MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION
SFN 2053 (2/85) 5M

ROLL NUMBER

DESCRIPTION

2016

2001 SENATE APPROPRIATIONS

SB 2016

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date January 16,2001

Tape Number	Side A	Side B	Meter #
1	Dept Corrections		0.0-53.0
1		Dept. Corrections	0.0-50.5
2	Dept Corrections		0.0-54.4
2		Dept. Corrections	0.0-26.0
Committee Clerk Signature			

Minutes:

Senator Nething opened hearing for Department of Corrections.

Elaine Little, Director of Corrections and Rehabilitation (DOCR), introduced members of her staff present for the hearing and in support of this bill. The increase to the budget is due to a population increase of inmates and offenders (charts attached). Major increase is due to more arrival of inmates than releases where in the past this was averaged out. The count of inmates as of 12/21/00 is 1,076. She explained the sentence lengths and reasons over years (chart attached). There is an increase in violent offenders and sex offenders has stayed same. Drug and DUI offenders has increased. Sentences violent crimes 10 years, sex offenders 11 years and drug offenders 5 years. Explaining graph (attached) showing inmate arrivals, release and net gain/losses; the crime types, with drug offenses increasing; parole reviews, granting fewer releases down 19% with probation population increasing to 100%. There are 3,265 paroled at this time.

Senator Robinson: Looking at graph and percent paroled; does the reduction attribute to mixed crimes/sentencing to change population?

Elaine Little: Part of it; the Parole Board is more conservative, we have tougher inmates.

Senator Tomac: Can you provide a gender balance; is it constant where it is at?

Elaine Little: Female is constant at 60 to 70 last five years; had fewer previous years.

Senator Holmberg: What is your idea of the rationale rate compared past years?

Elaine Little: There were two primary groups years back; today it has changed with 19% native American, Hispanic 10% and black 5%.

Senator Holmberg: With population of the state; native American higher?

Elaine Little: No.

Senator Andrist: Have you experienced with electronic monitoring instead of incarceration?

Elaine Little: We have pulled back using them; they are not fool proof; with the ankle bracelet, violations can still be committed; not very effective in ND.

Senator Nething: Is the population of ND to small for these electric systems?

Elaine Little: Yes, they are more effective in the larger states.

Senator Robinson: Are your projections that inmate count will continue to rise?

Elaine Little: Projections are a 7% increase per year with inmates; the new biennium we are projecting a 10-15% increase which we were hoping would be more stable.

Senator Robinson: How many beds are outside the prison are those projections?

Elaine Little: We have placed 130 outside, 50 jails and 80 private prisons until the addition to 5th and 6th floors at the JRCC are completed, projection by July 1, 2001.

Senator Grindberg: Are you still transferring Federal inmates to ND?

Elaine Little: We are no longer housing Federal inmates but are still participating in the exchange program.

Senator Holmberg: Some 20 years ago there was an issue that county jails could not house inmate for over a year; is that still true?

Elaine Little: Yes, no longer than a year; more than 50 inmates have 15-18 month sentences; once we had a prisoner who was only serving a 30 day sentence.

Senator Heitkamp: With economic times being good, shouldn't the prison count down?

Elaine Little: That is an interesting question; this does not seem to make a difference with the prison count as most prisoners money in the first place; 85% with addition problems and 25% without GED; economics has not changed the count.

Senator Heitkamp: Are you still using private companies to transfer prisoners?

Elaine Little: Recently we either use our own staff or US Marshall service.

Senator Robinson: In the course of the last number of years, with the mixture of criminals, have you noticed a change in the moral with the staff?

Elaine Little: In Bismarck there is a mixture in the types of inmate; we have more gang related around 70 to 100 inmates and this has affected management; also more mentally ill inmates.

Senator Bowman: With repeat offenders, could rehabilitation with drug users verses drug dealers make a difference

Elaine Little: This is complex; most drug users are dealers as well to support their own habit.

Senator Tomac: With increase of mentally ill, where are most of them coming from; what type of illnesses are there?

Elaine Little: Across the board, the types vary; change in communities and treatment is complex.

Senator Tomac In the past decade, people have been deinstitutionalized does this explain some mental illnesses or is it part of birth disorders? Can this be categorized?

Elaine Little: We really can't categorize it at this time; needs further studying.

Tape 1, Side A, meter 33.5

Denny Fracassi, Director Rough Rider Industries, (testimony attached), gave an overview on Rough Rider Industries. We currently have 160 inmates working each day in the industry program. This save state taxpayers several hundred thousand dollars each year. We are requesting an increase of $3,222,616 for our budget. Approximately $1.7 million is targeted for raw materials in anticipation of a new general issue of license plates. Some of the remaining $1.5 million will be used to cover additional labor and overhead but the majority of these dollars is targeted toward relationships with private sector. We have done business with over 70 North Dakota businesses reaching sales of $1.7 million and additional work for 50-60 inmates. The Prison Industry Enhancement Program (PIE) has enabled us to find common grounds for our presence with the private sector in a non-threatening manor. In this program inmates are paid minimum wages and agree to deductions of up to 80% of their gross earnings for taxes; a 5% deduction to victims reparations fund, deduction for fines, restitution, child support and institutional costs that are used to help defray the cost of incarceration. For the eighteen months ending December 31, 2000, a total of $310,193 has been paid to inmates in the PIE Program.

Senator Nething: A couple of years ago, we looked at a PIE Program in Utah. How is that program and did we learn anything from their program?

Denny Fracassi: Utah's PIE Program had telemarketing which failed; we are currently looking at cut and sew operations in Jamestown and are currently working with three different private sector partners.

Senator Bowman: Looking at the native American population today; is there a lack of understanding their culture in prisons?

Denny Fracassi: Their in cultural training at the prisons.

Senator Robinson: Are there other programs making products besides the cut and sew in Jamestown?

Denny Fracassi: Bismarck there is furniture, license plates, sign shop, etc. We are working much better with private sector today and it is not our intent to take jobs away from them.

Senator Holmberg: There are areas where people lack training in technology today; could there be any type of technology component to utilize with the inmates?

Denny Fracassi: Not right now; there a problems with inmates skill resources.

Senator Holmberg: It would be a good idea to look at.

Senator Thane: Is there any involvement with females at RRI?

Denny Fracassi: Yes, we have a coed shop in Jamestown which was designed with this in mind as security is good.

Senator Heitkamp: What about Irwin Jacobs?

Denny Fracassi: With World's Greatest Deals, we had a transportation problem and issues with the company; they decided to locate in Nevada instead of North Dakota.

Senator Heitkamp: DOT license costs are $5.00 per vehicle; how much does it cost RRI to make?

Denny Fracassi: $2.99 to DOT for a pair of plates; increase about 6-8 cents.

Senator Nething: How are the mailings done for the plates?

Denny Fracassi: DOT delivers to different districts; they want it in-house.

Tape #1, end Side A, meter 53.0

Tape #1, start Side B, meter 0.0

Tim Schuetzle, Prisons Division Director, (testimony attached), stated the state prison consists of three divisions, ND State Penitentiary, Missouri River Correctional Center in Bismarck and James River Correctional Center in Jamestown. We currently have a population of 1,069 inmates and 180 in county jails. Current budget forecast is for an increase in medical costs. There was a delay with the Federal Government in providing funding from the crime bill which pushed back construction of the 5th and 6th floors at JRCC. We completed two capital projects in 1999-2000. It is more difficult to attract and retain workers at the three facilities. We have had to increase salaries for our exiting nurses, clerical personnel and addiction counselors to bring equity with what more recent hires were making as well as starting wages for new correctional officers. Our 2001-2003 governor's budget for the Prisons Division includes a $13.2 million increase over last biennium.

Senator Solberg: Looking at line item C; explain deploying federal funds and why.

Tim Schuetzle: This is a problem which included requirements to release money and was an environmental impact shifting of funds from the Justice Department.

Senator Bowman: Increase in salaries; some raised, others base line?

Tim Schuetzle: Correct because of pay inequities; increase is needed, can't hire because of current pay.

Senator Thane: Hepatitis treatment; cost effective; vaccination program.

Tim Schuetzle: There are three forms of hepatitis; Hepatitis B can be vaccinated; was requested as a priority and is not funded in executive budget; would be cost effective. Hepatitis is a concern at the prison. Some prisoners will even pay out of their pockets for the vaccination others refuse vaccination.

Senator Thane: Why is this denied in the budget?

Tim Schuetzle: There are items considered higher priority; no reason why.

Senator Robinson: Are Chapel services provided at the prison? Is this provided by the state?

Tim Schuetzle: We have a work agreement with churches; it is not funded. Contract money is used and is not part of budget.

Tim Schuetzle: The MRCC Food Service/Multi-purpose Building $1.983 million and women's unit at the JRCC $3.7 million.

Senator Bowman: Do all women go to JRCC?

Tim Schuetzle: Yes, medium and security women.

Senator Robinson: Is the women's facility filling right away; will there be a need for expansion in later plans and not to remodel?

Tim Schuetzle: Yes it is filling up right away; it holds 50-75 and we now have 65 women; women prisoners has been steady for the last five years; we are able to expand to other building which is now occupied by the State Hospital.

Senator Solberg: Why are you not using 80 beds in women's building now?

Tim Schuetzle: Unfortunately because of a lawsuit in 1993; require main custody area and this is the same for men. Still a court ruling on women custody.

Senator Solberg: Maximum verses minimum?

Tim Schuetzle: Depends on ward size; mostly minimum units that are separated.

Tape 1, Side B, meter 35.0

Tim Schuetzle: Serious Mentally Ill Unit (SMI) an increase of $2.349 million due to additional staff that are trained in this area to treat these inmate efficiently.

Senator Bowman: I'm confused; first these people were at the State Hospital then to the communities and now at the prison with the need of a new facility. Why not house them at the State Hospital?

Tim Schuetzle: The main difference as they have now committed a crime and they are now our problem. The building was built to handle illnesses which the JRCC now has and there is no space to take back.

Senator Bowman: Evidently this is not working; we need to change the system to control the environment.

Tim Schuetzle: This is true; some do go on to commit crimes so do not.

Senator Robinson: Is the issue to what extent are they moving from system to system and the process and the numbers to meet the concern?

Tim Schuetzle: Yes we are seeing this at the prison and it is at a crisis point with the mentally ill.

Senator Nething: I think this is a problem across the country.

Senator Andrist: Why provide the space and security at the prison and not contract it out with the State Hospital?

Tim Schuetzle: No competition; it benefits our staff more than the State Hospital; we could pay the State Hospital but you have to look at the time and what their priorities are.

Senator Tomac: Is the pharmacist contracted?

Tim Schuetzle: Not contracted; is a full time worker at the prison mainly for SMI facility.

Senator Tomac: The SMI Unit; it is a 24 bed unit, approximately 1/3 population under prison control; is it large enough for this population.

Tim Schuetzle: We assume so; flexibility for complete treatment; transporting back and forth to other locations.

Tim Schuetzle: External housing of inmates $639,784 (attached testimony Section II, d.)

Tape 1, end Side B, meter 50.5

Tape 2, Side A, meter 0.0

Senator Heitkamp: On population growth; a lot of inmates don't need to be incarcerated; is this looked at?

Tim Schuetzle: Some maybe don't need to be, but which ones. Per Parole Board biggest reason of sentences now are the drug offenders.

Senator Heitkamp: Drugs are prevalent to society; change is costing money and maybe doesn't need to; are we doing the right thing?

Elaine Little: This is a shady area; research on drug rehab, the need to be there. Research show minimum custody goes up the longer the incarceration.

Tim Schuetzle: Increased medical expenses $808,480 (attached Part II, e.); Correctional Officers starting salaries $222,528 (attached Part II, f.); Additional positions, capital improvements $403,000 NDSP parking lot and $439,688 equipment. (attached Part II, g.). Future concerns (attached Part III, a., b., c., d.)

Warren Emmer, Director, Department of Corrections and Rehabilitation, appeared in support of the budget (testimony attached).

Senator Heitkamp: With past knowledge and introduction of methanphedamines; is it as bad as it looks? Is money in the right place for it?

Warren Emmer: Gave a past example of the problem; the abuse of drugs is a big problem with addiction and the right treatment which is not cheap or a short program.

Senator Bowman: The drug issue, it doesn't mean they are violent offenders but isn't the seller the violator; can we separate between the two?

