

CHAPTER 306

APPROPRIATIONS

HOUSE BILL 96-1319

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

AN ACT

CONCERNING A SUPPLEMENTAL APPROPRIATION TO THE DEPARTMENT OF CORRECTIONS.

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

SECTION 1. Part III of section 2 of chapter 283, Session Laws of Colorado 1995, 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	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
PART III							
DEPARTMENT OF CORRECTIONS							
(1) ADMINISTRATION AND CONSOLIDATED SERVICES ^{12, 13, 13a}							
Personal Services	7,471,667		6,980,784		32,524 ^a	458,359(T) ^b	
			(157.9 FTE)		(1.0 FTE)	(12.5 FTE)	
Health, Life and Dental	7,513,473		7,153,256		29,034 ^c	331,183 ^d	
Short-term Disability	209,040		200,038		948 ^c	8,054 ^d	
Salary Survey, Anniversary Increases, and Shift Differential	7,548,574		7,388,397		27,131 ^c	133,046 ^d	
Workers' Compensation	2,609,320		2,496,951		11,832 ^c	100,537 ^d	
Operating Expenses	1,205,686		1,205,686				
Legal Services	535,002		511,962		2,426 ^c	20,614 ^d	
Purchase of Services from Computer Center	33,205		33,205				
Payment to Risk Management and Property Funds	1,817,699		1,739,421		8,242 ^c	70,036 ^d	
Vehicle Lease Payments	939,162 905,668		889,790 856,296			49,372 ^d	
Leased Space	651,052		583,944			67,108 ^d	

Capitol Complex Leased			
Space	6,659	6,659	
Utilities ¹⁴	5,820,677	5,377,037	443,640 ^d
	5,799,812	5,356,172	
Inmate Pay	1,466,155	1,466,155	
Contract Training Services from			
Community Colleges	128,500	128,500	
Access to Courts	419,459	419,459	
	412,958	412,958	
		(3.0 FTE)	
Payments for State Prisoners in			
Local Jails at a rate of \$43.32			
per day ¹⁵	11,127,175	11,127,175	
Payments for State Prisoners			
in Private Facilities at an			
average rate of			
\$44.66 per day ^{15, 16, 17}	21,848,450	21,848,450	
	21,982,074	21,982,074	
		(4.0 FTE)	
Construction			
Management ¹⁸	666,651	666,651	
		(11.6 FTE)	
Grants	1,085,000		1,085,000(T) ^e
ADP Capital Equipment	<u>676,151</u>	676,151	
	73,778,757		
	73,851,521		

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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 funds collected pursuant to Section 17-2-201(5)(c)(III), C.R.S.

^b Of this amount, \$386,637 shall be from sales revenues earned by the Division of Correctional Industries, \$45,502 shall be from sales revenues earned by the Canteen Operation, and \$26,220 shall be from the State Victims Assistance and Law Enforcement Fund from the Department of Public Safety, Division of Criminal Justice. For informational purposes, of the sales revenues earned by the Division of Correctional Industries and Canteen Operation, \$88,469 shall be from statewide indirect cost recoveries and \$343,670 shall be from departmental indirect cost recoveries.

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

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

^e This amount shall be from various federal and state grants received through other state agencies.

(2) CORRECTIONAL INDUSTRIES ¹⁹

Personal Services	5,418,395
	(147.0 FTE)
Operating Expenses	4,739,726
Raw Materials	14,132,828
Inmate Pay	1,221,360
Indirect Cost	
Assessment	386,637
Capital Outlay	1,435,200
	1,324,200
LEASE PURCHASE	<u>111,000</u>

27,334,146

27,334,146^a

^a Of this amount, \$20,760,271(T) is estimated to be from sales to other state agencies, \$6,555,875 is estimated to be from sales to nonstate entities, and \$18,000 shall be from the Land Improvement Fund. In addition, of the amount from sales revenues to other state agencies, \$6,516,308 shall be from the Highway Users Tax Fund pursuant to Section 17-24-109.5(2), C.R.S.

