start-up Costs	<u>42,416</u>	42,416	
	4,319,704		

^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	611,074		
	(9.5 FTE)		
Operating Expenses	141,067		
Contract Services	<u>1,062,396</u>		
	1,814,537	1,814,537	

(E) Community Re-entry Subprogram

Personal Services	1,182,172	1,182,172	
		(22.2 FTE)	
Operating Expenses	40,236	40,236	
Offender Emergency Assistance	96,768	96,768	
Contract Services	190,000	190,000	

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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Offender Re-employment Center	110,000		100,000		10,000 ^a	
Community Reintegration Grants	779,500 706,903				320,000 ^b	446,300 386,903 (1.0 FTE)
Start-up Costs	<u>69,980</u> 2,468,656 2,396,059		69,980			

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

^b This amount shall be from the Justice, Equality, Human dignity and Tolerance Foundation.

^c ~~This amount shall be from federal funds appropriated to the Colorado Department of Labor and Employment.~~

~~39,206,896~~

36,086,498

(6) PAROLE BOARD

Personal Services	1,322,433 (17.5 FTE)
Operating Expenses	106,890
Contract Services	152,000

Personal Services	1,733,724		
	(29.7 FTE)		
Operating Expenses	12,851,987		
Inmate Pay	40,386		
Indirect Cost Assessment	<u>67,416</u>		
		14,693,513	14,693,513*

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

TOTALS PART II

(CORRECTIONS)	<u>\$759,502,556</u>	<u>\$675,007,403</u>	<u>\$38,870,030</u>	<u>\$42,403,526</u>	<u>\$3,221,597</u>
	<u>\$752,969,584</u>	<u>\$669,226,831</u>	<u>\$40,152,697</u>	<u>\$42,294,502</u>	<u>\$1,295,554</u>

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

1 [Editor's Note: The footnote 1 designation was not used.]

2 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 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.

- 3 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, 2009, the Department be allowed to roll forward such funds for expenditure in FY 2009-10. 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.
- 4 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.

APPROPRIATION FROM

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

5 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.

5a DEPARTMENT OF CORRECTIONS, MANAGEMENT, EXTERNAL CAPACITY SUBPROGRAM, PAYMENTS TO HOUSE STATE PRISONERS, PAYMENTS TO IN-STATE PRIVATE PRISONS AT A RATE OF \$54.93 PER INMATE PER DAY, AND PAYMENTS TO PRE-RELEASE PAROLE REVOCATION FACILITIES AT A RATE OF \$54.93 PER INMATE PER DAY -- DUE TO CURRENT FISCAL RESTRAINTS, IT IS THE INTENT OF THE GENERAL ASSEMBLY NOT TO FUND ANY SUPPLEMENTAL REQUESTS FROM THE DEPARTMENT OF CORRECTIONS THAT ARE REQUESTED AS A RESULT OF THE DEPARTMENT OF CORRECTIONS PAYING A HIGHER PER DIEM RATE TO PRIVATE PRISONS THAN \$52.69. IF CASELOAD CHANGES WOULD RESULT IN A NEGATIVE SUPPLEMENTAL FROM THE DEPARTMENT OF CORRECTIONS GIVEN A PRIVATE PRISON PER DIEM RATE OF \$52.69, IT IS FURTHER THE INTENT OF THE GENERAL ASSEMBLY TO REDUCE THE APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS ACCORDINGLY.

SECTION 2. Part II (1) (A), (1) (B), (2) (A), (2) (B), (2) (C), (2) (D), (2) (E), (2) (F), (2) (G), (2) (H), (2) (I), (2) (J), (2) (K), (2) (M), (3) (A), (3) (E), (3) (F), (4) (A), (4) (B), (4) (C), (4) (E), (5), and the affected totals of section 2 of chapter 466, Session Laws of Colorado 2007, as amended by section 1 of chapter 452 and as the said Part II (4) (D), (5) (A), (5) (B), and the affected totals are further amended by section 8 of chapter 474, Session Laws of Colorado 2008, are amended to read:

