

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 | 1,003,434 | 1,003,434 |
| Staff and resident development and training | 100,000 | 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 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 Hear 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.