

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 1, line 2, after "transfers" insert "; to provide legislative intent", remove the second "and", and remove "a"

Page 1, line 3, replace "study" with "studies; to create and enact a new section to chapter 54-23.3 and a new subsection to section 54-23.4-06 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation and crime victims compensation; and to amend and reenact section 12-59-02 and subsection 1 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members and subrogation"

Page 1, line 13, replace "1,281,357" with "1,075,871"

Page 1, line 14, replace "171,447" with "152,062"

Page 1, line 15, replace "80,850" with "57,750"

Page 1, line 16, replace "1,533,654" with "1,285,683"

Page 1, line 18, replace "1,522,494" with "1,274,523"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,891,907"

Page 1, line 23, replace "217,050" with "119,700"

Page 1, line 24, replace "707,747" with "671,427"

Page 2, line 2, replace "21,189,929" with "20,744,409"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "12,919,334"

Page 2, line 7, replace "3,423,566" with "3,415,066"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "11,203,870"

Page 2, line 10, replace "28,600,319" with "20,905,566"

Page 2, line 11, replace "4,086,082" with "3,619,457"

Page 2, line 12, replace "25,092,023" with "23,577,624"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "77,427,001"

Page 2, line 15, replace "18,649,184" with "17,296,864"

Page 2, line 16, replace "69,618,963" with "60,130,137"

Page 2, line 17, replace "84,468,111" with "74,323,994"

Page 2, line 18, replace "26,523,619" with "25,133,099"

Page 2, line 19, replace "110,890,730" with "99,457,093"

Page 2, remove lines 23 through 26

Page 3, after line 12, insert:

"SECTION 5. INMATE PAY AND DEDUCTIONS FROM INMATE PAY - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION FACILITY NEEDS - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying the facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness.

SECTION 7. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 8. YOUTH CORRECTIONAL CENTER - TEACHER CONTRACTS FOR SUMMER EDUCATION PROGRAMS. The salaries and wages line item included in subdivision 2 of section 1 of this Act includes funding for teacher contracts to support the summer education program at the youth correctional center. Any moneys budgeted for teacher contracts for the summer education program but not spent for that purpose may not be used for any other purpose and must be returned to the general fund at the end of the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. TRANSFERS BETWEEN LINE ITEMS AND SUBDIVISIONS - COMPUTER PURCHASES. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between the various subdivisions included in section 1 of this Act and between the various line items included in subdivision 3 of section 1 of this Act for the purpose of purchasing personal computers to carry out the duties of the department.

SECTION 10. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 11. "PRERELEASE" PROGRAM AND INMATE CONTRACT HOUSING - USE OF MONEYS APPROPRIATED. The institutional offender services line item contained in subdivision 3 of section 1 of this Act includes funding for the operation of a "prerelease center". Any moneys budgeted for the operation of the "prerelease center" but not spent for that purpose may not be used for any other purpose except contracting for additional inmate beds at county or private correctional facilities, as determined necessary by the department. Notwithstanding section 54-16-04, the department may transfer moneys from the institutional offender services line item to the security and safety line item in subdivision 3 of section 1 of this Act as determined necessary by the department to contract for inmate housing.

SECTION 12. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 13. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars and ~~fifty~~ seventy-five cents per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 14. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Approval of new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may

not authorize any new program that serves adult or juvenile offenders, including alternatives to conventional incarceration and programs operated on a contract basis, without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 15. A new subsection to section 54-23.4-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Compensation may not be awarded unless the claimant pursues each available collateral source, including claim for relief unless the claim for relief would place an undue burden on the claimant.

