

HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to provide for a report; to provide an exemption; and to declare an
3 emergency.

4 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the department of corrections and rehabilitation for the purpose of defraying
9 the expenses of the department of corrections and rehabilitation, for the biennium beginning
10 July 1, 2023, and ending June 30, 2025, as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
<u>Adult services</u>	<u>\$258,140,591</u>	<u>\$479,013,048</u>	<u>\$258,140,591</u>
<u>Youth services</u>	<u>24,584,845</u>	<u>27,842,787</u>	<u>24,584,845</u>
<u>Total all funds</u>	<u>\$282,725,436</u>	<u>\$506,855,835</u>	<u>\$282,725,436</u>
<u>Less estimated income</u>	<u>64,865,627</u>	<u>218,130,655</u>	<u>64,865,627</u>
<u>Total general fund</u>	<u>\$217,859,809</u>	<u>\$288,725,180</u>	<u>\$217,859,809</u>
<u>Full-time equivalent positions</u>	<u>907.79</u>	<u>939.79</u>	<u>907.79</u>
	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<u>Adult services</u>	<u>\$258,140,591</u>	<u>\$217,522,126</u>	<u>\$475,662,717</u>
<u>Youth services</u>	<u>24,584,845</u>	<u>2,998,878</u>	<u>27,583,723</u>
<u>Total all funds</u>	<u>\$282,725,436</u>	<u>\$220,521,004</u>	<u>\$503,246,440</u>
<u>Less estimated income</u>	<u>64,865,627</u>	<u>153,138,764</u>	<u>218,004,391</u>

1	Total general fund	\$217,859,809	\$67,382,240	\$285,242,049
2	Full-time equivalent positions	907.79	24.00	931.79

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**

4 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding

5 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the

6 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
8	Equipment	\$191,000	\$0
9	Kitchen equipment	115,000	0
10	Roughrider industries equipment	1,281,988	0
11	Roughrider industries storage warehouse	500,000	0
12	Federal payroll expenses	7,000,000	0
13	Radios	2,057,384	0
14	County jail stipends	4,800,000	0
15	Free through recovery program	2,995,200	0
16	Total all funds	\$18,940,572	\$0
17	Less estimated income	18,634,572	0
18	Total general fund	\$306,000	\$0
19	Equipment	\$191,000	\$1,720,800
20	Kitchen equipment	115,000	0
21	Roughrider industries equipment	1,281,988	2,019,000
22	Roughrider industries storage warehouse	500,000	0
23	Federal payroll expenses	7,000,000	0
24	Radios	2,057,384	0
25	County jail stipends	4,800,000	0
26	Free through recovery program	2,995,200	0
27	Heart River correctional center facility	0	161,200,000
28	Inflationary costs	0	3,478,998
29	Transitional facility contract inflation	0	2,759,222
30	Dakota women's correctional and rehabilitation center	0	2,450,000
31	<u>contract</u>		

1	<u>Dickinson adult detention center contract</u>	0	1,003,434
2	<u>Staff and resident development and training</u>	0	100,000
3	<u>Offender management system review</u>	0	757,000
4	<u>New cameras</u>	0	275,000
5	<u>Maintenance and extraordinary repairs</u>	0	4,000,000
6	<u>DOCSTARS maintenance</u>	0	307,000
7	<u>James River correctional center maintenance shop</u>	0	1,550,000
8	<u>Information technology needs</u>	0	2,000,000
9	<u>Roughrider industries supplies</u>	0	4,083,681
10	<u>Roughrider industries information technology costs</u>	0	642,080
11	<u>Total all funds</u>	<u>\$18,940,572</u>	<u>\$188,346,215</u>
12	<u>Less estimated income</u>	<u>18,634,572</u>	<u>171,876,761</u>
13	<u>Total general fund</u>	<u>\$306,000</u>	<u>\$16,469,454</u>

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

18 **SECTION 3. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**
19 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation
20 from correctional supervision, electronic monitoring, and detention; reimbursements from other
21 agencies; profits received from department of corrections and rehabilitation commissary;
22 miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and
23 from the youth correctional center permanent fund, may be deposited in the department of
24 corrections and rehabilitation operating fund and expended pursuant to legislative appropriation
25 for the biennium beginning July 1, 2023, and ending June 30, 2025.

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

1 **SECTION 5. HEART RIVER CORRECTIONAL CENTER FACILITY - STEERING**

2 **COMMITTEE.** The department of corrections and rehabilitation shall establish a Heart River
3 correctional center facility steering committee to oversee the design and construction of the new
4 Heart River correctional center facility for the biennium beginning July 1, 2023, and ending
5 June 30, 2025. The committee must include one member of the senate appointed by the senate
6 majority leader, one member of the house appointed by the house majority leader, and one
7 member of the minority party from either the senate or the house appointed by the minority
8 leaders of the senate and the house.

9 **SECTION 6. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The

10 amount of \$8,000,000 from the general fund appropriated for the community behavioral health
11 program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section
12 54-44.1-11, and any unexpended funds from this appropriation may be used for the community
13 behavioral health program during the biennium beginning July 1, 2023, and ending June 30,
14 2025.

15 **SECTION 7. EXEMPTION - DEFERRED MAINTENANCE AND EXTRAORDINARY**

16 **REPAIRS.** The amount of \$6,000,000 from the general fund appropriated to the department of
17 corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and
18 continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section
19 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred
20 maintenance, capital planning, and extraordinary repairs projects by the department of
21 corrections and rehabilitation during the biennium beginning July 1, 2023, and ending June 30,
22 2025.

23 **SECTION 8. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.** Section

24 54-44.1-11 does not apply to the appropriation authority transferred from the office of
25 management and budget to the department of corrections and rehabilitation from the amounts
26 appropriated from federal funds derived from the state fiscal recovery fund in subsection 10 of
27 section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds
28 from this transferred appropriation authority may be used for the purpose of deferred
29 maintenance and extraordinary repairs projects during the biennium beginning July 1, 2023,
30 and ending June 30, 2025.

1 **SECTION 9. EMERGENCY.** Funding of \$161,200,000 from the strategic investment and
2 improvements fund appropriated in section 1 for the Heart River correctional facility project and
3 sections 4 and 5 of this Act are declared to be an emergency measure.