

**Department of Corrections and Rehabilitation
Budget No. 530
House Bill No. 1015**

	FTE Positions	General Fund	Other Funds	Total
2015-17 legislative appropriations	836.29	\$215,387,242	\$38,362,706	\$253,749,948
2015-17 base budget	814.29	177,774,343	30,936,922	208,711,265
Legislative increase (decrease) to base budget	22.00	\$37,612,899	\$7,425,784	\$45,038,683

ONGOING AND ONE-TIME GENERAL FUND APPROPRIATIONS

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2015-17 legislative appropriations	\$212,748,931	\$2,638,311	\$215,387,242
2013-15 legislative appropriations	177,774,343	4,276,593 ¹	182,050,936 ¹
2015-17 legislative increase (decrease) to 2013-15 appropriations	\$34,974,588	(\$1,638,282)	\$33,336,306
Percentage increase (decrease) to 2013-15 appropriations	19.7%	(38.3%)	18.3%

¹The 2013-15 biennium general fund appropriations reflect a deficiency appropriation of \$1,135,547 made in Senate Bill No. 2023. See the **Deficiency Appropriations** section below for additional information.

SUMMARY OF LEGISLATIVE CHANGES TO THE BASE BUDGET AND MAJOR FUNDING ITEMS

Salaries and Wages

The legislative action affecting the recommended appropriation for the Department of Corrections and Rehabilitation is in accordance with legislative salary and fringe benefits guidelines as contained in Senate Bill No. 2015.

	Changes to Base Budget			Total
	FTE Positions	General Fund	Other Funds	
The legislative action:				
Added funding for base payroll changes for cost-to-continue 2013-15 biennium salaries and benefit increases and for other base payroll changes.		\$4,105,206	\$129,049	\$4,234,255
Added funding for 2015-17 biennium performance salary adjustments of 2 to 4 percent per year.		4,109,141	246,020	4,355,161
Added funding for employee health insurance premiums to reflect a premium estimate of \$1,130.22 per month.		2,659,116	171,458	2,830,574
Added funding for targeted equity salary increases for correctional officer positions.		2,126,442		2,126,442

Added funding for new parole and probation officer positions.	16.00	2,846,929		2,846,929
Added funding for a new juvenile corrections specialist position.	1.00	172,154		172,154
Added funding for a new Youth Correctional Center position.	1.00	133,713		133,713
Added funding for new adult services treatment positions.	2.00	240,000		240,000
Added funding to transfer James River Correctional Center central receiving positions from the Department of Human Services.	2.00	231,617	471,247	702,864
Adjusted funding relating to energy impact, operating fees and services, and grants.		(1,911,641)	1,422,282	(489,359)
Added funding for federal grant award changes.			409,728	409,728
Added funding to transfer community sex offender treatment from the Department of Human Services.		1,865,810		1,865,810
Removed funding for prior biennium equipment.			(1,300,000)	(1,300,000)
Increased funding for contract housing and programming to provide a total of \$31,979,762.		9,243,102		9,243,102
Increased funding for food and clothing.		1,701,258		1,701,258
Increased funding for professional and medical services.		1,971,436		1,971,436
Added funding for hepatitis C treatment.		1,080,000		1,080,000
Increased funding for facility maintenance and operation.		393,405	600,000	993,405
Increased funding for information technology costs.		596,216		596,216
Increased funding for travel costs.		331,802		331,802
Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract to provide a total of \$11,216,204.		2,250,000		2,250,000
Added funding for equipment under \$5,000 - Parole officer phones and radios.		298,225		298,225
Increased base funding for extraordinary repairs.		540,583	150,000	690,583
Reduced funding for bond payments.		(9,926)		(9,926)
Added one-time funding for extraordinary repairs.		1,425,267		1,425,267
Added one-time funding for the workforce scheduler information technology project.		616,144		616,144

Added one-time funding for equipment over \$5,000.	244,400	226,000	470,400
Added one-time funding for State Penitentiary security camera upgrades.	202,500		202,500
Added one-time funding for the new license plate issue.		4,900,000	4,900,000
Added one-time funding for Department of Corrections Subject Tracking and Reporting System (DOCSTARS) maintenance.	150,000		150,000
Total	22.00	\$37,612,899	\$7,425,784
			\$45,038,683

FTE Changes

The Legislative Assembly authorized 836.29 FTE positions for the Department of Corrections and Rehabilitation for the 2015-17 biennium, an increase of 22 FTE positions from the 2013-15 biennium. The Legislative Assembly added 16 parole and probation FTE positions, 2 adult services treatment FTE positions, 2 receiving FTE positions at the James River Correctional Center, 1 juvenile corrections specialist FTE position, and 1 Youth Correctional Center FTE position.

One-Time Funding

The following is a summary of one-time funding items for the Department of Corrections and Rehabilitation for the 2015-17 biennium:

	General Fund	Other Funds	Total
Security camera upgrade	\$202,500		\$202,500
Equipment	244,400	\$226,000	470,400
License plate issue		4,900,000	4,900,000
Information technology projects - Workforce scheduler	616,144		616,144
DOCSTARS maintenance	150,000		150,000
Extraordinary repairs	1,425,267		1,425,267
Total	\$2,638,311	\$5,126,000	\$7,764,311

Deficiency Appropriations

Senate Bill No. 2023 contains a deficiency appropriation of \$1,135,547 from the general fund for the Department of Corrections and Rehabilitation to repay a Bank of North Dakota loan and interest authorized for the State Penitentiary building project.