(3) CANTEEN OPERATION

Personal Services	525,349		
	(15.5 FTE)		
Operating Expenses	5,643,991		
Inmate Pay	25,600		
Indirect Cost			
Assessment	<u>45,502</u>		
		6,240,442	6,240,442 ^a

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

(4) PAROLE BOARD

Personal Services	664,610		
	(15.5 FTE)		
Operating Expenses	85,240		
Substance Abuse Testing and Treatment	148,500		
Contract Services	<u>6,692</u>		
		905,042	905,042

(5) MEDICAL AND MENTAL HEALTH

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	12,111,893		12,083,893		28,000 ^a		
	12,176,712		12,148,712				
			(258.0 FTE)		(0.8 FTE)		
			(260.0 FTE)				
Operating Expenses	2,607,766		2,607,766				
	2,563,107		2,563,107				
Purchase of Inpatient Services from Other Medical Facilities ²⁰	4,576,948		4,576,948				
Purchase of Outpatient Services from Other Medical Facilities ²⁰	1,318,926		1,318,926				
Alcohol Abuse Treatment Programs ^{20a}	618,000		518,000			100,000(T) ^b	
Drug Abuse Treatment Programs ^{20a}	505,636		405,636			100,000(T) ^b	
Drug Offender Surcharge Program	240,000				60,000 ^c	180,000(T) ^d	
Service Contracts	1,291,868		1,291,868				
Sex Offender Treatment ^{20b}	1,403,933		1,403,933				
			(24.2 FTE)				

~~24,674,970~~
24,695,130

- ^a This amount shall be from inmate medical fees pursuant to Section 17-1-113, C.R.S.
- ^b These amounts shall be from the Department of Human Services, Alcohol and Drug Abuse Division.
- ^c This amount shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103, C.R.S.
- ^d This amount shall be from federal funds appropriated in the Department of Public Safety, Division of Criminal Justice.

(6) MAXIMUM AND MEDIUM SECURITY FACILITIES

Personal Services	51,092,976	51,092,976		
		(1,393.0 FTE)		
Operating Expenses	8,255,277	7,754,352	120,000 ^a	380,925
Contract Services	874,068	874,068		
Purchase of Services	<u>148,809</u>	148,809		
		60,371,130		

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

(7) MINIMUM SECURITY FACILITIES

Personal Services	17,031,975	17,031,975		
	16,328,969	16,328,969		
		(473.1 FTE)		
		(451.6 FTE)		
Operating Expenses	3,246,956	3,209,759		37,197
	3,208,845	3,171,648		
Contract Services	1,810,105	1,810,105		

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	1,792,529		1,792,529				
Start-up Costs	192,000		192,000				
	<u>102,000</u>		102,000				
		22,281,036					
		21,432,343					
(8) PAROLE							
Personal Services	2,823,033						
	(64.8 FTE)						
Operating Expenses	667,709						
Home Detention/Electronic							
Monitoring	73,000						
Expansion of Intensive							
Supervision by 300 cases	1,839,881						
	2,056,598						
	<u>(29.0 FTE)</u>						
		5,403,623	5,403,623				
		5,620,340	5,620,340				
(9) COMMUNITY SUPERVISION							
Personal Services	1,056,739						

	(24.5 FTE)		
Operating Expenses	94,905		
Expansion of Intensive Supervision by 90 cases	171,607		
	(5.0 FTE)		
Youth Offender System Aftercare Phases II and III	383,738		
	<u>(3.5 FTE)</u>		
		1,706,989	1,706,989

(10) DENVER RECEPTION AND DIAGNOSTIC CENTER

Personal Services	7,930,958	7,930,958	
		(230.5 FTE)	
Operating Expenses	1,497,002	1,449,417	47,585
Service Contracts	147,289	147,289	
Vehicle Lease Payments	<u>51,232</u>	51,232	
		9,626,481	

(11) LIMON CORRECTIONAL FACILITY

Personal Services	9,641,494	9,641,494	
		(289.6 FTE)	
Operating Expenses	2,096,800	2,059,168	37,632
Service Contracts	705,793	705,793	
Vehicle Lease Payments	<u>60,000</u>	60,000	
		12,504,087	

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			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
(12) COLORADO STATE PENITENTIARY							
Personal Services	9,189,091		9,189,091				
			(300.0 FTE)				
Operating Expenses	987,741		933,141				54,600
Service Contracts	133,333		133,333				
Vehicle Lease Payments	<u>43,125</u>		43,125				
		10,353,290					
(13) YOUTH OFFENDER SYSTEM							
Personal Services	2,418,327						
	(78.0 FTE)						
Operating Expenses	68,367						
	93,367						
Service Contracts	94,792						
Residential Contract							
Services	3,014,820						
	2,864,820						
Vehicle Lease Payments	<u>12,000</u>						
		5,608,306	5,608,306				
		5,483,306	5,483,306				

