

**Department 530 - Department of Corrections and Rehabilitation
Senate Bill No. 2015**

Dalrymple Executive Budget Comparison to Prior Biennium Appropriations

	FTE Positions	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	846.29	\$215,839,290	\$38,308,262	\$254,147,552
2015-17 Adjusted Legislative Appropriations ¹	836.29	204,510,187	38,362,706	242,872,893
Increase (Decrease)	10.00	\$11,329,103	(\$54,444)	\$11,274,659

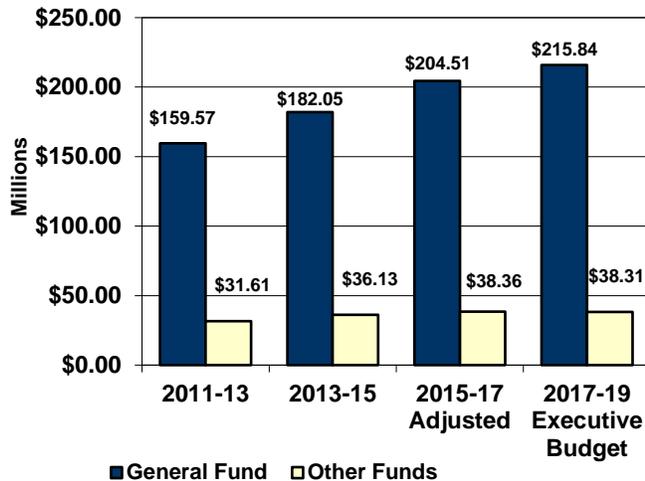
¹The 2015-17 biennium agency appropriation amounts reflect general fund budget reductions made in August 2016, but do not include the following:

- General fund (\$168,612) allocations to the agency from the state agency energy impact funding pool for temporary salary adjustments and rental assistance payments for agency employees located in areas of the state affected by energy development.
- Additional special funds authority of \$297,300 resulting from Emergency Commission action during the 2015-17 biennium.

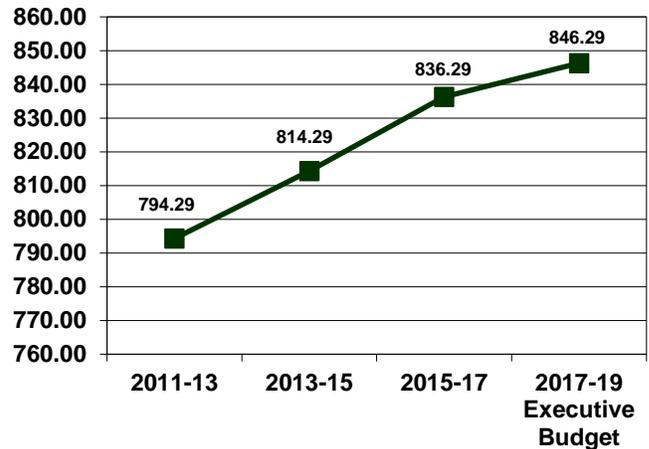
Ongoing and One-Time General Fund Appropriations

	Ongoing General Fund Appropriation	One-Time General Fund Appropriation	Total General Fund Appropriation
2017-19 Dalrymple Executive Budget	\$215,839,290	\$0	\$215,839,290
2015-17 Adjusted Legislative Appropriations	203,044,020	1,466,167	204,510,187
Increase (Decrease)	\$12,795,270	(\$1,466,167)	\$11,329,103

Agency Funding



FTE Positions



Dalrymple Executive Budget Comparison to Base Level

	General Fund	Other Funds	Total
2017-19 Dalrymple Executive Budget	\$215,839,290	\$38,308,262	\$254,147,552
2017-19 Base Level	203,044,020	33,236,706	236,280,726
Increase (Decrease)	\$12,795,270	\$5,071,556	\$17,866,826

First House Action

Attached is a comparison worksheet detailing first house changes to base level funding and the executive budget.