SECTION 16. AMENDMENT. Subsection 1 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. If compensation is awarded, the division is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that compensation is awarded, from a source that is, or, if readily available to the claimant, would be, a collateral source. The division has the right of subrogation to initiate a claim for relief to recover for economic loss from a collateral source, including a tort-feasor."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of House Action

| | EXECUTIVE BUDGET | SENATE VERSION | HOUSE CHANGES | HOUSE VERSION |
|--|------------------|----------------|----------------|---------------|
| Department of Corrections and Rehabilitation - Adult Services | | | | |
| Total all funds | \$88,268,147 | \$88,268,147 | (\$10,841,146) | \$77,427,001 |
| Less estimated income | 18,649,184 | 18,649,184 | (1,352,320) | 17,296,864 |
| General fund | \$69,618,963 | \$69,618,963 | (\$9,488,826) | \$60,130,137 |
| Department of Corrections and Rehabilitation - Central Office | | | | |
| Total all funds | \$1,533,542 | \$1,533,654 | (\$247,971) | \$1,285,683 |
| Less estimated income | 11,160 | 11,160 | | 11,160 |
| General fund | \$1,522,382 | \$1,522,494 | (\$247,971) | \$1,274,523 |
| Department of Corrections and Rehabilitation - Juvenile Services | | | | |
| Total all funds | \$21,088,929 | \$21,189,929 | (\$445,520) | \$20,744,409 |
| Less estimated income | 7,762,275 | 7,863,275 | (38,200) | 7,825,075 |
| General fund | \$13,326,654 | \$13,326,654 | (\$407,320) | \$12,919,334 |
| Bill Total | | | | |
| Total all funds | \$110,890,618 | \$110,991,730 | (\$11,534,637) | \$99,457,093 |
| Less estimated income | 26,422,619 | 26,523,619 | (1,390,520) | 25,133,099 |
| General fund | \$84,467,999 | \$84,468,111 | (\$10,144,117) | \$74,323,994 |

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - House Action

| | EXECUTIVE BUDGET | SENATE VERSION | HOUSE CHANGES | HOUSE VERSION |
|---------------------------------|------------------|----------------|----------------|---------------|
| Salaries and wages | \$7,073,227 | | | |
| Operating expenses | 9,222,935 | | | |
| Equipment | 63,102 | | | |
| Capital improvements | | | | |
| Grants | 3,280,619 | | | |
| Victims services | | \$3,423,566 | (\$8,500) | \$3,415,066 |
| Institutional offender services | | 4,460,612 | (597,484) | 3,863,128 |
| Community offender services | | 11,755,705 | (551,835) | 11,203,870 |
| Support services | 28,600,319 | 28,600,319 | (7,694,753) | 20,905,566 |
| Program services | 4,086,082 | 4,086,082 | (466,625) | 3,619,457 |
| Security and safety | 25,092,023 | 25,092,023 | (1,514,399) | 23,577,624 |
| Roughrider Industries | 10,849,840 | 10,849,840 | (7,550) | 10,842,290 |
| Total all funds | \$88,268,147 | \$88,268,147 | (\$10,841,146) | \$77,427,001 |
| Less estimated income | 18,649,184 | 18,649,184 | (1,352,320) | 17,296,864 |
| General fund | \$69,618,963 | \$69,618,963 | (\$9,488,826) | \$60,130,137 |

