

PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, replace the second "and" with "to provide an appropriation to the legislative council; to provide for a legislative management study;"

Page 1, line 2, after "for" insert "a"

Page 1, line 2, after "allocations" insert "pilot project; and to provide legislative intent"

Page 1, replace lines 12 through 18 with:

"Adult services	\$175,467,210	\$40,917,968	\$216,385,178
Youth services	28,604,526	2,867,534	31,472,060
Accrued leave payments	<u>4,639,529</u>	<u>(4,639,529)</u>	<u>0</u>
Total all funds	\$208,711,265	\$39,145,973	\$247,857,238
Less estimated income	<u>30,936,922</u>	<u>6,702,338</u>	<u>37,639,260</u>
Total general fund	\$177,774,343	\$32,443,635	\$210,217,978
Full-time equivalent positions	814.29	12.00	826.29"

Page 1, remove line 24

Page 2, replace lines 1 through 10 with:

"Security camera upgrade		\$0	\$202,500
Equipment		552,900	244,400
License plate issue		4,900,000	4,900,000
Capital projects		349,950	0
Information technology upgrades		652,900	616,144
Missouri River correctional center study		200,000	0
Extraordinary repairs		<u>1,683,296</u>	<u>1,425,267</u>
Total all funds		\$8,339,046	\$7,388,311
Less estimated income		<u>5,198,000</u>	<u>4,900,000</u>
Total general fund		\$3,141,046	\$2,488,311"

Page 2, after line 14, insert:

"SECTION 3. APPROPRIATION - LEGISLATIVE COUNCIL. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$50,000, or so much of the sum as may be necessary, to the legislative council for the purpose of obtaining consulting services to assist with a legislative management study of incarceration issues, for the biennium beginning July 1, 2015, and ending June 30, 2017.

SECTION 4. RECIDIVISM REDUCTION REENTRY PROGRAM - PILOT PROJECT. The adult services line item in section 1 of this Act includes \$1,300,000 from the general fund for the recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams Counties.

SECTION 5. LEGISLATIVE MANAGEMENT STUDY - INCARCERATION ISSUES. During the 2015-16 interim, the legislative management shall study the recidivism reduction reentry program pilot project, the prison day bed allocation pilot project, pretrial services, sentencing alternatives, treatment options, and other related issues. The legislative management shall report its findings and recommendations, together with any legislation required to implement

the recommendations, to the sixty-fifth legislative assembly. To conduct the study, legislative management shall create an incarceration issues committee consisting of:

1. Two members of the house appropriations committee;
2. Two members of the senate appropriations committee;
3. One member of the house judiciary committee;
4. One member of the senate judiciary committee; and
5. Other members serving in a nonvoting advisory capacity include:
 - a. Two district court judges appointed by the chief justice of the supreme court;
 - b. The chief justice of the state supreme court, or a designee of the chief justice;
 - c. One local law enforcement official appointed by the governor from a city with a population greater than 10,000, based on the most recent decennial census;
 - d. One local law enforcement official appointed by the governor from a city with a population less than 10,000, based on the most recent decennial census;
 - e. One state's attorney appointed by the attorney general from a county with a population of 10,000 or more, based on the most recent decennial census;
 - f. One state's attorney appointed by the attorney general from a county with a population of less than 10,000, based on the most recent decennial census;
 - g. The attorney general, or a designee of the attorney general;
 - h. The director of the department of corrections and rehabilitation; and
 - i. One member appointed by the director of the department of corrections and rehabilitation.

Legislative management shall select the chairman and vice chairman of the committee. The committee shall meet quarterly, at the times and places as determined by the chairman. The legislative council shall provide staff services for the committee."

Page 2, line 15, after "**ALLOCATION**" insert "**- PILOT PROJECT**"

Page 2, line 16, replace "each North Dakota county" with "Cass, Burleigh, Morton, and Williams Counties"

Page 2, line 23, after the period insert "For the purposes of this section, the department shall exclude all inmates sentenced to more than seven years and inmates whose parole or probation has been revoked."

