

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 998-1002 of the Senate Journal and pages 1122-1127 of the House Journal and that Reengrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, replace "15-40.1 and a new" with "12-46"

Page 1, line 3, remove "subsection to section 15-40.2-08"

Page 1, line 4, replace "in cases of residential placements and to the transfer of funds appropriated for" with "for students committed to the youth correctional center"

Page 1, line 5, remove "foundation aid" and replace "provide an effective date" with "propose a legislative council study"

Page 1, line 17, replace "77,929" with "73,713"

Page 1, line 19, replace "880,823" with "876,607"

Page 1, line 21, replace "781,924" with "777,708"

Page 2, line 2, replace "4,188,200" with "4,127,066"

Page 2, after line 5, insert:

"Delinquency prevention consortium	100,000"
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Page 2, line 7, replace "14,902,468" with "14,941,334"

Page 2, line 8, replace "5,006,447" with "5,456,447"

Page 2, line 9, replace "9,896,021" with "9,484,887"

Page 2, line 12, replace "20,392,705" with "20,252,555"

Page 2, line 13, replace "8,921,787" with "8,679,128"

Page 2, line 21, replace "45,833,323" with "45,450,514"

Page 2, line 23, replace "35,350,206" with "34,967,397"

Page 2, line 27, replace "5,964,326" with "5,951,678"

Page 2, line 30, replace "8,699,211" with "8,686,563"

Page 2, line 31, replace "46,028,151" with "45,229,992"

Page 3, line 1, replace "24,287,674" with "24,725,026"

Page 3, line 2, replace "70,315,825" with "69,955,018"

Page 3, replace lines 16 through 26 with:

"SECTION 5. A new section to chapter 12-46 of the North Dakota Century Code is created and enacted as follows:

Youth correctional center - Payment of tuition. The superintendent shall charge a student's school district of residence tuition as follows:

1. The amount of tuition must be determined pursuant to this section for each student under the age of eighteen who is committed to the youth correctional center.
2. The amount of tuition is the average net foundation aid payment for all high schools for the fiscal year during which the student is committed to the youth correctional center, multiplied by the number of instructional days the student has been committed to the youth correctional center during the period for which the district is being charged, divided by one hundred eighty.
3. The average net foundation aid payment for all high schools is the average per student foundation aid payment for all high school districts, reduced by the average mill deduct per student, as determined by the superintendent of public instruction."

Page 3, replace lines 30 and 31 with "to grant recipients that the amount of funds appropriated for crime victims' grants for the 1997-99 biennium may not continue at the same level during the 1999-2001 biennium. The fifty-sixth legislative assembly is not obligated to provide an appropriation from the state general fund to continue the crime victims' grant program at the"

Page 4, remove line 1

Page 4, line 5, after "of" insert "section 1 of"

Page 4, after line 9, insert:

"SECTION 8. PURCHASE OF LAND AND BUILDINGS - EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7. The department of corrections and rehabilitation may purchase, within the limits of legislative appropriations provided for that purpose, the forensic unit building, the extended treatment building, a gymnasium building, and surrounding real property at the state hospital for development of a medium security correctional facility. The department of corrections and rehabilitation is not subject to the provisions of chapters 48-01.1 and 54-44.7, relating to public improvement contract bids and architect, engineer, and land surveying services, for construction and renovation relating to the medium security correctional facility.

SECTION 9. DELINQUENCY PREVENTION CONSORTIUM AND LEGISLATIVE COUNCIL STUDY. During the 1997-99 biennium, the department of corrections and rehabilitation, the department of human services, and the department of public instruction shall develop a delinquency prevention consortium, including representatives of those departments, other state agencies, and private organizations. The legislative council shall consider studying, during the 1997-99 biennium, programs to prevent crime and delinquency and reduce incarceration. If the legislative council conducts such a study, the delinquency prevention consortium shall work in cooperation with the legislative council. The study shall consider crime prevention programs other than incarceration, such as the following programs identified in the 1996 research report

"Diverting Children from a Life of Crime - Measuring Costs and Benefits": early childhood interventions for children at risk of developing antisocial behavior, interventions for families with children exhibiting aggressive or antisocial behavior, providing graduation incentives for disadvantaged high school students, and early monitoring of youth exhibiting delinquent behavior. The legislative council may report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-sixth legislative assembly. If, during the 1997-99 biennium, the legislative council does not study programs to prevent crime and delinquency and reduce incarceration, the delinquency prevention consortium shall complete such a study and present periodic reports to the legislative council or its designated committee during the 1997-99 biennium on its findings and recommendations.