Inmate Population

The following table summarizes the 2015-17 biennium inmate population projections used to develop the legislative appropriation:

	Male	Female	Total
Fiscal year 2016			
July	1,576	216	1,792
August	1,581	216	1,797
September	1,587	217	1,804
October	1,594	217	1,811
November	1,601	218	1,819
December	1,608	219	1,827
January	1,617	220	1,837
February	1,625	222	1,847
March	1,635	223	1,858
April	1,645	224	1,869
May	1,655	226	1,881
June	1,666	228	1,894

	Male	Female	Total
Fiscal year 2017			
July	1,674	229	1,903
August	1,680	230	1,910
September	1,687	230	1,917
October	1,693	231	1,924
November	1,701	232	1,933
December	1,709	233	1,942
January	1,718	235	1,953
February	1,727	236	1,963
March	1,736	238	1,974
April	1,746	239	1,985
May	1,757	241	1,998
June	1,769	243	2,012

The following table shows the actual average male and female inmate populations for July 2013 through June 2015 compared to legislative population estimates for the 2013-15 biennium:

	Male Inmate Population Estimated v. Actual			Female Inmate Population Estimated v. Actual		
	Legislative Estimated Population	Actual Population	Actual Above (Below) Estimate	Legislative Estimated Population	Actual Population	Actual Above (Below) Estimate
Fiscal year 2014						
July	1,389	1,358	(31)	175	179	4
August	1,391	1,367	(24)	176	171	(5)
September	1,392	1,373	(19)	176	171	(5)
October	1,394	1,370	(24)	177	165	(12)
November	1,396	1,398	2	177	165	(12)
December	1,398	1,412	14	178	160	(18)
January	1,399	1,419	20	179	159	(20)
February	1,401	1,415	14	179	167	(12)
March	1,403	1,412	9	180	168	(12)
April	1,405	1,414	9	180	171	(9)
May	1,407	1,407	0	181	180	(1)
June	1,408	1,415	7	181	184	3
Fiscal year 2015						
July	1,410	1,424	14	182	178	(4)
August	1,412	1,438	26	182	173	(9)
September	1,414	1,455	41	183	184	1
October	1,415	1,467	52	184	191	7
November	1,417	1,482	65	184	200	16
December	1,419	1,494	75	185	206	21
January	1,421	1,515	94	185	201	16
February	1,423	1,523	100	186	202	16
March	1,424	1,532	108	186	211	25
April	1,426	1,546	120	187	217	30
May	1,428			187		
June	1,430			188		

Dakota Women's Correctional and Rehabilitation Center

The Legislative Assembly provided \$11,216,204 from the general fund for a contract to house female inmates at the Dakota Women's Correctional and Rehabilitation Center in New England, an increase of \$2,250,000 from the 2013-15 biennium appropriation.

Other Sections in Bill

Appropriation - Legislative Council - Section 3 provides a one-time general fund appropriation of \$50,000 to the Legislative Council to obtain consulting services to assist with a Legislative Management study of incarceration issues.

Legislative Management study - Incarceration issues - Section 4 creates an incarceration issues committee to study pretrial services, sentencing alternatives, treatment options, and other related issues.

Legislative intent - Contract housing and programming - Section 5 provides legislative intent that the Department of Corrections and Rehabilitation give priority to in-state local and regional facilities for the placement of overflow inmates.

Related Legislation

House Bill No. 1030 - Defines manifest injustice and allows exceptions from mandatory minimum sentences.

House Bill No. 1106 - Provides for a Legislative Management study of criminal justice issues relating to defendants who are currently serving or who have served in the armed forces of the United States.

House Bill No. 1118 - Expands peace officer powers of probation and parole officers to enforce the law, conduct investigations, and make arrests on or within any premises under the control of the Department of Corrections and Rehabilitation.

House Bill No. 1120 - Provides for Workforce Safety and Insurance coverage for inmates engaged in work in a prison industries work program through Roughrider Industries.

House Bill No. 1165 - Provides for a Legislative Management study of strategies to enhance public safety and properly manage corrections and supervision populations.

House Concurrent Resolution No. 3006 - Provides for a Legislative Management study of the feasibility and desirability of state, federal, and tribal collaboration in providing services for tribal youth in the state who are adjudicated in tribal courts.

Senate Bill No. 2028 - Removes the manufacture, delivery, or possession of a controlled substance from the list of offenses for which a child 14 years of age or more may be transferred from juvenile to adult court.

Senate Bill No. 2030 - Adjusts the penalties for unlawful possession of certain drug paraphernalia.

Senate Bill No. 2070 - Provides immunity from criminal liability for an individual who reports a medical emergency involving drugs.

Senate Bill No. 2107 - Creates statutory provisions for prevention and remedies for human trafficking and provides that trafficking an adult is a Class A felony and trafficking a minor is a Class AA felony.

Senate Bill No. 2154 - Changes statutory provisions relating to sentencing for driving under the influence of alcohol or drugs.

Senate Bill No. 2327 - Requires the Department of Corrections and Rehabilitation to report incarcerated felons to the Secretary of State.