

CHAPTER 378

APPROPRIATIONS

HOUSE BILL 02-1422

BY REPRESENTATIVE(S) Young, Berry, Saliman, Jahn, Snook, Tapia, and Williams S.;
also SENATOR(S) Reeves, Tate, and Owen.

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 (1) (A), (1) (B) (2), (2) (A) (2), (2) (B), (2) (C), (2) (D), (2) (E), (2) (F), (2) (G), (2) (H), (2) (I), (2) (J), (2) (K), (2) (M), (3), (4), (5), (7), and the affected totals of section 2 of chapter 363, Session Laws of Colorado 2001, as amended by House Bill 02-1367, enacted at the Second Regular Session of the Sixty-third General Assembly, are 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

APPROPRIATION FROM

ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
PART II						
DEPARTMENT OF CORRECTIONS						
(1) MANAGEMENT						
(A) Executive Director's Office Subprogram^{6,7}						
Personal Services	4,160,992	4,043,644 (66.5 FTE)		51,076 ^a (1.0 FTE)	66,272(T) ^a (1.7 FTE)	
Health, Life, and Dental	13,350,969	7,490,766 ^b		44,289 ^c	5,815,914 ^o	
Short-term Disability	100,440	96,680		677 ^e	3,083 ^d	
Salary Survey and Senior Executive Service	14,019,281 13,689,281	13,488,050 13,158,050		117,419 ^f	413,812 ^g	
Anniversary Increases	5,032,433	4,853,993		37,920 ^h	140,520 ⁱ	
Shift Differential	5,174,651	5,119,421			55,230 ^d	
Workers' Compensation	2,785,479	2,688,825		11,763 ^j	84,891 ^d	
Operating Expenses	429,915 416,326	420,719 407,130		5,892 ⁿ	3,304(T) ^k	
Legal Services for 17,727 hours	1,583,745 ^l	1,553,770		3,635 ^j	26,340 ^d	
Payment to Risk Management and Property Funds	994,271	959,770		4,199 ^j	30,302 ^d	

Leased Space	2,074,834	1,840,043 ^b	3,150 ^m	231,641 ^d
Start-up Costs	<u>9,860</u>	9,860		
	49,716,870			
	49,373,281			

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

^b Of these amounts, \$10,042 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1)(a)(III)(A), C.R.S.

^c Of this amount, \$42,081 shall be from sales revenues earned by the Canteen Operation and \$2,208 shall be from the Sex Offender Surcharge Fund.

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

^e Of this amount, \$592 shall be from sales revenues earned by the Canteen Operation, \$65 shall be from the Drug Offender Surcharge Fund, and \$20 shall be from fees collected for monitoring private prisons.

^f Of this amount, \$62,366 shall be from sales revenues earned by the Canteen Operation, \$37,557 shall be from fees collected for monitoring private prisons, \$12,295 shall be from the Drug Offender Surcharge Fund, \$2,197 shall be from inmate medical fees pursuant to Section 17-1-113, C.R.S., \$1,504 shall be from the Sex Offender Surcharge Fund, and \$1,500 shall be from restitution collected pursuant to Section 16-18.5-109(3), C.R.S.

^g Of this amount, \$393,895 shall be from sales revenues earned by Correctional Industries and \$19,917(T) shall be from various grants.

^h Of this amount, \$17,991 shall be from sales revenues earned by the Canteen Operation, \$12,185 shall be from fees collected for monitoring private prisons, \$5,019 shall be from the Drug Offender Surcharge Fund, and \$2,725 shall be from restitution collected pursuant to Section 16-18.5-109(3), C.R.S.

ⁱ Of this amount, \$133,938 shall be from sales revenues earned by Correctional Industries and \$6,582(T) shall be from various grants.

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

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

^l Of this amount, \$1,035,799 shall be used to purchase 17,727 hours of legal services from the Department of Law, \$81,745 shall be used to contract for legal services from private firms for litigation at the Rifle Correctional Center, and \$466,201 shall be used to contract for legal services from private firms for litigation at the Trinidad Correctional Facility.

^m This amount shall be from fees collected for monitoring private prisons.