**Dalrymple and Burgum Executive Budget Highlights
(With First House Changes in Bold)**

Agencywide	General Fund	Other Funds	Total
1. Provides funding for state employee salary and benefit increases, of which \$514,525 is for salary increases and \$2,329,659 is for health insurance increases. (The Burgum budget removed funding for salary increases and provided for employees to pay for a	\$2,660,615	\$183,569	\$2,844,184

portion of health insurance.) **The Senate removed funding for the salary increases.**

Juvenile Services

2. Adds 10 FTE positions to maintain compliance with the federal Prison Rape Elimination Act (PREA)	\$1,258,076	\$0	\$1,258,076
3. Restores funding for salaries and wages	\$142,119	\$0	\$142,119
4. Restores funding for contract housing and programs	\$131,250	\$0	\$131,250
5. Increases funding for federal grants changes	\$0	\$200,000	\$200,000
6. Reduces base funding for extraordinary repairs	(\$224,000)	\$0	(\$224,000)

Adult Services

7. Restores funding for salaries and wages	\$319,816	\$0	\$319,816
8. Restores funding for contract housing and programs	\$4,583,823	\$0	\$4,583,823
9. Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	\$348,815	\$0	\$348,815
10. Adjusts funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services	\$2,841,293	(\$159,369)	\$2,681,924
11. Increases funding for federal grant changes	\$0	\$2,817,597	\$2,817,597
12. Reduces base funding for extraordinary repairs	(\$193,060)	(\$170,000)	(\$363,060)
13. The Burgum budget reduced general fund appropriations for salaries and wages and contract housing and programming to recognize savings from a prison bed day allocation program. The Senate removed the same amount of funding to recognize savings relating to the prioritization of admission of inmates, rather than the prison bed day allocation program.	(\$7,000,000)	\$0	(\$7,000,000)

Other Sections in Senate Bill No. 2015

Special funds transfer - Strategic investment and improvements fund - Section 3 designates \$935,907 from the strategic investment and improvements fund for an electronic medical records system.

Continuing Appropriations

No continuing appropriations for this agency.

Significant Audit Findings

The State Auditor's office reported the Department of Corrections and Rehabilitation did not have an inventory system that enables the agency to accurately account for returned medication and inventory balances.

Major Related Legislation

House Bill No. 1041 - Relates to sentence reduction credit, medical paroles, domestic violence offender treatment, grading of theft offenses, credit for time spent in custody, terms and conditions of probation, controlled substances and controlled substance paraphernalia, addiction counseling services, and the supplemental nutrition assistance program.

House Bill No. 1121 - Amends North Dakota Century Code Section 12.1-32-01 to provide the Department of Corrections and Rehabilitation with authority to set rules for calculating the life expectancy of offenders for the purpose of determining the term of life imprisonment with opportunity for parole.

House Bill No. 1269 - Provides for reductions in certain mandatory minimum sentences.

Senate Bill No. 2125 - Amends Section 62.1-02-05 to provide an exemption for correctional officers employed by the Department of Corrections and Rehabilitation to possess a firearm at a public gathering.

Senate Bill No. 2149 - Provides for reductions in certain mandatory minimum sentences.

Senate Concurrent Resolution No. 4003 - Requests the Legislative Management to study the current juvenile justice process, levels of collaboration among various service systems, implementation of dispositional alternatives, and methods for improving outcomes for juveniles involved in the process.

