

**Department 530 - Department of Corrections and Rehabilitation  
Senate Bill No. 2016**

	<b>FTE Positions</b>	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
2001-03 Schafer Executive Budget	638.68	\$84,467,999	\$26,422,619	\$110,890,618
1999-2001 Legislative Appropriations	<u>572.68</u>	<u>62,425,829</u>	<u>22,812,461</u>	<u>85,238,290</u> <sup>1</sup>
Increase (Decrease)	<u>66.00</u>	<u>\$22,042,170</u>	<u>\$3,610,158</u>	<u>\$25,652,328</u>

2001-03 Hoeven Executive Budget	<u>638.68</u>	<u>\$84,467,999</u>	<u>\$26,422,619</u>	<u>\$110,890,618</u>
Hoeven Increase (Decrease) to Schafer	<u>0.00</u>	<u>\$0</u>	<u>\$0</u>	<u>\$0</u>

<sup>1</sup> The 1999-2001 appropriation amounts include \$557,366, of which \$501,598 is from the general fund, for the agency's share of the \$5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and \$16,629, of which \$14,862 is from the general fund, for the agency's share of the \$1.4 million funding pool appropriated to OMB for assisting agencies in providing \$35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include additional federal funds spending authority of \$28,479 authorized by the Emergency Commission during the 1999-2001 biennium and additional spending authority of \$691,845, of which \$318,922 is from the general fund, carried over from the 1997-99 biennium for capital projects.

**Major Schafer Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget**

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
<b>Central Office</b>			
1. Provides funding for an equity salary increase of \$182 per month for the director effective January 1, 2002 (the amount included in the executive budget is \$112 less than the required amount of \$3,831). (The Senate increased this amount by \$112.)	\$3,719		\$3,719
2. Provides funding for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department.	\$125,000		\$125,000
3. Adds 2 FTE data processing coordinator I positions and provides the following amounts for information technology support for the department:			
Salaries and wages	\$158,972		\$158,972
Operating expenses	16,770		16,770
Equipment	<u>4,200</u>		<u>4,200</u>
Total recommended appropriation	<u>\$179,942</u>		<u>\$179,942</u>
4. Deletes a 1 FTE human services program administrator V, the department's director of treatment programs, a currently vacant position.	(\$115,200)		(\$115,200)
<b>Juvenile Services - Youth Correctional Center</b>			
5. Increases funding for operating expenses by 10.5 percent, from \$1,963,599 to \$2,170,300, to reflect the following changes (the Senate added \$101,000 from the general fund for additional operating costs associated with Senate Bill No. 2220):			
Funding source change from the general fund to other funds	(\$143,030)	\$143,030	\$0
Increases funding for utility costs by 11.7 percent, from \$301,731 to \$336,908, due in part to the Pine Cottage addition completed during the 1999-2001 biennium	35,177		35,177
Provides funding to contract for a full-time psychiatric nurse		69,056	69,056