Warren Emmer: Depends on the definition of the drug seller/user, there is a gray area; courts could fair it out.

Warren Emmer: Needs for 2001-2003 (see attached IV).

Senator Grindberg: How many are pre released?

Warren Emmer: Population studies; 50 moved on age, some long term, some not. There are different categories. Special request to allow to continue operations as a performance based budget. Crime Victims Reparations more are applying for exceeding budget by $200,000. Need special funding authority to resolve.

Senator Robinson: What does CPI stand for?

Warren Emmer: Community Placed Inmates.

Tape 2, Side B, meter 38.6

Al Lick, Director Division of Juvenile Services, appeared in support of this budget (testimony attached).

Tape 2, end Side B, meter 54.4

Senator Tallackson: Where are all your regional offices?

Al Lick: In all the cities who have human service offices. The staff is there depending on the kids. Case load depends on location.

Darrell Nitschke, Superintendent ND Youth Correctional Center, appeared in support of this budget (testimony attached).

Senator Holmberg: Built in salaries for teachers; is this margin the same pay as other school teachers?

Darrell Nitschke: Yes. He now introduced his staff appearing in support of the bill that were attending the hearing.

Senator Holmberg: Is this the state market?

Dr. Rydell: Yes.

Senator Schobinger: Reviewing the budget what is the reason for dropping the special funds?

Darrell Nitschke: Last biennium they were for capital funding and we no longer have capital improvement except that proposed.

Senator Bowman: The new facility built last Summer, was this within the budget?

Darrell Nitschke: Yes and it was occupied January 2, 2001 within the budget.

Elaine Little: Spoke on areas not covered (testimony attached) on the budget.

Tape #2, Side B, meter 24.1

Senator Solberg: On your technology plan, are you sticking close, are there any additions, does each division have a separate plan?

Elaine Little: Technology changes as our needs change; all in one plan, nothing eliminated or added.

Senator Solberg: Are the plans in the budget as is.

Elaine Little: Priority list on funding.

Hearing closed. Tape #2, Side B, meter 26.0

February 16, 2001 Full Committee Action (Tape #1, Side A; Meter No. 0.0-31.2)

Senator Nething reopened the hearing on SB2016. As Chair of the Corrections Subcommittee he brought forward the amendments recommended by them (18042.0101). He went through the amendments; discussion followed and the committee indicated a need to include the roughrider industries. Senator Kringstad moved the amendments, included the reference of prison industries programs be adopted; Senator Holmberg seconded. Discussion. Motion carried by voice call. Discussion on the bill.

Senator Kringstad moved a DO PASS AS AMENDED; Senator Holmberg seconded. Roll Call Vote: 13 yes; 0 no; 1 absent and not voting. Senator Nething will take the floor assignment.

Date: 2-16-01

Roll Call Vote #: 1

2001 SENATE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

Senate Appropriations Committee

☐ Subcommittee on SB 2016

or

☐ Conference Committee

Legislative Council Amendment Number 1804 2.0102 ~~1804 2.0101~~

Action Taken Do Pass as Amended

Motion Made By Sen Kringstad Seconded By Sen Holmberg

Senators	Yes	No	Senators	Yes	No
Dave Nething, Chairman	✓				
Ken Solberg, Vice-Chairman	✓				
Randy A. Schobinger	✓				
Elroy N. Lindaas	✓				
Harvey Tallackson	✓				
Larry J. Robinson	✓				
Steven W. Tomac	✓				
Joel C. Heitkamp	✓				
Tony Grindberg	✓				
Russell T. Thane	✓				
Ed Kringstad	✓				
Ray Holmberg	✓				
Bill Bowman					
John M. Andrist	✓				

Total Yes 13 No 0

Absent 1

Floor Assignment Senator Nething

If the vote is on an amendment, briefly indicate intent:

REPORT OF STANDING COMMITTEE

SB 2016: Appropriations Committee (Sen. Nething, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (13 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after the second "provide" insert "for" and remove "statement of"

Page 1, line 3, replace "intent" with "council study"

Page 1, line 13, replace "1,281,245" with "1,281,357"

Page 1, line 16, replace "1,533,542" with "1,533,654"

Page 1, line 18, replace "1,522,382" with "1,522,494"

Page 1, line 22, replace "4,930,382" with "5,031,382"

Page 2, line 2, replace "21,088,929" with "21,189,929"

Page 2, line 3, replace "7,762,275" with "7,863,275"

Page 2, replace lines 7 through 10 with:

"Victims services	$3,423,566
Institutional offender services	4,460,612
Community offender services	11,755,705"

Page 2, line 18, replace "84,467,999" with "84,468,111"

Page 2, line 19, replace "26,422,619" with "26,523,619"

Page 2, line 20, replace "110,890,618" with "110,890,730"

Page 2, replace lines 28 through 31 with:

"**SECTION 4. AUTHORITY TO LEASE LAND UNDER THE JURISDICTION OF THE DEPARTMENT.** The department of corrections and rehabilitation may lease land under the jurisdiction of the department for the purpose of the construction and operation of a prerelease center. Subsection 12 of section 54-23.3-04 does not apply to the lease authorized by this section. The lease expires when the leased property is no longer used for a prerelease center, when the lease operator breaches any material part of the lease, or twenty years after the date of the lease, whichever occurs first, and all rights, title, and interest in any buildings, fixtures, and improvements vest and remain with the state.

SECTION 5. CORRECTIONAL SYSTEM - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying the correctional system in North Dakota, including its functions, responsibilities, and funding; causes for increases in the state's inmate population; types of offenders and offender programs; cost-effectiveness of programs; operation, efficiency, and effectiveness of prison industries programs; rates of recidivism; possible alternatives to incarceration which may reduce the number of inmates and reduce recidivism; and the effectiveness of sentencing laws, incarceration, and treatment. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly."

Page 3, remove lines 1 through 5

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
DOCR - Adult Services			
Total all funds	$88,268,147	$0	$88,268,147
Less estimated income	18,649,184		18,649,184
General fund	$69,618,963	$0	$69,618,963
DOCR - Central Office			
Total all funds	$1,533,542	$112	$1,533,654
Less estimated income	11,160		11,160
General fund	$1,522,382	$112	$1,522,494
DOCR - Juvenile Services			
Total all funds	$21,088,929	$101,000	$21,189,929
Less estimated income	7,762,275	101,000	7,863,275
General fund	$13,326,654	$0	$13,326,654
Bill Total			
Total all funds	$110,890,618	$101,112	$110,991,730
Less estimated income	26,422,619	101,000	26,523,619
General fund	$84,467,999	$112	$84,468,111

Senate Bill No. 2016 - DOCR - Adult Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	$7,073,227	($7,073,227)	
Operating expenses	9,222,935	(9,222,935)	
Equipment	63,102	(63,102)	
Grants	3,280,619	(3,280,619)	
Victims services		3,423,566	$3,423,566
Institutional offender services		4,460,612	4,460,612
Community offender services		11,755,705	11,755,705
Support services	26,600,319		26,600,319
Program services	4,086,082		4,086,082
Security and safety	25,092,023		25,092,023
Roughrider Industries	10,649,840		10,649,840
Total all funds	$88,268,147	$0	$88,268,147
Less estimated income	18,649,184		18,649,184
General fund	$69,618,963	$0	$69,618,963
FTE	508.25	0.00	508.25

Dept. 519 - DOCR - Adult Services - Detail of Senate Changes

	REPLACE OBJECT CODE LINE ITEMS WITH PROGRAM LINE ITEMS	TOTAL SENATE CHANGES
Salaries and wages	($7,073,227)	($7,073,227)
Operating expenses	(9,222,935)	(9,222,935)
Equipment	(63,102)	(63,102)
Grants	(3,280,619)	(3,280,619)
Victims services	3,423,566	3,423,566
Institutional offender services	4,460,612	4,460,612
Community offender services	11,755,705	11,755,705
Support services		
Program services		
Security and safety		
Roughrider Industries		
Total all funds	$0	$0
Less estimated income		

General fund	$0	$0
FTE	0.00	0.00

This amendment replaces Section 4 of the bill with two new sections, as follows:

- Section 4, which authorizes the department to lease Penitentiary land to a private entity for the purpose of constructing a building to be used by the private entity for the operation of a "prerelease" center. The department will contract with the private entity to house and provide treatment services for up to 50 inmates who are within six months of release.

- Section 5, which directs the Legislative Council to consider a comprehensive study of the state's correctional system during the 2001-02 interim.

Senate Bill No. 2016 - DOCR - Central Office - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	$1,281,245	$112	$1,281,357
Operating expenses	171,447		171,447
Equipment	80,850		80,850
Total all funds	$1,533,542	$112	$1,533,654
Less estimated income	11,160		11,160
General fund	$1,522,382	$112	$1,522,494
FTE	10.00	0.00	10.00

Dept. 530 - DOCR - Central Office - Detail of Senate Changes

	ADJUST MARKET EQUITY SALARY INCREASE [1]	TOTAL SENATE CHANGES
Salaries and wages	$112	$112
Operating expenses		
Equipment		
Total all funds	$112	$112
Less estimated income		
General fund	$112	$112
FTE	0.00	0.00

[1] The amount provided for a market equity salary increase for the director is increased by $112 from $3,719 to $3,831. The amount included in the bill will provide for a monthly increase of $182 per month for the last 18 months of the biennium.

Senate Bill No. 2016 - DOCR - Juvenile Services - Senate Action

	EXECUTIVE BUDGET	SENATE CHANGES	SENATE VERSION
Salaries and wages	$10,819,873		$10,819,873
Operating expenses	4,930,382	$101,000	5,031,382
Equipment	217,050		217,050
Capital improvements	707,747		707,747
Grants	4,413,877		4,413,877
Total all funds	$21,088,929	$101,000	$21,189,929
Less estimated income	7,762,275	101,000	7,663,275
General fund	$13,326,654	$0	$13,326,654
FTE	120.43	0.00	120.43

Dept. 532 - DOCR - Juvenile Services - Detail of Senate Changes

	FUNDING SOURCE CHANGE FOR CAPITAL PROJECT [1]	ADD FUNDING FOR TRANSPORTING JUVENILE OFFENDERS [2]	TOTAL SENATE CHANGES
Salaries and wages			
Operating expenses		$101,000	$101,000
Equipment			
Capital improvements			
Grants			
Total all funds	$0	$101,000	$101,000
Less estimated income	101,000		101,000
General fund	($101,000)	$101,000	$0
FTE	0.00	0.00	0.00

1 The Schafer and Hoeven budget recommendations include $101,000 from the general fund for the installation of fire suppression systems in Brown and Maple Cottages at the Youth Correctional Center. This amendment changes the funding source to $101,000 from the Penitentiary land fund.

2 Operating expenses is increased to partially reflect anticipated additional costs relating to county reimbursements for transporting juvenile offenders, as provided in 2001 Senate Bill No. 2220.

2001 HOUSE APPROPRIATIONS

SB 2016

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. **SB2016 - Overview**

House Appropriations Committee

☐ Conference Committee

Hearing Date **March 1, 2001**

Tape Number	Side A	Side B	Meter #
1	x		0 - 5570
		x	0 - 6085
Committee Clerk Signature			

Minutes:

HOUSE APPROPRIATIONS COMMITTEE OVERVIEW MEETING ON SB2016.

Rep. Timm: House Appropriations Committee was called to order and the roll was taken. This is an overview meeting on the Department of Corrections and Rehabilitation.

Elaine Little, Director of Corrections. (Followed Written Testimony) and then questions and answer period. (Tape # 104 through 2503) **Tape 1, Side A**

Mr. Warren Emmer, Director Field Services. (Followed Written Testimony) and then questions and answer period. (Tape # 2503 through 5588) **Tape 1, Side A.**

Mr. Tim Schuetzle, Prisons Division Director. (Followed Written Testimony) and then questions and answer period. (Tape # 0 through 3466) **Tape 1, Side B.**

Mr. Al Lick, Director of the Division of Juvenile Services. (Followed Written Testimony)

and then questions and answer period. (Tape # 3466 through 6085) Tape 1, Side B.