ⁿ These amounts shall be from the Drug Offender Surcharge Fund.

^o Of this amount, \$5,400,000 shall be from the undesignated fund balance for medical plans in the group benefit plans reserve fund created in section 24-50-613, C.R.S., and \$415,914 shall be from sales revenues earned by Correctional Industries.

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ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
		GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
(B) External Capacity Subprogram						
(2) Payments to House State Prisoners						
Local Jails ⁸	5,051,551	5,051,551				
Private Facilities ^{8,9}	45,604,396	41,621,727				3,982,669*
	<u>50,655,947</u>	37,504,668				8,099,728 ^a

^a This amount shall be from a federal reimbursement for housing illegal aliens that is anticipated to be awarded in fiscal year 2001-02 and is subject to appropriation by the General Assembly.

~~101,391,381~~

101,047,792

(2) INSTITUTIONS

(A) Utilities Subprogram

(2) Utilities ¹⁰	12,776,574	12,259,818		516,756 ^a	
	12,401,574	11,884,818			

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

(B) Maintenance Subprogram

Personal Services	13,278,290	
	(275.7 FTE)	
Operating Expenses	3,774,352	
	3,652,440	
Purchase of Services	<u>136,606</u>	
	17,189,248	17,189,248
	17,067,336	17,067,336

(C) Housing and Security Subprogram

Personal Services	114,182,280	114,182,280 ^a		
		(2,714.7 FTE)		
Operating Expenses	1,543,369	1,543,369		
	1,493,517	1,493,517		
Fort Lyon Correctional Facility	5,285,964	4,645,130	137,433 ^b	503,401(T) ^c
	4,341,964	3,701,130		
		(59.2 FTE)		(1.5 FTE)
	<u>121,011,613</u>			
	120,017,761			

^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 \$1,193,080 General Fund appropriation contained in Sections 17-1-120 (1)(c)(II), 17-1-122 (1)(b)(II), 17-1-124 (1)(c)(II), 17-1-126 (1)(b)(II), 17-1-127 (1)(b)(II), 17-1-128 (1)(b)(II), 17-1-129 (1)(b)(II), 17-1-130 (1)(b)(II), 17-1-131 (1)(b), and 17-1-132 (1)(b)(II), C.R.S., for these purposes.

^b This amount shall be from payments for services provided to the Veterans Administration at the Fort Lyon Correctional Facility.

^c This amount shall be from sales revenues to other state agencies earned by Correctional Industries.

(D) Food Service Subprogram

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM					
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS	
	\$	\$	\$	\$	\$	\$	\$	
Personal Services	11,071,765		11,071,765 (242.6 FTE)					
Operating Expenses	13,731,630 13,531,630		13,651,630 13,451,630					80,000
Purchase of Services	<u>505,480</u>		505,480					
	<u>25,308,875</u> 25,108,875							
(E) Medical Services Subprogram								
Personal Services	17,871,959		17,828,680 (344.9 FTE)		43,279 ^a (0.8 FTE)			
Operating Expenses	2,078,276 1,828,276		2,078,276 1,828,276					
Purchase of Pharmaceuticals	6,229,493		6,229,493					
Purchase of Medical Services from Other Medical Facilities	18,455,115		18,455,115					
Service Contracts	1,855,597		1,855,597					
Clinical Services Electronic Health Records	<u>146,763</u>						146,763(T) ^b	
	<u>46,637,203</u>							

46,387,203

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

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

(F) Laundry Subprogram

Personal Services	1,621,263	
	(34.3 FTE)	
Operating Expenses	1,651,988	
	<u>1,598,629</u>	
	3,273,251	3,273,251
	3,219,892	3,219,892

(G) Superintendents Subprogram

Personal Services	10,882,603	
	(210.6 FTE)	
Operating Expenses	3,061,656	
	2,954,585	
Contract Services	823,932	
	665,932	
Start-up Costs	668,888	
	<u>512,888</u>	
	15,437,079	15,437,079
	15,016,008	15,016,008

