

PROPOSED AMENDMENTS TO REENGROSSED HOUSE BILL NO. 1015

That the Senate recede from its amendments as printed on pages 1872-1875 of the House Journal and pages 1494-1497 of the Senate Journal and that Engrossed House Bill No. 1015 be amended as follows:

Page 1, line 2, replace "provide for a report" with "provide a statement of legislative intent"

Page 1, replace lines 12 through 17 with:

"Adult services	\$258,140,591	\$161,033,061	\$419,173,652
Youth services	<u>24,584,845</u>	<u>2,026,590</u>	<u>26,611,435</u>
Total all funds	\$282,725,436	\$163,059,651	\$445,785,087
Less estimated income	<u>64,865,627</u>	<u>125,451,497</u>	<u>190,317,124</u>
Total general fund	\$217,859,809	\$37,608,154	\$255,467,963
Full-time equivalent positions	907.79	22.00	929.79"

Page 1, replace line 23 with:

"Equipment	\$191,000	\$1,220,800"
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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
New cameras	0	275,000
Maintenance and extraordinary repairs	0	2,000,000
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	\$158,344,715
Less estimated income	<u>18,634,572</u>	<u>144,632,261</u>
Total general fund	\$306,000	\$13,712,454"

Page 3, line 7, replace "\$165,057,000" with "\$135,057,000"

Page 3, line 8, replace "\$161,200,000" with "\$131,200,000"

Page 3, after line 10, insert:

**"SECTION 5. 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 10. 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 continued and used for payments for deferred admissions during the biennium beginning July 1, 2023, and ending June 30, 2025."

Re-number accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

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

	Base Budget	House Version	Conference Committee Changes	Conference Committee Version	Senate Version	Comparison to Senate
Adult services	\$258,140,591	\$475,662,717	(\$56,489,065)	\$419,173,652	\$428,918,745	(\$9,745,093)
Youth services	24,584,845	27,583,723	(972,288)	26,611,435	26,140,567	470,868
Total all funds	\$282,725,436	\$503,246,440	(\$57,461,353)	\$445,785,087	\$455,059,312	(\$9,274,225)
Less estimated income	64,865,627	218,004,391	(27,687,267)	190,317,124	190,317,124	0
General fund	\$217,859,809	\$285,242,049	(\$29,774,086)	\$255,467,963	\$264,742,188	(\$9,274,225)
FTE	907.79	931.79	(2.00)	929.79	923.79	6.00

Department 530 - Department of Corrections and Rehab. - Detail of Conference Committee Changes

	Adjusts Funding for Salary and Benefit Increases ¹	Adjusts New FTE Positions ²	Removes Salary Funding for Funding Pool ³	Reduces Funding for New FTE Operating Costs ⁴	Reduces Funding for the Free Through Recovery Program ⁵	Reduces Funding for Community Behavioral Telehealth Services ⁶
Adult services	\$2,176,363	(\$503,918)	(\$12,835,989)	(\$17,401)	(\$15,118,860)	(\$250,000)
Youth services	259,065		(1,169,113)			
Total all funds	\$2,435,428	(\$503,918)	(\$14,005,102)	(\$17,401)	(\$15,118,860)	(\$250,000)
Less estimated income	126,264	0	(569,031)	0	0	0
General fund	\$2,309,164	(\$503,918)	(\$13,436,071)	(\$17,401)	(\$15,118,860)	(\$250,000)
FTE	0.00	(2.00)	0.00	0.00	0.00	0.00

	Adjusts Funding for One-Time Items ⁷	Adjusts Funding for the New Women's Prison Facility ⁸	Total Conference Committee Changes
Adult services	\$60,740	(\$30,000,000)	(\$56,489,065)
Youth services	(62,240)		(972,288)
Total all funds	(\$1,500)	(\$30,000,000)	(\$57,461,353)
Less estimated income	2,755,500	(30,000,000)	(27,687,267)
General fund	(\$2,757,000)	\$0	(\$29,774,086)
FTE	0.00	0.00	(2.00)

¹ 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, the same as the Senate, as follows:

	General Fund	Other Funds	Total
Salary increase	\$2,451,251	\$132,121	\$2,583,372
Health insurance adjustment	<u>(142,087)</u>	<u>(5,857)</u>	<u>(147,944)</u>
Total	\$2,309,164	\$126,264	\$2,435,428

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

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

	FTE Positions	General Fund
Inmate case managers	(2.00)	(257,758)
Heart River Correctional Center residential treatment	<u>0</u>	<u>(246,160)</u>
Total	(2.00)	(\$503,918)

The Senate removed 8 FTE positions and \$1,333,753 from the general fund.

³ 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.

	General Fund	Other Funds	Total
New FTE positions	(\$2,604,277)	\$0	(\$2,604,277)
Vacant FTE positions	<u>(10,831,794)</u>	<u>(569,031)</u>	<u>(11,400,825)</u>
Total	(\$13,436,071)	(\$569,031)	(\$14,005,102)

⁴ Funding added by the House for operating costs for new FTE positions is reduced by \$17,401 to reflect the removal of 2 new FTE positions. The Senate reduced operating costs by \$108,851 to reflect the removal of 8 new FTE positions.

⁵ The conference committee removed passthrough funding for the free through recovery program. Of the \$8 million in the DOCR base budget, \$354,760 is retained for free through recovery program costs and \$826,380 is transferred to other operations within the DOCR budget.

The Senate increased funding by \$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.

⁶ 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 same as the Senate. The House added \$1 million from the general fund for community behavioral telehealth services.

⁷ Funding for other one-time funding items is adjusted as follows:

	House Version	Senate Version	Conference Committee Version
Offender management system review	\$757,000	\$500,000	\$500,000
New cameras	275,000	0	275,000
Equipment (including \$75,000 from federal funds)	1,720,800	1,022,800	1,220,800
Maintenance and extraordinary repairs	4,000,000	1,000,000	2,000,000
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	\$6,751,300

⁸ 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 from the strategic investment and improvements fund (SIIF) for the project. Legislative intent is added for the 69th Legislative Assembly to provide an additional \$30 million for the project, the same as the Senate. The Senate provided \$100 million from bond proceeds and \$31.2 million from SIIF for the project. The House provided \$161.2 million from SIIF for the project.

This amendment also:

- Adjusts a section to provide a total of \$135,057,000 is from the strategic investment and improvements fund. The Senate included \$35,057,000 from SIIF. The House included \$165,057,000 from SIIF.

- Does not add a section added by the Senate to provide \$100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center.
- Adds a section to provide legislative intent that the 69th Legislative Assembly appropriate an additional \$30 million for the new women's prison facility project, the same as the Senate. 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, the same as the Senate.