FTE 508.25 508.25 (51.50) 456.75

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of House Changes

| | REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM ¹ | REDUCE BUDGETED COMPUTER PRICES ² | REDUCE NUMBER OF NEW DESKTOP COMPUTERS ³ | REMOVE FTES AND FUNDING FOR SMI UNIT ⁴ | REDUCE INSTITUTIONAL OFFENDER SERVICES ⁵ | REDUCE COMMUNITY OFFENDER SERVICES ⁶ |
|---------------------------------|--|--|---|---|---|--|
| Salaries and wages | | | | | | |
| Operating expenses | | | | | | |
| Equipment | | | | | | |
| Capital improvements | | | | | | |
| Grants | | | | | | |
| Victims services | | | | | | |
| Institutional offender services | (\$539,284) | (\$750) | | | (\$57,450) | |
| Community offender services | | (11,308) | (\$8,400) | | | (\$532,127) |
| Support services | | (15,400) | (5,600) | (\$937,703) | | |
| Program services | | (3,600) | | (340,520) | | |
| Security and safety | | (1,800) | | (1,159,574) | | |
| Roughrider Industries | | <u>(6,150)</u> | <u>(1,400)</u> | | | |
| Total all funds | (\$539,284) | (\$39,008) | (\$15,400) | (\$2,437,797) | (\$57,450) | (\$532,127) |
| Less estimated income | | <u>(10,920)</u> | <u>(1,400)</u> | | | <u>60,000</u> |
| General fund | (\$539,284) | (\$28,088) | (\$14,000) | (\$2,437,797) | (\$57,450) | (\$592,127) |
| FTE | 0.00 | 0.00 | 0.00 | (28.00) | 0.00 | (1.00) |
| | REDUCE SUPPORT SERVICES ⁷ | REDUCE PROGRAM SERVICES ⁸ | REDUCE SECURITY AND SAFETY ⁹ | REDUCE VICTIMS SERVICES ¹⁰ | REMOVE CAPITAL PROJECTS ¹¹ | REMOVE FTE AND OPERATING EXPENSES FOR WOMEN'S UNIT ¹² |
| Salaries and wages | | | | | | |
| Operating expenses | | | | | | |
| Equipment | | | | | | |
| Capital improvements | | | | | | |
| Grants | | | | | | |
| Victims services | | | | (\$8,500) | | |
| Institutional offender services | | | | | | |
| Community offender services | | | | | | |
| Support services | (\$618,618) | | | | (\$5,703,000) | (\$414,432) |
| Program services | | (\$20,000) | | | | (102,505) |
| Security and safety | | | (\$25,000) | | | (524,130) |
| Roughrider Industries | | | | | | |
| Total all funds | (\$618,618) | (\$20,000) | (\$25,000) | (\$8,500) | (\$5,703,000) | (\$1,041,067) |
| Less estimated income | | | | | <u>(1,400,000)</u> | |
| General fund | (\$618,618) | (\$20,000) | (\$25,000) | (\$8,500) | (\$4,303,000) | (\$1,041,067) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | (22.50) |
| | ADD FUNDING FOR CONTRACT INMATE HOUSING ¹³ | TOTAL HOUSE CHANGES | | | | |
| Salaries and wages | | | | | | |
| Operating expenses | | | | | | |
| Equipment | | | | | | |
| Capital improvements | | | | | | |
| Grants | | | | | | |
| Victims services | | (\$8,500) | | | | |
| Institutional offender services | | (597,484) | | | | |
| Community offender services | | (551,835) | | | | |
| Support services | | (7,694,753) | | | | |
| Program services | | (466,625) | | | | |
| Security and safety | \$196,105 | (1,514,399) | | | | |
| Roughrider Industries | | <u>(7,550)</u> | | | | |
| Total all funds | \$196,105 | (\$10,841,146) | | | | |
| Less estimated income | | <u>(1,352,320)</u> | | | | |
| General fund | \$196,105 | (\$9,488,826) | | | | |
| FTE | 0.00 | (51.50) | | | | |

1 Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from \$2,139,284 to \$1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital.

2 The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from \$1,914 to \$2,300 per computer and six new laptop computers budgeted at various prices ranging from \$2,500 to \$3,500 per computer. The House amendment reduces the price per computer to \$1,400 for desktop computers and \$1,750 for laptop computers.

3 The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division.

4 Funding is removed for the proposed seriously mentally ill (SMI) unit as follows:

| | FTE | GENERAL FUND | OTHER FUNDS | TOTAL |
|----------------------------------|---------|-----------------|-------------|-----------------|
| Salaries and wages | (28.00) | (\$1,859,441) | | (\$1,859,441) |
| Operating expenses | | (560,706) | | (560,706) |
| Equipment | | <u>(17,650)</u> | | <u>(17,650)</u> |
| Total change from Senate version | (28.00) | (\$2,437,797) | \$0 | (\$2,437,797) |

5 The institutional offender services line item is adjusted for the following changes:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|--|-------------------|-------------|-------------------|
| Operating expenses | (\$60,000) | | (\$60,000) |
| Compensation rate increase for Parole Board members from \$62.50 to \$75 per day | 2,550 | | 2,550 |
| Total change from Senate version | <u>(\$57,450)</u> | \$0 | <u>(\$57,450)</u> |

