

CHAPTER 277

APPROPRIATIONS

SENATE BILL 95-190

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

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF PUBLIC SAFETY.

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

SECTION 1. Part XVIII of section 2 of chapter 354, Session Laws of Colorado 1994, 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.

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT
	\$	\$	\$	\$	\$	\$
PART XVIII						
DEPARTMENT OF PUBLIC SAFETY						
(1) EXECUTIVE DIRECTOR						
Personal Services	1,454,878				1,454,878 (T) ^a	
	1,477,453				1,477,453 (T) ^a	
					(31.0 FTE)	
					(31.3 FTE)	
Group Health and Life	2,062,370			86,527 ^b	1,926,985 ^c	48,858
Short-term Disability	72,908			2,467 ^b	68,451 ^d	1,990
Salary Survey, Anniversary Increases and Shift						
Differential	1,730,145			84,632 ^b	1,610,507 ^e	35,006
Workers' Compensation	1,536,243				1,536,243 (T) ^a	
Operating Expenses	129,644				129,644 (T)^a	
	142,117				142,117 (T) ^a	
Legal Services	102,246				102,246 (T) ^a	
Purchase of Services from Computer Center	26,463				26,463 (T) ^a	
Payment to Risk Management and Property Funds	227,110				227,110 (T) ^a	

Vehicle Lease Payments	27,756		10,392 ^f	17,364 (T) ^a	
Leased Space	367,305		8,640 ^g	323,573 ^h	35,092
Capitol Complex					
Leased Space	512,006		5,809 ⁱ	506,197 ^j	
Lease Purchase -					
700 Kipling St.	441,868	164,094		277,774 ^k	
Special Recovery Fund for					
Law Enforcement Training					
and Accident Prevention	200,000			200,000 ^l	
Distributions to Local					
Government	<u>75,000</u>		75,000 ^m		
		8,965,942			
		9,000,990			

^a These amounts shall be from indirect cost recoveries.

^b These amounts shall be from various sources of cash funds.

^c Of this amount, \$1,532,865 shall be from the Highway Users Tax Fund, \$354,050(T) shall be from indirect cost recoveries, and \$40,070 shall be from various sources of exempt cash funds.

^d Of this amount, \$53,354 shall be from the Highway Users Tax Fund, \$13,769(T) shall be from indirect cost recoveries, and \$1,328 shall be from various sources of exempt cash funds.

^e Of this amount, \$1,253,822 shall be from the Highway Users Tax Fund, \$325,368(T) shall be from indirect cost recoveries, and \$31,317 shall be from various sources of exempt cash funds.

^f Of this amount, \$6,500 shall be from the Limited Gaming Fund, and \$3,892 shall be from the Firefighter and First Responder Certification Fund, the Fire Service Education and Training Fund, the Hazardous Materials Responder Voluntary Certification Fund, the Fire Suppression Cash Fund, and the Fireworks Licensing Cash Fund.

^g This amount shall be from the Limited Gaming Fund.

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

^h Of this amount, \$287,845 shall be from the Highway Users Tax Fund, and \$35,728(T) shall be from user fees collected from other state agencies for the Garage Operation.

ⁱ Of this amount, \$3,239 shall be from the Limited Gaming Fund, and \$2,570 shall be from various sources of cash funds.

^j Of this amount, \$181,250 shall be from the Highway Users Tax Fund, \$321,091(T) shall be from indirect cost recoveries, and \$3,856 shall be from various sources of exempt cash funds.

^k This amount shall be from the Highway Users Tax Fund.

^l This amount shall be from funds resulting from the disposition of seized property pursuant to Section 16-13-506, C.R.S.

^m This amount shall be from the Hazardous Materials Safety Fund pursuant to Section 43-6-107(3)(a), C.R.S.

(2) COLORADO STATE PATROL

Colorado State Patrol

Colonel, Lt. Colonels,

Majors, Captains 2,600,867

2,600,867 ^a
(39.0 FTE)

Sergeants, Technicians,

and Troopers A and B 22,276,499

~~755,725~~ ^b 20,473,030 ^c 1,047,744
770,725 ^b 20,458,030 ^c
(19.6 FTE) (468.0 FTE) (21.0 FTE)

Civilians 6,608,738

46,694 ^d 6,562,044 ^a
(2.0 FTE) (199.5 FTE)

