

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	\$258,140,591	\$419,173,652	\$161,033,061
Youth services	24,584,845	26,611,435	2,026,590
Total all funds	\$282,725,436	\$445,785,087	\$163,059,651
Less estimated income	64,865,627	190,317,124	125,451,497
General fund	\$217,859,809	\$255,467,963	\$37,608,154
FTE	907.79	929.79	22.00
Bill total			
Total all funds	\$282,725,436	\$445,785,087	\$163,059,651
Less estimated income	64,865,627	190,317,124	125,451,497
General fund	\$217,859,809	\$255,467,963	\$37,608,154
FTE	907.79	929.79	22.00

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

	Base Budget	House Changes	House Version
Adult services	\$258,140,591	\$217,522,126	\$475,662,717
Youth services	24,584,845	2,998,878	27,583,723
Total all funds	\$282,725,436	\$220,521,004	\$503,246,440
Less estimated income	64,865,627	153,138,764	218,004,391
General fund	\$217,859,809	\$67,382,240	\$285,242,049
FTE	907.79	24.00	931.79

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

	Adjusts Funding for Base Payroll Changes¹	Adds Funding for Salary and Benefit Increases²	Adjusts FTE Positions³	Adjusts Funding for Salaries and Wages⁴	Adjusts Operating Funding⁵	Adds One-Time Funding for a New Female Facility⁶
Adult services	\$2,997,147	\$10,897,416	\$3,797,323	\$223,430	\$11,661,835	\$161,200,000
Youth services	329,500	1,284,550	10,872	45,652	927,064	
Total all funds	\$3,326,647	\$12,181,966	\$3,808,195	\$269,082	\$12,588,899	\$161,200,000
Less estimated income	49,473	654,422	0	(18,371,718)	(1,070,174)	161,200,000
General fund	\$3,277,174	\$11,527,544	\$3,808,195	\$18,640,800	\$13,659,073	\$0
FTE	0.00	0.00	24.00	0.00	0.00	0.00
	Adds Other One-Time Funding⁷	Total House Changes				
Adult services	\$26,744,975	\$217,522,126				
Youth services	401,240	2,998,878				
Total all funds	\$27,146,215	\$220,521,004				
Less estimated income	10,676,761	153,138,764				
General fund	\$16,469,454	\$67,382,240				
FTE	0.00	24.00				

¹ Funding is adjusted for base payroll changes, including the cost to continue 2021-23 biennium salary increases.

² The following funding is added for 2023-25 biennium salary adjustments of 4 percent on July 1, 2023, and 4 percent on July 1, 2024, and increases in health insurance premiums from \$1,429 to \$1,648 per month:

	General Fund	Other Funds	Total
Salary increase	\$7,495,942	\$393,933	\$7,889,875
Health insurance increase	<u>4,031,602</u>	<u>260,489</u>	<u>4,292,091</u>
Total	\$11,527,544	\$654,422	\$12,181,966

³ The following FTE positions and related funding are added or removed:

	FTE Positions	General Fund
Converts temporary positions to FTE	5.00	\$80,687
Parole and probation	6.00	802,757
Pretrial services	4.00	493,397
Inmate case managers	8.00	1,031,032
Heart River Correctional Center residential treatment	2.00	529,624
Heart River Correctional Center behavioral health	1.00	170,698
IT unification	<u>(2.00)</u>	<u>700,000</u>
Total	24.00	\$3,808,195

⁴ Funding for salaries and wages is adjusted as follows:

	General Fund	Federal Funds	Total Funds
Restores funding from the general fund	\$18,371,718	(\$18,371,718)	\$0
Teacher composite schedule increase	<u>269,082</u>	<u>0</u>	<u>269,082</u>
Total	\$18,640,800	(\$18,371,718)	\$269,082

⁵ Operating funding is adjusted as follows:

	General Fund	Other Funds	Total
Adds funding for new FTE operating costs	\$323,029	\$0	\$323,029
IT data processing	2,040,121	11,673	2,051,794
Electronic medical records maintenance and support	546,700	0	546,700
Juvenile contract housing	1,681,300	0	1,681,300
Female treatment recovery impact program	1,973,700	0	1,973,700
Free through recovery program	8,300,000	0	8,300,000
Community behavioral telehealth services	1,000,000	0	1,000,000
Adult education and career readiness programming	306,300	0	306,300
Debt service	(348,979)	(8,181)	(357,160)
Various operating adjustments	<u>(2,163,098)</u>	<u>(1,073,666)</u>	<u>(3,236,764)</u>
Total	\$13,659,073	(\$1,070,174)	\$12,588,899

⁶ One-time funding of \$161.2 million from the strategic investments and improvements fund (SIIF) is added for a new female correctional and rehabilitation facility at the Heart River Correctional Center in Mandan.

