

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2015

That the House recede from its amendments as printed on pages 1370-1372 of the Senate Journal and pages 1493-1495 of the House Journal and that Engrossed Senate Bill No. 2015 be amended as follows:

Page 1, line 2, replace the second "and" with "to provide a statement of legislative intent; to provide for a legislative management study;"

Page 1, line 2, after "exemption" insert "; and to declare an emergency"

Page 1, replace lines 12 through 17 with:

"Adult services	\$236,657,747	\$23,570,832	\$260,228,579
Youth services	<u>31,753,268</u>	<u>(7,168,423)</u>	<u>24,584,845</u>
Total all funds	\$268,411,015	\$16,402,409	\$284,813,424
Less estimated income	<u>40,124,189</u>	<u>26,523,426</u>	<u>66,647,615</u>
Total general fund	\$228,286,826	(\$10,121,017)	\$218,165,809
FTE positions	899.79	8.00	907.79"

Page 2, after line 21, insert:

**"SECTION 3. APPROPRIATION - 2019-21 BIENNIUM - FEDERAL CORONAVIRUS RELIEF FUND - SPENDING RESTRICTION.** There is appropriated out of any moneys from federal funds derived from the federal coronavirus relief fund, not otherwise appropriated, the sum of \$43,689,050, or so much of the sum as may be necessary, to the department of corrections and rehabilitation for law enforcement payroll costs, for the period beginning March 2020 and ending June 2021. The funding appropriated in this section replaces existing legislative appropriations. The department of corrections and rehabilitation may not spend the funding appropriated from the general fund for law enforcement payroll costs during the period identified.

**SECTION 4. ESTIMATED INCOME - FEDERAL CORONAVIRUS RELIEF FUND.** The estimated income line item in section 1 of this Act includes the sum of \$18,371,718, or so much of the sum as may be necessary, from the federal coronavirus relief fund for law enforcement payroll costs for the period beginning July 1, 2021, and ending December 31, 2021.

**SECTION 5. LEGISLATIVE INTENT - COMMUNITY BEHAVIORAL HEALTH SERVICES.** It is the intent of the sixty-seventh legislative assembly that the department of corrections and rehabilitation be considered the payer of last resort whenever any other benefit or source of third-party payment, excluding the substance use disorder treatment voucher program, is available for community-based behavioral health services for the biennium beginning July 1, 2021, and ending June 30, 2023. It is further the intent of the sixty-seventh legislative assembly that the funding appropriated to the department of corrections and rehabilitation for community-based behavioral health services be utilized prior to utilizing substance use disorder treatment voucher program funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

**SECTION 6. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION LAND USE.** During the 2021-22 interim, the

legislative management shall consider studying the use of land owned by the department of corrections and rehabilitation, including the potential to sell land owned by the department to finance the construction of new correctional facilities. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-eighth legislative assembly."

Page 3, line 9, after "maintenance" insert ", capital planning,"

Page 3, after line 11, insert:

**"SECTION 10. EMERGENCY.** Section 3 of this Act is declared to be an emergency measure."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**Senate Bill No. 2015 - Department of Corrections and Rehab. - Conference Committee Action**

	Base Budget	Senate Version	Conference Committee Changes	Conference Committee Version	House Version	Comparison to House
Adult services	\$236,657,747	\$257,011,486	\$3,217,093	\$260,228,579	\$260,228,579	
Youth services	31,753,268	24,307,034	277,811	24,584,845	24,584,845	
Total all funds	\$268,411,015	\$281,318,520	\$3,494,904	\$284,813,424	\$284,813,424	\$0
Less estimated income	40,124,189	44,963,739	21,683,876	66,647,615	66,647,615	0
General fund	\$228,286,826	\$236,354,781	(\$18,188,972)	\$218,165,809	\$218,165,809	\$0
FTE	899.79	907.79	0.00	907.79	907.79	0.00

**Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes**

	Adjusts Funding for Salary Increases <sup>1</sup>	Restores Funding for Juvenile Services <sup>2</sup>	Reduces Funding for DWCR Contract <sup>3</sup>	Adds Funding for Free Through Recovery Program <sup>4</sup>	Adjusts the Source of Funding <sup>5</sup>	Total Conference Committee Changes
Adult services	\$167,093		(\$250,000)	\$3,300,000		\$3,217,093
Youth services	27,811	\$250,000				277,811
Total all funds	\$194,904	\$250,000	(\$250,000)	\$3,300,000	\$0	\$3,494,904
Less estimated income	12,158	0	0	3,300,000	18,371,718	21,683,876
General fund	\$182,746	\$250,000	(\$250,000)	\$0	(\$18,371,718)	(\$18,188,972)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

<sup>1</sup> Funding is adjusted to provide salary increases of 1.5 percent on July 1, 2021, with a minimum monthly increase of \$100, and 2 percent on July 1, 2022, the same as the House version. The Senate provided salary adjustments of 2 percent on July 1, 2021, with a minimum monthly increase of \$80 and a maximum monthly increase of \$300, and 2 percent on July 1, 2022.

<sup>2</sup> Funding of \$250,000 from the general fund is restored for day treatment, intensive in-home services, and other juvenile community programming, the same as the House version.

<sup>3</sup> Funding for the contract with the Dakota Women's Correctional and Rehabilitation Center is reduced by \$250,000 from the general fund to provide a total of \$11.05 million from the general fund for the contract, the same as the House version. The Senate provided \$11.3 million for the contract.

<sup>4</sup> Funding of \$3.3 million from federal funds is added to provide a total of \$11.3 million to the Department of Corrections and Rehabilitation for the free through recovery program, including \$8 million from the general fund and \$3.3 million from federal funds, the same as the House version.

<sup>5</sup> The source of funding for law enforcement payroll costs is adjusted to provide \$18,371,718 from the federal Coronavirus Relief Fund rather than the general fund, the same as the House version.

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This amendment also:

- Appropriates \$43,689,050 from the federal Coronavirus Relief Fund for law enforcement payroll costs for the period March 2020 through June 2021, and provides that the Department of Corrections and Rehabilitation not spend the amounts appropriated from the general fund for law enforcement payroll costs during this time period, the same as the House version.
- Adds a section to identify \$18,371,718 from the federal Coronavirus Relief Fund is for law enforcement payroll costs for the period beginning July 1, 2021, and ending December 31, 2021, the same as the House version.
- Adds a section to provide legislative intent that the Department of Corrections and Rehabilitation be the payer of last resort whenever any other benefit or source of third-party payment, excluding the substance use disorder treatment voucher program, is available for community-based behavioral health services. The House version included a similar section.
- Adds a section to provide for a Legislative Management study of land owned by the Department of Corrections and Rehabilitation, including the potential sale of land to finance the construction of new facilities. This section was not included in the House version nor the Senate version.