6 The community offender services line item is reduced to reflect the following changes:

| | FTE | GENERAL FUND | OTHER FUNDS | TOTAL |
|---|--------|-----------------|-------------|-----------------|
| Temporary salaries | | (\$14,000) | | (\$14,000) |
| Operating expenses | | (407,000) | | (407,000) |
| Funding source change (additional supervision fees) | | (60,000) | \$60,000 | |
| Remove parole officer II position | | | | |
| Salaries and wages | (1.00) | (78,755) | | (78,755) |
| Operating expenses | | <u>(32,372)</u> | | <u>(32,372)</u> |
| Total reduction relating to new positions | (1.00) | (\$111,127) | | (\$111,127) |
| Total change from Senate version | (1.00) | (\$592,127) | \$60,000 | (\$532,127) |

7 The support services line item is reduced to reflect the following changes:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|--|--------------------|-------------|--------------------|
| Temporary salaries | (\$8,000) | | (\$8,000) |
| Information technology - Data processing | (20,000) | | (20,000) |
| Information technology - Telecommunications | (5,000) | | (5,000) |
| Travel | (15,000) | | (15,000) |
| Information technology - Contractual services | (5,300) | | (5,300) |
| Medical, dental, and optical expenses | 30,000 | | 30,000 |
| Hepatitis B vaccinations and screening and treatment for other contagious diseases | 122,800 | | 122,800 |
| Professional development | (10,000) | | (10,000) |
| Office supplies | (5,000) | | (5,000) |
| Other equipment | (100,000) | | (100,000) |
| Capital improvements - Penitentiary parking lot | (403,118) | | (403,118) |
| Capital improvements - Extraordinary repairs | (200,000) | | (200,000) |
| Total change from Senate version | <u>(\$618,618)</u> | \$0 | <u>(\$618,618)</u> |

8 The program services line item is reduced to reflect the following changes:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|----------------------------------|----------------|-------------|----------------|
| Travel | (\$5,000) | | (\$5,000) |
| Professional development | (2,000) | | (2,000) |
| Professional services | (5,000) | | (5,000) |
| Professional supplies | (5,000) | | (5,000) |
| Miscellaneous supplies | <u>(3,000)</u> | | <u>(3,000)</u> |
| Total change from Senate version | (\$20,000) | \$0 | (\$20,000) |

9 The security and safety line item is reduced to reflect a \$25,000 reduction in operating expenses.

10 The victims services line item is reduced to reflect a \$2,500 reduction in temporary salaries and a \$6,000 reduction in operating expenses.

11 Funding is removed for the following capital projects:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|--|--------------------|----------------------|--------------------|
| Missouri River Correctional Center - Food service building | (\$1,983,000) | | (\$1,983,000) |
| Women's unit | <u>(2,320,000)</u> | <u>(\$1,400,000)</u> | <u>(3,720,000)</u> |
| Total change from Senate version | (\$4,303,000) | (\$1,400,000) | (\$5,703,000) |

12 Funding is removed for the proposed women's unit as follows:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|----------------------------------|------------------|-------------|------------------|
| Salaries and wages | (\$585,457) | | (\$585,457) |
| Operating expenses | <u>(421,815)</u> | | <u>(421,815)</u> |
| Equipment | <u>(33,795)</u> | | <u>(33,795)</u> |
| Total change from Senate version | (\$1,041,067) | \$0 | (\$1,041,067) |

13 The Senate version included \$2,452,275 for housing inmates at county or out-of-state correctional facilities. The House amendment increases that amount to \$2,648,380 based on the following adjustments to the number of contract inmate beds:

