

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

Page 1, line 2, replace "provide for a report" with "authorize the issuance of bonds; to provide a statement of legislative intent"

Page 1, replace lines 12 through 17 with:

"Adult services	\$258,140,591	\$170,778,154	\$428,918,745
Youth services	<u>24,584,845</u>	<u>1,555,722</u>	<u>26,140,567</u>
Total all funds	\$282,725,436	\$172,333,876	\$455,059,312
Less estimated income	<u>64,865,627</u>	<u>125,451,497</u>	<u>190,317,124</u>
Total general fund	\$217,859,809	\$46,882,379	\$264,742,188
Full-time equivalent positions	907.79	16.00	923.79"

Page 1, replace line 23 with:

"Equipment	\$191,000	\$1,022,800"
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Page 2, replace line 7 with:

"Heart River correctional center facility	0	131,200,000"
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Page 2, replace lines 14 through 16 with:

"Offender management system review	0	500,000
Maintenance and extraordinary repairs	0	1,000,000
James River correctional center remodel	0	255,500"

Page 2, replace lines 22 through 24 with:

"Roughrider industries cold storage	0	200,000
Roughrider industries paint line replacement	<u>0</u>	<u>2,300,000</u>
Total all funds	\$18,940,572	\$156,871,715
Less estimated income	<u>18,634,572</u>	<u>144,632,261</u>
Total general fund	\$306,000	\$12,239,454"

Page 3, line 7, replace "\$165,057,000" with "\$35,057,000"

Page 3, line 8, replace "\$161,200,000" with "\$31,200,000"

Page 3, after line 10, insert:

**"SECTION 5. WOMEN'S PRISON CONSTRUCTION PROJECT - BOND ISSUANCE AUTHORIZATION.** The industrial commission, acting as the North Dakota building authority, shall arrange through the issuance of evidences of indebtedness under chapter 54-17.2 for the biennium beginning July 1, 2023, and ending June 30, 2025, for project costs associated with the department of corrections and rehabilitation women's prison construction project declared to be in the public interest, for which \$100,000,000 is appropriated from bond proceeds in section 1 of this Act. The industrial commission shall issue evidences of indebtedness under this section with the condition that repayments need not begin until July 1, 2025. The authority of the industrial commission to issue evidences of indebtedness under this section ends

June 30, 2025, but the industrial commission may continue to exercise all other powers granted to it under chapter 54-17.2 and this Act and comply with any covenants entered into before that date.

**SECTION 6. HEART RIVER CORRECTIONAL CENTER FACILITY - LEGISLATIVE INTENT.** It is the intent of the sixty-eighth legislative assembly that the sixty-ninth legislative assembly appropriate \$30,000,000 to complete the construction of the new women's prison facility at the Heart River correctional center, for the biennium beginning July 1, 2025, and ending June 30, 2027."

Page 4, after line 10, insert:

**"SECTION 11. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.** The amount of \$990,000 from federal funds derived from the state fiscal recovery fund appropriated to the department of corrections and rehabilitation for stipends to county jails for deferred admissions in subsection 4 of section 1 of chapter 550 of the 2021 Special Session Session Laws is not subject to section 54-44.1-11, and any unexpended funds from this appropriation may be used for payments for deferred admissions during the biennium beginning July 1, 2023, and ending June 30, 2025."

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

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

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	\$258,140,591	\$475,662,717	(\$46,743,972)	\$428,918,745
Youth services	24,584,845	27,583,723	(1,443,156)	26,140,567
Total all funds	\$282,725,436	\$503,246,440	(\$48,187,128)	\$455,059,312
Less estimated income	64,865,627	218,004,391	(27,687,267)	190,317,124
General fund	\$217,859,809	\$285,242,049	(\$20,499,861)	\$264,742,188
FTE	907.79	931.79	(8.00)	923.79

**Department 530 - Department of Corrections and Rehab. - Detail of Senate Changes**

	Adjusts Funding for Salary and Benefit Increases <sup>1</sup>	Adjusts New FTE Positions <sup>2</sup>	Removes Salary Funding for Funding Pool <sup>3</sup>	Reduces Funding for New FTE Operating Costs <sup>4</sup>	Reduces Funding for the Free Through Recovery Program <sup>5</sup>	Reduces Funding for Community Behavioral Telehealth Services <sup>6</sup>
Adult services	\$2,534,046	(\$1,333,753)	(\$12,006,154)	(\$108,851)	(\$4,200,000)	(\$250,000)
Youth services	(178,803)		(1,169,113)			
Total all funds	\$2,355,243	(\$1,333,753)	(\$13,175,267)	(\$108,851)	(\$4,200,000)	(\$250,000)
Less estimated income	126,264	0	(569,031)	0	0	0
General fund	\$2,228,979	(\$1,333,753)	(\$12,606,236)	(\$108,851)	(\$4,200,000)	(\$250,000)
FTE	0.00	(8.00)	0.00	0.00	0.00	0.00