SECTION 10. TUITION PAYMENTS TO THE YOUTH CORRECTIONAL CENTER - FOUNDATION AID PAYMENTS TO SCHOOL DISTRICTS. A school district shall not be liable for the payment of tuition during the 1997-99 biennium as provided in section 5 of this Act unless the school district received foundation aid for the student while the student was at the youth correctional center.

SECTION 11. LEGISLATIVE INTENT - YOUTH CORRECTIONAL CENTER CARPENTRY PROGRAM. It is the intent of the fifty-fifth legislative assembly that the department of corrections and rehabilitation use the funds appropriated for the 1997-99 biennium to continue the carpentry program at the youth correctional center."

Page 4, remove line 10

Page 4, line 12, replace "is" with "and section 8 of this Act are"

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS AND REHABILITATION

CONFERENCE COMMITTEE - This amendment removes risk management premiums of \$210,807 (\$198,159 general fund, \$12,648 other funds) from the Department of Corrections and Rehabilitation.

This amendment transfers \$90,150 general fund appropriation authority from salaries and wages to operating expenses for a .3 FTE physician position. The Senate transferred the authority for the .3 FTE position from the State Hospital to the Department of Corrections and Rehabilitation. However, the position will not be transferred. The Department of Corrections and Rehabilitation will contract for these services.

This amendment increases other fund appropriation authority for the Juvenile Services Division by \$350,000 and decreases general fund appropriation authority by the same amount to reflect tuition payments that the Youth Correctional Center will receive from school districts.

This amendment removes Sections 5 and 6 of the reengrossed bill. Section 5, which was effective on July 1, 1999, prohibited the transfer of foundation aid to the Youth Correctional Center. Section 6 provided that school districts were not liable for tuition for students at the Youth Correctional Center.

This amendment adds a new section which provides that school districts are responsible for the payment of tuition for students at the Youth Correctional Center. The tuition payment is equal to the statewide average foundation aid payment for high school districts, based on the number of days the student is at the Youth Correctional Center.

This amendment also reduces general fund appropriation authority for the Adult Services Division by \$250,000 (\$200,000 operating expenses, \$50,000 salaries and wages). The

operating expenses reduction is for programmatic reductions to be determined by the Department of Corrections and Rehabilitation. The salaries and wages reduction is to encourage the department to postpone filling unspecified positions relating to the proposed medium security facility in Jamestown. However, legislative intent indicates that any programmatic reductions should not include the carpentry program at the Youth Correctional Center.

This amendment directs the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction to develop a delinquency prevention consortium. The consortium will work with the Legislative Council which is encouraged to study programs to prevent crime and delinquency through early intervention methods and present recommendations to the Fifty-sixth Legislative Assembly. This amendment also appropriates \$100,000 of federal or other funds to the Department of Corrections and Rehabilitation for the delinquency prevention consortium.

This amendment clarifies the legislative intent contained in Section 7 of the reengrossed bill, relating to crime victims' grants. This section provides legislative intent that crime victims' grant recipients be provided a notice that the federal funds available for grants during the 1997-99 biennium may not be available during the 1999-2001 biennium and may not be replaced with state funds.

This amendment adds a new section which allows the Department of Corrections and Rehabilitation to purchase, from the State Hospital, the buildings and land for the medium security facility and exempts the department from the provisions of Chapters 48-01.1 and 54-44.7, relating to bidding requirements and architect, engineer, and land surveying services.

This amendment provides that a school district shall only be liable for the payment of tuition to the Youth Correctional Center if the district received foundation aid for the student while the student was at the Youth Correctional Center.