Department of Corrections and Rehabilitation - Budget No. 530

Senate Bill No. 2015

Base Level Funding Changes

	Burgum Executive Budget Recommendation (Changes to Dalrymple Budget in Bold)				Senate Version			
	FTE Positions	General Fund	Other Funds	Total	FTE Positions	General Fund	Other Funds	Total
2017-19 Biennium Base Level	836.29	\$203,044,020	\$33,236,706	\$236,280,726	836.29	\$203,044,020	\$33,236,706	\$236,280,726
2017-19 Ongoing Funding Changes								
Base payroll changes		\$843,274	\$1,296,984	\$2,140,258		\$843,274	\$1,296,984	\$2,140,258
Salary increase				0				0
Health insurance increase		2,179,298	150,361	2,329,659		2,179,298	150,361	2,329,659
Employee portion of health insurance		(1,141,642)	(78,768)	(1,220,410)				0
Add new Youth Correctional Center FTE positions (PREA)	10.00	1,258,076		1,258,076	10.00	1,258,076		1,258,076
Restore funding for salaries and wages		461,935		461,935		461,935		461,935
Reduce funding for temporary employee operating expenses		(31,100)		(31,100)		(31,100)		(31,100)
Restore funding for contract housing and programs		4,715,073		4,715,073		4,715,073		4,715,073
Increase funding for contract housing and programs		105,441		105,441		105,441		105,441
Restore funding for the Dakota Women's Correctional and Rehabilitation Center contract		348,815		348,815		348,815		348,815
Adjust funding for various expenses, including food and clothing, medical, travel, utilities, repairs, maintenance, information technology, and professional services		2,971,046	(359,501)	2,611,545		2,971,046	(359,501)	2,611,545
Adjust funding for federal grant changes			3,017,597	3,017,597			3,017,597	3,017,597
Reduce funding for extraordinary repairs		(417,060)	(170,000)	(587,060)		(417,060)	(170,000)	(587,060)
Adjust funding for bond payments		(120,845)		(120,845)		(120,845)		(120,845)
Reduce funding for salaries and wages and contract housing and programming		(7,000,000)		(7,000,000)		(7,000,000)		(7,000,000)
Add funding for community behavioral health program				0	1.00	7,000,000		7,000,000
Total ongoing funding changes	10.00	\$4,172,311	\$3,856,673	\$8,028,984	11.00	\$12,313,953	\$3,935,441	\$16,249,394
One-time funding items								
Add funding for equipment			\$167,000	\$167,000			\$167,000	\$167,000
Add funding for electronic medical records system			935,907	935,907			935,907	935,907
Total one-time funding changes	0.00	\$0	\$1,102,907	\$1,102,907	0.00	\$0	\$1,102,907	\$1,102,907
Total Changes to Base Level Funding	10.00	\$4,172,311	\$4,959,580	\$9,131,891	11.00	\$12,313,953	\$5,038,348	\$17,352,301
2017-19 Total Funding	846.29	\$207,216,331	\$38,196,286	\$245,412,617	847.29	\$215,357,973	\$38,275,054	\$253,633,027

Other Sections in Department of Corrections and Rehabilitation - Budget No. 530

**Burgum Executive Budget Recommendation
(Changes to Dalrymple Budget in Bold)**

Senate Version

Appropriation - Department of Human Services

Section 3 provides an appropriation of \$7 million from other funds and 6 FTE positions to the Department of Human Services for the community behavioral health program. The source of funds is the Department of Corrections and Rehabilitation.

Appropriation - Department of Human Services

Section 4 provides an appropriation of \$500,000 from the general fund to the Department of Human Services to contract with a public or private entity to create, initiate, and facilitate the implementation of a strategic plan to increase the availability of behavioral health services in the state.

Special funds transfer - Strategic investment and improvements fund

Section 3 designates \$935,907 from the strategic investment and improvements fund for an electronic medical records system.

Section 5 designates \$935,907 from the strategic investment and improvements fund for an electronic medical records system.

Management of inmate population

Section 6 creates a new section to Chapter 12-44.1 relating to local management of inmate population.

Community behavioral health program

Section 7 creates a new section to Chapter 54-23.3 relating to a community behavioral health plan as a term of parole or an alternative to incarceration.

Prioritization of admission of inmates

Section 8 creates a new section to Chapter 54-23.3 relating to prioritization of admission of inmates.

Criminal justice behavioral health needs study

Section 9 provides for the continuation of the Legislative Management study of alternatives to incarceration, with a focus on the behavioral health needs of individuals in the criminal justice system.