	<b>Adjusts Funding for One-Time Items<sup>7</sup></b>	<b>Adjusts Funding for the New Women's Prison Facility<sup>8</sup></b>	<b>Total Senate Changes</b>
Adult services	(\$1,379,260)	(\$30,000,000)	(\$46,743,972)
Youth services	(95,240)		(1,443,156)
Total all funds	(\$1,474,500)	(\$30,000,000)	(\$48,187,128)
Less estimated income	2,755,500	(30,000,000)	(27,687,267)
General fund	(\$4,230,000)	\$0	(\$20,499,861)
FTE	0.00	0.00	(8.00)

<sup>1</sup> Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Salary increase	\$2,401,925	\$132,121	\$2,534,046
Health insurance adjustment	(172,946)	(5,857)	(178,803)
Total	\$2,228,979	\$126,264	\$2,355,243

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

<sup>2</sup> New FTE positions added by the House and related funding are reduced as follows:

	<b>FTE Positions</b>	<b>General Fund</b>
Parole and probation	(3.00)	(\$401,379)
Inmate case managers	(4.00)	(515,516)
Heart River Correctional Center residential treatment		(246,160)
Heart River Correctional Center behavioral health	(1.00)	(170,698)
Total	(8.00)	(\$1,333,753)

<sup>3</sup> Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
New FTE positions	(\$1,774,442)	\$0	(\$1,774,442)
Vacant FTE positions	(10,831,794)	(569,031)	(11,400,825)
Total	(\$12,606,236)	(\$569,031)	(\$13,175,267)

<sup>4</sup> Funding added by the House for operating costs for new FTE positions is adjusted by the Senate to reflect the removal of 8 new FTE positions.

<sup>5</sup> Funding is reduced by \$4.2 million from the general fund to provide a total increase of \$4.1 million from the general fund for the free through recovery program. The House increased funding by \$8.3 million from the general fund for the program. The free through recovery program had a legislative base budget of \$8 million from the general fund.

<sup>6</sup> Funding is reduced by \$250,000 from the general fund to provide a total increase of \$750,000 from the general fund for community behavioral telehealth services. The House added \$1 million from the general fund for community behavioral telehealth services.

<sup>7</sup> Funding for other one-time funding items is adjusted as follows:

	<b>House Version</b>	<b>Senate Version</b>	<b>Increase (Decrease)</b>
Offender management system review	\$757,000	\$500,000	(\$257,000)
New cameras	275,000	0	(275,000)
Equipment (including \$75,000 from federal funds)	1,720,800	1,022,800	(698,000)
Maintenance and extraordinary repairs	4,000,000	1,000,000	(3,000,000)
James River Correctional Center remodel (other funds)	0	255,500	255,500
Roughrider Industries cold storage (other funds)	0	200,000	200,000
Roughrider Industries paint line replacement (other funds)	<u>0</u>	<u>2,300,000</u>	<u>2,300,000</u>
Total	\$6,752,800	\$5,278,300	(\$1,474,500)

<sup>8</sup> Funding for the new women's prison facility project at the Heart River Correctional Center is adjusted to provide a total of \$131.2 million, including \$31.2 million from the strategic investment and improvements fund and \$100 million from bond proceeds. Legislative intent is added for the 69<sup>th</sup> Legislative Assembly to provide an additional \$30 million for the project. The House provided \$161.2 million from the strategic investment and improvements fund for the project.

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This amendment also:

- Adjusts a section to provide a total of \$35,057,000 is from the strategic investment and improvements fund. The House included \$165,057,000 from the strategic investment and improvements fund.
- Adds a section to provide \$100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center. The House did not include bonding authority for this project.
- Adds a section to provide legislative intent that the 69<sup>th</sup> Legislative Assembly appropriate an additional \$30 million for the new women's prison facility project. The House did not include legislative intent for future funding for the project.
- Adds a section to provide an exemption to allow the department to continue \$990,000 of federal funds appropriation authority derived from the federal State Fiscal Recovery Fund for deferred admissions payments to county jails.