

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; and to provide an exemption.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
5 as may be necessary, are appropriated out of any moneys in the general fund in the state
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and
7 other income, to the department of corrections and rehabilitation for the purpose of defraying
8 the expenses of the department of corrections and rehabilitation, for the biennium beginning
9 July 1, 2023, and ending June 30, 2025, as follows:

	Governor's		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
12 Adult services	\$258,140,591	\$479,013,048	\$258,140,591
13 Youth services	<u>24,584,845</u>	<u>27,842,787</u>	<u>24,584,845</u>
14 Total all funds	\$282,725,436	\$506,855,835	\$282,725,436
15 Less estimated income	<u>64,865,627</u>	<u>218,130,655</u>	<u>64,865,627</u>
16 Total general fund	\$217,859,809	\$288,725,180	\$217,859,809
17 Full-time equivalent positions	907.79	939.79	907.79
	Adjustments or		
	Base Level	Enhancements	Appropriation
20 Adult services	\$258,140,591	\$56,322,126	\$314,462,717
21 Youth services	24,584,845	2,998,878	27,583,723
22 Total all funds	\$282,725,436	\$59,321,004	\$342,046,440
23 Less estimated income	64,865,627	(8,061,236)	56,804,391

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1	Total general fund	\$217,859,809	\$67,382,240	\$285,242,049
2	Full-time equivalent positions	907.79	24.00	931.79

SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE

SIXTY-NINTH LEGISLATIVE ASSEMBLY. The following amounts reflect one-time funding items approved by the sixty-seventh legislative assembly for the 2021-23 biennium and the 2023-25 biennium one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2021-23</u>	<u>2023-25</u>
8	Equipment	\$191,000	\$0
9	Kitchen equipment	115,000	0
10	Roughrider industries equipment	1,281,988	0
11	Roughrider industries storage warehouse	500,000	0
12	Federal payroll expenses	7,000,000	0
13	Radios	2,057,384	0
14	County jail stipends	4,800,000	0
15	Free through recovery program	2,995,200	0
16	Total all funds	\$18,940,572	\$0
17	Less estimated income	<u>18,634,572</u>	0
18	Total general fund	\$306,000	\$0
19	Equipment	\$191,000	\$1,720,800
20	Kitchen equipment	115,000	0
21	Roughrider industries equipment	1,281,988	2,019,000
22	Roughrider industries storage warehouse	500,000	0
23	Federal payroll expenses	7,000,000	0
24	Radios	2,057,384	0
25	County jail stipends	4,800,000	0
26	Free through recovery program	2,995,200	0
27	Inflationary costs	0	3,478,998
28	Transitional facility contract inflation	0	2,759,222
29	Dakota women's correctional and rehabilitation center	0	2,450,000
30	<u>contract</u>		
31	Dickinson adult detention center contract	0	1,003,434

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1	<u>Staff and resident development and training</u>	0	100,000
2	<u>Offender management system review</u>	0	757,000
3	<u>New cameras</u>	0	275,000
4	<u>Maintenance and extraordinary repairs</u>	0	4,000,000
5	<u>DOCSTARS maintenance</u>	0	307,000
6	<u>James River correctional center maintenance shop</u>	0	1,550,000
7	<u>Information technology needs</u>	0	2,000,000
8	<u>Roughrider industries supplies</u>	0	4,083,681
9	<u>Roughrider industries information technology costs</u>	0	642,080
10	<u>Total all funds</u>	\$18,940,572	\$27,146,215
11	<u>Less estimated income</u>	18,634,572	10,676,761
12	<u>Total general fund</u>	\$306,000	\$16,469,454

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

17 **SECTION 3. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**

18 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation
 19 from correctional supervision, electronic monitoring, and detention; reimbursements from other
 20 agencies; profits received from department of corrections and rehabilitation commissary;
 21 miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and
 22 from the youth correctional center permanent fund, may be deposited in the department of
 23 corrections and rehabilitation operating fund and expended pursuant to legislative appropriation
 24 for the biennium beginning July 1, 2023, and ending June 30, 2025.

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

26 **FUND.** The estimated income line item in section 1 of this Act includes \$3,857,000 from the
 27 strategic investment and improvements fund, including \$1,550,000 for a new James River
 28 correctional center maintenance shop and \$2,307,000 for information technology needs.

29 **SECTION 5. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The
 30 amount of \$8,000,000 from the general fund appropriated for the community behavioral health
 31 program in section 1 of chapter 43 of the 2021 Session Laws is not subject to section

1 54-44.1-11, and any unexpended funds from this appropriation may be used for the community
2 behavioral health program during the biennium beginning July 1, 2023, and ending June 30,
3 2025.

4 **SECTION 6. EXEMPTION - DEFERRED MAINTENANCE AND EXTRAORDINARY**

5 **REPAIRS.** The amount of \$6,000,000 from the general fund appropriated to the department of
6 corrections and rehabilitation in section 1 of chapter 15 of the 2019 Session Laws and
7 continued in section 9 of chapter 43 of the 2021 Session Laws is not subject to section
8 54-44.1-11, and any unexpended funds from this appropriation may be used for deferred
9 maintenance, capital planning, and extraordinary repairs projects by the department of
10 corrections and rehabilitation during the biennium beginning July 1, 2023, and ending June 30,
11 2025.

12 **SECTION 7. EXEMPTION - FEDERAL STATE FISCAL RECOVERY FUND.** Section

13 54-44.1-11 does not apply to the appropriation authority transferred from the office of
14 management and budget to the department of corrections and rehabilitation from the amounts
15 appropriated from federal funds derived from the state fiscal recovery fund in subsection 10 of
16 section 1 of chapter 550 of the 2021 Special Session Session Laws, and any unexpended funds
17 from this transferred appropriation authority may be used for the purpose of deferred
18 maintenance and extraordinary repairs projects during the biennium beginning July 1, 2023,
19 and ending June 30, 2025.