Youth Correctional Center facilities study

Section 10 provides for a study of Youth Correctional Center facilities by the Department of Corrections and Rehabilitation, in consultation with the Department of Human Services, the Protection and Advocacy Project, and the Supreme Court.

Department 530 - Department of Corrections and Rehabilitation

Appropriations Comparisons to the Original and Adjusted Base Budgets

General Fund Appropriations Adjustments (As a result of the August 2016 General Fund Budget Reductions)

	Ongoing	One-Time	Total
2015-17 original general fund appropriations	\$212,748,931	\$2,638,311	\$215,387,242
General fund reductions	(9,704,911)	(1,172,144)	(10,877,055)
Adjusted 2015-17 appropriations	\$203,044,020	\$1,466,167	\$204,510,187
Dalrymple Executive Budget changes	12,795,270	(1,466,167)	11,329,103
2017-19 Dalrymple Executive Budget	\$215,839,290	\$0	\$215,839,290

Summary of August 2016 General Fund Budget Reductions

	Ongoing	One-Time	Total
Reduced funding for salaries and wages	(\$461,935)	\$0	(\$461,935)
Reduced funding for contract housing and programming	(4,715,073)	0	(4,715,073)
Reduced funding for the Dakota Women's Correctional and Rehabilitation Center contract	(454,256)	0	(454,256)
Reduced funding for food and clothing	(989,074)	0	(989,074)
Reduced funding for medical, dental, and optical expenses	(1,810,656)	0	(1,810,656)
Reduced funding for travel	(269,992)	0	(269,992)
Reduced funding for utilities, repairs, and building maintenance	(600,000)	0	(600,000)
Reduced funding for extraordinary repairs	(100,000)	(706,000)	(806,000)
Reduced funding for information technology upgrades	0	(466,144)	(466,144)
Reduced funding for other expenses	(303,925)	0	(303,925)
Total reductions	(\$9,704,911)	(\$1,172,144)	(\$10,877,055)
Percentage reduction to ongoing and one-time general fund appropriations	4.56%	44.43%	5.05%

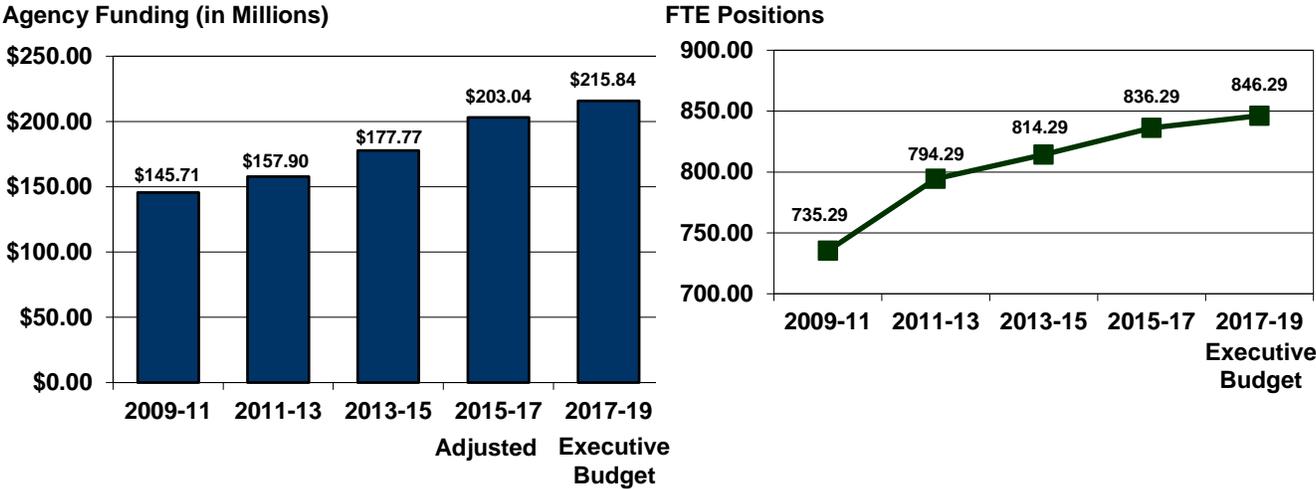
2017-19 Dalrymple Executive Budget Changes to the Original and Adjusted Base Budgets