Retirements 400,000

400,000 ^a

Operating Expenses	1,542,133		141,028 ^e	1,401,105 ^a
Auto Related Expenses	2,909,973		86,756 ^f	2,823,217 ^a
Utilities	81,964			81,964 ^g
Dispatch Contracts	336,760		202,813 ^h	133,947 (T) ⁱ
			(6.8 FTE)	(6.0 FTE)
Highway Safety Grants	500,000			500,000 (T) ⁱ
Aircraft Pool	248,789			248,789 ⁱ
			12,100 ^h	236,689 ^j
				(1.0 FTE)
				(1.4 FTE)
Aircraft Engine Reserve	180,000			180,000 (T) ^k
Capitol and Governor's Security	874,991	609,103		265,888 (T) ^l
	(19.0 FTE)			
Highway Road Closure Fund	150,000		150,000 ^h	
Nuclear Materials Transportation	2,500		2,500 ^m	
Hazardous Materials Routing	394,538		92,039 ⁿ	302,499 ^a
			(1.5 FTE)	(5.5 FTE)
Hazardous Materials Equipment	171,000			171,000 ^a
Vehicle Identification				
Number Inspections	60,000		60,000 ^o	
State Fair Security ¹¹⁹	130,000		130,000 ^p	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
					(3.0 FTE)		
Inmate Labor	32,300					32,300 ^a	
Training Center Operations	100,000				75,000 ^q	25,000 (T) ^k	
					(0.8 FTE)	(0.2 FTE)	
Indirect Cost							
Assessment	4,218,771				155,356 ^r	3,984,757 ^s	78,658
Garage Operations	771,079					771,079 (T) ^k	
						(3.0 FTE)	
Vehicle Purchases/ Nonfleet	145,800 280,800					145,800 280,800 ^t	
		44,736,702 44,871,702					

^a These amounts shall be from the Highway Users Tax Fund.

^b Of this amount, \$576,700 shall be from the Limited Gaming Fund, and ~~\$179,025~~ \$194,025 shall be from various local sources.

^c Of this amount, \$20,371,859 shall be from the Highway Users Tax Fund, and ~~\$101,171~~ \$86,171 shall be from various exempt local sources.

^d Of this amount, \$27,869 shall be from the Limited Gaming Fund, and \$18,825 shall be from the Vehicle Identification Number Inspection Fund pursuant to Section 42-5-204, C.R.S.

^e Of this amount, \$51,240 shall be from the Limited Gaming Fund, and \$89,788 shall be from various local sources.

^f Of this amount, \$78,386 shall be from the Limited Gaming Fund, and \$8,370 shall be from various local sources.

^g Of this amount, \$78,606 shall be from the Highway Users Tax Fund, and \$3,358(T) shall be from user fees collected from other state agencies for the Garage Operation.

^h These amounts shall be from various local sources.

ⁱ These amounts shall be from the Department of Transportation.

^j ~~Of this amount, \$28,888 shall be from indirect cost recoveries, and \$237,000 shall be from the Legislative Department.~~ OF THIS AMOUNT, \$15,121 SHALL BE FROM THE HIGHWAY USERS TAX FUND, AND \$221,568(T) SHALL BE FROM USER FEES COLLECTED FROM OTHER STATE AGENCIES.

^k These amounts shall be from user fees collected from other state agencies.

^l Of this amount, \$28,888 shall be from indirect cost recoveries, and \$237,000 shall be from the Legislative Department.

^m This amount shall be from the Nuclear Materials Transportation Fund pursuant to 43-6-511, C.R.S.

ⁿ This amount shall be from the Hazardous Materials Safety Fund pursuant to Section 43-6-107, C.R.S.

^o This amount shall be from the Vehicle Identification Number Inspection Fund pursuant to Section 42-5-204, C.R.S.

^p This amount shall be from the State Fair Authority.

^q This amount shall be from user fees collected.

^r This amount shall be from various sources of cash funds.

^s Of this amount, \$3,955,304 shall be from the Highway Users Tax Fund, and \$29,453 shall be from various sources of exempt cash funds.

^t This amount shall be from the sale of used vehicles.

(3) DIVISION OF FIRE SAFETY ^{119a}

Personal Services	248,226	53,994 (1.0 FTE)	194,232 ^a (5.0 FTE)	
Operating Expenses	97,875	7,082	90,793 ^a 70,793 ^a	20,000 ^c
Indirect Cost				
Assessment	<u>25,794</u>		25,794 ^b	
		371,895		

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

^a Of these amounts, \$115,000 shall be from the Limited Gaming Fund, and ~~\$170,025~~ \$150,025 shall be from the Firefighter and First Responder Certification Fund, the Fire Service Education and Training Fund, the Hazardous Materials Responder Voluntary Certification Fund, the Fire Suppression Cash Fund, and the Fireworks Licensing Cash Fund.

^b This amount shall be from various sources of cash funds.

