

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to provide for a report; to provide an exemption;
and to declare an emergency"

Page 1, replace lines 10 through 17 with:

"	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
Adult services	\$258,140,591	\$217,522,126	\$475,662,717
Youth services	<u>24,584,845</u>	<u>2,998,878</u>	<u>27,583,723</u>
Total all funds	\$282,725,436	\$220,521,004	\$503,246,440
Less estimated income	<u>64,865,627</u>	<u>153,138,764</u>	<u>218,004,391</u>
Total general fund	\$217,859,809	\$67,382,240	\$285,242,049
Full-time equivalent positions	907.79	24.00	931.79"

Page 1, line 18, after "**FUNDING**" insert "**- EFFECT ON BASE BUDGET - REPORT TO THE
SIXTY-NINTH LEGISLATIVE ASSEMBLY**"

Page 1, line 19, after "biennium" insert "and the 2023-25 biennium one-time funding items
included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 7 with:

"Equipment	\$191,000	\$1,720,800
Kitchen equipment	115,000	0
Roughrider industries equipment	1,281,988	2,019,000
Roughrider industries storage warehouse	500,000	0
Federal payroll expenses	7,000,000	0
Radios	2,057,384	0
County jail stipends	4,800,000	0
Free through recovery program	2,995,200	0
Heart River correctional center facility	0	161,200,000
Inflationary costs	0	3,478,998
Transitional facility contract inflation	0	2,759,222
Dakota women's correctional and rehabilitation center contract	0	2,450,000
Dickinson adult detention center contract	0	1,003,434
Staff and resident development and training	0	100,000
Offender management system review	0	757,000
New cameras	0	275,000
Maintenance and extraordinary repairs	0	4,000,000
DOCSTARS maintenance	0	307,000
James River correctional center maintenance shop	0	1,550,000
Information technology needs	0	2,000,000
Roughrider industries supplies	0	4,083,681
Roughrider industries information technology costs	<u>0</u>	<u>642,080</u>
Total all funds	\$18,940,572	\$188,346,215

Less estimated income	<u>18,634,572</u>	<u>171,876,761</u>
Total general fund	\$306,000	\$16,469,454

The 2023-25 biennium one-time funding amounts are not a part of the entity's base budget for the 2025-27 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-ninth legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2023, and ending June 30, 2025."

Page 2, after line 15, insert:

"SECTION 4. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND. The estimated income line item in section 1 of this Act includes \$165,057,000 from the strategic investment and improvements fund, including \$161,200,000 for a new Heart River correctional center facility, \$1,550,000 for a new James River correctional center maintenance shop, and \$2,307,000 for information technology needs.

SECTION 5. HEART RIVER CORRECTIONAL CENTER FACILITY - STEERING COMMITTEE. The department of corrections and rehabilitation shall establish a Heart River correctional center facility steering committee to oversee the design and construction of the new Heart River correctional center facility for the biennium beginning July 1, 2023, and ending June 30, 2025. The committee must include one member of the senate appointed by the senate majority leader, one member of the house appointed by the house majority leader, and one member of the minority party from either the senate or the house appointed by the minority leaders of the senate and the house.

SECTION 6. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM. The amount of \$8,000,000 from the general fund appropriated for the community behavioral health program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 7. EXEMPTION - DEFERRED MAINTENANCE AND EXTRAORDINARY REPAIRS. The amount of \$6,000,000 from the general fund appropriated to the department of corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred maintenance, capital planning, and extraordinary repairs projects by the department of corrections and rehabilitation during the biennium beginning July 1, 2023, and ending June 30, 2025.

SECTION 8. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND. Section 54-44.1-11 does not apply to the appropriation authority transferred from the office of management and budget to the department of corrections and rehabilitation from the amounts appropriated from federal funds derived from the state fiscal recovery fund in subsection 10 of section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds from this transferred appropriation authority may be used for the purpose of deferred maintenance and extraordinary repairs projects during the biennium beginning July 1, 2023, and ending June 30, 2025."

SECTION 9. EMERGENCY. Funding of \$161,200,000 from the strategic investment and improvements fund appropriated in section 1 for the Heart River

correctional facility project and sections 4 and 5 of this Act are declared to be an emergency measure.

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Department of Corrections and Rehab. - House Action

	Base Budget	House Changes	House Version
Adult services	\$258,140,591	\$217,522,126	\$475,662,717
Youth services	24,584,845	2,998,878	27,583,723
Total all funds	\$282,725,436	\$220,521,004	\$503,246,440
Less estimated income	64,865,627	153,138,764	218,004,391
General fund	\$217,859,809	\$67,382,240	\$285,242,049
FTE	907.79	24.00	931.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes ¹	Adds Funding for Salary and Benefit Increases ²	Adjusts FTE Positions ³	Adjusts Funding for Salaries and Wages ⁴	Adjusts Operating Funding ⁵	Adds One-Time Funding for a New Female Facility ⁶
Adult services	\$2,997,147	\$10,897,416	\$3,797,323	\$223,430	\$11,661,835	\$161,200,000
Youth services	329,500	1,284,550	10,872	45,652	927,064	
Total all funds	\$3,326,647	\$12,181,966	\$3,808,195	\$269,082	\$12,588,899	\$161,200,000
Less estimated income	49,473	654,422	0	(18,371,718)	(1,070,174)	161,200,000
General fund	\$3,277,174	\$11,527,544	\$3,808,195	\$18,640,800	\$13,659,073	\$0
FTE	0.00	0.00	24.00	0.00	0.00	0.00

