

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

19 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**  
20 **SIXTY-NINTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding  
21 items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the  
22 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>
24 Equipment		\$191,000	\$1,720,800

Sixty-eighth  
Legislative Assembly

1	Kitchen equipment	115,000	0
2	Roughrider industries equipment	1,281,988	2,019,000
3	Roughrider industries storage warehouse	500,000	0
4	Federal payroll expenses	7,000,000	0
5	Radios	2,057,384	0
6	County jail stipends	4,800,000	0
7	Free through recovery program	2,995,200	0
8	Heart River correctional center facility	0	161,200,000
9	Inflationary costs	0	3,478,998
10	Transitional facility contract inflation	0	2,759,222
11	Dakota women's correctional and rehabilitation center	0	2,450,000
12	contract		
13	Dickinson adult detention center contract	0	1,003,434
14	Staff and resident development and training	0	100,000
15	Offender management system review	0	757,000
16	New cameras	0	275,000
17	Maintenance and extraordinary repairs	0	4,000,000
18	DOCSTARS maintenance	0	307,000
19	James River correctional center maintenance shop	0	1,550,000
20	Information technology needs	0	2,000,000
21	Roughrider industries supplies	0	4,083,681
22	Roughrider industries information technology costs	0	642,080
23	Total all funds	\$18,940,572	\$188,346,215
24	Less estimated income	18,634,572	171,876,761
25	Total general fund	\$306,000	\$16,469,454

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

30 **SECTION 3. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**  
 31 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation

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

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

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

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

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

20 **SECTION 6. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The  
21 amount of \$8,000,000 from the general fund appropriated for the community behavioral health  
22 program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section  
23 54-44.1-11, and any unexpended funds from this appropriation may be used for the community  
24 behavioral health program during the biennium beginning July 1, 2023, and ending June 30,  
25 2025.

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

27 **REPAIRS.** The amount of \$6,000,000 from the general fund appropriated to the department of  
28 corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and  
29 continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section  
30 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred  
31 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.

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