	General Fund	Other Funds	Total
Increases funding for operating fees and services by 82.3 percent, from \$96,000 to \$175,000, for contractual services provided to juveniles (e.g., haircuts, coaching fees, etc.)		79,000	79,000
Other	(4,219)	27,687	23,468
Total recommended changes	<u>(\$112,072)</u>	<u>\$318,773</u>	<u>\$206,701</u>
6. Decreases funding for capital improvements by \$1,883,180 compared to the 1999-2001 biennium appropriation of \$2,049,500 to reflect the completion of the Pine Cottage addition during the 1999-2001 biennium. (The Senate changed the funding source for the \$101,000 Brown and Maple Cottage fire suppression project from the general fund to the Penitentiary land fund.)	\$91,820	(\$1,975,000)	(\$1,883,180)
7. Provides funding for the following capital improvements at the Youth Correctional Center:			
Fire suppression systems in Brown and Maple Cottages (The Senate changed the funding source for this project from the general fund to the Penitentiary land fund.)	\$101,000		\$101,000
Extraordinary repairs	65,320		65,320
Total capital projects recommendation	<u>\$166,320</u>		<u>\$166,320</u>
8. Provides funding for bond repayments for projects completed during previous bienniums. (The bond repayment amounts will be transferred to the Industrial Commission.)	\$541,427		\$541,427
9. Adds 1 FTE security officer I position to provide additional night security.	\$56,665		\$56,665
10. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	\$6,481	\$331	\$6,812
11. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to the salary schedule prepared by Central Personnel.	\$291,375		\$291,375
<b>Juvenile Services - Juvenile Community Services Division</b>			
12. Removes spending authority for the delinquency prevention consortium, a cooperative effort of the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction established by the 1997 Legislative Assembly to study and implement programs to prevent crime and delinquency and reduce the incarceration of juveniles.		(\$200,000)	(\$200,000)
13. Increases funding for operating expenses by 15.9 percent, from \$2,380,775 to \$2,760,082, to reflect increases in information technology, telecommunications, and other costs. (The Senate added \$101,000 to partially fund anticipated increased transportation costs for juvenile offenders as a result of Senate Bill No. 2220.)	\$163,013	\$216,294	\$379,307
14. Increases funding for equipment from \$7,000 to \$97,700 for the purchase of computers and filing systems.	(\$7,000)	\$97,700	\$90,700
15. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	\$3,239	\$6,768	\$10,007
16. Increases funding for grants by 53.7 percent, from \$2,870,900 to \$4,413,877, to reflect additional federal funds available from the United States Department of Justice for grants to state and local entities for programs to serve juvenile offenders.		\$1,542,977	\$1,542,977
17. Adds 1 FTE administrative assistant I position and reduces temporary salaries as follows:			
Adds salaries and wages	\$42,601		\$42,601

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Reduces temporary salaries	(12,693)		(12,693)
Total recommended change	<u>\$29,908</u>		<u>\$29,908</u>
<b>Adult Services - Field Services Division (formerly Parole and Probation)</b>			
18. Increases funding for grants by 35.2 percent, from \$2,426,403 to \$3,280,619 to reflect additional federal and other funds available for crime victims compensation and assistance programs.	(\$129,164)	\$983,380	\$854,216
19. Decreases funding for equipment by 42.9 percent, from \$110,601 to \$63,102.	(\$44,924)	(\$2,575)	(\$47,499)
20. Adds 1 FTE parole and probation officer III and provides the following amounts for the establishment of a prerelease center. (The center will be operated on a contract basis and will house up to 50 inmates who are within six months of release. The center will provide counseling, job skills training, cognitive restructuring, and alcohol and drug abuse treatment services.)			
Salaries and wages	\$98,813		\$98,813
Operating expenses	1,401,648		1,401,648
Equipment	5,000		5,000
Total recommended appropriation	<u>\$1,505,461</u>		<u>\$1,505,461</u>
21. Provides funding for operating expenses to allow the department to contract with the State Hospital for the operation of a DUI treatment program. (The program will provide treatment services to DUI offenders with three or more offenses and will have a maximum occupancy of 25 inmates.)	\$2,139,284		\$2,139,284
22. Decreases general fund spending authority and increases other funds spending authority for operating expenses to reflect the collection of additional supervision fees.	(\$203,636)	\$203,636	\$0
23. Provides \$1,369,655 (\$1,009,655 from the general fund; \$360,000 from other funds) for the operation of the Tompkins Rehabilitation and Corrections Unit, an increase of \$288,455 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program to allow the department to contract with the Stutsman County jail for inmate cells and with the State Hospital for treatment services.)	\$288,455		\$288,455
24. Adds 4 FTE parole and probation officer II positions and provides the following amounts for additional parole and probation officers to serve the Devils Lake, Fargo, and Grand Forks areas:			
Salaries and wages	\$315,020		\$315,020
Operating expenses	64,744		64,744
Equipment	10,000		10,000
Total recommended appropriation	<u>\$389,764</u>		<u>\$389,764</u>
25. Provides \$452,000 (\$313,760 from the general fund; \$138,240 from other funds) for the last chance program, an increase of \$260,000 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program, which is an eight-bed residential facility providing cognitive restructuring, treatment, and other services to offenders in the Fargo area who would otherwise face revocation of parole or probation status and return to a Department of Corrections and Rehabilitation facility.)	\$204,760	\$55,240	\$260,000
26. Adds 1 FTE parole and probation officer III position and provides the following amounts for the establishment of a South Central Judicial District drug court, to be funded from supervision fees collected by the department:			
Salaries and wages		\$98,813	\$98,813

