

SECOND ENGROSSMENT

Sixty-eighth
Legislative Assembly
of North Dakota

REENGROSSED 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; and to provide an exemption.

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

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

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

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

19 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding
20 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the
21 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
23 Equipment		\$191,000	\$1,720,800
24 Kitchen equipment		115,000	0

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1	Roughrider industries equipment	1,281,988	2,019,000
2	Roughrider industries storage warehouse	500,000	0
3	Federal payroll expenses	7,000,000	0
4	Radios	2,057,384	0
5	County jail stipends	4,800,000	0
6	Free through recovery program	2,995,200	0
7	Heart River correctional center facility	0	161,200,000
8	Inflationary costs	0	3,478,998
9	Transitional facility contract inflation	0	2,759,222
10	Dakota women's correctional and rehabilitation center	0	2,450,000
11	contract		
12	Dickinson adult detention center contract	0	1,003,434
13	Staff and resident development and training	0	100,000
14	Offender management system review	0	757,000
15	New cameras	0	275,000
16	Maintenance and extraordinary repairs	0	4,000,000
17	DOCSTARS maintenance	0	307,000
18	James River correctional center maintenance shop	0	1,550,000
19	Information technology needs	0	2,000,000
20	Roughrider industries supplies	0	4,083,681
21	Roughrider industries information technology costs	0	642,080
22	Total all funds	\$18,940,572	\$188,346,215
23	Less estimated income	18,634,572	171,876,761
24	Total general fund	\$306,000	\$16,469,454

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

29 **SECTION 3. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**
 30 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation
 31 from correctional supervision, electronic monitoring, and detention; reimbursements from other

1 agencies; profits received from department of corrections and rehabilitation commissary;
2 miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and
3 from the youth correctional center permanent fund, may be deposited in the department of
4 corrections and rehabilitation operating fund and expended pursuant to legislative appropriation
5 for the biennium beginning July 1, 2023, and ending June 30, 2025.

6 **SECTION 4. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**

7 **FUND.** The estimated income line item in section 1 of this Act includes \$165,057,000 from the
8 strategic investment and improvements fund, including \$161,200,000 for a new Heart River
9 correctional center facility, \$1,550,000 for a new James River correctional center maintenance
10 shop, and \$2,307,000 for information technology needs.

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

12 **COMMITTEE.** The department of corrections and rehabilitation shall establish a Heart River
13 correctional center facility steering committee to oversee the design and construction of the new
14 Heart River correctional center facility for the biennium beginning July 1, 2023, and ending
15 June 30, 2025. The committee must include one member of the senate appointed by the senate
16 majority leader, one member of the house appointed by the house majority leader, and one
17 member of the minority party from either the senate or the house appointed by the minority
18 leaders of the senate and the house.

19 **SECTION 6. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The
20 amount of \$8,000,000 from the general fund appropriated for the community behavioral health
21 program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section
22 54-44.1-11, and any unexpended funds from this appropriation may be used for the community
23 behavioral health program during the biennium beginning July 1, 2023, and ending June 30,
24 2025.

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

26 **REPAIRS.** The amount of \$6,000,000 from the general fund appropriated to the department of
27 corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and
28 continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section
29 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred
30 maintenance, capital planning, and extraordinary repairs projects by the department of

1 corrections and rehabilitation during the biennium beginning July 1, 2023, and ending June 30,
2 2025.

3 **SECTION 8. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.** Section
4 54-44.1-11 does not apply to the appropriation authority transferred from the office of
5 management and budget to the department of corrections and rehabilitation from the amounts
6 appropriated from federal funds derived from the state fiscal recovery fund in subsection 10 of
7 section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds
8 from this transferred appropriation authority may be used for the purpose of deferred
9 maintenance and extraordinary repairs projects during the biennium beginning July 1, 2023,
10 and ending June 30, 2025.