End of House Appropriations Committee overview meeting on SB2016

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ Conference Committee

Hearing Date: MONDAY, MARCH 5, 2001

Tape Number	Side A	Side B	Meter #
3-5-01 SB 2016	**X-1**		**00-6189**
#2016		**X-1**	**00-6200**
#2016	**X-2**		**00-6146**
#2016		**X-2**	**00-4976**
Committee Clerk Signature	Mickie Schmidt (Rush)		

Minutes: **CHAIRMAN KEN SVEDJAN, VICE-CHAIRMAN JEFF DELZER, REP. KEITH KEMPENICH, REP. JAMES KERZMAN, REP. AMY KLINISKE, REP. JOHN M. WARNER**

00-Chairman Svedjan: We will call this section to order.

Roll call: We have a quorum. We have **SB 2016** before us today. **We'll start with a detailed Over View for the Department of Corrections.**

228-Elaine Little: Director of Department of Corrections of Central Office: (attachment #1)

370-FTE's: 451-Salaries and Wages- 1.3 million dollars. $933,877 is for the 8 current FTE's salaries. 2 new FTE's. **608-** We pay out 10% on sick leave. There's no maximum with sick leave. Sick leave is accumulated by 8 hours per month.

1103-Vice-Chairman Delzer: Dave, (OMB), why did OMB not, when they made these direct adjustments, lower that 5.4 by an equal amount?

1120-Dave Krabbenhoft: Fiscal Management: I think the 5.4 is the way the process went. If we wouldn't have put that extra money into the budgets directing the ones that did have it, that 5.4 wouldn't have been higher. The amount of money that we decided to go to those issues, and those severe cases we addressed a portion of the problem in those budgets.

1158-Vice-Chairman Delzer: Was this same thing done last time and we didn't catch it, cause' there was 5.4 million two years ago too for these pay grade adjustments? The Highway Department is the only one I remember hearing of.

1283-Chairman Svedjan: Did someone go over all the Senate amendments to 2016 as part of the overview?

1296-Elaine Little: Director of Department of Corrections of Central Office: No, we haven't done that.

1298-Chairman Svedjan: OK, then we'll take them up as we go.

1304-Elaine: (refer to attachment #1) I'll go over a brief overview on the $125,000, and how we arrived at asking for a million and a half dollars for equity adjustments. (Discussion, questions and answers follow.) **1950-** Computer, ITD, costs. **2624-** New FTE's and their duties, costs out of operating expenses, pay grade levels. **2907-Operating expenses, Data Processing, Telecommunications, costs: total of $24,506. Travel: total of $42,840. Management and Technology: total of $14,508. Travel for out of State: ? 3816-** Computer requirements and needs. **4137-Information Technology/contractual Services: $4,000. 4163- Dues and Professional Development: $21,600.**

4203-Vice-Chairman Delzer: Back up on your contractual, how much of that is Novell support cost? **4289-** The reason I ask that is should that not be in your up grade? Should that not be part

of the cost of the upgrading? Why are you paying for support on the Novell on top of your upgrade?

4315-Elaine: We'll have our information person come before the committee and answer all of our information technology questions.

4347-Vice-Chairman Delzer: In Dues and professional development, you said $11,600 of that is due to Information Technology?

4362-Bev Johnson: Fiscal Director for the Department of Corrections: For staff training and new positions, also some training costs.

4507-Elaine: Operating Fees and Services: $20,000. 4617- Professional Supplies and Materials: $6,000. 4655- Other expenses: $21,650. 4667- Postage: $2660. Repairs: $800. Office supplies: $5400. Printing: $4700. Misc. Supplies and Equipment: $1,100. Equipment: $80,850. Discussion and questions follow.

5628-Chairman Svedjan: We will proceed with **Juvenile Services.**

5640-Al Liok: Director of the Division of Juvenile Services: Explained and discussed this budget on FTE's, benefits, costs.

Tape 1, side B-00-Al: Explains about the CC Whip system, computers, ports, hook ups, **800-** travel, mileage, transportation, trackers. There was a bill introduced on the Senate side, SB #2220, which allowed for reimbursement of travel: 51 cents for a rider, and also meals and lodging. There was a fiscal note attached to that of $205,000. Discussion. **1405-** Also HB #1197 **(HB #1196?),** that would increase that per diem rate for mileage from .25 to .31. **2108-** Fiscal note: **$192,000. 3138-** What's double appropriated is the $36,000. **3862-** Does not match the Juvenile Community Services. **4288-** Trackers. **4939-** Programs. **6170-** Pay centers.

Tape 2, side A-00-Al: Discussion on Day treatment programs, federal funds, JAIBG dollars. **549**-Carl Perkins money. **700**- Voc Rehab money. Doubling up? **1660**- JIJB dollars. **2334**-Grants. **2376**- OJJDP money: Office of Juvenile Justice and Delinquency Prevention. **2643**-JAIBG money: Juvenile Accountability and Incentive Block Grant. **2969**- Clarify the 2nd to the page in testimony on grants.

3214-Chairman Svedjan: We can proceed now with the **Youth Correction Center.**

3304-Al: Explains about the teachers, pay grades, classification, school schedules, OAR's, 9 and 12 month levels, benefits.

4437-Chairman Svedjan: Requested a list of all the OAR's. **4577**- Rates and audit. **4907**-Estimated income adjusted. **5001**- Revenue. **5261**- Over projecting the budget. **5509**- Bureau of Prison Kids. **5891**- Divisions falling under the same line items and moving between lines. **6075**-Operating costs under all the divisions.

Tape 2, side A-34-Chairman Svedjan: Thank you Al. **Youth Correctional budget:**

56-Darrell Nitschke: Superintendent of ND Youth Correctional Center: (refer to attachment #5) Went over the budget. **209**- Auxiliary services. **698**- Temporary dollars. **1230**-Operating services and costs. **1904**-Emergency commission. **2062**- Sup plantation this time. **3355**- Fire Suppression. **4488**- State Law in 97'.

4548-Chairman Svedjan: Q? We will conclude for today. We'll take up Field Services on Tuesday.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: TUESDAY, MARCH 6, 2001

Tape Number	Side A	Side B	Meter #
3-6-01 SB 2016	**X-1**		**00-6229**
#2016		**X-1**	**00-6195**
#2016	**X-2**		**00-6192**
#2016		**X-2**	**00-6220**
#2016	**X-3**		**00-3392**
Committee Clerk Signature	Mickie Schmidt (Rush)		

Minutes: The section was called to order. Roll call, there was a quorum. **(refer to attachment #1 which shows the divisions within this budget.)** Yesterday we looked at Central Office and everything in the middle box under Juvenile Services. With the Youth Correctional Center, there are 4 area's within Juvenile Services that comprise it and then there's the Juvenile Community Services portion. Today we'll be working on the **Field Services Division.** There are 3 sections that deal with Parole that are all part of this Field Services Division and then the remainder of that, Adult Services area is the Prison's Security.

126-Warren Emmer: Director of the Department of Corrections Field Services Division:

Overview of budget. (refer to attachment #1) **285-** Total budget on Field Services. **360-** IOSP- Institutional Offender Services program. COSP- Community Offender Services program. VSP- Victim Services program. **493-** FTE's. **866-**Special lines. **902-** Hire without Legislative authority. **973-**Operating line, Community Offender Services line in the bill. **1148-** OAR's, #28. **1171-**

Operating base budget, it was increased by $158,299. **1312-** Rent. **1632-** TRCU. **1761-** Last Chance program. **2049- Chairman Svedjan asked if $30,000 can be removed from Temporary OT line. 2170-** Operating costs for the Drug Court and what it does for the system. **2318-** Has the Drug Court passed yet. Fiscal note on HB 1218, Burleigh/ Morton Pilot Drug Court program. **2597-** Rep. Delzer asks when this program started up? And how was it started? Authority? **2633-** Mr. Emmer states that it's in the Cost program. You didn't give us authority for the Drug Court. We reallocated temporarily the ISP Officer. **2914-** Rep. Delzer states that they had to catch it, otherwise it would have slipped through. **3071-** Chairman Svedjan states that transferring positions from one program to another where the programs are existing is one thing, but transferring positions to a newly created program is another. And this is another example of what we saw in the Human Services also, where we termed it CREEP AGE. **3281-**Elaine Little explains the history on the Drug Court program. **3420-** New program started. **3612-** 2 years ago we talked about the Drug Court program. **3667-** Rep. Kliniske asks about the difference between Juvenile Drug Court and the Adult Drug Court, that they didn't ask for an additional FTE to do the Juvenile Drug Court? **4414-** FTE. The supreme Court recommended it be in there budget. **4545-** Grants. $30,000. **4904-** savings? **5601-** Subjective and the number was 10% growth. **5975-** Community Offenders Services program.

Tape 1, side B-00- Continued. **456-** Fiscal impact coming in from the Interstate Compact. **560-** HB #1270 Interstate Compact Bill. **638-** Equipment, doesn't come out right. **715-** Buying some computers. **748-** Chairman Svedjan states that the testimony says that you're reducing it by $41,500, and it shows only by about $30,000. **796-** Zeroed out the computer replacement, yet you're going to buy 22? **876-** OAR's. **1213-** Training of employees. **1470-** ISOP. **1645-** Pre release program. **1917-** MRC. **2137-** DUI program. **2504-** Chairman Svedjan asks if the 2.1

million goes back to them to off set the cost for utilizing existing FTE's? **2531-** Mr. Emmer replies: Office management budgeted was to drag $2.1 million out of their budget and so they reduced their request by $2.1 million, drug it over, dropped it in our program, in general funds and then increased their Special fund line by the corresponding number. It comes to $117.00 per day. **3012-** Rep. Delzer asks about probation. **3500-** Who's going to pay for them the 30 days up front and 30 days behind? The counties have to assume that. **3568-** The 2.139 million was taken out of the State Hospital budget. What constituted that in the State Hospital budget? **3840-** Special fund authority? Transfer of dollars. **3960-** Rep. Delzer states that the testimony from Alex, they're using 21 beds and then they want to add 25. I think the FTE is an empty one that they're going to fill.??? **4198-** Rep. Kliniske states that the confusing thing is that it appears as though that there are decreases in the budget, but there are actually general fund increases in the budget that are just disguised as special funds. **4276-** Dave from OMB explains. **4620-** Locked wing. **4730-** Not enough clientele. **4855-** Cost is $55.00 a day to $117.00 per day. **5230-** $21,000 decrease, the Governor put 5 back in. **5849-** Burden of proof.

Tape 2, side A-00- Last Chance program. The new FTE's. **449-** Rep. Delzer states that if you had 1-1/2 persons before and it's doing the same thing, you have $40,000 less on Salary, but your operating only goes down $1,000? **467-** Mr. Emmer explains. **531-** Travel goes up by $3,000. **600-** Grants. **716-** Comes from fees, supervision and #372, Crime Victims Special fund. **800-** All money we distribute to the sub grantees. **911-** Out of that $2.9 million, how much goes to Domestic Violence? Three different groups. **1065-** VOCA money, all federal. **1344-** Costs. **1775-** Rehabilitated effect. **1920-** The treatment cost. **2027-** Where does the $46.00 dollars a day come in relative to the $23.41 per day? **2083-** actual treatment costs and time frame. **2275-** Recidivism rates. **2600-** Rep. Delzer asks, when you look at the bill, all the Adult services are

together in one line item? **2621-** Dave, OMB explains. **2708-** Mr. Emmer states that in HB # 1026, they're asking for special fund authority of $250,000 to pay medical bills. **2940-** additions. **2990-** We will conclude now. We'll go to **Prison's Division, which is comprised of Programs, Security and Roughrider Industries.**

3177- Tim Schuetzle, Warden, Prisons Division Director: (attachment #4) Explains and discusses highlights. **4150-** Costs of geriatrics and medical costs. **4720-** Medicaid. **5055-** Office of management did an analysis by a private provider. **5707-** The fifth and sixth floor. **6075-** We will adjourn until 15 min. after the floor session.

Tape 2, side B-00- Called the section back to order. Tim continues about the population of inmates, and FTE's.(Page 2 of testimony.) (attachment #4) **405-** Chairman Svedjan asks, with the adjustments to Salary, did you roll up dollars for positions that weren't filled? Yes. **503-** The Prisons Division budget is coming in at $57.7 million, 13.2 million above and beyond of what was funded in the 99'-01' biennium. **534-** Reasons. **1219-** Privacy issues. **1510-** costs. **1641-** The new Women's unit. **2643-** Pregnant inmate issue. **3500-** OAR- #11. Lock down unit with 25 beds already. Not secure. **3843-** Total FTE's for this is 28. **3970-** $123,000 total remodeling cost. Staff costs. **4106-** External housing. **4352-** SMT. **5306-** Beds: transitional and permanent. **5667-**Central personal. **5865-** Rep. Delzer asks, how much of the 5.4 mid point range adjustment that's in the OMB budget is Corrections expected to receive? **5899-** Dave, OMB answers, that would be determined by Central Personal after the agencies submit their requests to do that. **6098-** Decrease the 5.4?

