

HOUSE BILL NO. 1473

Introduced by

Representatives Glassheim, DeKrey

Senators Lyson, Triplett, Warner

1 A BILL for an Act to provide for a commission on alternatives to prison; to provide an
2 appropriation; and to provide an expiration date.

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

4 **SECTION 1. Commission on alternatives to prison.**

- 5 1. The commission on alternatives to prison is composed of twenty members as
6 follows:
- 7 a. Five members appointed by the governor, two of whom must be academic
8 researchers with specialized knowledge of prisons or prisoner behavior;
 - 9 b. The attorney general or the attorney general's designee;
 - 10 c. The chief justice of the supreme court or the chief justice's designee;
 - 11 d. The director of the department of corrections and rehabilitation;
 - 12 e. Two local law enforcement officers appointed by the attorney general;
 - 13 f. Three members of the house of representatives, two of whom must be
14 selected by the leader representing the majority faction of the house of
15 representatives and one of whom must be selected by the leader representing
16 the minority faction of the house of representatives;
 - 17 g. Three members of the senate, two of whom must be selected by the leader
18 representing the majority faction of the senate and one of whom must be
19 selected by the leader representing the minority faction of the senate;
 - 20 h. One representative of the North Dakota league of cities appointed by the
21 league of cities;
 - 22 i. One representative of the North Dakota association of counties appointed by
23 the association of counties; and

j. Two probationers appointed by the director of the department of corrections and rehabilitation.

2. The chairman of the legislative council shall select the chairman and vice chairman of the commission from the legislative members of the commission.

3. The commission shall meet at least four times at such times and places as determined by the chairman. The legislative council shall provide staffing for the commission.

4. The commission shall study sentencing alternatives, mandatory sentences, treatment options, the expansion of drug courts, home monitoring, and other related issues. The commission shall provide to the governor information and recommendations for the governor's consideration in time for inclusion of the recommendations in the biennial executive budget. The commission shall make a final report of its findings and recommendations together with any legislation required to implement those recommendations to the legislative council at its biennial meeting in November 2006.

5. The members of the commission who are not state employees or members of the legislative assembly are entitled to mileage and expenses as provided by law for state officers and employees. Unless otherwise provided in this subsection, the expenses of appointed members are to be paid by the legislative council. A state employee who is a member of the commission must receive that employee's regular salary and is entitled to mileage and expenses, to be paid by the employing agency. The members of the commission who are members of the legislative assembly are entitled to compensation from the legislative council for attendance at commission meetings at the rate provided for members of the legislative assembly for attendance at interim committee meetings and are entitled to reimbursement for expenses incurred in attending the meetings in the amounts provided by law for other state officers.

SECTION 2. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of \$5,000, or so much of the sum as may be necessary, to the legislative council for the purpose of funding the

1 commission on alternatives to prison as provided in this Act, for the biennium beginning July 1,
2 2005, and ending June 30, 2007.

3 **SECTION 3. EXPIRATION DATE.** Section 1 of this Act is effective through
4 December 31, 2006, and after that date is ineffective.