(H) Boot Camp Subprogram

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Personal Services	1,736,021 (39.0 FTE)						
Operating Expenses	59,749 57,819						
	<u>1,795,770</u>		<u>1,795,770</u>				
	1,793,840		1,793,840				
(I) Youthful Offender System Subprogram							
Personal Services	9,162,923 (202.7 FTE)						
Operating Expenses	238,105 230,414						
Contract Services	239,470						
Purchase of Services	<u>1,136,658</u>						
	10,777,156		10,777,156				
	10,769,465		10,769,465				
(J) Case Management Subprogram							
Personal Services	11,767,254 (232.6 FTE)						
Operating Expenses	133,828 129,505						

11,901,082	11,901,082
11,896,759	11,896,759

(K) Mental Health Subprogram

Personal Services	3,678,922	
	(63.8 FTE)	
Operating Expenses	49,353	
	47,759	
Medical Contract Services	<u>1,161,551</u>	
	4,889,826	4,889,826
	4,888,232	4,888,232

(M) San Carlos Subprogram

Personal Services	11,268,090	
	(223.4 FTE)	
Operating Expenses	236,928	
	228,476	
Service Contracts	<u>573,609</u>	
	12,078,627	12,078,627
	12,070,175	12,070,175

~~286,857,079~~

284,417,895

**(3) SUPPORT
SERVICES**

(A) Business Operations Subprogram

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	
Personal Services	5,486,557		4,869,481		536,970 ^a	80,106(T) ^b	
			(109.9 FTE)		(12.1 FTE)	(1.8 FTE)	
Operating Expenses	246,193		246,193				
	238,241		238,241				
Start-up Costs	<u>7,516</u>		7,516				
	<u>5,740,266</u>						
	5,732,314						

^a Of this amount, \$34,153 shall be from restitution collected pursuant to Section 16-18.5-109 (3), C.R.S., and \$502,817(T) shall be from sales revenues earned by Correctional Industries. For informational purposes, of the sales revenues earned by Correctional Industries, \$29,056 shall be used for statewide indirect costs and \$473,761 shall be used for departmental indirect costs.

^b This amount shall be from sales revenues earned by the Canteen Operation. For informational purposes, of the sales revenues earned by the Canteen Operation, \$14,457 shall be used for statewide indirect costs and \$65,649 shall be used for departmental indirect costs.

(B) Personnel Subprogram

Personal Services	1,477,776		
	(35.0 FTE)		
Operating Expenses	98,865		
	<u>95,672</u>		
	1,576,641		1,576,641
	1,573,448		1,573,448

(C) Offender Services Subprogram

Personal Services	1,670,503	
	(39.3 FTE)	
Operating Expenses	55,052	
	53,274	
Start-up Costs	<u>3,758</u>	
	1,729,313	1,729,313
	1,727,535	1,727,535

(D) Communications Subprogram

Personal Services	528,006	528,006	
		(10.4 FTE)	
Operating Expenses	1,061,440	1,059,640*	1,800 ^b
	1,027,155	1,025,355 ^a	
Dispatch Services	144,880	144,880	
Start-up Costs	<u>40,000</u>	40,000	
	1,774,326		
	1,740,041		

^a Of this amount, \$1,200 is exempt from the statutory limit on General Fund appropriations pursuant to Section 24-75-201.1 (1)(a)(III)(A), C.R.S.

^b This amount shall be from fees collected for monitoring private prisons.

(E) Transportation Subprogram

Personal Services	1,250,701	1,250,701	
		(29.0 FTE)	
Operating Expenses	168,999	168,999	

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	163,540		163,540				
Vehicle Lease Payments	2,187,610		2,060,955		26,241 ^a	100,414 ^b	
Start-up Costs	<u>6,956</u>		6,956				
	3,614,266						
	3,608,807						

^a Of this amount, \$18,054 shall be from fees collected for monitoring private prisons and \$8,187 shall be from sales revenues earned by the Canteen Operation.

