

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 provide for a report; and to provide an exemption.

3 **BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

4 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the funds  
5 as may be necessary, are appropriated out of any moneys in the general fund in the state  
6 treasury, not otherwise appropriated, and from special funds derived from federal funds and  
7 other income, to the department of corrections and rehabilitation for the purpose of defraying  
8 the expenses of the department of corrections and rehabilitation, for the biennium beginning  
9 July 1, 2021, and ending June 30, 2023, as follows:

	<u>Governor's</u>		
	<u>Base Level</u>	<u>Recommendation</u>	<u>Appropriation</u>
<u>Adult services</u>	<u>\$236,657,747</u>	<u>\$249,781,634</u>	<u>\$236,657,747</u>
<u>Youth services</u>	<u>31,753,268</u>	<u>24,391,767</u>	<u>31,753,268</u>
<u>Total all funds</u>	<u>\$268,411,015</u>	<u>\$274,173,401</u>	<u>\$268,411,015</u>
<u>Less estimated income</u>	<u>40,124,189</u>	<u>44,993,479</u>	<u>40,124,189</u>
<u>Total general fund</u>	<u>\$228,286,826</u>	<u>\$229,179,922</u>	<u>\$228,286,826</u>
<u>FTE positions</u>	<u>899.79</u>	<u>907.79</u>	<u>899.79</u>
	<u>Adjustments or</u>		
	<u>Base Level</u>	<u>Enhancements</u>	<u>Appropriation</u>
<u>Adult services</u>	<u>\$236,657,747</u>	<u>\$20,353,739</u>	<u>\$257,011,486</u>
<u>Youth services</u>	<u>31,753,268</u>	<u>(7,446,234)</u>	<u>24,307,034</u>
<u>Total all funds</u>	<u>\$268,411,015</u>	<u>\$12,907,505</u>	<u>\$281,318,520</u>
<u>Less estimated income</u>	<u>40,124,189</u>	<u>4,839,550</u>	<u>44,963,739</u>

1	Total general fund	\$228,286,826	\$8,067,955	\$236,354,781
2	FTE positions	899.79	8.00	907.79

3           **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO THE**  
4 **SIXTY-EIGHTH LEGISLATIVE ASSEMBLY.** The following amounts reflect one-time funding  
5 items approved by the sixty-sixth legislative assembly for the 2019-21 biennium and the  
6 2021-23 one-time funding items included in the appropriation for the legislative assembly in  
7 section 1 of this Act:

8	<u>One-Time Funding Description</u>	<u>2019-21</u>	<u>2021-23</u>
9	<del>Equipment</del>	<del>\$298,700</del>	<del>\$0</del>
10	<del>Elite servers replacement</del>	<del>40,000</del>	<del>0</del>
11	<del>Extraordinary repairs</del>	<del>1,332,250</del>	<del>0</del>
12	<del>Youth correctional center campus infrastructure study</del>	<del>75,000</del>	<del>0</del>
13	<del>Department of corrections and rehabilitation study</del>	<del>400,000</del>	<del>0</del>
14	<del>Scan and screen device</del>	<del>230,000</del>	<del>0</del>
15	<del>Redundant fence</del>	<del>160,000</del>	<del>0</del>
16	<del>Portable x-ray machine</del>	<del>22,000</del>	<del>0</del>
17	<del>Oracle software upgrade</del>	<del>165,000</del>	<del>0</del>
18	<del>Contracts and payments processing system</del>	<del>100,000</del>	<del>0</del>
19	<del>Inmate tracking system</del>	<del>160,000</del>	<del>0</del>
20	<del>Intake and legal movement system</del>	<del>240,000</del>	<del>0</del>
21	<del>Total all funds</del>	<del>\$3,222,950</del>	<del>\$0</del>
22	<del>Less estimated income</del>	<del>1,831,700</del>	<del>0</del>
23	<del>Total general fund</del>	<del>\$1,391,250</del>	<del>\$0</del>
24	<u>Equipment</u>	<u>\$298,700</u>	<u>\$191,000</u>
25	<u>Kitchen equipment</u>	<u>0</u>	<u>115,000</u>
26	<u>Roughrider industries equipment</u>	<u>0</u>	<u>1,281,988</u>
27	<u>Roughrider industries storage warehouse</u>	<u>0</u>	<u>500,000</u>
28	<u>Elite servers replacement</u>	<u>40,000</u>	<u>0</u>
29	<u>Extraordinary repairs</u>	<u>1,332,250</u>	<u>0</u>
30	<u>Youth correctional center campus infrastructure study</u>	<u>75,000</u>	<u>0</u>
31	<u>Department of corrections and rehabilitation study</u>	<u>400,000</u>	<u>0</u>