Tape 3, side A-00- Continued. OAR's. **79-** $222,000? **160-** Compression, wages, and grades. FTE's. **450-** Chairman Svedjan states that all of these were in front of us last time. Tim concludes his testimony. Q?

1184-Dennis Fracassi: Director of Rough Rider Industries: (see attachment #6) **1295-** Of your $10 million budget of special funds, how much is generated by selling to state agencies? About 55% of all sales goes to state agencies. **1473-** License plate. **1550-** If we don't fund that, then we need to take out the whole 3.2 million here. **1603-** PIE- Prison Industry Enhancement program. **2360-**Inmate wages. **2859-** FTE's. This concludes this section for now. We will close this section.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ Conference Committee

Hearing Date: WEDNESDAY, MARCH 7, 2001

Tape Number	Side A	Side B	Meter #
3-7-01 SB 2016	**X-1**		**00-6223**
#2016		**X-1**	**00-6134**
#2016	**X-2**		**00-1186**
Committee Clerk Signature	Mickie Schmidt (Rush)		

Minutes: **CHAIRMAN KEN SVEDJAN, VICE-CHAIRMAN JEFF DELZER,**

REP. KEITH KEMPENICH, REP. JAMES KERZMAN,

REP. AMY KLINISKE, REP. JOHN M. WARNER

888-Chairman Svedjan: We will call this session to order.

Roll call: We have a quorum. We concluded the over view of the DOCR yesterday, so now we will get into working the detail.

1150-Elaine Little: Explains attachment #1, the spin down for the Central Administration of DOCR, the FTE's. The $93,000 shows up in the appropriated budget, $768,816, because we moved the history of the funding for the position from Prisons Division and Central Office. It's not in the projections to the end of the current biennium.

1431- Vice-Chairman Delzer: If I'm not mistaken that was also some of the contracting funds down on $36,000 to contracting funds with the Association of Counties, is also doing the same job and that money is still in there?

1463-Elaine Little: We had originally requested 3 new positions in our IT budget. Only 2 were funded. One will go to ICC, and the other would be for MRCC, JRCC, and Field Services on the adult side. We will continue to need to contract with the Association of Counties for the division of Juvenile Services with just two positions.

1736-Chairman Svedjan: On this $36,000, I have it in my notes that that is double appropriated.

1752-Dave: There was some confusion here. We left the contract with the Association of Counties intact.

1811-Chairman Svedjan: The contracting amount is $83,675. $36,000 for the counties and that was all federal money and then $47,000 for IT contract maintenance.

1855-Al: For the next two years in our budget, there's $36,000 for contract with the Association of Counties to help us maintain the system and then there's another in another line item, there's $4,800 for the travel to do that. So right off the top it's $40,800. And then there are other things in that same line item that equal the $84,000 that you're talking about. We'll get to those in our budget.

1917-Chairman Svedjan: We'll need to address this when we get into YCC.

1936-Elaine Little: The dollars are reflected in the Division's budget. The Central Office budget we just have dollars for those two new positions. And then the contract dollars which will continue for the division of Juvenile Services, are in the DJS budget.

1975-Vice-Chairman Delzer: I'm uncomfortable with the two new FTE's.

2060-Elaine: I should remind you that currently we have a part time which often gets close to full time position at the Youth Correctional Center in Temporary Intern, and one of these positions would replace that position, so the other position would help with the Prison's Division in Field Services. Without that Intern, we really would need to place one position in YCC, and then we still wouldn't have any additional help for any of the Prison's Division. She explains how they're funding the Intern now, and about the teachers, and wages.

2348-David Hunke: Information Systems Administrator for the DOC: The Intern works about 25-30 hours a week. She does all of the maintenance and repairing equipment and keeping the PC's up and running and want to expand it more.

2385-Chairman Svedjan: I'm still not clear on that money that we said yesterday would double appropriate it.

2414-Dave: Explains about the contracts with the Association of Counties, testimony, and the executive budget.

2856-Elaine: States that on the Adult side, we **need** information technology help. Explains the importance and necessity of computers.

2950-Chairman Svedjan: On OAR #27, tell me what the right numbers are there.

3011-Dave: 150,765 (can't hear) totals $171,735.

DISCUSSION ON OAR's, temporary staff:

3875-Vice-Chairman Delzer: When I look through the rest of your temporary's, I don't see anything going down. This is just basically an addition. Granted it puts it in here where you might want to use a little bit of temp. here, but it is just an enhancement to your budget.

3913-Elaine: It would be an enhancement if you would not consider that we transfer dollars that the emergency commission approved.

3936-Vice-Chairman Delzer: That money is still back there. You transferred it, but I look at the rest of these sheets, I don't see any place where your temp. is going down.

3989-Chairman Svedjan: You've indicated that you're looking at an impending retirement, but not exactly sure when. But it's that $12,000 that would compensate the individual for crude leave. Do you pay also for crude sick time?

4022-Elaine: Under the Law, we need to pay for 10% of the crude sick leave. That $12,000 is an accurate reflection of what's accrued.

4068-Vice-Chairman Delzer: I'd like to go through that $125,000 again, salary equity. Is this going to people in Central Office?

4135-Elaine: No. Almost $60,000 of it goes to the State Penitentiary employees. $1,500 to JRCC, most of the employees are still fairly new. $21,000 to Field Services, $10,700 to DJS Community and $13,848 to YCC. Total salary of $107,000, benefits of $18,000 equals $125,000. None if it goes to Central Office.

4222-Vice-Chairman Delzer: But then your 222, some of that's going to the same place? For the Correctional Officers.

4251-Elaine: It wouldn't be used for the same purpose. The 222 is specifically to increase the beginning salary dollars for correctional employees. This would be because we have compression from raising the bottom. This $125,000 was actually 1.5 million dollar request.

4356-Vice-Chairman Delzer: I want to point out that 5.4 in this current biennium, the DOCR received $557,000.

5155-Chairman Svedjan: Discussion and questions on OAR's.

Tape 1, side B-00-Chairman Svedjan: Q? Discussion on **ITD Processing and IT Telephone,** ports, terminals, T1 line, PC's, unit charge and usage time. **790- Q? Travel:** Travel is up due to

the 2 new positions. And also a small increase for a trainer. **IT Software and Supplies:** Doubled, separate servers, the going rates, cost. **1532-** On **Postage: 1548- IT Contractual:** increase, it's doubled. **1767- Lease Equipment:** You're doubling this too. Maintenance agreement for copier. **1831-Lease/ Rent-Buildings and Land:** $100.00 is for our Trainer to rent a room. **1863-Dues and Professional:** (in attachment #1)

1878-Vice-Chairman Delzer: Why is the technology in that line? There's $10,245 listed in that line.

1943-Elaine: Most of those are conference registration and fees for training, seminars and classes.

1994-Chairman Svedjan: Let's go to **Operating Fees and Services:** There's also training costs in here. Why would you not put all of your training in one line?

2106-Elaine: We tried based on the object code, there's travel and there's travel for a trainer.

2136-Chairman Svedjan: Q? **Repairs:** Q? **2157-Professional Services:** Is that where you retained a health professional?

2174-Elaine: Primarily that is advertising when we have a vacancy. **2187-Insurance:** increasing. $1206 is for Risk Management. **2210- Office Supplies: 2222- Printing:** projecting to over spend the budget. **2296- Professional Supplies and Materials: 2315- Buildings, Grounds, Vehicle Maintenance:** That's for Central Office, occasionally we have an inside repair that wouldn't be done by the Prison's Division.

2407-Chairman Svedjan: You indicated in your testimony under travel, that there's no charge back to the Counties for the training that you do?

2423-Elaine: Yes. Under law right now the DOC is responsible to do training of County Correctional Staff and at department costs. It's a separate bill, SB #2220.

2660-Chairman Svedjan: **Misc. Supplies:** Is your equipment under $750. $3700 is for the new positions. **2764-Equipment:** In your testimony, I'm backing up to Operating expenses, you addressed other expenses of $21, 660. Have you lumped together postage, repairs, office supplies, printing, all into one in your testimony?

2824-Elaine: I believe you're right. We lumped a number of them together. **2848- Equipment:** that's the $14,000 for the servers. The Intra net server is out of Central Office and it provides important programs for us. We have 8-10 servers in Central Office.

3560-Chairman Svedjan: Q? This concludes this part of our analysis. Thank you Elaine. We will proceed with **Juvenile Services. 3737- FTE's:** 1 FTE increase, and that's the one that's changing the amounts of time you have in Williston, Devil's Lake, and Dickinson.

3778-Al: (attachment #2) Correct. We can then reduce the part time temporary budget by $20,000, because we found something in there that showed us that that was missed, and I apologize to our Analyst for bringing it up now. We should have caught that earlier.

3940-Salaries: can be reduced by another $12,000. **4030-** There are 31-1/2 positions.

4633-Operating Expenses: We do share ports with other state agencies in the same building. Discussion on T1 lines, 56K and 28K. **5867-IT Telephone:** Calling Cards and Cell phones, because of crisis management. **6135- Misc. Fees:** under IT Telecommunications,

Tape 2, side A-00-Bev: is for one time wiring and installation fees and one time hook up charge.

89-Chairman Svedjan: Q?

262-Al: Explains Case Managers jobs and duties, placement, evaluations, hearings, treatments.

920-Chairman Svedjan: We will stop here for today.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: THURSDAY, MARCH 8, 2001

Tape Number	Side A	Side B	Meter #
3-8-01 SB 2016	**X-1**		**00-6203**
#2016		**X-1**	**00-6156**
#2016	**X-2**		**00-6204**
#2016		**X-2**	**00-6211**
#2016	**X-3**		**00-2868**
Committee Clerk Signature	Mikee Schmidt (RUSH)		

Minutes: **CHAIRMAN KEN SVEDJAN, VICE-CHAIRMAN JEFF DELZER, REP. KEITH KEMPENICH, REP. JAMES KERZMAN, REP. AMY KLINISKE, REP. JOHN M. WARNER**

00-Chairman Svedjan: We will call this section to order on **SB 2016, Juvenile Services Budget.** Roll call: We have a quorum.

141-Al Liok: Discussion and explanation on misc. fees in Telephone. **456-** Explanation and discussion on Case Managers and their duties. **583-** IT Data Processing break out. **1116-**Request for a breakout of how much money is in ITD's budget in Administrative fees. **1262-**Travel **1690-**IT Software and supplies. **1978-**Utilities. **2041-**Postage. **2210-** IT Contractual. **3151-** Rental **3661-** Revenue Forecast. **4330-**Dues and Professional. **4627-**Operating Fees and Services. **5939-**Request a total breakdown and general/federal breakdown. **6131-**Medicaid payment.

Tape 1 side B-00- Discussion on an FTE, Day treatment, and the $246,000 increase, salary and expenses, partnership, economies of scale.

527- Continued discussion. **619-** Repairs. **689-**Professional services. **1109-** Insurance **1170-** Office supplies **1335-** Printing **1452-** Professional supplies and Materials. **1506-** Food and Clothing. **1513-** Medical Dental. **1999-** Buildings and Grounds **2105-** Misc. Supplies. **2180-** Office equipment and furniture. **2896-** JAIBG program. (see attachment #1) **3884-** Delinquency Prevention program. (3918-cell phone- $3 million) **4050-** Funding sources that support this budget. **5701-**Vocational Rehab funds.

Tape 2, side A: OAR's, continued. **244-** This concludes this part of our work. Next to **Youth Correction Center:**

385-Randy Miller : Business Manager of YCC: (see attachment #2) **434-** Explains the FTE's, **649-**salaries, page 5, object code #1001. **669-**History on this. **918-** moving the $51,000 OAR into the salaries line. **956-** FTE's, hours, pay, positions and temps. **1573- Operating Expenses:** IT Telephone. **2164-** Travel. **2249-** Utilities. **2362-** Eliminated the budget request for the next 4 area's- #'s: 3008, 3011, 3012, and 3013. **2636-**Discussion on FTE's. **4039-** Operating Fees and Services within Auxiliary Services. **4105-** explanation of the 3 lines together: 3014, 3016 and 3018 are combined for that total. **5090 stopped for the day.**

5204-Randy Miller explains his budget on Professional Services. Under Auxiliary Services, there are Professional services, Accountants, Architects, Engineers and that sort of thing. **5309-** Architectural fees. **5456-** Projects, and Repairs. **5889-** Engineering plans. **5931-** Insurance. **5996-** Risk management.