^c THIS AMOUNT SHALL BE FROM RESERVES IN THE FIREFIGHTER AND FIRST RESPONDER CERTIFICATION FUND, THE FIRE SERVICE EDUCATION AND TRAINING FUND, THE HAZARDOUS MATERIALS RESPONDER VOLUNTARY CERTIFICATION FUND, THE FIRE SUPPRESSION CASH FUND, AND THE FIREWORKS LICENSING CASH FUND.

(4) DIVISION OF CRIMINAL JUSTICE

Personal Services	172,255	172,255				
		(3.6 FTE)				
Operating Expenses	9,314	9,314				
Juvenile Justice						
Administration	106,039	53,019			53,020	
		(1.2 FTE)			(1.3 FTE)	
Juvenile Justice Administration						
Juvenile Justice						
Disbursements	909,074				909,074	

Youth Diversion Programs - Restitution	1,000,000	1,000,000	
Youth Diversion Programs - Victim/Offender Mediation	200,000	200,000	
Youth Diversion Programs	956,166	956,166	
		(1.0 FTE)	
Victims and Criminal Justice Assistance Programs Administration	253,851		253,851 (T) ^a (5.5 FTE)
Federal Victims Assistance and Compensation Grants	2,600,000		2,600,000
State Victims Assistance and Law Enforcement Program	550,000		550,000 (T) ^a
Drug Prevention Program Administration	149,334	37,275 (0.8 FTE)	112,059 (2.2 FTE)
Drug Prevention Program Narcotics Grant Disbursements	4,600,000		4,600,000
Community Corrections Program Contract Administration ^{9, 13, 120, 121}	220,835	220,835 (6.0 FTE)	

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Transition Programs including standard residential services at an average rate of \$31.15 per day per offender, specialized substance abuse treatment at an average rate of \$45.68 per day per offender, and other special services at an average rate of \$8.60 per day per offender	12,211,606		12,211,606				
Diversion Programs including standard residential services at an average rate of \$31.15 per day per offender, and standard nonresidential services at an average rate of \$5.12 per day per offender	9,851,806		9,851,806				
Loans - New Community Corrections Facilities	120,000		120,000				
Specialized Services	136,075		136,075				
Day Reporting Center services at an average rate							

of \$229.34 per month per offender	440,336	440,336		
Monitored residential program, 3/4-house, at an average rate of \$14.13 per day per offender	412,596	412,596		
Criminal Justice Commission¹²²	230,572	57,643 (M) (1.5 FTE)		172,929 (2.5 FTE)
PRISON POPULATION PROJECTIONS/BUILD A GENERATION PROGRAM SUPPORT	230,572	57,643 (M) (1.5 FTE)		172,929 (2.5 FTE)
Build A Generation Program Grants	300,000		300,000 (T) ^b	
Sex Offender Treatment Board	19,480		19,480 ^c	
Indirect Cost Assessment	<u>82,187</u>		29,011 (T) ^a	53,176
	35,531,526			

^a These amounts shall be from the Judicial Department out of the Victims Assistance and Law Enforcement Fund pursuant to Section 24-33.5-506, C.R.S.

^b This amount shall be from the Department of Local Affairs.

^c This amount shall be from the Sex Offender Surcharge Fund pursuant to Section 18-21-103, C.R.S.

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(5) COLORADO BUREAU OF INVESTIGATION							
(A) Administration							
Personal Services	205,892		177,051		28,841 ^a		
			(3.0 FTE)		(1.0 FTE)		
Operating Expenses	20,460		14,626		5,834 ^a		
Vehicle Lease Payments	172,246		152,806		19,440 ^b		
Leased Space in Montrose/Pueblo	88,000		88,000				
Indirect Cost Assessment	210,362				96,025^c	93,740 ^d	20,597
	<u>238,888</u>				124,551 ^c		
	696,960						
	725,486						

^a These amounts shall be from applicant print processing fees.

^b This amount shall be from the Limited Gaming Fund.

^c This amount shall be from various sources of cash funds.

^d Of this amount, \$26,956 shall be from the Highway Users Tax Fund, and \$66,784(T) shall be from applicant print processing fees received from other state agencies.

(B) Investigative Support Services

(1) Laboratory ¹²³			
Personal Services	2,211,151	2,054,068	157,083
		(36.0 FTE)	(3.0 FTE)
Operating Expenses	397,548	284,883	112,665
Genetic Markers	<u>18,000</u>		18,000 (T) ^a
	2,626,699		

^a This amount shall be from State Victims Assistance and Law Enforcement funds from the Division of Criminal Justice.