Page 2, line 26, replace "seventy-five" with "seventy"

Page 2, after line 30, insert:

"SECTION 7. LEGISLATIVE INTENT - CONTRACT HOUSING AND PROGRAMMING. It is the intent of the sixty-fourth legislative assembly that the department of corrections and rehabilitation give priority for the use of funding appropriated for contract housing and programming to contract with in-state local and regional facilities for the placement of overflow inmates for the biennium beginning July 1, 2015, and ending June 30, 2017."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Summary of House Action

	Base Budget	House Changes	House Version
Legislative Council			
Total all funds	\$0	\$50,000	\$50,000
Less estimated income	0	0	0
General fund	\$0	\$50,000	\$50,000
Department of Corrections and Rehab.			
Total all funds	\$208,711,265	\$39,145,973	\$247,857,238
Less estimated income	30,936,922	6,702,338	37,639,260
General fund	\$177,774,343	\$32,443,635	\$210,217,978
Bill total			
Total all funds	\$208,711,265	\$39,195,973	\$247,907,238
Less estimated income	30,936,922	6,702,338	37,639,260
General fund	\$177,774,343	\$32,493,635	\$210,267,978

House Bill No. 1015 - Legislative Council - House Action

	Base Budget	House Changes	House Version
Operating expenses		\$50,000	\$50,000
Total all funds	\$0	\$50,000	\$50,000
Less estimated income	0	0	0
General fund	\$0	\$50,000	\$50,000
FTE	0.00	0.00	0.00

Department No. 160 - Legislative Council - Detail of House Changes

	Adds Funding for Incarceration Issues Study ¹	Total House Changes
Operating expenses	\$50,000	\$50,000
Total all funds	\$50,000	\$50,000
Less estimated income	0	0
General fund	\$50,000	\$50,000
FTE	0.00	0.00

¹ One-time funding of \$50,000 from the general fund is provided to the Legislative Council to obtain consulting services to assist with a Legislative Management study of incarceration issues.

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

	Base Budget	House Changes	House Version
Adult services	\$175,467,210	\$40,917,968	\$216,385,178
Youth services	28,604,526	2,867,534	31,472,060
Accrued leave payments	4,639,529	(4,639,529)	
Total all funds	\$208,711,265	\$39,145,973	\$247,857,238
Less estimated income	30,936,922	6,702,338	37,639,260
General fund	\$177,774,343	\$32,443,635	\$210,217,978
FTE	814.29	12.00	826.29

Department No. 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adds Funding for Base Payroll Changes ¹	Adjusts State Employee Compensation and Benefits Package ²	Adds Funding for New FTE Positions ³	Increases Contract Housing and Programming and DWCRC Contract ⁴	Adjusts Funding Relating to Energy Impact, Operating Fees, Services, and Grants ⁵	Adds Funding for Community Sex Offender Treatment ⁶
Adult services	\$7,753,367	\$6,529,703	\$2,166,923	\$8,493,102	\$47,332	\$1,865,810
Youth services	1,120,417	1,183,304	183,422		(126,963)	
Accrued leave payments	(4,639,529)					
Total all funds	\$4,234,255	\$7,713,007	\$2,350,345	\$8,493,102	(\$79,631)	\$1,865,810
Less estimated income	129,049	444,032	471,247	0	1,832,010	0
General fund	\$4,105,206	\$7,268,975	\$1,879,098	\$8,493,102	(\$1,911,641)	\$1,865,810
FTE	0.00	0.00	12.00	0.00	0.00	0.00

	Provides Funding for Extraordinary Repairs ⁷	Increases Funding for Professional and Medical Services ⁸	Adjusts Maintenance, Operations, and Equipment ⁹	Increases IT Funding ¹⁰	Adds Funding for Adult Recidivism Reduction Reentry ¹¹	Other Changes ¹²
Adult services	\$1,918,653	\$2,820,502	\$905	\$1,212,360	\$1,300,000	\$6,809,311
Youth services	47,197	230,934	115,400			113,823
Accrued leave payments						
Total all funds	\$1,965,850	\$3,051,436	\$116,305	\$1,212,360	\$1,300,000	\$6,923,134
Less estimated income	0	0	(1,074,000)	0	0	4,900,000
General fund	\$1,965,850	\$3,051,436	\$1,190,305	\$1,212,360	\$1,300,000	\$2,023,134
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	Total House Changes
Adult services	\$40,917,968
Youth services	2,867,534
Accrued leave payments	(4,639,529)
Total all funds	\$39,145,973
Less estimated income	6,702,338
General fund	\$32,443,635
FTE	12.00

¹ Funding is added for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.