Tape 2, side B-00- continued: Risk management. **137-** Food and Clothing. **419-** Buildings and Grounds. **550-** Misc. Supplies. **740-** Cleaning supplies. **777-** temporary maintenance worker.

1070- Special funds. **1087-** Detention funds. **1707-** block grants. **2074-** Administration : FTE's. **3183-** Operating Expenses. (refer to page #3 in attachment #2)

Tape 3, side A-00- Misc. Supplies. **89-** IT Data Processing, E- rate. **470-** IT Equipment. **700-** Other Equipment. **1050-** Grant funds? **1379-** Capital Improvements. **2166-** Funding and OAR's. **2597-** #42 a replication in Temporary OT? **2720-** bond payments. **2792-** The meeting adjourned.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

~~**X Conference Committee**~~

Hearing Date: FRIDAY, MARCH 9, 2001

Tape Number	Side A	Side B	Meter #
3-9-01 SB 2016	**X-1**		**00-6234**
#2016		**X-1**	**00-6224**
#2016	**X-2**		**00-2429**
Committee Clerk Signature	Mickie Schmidt (Rush)		

Minutes:

00- The Human Resources committee was called to order. There was a quorum. They proceeded with Resident Care for YCC, (refer to attachment #2 from 3-8-01). **162-** FTE's. **600-** Salaries: An adjustment was needed in the Temporary OT budget line. **777-** 2 Resident Care and 2 Night Security. **2130-** All positions at YCC are filled. **2148-** Operating Expenses: Travel. **2326-** IT Contract services. **2569-** combination of the object codes, #3014 and #3029. **2740-** Repairs in another line. #3018, Professional services. **2830-** Office supplies and Printing in other lines, #3021 and #3025. **2957-** Food and Clothing. **3107-** Medical Dental. **3142-** Combined increase. **3334-** OAR's. **3775-** Buildings and Grounds. **3918-**#3033. Trek program. **4419-** Chaplain program. **4593-** Operations budget adjustment. **5111-** (attachment #1 3-8-01) breakout. **5407-** Addiction Services. **5721-** List where you're replacing federal dollars with general fund money. **6030-** Cost per day.

Tape 1, side B-00- $120.00 a day, reflected in the budget. **143-** This concludes Resident Care, except the OAR's. We will continue with **Education. 346-** (attachment #2, computer schedule) **627-** FTE's. **746-** Temporary OT line. **1115-** (attachment #3) Teachers. **2296-** $35,200 could come out of the Temporary line, or $37,471. **2317- Rep. Delzer stated that they should leave the money in the Temporary line, maybe even augment that a little, but then we should take about $10,000 for each summer, for four or five teachers out of the Salary line. 2506-** Operating Expenses. **2775-** The next 6 line items are combined for a total of $144,301. **2836-**Professional supplies. **3605-** Funds. **3979-** OAR's. **5070-** Any Q? On Juvenile Services? **5245-** Call the section back to order. **Warren Emmer, Director of Department of Corrections and Rehabilitation Field Services Division:** (attachment #4 and #5) 5550- Difference in cost of a dial up and a T1 or 56K. **5904-** Last Chance program. **6020-** $61,965.

Tape 2, side A-00- (refer to attachment #4-#6, Drug Court budget, #7, Caseloads and positions) **600-** (attachment #7 and 8) **789-** Administrative costs, not comparing them honestly. **950-** Bed day stay. Parole. Sentences. **1850-**Domestic Violence- Victim of Crime Act- VOCA. **2036-** Division population. **2060-** Spin downs. **2270- Elaine Little corrects a statement about pregnancies.**

2373- This section stands adjourned.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: MONDAY, MARCH 12, 2001

Tape Number	Side A	Side B	Meter #
3-12-01 SB 2016	**X-1**		**00-6225**
#2016		**X-1**	**00-6235**
#2016	**X-2**		**00-6233**
#2016		**X-2**	**00-822**
Committee Clerk Signature	Mickie Schmidt (RUSH)		

Minutes: The HR section to order. Roll call: we have a quorum. (attachment #1, it relates to the YCC, the teachers salaries.

144-Warren Emmer: Director of Department of Corrections field Services Division:

Victims Services, IOS, and COS. Program budget, 3 specific programs. **427-** Accomplishing goals.

680-Chuck Placid: Fiscal Officer: (Organizational chart: hand out #1) FTE's and OAR's. **1571-** Operating Expenses: Salary. **1689-** Temporary OT. **1769-** Benefits. **1813-** $5,000 in special funds in salaries. All from supervision fees and or community programming fees. **2217-** Roll up for all of Field Services, not just victim services. **2801-** IT Data Processing and the rest of the operating lines. Discussion .(refer to hand outs) **5830-**Grants

Tape 1, side B-00- Continued on grants. Deny claims. **739-** Funding from Rough Rider. **920-** Statute of limitations. **1107-**Victim Services. **2640-** Institutional services program offender. FTE's and Operating lines.

Tape 2, side A-00- discussion on Parole, buildings, programs OT, port charges, salaries and wages, OAR's, Dues, Equipment, misc., federal funds

Tape 2, side B-00- IOSP. **250-** Fiscal note relating to the compact. **665-**Adjourned for the day.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: TUESDAY, MARCH 13, 2001

Tape Number	Side A	Side B	Meter #
3-13-01 SB 2016	**X-1**		**00-6202**
#2016		**X-1**	**00-2320**
Committee Clerk Signature	Mickie Schmidt (RUSH)		

Minutes:

The committee was called to order on SB 2016. **189-** Warren Emmer goes through the budget on the DUI program, pre release, parole board. **1484-**Grants. **1810-** Unencumbered authority. **2124-** all of the requests. **2550-**Temporary OT dollars. **3330-** Staff. **3820-** run the numbers. Discussion and questions. **5417-** Ports not being used. IT budget. 4.9 administrative costs.

Tape 1, side B-00- Continued discussion on phones, and cell phones. **160-**Travel. **845-** IT Software supplies. **1313-** Utilities. **1350-** Postage. **1440-** Lease/Rent /Buildings. **1738-** Dues and Professional. **1884-** Operating Fees and Services. The Chairman closed the committee work on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: WEDNESDAY, MARCH 14, 2001

Tape Number	Side A	Side B	Meter #
3-14-01 SB 2016	**X-1**		**00-6200**
#2016		**X-1**	**00-6189**
#2016	**X-2**		**00-6231**
#2016		**X-2**	**00-4954**
Committee Clerk Signature (This was done by Lisa Horner)			

Minutes:

00-The committee was called to order on SB 2016.

72- ITD handouts. Discussion on this. **213**-Community Offenders Services area, the operating Fees and services line. (#14) **475**- Warren gives an overview. Alternative programs. **636**-Supervision Fee program. No private contractors. 93 growth in cases. **829**-Cognitive program. **1899**-TRCU. **2355**- Last Chance residential piece. **3540**-Community Service programming. **3809**- Choice: raise the bed save and lower the contract cost, or lose some money here. **3992**-Beds per day. **4245**- The split, general, federal and special. **4679**-Low Risk programming. **5011**- Spending over half of what you're requesting. **5273**- TRCU. **5436**- Jail Parole. Cell B-9. Discussion on these items. **5610**-Cognitive Programming. **6020**- Line 13, no day reporting going into the next biennium. **6077**- started the 2 programs.

Tape 1, side B-00- Continued discussion on programs. **181-** Three Day Parole Hold. **216-** Last chance. **506-**Day Reporting. **690-** Operating lines. Explanation and discussion on these lines. **2449-** OAR #40 is the total for the Drug Court. **3224-** Funding breakdown. **3445-** OAR's. **4148-** Concludes our review. **4205-** Prisons Division. **4240- Tim Schuetzle, Warden of the prisons Division:** Goes through the budget and handouts. **4640-** Buildings.

Tape 2, side A-00- Continued discussion on the Prisons Division Budget. **2735-** The Chairman called the committee back to order. **Al Schweitzer State Hospital.** Explains this budget regarding this budget as it compares to the State Hospital's budget and the DUI program. **4949- We'll proceed with Kim Ceary, Business Manager for the Prison's Division for the Penitentiary.** Went through the budget with the committee.

Tape 2, side B-00- Continued discussion on the Prisons Division. Questions and explanations were given to the committee. **4505-** The Chairman closed the committee work on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: MONDAY, MARCH 19, 2001

Tape Number	Side A	Side B	Meter #
3-19-01 SB 2016	**X-1**		**00-6240**
#2016		**X-1**	**00-554**
Committee Clerk Signature	Micki Schmidt (RUSH)		

Minutes:

The committee was called to order on SB 2016.

370- We're going to start requesting amendments with Central Office. IT positions, salary equity, computers FTE's, costs, number of servers. **535-** Request to remove one of the FTE's for the computer at their discretion. $1,000 out of Temporary, $11,000 out of Operating, and $125,000 equity. **1136-** Reduce that $106,000 to $75,000. **1809-**Juvenile Services. **1980-** Travel. **2861-** Youth Corrections Center. **3382-** Display phones. **3563-** Administration. **4475-** Resident care. **5569-** Education.

Tape 1, side B-00- Continued discussion on School districts, education. **250-** $194,000 to get the $3,500 pay raise. **323-** request for $40,000 tied just to the temporary and OT. Request $10,000, done by using strapulation from 112 to 150, and that's 33, out of the Operating budget. **425-**That concludes the Juvenile Division. The chairman closed the committee work on this bill. We have Adult services left.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: WEDNESDAY, MARCH 21, 2001

Tape Number	Side A	Side B	Meter #
3-21-01 SB 2016	**X-1**		**00-6223**
#2016		**X-1**	**00-6223**
#2016	**X-3**		**649-5700**
Committee Clerk Signature	Mickie Schmidt (CWSH)		

Minutes: Chairman Svedjan called the section to order. Roll call: We have a quorum. We have gotten through the Central Office and Juvenile Services. Today we will focus on the Adult Services, which is the Field Service Division and the Prisons Division. We'll start with Field Services. First, let's go back to Juvenile Services. **163-** Rep. Delzer states that they were getting $101,000 from a land repayment. I asked them to prioritize those four things, and what they said they wanted was Maple at $62,000, and then the door replacement was the 1 and 2. The door replacement line is in number 1. **237- I would change that to .25 cents, I think we can leave that, the 101 in there, I think we could remove the heating plan improvement and the $42,000 for the Fire Suppression.**

274- Rep. Warner requested that the Fire Suppression be listed as a separate item.

329- Rep. Delzer states that we have $101,000 in their budget that we used for Capital Construction, but if we do not make any changes, in reference to what SB #2220 does today, they're going to have an extra $60,000, if we don't take anything away from it. I

would request to remove the $36,320, for the partial of the Heating plan. 476- I would reduce the Bobcat by $4,000. 598-Q? 631- FTE's at the YCC. **740-** Adult Services. **827- Rep. Delzer requested $2,500 in Victim Services. 1052- Rep. Delzer hands out an amendment, attachment #1. 1699-** Operating lines. **1777- Rep. Delzer requests that $6000 be reduced out of the Operating line. 1949- Rep. Delzer has another amendment for Special funds, to make sure that we spend the special funds first before the general funds.**

2095-Mr. Tim Dawson: Goes on to discuss Rep. Delzer amendment, (attachment 1). Q? **3362-** The committee requested amendments on the Operating line. **5846-**Discussion on Pre Release.