1	<u>Scan and screen device</u>	<u>230,000</u>	<u>0</u>
2	<u>Redundant fence</u>	<u>160,000</u>	<u>0</u>
3	<u>Portable x-ray machine</u>	<u>22,000</u>	<u>0</u>
4	<u>Oracle software upgrade</u>	<u>165,000</u>	<u>0</u>
5	<u>Contracts and payments processing system</u>	<u>100,000</u>	<u>0</u>
6	<u>Inmate tracking system</u>	<u>160,000</u>	<u>0</u>
7	<u>Intake and legal movement system</u>	<u>240,000</u>	<u>0</u>
8	<u>Total all funds</u>	<u>\$3,222,950</u>	<u>\$2,087,988</u>
9	<u>Less estimated income</u>	<u>1,831,700</u>	<u>1,781,988</u>
10	<u>Total general fund</u>	<u>\$1,391,250</u>	<u>\$306,000</u>

11 The 2021-23 biennium one-time funding amounts are not part of the entity's base budget for  
12 the 2023-25 biennium. The department of corrections and rehabilitation shall report to the  
13 appropriations committees of the sixty-eighth legislative assembly on the use of this one-time  
14 funding for the biennium beginning July 1, 2021, and ending June 30, 2023.

15 **SECTION 3. DEPARTMENT OF CORRECTIONS AND REHABILITATION OPERATING**  
16 **FUND REVENUES.** Any moneys received by the department of corrections and rehabilitation  
17 from correctional supervision, electronic monitoring, and detention; reimbursements from other  
18 agencies; profits received from department of corrections and rehabilitation commissary;  
19 miscellaneous revenue, including offender fines, fees, restitution, and medical copayments; and  
20 from the ~~common schools trust~~youth correctional center permanent fund, may be deposited in  
21 the department of corrections and rehabilitation operating fund and expended pursuant to  
22 legislative appropriation for the biennium beginning July 1, 2021, and ending June 30, 2023.

23 **SECTION 4. EXEMPTION - COMMUNITY BEHAVIORAL HEALTH PROGRAM.** The  
24 amount of \$7,000,000 from the general fund appropriated for the community behavioral health  
25 program in section 1 of chapter 15 of the 2019 Session Laws is not subject to section  
26 54-44.1-11, and any unexpended funds from this appropriation may be used for the community  
27 behavioral health program during the biennium beginning July 1, 2021, and ending June 30,  
28 2023.

29 **SECTION 5. EXEMPTION - DEFERRED MAINTENANCE AND EXTRAORDINARY**  
30 **REPAIRS.** Notwithstanding any amount continued under section 4 of this Act, up to \$6,000,000  
31 from the general fund appropriated to the department of corrections and rehabilitation in

1 section 1 of chapter 15 of the 2019 Session Laws is not subject to section 54-44.1-11, and any  
2 unexpended funds from this appropriation may be used for deferred maintenance and  
3 extraordinary repairs projects by the department of corrections and rehabilitation during the  
4 biennium beginning July 1, 2021, and ending June 30, 2023.