

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 5, after the second semicolon insert "to propose a legislative council study; to provide a contingent payment;"

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 "3,927,066"

Page 2, after line 5, insert:

"Delinquency prevention consortium	100,000"
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Page 2, line 7, replace "14,902,468" with "14,741,334"

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

Page 2, line 9, replace "9,896,021" with "9,284,887"

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

Page 2, line 13, replace "8,921,787" with "8,879,128"

Page 2, line 21, replace "45,833,323" with "45,650,514"

Page 2, line 23, replace "35,350,206" with "35,167,397"

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 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 9. 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 10. 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 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 in section 1 of this Act to continue the carpentry program at the youth correctional center during the 1997-99 biennium.

**SECTION 12. CONTINGENT PAYMENT.** If, as of December 31, 1998, the superintendent of public instruction determines that a portion of the amount appropriated in the grants - foundation aid and transportation line item in House Bill No. 1013 will not be distributed during the 1997-99 biennium, the superintendent shall provide a payment, in addition to any other payments required by law, equal to the estimated undistributed amount, up to \$350,000, to the youth correctional center for educational costs incurred during the 1997-99 biennium. If the amount of the payment is less than \$350,000, the department of corrections and rehabilitation shall request a deficiency appropriation from the fifty-sixth legislative assembly for the amount that when added to the amount of the payment will equal \$350,000."

Page 4, line 12, replace "is" with "and section 9 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 funds appropriation authority for the Juvenile Services Division by \$350,000 and decreases general fund appropriation authority by the same amount to reflect a contingent payment the Youth Correctional Center may receive from the Department of Public Instruction.

This amendment also reduces general fund appropriation authority by \$250,000 (\$200,000 Juvenile Services Division operating expenses, \$50,000 Adult Services Division 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 adds a new section which authorizes a contingent payment of up to \$350,000 from the foundation aid appropriation line item to the Youth Correctional Center, if the Department of Public Instruction estimates, as of December 31, 1998, that the entire appropriation for foundation aid will not be distributed during the 1997-99 biennium. If the amount of the payment is less than \$350,000, the Department of Corrections and Rehabilitation is authorized to request a deficiency appropriation from the 1999 Legislative Assembly for the difference between \$350,000 and the amount of the payment.

	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 CONTINGENT PAYMENT	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	4,400							4,400	4,400	
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	98,899							98,899	98,899	
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)			\$ (200,000)		\$ (261,134)	3,927,066	4,127,066	\$ (200,000)
Equipment	102,879							102,879	102,879	
Capital improvements	573,000							573,000	573,000	
Grants	1,280,000		\$100,000				100,000	1,280,000	1,280,000	
Delinquency prevention								100,000	100,000	
Consortium										
Institutional	50,000							50,000	50,000	
medical fees										
Total	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ (200,000)	\$ 0	\$ (161,134)	\$14,741,334	\$14,941,334	\$ (200,000)
General fund	\$ 9,896,021	\$ (61,134)			(200,000)	\$ (350,000)	\$ (611,134)	\$ 9,284,887	\$ 9,484,887	\$ (200,000)
Other funds	5,006,447		\$100,000			350,000	450,000	5,456,447	5,456,447	
Total	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ (200,000)	\$ 0	\$ (161,134)	\$14,741,334	\$14,941,334	\$ (200,000)
ADULT SERVICES										
Salaries and wages	\$20,392,705							\$20,252,555	\$20,202,555	\$ 50,000
Operating expenses	8,921,787	\$ (132,809)		\$ (90,150)	\$ (50,000)		\$ (140,150)	8,879,128	8,479,128	\$ 400,000
Equipment	170,867			90,150			(42,659)	170,867	170,867	
Capital improvements	1,010,650							1,010,650	1,010,650	
Capital improvements - medium security	4,896,425							4,896,425	4,896,425	
facility										
Institutional	850,000							850,000	850,000	
medical fees										
Victim services	3,104,399							3,104,399	3,104,399	
Institutional offender services	321,991							321,991	321,991	

Community offender services	<u>6,164,499</u>							<u>6,164,499</u>	
Total	\$45,833,323	\$ (132,809)	\$ 0	\$ 0	\$ (50,000)	\$ 0	\$ (182,809)	\$45,650,514	\$ 450,000
General fund	\$35,350,206	\$ (132,809)			\$ (50,000)		\$ (182,809)	\$35,167,397	\$ 450,000
Other funds	<u>10,483,117</u>							<u>10,483,117</u>	
Total	\$45,833,323	\$ (132,809)	\$ 0	\$ 0	\$ (50,000)	\$ 0	\$ (182,809)	\$45,650,514	\$ 450,000
ROUGHRIIDER INDUSTRIES									
Salaries and wages	\$ 2,427,773							\$ 2,427,773	
Operating expenses	5,964,326	\$ (12,648)					\$ (12,648)	5,951,678	
Equipment	221,000							221,000	
Capital improvements	<u>86,112</u>							<u>86,112</u>	
Total	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (12,648)	\$ 8,686,563	\$ 0
General fund									
Other funds	<u>\$ 8,699,211</u>	<u>\$ (12,648)</u>					<u>\$ (12,648)</u>	<u>\$ 8,686,563</u>	
Total	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (12,648)	\$ 8,686,563	\$ 0
DOCR total general fund	\$46,028,151	\$ (198,159)			\$ (250,000)	\$ (350,000)	\$ (798,159)	\$45,229,992	\$ 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>	
DOCR total all funds	\$70,315,825	\$ (210,807)	\$100,000	\$ 0	\$ (250,000)	\$ 0	\$ (360,807)	\$69,955,018	\$ 250,000
FTE	518.94			(0.30)			(0.30)	518.64	0