Fiscal No. 4 February 11, 2019

### PROPOSED AMENDMENTS TO HOUSE BILL NO. 1015

Page 1, line 2, after "rehabilitation" insert "; to authorize the conveyance of real property owned by the state of North Dakota; to provide for a legislative management study; and to provide a report"

Page 1, replace lines 10 through 17 with:

| н                              |                   | Adjustments or      |                      |
|--------------------------------|-------------------|---------------------|----------------------|
|                                | Base Level        | <b>Enhancements</b> | <u>Appropriation</u> |
| Adult services                 | \$220,757,448     | \$15,683,040        | \$236,440,488        |
| Youth services                 | <u>30,740,509</u> | <u>1,355,436</u>    | <u>32,095,945</u>    |
| Total all funds                | \$251,497,957     | \$17,038,476        | \$268,536,433        |
| Less estimated income          | <u>37,161,253</u> | <u>4,978,055</u>    | <u>42,139,308</u>    |
| Total general fund             | \$214,336,704     | \$12,060,421        | \$226,397,125        |
| Full-time equivalent positions | 845.29            | 54.50               | 899.79"              |

# Page 1, line 18, after "FUNDING" insert "- EFFECT ON BASE BUDGET - REPORT TO THE SIXTY-SEVENTH LEGISLATIVE ASSEMBLY"

Page 1, line 19, after "biennium" insert "and the one-time funding items included in the appropriation in section 1 of this Act"

Page 1, remove lines 21 through 24

Page 2, replace lines 1 through 3 with:

| "Equipment   | \$167,000      | \$298,700        |
|--|----------------|------------------|
| Elite servers replacement  | 0              | 40,000           |
| Extraordinary repairs  | 0              | 1,332,250        |
| Youth correctional center, James River correctional center, and state hospital campus infrastructure studies | 0              | 250,000          |
| Scan and screen device   | 0              | 230,000          |
| Redundant fence  | 0              | 160,000          |
| Portable x-ray equipment   | 0              | 22,000           |
| Oracle software upgrade  | 0              | 165,000          |
| Contracts and payments processing system   | 0              | 100,000          |
| Inmate tracking system   | 0              | 160,000          |
| Intake and legal movement system   | 0              | 240,000          |
| Electronic medical records system  | 935,907        | 0                |
| Pipeline protest law enforcement support   | 500,000        | 0                |
| Justice reinvestment initiative  | <u>500,000</u> | <u>0</u>         |
| Total all funds  | \$2,102,907    | \$2,997,950      |
| Less estimated income  | 2,102,907      | <u>2,081,700</u> |
| Total general fund   | \$0            | \$916,250        |

The 2019-21 biennium one-time funding amounts are not a part of the entity's base budget for the 2021-23 biennium. The department of corrections and rehabilitation shall report to the appropriations committees of the sixty-seventh legislative assembly on the use of this one-time funding for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND.** The estimated income line item in section 1 of this Act includes \$1,468,000 from the strategic investment and improvements fund for campus infrastructure studies, extraordinary repairs, an inmate tracking system, information technology upgrades, security equipment, and other one-time funding items.

**SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The \$7,000,000 from the general fund appropriated in the adult services line item relating to the community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be used for the community behavioral health program during the biennium beginning July 1, 2019, and ending June 30, 2021.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING FUND REVENUES. Any moneys received by the department of corrections and rehabilitation from correctional supervision, electronic monitoring, and detention; reimbursements from other agencies; profits received from department of corrections and rehabilitation commissary; miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and from the common schools trust fund, may be deposited in the department of corrections and rehabilitation operating fund and expended pursuant to legislative appropriation for the biennium beginning July 1, 2019, and ending June 30, 2021.

**SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING - EXEMPTION.** The state of North Dakota, by and through the department of human services, shall convey ownership of building 2404, formerly known as the nursing residence building and Tompkins building, and surrounding real property on the grounds of the state hospital, to the department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services for construction and renovation do not apply to this conveyance.

SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION. During the 2019-20 interim, the legislative management shall study the department of corrections and rehabilitation. The study must address the feasibility and desirability of relocating female inmates from the Dakota women's correctional and rehabilitation center in New England to another location and the feasibility and desirability of relocating minimum security male inmates from the Missouri River correctional center in Bismarck to New England or another location. The study must include a review of:

- 1. Service needs of female inmates;
- 2. Service needs of male inmates:
- 3. Services available to female inmates at the Dakota women's correctional and rehabilitation center;
- 4. Services available to male inmates at the Missouri River correctional center:
- Facility needs, including changes needed to continue to serve male inmates and changes needed to serve female inmates, and associated costs;

- 6. The short-term and long-term costs and benefits of relocating female inmates to another location;
- 7. The short-term and long-term costs and benefits of relocating minimum security male inmates to New England or another location;
- 8. Available services and work release opportunities for minimum security male inmates in New England and other locations; and
- 9. The feasibility and desirability of increasing regional detention and transition facilities for female inmates across the state.