	General Fund	Other Funds	Total
Operating expenses		140,470	140,470
Total recommended appropriation		<u>\$239,283</u>	<u>\$239,283</u>
<b>Adult Services - Prisons Division (support services, program services, security and safety, and Roughrider Industries line items)</b>			
27. Increases funding for capital projects by \$2,657,428 compared to the 1999-2001 biennium appropriation of \$4,302,960 (support services and Roughrider Industries).	\$3,370,959	(\$713,531)	\$2,657,428
28. Provides funding for the following capital improvements (support services and Roughrider Industries):			
Extraordinary repairs	\$604,270	\$250,000	\$854,270
Food service/multipurpose building - Missouri River Correctional Center	1,983,000		1,983,000
Women's unit - James River Correctional Center	2,320,000	1,400,000	3,720,000
Parking lot - Penitentiary	403,118		403,118
Total adult services capital improvements	<u>\$5,310,388</u>	<u>\$1,650,000</u>	<u>\$6,960,388</u>
29. Provides funding for bond repayments for projects completed during previous bienniums; the bond repayment amounts will be transferred to the Industrial Commission (support services).	\$2,250,168		\$2,250,168
30. Increases funding for utility costs by 8.1 percent, from \$1,733,319 to \$1,873,442 (support services).	\$140,123		\$140,123
31. Increases funding for food and clothing by 34 percent, from \$1,975,850 to \$2,647,657, due primarily to an anticipated increase in food costs at the Missouri River Correctional Center and Penitentiary, an anticipated decrease in government commodities received by the department, and a reallocation of costs between cost centers (support services).	\$671,807		\$671,807
32. Increases funding for institutional medical fees and medical, dental, and optical costs by 36.6 percent, from \$2,206,419 to \$3,013,599, due to increased medical costs for the treatment of inmate medical needs (support services).	\$807,180		\$807,180
33. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel (\$140 included in support services; \$87,437 included in security and safety; \$17,672 included in Roughrider Industries).	\$87,577	\$17,672	\$105,249
34. Adds 22.5 FTE positions and provides the following amounts for the operation of the proposed James River Correctional Center women's unit for the last nine months of the 2001-03 biennium:			
.5 FTE registered nurse II (support services)	\$17,557		\$17,557
1 FTE office assistant II (support services)	16,974		16,974
1 FTE instructor (program services)	25,855		25,855
14 FTE correctional officer II (security and safety)	343,154		343,154
1 FTE criminal investigator II (security and safety)	24,511		24,511
1 FTE correctional unit manager (security and safety)	33,183		33,183
1 FTE correctional unit case manager (security and safety)	29,799		29,799
3 FTE correctional caseworker (security and safety)	78,645		78,645
Total FTE positions - 22.5 FTE	<u>\$569,678</u>		<u>\$569,678</u>
Temporary salaries (\$941 included in support services and \$14,838 included in security and safety)	\$15,779		\$15,779
Operating expenses (\$345,165 included in support services and \$76,650 included in program services)	421,815		421,815