	ENGROSSED BILL	REMOVE RISK MANAGEMENT PREMIUMS	DELINQUENCY PREVENTION CONSORTIUM	REMOVE PHYSICIAN POSITION AND ADD OPERATING EXPENSES FOR CONTRACTED SERVICES	REDUCE SALARIES AND WAGES AND OPERATING EXPENSES	ADD OTHER FUNDS AUTHORITY AND REDUCE GENERAL FUND AUTHORITY FOR TUITION PAYMENTS	TOTAL CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE INCREASE (DECREASE) TO HOUSE VERSION
CENTRAL OFFICE										
Salaries and wages	\$ 798,494							\$ 798,494	\$ 798,494	
Operating expenses	77,929	\$ (4,216)					\$ (4,216)	73,713	73,713	
Equipment	<u>4,400</u>							<u>4,400</u>	<u>4,400</u>	
Total	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607	\$ 876,607	\$ 0
General fund	\$ 781,924	\$ (4,216)					\$ (4,216)	\$ 777,708	\$ 777,708	
Other funds	<u>98,899</u>							<u>98,899</u>	<u>98,899</u>	
Total	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607	\$ 876,607	\$ 0
JUVENILE SERVICES										
Salaries and wages	\$ 8,708,389							\$ 8,708,389	\$ 8,708,389	
Operating expenses	4,188,200	\$ (61,134)					\$ (61,134)	4,127,066	4,127,066	
Equipment	102,879							102,879	102,879	
Capital improvements	573,000							573,000	573,000	
Grants	1,280,000						100,000	1,280,000	1,280,000	
Delinquency prevention consortium			\$100,000					100,000	100,000	
Institutional medical fees	<u>50,000</u>							<u>50,000</u>	<u>50,000</u>	
Total	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334	\$14,941,334	\$ 0
General fund	\$ 9,896,021	\$ (61,134)				\$ (350,000)	\$ (411,134)	\$ 9,484,887	\$ 9,484,887	
Other funds	<u>5,006,447</u>		\$100,000			<u>350,000</u>	<u>450,000</u>	<u>5,456,447</u>	<u>5,456,447</u>	
Total	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334	\$14,941,334	\$ 0
ADULT SERVICES										
Salaries and wages	\$20,392,705			\$ (90,150)			\$ (140,150)	\$20,252,555	\$20,202,555	\$ 50,000
Operating expenses	8,921,787	\$ (132,809)		90,150	\$ (50,000)		(242,659)	8,679,128	8,479,128	200,000
Equipment	170,867							170,867	170,867	
Capital improvements	1,010,650							1,010,650	1,010,650	
Capital improvements - medium security facility	4,896,425							4,896,425	4,896,425	
Institutional medical fees	850,000							850,000	850,000	
Victim services	3,104,399							3,104,399	3,104,399	
Institutional offender services	<u>321,991</u>							<u>321,991</u>	<u>321,991</u>	
Community offender services	<u>6,164,499</u>							<u>6,164,499</u>	<u>6,164,499</u>	

Total	\$45,833,323	\$(132,809)	\$	0	\$	0	\$(250,000)	\$	0	\$(382,809)	\$45,450,514	\$45,200,514	\$250,000
General fund	\$35,350,206	\$(132,809)					\$(250,000)			\$(382,809)	\$34,967,397	\$34,717,397	\$250,000
Other funds	<u>10,483,117</u>										<u>10,483,117</u>	<u>10,483,117</u>	
Total	\$45,833,323	\$(132,809)	\$	0	\$	0	\$(250,000)	\$	0	\$(382,809)	\$45,450,514	\$45,200,514	\$250,000
ROUGH RIDER INDUSTRIES													
Salaries and wages	\$ 2,427,773										\$ 2,427,773	\$ 2,427,773	
Operating expenses	5,964,326	\$(12,648)								\$(12,648)	5,951,678	5,951,678	
Equipment	221,000										221,000	221,000	
Capital improvements	<u>86,112</u>										<u>86,112</u>	<u>86,112</u>	
Total	\$ 8,699,211	\$(12,648)	\$	0	\$	0	\$	0	\$	0	\$ 8,686,563	\$ 8,686,563	\$
General fund													
Other funds	<u>\$ 8,699,211</u>	<u>\$(12,648)</u>								<u>\$(12,648)</u>	<u>\$ 8,686,563</u>	<u>\$ 8,686,563</u>	
Total	\$ 8,699,211	\$(12,648)	\$	0	\$	0	\$	0	\$	0	\$ 8,686,563	\$ 8,686,563	\$
DOCR total general fund	\$46,028,151	\$(198,159)					\$(250,000)	\$(350,000)		\$(798,159)	\$45,229,992	\$44,979,992	\$250,000
DOCR total other funds	<u>24,287,674</u>	<u>(12,648)</u>	<u>\$100,000</u>					<u>350,000</u>		<u>437,352</u>	<u>24,725,026</u>	<u>24,725,026</u>	
DOCR total all funds	\$70,315,825	\$(210,807)	\$100,000	\$	0	\$(250,000)	\$	0	\$(360,807)	\$69,955,018	\$69,705,018	\$250,000	
FTE	518.94			(0.30)						(0.30)	518.64	518.64	0