(14) PUEBLO MINIMUM CENTER

Personal Services	1,241,783		
	(46.0 FTE)		
Operating Expenses	172,000		
Service Contracts	289,160		
Vehicle Lease Payments	<u>18,000</u>		
		1,720,943	1,720,943

(15) SAN CARLOS CORRECTIONAL FACILITY

Personal Services	7,701,996		
	(229.4 FTE)		
Operating Expenses	235,000		
Service Contracts	585,053		
	520,234		
Vehicle Lease Payments	44,412		
Start-up Costs	<u>110,000</u>		
		8,676,461	8,676,461
		8,611,642	8,611,642

TOTALS PART III

(CORRECTIONS)^{10, 11, 11a}	\$271,185,703	\$233,586,090	\$6,560,579	\$30,481,095 ^a	\$557,939
	<u>\$270,456,832</u>	<u>\$232,857,219</u>			

^a Of this amount, \$22,683,630 contains a (T) notation, and \$6,516,308 is from the Highway Users Tax Fund pursuant to Section 17-24-109.5(2), C.R.S.

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

Appropriations

	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM			
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT
	\$	\$	\$	\$	\$	\$
10	(Governor lined through this provision. See L. 95, p. 1854.)					
11	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.					
<u>11a</u>	(Governor lined through this provision. See L. 95, p. .1854)					
<u>12</u>	(Governor lined through this provision. See L. 95, p. 1855.)					
<u>13</u>	Department of Corrections, Administration and Consolidated Services; Department of Human Services, Division of Youth Services, and Health and Rehabilitation Services, Alcohol and Drug Abuse Division; Judicial Department, Probation and Related Services; and Department of Public Safety, Division of Criminal Justice -- It is the intent of the General Assembly that state criminal justice agencies involved in multi-agency programs requiring separate appropriations to each agency designate one lead agency to be responsible for submitting a comprehensive annual budget request for such programs to the Joint Budget Committee. Each agency must still submit its portion of such request with its own budget document.					
<u>13a</u>	Department of Corrections, Administration and Consolidated Services; and Department of Public Safety, Executive Director's Office -- It is the intent of the General Assembly that the Departments work with local law enforcement agencies to define the need for a state-operated fugitive apprehension unit. The Departments are requested to submit a report to the Joint Budget Committee no later than January 1, 1996, which clearly delineates the feasibility of such a program, what jurisdictional agreements must be executed so that such a program does not infringe upon local jurisdictions, and the benefit to the state by instituting such a program.					
14	Department of Corrections, Administration and Consolidated Services, Utilities -- The Department of Corrections is requested to continue the energy management program designed to reduce overall energy consumption in the department's facilities. Up to \$100,000 of the department's utility appropriation may be for this program and a portion of these funds may be used to hire the equivalent of 1.0 FTE as an energy management program manager. The Department is requested to submit with its annual budget document a detailed accounting of any savings achieved as a result of the program.					
<u>15</u>	(Governor lined through this provision. See L. 95, p. 1856.)					
16	Department of Corrections, Administration and Consolidated Services, Payments for State Prisoners in Private Facilities at an average rate of \$44.66 per day -- It is the intent of the General Assembly that funds in this line item be used to contract with Bent County, Colorado, for housing up to 319 inmates under the jurisdiction of the Department in the county-operated detention facility. The contract with Bent County shall be subject to annual review and possible termination depending on bed space needs for the state in any future year. The Department should not consider the Bent County beds as permanent capacity for the Department.					
17	Department of Corrections, Administration and Consolidated Services, Payments for State Prisoners in Private Facilities at an average rate of \$44.66 per day -- It					

is the intent of the General Assembly that funds in this line item may be used for contracting with the private preparole facility described in Section 10 of Chapter 120, 1990 Session Laws of Colorado, once such facility becomes available.

18 (Governor lined through this provision. See L. 95, p. 1857.)

