PROPOSED AMENDMENTS TO ENGROSSED HOUSE BILL NO. 1016

Page 1, line 2, after "rehabilitation" insert "; to provide for an early release program; to provide an exemption to chapters 48-01.1 and 54-44.7 of the North Dakota Century Code, relating to public improvement contract bids and architect, engineer, and land surveying services; to provide a statement of legislative intent; to provide for legislative council studies"

Page 1, line 10, replace "20,461,983" with "21,605,127"

Page 1, line 11, replace "66,836,583" with "70,338,308"

Page 1, line 12, replace "9,651,218" with "9,635,918"

Page 1, line 13, replace "11,602,021" with "11,583,071"

Page 1, line 14, replace "108,551,805" with "113,162,424"

Page 1, line 15, replace "30,135,194" with "30,270,459"

Page 1, line 16, replace "78,416,611" with "82,891,965"

Page 2, after line 2, insert:

"**SECTION 4. NINETY-DAY EARLY RELEASE.** Except as otherwise provided in this section, the department of corrections and rehabilitation shall grant a one-time sentence reduction of ninety days, or the balance of the sentence if the remaining amount of the inmate's sentence to be served in custody is less than ninety days, to each inmate in the custody of the department of corrections and rehabilitation on March 1, 2003. An inmate serving a sentence for a conviction of any sexual offense or attempted sexual offense in violation of section 12.1-20-03, 12.1-20-03.1, 12.1-20-04, 12.1-20-05, 12.1-20-05.1, 12.1-20-06, 12.1-20-07 except subdivision a of subsection 1, 12.1-20-11, 12.1-20-12.1, or 12.1-20-12.2, or for an offense in violation of chapter 12.1-27.2, serving a sentence for a conviction of any offense or attempted offense in violation of chapter 12.1-27.2, serving a sentence for a conviction of any offense or attempted offense in violation of section 12.1-16-01, 12.1-16-02, 12.1-17-02, 12.1-18-01, 12.1-22-01, or subdivision b of subsection 2 of section 12.1-22-02, or serving a sentence of nine months or less of imprisonment may not receive the sentence reduction provided by this section.

SECTION 5. 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 appropriation provided for that purpose the LaHaug building and surrounding real property for the purpose of a women's prison on the grounds of the state hospital. Ownership of the food service building, the dining facility and attached building 18A, the laundry building, and buildings eight and fifty on the grounds of the state hospital also must be transferred to the department of corrections and rehabilitation. 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 LaHaug building, nurses' building, food service building, dining facility and attached building 18A, laundry building, and building eight.

SECTION 6. LEGISLATIVE INTENT - ADDITIONAL UNSPENT GENERAL FUND APPROPRIATION AUTHORITY. It is the intent of the fifty-eighth legislative assembly that the department of corrections and rehabilitation have unspent general fund appropriation authority of at least $1,415,895 for the 2001-03 biennium. This includes $242,000 that was previously planned to be used for the remodeling of the state hospital's nurses' building before June 30, 2003, and was not included in the March revised general fund turnback estimate for the 2001-03 biennium.

SECTION 7. LEGISLATIVE COUNCIL STUDY - SOUTHWEST MULTI-COUNTY CORRECTION CENTER. The legislative council shall consider studying, during the 2003-04 interim, the potential uses of the southwest multi-county correction center by the department of corrections and rehabilitation. If chosen, the study must consult with the North Dakota university system and industries, including oil-related industries, regarding the use of the southwest multi-county correction center facilities as a possible transition center, or other use, by the department of corrections and rehabilitation. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 8. LEGISLATIVE COUNCIL STUDY - PRESENTENCE REPORT. The legislative council shall consider studying, during the 2003-04 interim, the effect of the department of corrections and rehabilitation conducting a presentence investigation, preparing a presentence report, making criminal records checks, and including that information in a report for the court. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly.