Tape 1, side B-00- Continued discussion on Pre Release. More requests. **278-** Operating lines: **380- Request to adjust the general fund by $80,000 to reflect the increase of Offenders Fee. 451- Request to take $70,000 out of there. 472- Adjust Dues and Professional Services by $36,313. 627- Request and questions from LC. 681- Request for the report back for DUI. 730- Rep. Delzer states that we should increase the special fund authority. 769- A separate amendment was requested to pay the Parole Board $75.00 per day.** More discussion. **981-** Done with IOPS. Q? **1806-** COSP, the last part of Field Services. **1899-** Request. **1969- Request to take 2 of the 4. 2720- Request $667,000 in operating expenses. 3245-** Equipment. Requests and discussion. **3729-** Move to the Prisons Division. **3793-** Drug Court. Discussion on this. Requests for amendments. **5565- Request the amendment to remove the Women's Prison. 5646- Alternative amendment for the Women's Prison. 5708- Request to remove the Food Service at MRC.**

(WENT TO SB # 2004-TAPE 2, SIDE A)

SB # 2016-Tape 3, side A-649- We will go back into Corrections. We had gotten into a discussion on the Prisons Division, we had requested the amendments for pulling the building projects out. We were in a discussion about the Drug Court and the impact on the # of beds. I just clarified by Joe that by pulling out the Women's Prison, that the amendment should also pull out all of the Operating expenses, then we would have to look at adjusting the amount that we'd have to contract for Prison beds. **900- The SMI part of it, I request that that be removed completely from the budget. There are 3 things that we have to decide on.** Discussion and requests for amendments on this. Chairman Svedjan asks if there are any questions on the requests and discussions. We're going to stop for today.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: TUESDAY, MARCH 27, 2001

Tape Number	Side A	Side B	Meter #
3-27-01 SB 2016	**X-1**		**4493-6235**
#2016		**X-1**	**00-6237**
#2016	**X-2**		**00-1978**
Committee Clerk Signature	Mickie Schmidt (RUSH)		

Minutes:

The committee was called to order on SB 2016. They discussed beds, and reducing the Executive budget. **4664-** Went through the options for the amendments. Joe, LC goes through this with the committee.

Tape 1, side B-00- Joe continues to go over the options with the committee. **62-**Rep. Delzer asks if we do not allow the Women's Prison, do we need to allow some growth besides the 75 beds? **219-** Net effect. **493-** Options 3 and 4. **515-** Quotes and costs. **1432-**Support Services. **1545-Request for $8,000 reduction out of the Temporary line. IT Data Processing request to allow $26,000 increase. 2217- Request for the reduction of $5,000 out of Telecommunications. 2249-Travel, $15,000 reduction. 2265- IT Software.** Continued discussion and requests for amendments to follow. **3650-**IT Equipment. **4825-** $100,000 request. **6129-**Extra ordinary repairs.

Tape 2, side A -00- **223-** Support Services. **392-** Travel- $5,000. **493-** Operating Fees and Services, $15,000 **954-** Operating lines, $25,000 request. **1102-** Rough Rider **1140-** License Plate **1300** Child Support. **1545-**Study Resolution **1782-** The chairman closed the committee work on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: WEDNESDAY, MARCH 28, 2001

Tape Number	Side A	Side B	Meter #
3-28-01 SB 2016	**X-1**		**00-894**
Committee Clerk Signature	Mickie Schmidt (RLS H)		

Minutes:

105-The committee was called to order on SB 2016. OMB is not here. General discussion. **305-** Let's start. We'll look at the new hand out #19745.01. (hand out #5)

350-Joe, LC goes through and explains the handout. Discussion and questions on the hand out.

589- Option 1. **730-** We'll conclude for today **818-** Make some adjustments on the federal. Q?

The Vice-chairman closed the committee work on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee
Human Resources Division

☐ **Conference Committee**

Hearing Date: THURSDAY, MARCH 29, 2001

Tape Number	Side A	Side B	Meter #
3-29-01 SB 2016	**X-1**		**988-5932**
#2016		**X-1**	**00-6200**
#2016	**X-2**		**00-2904**
Committee Clerk Signature	Mickie Schmidt (RUSH)		

Minutes:

Tape 1, side A-988-The Chairman called the committee to order on SB 2016, on the Corrections. We will be asking for amendments today. Handout #1- page 4 on the amendment, Joe goes over this with the committee. **1073-** What's not in here is anything that relates to the building project.

Tape 1, side B-00- Continued explanation on the amendments, the Central Office Division. **1950-** Nancy Sand with the ND Education Association explains the Doctor and Teacher contributions. **5599-** Rep. Delzer hands out another amendment # 18042.0201

Tape 2, side A-00- Continued discussion on 2016 and the amendments. **68-**Reason is because of the 2 programs that they started in January of this year. The reason to put the budget section in there is so that they can be done. Starting new programs, taking money from an existing program to start and they want both funded. General discussion between the committee. **2057-** The chairman closed the committee work on this bill.

2001 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

House Appropriations Committee

☐ Conference Committee

Hearing Date April 3, 2001

Tape Number	Side A	Side B	Meter #
04-03-01 tape #1	1002 - 5561		
Committee Clerk Signature	Karen Hall		

Minutes:

The committee was called to order, and opened committee work on SB 2016, the Corrections budget.

Rep. Delzer: There are two sets of amendments to offer. .0206 and .0207. Explains the amendment .0206, pages 1 through 10. He goes through the amendment .0206 and explains all the changes made. The second amendment is to add a study by the legislative council that studies the overall needs of capital projects. Moves to adopt amendment .0206. Seconded by Rep. Svedjan.

(Comments and questions by the committee, regarding the women's prison in Jamestown, and the reason the study was felt necessary before building was started. Dave from OMB answered some questions regarding the pay raises of employees/teachers, and transporting of adult and juvenile prisoners. Joe from LC also answers in regard to this in that the fiscal note

states no additional cost for this. Rep. Wentz questions the cuts for the seriously mentally ill prisoners. The budget had been reduced about $10.4 million.)

Voice vote adopts the amendment.

Rep. Delzer: Moves to adopt amendment .0207. Seconded by Rep. Svedjan.

Rep. Svedjan: Sees this study as an essential piece of this legislation. That the department of corrections needs to be studied to make better, more informed decisions in the future.

Rep. Warner: Supports the amendment, but does point out that the department has had studies internally. Does not want to ignore the information that the department has already accumulated.

Voice vote adopts the amendment.

Rep. Kerzman: Makes a motion to amend, to put back in funding for the seriously mentally ill. Thinks that corrections made the case that they need funding for this area. All inmates and corrections staff should benefit from segregating these inmates. Seconded by Rep. Gulleson.

Rep. Svedjan: Objects to the proposal, states three reasons.

Rep. Wentz: Is really torn on this amendment. She would like to see it changed, but sees the numbers and knows it is a problem. Says that the seriously mentally ill inmates is a national as well as a state problem. She sees a serious legal problems that could happen with these inmates. They could really benefit from the segregation and special treatment they would get. There is lots of information nationwide on this issue. We have just ignored the mentally ill for too long a time. She would like this to be an important part of the interim study.

Rep. Warner: Supports the amendment.

Voice vote on the amendment failed.

Rep. Delzer: Moves DO PASS AS AMENDED. Seconded by Rep. Svedjan.

Vote on Do Pass as Amended : 17 yes, 4 no, 0 absent and not voting.

Rep. Delzer is assigned to carry this bill to the floor.

Rep. Delzer

3-21-01

#1

18042.0202
Title.

Prepared by the Legislative Council staff for
Representative Delzer
March 16, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 1, line 2, remove the second "and"

Page 1, line 3, after "study" insert "; to create and enact a new subsection to section 54-23.4-06 of the North Dakota Century Code, relating to crime victims compensation; and to amend and reenact subsection 1 of section 54-23.4-12 of the North Dakota Century Code, relating to subrogation"

Page 3, after line 12, insert:

"**SECTION 6.** A new subsection to section 54-23.4-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Compensation may not be awarded unless the claimant pursues each available collateral source, including claim for relief unless the claim for relief would place an undue burden on the claimant.

SECTION 7. AMENDMENT. Subsection 1 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. If compensation is awarded, the division is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that compensation is awarded, from a source that is, or, if readily available to the claimant, would be, a collateral source. The division has the right of subrogation to initiate a claim for relief to recover for economic loss from a collateral source, including a tort-feasor."

Renumber accordingly

Date: 3-29-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☒ Conference Committee

Legislative Council Amendment Number move to adopt Foot Note #1 Dept. 519 Adult Services

Action Taken

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 1

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

18042.0205
Title.
Fiscal No. 1

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
March 28, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 1, line 2, after "transfers" insert "; to provide legislative intent;" and remove the second "and"

Page 1, line 3, after "study" insert "; to create and enact a new subsection to section 54-23.4-06 of the North Dakota Century Code, relating to crime victims compensation; and to amend and reenact section 12-59-02 and subsection 1 of section 54-23.4-12 of the North Dakota Century Code, relating to the compensation of parole board members and to subrogation"

Page 1, line 13, replace "1,281,357" with "1,075,871"

Page 1, line 14, replace "171,447" with "152,062"

Page 1, line 15, replace "80,850" with "57,750"

Page 1, line 16, replace "1,533,654" with "1,285,683"

Page 1, line 18, replace "1,522,494" with "1,274,523"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,891,907"

Page 1, line 23, replace "217,050" with "119,700"

Page 1, line 24, replace "707,747" with "632,927"

Page 2, line 2, replace "21,189,929" with "20,705,909"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "12,880,834"

Page 2, line 7, replace "3,423,566" with "3,415,066"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "10,925,115"

Page 2, line 10, replace "28,600,319" with "27,084,398"

Page 2, line 11, replace "4,086,082" with "3,721,962"

Page 2, line 12, replace "25,092,023" with "23,905,649"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "83,757,608"

Page 2, line 15, replace "18,649,184" with "18,696,864"

Page 2, line 16, replace "69,618,963" with "65,060,744"

Page 2, line 17, replace "84,468,111" with "79,216,101"

Page 2, line 18, replace "26,523,619" with "26,533,099"

Page 2, line 19, replace "110,890,730" with "105,749,200"

Page 2, remove lines 23 through 26

Page 3, after line 12, insert:

"SECTION 5. INMATE PAY AND DEDUCTIONS FROM INMATE PAY - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 6. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 7. YOUTH CORRECTIONAL CENTER - TEACHER CONTRACTS FOR SUMMER EDUCATION PROGRAMS. The salaries and wages line item included in subdivision 2 of section 1 of this Act includes funding for teacher contracts to support the summer education program at the youth correctional center. Any moneys budgeted for teacher contracts for the summer education program but not spent for that purpose may not be used for any other purpose and must be returned to the general fund at the end of the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 8. TRANSFERS BETWEEN LINE ITEMS AND SUBDIVISIONS - COMPUTER PURCHASES. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between the various subdivisions included in section 1 of this Act and between the various line items included in subdivision 3 of section 1 of this Act for the purpose of purchasing personal computers to carry out the duties of the department.

SECTION 9. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 10. "PRERELEASE" PROGRAM AND INMATE CONTRACT HOUSING - USE OF MONEYS APPROPRIATED. The institutional offender services line item contained in subdivision 3 of section 1 of this Act includes funding for the operation of a "prerelease center". Any moneys budgeted for the operation of the "prerelease center" but not spent for that purpose may not be used for any other purpose except contracting for additional inmate beds at county or private correctional facilities, as determined necessary by the department. Notwithstanding section 54-16-04, the department may transfer moneys from the institutional offender services line item to the security and safety line item in subdivision 3 of section 1 of this Act as determined necessary by the department to contract for inmate housing.

SECTION 11. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose.

SECTION 12. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 13. A new subsection to section 54-23.4-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Compensation may not be awarded unless the claimant pursues each available collateral source, including claim for relief unless the claim for relief would place an undue burden on the claimant.