	Changes to Original Budget	Budget Reduction Adjustments	Changes to Adjusted Budget
Adds funding for base payroll changes	\$843,274	\$0	\$843,274
Adds funding for recommended salary and benefits increases	2,660,615	0	2,660,615
Adds funding for 10 new FTE Youth Correctional Center positions to maintain compliance with PREA	1,258,076	0	1,258,076
Restores funding for salaries and wages	0	461,935	461,935
Reduces funding for temporary employee operating expenses	(31,100)	0	(31,100)
Restores funding for contract housing and programming	0	4,715,073	4,715,073
Increases funding for contract housing and programming	105,441	0	105,441
Restores funding for the Dakota Women's Correctional and Rehabilitation Center contract	(105,441)	454,256	348,815
Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	(1,002,601)	3,973,647	2,971,046
Reduces funding for extraordinary repairs	(517,060)	100,000	(417,060)
Adjusts funding for bond payments	(120,845)	0	(120,845)
Total	\$3,090,359	\$9,704,911	\$12,795,270

Department 530 - Department of Corrections and Rehabilitation

Historical Appropriations Information

Ongoing General Fund Appropriations Since 2009-11



Ongoing General Fund Appropriations					
	2009-11	2011-13	2013-15	2015-17 Adjusted	2017-19 Dalrymple Executive Budget
Ongoing general fund appropriations	\$145,707,006	\$157,901,861	\$177,774,343	\$203,044,020	\$215,839,290
Increase (decrease) from previous biennium	N/A	\$12,194,855	\$19,872,482	\$25,269,677	\$12,795,270
Percentage increase (decrease) from previous biennium	N/A	8.4%	12.6%	14.2%	6.3%
Cumulative percentage increase (decrease) from 2009-11 biennium	N/A	8.4%	22.0%	39.4%	48.1%

Major Increases (Decreases) in Ongoing General Fund Appropriations

2011-13 Biennium

- 1. Added funding for 58 new FTE positions relating to the State Penitentiary expansion \$2,459,364
- 2. Increased funding for contract housing and programming \$2,441,611

2013-15 Biennium

- 1. Added 11 FTE correctional officer positions and 3 FTE correctional caseworker positions \$1,537,144
- 2. Added funding for increased probation and incarceration requirements due to provisions of 2013 House Bill No. 1302 relating to driving under the influence laws \$3,000,000
- 3. Increased funding for transitional housing and programs \$1,106,678

2015-17 Biennium (Original Amounts)

- 1. Added funding for targeted equity salary increases for correctional officer positions \$2,126,442
- 2. Added funding for 22 new FTE positions, including 16 parole and probation officers, 1 juvenile corrections specialist, 1 Youth Correctional Center position, 2 adult services treatment positions, and 2 James River Correctional Center central receiving positions \$3,624,413
- 3. Added funding to transfer community sex offender treatment from the Department of Human Services \$1,865,810
- 4. Added funding for contract housing and programming (this item was affected by agency budget reductions) \$9,243,102
- 5. Increased funding for the Dakota Women's Correctional and Rehabilitation Center contract (this item was affected by agency budget reductions) \$2,250,000

2017-19 Biennium (Dalrymple and Burgum Executive Budget Recommendations)

1. Adds 10 new FTE Youth Correctional Center positions to maintain compliance with PREA	\$1,258,076
2. Restores funding for contract housing and programming	\$4,715,073
3. Adjusts funding for various expenses, including food and clothing, medical, dental, optical, travel, utilities, repairs, maintenance, information technology, and professional services	\$2,971,046
4. The Burgum budget reduced funding from the general fund by \$7 million to recognize savings from the prison bed day allocation program. (The Senate removed the same amount of funding to recognize savings relating to the prioritization of admission of inmates, rather than the prison bed day allocation program.)	(\$7,000,000)