- Funding is reduced to reflect an anticipated 20 contract bed reduction each month of the biennium due to the effect of the drug court (five less contract beds per month) and House Bill No. 1364 (15 less contract beds per month), which eliminates minimum mandatory sentences for certain first-time drug offenders.
- Funding is increased to reflect an anticipated 75 contract bed increase for each of the last eight months of the biennium due to not constructing the women's unit.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - House Action

| | EXECUTIVE BUDGET | SENATE VERSION | HOUSE CHANGES | HOUSE VERSION |
|-----------------------|------------------|----------------|-----------------|---------------|
| Salaries and wages | \$1,281,245 | \$1,281,357 | (\$205,486) | \$1,075,871 |
| Operating expenses | 171,447 | 171,447 | (19,385) | 152,062 |
| Equipment | <u>80,850</u> | <u>80,850</u> | <u>(23,100)</u> | <u>57,750</u> |
| Total all funds | \$1,533,542 | \$1,533,654 | (\$247,971) | \$1,285,683 |
| Less estimated income | <u>11,160</u> | <u>11,160</u> | | <u>11,160</u> |
| General fund | \$1,522,382 | \$1,522,494 | (\$247,971) | \$1,274,523 |
| FTE | 10.00 | 10.00 | (1.00) | 9.00 |

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of House Changes

| | REMOVE NEW FTE POSITION AND RELATED OPERATING EXPENSES ¹ | REDUCE FUNDING FOR TEMPORARY SALARIES | REMOVE FUNDING FOR SALARY EQUITY INCREASES ² | REDUCE OPERATING EXPENSES | REDUCE BUDGETED COMPUTER PRICES ³ | REMOVE FUNDING FOR COMPUTER SERVER ⁴ |
|-----------------------|---|---------------------------------------|---|---------------------------|--|---|
| Salaries and wages | (\$79,486) | (\$1,000) | (\$125,000) | | | |
| Operating expenses | <u>(8,385)</u> | | | (\$11,000) | | |
| Equipment | | | | | <u>(\$6,300)</u> | <u>(\$14,000)</u> |
| Total all funds | (\$87,871) | (\$1,000) | (\$125,000) | (\$11,000) | (\$6,300) | (\$14,000) |
| Less estimated income | | | | | | |
| General fund | (\$87,871) | (\$1,000) | (\$125,000) | (\$11,000) | (\$6,300) | (\$14,000) |
| FTE | (1.00) | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | REDUCE NUMBER OF NEW DESKTOP COMPUTERS ⁵ | TOTAL HOUSE CHANGES |
|-----------------------|---|---------------------|
| Salaries and wages | | (\$205,486) |
| Operating expenses | | (19,385) |
| Equipment | <u>(\$2,800)</u> | <u>(23,100)</u> |
| Total all funds | (\$2,800) | (\$247,971) |
| Less estimated income | | |
| General fund | (\$2,800) | (\$247,971) |
| FTE | 0.00 | (1.00) |

- 1 The Senate version included 2 FTE data processing coordinator I positions to provide information technology support for the department. The House amendment removes one of the new positions and the related operating expenses.
- 2 The Senate version included \$125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. The House amendment removes this funding.
- 3 The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of \$2,100 per computer. The House amendment reduces the budgeted price per computer to \$1,400.
- 4 The Senate version for the Central Office included funding to replace three computer servers, one at a price of \$25,000 and two at \$14,000. The House amendment removes funding for one of the \$14,000 servers.
- 5 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - House Action

| | EXECUTIVE BUDGET | SENATE VERSION | HOUSE CHANGES | HOUSE VERSION |
|-----------------------|------------------|------------------|-----------------|------------------|
| Salaries and wages | \$10,819,873 | \$10,819,873 | (\$172,375) | \$10,647,498 |
| Operating expenses | 4,930,382 | 5,031,382 | (139,475) | 4,891,907 |
| Equipment | 217,050 | 217,050 | (97,350) | 119,700 |
| Capital improvements | 707,747 | 707,747 | (36,320) | 671,427 |
| Grants | <u>4,413,877</u> | <u>4,413,877</u> | | <u>4,413,877</u> |
| Total all funds | \$21,088,929 | \$21,189,929 | (\$445,520) | \$20,744,409 |
| Less estimated income | <u>7,762,275</u> | <u>7,863,275</u> | <u>(38,200)</u> | <u>7,825,075</u> |
| General fund | \$13,326,654 | \$13,326,654 | (\$407,320) | \$12,919,334 |
| FTE | 120.43 | 120.43 | 0.00 | 120.43 |