Section 2. **Appropriation.**

**PART II
DEPARTMENT OF CORRECTIONS**

(I) MANAGEMENT

(A) Executive Director's Office Subprogram⁶

Personal Services	1,327,913	1,180,588 (20.6 FTE)	147,325(T) ^a (1.7 FTE)	
Health, Life, and Dental	24,889,473	24,127,205	762,268 ^b	
Short-term Disability	402,147 393,130	389,644 380,627	12,503 ^b	
S.B. 04-257 Amortization Equalization Disbursement	3,611,186	3,495,766	115,420 ^b	
S.B. 06-235 Supplemental Amortization Equalization Disbursement	645,504	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	4,726,112	4,569,678	156,434 ^b	
Operating Expenses	275,631	190,455	19,176(T) ^c	66,000 ^f
Legal Services for 15,298 12,521 hours	1,183,661^e 983,661 ^e	1,142,892 942,892	40,769 ^b	

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
Payment to Risk Management and Property Funds	4,187,498		4,048,891			138,607 ^b
Leased Space	3,289,494		3,079,289			210,205 ^d
Capitol Complex Leased Space	174,826		98,269			76,557 ^d
Payments to District Attorneys	290,819		290,819			
	<u>329,679</u>		329,679			
	66,158,569					
	65,988,412					

^a 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.

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

^c Of this amount, ~~\$1,101,915~~ \$901,915 shall be used to purchase ~~15,298~~ 12,521 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^{6a}

(1) Private Prison Monitoring Unit

Personal Services	1,330,048	1,330,048	
	1,318,584	1,318,584	
		(20.5 FTE)	
Operating Expenses	264,233	264,233	
Start-up Costs	<u>4,733</u>	4,733	
	1,599,014		
	1,587,550		

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

Payments to local jails at a rate of \$49.69 per inmate per day

8,570,233	8,570,233	
9,687,811	9,687,811	

Payments to in-state private prisons at a rate of \$52.69 per inmate per day

78,092,329	72,877,257	5,215,072^c
79,215,127	73,888,066	5,327,061 ^a

Payments to out-of-state private prisons at a rate of \$54.00 per inmate per day

7,295,184	7,295,184	
8,469,549	8,469,549	

Payments to pre-release parole revocation facilities at a rate of \$52.69 per inmate per day

11,144,515	11,144,515	
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APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	10,906,145		10,906,145				
Community Corrections Programs	4,066,636		4,066,636				
	<u>4,031,114</u>		4,031,114				
	109,168,897						
	112,309,746						

^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.

~~181,718,078~~

184,677,306

(2) INSTITUTIONS

(A) Utilities Subprogram

Energy Management Program	149,469		149,469				
			(1.0 FTE)				
Utilities	19,740,383		18,770,502		969,881 ^a		
Start-up Costs	336,000		336,000				
	<u>20,225,852</u>						
	19,889,852						

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

(B) Maintenance Subprogram

Personal Services	17,299,268	
	17,127,639	
	(303.4 FTE)	
Operating Expenses	4,861,676	
Purchase of Services	<u>1,111,424</u>	
	23,272,368	23,272,368
	23,100,739	23,100,739

(C) Housing and Security Subprogram

Personal Services	145,648,779^a	
	145,138,756 ^a	
	(2,980.3 FTE)	
Operating Expenses	<u>1,785,644</u>	
	147,434,423	147,434,423
	146,924,400	146,924,400

^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 \$1,249,047 General Fund appropriation contained in Sections 17-1-146 (1) (b) (II), 17-1-147 (1) (c), 17-1-148 (1) (f), 17-1-149 (1) (d) (II), 17-1-150 (1) (b), 17-1-151 (1) (d), 17-1-152 (1) (c) (II), 17-1-153 (1) (b) (II), 17-1-154 (1) (b) (II), 17-1-155 (1) (b) (II), 17-1-156 (1) (b), 17-1-157 (1) (b) (II), 17-1-158 (1) (b) (II), 17-1-159 (1) (b), 17-1-160 (1) (b), 17-1-161 (1) (b) (II), and 17-1-162 (1) (b), C.R.S., for this purpose.

