

**FIRST ENGROSSMENT
with Senate Amendments
ENGROSSED HOUSE BILL NO. 1015**

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to provide an appropriation to the office of management and
3 budget; to provide for a report to the budget section; and to provide legislative intent.

4 BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:

5 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds
6 as may be necessary, are appropriated out of any moneys in the general fund in the state
7 treasury, not otherwise appropriated, and from special funds derived from federal funds and
8 other income, to the department of corrections and rehabilitation for the purpose of defraying
9 the expenses of the department of corrections and rehabilitation, for the biennium beginning
10 July 1, 2011, and ending June 30, 2013, as follows:

	<u>Base Level</u>	<u>Adjustments or Enhancements</u>	<u>Appropriation</u>
11			
12			
13	Adult services	\$143,087,868	\$19,479,630
14	Youth services	<u>25,506,831</u>	<u>2,077,740</u>
15	Total all funds	\$168,594,699	\$21,557,370
16	Less estimated income	<u>25,937,693</u>	<u>4,568,457</u>
17	Total general fund	\$142,657,006	\$159,645,919
18	Full-time equivalent positions	735.29	59.00
			794.29

19 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**
20 **SIXTY-THIRD LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
21 items approved by the sixty-first legislative assembly for the 2009-11 biennium and the 2011-13
22 one-time funding items included in the appropriation in section 1 of this Act:

	<u>One-Time Funding Description</u>	<u>2009-11</u>	<u>2011-13</u>
23			
24	Deferred maintenance	\$1,372,519	\$0

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1	Federal fiscal stimulus - 2009	1,039,856	0
2	Equipment	595,500	437,300
3	Capital projects	64,000,000	617,968
4	Extraordinary repairs	<u>0</u>	<u>741,490</u>
5	Total all funds	\$67,007,875	\$1,796,758
6	Less estimated income	<u>45,574,052</u>	<u>0</u>
7	Total general fund	\$21,433,823	\$1,796,758

8 The 2011-13 one-time funding amounts are not a part of the entity's base budget for the
9 2013-15 biennium. The department of corrections and rehabilitation shall report to the
10 appropriations committees of the sixty-third legislative assembly on the use of this one-time
11 funding for the biennium beginning July 1, 2011, and ending June 30, 2013.

12 **SECTION 3. APPROPRIATION - TRANSFER - STATE PENITENTIARY LAND FUND.**

13 There is appropriated out of any moneys in the general fund in the state treasury, not otherwise
14 appropriated, the sum of \$1,100,000, which the office of management and budget shall transfer
15 from the general fund to the state penitentiary land fund on July 1, 2011, for the purpose of
16 providing funding for the prison expansion project.

17 **SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - HOUSING**

18 **CONTRACT.** The department of corrections and rehabilitation shall contract with an
19 organization to house women inmates sentenced to the department for the biennium beginning
20 July 1, 2011, and ending June 30, 2013, at a rate that equals the actual costs incurred by the
21 organization for providing the housing services. If, at the conclusion of the 2011-13 biennium,
22 the agreed-upon contract amount differs from the actual expenditures of the organization for the
23 biennium beginning July 1, 2011, and ending June 30, 2013, the organization shall disclose and
24 report the variance to the department of corrections and rehabilitation.

25 **SECTION 5. REPORT TO BUDGET SECTION.** The department of corrections and
26 rehabilitation shall, during the 2011-12 interim, report quarterly to the budget section regarding
27 the progress of the prison expansion project.

28 **SECTION 6. LEGISLATIVE INTENT - NEW FULL-TIME EQUIVALENT POSITIONS.** It is
29 the intent of the sixty-second legislative assembly that the department of corrections and
30 rehabilitation not fill any of the forty-seven new full-time equivalent positions for the state

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- 1 penitentiary expansion project prior to ninety days before the estimated completion date of the
- 2 project.