

HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to authorize the conveyance of real property owned by the state
3 of North Dakota; to provide for a legislative management study; and to provide a report.

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, 2019, and ending June 30, 2021, as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
13 <u>Adult services</u>	<u>\$220,757,448</u>	<u>\$247,704,569</u>	<u>\$220,757,448</u>
14 <u>Youth services</u>	<u>30,740,509</u>	<u>32,630,086</u>	<u>30,740,509</u>
15 <u>Total all funds</u>	<u>\$251,497,957</u>	<u>\$280,334,655</u>	<u>\$251,497,957</u>
16 <u>Less estimated income</u>	<u>37,161,253</u>	<u>46,336,596</u>	<u>37,161,253</u>
17 <u>Total general fund</u>	<u>\$214,336,704</u>	<u>\$233,998,059</u>	<u>\$214,336,704</u>
18 <u>Full-time equivalent positions</u>	<u>845.29</u>	<u>938.59</u>	<u>845.29</u>
	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
21 <u>Adult services</u>	<u>\$220,757,448</u>	<u>\$15,683,040</u>	<u>\$236,440,488</u>
22 <u>Youth services</u>	<u>30,740,509</u>	<u>1,355,436</u>	<u>32,095,945</u>
23 <u>Total all funds</u>	<u>\$251,497,957</u>	<u>\$17,038,476</u>	<u>\$268,536,433</u>
24 <u>Less estimated income</u>	<u>37,161,253</u>	<u>4,978,055</u>	<u>42,139,308</u>

1	Total general fund	\$214,336,704	\$12,060,421	\$226,397,125
2	Full-time equivalent positions	845.29	54.50	899.79

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**
4 **SIXTY-SEVENTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding
5 items approved by the sixty-fifth legislative assembly for the 2017-19 biennium and the one-time
6 funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2017-19</u>	<u>2019-21</u>
8	Equipment	\$167,000	\$0
9	Electronic medical records system	935,907	0
10	Pipeline protest law enforcement support	500,000	0
11	Justice reinvestment initiative	500,000	0
12	Total all funds	\$2,102,907	\$0
13	Less estimated income	2,102,907	0
14	Total general fund	\$0	\$0
15	Equipment	\$167,000	\$298,700
16	Elite servers replacement	0	40,000
17	Extraordinary repairs	0	1,332,250
18	Youth correctional center, James River correctional center,	0	250,000
19	<u>and state hospital campus infrastructure studies</u>		
20	Scan and screen device	0	230,000
21	Redundant fence	0	160,000
22	Portable x-ray equipment	0	22,000
23	Oracle software upgrade	0	165,000
24	Contracts and payments processing system	0	100,000
25	Inmate tracking system	0	160,000
26	Intake and legal movement system	0	240,000
27	Electronic medical records system	935,907	0
28	Pipeline protest law enforcement support	500,000	0
29	Justice reinvestment initiative	500,000	0
30	Total all funds	\$2,102,907	\$2,997,950

1	<u>Less estimated income</u>	<u>2,102,907</u>	<u>2,081,700</u>
2	<u>Total general fund</u>	<u>\$0</u>	<u>\$916,250</u>

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

7 **SECTION 3. ESTIMATED INCOME - STRATEGIC INVESTMENT AND IMPROVEMENTS**

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

12 **SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The
13 \$7,000,000 from the general fund appropriated in the adult services line item relating to the
14 community behavioral health program in section 1 of chapter 40 of the 2017 Session Laws is
15 not subject to section 54-44.1-11 and any unexpended funds from this appropriation may be
16 used for the community behavioral health program during the biennium beginning July 1, 2019,
17 and ending June 30, 2021.

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

26 **SECTION 6. CONVEYANCE OF LAND AND BUILDINGS - TOMPKINS BUILDING -**
27 **EXEMPTION.** The state of North Dakota, by and through the department of human services,
28 shall convey ownership of building 2404, formerly known as the nursing residence building and
29 Tompkins building, and surrounding real property on the grounds of the state hospital, to the
30 department of corrections and rehabilitation. The provisions of chapters 48-01.1 and 54-44.7

1 relating to public improvement contract bids and architect, engineer, and land surveying
2 services for construction and renovation do not apply to this conveyance.

3 **SECTION 7. LEGISLATIVE MANAGEMENT STUDY - DEPARTMENT OF CORRECTIONS**

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

- 10 1. Service needs of female inmates;
- 11 2. Service needs of male inmates;
- 12 3. Services available to female inmates at the Dakota women's correctional and
13 rehabilitation center;
- 14 4. Services available to male inmates at the Missouri River correctional center;
- 15 5. Facility needs, including changes needed to continue to serve male inmates and
16 changes needed to serve female inmates, and associated costs;
- 17 6. The short-term and long-term costs and benefits of relocating female inmates to
18 another location;
- 19 7. The short-term and long-term costs and benefits of relocating minimum security male
20 inmates to New England or another location;
- 21 8. Available services and work release opportunities for minimum security male inmates
22 in New England and other locations; and
- 23 9. The feasibility and desirability of increasing regional detention and transition facilities
24 for female inmates across the state.

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