(D) Food Service Subprogram

Personal Services	13,938,318	13,938,318
	13,812,664	13,812,664

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
			(264.4 FTE)			
Operating Expenses	15,804,882		15,724,882			80,000 ^a
Purchase of Services	859,098		859,098			
	<u>30,602,298</u>					
	30,476,644					

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

(E) Medical Services Subprogram

Personal Services	25,881,753		25,647,074		234,679 ^a	
	25,501,088		25,266,409			
			(436.1 FTE)		(3.0 FTE)	
Operating Expenses	2,741,020		2,741,020			
Purchase of Pharmaceuticals	9,999,822		9,999,822			
Purchase of Medical Services from Other Medical Facilities	19,142,186		19,142,186			
	19,024,186		19,024,186			
Purchase of Medical Services from State Hospital	1,528,447		1,528,447			

	1,422,447	1,422,447
Catastrophic Medical Expenses	9,500,963	9,500,963
Service Contracts	<u>2,382,146</u>	2,382,146
	71,176,337	
	70,571,672	

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

(F) Laundry Subprogram

Personal Services	2,141,949	
	2,123,139	
	(37.4 FTE)	
Operating Expenses	<u>2,093,843</u>	
	4,235,792	4,235,792
	4,216,982	4,216,982

(G) Superintendents Subprogram

Personal Services	9,839,058	
	9,746,806	
	(171.2 FTE)	
Operating Expenses	3,198,453	
Dress Out	822,358	
Start-up Costs	<u>91,894</u>	
	13,951,763	13,951,763
	13,859,511	13,859,511

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(H) Boot Camp Subprogram							
Personal Services	1,641,978						
	1,626,826						
	(32.7 FTE)						
Operating Expenses	<u>52,419</u>						
	1,694,397		1,694,397				
	1,679,245		1,679,245				
(I) Youthful Offender System Subprogram^o							
Personal Services	9,396,762						
	9,311,514						
	(172.9 FTE)						
Operating Expenses	182,323						
Contract Services	28,820						
Purchase of Services	<u>624,589</u>						
	10,232,494		10,232,494				
	10,147,246		10,147,246				
(J) Case Management Subprogram							
Personal Services	14,489,515						
	14,356,930						

	(229.9 FTE)	
Operating Expenses	<u>148,099</u>	
	14,637,614	14,637,614
	14,505,029	14,505,029

(K) Mental Health Subprogram

Personal Services	5,593,668	
	5,546,481	
	(75.9 FTE)	
Operating Expenses	59,864	
Medical Contract Services	<u>558,035</u>	
	6,211,567	6,211,567
	6,164,380	6,164,380

(M) San Carlos Subprogram

Personal Services	11,780,273	
	11,597,006	
	(196.1 FTE)	
Operating Expenses	199,092	
Service Contracts	<u>725,309</u>	
	12,704,674	12,704,674
	12,521,407	12,521,407

359,331,416
357,008,944

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 APPROPRIATION FROM

	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(3) SUPPORT SERVICES							
(A) Business Operations Subprogram							
Personal Services	5,575,063		5,103,299		471,370 ^a	394(T) ^b	
	5,543,402		5,071,638				
			(100.1 FTE)		(8.6 FTE)		
Operating Expenses	<u>229,487</u>		229,487				
	5,804,550						
	5,772,889						

^a Of this amount, \$365,761(T) shall be from sales revenues earned by Correctional Industries, \$67,117(T) shall be from sales revenues earned by the Canteen Operation, and \$38,492 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S. For informational purposes, \$357,669 shall be for department-wide indirect cost recoveries, and \$75,209 shall be for statewide indirect cost recoveries.

^b This amount shall be from federal grants transferred from the Education Subprogram in the Department of Corrections for statewide indirect cost recoveries.