SECTION 9. LEGISLATIVE COUNCIL STUDY - DEPARTMENT OF CORRECTIONS AND REHABILITATION AUTHORITY FOR PLACEMENT OF OFFENDERS. The legislative council shall consider studying, during the 2003-04 interim, the impact of providing the department of corrections and rehabilitation with additional authority for placement of offenders sentenced to prison. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-ninth legislative assembly."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

House Bill No. 1016 - Department of Corrections and Rehabilitation - Senate Action

	EXECUTIVE BUDGET	HOUSE VERSION	SENATE CHANGES	SENATE VERSION
Field services	$21,632,548	$20,461,983	$1,143,144	$21,605,127
Prisons Division	71,185,029	66,836,583	3,501,725	70,338,308
Juvenile community services	9,615,306	9,651,218	(15,300)	9,635,918
Youth Correctional Center	11,476,494	11,602,021	(18,950)	11,583,071
Total all funds	$113,909,377	$108,551,805	$4,610,619	$113,162,424
Less estimated income	30,992,766	30,135,194	135,265	30,270,459
General fund	$82,916,611	$78,416,611	$4,475,354	$82,891,965
FTE	717.18	641.18	66.00	707.18

Dept. 530 - Department of Corrections and Rehabilitation - Detail of Senate Changes

	REDUCES RECOMMENDED FUNDING FOR HEALTH INSURANCE [1]	REDUCES FUNDING FOR INFORMATION TECHNOLOGY COSTS [2]	RESTORES FUNDING AND FTES FOR PROPOSED WOMEN'S PRISON [3]	REMOVES FUNDING FOR CONTRACT HOUSING FOR WOMEN INMATES [4]	RESTORES 1 PAROLE AND PROBATION OFFICER II [5]	RESTORES GENERAL FUND FUNDING [6]
Field services	($8,430)	($17,110)			$90,376	$1,078,308
Prisons Division	(51,875)	(37,652)	$7,560,574	($6,642,320)		2,922,998
Juvenile community services	(3,521)	(11,779)				
Youth Correctional Center	(9,549)	(9,401)				

Total all funds	($73,375)	($75,942)	$7,560,574	($6,642,320)	$90,376	$4,001,306
Less estimated income	(5,987)		1,294,603	(1,243,727)	90,376	
General fund	($67,388)	($75,942)	$6,265,971	($5,398,593)	$0	$4,001,306
FTE	0.00	0.00	65.00	0.00	1.00	0.00

	SAVINGS FROM 90-DAY EARLY RELEASE PROGRAM [7]	TOTAL SENATE CHANGES
Field services		$1,143,144
Prisons Division	($250,000)	3,501,725
Juvenile community services		(15,300)
Youth Correctional Center		(18,950)
Total all funds	($250,000)	$4,610,619
Less estimated income		135,265
General fund	($250,000)	$4,475,354
FTE	0.00	66.00

[1] This amendment reduces the funding for state employee health insurance premiums from $493 to $488.70 per month.

[2] This amendment reduces funding for information technology by $75,942 from the general fund, which represents a reduction in information technology funding from the general fund of approximately 4 percent.

[3] This amendment restores the funding and 65 FTE positions for the Governor's recommendation for a women's prison at the State Hospital LaHaug Building, which was removed by the House.

[4] This amendment removes funding to contract to house all women inmates for the 2003-05 biennium, which was added by the House.

[5] This amendment restores one parole and probation officer II that was removed by the House.

[6] This amendment restores part of the general fund amount that the House had removed for the Field Services Division and the Prisons Division.

[7] This amendment reduces funding for the Prisons Division as a result of the 90-day early release program.

This amendment also adds six sections to the bill, Sections 4, 5, 6, 7, 8, and 9. Section 4 provides for an early release program; Section 5 provides an exemption to North Dakota Century Code Chapters 48-01.1 and 54-44.7 relating to public improvement contract bids and architect, engineer, and land surveying services; Section 6 provides legislative intent for unspent general fund appropriation authority; Section 7 provides for a Legislative Council study of the Southwest Multi-County Correction Center; Section 8 provides for a Legislative Council study of presentence reports; and Section 9 provides for a Legislative Council Study of the Department of Corrections and Rehabilitation authority for placement of offenders.