19 Department of Corrections, Correctional Industries; and Department of Revenue, Motor Vehicle Division -- The Department of Corrections is requested to submit to the Joint Budget Committee quarterly reports which outline the license plate production level, by type, for the preceding quarter, as well as an estimate of the next quarter's anticipated production level as compared to actual orders received. The Department of Revenue is requested to submit to the Joint Budget Committee quarterly reports which outline the license plate inventory on hand, by county, as of the end of each quarter, as well as the estimated license plate demand of each county for the next quarter. It is the intent of the General Assembly that the current manual format is acceptable for these reports and that no further computer enhancements are necessary.

20 Department of Corrections, Medical and Mental Health, Purchase of Inpatient Services From Other Medical Facilities, and Purchase of Outpatient Services From Other Medical Facilities -- It is the intent of the General Assembly that the Department be permitted to transfer funds between the inpatient and outpatient purchase of services line items so that it may manage the provision of such services to inmates without having to seek specific transfer authority from the General Assembly. The Department is requested to report to the Joint Budget Committee in its annual budget document the total expenditure of these funds, including transfers between line items.

20a Department of Corrections, Medical and Mental Health, Alcohol Abuse Treatment Programs; and Drug Abuse Treatment Programs -- It is the intent of the General Assembly that the Department of Corrections be allowed to transfer funds, as necessary, between the alcohol abuse treatment programs line item and the drug abuse treatment programs line item. The Department is requested to report in its annual budget submission to the Joint Budget Committee, the amounts transferred between the line items and the total expenditures for each program.

20b Department of Corrections, Medical and Mental Health, Sex Offender Treatment -- The Department is requested to study the effect of increased funding and staffing levels for the sex offender treatment program, and the impact such increases have had on reducing prison population levels. Additionally, the Department is requested to study the effectiveness of the sex offender treatment program on reducing recidivism and reoffense rates for sex offenders. The Department is requested to report its findings to the General Assembly no later than June 30, 1996.

SECTION 2. Section 22 (6) (b), (6) (c), and (11) of chapter 243, Session Laws of Colorado 1995, are amended to read:

Section 22. **Appropriation for 1995-96 fiscal year - appropriations in long bill to be adjusted.** (6) For the fiscal year beginning July 1, 1995, there is hereby appropriated, out of any moneys in the general fund not otherwise appropriated, to the department of corrections:

(b) For allocation to maximum and medium security facilities, the sum of ~~three million six thousand one hundred sixty-two dollars (\$3,006,162)~~

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

~~and 50.5 FTE~~; TWO MILLION FIVE HUNDRED EIGHTY-FIVE THOUSAND FOUR HUNDRED EIGHTY-NINE DOLLARS (\$2,585,489) AND 43.6 FTE, or so much thereof as may be necessary, for operating expenses resulting from additional beds authorized by this act;

(c) For allocation to minimum security facilities, the sum of ~~one million one hundred fifty-six thousand one hundred twenty-four dollars (\$1,156,124)~~ and 18.0 FTE; FIVE HUNDRED TWENTY-THREE THOUSAND THREE HUNDRED TWENTY-SEVEN DOLLARS (\$523,327) AND 8.7 FTE, or so much thereof as may be necessary, for operating expenses resulting from additional beds authorized by this act; and

(11) For the implementation of this act, appropriations made in the annual general appropriations act to the department of corrections for the fiscal year beginning July 1, 1995, shall be adjusted as follows: The appropriation for administration and consolidated services, payments to local jails, is decreased by ~~six million nine hundred eighty-seven thousand six hundred thirty-five dollars (\$6,987,635)~~ FIVE MILLION SEVENTY THOUSAND TWO HUNDRED SEVENTY-TWO DOLLARS (\$5,070,272).

SECTION 3. Section 4 (1)(a) of chapter 246, Session Laws of Colorado 1995, is amended to read:

Section 4. **Adjustments to the 1995 long bill.** (1) For the implementation of this act, appropriations made in the annual general appropriation act for the fiscal year beginning July 1 1995, shall be adjusted as follows:

(a) In the appropriation to the department of corrections, correctional industries, the amount appropriated from the general fund is increased by ~~six million five hundred sixteen thousand three hundred eight dollars (\$6,516,308)~~ FIVE MILLION SIXTEEN THOUSAND THREE HUNDRED EIGHT DOLLARS (\$5,016,308) and the amount from the highway users tax fund is decreased by six million five hundred sixteen thousand three hundred eight dollars (\$6,516,308).

SECTION 4. 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 1, 1996

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