SECTION 14. AMENDMENT. Subsection 1 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. If compensation is awarded, the division is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that compensation is awarded, from a source that is, or, if readily available to the claimant, would be, a collateral source. The division has the right of subrogation to initiate a claim for relief to recover for economic loss from a collateral source, including a tort-feasor."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Department of Corrections and Rehabilitation - Adult Services				
Total all funds	$88,268,147	$88,268,147	($4,510,539)	$83,757,608
Less estimated income	18,649,184	18,649,184	47,680	18,696,864
General fund	$69,618,963	$69,618,963	($4,558,219)	$65,060,744
Department of Corrections and Rehabilitation - Central Office				
Total all funds	$1,533,542	$1,533,654	($247,971)	$1,285,683
Less estimated income	11,160	11,160		11,160
General fund	$1,522,382	$1,522,494	($247,971)	$1,274,523
Department of Corrections and Rehabilitation - Juvenile Services				
Total all funds	$21,088,929	$21,189,929	($484,020)	$20,705,909
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075
General fund	$13,326,654	$13,326,654	($445,820)	$12,880,834
Bill Total				
Total all funds	$110,890,618	$110,991,730	($5,242,530)	$105,749,200
Less estimated income	26,422,619	26,523,619	9,480	26,533,099
General fund	$84,467,999	$84,468,111	($5,252,010)	$79,216,101

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$7,073,227			
Operating expenses	9,222,935			
Equipment	63,102			
Grants	3,280,619			
Victims services		$3,423,566	($8,500)	$3,415,066
Institutional offender services		4,460,612	(597,484)	3,863,128
Community offender services		11,755,705	(830,590)	10,925,115
Support services	28,600,319	28,600,319	(1,515,921)	27,084,398
Program services	4,086,062	4,086,062	(364,120)	3,721,962
Security and safety	25,092,023	25,092,023	(1,186,374)	23,905,649
Roughrider Industries	10,849,840	10,849,840	(7,550)	10,842,290
Total all funds	$88,268,147	$88,268,147	($4,510,539)	$33,757,608
Less estimated income	18,649,184	18,649,184	47,680	18,696,864
General fund	$69,618,963	$69,618,963	($4,558,219)	$65,060,744
FTE	508.25	508.25	(30.00)	478.25

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of House Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REMOVE FTES AND FUNDING FOR SMI UNIT [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]
-Salaries and wages						
-Operating expenses						
-Equipment						
Grants						
-Victims services						
-Institutional offender services	($539,284)	($750)			($57,450)	
-Community offender services		(11,308)	($8,400)			($810,882)
-Support services		(15,400)	(5,600)	($937,703)		
Program services		(3,600)		(340,520)		
Security and safety		(1,800)		(1,159,574)		
Roughrider Industries		(6,150)	(1,400)			
Total all funds	($539,284)	($39,008)	($15,400)	($2,437,797)	($57,450)	($810,882)
Less estimated income		(10,920)	(1,400)			60,000
General fund	($539,284)	($28,088)	($14,000)	($2,437,797)	($57,450)	($870,882)
FTE	0.00	0.00	0.00	(26.00)	0.00	(2.00)

	REDUCE SUPPORT SERVICES [7]	REDUCE PROGRAM SERVICES [8]	REDUCE SECURITY AND SAFETY [9]	REDUCE VICTIMS SERVICES [10]	TOTAL HOUSE CHANGES
Salaries and wages					
Operating expenses					
Equipment					
Grants					
Victims services				($8,500)	($8,500)
Institutional offender services					(597,484)
Community offender services					(830,590)
Support services	($557,218)				(1,515,921)
Program services		($20,000)			(364,120)
Security and safety			($25,000)		(1,186,374)
Roughrider Industries					(7,550)
Total all funds	($557,218)	($20,000)	($25,000)	($8,500)	($4,510,539)
Less estimated income					47,680
General fund	($557,218)	($20,000)	($25,000)	($8,500)	($4,558,219)
FTE	0.00	0.00	0.00	0.00	(30.00)

[1] Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,284 to $1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital.

[2] The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,500 to $3,500 per computer. The House amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers.

[3] The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division.

[4] Funding is removed for the proposed seriously mentally ill (SMI) unit as follows:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	(28.00)	($1,859,441)		($1,859,441)
Operating expenses		(560,706)		(560,706)
Equipment		(17,650)		(17,650)
Total change from Senate version	(28.00)	($2,437,797)	$0	($2,437,797)

[5] The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($60,000)		($60,000)
Compensation rate increase for parole board members from $62.50 to $75.00 per day	2,550		2,550
Total change from Senate version	($57,450)	$0	($57,450)

[6] The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		($14,000)		($14,000)
Operating expenses		(607,000)		(607,000)
Funding source change (additional supervision fees)		(60,000)	$60,000	
Remove 2 FTE parole officer II positions				
Salaries and wages	(2.00)	(157,510)		(157,510)
Operating expenses		(32,372)		(32,372)
Total reduction relating to new positions	(2.00)	($189,882)		($189,882)
Total change from Senate version	(2.00)	($870,882)	$60,000	($810,882)

[7] The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	($8,000)		($8,000)
Information technology - Data processing	(20,000)		(20,000)
Information technology - Telecommunications	(5,000)		(5,000)
Travel	(15,000)		(15,000)
Information technology - Contractual services	(5,300)		(5,300)
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious	122,800		122,800

diseases			
Hepatitis B vaccinations (in lieu of change listed above)	61,400		61,400
Professional development	(10,000)		(10,000)
Office supplies	(5,000)		(5,000)
Other equipment	(100,000)		(100,000)
Capital improvements - Penitentiary parking lot	(403,118)		(403,118)
Capital improvements - Extraordinary repairs	(200,000)		(200,000)
Total change from Senate version	($557,218)	$0	($557,218)

8 The program services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Travel	($5,000)		($5,000)
Professional development	(2,000)		(2,000)
Professional services	(5,000)		(5,000)
Professional supplies	(5,000)		(5,000)
Miscellaneous supplies	(3,000)		(3,000)
Total change from Senate version	($20,000)	$0	($20,000)

9 The security and safety line item is reduced to reflect a $25,000 reduction in operating expenses.

10 The victims services line item is reduced to reflect a $2,500 reduction in temporary salaries and a $6,000 reduction in operating expenses.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$1,281,245	$1,281,357	($205,486)	$1,075,871
Operating expenses	171,447	171,447	(19,385)	152,062
Equipment	80,850	80,850	(23,100)	57,750
Total all funds	$1,533,542	$1,533,654	($247,971)	$1,285,683
Less estimated income	11,160	11,160		11,160
General fund	$1,522,382	$1,522,494	($247,971)	$1,274,523
FTE	10.00	10.00	(1.00)	9.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of House Changes

	REMOVE NEW FTE POSITION AND RELATED OPERATING EXPENSES 1	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES 2	REDUCE OPERATING EXPENSES	REDUCE BUDGETED COMPUTER PRICES 3	REMOVE FUNDING FOR COMPUTER SERVER 4
Salaries and wages	($79,486)	($1,000)	($125,000)			
Operating expenses	(8,385)			($11,000)		
Equipment					($6,300)	($14,000)
Total all funds	($87,871)	($1,000)	($125,000)	($11,000)	($6,300)	($14,000)
Less estimated income						
General fund	($87,871)	($1,000)	($125,000)	($11,000)	($6,300)	($14,000)
FTE	(1.00)	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS 5	TOTAL HOUSE CHANGES
Salaries and wages		($205,486)
Operating expenses		(19,385)
Equipment	($2,600)	(23,100)
Total all funds	($2,600)	($247,971)
Less estimated income		
General fund	($2,600)	($247,971)
FTE	0.00	(1.00)

1 The Senate version included 2 FTE data processing coordinator I positions to provide information technology support for the department. The House amendment removes one of the new positions and the related operating expenses.

2 The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. The House amendment removes this funding.

3 The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of $2,100 per computer. The House amendment reduces the budgeted price per computer to $1,400.

4 The Senate version for the Central Office included funding to replace three computer servers: one at a price of $25,000 and two at $14,000. The House amendment removes funding for one of the $14,000 servers.

5 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$10,819,873	$10,819,873	($172,375)	$10,647,498
Operating expenses	4,930,382	5,031,382	(139,475)	4,891,907
Equipment	217,050	217,050	(97,350)	119,700
Capital improvements	707,747	707,747	(74,820)	632,927
Grants	4,413,877	4,413,877		4,413,877
Total all funds	$21,088,929	$21,189,929	($484,020)	$20,705,909
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075
General fund	$13,326,654	$13,326,654	($445,820)	$12,880,834
FTE	120.43	120.43	0.00	120.43

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of House Changes

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS [1]	REDUCE OPERATING EXPENSES [2]	REDUCE EQUIPMENT [3]	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES [4]	REDUCE BUDGETED COMPUTER PRICES [5]
Salaries and wages	($41,000)			($40,000)	($91,375)	
Operating expenses		($139,475)				
Equipment			($34,000)			($43,750)
Capital improvements						
Grants						
Total all funds	($41,000)	($139,475)	($34,000)	($40,000)	($91,375)	($43,750)
Less estimated income						(25,600)
General fund	($41,000)	($139,475)	($34,000)	($40,000)	($91,375)	($18,150)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [6]	REDUCE YOUTH CORRECTIONAL CENTER EXTRAORDINARY REPAIRS [7]	REDUCE YOUTH CORRECTIONAL CENTER CAPITAL PROJECTS [8]	TOTAL HOUSE CHANGES
Salaries and wages				($172,375)
Operating expenses				(139,475)
Equipment	($19,600)			(97,350)
Capital improvements		($36,320)	($38,500)	(74,820)
Grants				
Total all funds	($19,600)	($36,320)	($38,500)	($484,020)
Less estimated income	(12,600)			(38,200)
General fund	($7,000)	($36,320)	($38,500)	($445,820)
FTE	0.00	0.00	0.00	0.00

1 The Senate version included 1 FTE security officer I for the Youth Correctional Center and 1 FTE administrative assistant I for the Juvenile Community Services Division. The House amendment reduces the salaries and wages line item by $41,000 ($12,000 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions.

2 The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($55,000)		($55,000)
JCS Division - Juvenile transportation costs (SB 2220 with House amendments)	(41,475)		(41,475)
Youth Correctional Center (YCC) -	(13,000)		(13,000)

Auxiliary services			
YCC - Administration	(7,500)		(7,500)
YCC - Resident care	(12,500)		(12,500)
YCC - Education	(10,000)		(10,000)
Total change from Senate version	($139,475)	$0	($139,475)

3 The House amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,729 to $20,729

4 The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division The House amendment reduces this amount to $200,000.

5 The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,200 per desktop and $3,000 per laptop. The House amendment reduces the budgeted prices to $1,400 per desktop and $1,750 per laptop.

6 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division

7 Funding is removed for heating plant improvements at the Youth Correctional Center, reducing extraordinary repairs funding from $65,320 to $29,000.

8 The Senate version included $101,000 for fire suppression systems in Brown and Maple Cottages at the Youth Correctional Center. The House amendment removes funding for fire suppression in Brown Cottage.

Date: 3-29-01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken ~~Move Ft. Note 2+3~~ move to adopt Ft Note #2+#3 - Adult Services Dept. 519

Motion Made By Kempenich Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			Voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

carries

Date: 3-29-01
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken move to adopt Ft. Note 4 - Dept. # 518 - Adult Services removes SMI

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			VOICE VOTE		

Total (Yes) 4 No 2

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3-29-01
Roll Call Vote #: 4

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken Move to adopt Ft. Note 5 Dept. 519 - Adult Services

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Voice vote

Total (Yes) 5 No 1

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3-29-01
Roll Call Vote #: 5

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☒ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken move to adopt ~~[illegible]~~ to remove #2 Parole officer in Ft. Nf. #6

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			VOICE VOTE		

Total (Yes) 4 No 2

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries –
to Remove

Date: 3-29-01
Roll Call Vote #: 6

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken move to change - to 4,700.00

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 7

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☒ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt on Temp. Salaries

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner			Voice Vote		

Total (Yes) 5 No 1

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 8

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to restore 1 FTE- Parole Officer

Motion Made By Rep. Warner Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 4 No 2

Absent

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries –

Date: 3-29-01
Roll Call Vote #: 9

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken move to adopt - the first 6 liners Ft.Nt.

Motion Made By Kliniske Seconded By Delzer

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

carries

Date: 3-29-01
Roll Call Vote #: 10

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken Move to adopt Line 7 - Ft. Nt. 7 - Adult Services

Motion Made By Warner Seconded By Kerzman

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner			Voice vote		

Total (Yes) 5 No 1

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 11

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt the rest of FT NT 7 except #61, 40 for 1 rep.

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries –

Date: 3-29-01
Roll Call Vote #: 12

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to Adopt Ft. Nt. 8-9-+10

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			Voice Vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries —

Date: 3-29-01
Roll Call Vote #: 13

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken move to adopt all except #2 - (1 3 4 5)
Dept 530 - Central Office

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Voice Vote

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 14

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken Move to adopt Ft. Nt. 2 Dept. 530 - Central Office

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			VOICE VOTE		

Total (Yes) 4 No 2

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries -

Date: 3-29-01
Roll Call Vote #: 15

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken Move to Adopt all except Ft Note 4+8 plus summer school funding
Dept. 532 - Juvenile Services

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 16

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0205

Action Taken move to adopt sect. 5

Motion Made By Delzer Seconded By Warner

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 17

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt Sect. *6

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 18

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken more to adopt sect. #7 -

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 19

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to Adopt sect. #8

Motion Made By Delzer Seconded By Warner

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 20

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken Move to adopt Sect. #9

Motion Made By Warner Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			Voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: Carries.