(E) Transportation Subprogram

Personal Services	1,866,510		1,866,510				
	1,849,910		1,849,910				
			(36.1 FTE)				
Operating Expenses	289,230		289,230				
Vehicle Lease Payments	1,603,479		1,562,116			41,363 ^a	
Start-up Costs	<u>3,091</u>		3,091				

3,762,310
3,745,710

* 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	
	1,810,365	
	(27.3 FTE)	
Operating Expenses	<u>276,744</u>	
	2,103,133	2,103,133
	2,087,109	2,087,109

~~26,183,696~~
26,119,411

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	5,227,879	
	5,179,035	
	(97.3 FTE)	
Operating Expenses	<u>90,527</u>	
	5,318,406	5,318,406
	5,269,562	5,269,562

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	ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(B) Education Subprogram							
Personal Services	8,301,726		8,301,726				
	8,225,582		8,225,582				
			(143.8 FTE)				
Operating Expenses	2,210,531				1,238,985 ^a	971,546 ^b	
Contract Services	5,991,743		4,991,743			1,000,000 ^c	
Education Grants	1,986,705					235,808 ^d	1,750,897
						(1.0 FTE)	
Indirect Cost Recoveries	<u>394</u>						394
	18,491,099						
	18,414,955						

^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 \$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, \$211,642(T) shall be from federal funds appropriated to the Department of Education, \$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				
	6,120,862		6,120,862				

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	8,671,660		8,671,660				
			(162.7 FTE)				
Operating Expenses	1,016,260		1,016,260				
Administrative Law Judge Services	4,603		4,603				
Contract Services	800,398		800,398				
Start-up Costs	415,230		415,230				
Parole Grants	49,208				49,208 ^a		
	<u>11,037,173</u>						
	10,957,359						

^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	4,282,045
	4,242,741
	(85.4 FTE)
Operating Expenses	454,967
Contract Services	1,477,720
	1,462,132
Non-residential Services	1,139,123
	1,118,902

Home Detention	69,383	
Start-up Costs	<u>202,715</u>	
	7,625,953	7,625,953
	7,550,840	7,550,840

(C) Community Intensive Supervision Subprogram

Personal Services	3,120,680	
	3,093,503	
	(57.5 FTE)	
Operating Expenses	535,728	
Contract Services	3,766,809	
	3,718,577	
Start-up Costs	<u>47,920</u>	
	7,471,137	7,471,137
	7,395,728	7,395,728

(D) Community Supervision Subprogram

(1) Community Supervision

Personal Services	2,670,882	2,670,882
	2,647,848	2,647,848
		(46.8 FTE)
Operating Expenses	166,954	166,954
Community Mental Health Services	565,488	565,488
Psychotropic Medication ¹⁰	171,000	171,000

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	REAPPROPRIATED FUNDS
	\$	\$	\$	\$	\$	\$
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	34,628		34,628			
	<u>3,984,308</u>					
	3,961,274					

^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				
	569,246				
	(9.5 FTE)				
Operating Expenses	141,067				
Contract Services	<u>1,062,396</u>				
	1,777,580		1,777,580		
	1,772,709		1,772,709		

(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		
Contract Services	190,000	190,000		
Offender Re-employment Center	110,000	100,000	10,000 ^a	
Community Reintegration Grants	779,500		333,200 ^b	446,300
Start-up Costs	<u>5,248</u>	5,248		
	1,861,136			

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

^b Of this amount, \$13,200(T) shall be from federal funds appropriated to the Colorado Department of Labor and Employment and \$320,000 shall be grant funds from the Justice, Equality, Human dignity and Tolerance Foundation.

~~33,757,287~~
33,499,046

TOTALS PART II

(CORRECTIONS)^{4, 5, 11}	\$709,217,642	\$623,329,044	\$2,969,472 ^a	\$79,697,837^a	\$3,221,289
	<u>\$709,329,631</u>	<u> </u>	<u> </u>	<u>\$79,809,826^a</u>	<u> </u>

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

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 12, 2009