

Sixty-fourth
Legislative Assembly
of North Dakota

REENGROSSED HOUSE BILL NO. 1015

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to provide an appropriation to the legislative council; to provide
3 for a legislative management study; and to provide legislative intent.

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, 2015, and ending June 30, 2017, as follows:

	Base Level	Adjustments or Enhancements	Appropriation
13 Adult services	\$175,467,210	\$40,917,968	\$216,385,178
14 Youth services	28,604,526	2,867,534	31,472,060
15 Accrued leave payments	4,639,529	(4,639,529)	0
16 Total all funds	\$208,711,265	\$39,145,973	\$247,857,238
17 Less estimated income	30,936,922	6,702,338	37,639,260
18 Total general fund	\$177,774,343	\$32,443,635	\$210,217,978
19 Full-time equivalent positions	814.29	12.00	826.29
20 <u>Adult services</u>	<u>\$175,467,210</u>	<u>\$46,766,631</u>	<u>\$222,233,841</u>
21 <u>Youth services</u>	<u>28,604,526</u>	<u>2,911,581</u>	<u>31,516,107</u>
22 <u>Accrued leave payments</u>	<u>4,639,529</u>	<u>(4,639,529)</u>	<u>0</u>
23 <u>Total all funds</u>	<u>\$208,711,265</u>	<u>\$45,038,683</u>	<u>\$253,749,948</u>
24 <u>Less estimated income</u>	<u>30,936,922</u>	<u>7,425,784</u>	<u>38,362,706</u>

1	<u>Total general fund</u>	<u>\$177,774,343</u>	<u>\$37,612,899</u>	<u>\$215,387,242</u>
2	<u>Full-time equivalent positions</u>	<u>814.29</u>	<u>22.00</u>	<u>836.29</u>

3 **SECTION 2. ONE-TIME FUNDING - EFFECT ON BASE BUDGET - REPORT TO**

4 **SIXTY-FIFTH LEGISLATIVE ASSEMBLY.** The following amounts reflect the one-time funding
5 items approved by the sixty-third legislative assembly for the 2013-15 biennium and the
6 2015-17 one-time funding items included in the appropriation in section 1 of this Act:

7	<u>One-Time Funding Description</u>	<u>2013-15</u>	<u>2015-17</u>
8	Security camera upgrade	\$0	\$202,500
9	Equipment	552,900	244,400
10	License plate issue	4,900,000	4,900,000
11	Capital projects	349,950	0
12	Information technology upgrades	652,900	616,144
13	Missouri River correctional center study	200,000	0
14	Extraordinary repairs	1,683,296	1,425,267
15	Total all funds	\$8,339,046	\$7,388,311
16	Less estimated income	5,198,000	4,900,000
17	Total general fund	\$3,141,046	\$2,488,311
18	<u>DOCSTARS maintenance</u>	<u>0</u>	<u>150,000</u>
19	<u>Extraordinary repairs</u>	<u>1,683,296</u>	<u>1,425,267</u>
20	<u>Total all funds</u>	<u>\$8,339,046</u>	<u>\$7,538,311</u>
21	<u>Less estimated income</u>	<u>5,198,000</u>	<u>4,900,000</u>
22	<u>Total general fund</u>	<u>\$3,141,046</u>	<u>\$2,638,311</u>

23 The 2015-17 one-time funding amounts are not a part of the entity's base budget for the
24 2017-19 biennium. The department of corrections and rehabilitation shall report to the
25 appropriations committees of the sixty-fifth legislative assembly on the use of this one-time
26 funding for the biennium beginning July 1, 2015, and ending June 30, 2017.

27 **SECTION 3. APPROPRIATION - LEGISLATIVE COUNCIL.** There is appropriated out of
28 any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of
29 \$50,000, or so much of the sum as may be necessary, to the legislative council for the purpose
30 of obtaining consulting services to assist with a legislative management study of incarceration
31 issues, for the biennium beginning July 1, 2015, and ending June 30, 2017.

1 ~~SECTION 4. RECIDIVISM REDUCTION REENTRY PROGRAM -- PILOT PROJECT. The~~
2 ~~adult services line item in section 1 of this Act includes \$1,300,000 from the general fund for the~~
3 ~~recidivism reduction reentry program pilot project in Cass, Burleigh, Morton, and Williams-~~
4 ~~Counties.~~

5 **SECTION 4. LEGISLATIVE MANAGEMENT STUDY - INCARCERATION ISSUES.** During
6 the 2015-16 interim, the legislative management shall study ~~the recidivism reduction reentry-~~
7 ~~program pilot project, the prison day bed allocation pilot project,~~ pretrial services, sentencing
8 alternatives, treatment options, and other related issues. The legislative management shall
9 report its findings and recommendations, together with any legislation required to implement the
10 recommendations, to the sixty-fifth legislative assembly. To conduct the study, legislative
11 management shall create an incarceration issues committee consisting of:

- 12 1. Two members of the house appropriations committee;
- 13 2. Two members of the senate appropriations committee;
- 14 3. One member of the house judiciary committee;
- 15 4. One member of the senate judiciary committee; and
- 16 5. Other members serving in a nonvoting advisory capacity include:
 - 17 a. Two district court judges appointed by the chief justice of the supreme court;
 - 18 b. The chief justice of the state supreme court, or a designee of the chief justice;
 - 19 c. One local law enforcement official appointed by the governor from a city with a
20 population greater than 10,000, based on the most recent decennial census;
 - 21 d. One local law enforcement official appointed by the governor from a city with a
22 population less than 10,000, based on the most recent decennial census;
 - 23 e. One state's attorney appointed by the attorney general from a county with a
24 population of 10,000 or more, based on the most recent decennial census;
 - 25 f. One state's attorney appointed by the attorney general from a county with a
26 population of less than 10,000, based on the most recent decennial census;
 - 27 g. The attorney general, or a designee of the attorney general;
 - 28 h. The director of the department of corrections and rehabilitation; and
 - 29 i. One member appointed by the director of the department of corrections and
30 rehabilitation.

1 Legislative management shall select the chairman and vice chairman of the committee. The
2 committee shall meet quarterly, at the times and places as determined by the chairman. The
3 legislative council shall provide staff services for the committee.

4 **SECTION 5. LEGISLATIVE INTENT - CONTRACT HOUSING AND PROGRAMMING.** It is
5 the intent of the sixty-fourth legislative assembly that the department of corrections and
6 rehabilitation give priority for the use of funding appropriated for contract housing and
7 programming to contract with in-state local and regional facilities for the placement of overflow
8 inmates for the biennium beginning July 1, 2015, and ending June 30, 2017.