² The following funding is added for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year and increases in monthly health insurance premiums:

	General Fund	Other Funds	Total
Salary increase - Performance	\$4,068,853	\$246,020	\$4,314,873
Health insurance increase	3,200,122	198,012	3,398,134
Total	\$7,268,975	\$444,032	\$7,713,007

³ Funding of \$2,484,058, including \$2,012,811 from the general fund and \$471,247 from other funds, is added for the following new FTE positions:

Position(s)	General Fund	Other Funds	Total
7 FTE parole and probation positions	\$1,235,327	\$0	\$1,235,327
1 FTE juvenile corrections specialist position	172,154	0	172,154
2 FTE adult services treatment positions	240,000	0	240,000
2 FTE JRCC central receiving positions	231,617	471,247	702,864
Total	\$1,879,098	\$471,247	\$2,350,345

⁴ Funding of \$6,243,102 from the general fund is added for contract housing and programming to provide a total of \$28,979,762. Funding of \$2,250,000 from the general fund is added to increase the contract with the Dakota Women's Correctional and Rehabilitation Center to provide a total of \$11,216,204.

⁵ The following funding adjustments are made:

	General Fund	Other Funds	Total
Adjusts funding relating to energy impact, operating fees, services, and grants	(\$1,911,641)	\$1,422,282	(\$489,359)
Federal grant award changes	0	409,728	409,728
Total	(\$1,911,641)	\$1,832,010	(\$79,631)

⁶ Funding of \$1,865,810 from the general fund is added to transfer community sex offender treatment to the Department of Corrections and Rehabilitation from the Department of Human Services. Funding for the program was removed from the Department of Human Services base budget.

⁷ Base funding is increased by \$540,583 and one-time funding of \$1,425,267 is provided from the general fund to provide a total of \$3,062,000 for extraordinary repairs, of which \$2,962,000 is from the general fund. Funding is provided for the following:

	General Fund	Other Funds	Total
YCC extraordinary repairs	\$360,000	\$0	\$360,000
MRCC extraordinary repairs	165,000	0	165,000
JRCC extraordinary repairs	756,000	0	756,000
State penitentiary extraordinary repairs	1,681,000	0	1,681,000
Roughrider Industries extraordinary repairs	0	100,000	100,000
Total	\$2,962,000	\$100,000	\$3,062,000

⁸ Funding of \$1,971,436 is added for increased professional and medical services and an additional \$1,080,000 from the general fund is provided for hepatitis C treatment.

⁹ Funding is provided for the following:

	General Fund	Other Funds	Total
State Penitentiary security camera upgrades	\$202,500	\$0	\$202,500
Remove prior biennium equipment	0	(1,300,000)	(1,300,000)
Add one-time funding for equipment over \$5,000	244,400	226,000	470,400
Increase facility maintenance and operations	743,405	0	743,405
Total	\$1,190,305	(\$1,074,000)	\$116,305

¹⁰ Base level funding for IT costs is increased by \$596,216 from the general fund and one-time funding of \$616,144 from the general fund is provided for a workforce scheduler IT project.

¹¹ Funding of \$1,300,000 from the general fund is added for an adult recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams Counties.

¹² Other funding changes include:

	General Fund	Other Funds	Total
Food and clothing increase	\$1,701,258	\$0	\$1,701,258
Travel cost increase	331,802	0	331,802
License plate issue	0	4,900,000	4,900,000
Bond payment reduction	(9,926)	0	(9,926)
Total	\$2,023,134	\$4,900,000	\$6,923,134

This amendment also:

- Provides for a recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams Counties;
- Provides for a Legislative Management study of incarceration issues;
- Provides for a prison bed day allocation pilot project in Cass, Burleigh, Morton, and Williams Counties; and
- Provides legislative intent regarding contract housing and programming.