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of House Changes

| | REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS ¹ | REDUCE OPERATING EXPENSES ² | REDUCE EQUIPMENT ³ | REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM | REDUCE FUNDING FOR TEACHER SALARY INCREASES ⁴ | REDUCE BUDGETED COMPUTER PRICES ⁵ |
|-----------------------|--|--|-------------------------------|--|--|--|
| Salaries and wages | (\$41,000) | | | (\$40,000) | (\$91,375) | |
| Operating expenses | | (\$139,475) | | | | |
| Equipment | | | (\$34,000) | | | (\$43,750) |
| Capital improvements | | | | | | |
| Grants | | | | | | |
| Total all funds | (\$41,000) | (\$139,475) | (\$34,000) | (\$40,000) | (\$91,375) | (\$43,750) |
| Less estimated income | | | | | | <u>(25,600)</u> |
| General fund | (\$41,000) | (\$139,475) | (\$34,000) | (\$40,000) | (\$91,375) | (\$18,150) |
| FTE | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 | 0.00 |

| | REDUCE NUMBER OF NEW DESKTOP COMPUTERS ⁶ | REDUCE YOUTH CORRECTIONAL CENTER EXTRAORDINARY REPAIRS ⁷ | TOTAL HOUSE CHANGES |
|-----------------------|---|---|---------------------|
| Salaries and wages | | | (\$172,375) |
| Operating expenses | | | (139,475) |
| Equipment | (\$19,600) | | (97,350) |
| Capital improvements | | (\$36,320) | (36,320) |
| Grants | | | |
| Total all funds | (\$19,600) | (\$36,320) | (\$445,520) |
| Less estimated income | <u>(12,600)</u> | | <u>(38,200)</u> |
| General fund | (\$7,000) | (\$36,320) | (\$407,320) |
| FTE | 0.00 | 0.00 | 0.00 |

1 The Senate version included 1 FTE security officer I for the Youth Correctional Center and 1 FTE administrative assistant I for the Juvenile Community Services Division. The House amendment reduces the salaries and wages line item by \$41,000 (\$12,000 for Juvenile Community Services and \$29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions.

2 The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

| | GENERAL FUND | OTHER FUNDS | TOTAL |
|--|--------------|-------------|-------------|
| Juvenile Community Services (JCS) Division - Various reductions | (\$55,000) | | (\$55,000) |
| JCS Division - Juvenile transportation costs (SB 2220 with House amendments) | (41,475) | | (41,475) |
| Youth Correctional Center (YCC) - Auxiliary services | (13,000) | | (13,000) |
| YCC - Administration | (7,500) | | (7,500) |
| YCC - Resident care | (12,500) | | (12,500) |
| YCC - Education | (10,000) | | (10,000) |
| Total change from Senate version | (\$139,475) | \$0 | (\$139,475) |

- 3 The House amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from \$54,729 to \$20,729.
- 4 The Senate version for the Juvenile Services Division included \$291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division. The House amendment reduces this amount to \$200,000.
- 5 The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of \$2,200 per desktop and \$3,000 per laptop. The House amendment reduces the budgeted prices to \$1,400 per desktop and \$1,750 per laptop.
- 6 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division.
- 7 Funding is removed for heating plant improvements at the Youth Correctional Center, reducing extraordinary repairs funding from \$65,320 to \$29,000.

This amendment also adds the following sections:

- Section 5, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 6, which directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.
- Section 7, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 8, which provides that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- Section 9, which authorizes the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- Section 10, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 11, which provides that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.
- Section 12, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 13, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from \$62.50 per day to \$75 per day.
- Section 14, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.

- Section 15, which amends NDCC Section 54-23.4-06 to require that crime victims compensation awards may not be provided to a claimant until the claimant has pursued all collateral sources of funds.
- Section 16, which amends NDCC Section 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to initiate a claim for relief to recover funds from a collateral source.