

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1015 - Funding Summary

	Base Budget	Final Legislative Action	Comparison to Base Budget
Department of Corrections and Rehab.			
Adult services	\$220,757,448	\$239,347,635	\$18,590,187
Youth services	30,740,509	32,286,330	1,545,821
Total all funds	\$251,497,957	\$271,633,965	\$20,136,008
Less estimated income	37,161,253	41,955,889	4,794,636
General fund	\$214,336,704	\$229,678,076	\$15,341,372
FTE	845.29	899.79	54.50
Bill total			
Total all funds	\$251,497,957	\$271,633,965	\$20,136,008
Less estimated income	37,161,253	41,955,889	4,794,636
General fund	\$214,336,704	\$229,678,076	\$15,341,372
FTE	845.29	899.79	54.50

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

	Base Budget	House Changes	House Version
Adult services	\$220,757,448	\$15,683,040	\$236,440,488
Youth services	30,740,509	1,355,436	32,095,945
Total all funds	\$251,497,957	\$17,038,476	\$268,536,433
Less estimated income	37,161,253	4,978,055	42,139,308
General fund	\$214,336,704	\$12,060,421	\$226,397,125
FTE	845.29	54.50	899.79

Department 530 - Department of Corrections and Rehab. - Detail of House Changes

	Adjusts Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Increases Funding for Teachers³	Adds FTE Positions⁴	Transfers the Tompkins Rehabilitation and Corrections Center⁵	Increases Funding for Treatment⁶
Adult services	\$916,681	\$6,365,580	\$1,125,280	\$1,053,697	(\$3,576,240)	\$3,873,750
Youth services	(647,423)	1,118,805	232,510	27,772		537,500
Total all funds	\$269,258	\$7,484,385	\$1,357,790	\$1,081,469	(\$3,576,240)	\$4,411,250
Less estimated income	(1,364,762)	372,763	0	0	0	0
General fund	\$1,634,020	\$7,111,622	\$1,357,790	\$1,081,469	(\$3,576,240)	\$4,411,250
FTE	0.00	0.00	0.00	27.00	27.50	0.00

	Increases Funding for DWCR Contract⁷	Adjusts Ongoing Funding for Other Changes⁸	Adds One-Time Funding⁹	Total House Changes
Adult services	\$1,143,360	\$2,316,044	\$2,464,888	\$15,683,040
Youth services		(446,790)	533,062	1,355,436
Total all funds	\$1,143,360	\$1,869,254	\$2,997,950	\$17,038,476
Less estimated income	0	3,888,354	2,081,700	4,978,055
General fund	\$1,143,360	(\$2,019,100)	\$916,250	\$12,060,421
FTE	0.00	0.00	0.00	54.50

¹ Funding is adjusted for base payroll changes.

² The following funding is added for 2019-21 biennium salary adjustments of 2 percent per year and increases in health insurance premiums from \$1,241 to \$1,427 per month:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Salary increase	\$3,348,094	\$165,036	\$3,513,130
Health insurance increase	<u>3,763,528</u>	<u>207,727</u>	<u>3,971,255</u>
Total	\$7,111,622	\$372,763	\$7,484,385

³ Funding of \$1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

⁴ Funding of \$1,081,469 from the general fund is added to convert 20 temporary correctional officer positions to FTE positions and to add 7 FTE positions for pretrial services.

⁵ Funding from the general fund is reduced and 27.5 FTE positions are added to reflect the transfer of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation. This includes an increase of \$5,031,222 of funding for the FTE positions and to operate the Tompkins Rehabilitation and Corrections Center and a reduction of \$8,607,462 for contract payments to the Department of Human Services.

⁶ Funding of \$4,411,250 from the general fund is added, including \$3,873,750 to contract with the State Hospital for up to 30 addiction treatment beds and \$537,500 to expand juvenile day treatment to up to five additional school districts. Juvenile day treatment is currently provided in Beach, Dickinson, Dunseith, Grand Forks, and Jamestown.

⁷ Funding for the Dakota Women's Correctional and Rehabilitation Center contract is increased by \$1,143,360, to provide a total of \$11,905,311 for the contract.

⁸ Ongoing funding is adjusted for the following other changes:

	<u>General Fund</u>	<u>Other Funds</u>	<u>Total</u>
Miscellaneous expenses	\$571,322	(\$2,980,285)	(\$2,408,963)
Crime victims grants	20,000	6,822,251	6,842,251
Microsoft Office 365 licensing expense	618,699	110,208	728,907
Capital bond payments	(469,380)	16,180	(453,200)
Other adjustments, including the removal of ongoing funding used for one-time items	<u>(2,759,741)</u>	<u>(80,000)</u>	<u>(2,839,741)</u>
Total	(\$2,019,100)	\$3,888,354	\$1,869,254

⁹ One-time funding is added for the following:

	<u>General Fund</u>	<u>Strategic Investment and Improvements Fund</u>	<u>Rough Rider Industries Fund</u>	<u>Total</u>
Replace Elite servers	\$40,000	\$0	\$0	\$40,000
Rough Rider Industries equipment	0	0	298,700	\$298,700
Extraordinary repairs	876,250	141,000	315,000	1,332,250
Youth Correctional Center, James River Correctional Center, and State Hospital campus infrastructure studies	0	250,000	0	250,000
Scan/screen device	0	230,000	0	230,000
Redundant fence	0	160,000	0	160,000
Portable x-ray equipment	0	22,000	0	22,000
Oracle software upgrade	0	165,000	0	165,000
Contracts and payments processing system	0	100,000	0	100,000
Inmate tracking system	0	160,000	0	160,000
Intake and legal movement system	<u>0</u>	<u>240,000</u>	<u>0</u>	<u>240,000</u>
Total	\$916,250	\$1,468,000	\$613,700	\$2,997,950

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

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	\$220,757,448	\$236,440,488	\$14,610,895	\$251,051,383
Youth services	30,740,509	32,095,945	190,385	32,286,330
Total all funds	\$251,497,957	\$268,536,433	\$14,801,280	\$283,337,713
Less estimated income	37,161,253	42,139,308	3,060,882	45,200,190
General fund	\$214,336,704	\$226,397,125	\$11,740,398	\$238,137,523
FTE	845.29	899.79	33.80	933.59

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

	Adjusts Funding for Salary and Benefit Increases¹	Adds FTE Positions and Related Operating Expenses²	Adjusts Funding for Transitional Services³	Adds One-Time Funding for Minimum Security Facilities⁴	Adds One-Time Funding for a Study⁵	Adds One-Time Funding for Female Facility Renovations⁶
Adult services	\$1,411,771	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$1,854,301
Youth services	190,385					
Total all funds	\$1,602,156	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$1,854,301
Less estimated income	66,581	0	0	0	0	1,854,301
General fund	\$1,535,575	\$6,115,122	\$1,599,367	\$2,390,334	\$100,000	\$0
FTE	0.00	33.80	0.00	0.00	0.00	0.00

	Adds One-Time Funding for a Rough Rider Industries Building⁷	Total Senate Changes
Adult services	\$1,140,000	\$14,610,895
Youth services		190,385
Total all funds	\$1,140,000	\$14,801,280
Less estimated income	1,140,000	3,060,882
General fund	\$0	\$11,740,398
FTE	0.00	33.80

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² The following FTE positions and related funding are added:

	FTE	General Fund
Missouri River Correctional Center treatment positions	8.60	\$1,891,810
James River Correctional Center minimum security positions	<u>25.20</u>	<u>4,223,312</u>
Total	33.80	\$6,115,122

³ Funding is adjusted for transitional services, including the addition of \$549,626 for the Bismarck Transition Center contract and the restoration of \$1,049,741 removed by the House.

⁴ One-time funding is added for facilities for minimum security inmates at the James River Correctional Center. The funding may be used to renovate facilities transferred from the State Hospital to the Department of Corrections and Rehabilitation or for the lease or purchase of two temporary housing units for use as minimum security housing at the James River Correctional Center.

⁵ One-time funding of \$100,000 from the general fund is added for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.

⁶ One-time funding of \$1,854,301 from the strategic investment and improvements fund is added to convert the Missouri River Correctional Center into a female correctional and rehabilitation facility.

⁷ One-time funding from the Rough Rider Industries fund is added for the construction of a Rough Rider Industries building at the James River Correctional Center.

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	\$220,757,448	\$236,440,488	\$2,907,147	\$239,347,635	\$251,051,383	(\$11,703,748)
Youth services	30,740,509	32,095,945	190,385	32,286,330	32,286,330	
Total all funds	\$251,497,957	\$268,536,433	\$3,097,532	\$271,633,965	\$283,337,713	(\$11,703,748)
Less estimated income	37,161,253	42,139,308	(183,419)	41,955,889	45,200,190	(3,244,301)
General fund	\$214,336,704	\$226,397,125	\$3,280,951	\$229,678,076	\$238,137,523	(\$8,459,447)
FTE	845.29	899.79	0.00	899.79	933.59	(33.80)

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

	Adjusts Funding for Salary and Benefit Increases ¹	Adjusts Funding for Transitional Services ²	Adjusts One-Time Funding for Infrastructure Studies ³	Adds One-Time Funding for Consultants ⁴	Total Conference Committee Changes
Adult services	\$1,082,780	\$1,599,367	(\$175,000)	\$400,000	\$2,907,147
Youth services	190,385				190,385
Total all funds	\$1,273,165	\$1,599,367	(\$175,000)	\$400,000	\$3,097,532
Less estimated income	66,581	0	(250,000)	0	(183,419)
General fund	\$1,206,584	\$1,599,367	\$75,000	\$400,000	\$3,280,951
FTE	0.00	0.00	0.00	0.00	0.00

¹ Funding is adjusted to provide employee salary increases of 2 percent on July 1, 2019, with a minimum monthly increase of \$120 and a maximum monthly increase of \$200, and 2.5 percent on July 1, 2020, the same as the Senate version. The House provided funding for a 2 percent salary increase on July 1, 2019, and a 2 percent salary increase on July 1, 2020.