	Adds Other One-Time Funding ⁷	Total House Changes
Adult services	\$26,744,975	\$217,522,126
Youth services	401,240	2,998,878
Total all funds	\$27,146,215	\$220,521,004
Less estimated income	10,676,761	153,138,764
General fund	\$16,469,454	\$67,382,240
FTE	0.00	24.00

¹ Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salary increases.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	General Fund	Other Funds	Total
Salary increase	\$7,495,942	\$393,933	\$7,889,875
Health insurance increase	4,031,602	260,489	4,292,091
Total	\$11,527,544	\$654,422	\$12,181,966

³ The following FTE positions and related funding are added or removed:

	FTE Positions	General Fund
Converts temporary positions to FTE	5.00	\$80,687
Parole and probation	6.00	802,757
Pretrial services	4.00	493,397
Inmate case managers	8.00	1,031,032
Heart River Correctional Center residential treatment	2.00	529,624
Heart River Correctional Center behavioral health	1.00	170,698
IT unification	<u>(2.00)</u>	<u>700,000</u>
Total	24.00	\$3,808,195

⁴ Funding for salaries and wages is adjusted as follows:

	General Fund	Federal Funds	Total Funds
Restores funding from the general fund	\$18,371,718	(\$18,371,718)	\$0
Teacher composite schedule increase	<u>269,082</u>	<u>0</u>	<u>269,082</u>
Total	\$18,640,800	(\$18,371,718)	\$269,082

⁵ Operating funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for new FTE operating costs	\$323,029	\$0	\$323,029
IT data processing	2,040,121	11,673	2,051,794
Electronic medical records maintenance and support	546,700	0	546,700
Juvenile contract housing	1,681,300	0	1,681,300
Female treatment recovery impact program	1,973,700	0	1,973,700
Free through recovery program	8,300,000	0	8,300,000
Community behavioral telehealth services	1,000,000	0	1,000,000
Adult education and career readiness programming	306,300	0	306,300
Debt service	(348,979)	(8,181)	(357,160)
Various operating adjustments	<u>(2,163,098)</u>	<u>(1,073,666)</u>	<u>(3,236,764)</u>
Total	\$13,659,073	(\$1,070,174)	\$12,588,899

⁶ One-time funding of \$161.2 million from the strategic investment and improvements fund (SIIF) is added for a new female correctional and rehabilitation facility at the Heart River Correctional Center in Mandan.

⁷ One-time funding is added for the following:

	General Fund	Other Funds	Total Funds
Inflationary costs, including food, medical, clothing, and resident payroll	\$3,478,998	\$0	\$3,478,998
Transitional facility contract inflation	2,759,222	0	2,759,222
Dakota Women's Correctional and Rehabilitation Center contract inflation	2,450,000	0	2,450,000
Dickinson Adult Detention Center contract for 16 female beds	1,003,434	0	1,003,434
Staff and resident development and training	100,000	0	100,000
Consultant review of the offender management system	757,000	0	757,000
New cameras	275,000	0	275,000
Equipment, including washing machines, kitchen equipment, a lawnmower, a utility tractor, a body scanner, radios, IT applications, other equipment, and a federally funded tattoo removal machine	1,645,800	75,000	1,720,800
Maintenance and extraordinary repairs, including plumbing and HVAC repairs at the State Penitentiary and electrical and building repairs at the Youth Correctional Center and HRCC	4,000,000	0	4,000,000
DOCSTARS computer system maintenance (SIIF)	0	307,000	307,000
James River Correctional Center maintenance shop (SIIF)	0	1,550,000	1,550,000
IT needs, including an infrastructure review and medical, free through recovery, and human resources enhancements (SIIF)	0	2,000,000	2,000,000
Roughrider Industries supplies	0	4,083,681	4,083,681
Roughrider Industries equipment	0	2,019,000	2,019,000
Roughrider Industries IT costs	<u>0</u>	<u>642,080</u>	<u>642,080</u>
Total	\$16,469,454	\$10,676,761	\$27,146,215

This amendment also:

- Adds a section to identify \$165,057,000 is from the strategic investment and improvements fund, including \$161.2 million for the new Heart River Correctional Center facility, \$1,550,000 for a new James River Correctional Center maintenance shop, and \$2,307,000 for information technology needs.
- Adds a section to provide for legislative membership on a steering committee to oversee the design and construction of the new Heart River Correctional Center facility.
- Adds sections to allow the Department of Corrections and Rehabilitation to continue funding appropriated for the 2021-23 biennium into the 2023-25 biennium, including funding for the free through recovery program, deferred maintenance, and extraordinary repairs.
- Adds a section to declare the funding and steering committee for the Heart River Correctional Center to be an emergency.