	<b>General Fund</b>	<b>Other Funds</b>	<b>Total</b>
Equipment (support services)	33,795		33,795
Total recommended appropriation	<u>\$1,041,067</u>		<u>\$1,041,067</u>
35. Adds 28 FTE positions and provides the following amounts for the operation of the proposed seriously mentally ill (SMI) unit at the James River Correctional Center:			
1 FTE pharmacist I (support services)	\$99,278		\$99,278
3 FTE registered nurse II (support services)	227,079		227,079
1 FTE office assistant II (support services)	41,357		41,357
1 FTE licensed psychologist II (program services)	136,878		136,878
3 FTE social worker II (program services)	188,142		188,142
19 FTE correctional officer II (security and safety)	<u>1,125,921</u>		<u>1,125,921</u>
Total FTE positions - 28 FTE	\$1,818,655		\$1,818,655
Temporary salaries (\$7,133 included in support services and \$33,653 included in security and safety)	\$40,786		\$40,786
Operating expenses (\$545,206 included in support services and \$15,500 included in program services)	560,706		560,706
Equipment (support services)	<u>17,650</u>		<u>17,650</u>
Total recommended appropriation	<u>\$2,437,797</u>		<u>\$2,437,797</u>
36. Adds .5 FTE stores clerk for the Penitentiary (support services).	\$26,904		\$26,904
37. Adds 1 FTE office assistant II and provides the following amounts for the medical department at the Penitentiary (support services):			
Salaries and wages	\$47,631		\$47,631
Operating expenses	3,195		3,195
Equipment	<u>2,300</u>		<u>2,300</u>
Total recommended appropriation	<u>\$53,126</u>		<u>\$53,126</u>
38. Increases funding for housing state inmates at county or out-of-state correctional facilities by 35.3 percent, from \$1,812,491 to \$2,452,275 (security and safety).	\$639,784		\$639,784
39. Provides funding for salary adjustments, in addition to the executive budget compensation package, for correctional officer positions (security and safety).	\$222,528		\$222,528
40. Adds 2 FTE correctional officer II positions and provides the following amounts for the Penitentiary (security and safety):			
2 FTE correctional officer II positions	\$134,186		\$134,186
Temporary salaries	3,720		3,720
Operating expenses	<u>1,850</u>		<u>1,850</u>
Total recommended appropriation	<u>\$139,756</u>		<u>\$139,756</u>
41. Provides funding for producing a general issue of license plates during the 2001-03 biennium (Roughrider Industries).		\$2,500,000	\$2,500,000
42. Provides funding for expansion of work programs at the James River Correctional Center (Roughrider Industries).		\$500,000	\$500,000
43. Adds 3 FTE positions for the operation or expansion of inmate work programs (Roughrider Industries):			
1 FTE storekeeper I		\$53,809	\$53,809
2 FTE industrial production assistant II		<u>145,230</u>	<u>145,230</u>
Total recommended appropriation		<u>\$199,039</u>	<u>\$199,039</u>

**Major Hoeven Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget  
Compared to the Bill as Introduced (Schafer Budget)**

The Hoeven budget recommendation does not change the Schafer executive budget recommendation for this agency.

### **Major Legislation Affecting the Department of Corrections and Rehabilitation**

**House Bill No. 1208** - This bill requires that certain offenders in the department's custody after July 31, 2001, provide a blood or body fluid sample for the purpose of obtaining a DNA sample to be included in law enforcement identification data bases.

**House Bill No. 1218** - This bill authorizes a drug court program for repeat DUI offenders.

**House Bill No. 1270** - This bill enacts a new interstate compact for the supervision of adult offenders on parole or probation status.

**House Bill No. 1364** - This bill eliminates minimum mandatory sentences for certain first-time drug offenses.

**House Bill No. 1367** - This bill requires that most drug offenders serve at least 85 percent of the court-imposed sentence.

**Senate Bill No. 2135** - This bill allows the department to collect unpaid parole and probation supervision fees in the same manner as civil judgments rendered by district court and allows the department to employ a licensed collection agency in the collection of the unpaid fees.

**Senate Bill No. 2220** - This bill increases state costs for the transportation of juvenile offenders. Under current law, if a juvenile is in the legal custody of a state agency, that agency must pay the state mileage rate for the juvenile's transportation for medical examinations and treatment ordered by the court. This bill increases state costs by providing that the county reimbursement must include an additional 50 cents per mile.

**Senate Bill No. 2446** - This bill requires the Department of Corrections and Rehabilitation to conduct a risk assessment of sexual offenders under the control of the department or on supervised probation.

### **Summary of Legislative Changes to Bill as Introduced**

See attached Statement of Purpose of Amendment.