² Funding is adjusted for transitional services, including the addition of \$549,626 for the Bismarck Transition Center contract and the restoration of \$1,049,741 removed by the House. The Senate version also included this adjustment.

³ One-time funding from the strategic investment and improvements fund for a campus infrastructure study of the James River Correctional Center and State Hospital is removed. The funding for the campus infrastructure study at the Youth Correctional Center is adjusted to provide funding from the general fund rather than the strategic investment and improvements fund. Both the House and Senate included funding from the strategic investment and improvements fund for the studies.

⁴ One-time funding of \$400,000 from the general fund is added for the Department of Corrections and Rehabilitation to hire consultants, with advice from a newly created Legislative Management committee, to assist the department and the Legislative Management in a study of the Department of Corrections and Rehabilitation. Neither the House nor the Senate provided funding to assist with this study.

The Conference Committee did not include the following adjustments made by the Senate:

- The addition of 8.6 FTE Missouri River Correctional Center treatment positions and \$1.9 million from the general fund;
- The addition of 25.2 FTE James River Correctional Center minimum security positions and \$4.2 million from the general fund;
- The addition of \$2.4 million of one-time funding from the general fund for minimum security facilities at the James River Correctional Center;
- The addition of \$100,000 of one-time funding from the general fund for a study of gender-responsive services and facilities;

- The addition of \$1.9 million of one-time funding from the strategic investment and improvements fund for Missouri River Correctional Center renovations; and
 - The addition of \$1.1 million of one-time funding from the Rough Rider Industries fund for construction of a Rough Rider Industries building at the James River Correctional Center.
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House Bill No. 1015 - Other Changes - House Action

This amendment also adds sections to:

- Identify the amount of funding from the strategic investment and improvements fund for various one-time items.
 - Provide an exemption to North Dakota Century Code Section 54-44.1-11 to allow the Department of Corrections and Rehabilitation to continue any unspent funds relating to the community behavioral health program and to expend the funds during the 2019-21 biennium.
 - Authorize the Department of Corrections and Rehabilitation to deposit certain revenues in its operating fund.
 - Transfer ownership of the Tompkins Rehabilitation and Corrections Center from the Department of Human Services to the Department of Corrections and Rehabilitation.
 - Provide for a Legislative Management study of the Department of Corrections and Rehabilitation, including services and facilities for female inmates and minimum security male inmates.
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House Bill No. 1015 - Other Changes - Senate Action

This amendment also:

- Adds a section to provide a 2017-19 biennium appropriation of \$3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
 - Adjusts the section identifying the amount appropriated in Section 1 from the strategic investment and improvements fund.
 - Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records.
 - Adds a section to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
 - Adds a section to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.
 - Adds a section to provide legislative intent that the campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
 - Adds a section to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
 - Adds a section to provide for the establishment of a pretrial services pilot project.
 - Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation.
 - Adds a section to allow for the conveyance of the West 12 and West 16 buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.
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House Bill No. 1015 - Other Changes - Conference Committee Action

This amendment also:

- Does not include a section added by the Senate to provide a 2017-19 biennium appropriation of \$3 million from the general fund to the Department of Corrections and Rehabilitation to enhance vocational and education opportunities for inmate workforce development.
- Adds a section to amend North Dakota Century Code Section 12-47-36(5) relating to disclosure of confidential records. The Senate also included this section.
- Does not include a section added by the Senate to provide for a Department of Corrections and Rehabilitation study of gender-responsive services and facilities.
- Does not include a section added by the Senate to provide legislative intent that the Governor determine the location of male and female inmates in consultation with the Department of Corrections and Rehabilitation and the Southwest Multi-County Correction Center.

- Does not include a section added by the Senate to provide legislative intent that a campus infrastructure study of the James River Correctional Center and the State Hospital consider the potential for placement of minimum security male inmates in current structures on the campus.
- Does not include a section added by the Senate to provide legislative intent that no fence be placed around facilities used for minimum security male inmates.
- Adds a section to provide for the establishment of a pretrial services pilot project. The Senate included a similar section.
- Adjusts the section providing carryover authority relating to the free through recovery program to allow the funding to be used for the continuation of programming for individuals no longer in the custody or under the supervision of the Department of Corrections and Rehabilitation. The Senate also included this adjustment.
- Does not include a section added by the Senate to allow for the conveyance of the 12 West and 16 West buildings from the State Hospital to the Department of Corrections and Rehabilitation for use as a minimum security facility.
- Adds a section to create a Department of Corrections and Rehabilitation review committee to study the department during the 2019-20 interim.