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

(F) Training Subprogram

Personal Services	1,581,459					
	(30.1 FTE)					
Operating Expenses	261,679					
	253,227					
Advanced Special Training	101,515					
	56,515					
Start-up Costs	<u>7,150</u>					
	1,951,803		1,951,803			
	1,898,351		1,898,351			

(G) Information Systems Subprogram¹¹

Personal Services	2,062,558		2,062,558			
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		(39.5 FTE)	
Operating Expenses	967,054	873,010	94,044(T) ^a
	938,856	844,812	
Purchase of Services from Computer Center	32,267	32,267	
Information Technology Projects	<u>6,058</u>	6,058	
	3,067,937		
	3,039,739		

^a This amount shall be transfers from other operating expense line items in the department.

(H) Facility Services Subprogram

Personal Services	1,647,536	
	(28.6 FTE)	
Operating Expenses	150,656	
	<u>145,790</u>	
	1,798,192	1,798,192
	1,793,326	1,793,326

~~21,252,744~~
21,113,561

(4) INMATE PROGRAMS

(A) Labor Subprogram

Personal Services	4,769,897
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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
	(103.2 FTE)						
Operating Expenses	<u>92,726</u>						
	89,731						
	4,862,623		4,862,623				
	4,859,628		4,859,628				
(B) Education Subprogram							
Personal Services	7,404,710		7,404,710				
	7,104,710		7,104,710				
			(147.1 FTE)				
Operating Expenses	1,080,062		20,634		972,428 ^a	87,000(T) ^d	
	1,079,396		19,968				
Contract Services	7,293,748		7,293,748				
	6,893,748		6,893,748				
Education Grants	112,287					112,287(T) ^b	
						(1.0 FTE)	
Vocational Grants	655,187					130,000(T) ^c	525,187
Indirect Costs Recoveries	<u>4,043</u>						4,043
	16,550,037						
	15,849,371						

^a Of this amount, \$580,800 shall be from sales revenues earned by vocational programs and \$391,628 shall be from sales revenues earned by the Canteen Operation.

^b This amount shall be from federal funds appropriated to the Department of Education.

^c This amount shall be from federal funds appropriated to the State Board for Community Colleges and Occupational Education State System Community Colleges.

^d This amount shall be from sales to other government agencies.

(C) Recreation Subprogram

Personal Services	5,003,660	5,003,660	
		(115.3 FTE)	
Operating Expenses	65,319	47,578	17,741 ^a
	63,782	46,041	
Contract Services	<u>235,610</u>	235,610	
	5,304,589		
	5,303,052		

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

(D) Drug and Alcohol Treatment Subprogram

Personal Services	237,158	237,158	
		(4.0 FTE)	
Alcohol Treatment Program ¹²	739,327	639,327	100,000(T) ^a
Drug Treatment Program ¹²	602,333	154,173	348,160 ^b 100,000(T) ^a
Drug Offender Surcharge Program	712,738		570,379 ^b 142,359(T) ^c
		(1.0 FTE)	
Contract Services	3,612,733	3,612,733	
	3,362,733	3,362,733	
Treatment Grants	<u>1,204,840</u>		1,204,840(T) ^c

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	7,109,129					
	6,859,129					

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

^b These amounts shall be from the Drug Offender Surcharge Fund pursuant to Section 18-19-103(4), C.R.S.

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

(E) Sex Offender Treatment Subprogram

Personal Services	1,978,446	1,951,140		27,306 ^a		
		(39.6 FTE)		(1.0 FTE)		
Operating Expenses	322,867	322,367		500 ^a		
	312,434	311,934				
Polygraph Testing	<u>191,466</u>	191,466				
	2,492,779					
	2,482,346					

^a These amounts shall be from the Sex Offender Surcharge Fund.

(F) Volunteers Subprogram

Personal Services	403,135					
	(9.0 FTE)					
Operating Expenses	20,199					

	19,547	
Start-up Costs	<u>7,516</u>	
	430,850	430,850 ^a
	430,198	430,198

^a Of this amount, \$61,990 is exempt from the statutory limit on state General Fund appropriations pursuant to Section 24-75-201.1 (1)(a)(III)(A), C.R.S.