The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the sixty-seventh legislative assembly.

#### Renumber accordingly

### STATEMENT OF PURPOSE OF AMENDMENT:

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

|                       | Base                           | House<br>Changes | House<br>Version |
|-----------------------|--------------------------------|------------------|------------------|
| Adult services        | <b>Budget</b><br>\$220,757,448 | \$15,683,040     |                  |
| Youth services        | 30,740,509                     | 1,355,436        | . , ,            |
| TOURT SCI VICES       | 30,740,000                     | 1,000,400        | 02,000,040       |
| 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

| Adult services<br>Youth services                         | Adjusts Funding for Base Payroll Changes¹ \$916,681 (647,423) | Adds Funding<br>for Salary and<br>Benefit<br>Increases <sup>2</sup><br>\$6,365,580<br>1,118,805 | Increases<br>Funding for<br>Teachers <sup>3</sup><br>\$1,125,280<br>232,510 | Adds FTE Positions <sup>4</sup> \$1,053,697 27,772  | Transfers the Tompkins Rehabilitation and Corrections Center <sup>5</sup> (\$3,576,240) | Increases<br>Funding for<br>Treatment <sup>®</sup><br>\$3,873,750<br>537,500 |
|--|---|---|---|---|---|--|
| Total all funds<br>Less estimated income                 | \$269,258<br>(1,364,762)                                      | \$7,484,385<br>372,763  | \$1,357,790<br>0  | \$1,081,469<br>0                                    | (\$3,576,240)<br>0  | \$4,411,250<br>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   |
| Adult services<br>Youth services                         | Increases Funding for DWCRC Contract <sup>2</sup> \$1,143,360 | Adjusts<br>Ongoing<br>Funding for<br>Other<br>Changes <sup>8</sup><br>\$2,316,044<br>(446,790)  | Adds One-<br>Time Funding <sup>9</sup><br>\$2,464,888<br>533,062            | Total House<br>Changes<br>\$15,683,040<br>1,355,436 |   |  |
| Total all funds<br>Less estimated income<br>General fund | \$1,143,360<br>0<br>\$1,143,360                               | \$1,869,254<br>3,888,354<br>(\$2,019,100)   | \$2,997,950<br>2,081,700<br>\$916,250                                       | \$17,038,476<br>4,978,055<br>\$12,060,421           |   |  |
| FTE  | 0.00  | 0.00  | 0.00  | 54.50   |   |  |

<sup>&</sup>lt;sup>2</sup> 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> | Other Funds    | <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> | 3,971,2 <u>55</u> |
| Total                     | \$7,111,622         | \$372,763      | \$7,484,385       |

<sup>&</sup>lt;sup>3</sup> Funding of \$1,357,790 from the general fund is added for teacher salaries and wages to comply with the teacher composite schedule.

<sup>&</sup>lt;sup>8</sup> Ongoing funding is adjusted for the following other changes:

|  | General Fund  | Other Funds   | <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 | (2,759,741)   | (80,000)      | (2,839,741)   |
| one-time items   |               |               |               |
| Total  | (\$2,019,100) | \$3,888,354   | \$1,869,254   |

<sup>&</sup>lt;sup>9</sup> One-time funding is added for the following:

|  | ı            | Strategic<br>Investment |             |                |
|--|--------------|-------------------------|-------------|----------------|
|  |              | and                     | Roughrider  |                |
|  | Im           | nprovements             | Industries  |                |
|  | General Fund | <u>Fund</u>             | <u>Fund</u> | <u>Total</u>   |
| Replace Elite servers                                    | \$40,000     | \$0                     | \$0         | \$40,000       |
| Roughrider 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      | 0            | 250,000                 | 0           | 250,000        |
| Center, and State Hospital campus infrastructure studies |              |                         |             |                |
| 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    |

<sup>&</sup>lt;sup>1</sup> Funding is adjusted for base payroll changes.

<sup>&</sup>lt;sup>4</sup> 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.

<sup>&</sup>lt;sup>5</sup> 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.

<sup>&</sup>lt;sup>6</sup> 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.

<sup>&</sup>lt;sup>7</sup> 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.

## 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.