(2) Assistance to Local Governments/Drug Enforcement			
Personal Services	1,408,279		
	(27.0 FTE)		
Operating Expenses	<u>136,738</u>		
	1,545,017	1,545,017	

(3) Limited Gaming Support			
Program Costs	453,687		453,687 ^a
			(7.0 FTE)

^a This amount shall be from the Limited Gaming Fund.

(C) Crime Information Center

Personal Services	1,816,713	1,612,545	204,168 ^a
		(40.0 FTE)	(5.1 FTE)
Operating Expenses	1,006,407	783,050	223,357 ^b

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Criminal Justice					46,246 ^c	177,111 ^b	
Records Act	984,058 (22.6 FTE)				382,972 ^c	601,086 (T) ^d	
Missing Children Program	40,002		40,002				
			(1.0 FTE)				
HB 94-1276 INSTANT BACKGROUND CHECK	231,147				231,147 ^f		
					(2.0 FTE)		
	<u>3,847,180</u>						
	4,078,327						

^a This amount shall be from the Highway Users Tax Fund.

^b Of this amount, \$161,695 shall be from the Highway Users Tax Fund, and ~~\$61,662(T)~~ \$15,416(T) shall be from fees for services from other state agencies.

^c This amount shall be from applicant print processing fees.

^d This amount shall be from applicant print processing fees received from other state agencies.

^e THIS AMOUNT SHALL BE FROM FEES FOR SERVICES.

^f THIS AMOUNT SHALL BE FROM APPLICANT PROCESSING FEES.

9,169,543
9,429,216

TOTALS PART XVIII

(PUBLIC SAFETY)⁸	\$98,775,608	\$33,465,247	\$3,488,476	\$51,783,934⁷	\$10,037,951
	<u>\$99,205,329</u>		<u>\$3,801,495</u>	<u>\$51,900,636⁸</u>	

^a Of this amount, ~~\$8,537,288~~ \$8,513,990 contains a (T) notation, and \$42,693,651 is from the Highway Users Tax Fund pursuant to Section 43-4-201(3)(a), C.R.S.

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

8 (Governor lined through this provision. See L. 94, p. 3165.)

9 Department of Corrections, Administration and Consolidated Services; Department of Human Services, Alcohol and Drug Abuse Division; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice, Community Corrections Program Contract Administration -- The Departments referenced are requested to submit a single report on the effectiveness of the funds spent in each program area on alcohol and drug abuse treatment for criminal offenders and other citizens. Such report should include information about the number of clients served and of these served, an estimate of those who are repeat users throughout the systems. The departments are requested to develop common outcome measures so that valid comparisons between the agency programs can be assessed. The Departments are also requested to continue to explore the possibility of a common identifier so that the programs could provide information as to those persons using services from more than one program. This report should be submitted to the Joint Budget Committee no later than November 1, 1994.

13 (Governor lined through this provision. See L. 94, p. 3165.)

119 Department of Public Safety, Colorado State Patrol, State Fair Security -- It is the intent of the General Assembly that the Colorado State Fair pay all of the costs associated with all of the services provided by the State Patrol. The State Patrol shall not use any of its Highway Users Tax Fund appropriations to provide services to the State Fair.

119a Department of Public Safety, Division of Fire Safety -- It is the intent of the General Assembly that the Division appoint a five-member advisory committee consisting of a representative from the state fire chiefs, from professional firefighters, and from the Colorado State Firefighters Association, and two representatives from the General Assembly.

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
120	Department of Public Safety, Division of Criminal Justice, Community Corrections Program Contract Administration -- The Division of Criminal Justice may transfer up to 10% of the total appropriation for community corrections programs between the transition and diversion line items.						
121	Department of Public Safety, Division of Criminal Justice, Community Corrections Program Contract Administration -- Appropriations for community corrections programs are based on assumptions that providers of community corrections programs will collect client fees of up to \$10 per day on the average for residential programs and \$1 per day on the average for nonresidential programs. Pursuant to its authority to administer and execute contracts under Section 17-27-115, C.R.S., and in accordance with Section 17-27-107, C.R.S., the Division of Criminal Justice is requested to ensure that every reasonable effort is made to achieve such collections.						
122	Department of Public Safety, Division of Criminal Justice, Criminal Justice Commission -- It is the intent of the General Assembly that the staff for the Commission be utilized to provide services including semi-annual population projections for the Department of Corrections as well as annual population projections for the Department of Human Services, Division of Youth Services.						

123 Department of Public Safety, Colorado Bureau of Investigation, Investigative Support Services, Laboratory -- It is the intent of the General Assembly that the DNA testing program be supported by cash funds by the time the Federal Funds for these laboratory tests have expired.

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 29, 1995