**(G) Community Reintegration
Subprogram¹³**

Personal Services	594,642	594,642 (13.0 FTE)
Operating Expenses	49,080	49,080
	30,744	30,744
Offender Emergency Assistance	90,000	90,000
Contract Services	184,676	184,676
Offender Re-employment Center ¹⁴	549,859	549,859 ^a (1.0 FTE)
Dress Out	518,585	518,585
Start-Up Costs	<u>15,132</u>	15,132
	2,001,974	
	1,983,638	

^a Of this amount, \$216,020(T) shall be from a Federal Drug Control and System Improvement Grant in the Department of Public Safety, Division of Criminal Justice, \$268,839(T) shall be from the federal Welfare-to-Work Block Grant in the Department of Labor and Employment, and \$65,000 shall be from gifts, grants, and donations.

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ITEM & SUBTOTAL	TOTAL	GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
\$	\$	\$	\$	\$	\$	\$
	38,751,981					
	37,767,362					
(5) COMMUNITY SERVICES						
(A) Parole						
Personal Services	4,961,476					
	(99.8 FTE)					
Operating Expenses	634,634					
	614,506					
Administrative Law Judge						
Services for 61 hours	6,505					
Contract Services	356,635					
Start-up Costs	14,423					
	<u>5,973,673</u>					
	5,953,545	5,973,673				
		5,953,545				
(B) Parole Intensive Supervision Subprogram¹⁵						
Personal Services	1,984,702					
	(43.8 FTE)					
Operating Expenses	262,448					
	254,222					
Contract Services	597,206					

Non-residential Services	478,592	
Home Detention	73,000	
Start-up Costs	<u>81,449</u>	
	3,477,397	3,477,397
	3,469,171	3,469,171

(C) Community Intensive Supervision Subprogram¹⁵

Personal Services	1,887,434	
	(46.5 FTE)	
Operating Expenses	482,511	
	467,327	
Contract Services	2,889,988	
Start-up Costs	<u>62,618</u>	
	5,322,551	5,322,551
	5,307,367	5,307,367

(D) Community Supervision Subprogram

(1) Community Supervision

Personal Services	1,511,462	1,511,462
		(30.0 FTE)
Operating Expenses	72,574	72,574
	70,246	70,246
Community Mental Health Services	305,585	305,585
Contract Services for High Risk Offenders ¹⁶	165,548	165,548

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	ITEM & SUBTOTAL	TOTAL	APPROPRIATION FROM				
			GENERAL FUND	GENERAL FUND EXEMPT	CASH FUNDS	CASH FUNDS EXEMPT	FEDERAL FUNDS
	\$	\$	\$	\$	\$	\$	\$
Contract Services for							
Fugitive Returns	32,475					32,475(T) ^a	
Start-up Costs	28,880		28,880				
	<u>2,116,524</u>						
	2,114,196						
^a This amount shall be from the Department of Public Safety, Division of Criminal Justice.							
(2) Youthful Offender System Aftercare							
Personal Services	477,539						
	(10.0 FTE)						
Operating Expenses	178,554						
	172,995						
Contract Services	1,225,706						
	1,125,706						
	<u>1,881,799</u>		1,881,799				
	1,776,240		1,776,240				
		18,771,944					
		18,620,519					

(7) CORRECTIONAL INDUSTRIES¹⁸

Personal Services	8,417,581		
	(180.0 FTE)		
Operating Expenses	5,930,868		
Raw Materials	21,783,585		
Inmate Pay	2,164,702		
Capital Outlay	1,406,200		
Lease Purchase	0		
Indirect Cost Assessment	<u>502,817</u>		
		40,205,753	40,205,753 ^a

^a Of this amount, \$21,131,978(T) is estimated to be from sales to other state agencies, \$9,813,945 is estimated to be from sales to non-state entities, \$9,109,830(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.

TOTALS PART II

(CORRECTIONS)^{4,5}	\$519,362,883	\$448,601,269		\$15,192,349 ^a	\$50,977,366 ^a	\$4,591,899
	<u>\$515,304,883</u>	<u>\$440,426,210</u>	<u> </u>	<u> </u>	<u> </u>	<u>\$8,708,958</u>

^a Of these amounts, \$34,058,834 contains a (T) notation.

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: April 30, 2002