

Fifty-fifth  
Legislative Assembly  
of North Dakota

## REENGROSSED SENATE BILL NO. 2016

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 create and enact a new section to chapter 15-40.1 and a new  
3 subsection to section 15-40.2-08 of the North Dakota Century Code, relating to payment of  
4 tuition in cases of residential placements and to the transfer of funds appropriated for  
5 foundation aid; to provide legislative intent; to provide an effective date; and to declare an  
6 emergency.

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

8 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the  
9 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in  
10 the state treasury, not otherwise appropriated, and from special funds derived from federal  
11 funds and other income, to the department of corrections and rehabilitation for the purpose of  
12 defraying the expenses of its various divisions, for the biennium beginning July 1, 1997, and  
13 ending June 30, 1999, as follows:

14 Subdivision 1.

15 CENTRAL OFFICE

16 Salaries and wages	\$ 798,494
17 Operating expenses	77,929
18 Equipment	<u>4,400</u>
19 Total all funds	\$ 880,823
20 Less estimated income	<u>98,899</u>
21 Total general fund appropriation	\$ 781,924

22 Subdivision 2.

23 JUVENILE SERVICES

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1	Salaries and wages	\$ 8,708,389
2	Operating expenses	4,188,200
3	Equipment	102,879
4	Capital improvements	573,000
5	Grants	1,280,000
6	Institutional medical fees	<u>50,000</u>
7	Total all funds	\$14,902,468
8	Less estimated income	<u>5,006,447</u>
9	Total general fund appropriation	\$ 9,896,021

10 Subdivision 3.

11 ADULT SERVICES

12	Salaries and wages	\$20,392,705
13	Operating expenses	8,921,787
14	Equipment	170,867
15	Capital improvements	1,010,650
16	Capital improvements - medium security facility	4,896,425
17	Institutional medical fees	850,000
18	Victim services	3,104,399
19	Institutional offender services	321,991
20	Community offender services	<u>6,164,499</u>
21	Total all funds	\$45,833,323
22	Less estimated income	<u>10,483,117</u>
23	Total general fund appropriation	\$35,350,206

24 Subdivision 4.

25 ROUGHRIDER INDUSTRIES

26	Salaries and wages	\$ 2,427,773
27	Operating expenses	5,964,326
28	Equipment	221,000
29	Capital improvements	<u>86,112</u>
30	Total special funds	\$ 8,699,211
31	Grand total general fund appropriation S.B. 2016	\$46,028,151

1	Grand total special funds appropriation S.B. 2016	\$24,287,674
2	Grand total all funds appropriation S.B. 2016	\$70,315,825

3           **SECTION 2. TRANSFER AUTHORITY.** Upon approval of the budget section, the  
4 director of the department of corrections and rehabilitation may transfer appropriation authority  
5 contained in the various subdivisions in section 1 of this Act.

6           **SECTION 3. LINE ITEM TRANSFERS.** Upon approval of the emergency commission,  
7 the department of corrections and rehabilitation may transfer between the victim services,  
8 institutional offender services, and community offender services line items in subdivision 3 of  
9 section 1 of this Act appropriation authority of up to ten percent of a given line item to adjust for  
10 changing circumstances in meeting established performance measures. Any further transfers  
11 must be approved by the budget section.

12           **SECTION 4. STATE PENITENTIARY LAND FUND.** The amount appropriated for  
13 capital improvements in subdivisions 2 and 3 of section 1 of this Act includes \$382,300 and  
14 \$490,400, respectively, which is from the North Dakota state penitentiary land fund for the  
15 biennium beginning July 1, 1997, and ending June 30, 1999.

16           **SECTION 5.** A new section to chapter 15-40.1 of the North Dakota Century Code is  
17 created and enacted as follows:

18           **Transfer of funds prohibited.** The superintendent of public instruction may not  
19 transfer any portion of the funds appropriated for foundation aid to the youth correctional center  
20 to support the provision of educational services by the youth correctional center.

21           **SECTION 6.** A new subsection to section 15-40.2-08 of the 1995 Supplement to the  
22 North Dakota Century Code is created and enacted as follows:

23                   Notwithstanding the provisions of this section, educational services provided to a  
24 student by the youth correctional center are not subject to the payment of tuition by  
25 either the student's school district of residence or the superintendent of public  
26 instruction.

27           **SECTION 7. LEGISLATIVE INTENT - CRIME VICTIMS GRANTS.** It is the intent of  
28 the fifty-fifth legislative assembly that any grants distributed by the parole and probation division  
29 of the department of corrections and rehabilitation for victims services include a notice provided  
30 to grant recipients that additional federal funds available for grants during the 1997-99 biennium  
31 may not continue during the 1999-2001 biennium and that general fund appropriation authority

1 will not be provided by the fifty-sixth legislative assembly to continue the program at the  
2 1997-99 biennium level.

3 **SECTION 8. LEGISLATIVE INTENT - ROUGHRIDER INDUSTRIES CAPITAL**

4 **CONSTRUCTION.** It is the intent of the fifty-fifth legislative assembly that the funds  
5 appropriated in the capital improvements - medium security facility line item in subdivision 3 of  
6 this Act include \$325,013 of federal funds and \$36,112 of other funds derived from roughrider  
7 industries' operations for the construction of a building at the proposed medium security  
8 correctional facility to be used by roughrider industries for the employment of inmates at that  
9 facility.

10 **SECTION 9. EFFECTIVE DATE.** Section 5 of this Act is effective on July 1, 1999.

11 **SECTION 10. EMERGENCY.** The capital improvements - medium security facility line  
12 item in subdivision 3 of section 1 of this Act is declared to be an emergency measure.