⁷ One-time funding is added for the following:

	General Fund	Other Funds	Total Funds
Inflationary costs, including food, medical, clothing, and resident payroll	\$3,478,998	\$0	\$3,478,998
Transitional facility contract inflation	2,759,222	0	2,759,222
Dakota Women's Correctional and Rehabilitation Center contract inflation	2,450,000	0	2,450,000
Dickinson Adult Detention Center contract for 16 female beds	1,003,434	0	1,003,434
Staff and resident development and training	100,000	0	100,000
Consultant review of the offender management system	757,000	0	757,000
New cameras	275,000	0	275,000
Equipment, including washing machines, kitchen equipment, a lawnmower, a utility tractor, a body scanner, radios, IT applications, other equipment, and a federally funded tattoo removal machine	1,645,800	75,000	1,720,800
Maintenance and extraordinary repairs, including plumbing and HVAC repairs at the State Penitentiary and electrical and building repairs at the Youth Correctional Center and HRCC	4,000,000	0	4,000,000
DOCSTARS computer system maintenance (SIIF)	0	307,000	307,000
James River Correctional Center maintenance shop (SIIF)	0	1,550,000	1,550,000
IT needs, including an infrastructure review and medical, free through recovery, and human resources enhancements (SIIF)	0	2,000,000	2,000,000
Roughrider Industries supplies	0	4,083,681	4,083,681
Roughrider Industries equipment	0	2,019,000	2,019,000
Roughrider Industries IT costs	<u>0</u>	<u>642,080</u>	<u>642,080</u>
Total	\$16,469,454	\$10,676,761	\$27,146,215

This amendment also:

- Adds a section to identify \$165,057,000 is from the strategic investment and improvements fund, including \$161.2 million for the new Heart River Correctional Center facility, \$1,550,000 for a new James River Correctional Center maintenance shop, and \$2,307,000 for information technology needs;
- Adds a section to provide for legislative membership on a steering committee to oversee the design and construction of the new Heart River Correctional Center facility;
- Adds sections to allow the Department of Corrections and Rehabilitation to continue funding appropriated for the 2021-23 biennium into the 2023-25 biennium, including funding for the free through recovery program, deferred maintenance, and extraordinary repairs; and
- Adds a section to declare the funding and steering committee for the Heart River Correctional Center to be an emergency.

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

	Base Budget	House Version	Senate Changes	Senate Version
Adult services	\$258,140,591	\$475,662,717	(\$46,743,972)	\$428,918,745
Youth services	<u>24,584,845</u>	<u>27,583,723</u>	<u>(1,443,156)</u>	<u>26,140,567</u>
Total all funds	\$282,725,436	\$503,246,440	(\$48,187,128)	\$455,059,312
Less estimated income	<u>64,865,627</u>	<u>218,004,391</u>	<u>(27,687,267)</u>	<u>190,317,124</u>
General fund	\$217,859,809	\$285,242,049	(\$20,499,861)	\$264,742,188
FTE	907.79	931.79	(8.00)	923.79

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

	Adjusts Funding for Salary and Benefit Increases¹	Adjusts New FTE Positions²	Removes Salary Funding for Funding Pool³	Reduces Funding for New FTE Operating Costs⁴	Reduces Funding for the Free Through Recovery Program⁵	Reduces Funding for Community Behavioral Telehealth Services⁶
Adult services	\$2,534,046	(\$1,333,753)	(\$12,006,154)	(\$108,851)	(\$4,200,000)	(\$250,000)
Youth services	(178,803)		(1,169,113)			
Total all funds	\$2,355,243	(\$1,333,753)	(\$13,175,267)	(\$108,851)	(\$4,200,000)	(\$250,000)
Less estimated income	126,264	0	(569,031)	0	0	0
General fund	\$2,228,979	(\$1,333,753)	(\$12,606,236)	(\$108,851)	(\$4,200,000)	(\$250,000)
FTE	0.00	(8.00)	0.00	0.00	0.00	0.00

	Adjusts Funding for One-Time Items⁷	Adjusts Funding for the New Women's Prison Facility⁸	Total Senate Changes
Adult services	(\$1,379,260)	(\$30,000,000)	(\$46,743,972)
Youth services	(95,240)		(1,443,156)
Total all funds	(\$1,474,500)	(\$30,000,000)	(\$48,187,128)
Less estimated income	2,755,500	(30,000,000)	(27,687,267)
General fund	(\$4,230,000)	\$0	(\$20,499,861)
FTE	0.00	0.00	(8.00)

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates as follows:

	General Fund	Other Funds	Total
Salary increase	\$2,401,925	\$132,121	\$2,534,046
Health insurance adjustment	(172,946)	(5,857)	(178,803)
Total	\$2,228,979	\$126,264	\$2,355,243

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² New FTE positions added by the House and related funding are reduced as follows:

	FTE Positions	General Fund
Parole and probation	(3.00)	(\$401,379)
Inmate case managers	(4.00)	(515,516)
Heart River Correctional Center residential treatment		(246,160)
Heart River Correctional Center behavioral health	(1.00)	(170,698)
Total	(8.00)	(\$1,333,753)

³ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$1,774,442)	\$0	(\$1,774,442)
Vacant FTE positions	(10,831,794)	(569,031)	(11,400,825)
Total	(\$12,606,236)	(\$569,031)	(\$13,175,267)

⁴ Funding added by the House for operating costs for new FTE positions is adjusted by the Senate to reflect the removal of 8 new FTE positions.

⁵ Funding is reduced by \$4.2 million from the general fund to provide a total increase of \$4.1 million from the general fund for the free through recovery program. The House increased funding by \$8.3 million from the general fund for the program. The free through recovery program had a legislative base budget of \$8 million from the general fund.

⁶ Funding is reduced by \$250,000 from the general fund to provide a total increase of \$750,000 from the general fund for community behavioral telehealth services. The House added \$1 million from the general fund for community behavioral telehealth services.

⁷ Funding for other one-time funding items is adjusted as follows:

	House Version	Senate Version	Increase (Decrease)
Offender management system review	\$757,000	\$500,000	(\$257,000)
New cameras	275,000	0	(275,000)
Equipment (including \$75,000 from federal funds)	1,720,800	1,022,800	(698,000)
Maintenance and extraordinary repairs	4,000,000	1,000,000	(3,000,000)
James River Correctional Center remodel (other funds)	0	255,500	255,500
Roughrider Industries cold storage (other funds)	0	200,000	200,000
Roughrider Industries paint line replacement (other funds)	0	2,300,000	2,300,000
Total	\$6,752,800	\$5,278,300	(\$1,474,500)

⁸ Funding for the new women's prison facility project at the Heart River Correctional Center is adjusted to provide a total of \$131.2 million, including \$31.2 million from the strategic investment and improvements fund and \$100 million from bond proceeds. Legislative intent is added for the 69th Legislative Assembly to provide an additional \$30 million for the project. The House provided \$161.2 million from the strategic investment and improvements fund for the project.

This amendment also:

- Adjusts a section to provide a total of \$35,057,000 is from the strategic investment and improvements fund. The House included \$165,057,000 from the strategic investment and improvements fund.
- Adds a section to provide \$100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center. The House did not include bonding authority for this project.
- Adds a section to provide legislative intent that the 69th Legislative Assembly appropriate an additional \$30 million for the new women's prison facility project. The House did not include legislative intent for future funding for the project.
- Adds a section to provide an exemption to allow the department to continue \$990,000 of federal funds appropriation authority derived from the federal State Fiscal Recovery Fund for deferred admissions payments to county jails.

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	\$258,140,591	\$475,662,717	(\$56,489,065)	\$419,173,652	\$428,918,745	(\$9,745,093)
Youth services	24,584,845	27,583,723	(972,288)	26,611,435	26,140,567	470,868
Total all funds	\$282,725,436	\$503,246,440	(\$57,461,353)	\$445,785,087	\$455,059,312	(\$9,274,225)
Less estimated income	64,865,627	218,004,391	(27,687,267)	190,317,124	190,317,124	0
General fund	\$217,859,809	\$285,242,049	(\$29,774,086)	\$255,467,963	\$264,742,188	(\$9,274,225)
FTE	907.79	931.79	(2.00)	929.79	923.79	6.00

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

	Adjusts Funding for Salary and Benefit Increases ¹	Adjusts New FTE Positions ²	Removes Salary Funding for Funding Pool ³	Reduces Funding for New FTE Operating Costs ⁴	Reduces Funding for the Free Through Recovery Program ⁵	Reduces Funding for Community Behavioral Telehealth Services ⁶
Adult services	\$2,176,363	(\$503,918)	(\$12,835,989)	(\$17,401)	(\$15,118,860)	(\$250,000)
Youth services	259,065		(1,169,113)			
Total all funds	\$2,435,428	(\$503,918)	(\$14,005,102)	(\$17,401)	(\$15,118,860)	(\$250,000)
Less estimated income	126,264	0	(569,031)	0	0	0
General fund	\$2,309,164	(\$503,918)	(\$13,436,071)	(\$17,401)	(\$15,118,860)	(\$250,000)
FTE	0.00	(2.00)	0.00	0.00	0.00	0.00

	Adjusts Funding for One-Time Items ⁷	Adjusts Funding for the New Women's Prison Facility ⁸	Total Conference Committee Changes
Adult services	\$60,740	(\$30,000,000)	(\$56,489,065)
Youth services	(62,240)		(972,288)
Total all funds	(\$1,500)	(\$30,000,000)	(\$57,461,353)
Less estimated income	2,755,500	(30,000,000)	(27,687,267)
General fund	(\$2,757,000)	\$0	(\$29,774,086)
FTE	0.00	0.00	(2.00)

¹ Salaries and wages funding is adjusted to provide for 2023-25 biennium salary increases of 6 percent on July 1, 2023, and 4 percent on July 1, 2024, and for adjustments to health insurance premium rates, the same as the Senate, as follows:

	General Fund	Other Funds	Total
Salary increase	\$2,451,251	\$132,121	\$2,583,372
Health insurance adjustment	(142,087)	(5,857)	(147,944)
Total	\$2,309,164	\$126,264	\$2,435,428

The House provided salary adjustments of 4 percent on July 1, 2023, and July 1, 2024.

² New FTE positions added by the House and related funding are reduced as follows:

	FTE Positions	General Fund
Inmate case managers	(2.00)	(257,758)
Heart River Correctional Center residential treatment	0	(246,160)
Total	(2.00)	(\$503,918)

The Senate removed 8 FTE positions and \$1,333,753 from the general fund.

³ Funding for new FTE positions and estimated savings from vacant FTE positions is removed as shown below. These amounts are available to the agency if needed by submitting a request to the Office of Management and Budget for a transfer from the new and vacant FTE funding pool.

	General Fund	Other Funds	Total
New FTE positions	(\$2,604,277)	\$0	(\$2,604,277)
Vacant FTE positions	(10,831,794)	(569,031)	(11,400,825)
Total	(\$13,436,071)	(\$569,031)	(\$14,005,102)

⁴ Funding added by the House for operating costs for new FTE positions is reduced by \$17,401 to reflect the removal of 2 new FTE positions. The Senate reduced operating costs by \$108,851 to reflect the removal of 8 new FTE positions.

⁵ The conference committee removed passthrough funding for the free through recovery program. Of the \$8 million in the DOCR base budget, \$354,760 is retained for free through recovery program costs and \$826,380 is transferred to other operations within the DOCR budget.

The Senate increased funding by \$4.1 million from the general fund for the free through recovery program. The House increased funding by \$8.3 million from the general fund for the program. The free through recovery program had a legislative base budget of \$8 million from the general fund.

⁶ Funding is reduced by \$250,000 from the general fund to provide a total increase of \$750,000 from the general fund for community behavioral telehealth services, the same as the Senate. The House added \$1 million from the general fund for community behavioral telehealth services.

⁷ Funding for other one-time funding items is adjusted as follows:

	<u>House Version</u>	<u>Senate Version</u>	<u>Conference Committee Version</u>
Offender management system review	\$757,000	\$500,000	\$500,000
New cameras	275,000	0	275,000
Equipment (including \$75,000 from federal funds)	1,720,800	1,022,800	1,220,800
Maintenance and extraordinary repairs	4,000,000	1,000,000	2,000,000
James River Correctional Center remodel (other funds)	0	255,500	255,500
Roughrider Industries cold storage (other funds)	0	200,000	200,000
Roughrider Industries paint line replacement (other funds)	<u>0</u>	<u>2,300,000</u>	<u>2,300,000</u>
Total	\$6,752,800	\$5,278,300	\$6,751,300

⁸ Funding for the new women's prison facility project at the Heart River Correctional Center is adjusted to provide a total of \$131.2 million from the strategic investment and improvements fund (SIIF) for the project. Legislative intent is added for the 69th Legislative Assembly to provide an additional \$30 million for the project, the same as the Senate. The Senate provided \$100 million from bond proceeds and \$31.2 million from SIIF for the project. The House provided \$161.2 million from SIIF for the project.

This amendment also:

- Adjusts a section to provide a total of \$135,057,000 is from the strategic investment and improvements fund. The Senate included \$35,057,000 from SIIF. The House included \$165,057,000 from SIIF.
- Does not add a section added by the Senate to provide \$100 million of bonding authority for the new women's prison facility project at the Heart River Correctional Center.
- Adds a section to provide legislative intent that the 69th Legislative Assembly appropriate an additional \$30 million for the new women's prison facility project, the same as the Senate. The House did not include legislative intent for future funding for the project.
- Adds a section to provide an exemption to allow the department to continue \$990,000 of federal funds appropriation authority derived from the federal State Fiscal Recovery Fund for deferred admissions payments to county jails, the same as the Senate.