Date: 3-29-01
Roll Call Vote #: 21

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt sect. #10

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 14 No 1

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: Carries

Date: 3-29-01
Roll Call Vote #: 22

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt sect. #11

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			Voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date: 3-29-01
Roll Call Vote #: 23

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken ~~adopt~~ move to adopt sect. #12

Motion Made By Warner Seconded By Kerzman

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries -

Date: 3-29-01
Roll Call Vote #: 24

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken reconsider passage of sect. #11

Motion Made By Warner Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Total (Yes) 6 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

Date:
Roll Call Vote #: 25

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken adopt sentence to # 11 to pass -

Motion Made By Seconded By

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 05 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries.

Date: 3-29-01
Roll Call Vote #: 24

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt sect. 13 & 14

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Voice Vote

Total (Yes) 5 No 0

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries

18042.0201
Title.

Prepared by the Legislative Council staff for
Representative Delzer
March 15, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 1, line 2, after "rehabilitation" insert "; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation"

Page 3, after line 12, insert:

"**SECTION 6.** A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Approval of new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program that serves adult or juvenile offenders, including alternatives to conventional incarceration and programs operated on a contract basis, without specific approval of the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - House Action

This amendment creates a new section to North Dakota Century Code Chapter 54-23.3 to require the director of the Department of Corrections and Rehabilitation to receive approval by the Legislative Assembly or the Budget Section before authorizing any new program that serves offenders.

Date: 3-29-01
Roll Call Vote #: 27

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0201

Action Taken move to adopt ~~amdt~~

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Voice vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

Date: 3-29-01
Roll Call Vote #: 28

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 3 words motion.

Action Taken Move to replace ~~adopt~~ substitute amendment

Motion Made By Kliniske Seconded By Warner

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske			voice vote		
Rep. John M. Warner					

Total (Yes) 4 No 1

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent:

Date: 3-29-01
Roll Call Vote #: 29

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☐ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken Move to Adopt Sect 6 as amended on 0201

Motion Made By Warner Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner			Voice Vote		

Total (Yes) 4 **No** 1

Absent 1

Floor Assignment

If the vote is on an amendment, briefly indicate intent: Carries

Date: 3-24-01
Roll Call Vote #: 30

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to adopt FTN p.8

Motion Made By Delzer Seconded By Kliniske

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			VOICE VOTE		

Total (Yes) 4 No 2

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries -

Date: 3-29-01
Roll Call Vote #: 31

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number

Action Taken move to Adopt Ft. Note #8

Motion Made By Kempenich Seconded By Delzer

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					

Voice Vote

Total (Yes) 2 No 4

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: Fails

Date: 3-29-01
Roll Call Vote #: 32

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO.

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 19745.01

Action Taken move ~~option~~ to adopt option 1

Motion Made By Kempenich Seconded By Delzer

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan					
Vice-Chairman Jeff Delzer					
Rep. Keith Kempenich					
Rep. James Kerzman					
Rep. Amy Kliniske					
Rep. John M. Warner					
			voice vote		

Total (Yes) 6 No 0

Absent 0

Floor Assignment

If the vote is on an amendment, briefly indicate intent: carries –

Date: 3-29-01
Roll Call Vote #: 33

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. 2016

House Appropriations Committee

☒ Subcommittee on Human Resources
or
☐ Conference Committee

Legislative Council Amendment Number 2016

Action Taken move ~~to~~ a Do as amended

Motion Made By Delzer Seconded By Kempenich

Representatives	Yes	No	Representatives	Yes	No
Chairman Ken Svedjan	✓				
Vice-Chairman Jeff Delzer	✓				
Rep. Keith Kempenich	✓				
Rep. James Kerzman	✓				
Rep. Amy Kliniske	✓				
Rep. John M. Warner	✓				

Total (Yes) 6 No 0

Absent 0

Floor Assignment Delzer

If the vote is on an amendment, briefly indicate intent: PASSES

18042.0206
Title.
Fiscal No. 2

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
March 30, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 1, line 2, after "transfers" insert "; to provide legislative intent" and remove the second "and"

Page 1, line 3, after "study" insert "; to create and enact a new section to chapter 54-23.3 and a new subsection to section 54-23.4-06 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation and crime victims compensation; and to amend and reenact section 12-59-02 and subsection 1 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members and subrogation"

Page 1, line 13, replace "1,281,357" with "1,075,871"

Page 1, line 14, replace "171,447" with "152,062"

Page 1, line 15, replace "80,850" with "57,750"

Page 1, line 16, replace "1,533,654" with "1,285,683"

Page 1, line 18, replace "1,522,494" with "1,274,523"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,891,907"

Page 1, line 23, replace "217,050" with "119,700"

Page 1, line 24, replace "707,747" with "671,427"

Page 2, line 2, replace "21,189,929" with "20,744,409"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "12,919,334"

Page 2, line 7, replace "3,423,566" with "3,415,066"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "11,203,870"

Page 2, line 10, replace "28,600,319" with "20,905,566"

Page 2, line 11, replace "4,086,082" with "3,619,457"

Page 2, line 12, replace "25,092,023" with "23,577,624"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "77,427,001"

Page 2, line 15, replace "18,649,184" with "17,296,864"

Page 2, line 16, replace "69,618,963" with "60,130,137"

Page 2, line 17, replace "84,468,111" with "74,323,994"

Page 2, line 18, replace "26,523,619" with "25,133,099"

Page 2, line 19, replace "110,890,730" with "99,457,093"

Page 2, remove lines 23 through 26

Page 3, after line 12, insert:

"SECTION 5. INMATE PAY AND DEDUCTIONS FROM INMATE PAY - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 6. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 7. YOUTH CORRECTIONAL CENTER - TEACHER CONTRACTS FOR SUMMER EDUCATION PROGRAMS. The salaries and wages line item included in subdivision 2 of section 1 of this Act includes funding for teacher contracts to support the summer education program at the youth correctional center. Any moneys budgeted for teacher contracts for the summer education program but not spent for that purpose may not be used for any other purpose and must be returned to the general fund at the end of the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 8. TRANSFERS BETWEEN LINE ITEMS AND SUBDIVISIONS - COMPUTER PURCHASES. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between the various subdivisions included in section 1 of this Act and between the various line items included in subdivision 3 of section 1 of this Act for the purpose of purchasing personal computers to carry out the duties of the department.

SECTION 9. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and

benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 10. "PRERELEASE" PROGRAM AND INMATE CONTRACT HOUSING - USE OF MONEYS APPROPRIATED. The institutional offender services line item contained in subdivision 3 of section 1 of this Act includes funding for the operation of a "prerelease center". Any moneys budgeted for the operation of the "prerelease center" but not spent for that purpose may not be used for any other purpose except contracting for additional inmate beds at county or private correctional facilities, as determined necessary by the department. Notwithstanding section 54-16-04, the department may transfer moneys from the institutional offender services line item to the security and safety line item in subdivision 3 of section 1 of this Act as determined necessary by the department to contract for inmate housing.

SECTION 11. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 12. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 13. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Approval of new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program that serves adult or juvenile offenders, including alternatives to conventional incarceration and programs operated on a contract basis, without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 14. A new subsection to section 54-23.4-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Compensation may not be awarded unless the claimant pursues each available collateral source, including claim for relief unless the claim for relief would place an undue burden on the claimant.

SECTION 15. AMENDMENT. Subsection 1 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. If compensation is awarded, the division is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that compensation is awarded, from a source that is, or, if readily available to the claimant, would be, a collateral source. The division has the right of subrogation to initiate a claim for relief to recover for economic loss from a collateral source, including a tort-feasor."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Department of Corrections and Rehabilitation - Adult Services				
Total all funds	$86,268,147	$86,268,147	($10,841,146)	$77,427,001
Less estimated income	16,649,184	16,649,184	(1,352,320)	17,296,864
General fund	$69,618,963	$69,618,963	($9,488,826)	$60,130,137
Department of Corrections and Rehabilitation - Central Office				
Total all funds	$1,533,542	$1,533,654	($247,971)	$1,285,683
Less estimated income	11,160	11,160		11,160
General fund	$1,522,382	$1,522,494	($247,971)	$1,274,523
Department of Corrections and Rehabilitation - Juvenile Services				
Total all funds	$21,088,929	$21,189,029	($445,520)	$20,744,409
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075
General fund	$13,326,654	$13,326,654	($407,320)	$12,919,334
Bill Total				
Total all funds	$110,890,618	$110,991,730	($11,534,637)	$99,457,093
Less estimated income	26,422,619	26,523,619	(1,390,520)	25,133,099
General fund	$84,467,999	$84,468,111	($10,144,117)	$74,323,994

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$7,073,227			
Operating expenses	9,222,935			
Equipment	63,102			
Capital improvements				
Grants	3,280,619			
Victims services		$3,423,566	($8,500)	$3,415,066
Institutional offender services		4,460,612	(597,484)	3,863,128
Community offender services		11,755,705	(551,835)	11,203,870
Support services	28,600,319	28,600,319	(7,694,753)	20,905,566
Program services	4,086,082	4,086,082	(466,625)	3,619,457
Security and safety	25,092,023	25,092,023	(1,514,399)	23,577,624
Roughrider Industries	10,849,840	10,849,840	(7,550)	10,842,290
Total all funds	$86,268,147	$86,268,147	($10,841,146)	$77,427,001
Less estimated income	16,649,184	16,649,184	(1,352,320)	17,296,864
General fund	$69,618,963	$69,618,963	($9,488,826)	$60,130,137
FTE	508.25	508.25	(51.50)	456.75

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of House Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REMOVE FTES AND FUNDING FOR SMI UNIT [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services	($539,284)	($750)			($57,450)	
Community offender services		(11,306)	($8,400)			($532,127)
Support services		(15,400)	(5,600)	($937,703)		
Program services		(3,600)		(340,520)		
Security and safety		(1,600)		(1,159,574)		
Roughrider industries		(6,150)	(1,400)			
Total all funds	($539,284)	($39,006)	($15,400)	($2,437,797)	($57,450)	($532,127)
Less estimated income		(10,920)	(1,400)			60,000
General fund	($539,284)	($28,086)	($14,000)	($2,437,797)	($57,450)	($592,127)
FTE	0.00	0.00	0.00	(26.00)	0.00	(1.00)

	REDUCE SUPPORT SERVICES [7]	REDUCE PROGRAM SERVICES [8]	REDUCE SECURITY AND SAFETY [9]	REDUCE VICTIMS SERVICES [10]	REMOVE CAPITAL PROJECTS [11]	REMOVE FTE AND OPERATING EXPENSES FOR WOMEN'S UNIT [12]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services				($8,500)		
Institutional offender services						
Community offender services						
Support services	($618,618)				($5,703,000)	($414,432)
Program services		($20,000)				(102,505)
Security and safety			($25,000)			(524,130)
Roughrider industries						
Total all funds	($618,618)	($20,000)	($25,000)	($8,500)	($5,703,000)	($1,041,067)
Less estimated income					(1,400,000)	
General fund	($618,618)	($20,000)	($25,000)	($8,500)	($4,303,000)	($1,041,067)
FTE	0.00	0.00	0.00	0.00	0.00	(22.50)

	ADD FUNDING FOR CONTRACT INMATE HOUSING [13]	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Victims services		($8,500)
Institutional offender services		(597,424)
Community offender services		(551,835)
Support services		(7,694,753)
Program services		(466,625)
Security and safety	$196,105	(1,514,399)
Roughrider industries		(7,550)
Total all funds	$196,105	($10,841,146)
Less estimated income		(1,352,320)
General fund	$196,105	($9,488,826)
FTE	0.00	(51.50)

[1] Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,284 to $1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital.

3 The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,500 to $3,500 per computer. The House amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers.

3 The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division.

4 Funding is removed for the proposed seriously mentally ill (SMI) unit as follows:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	(28.00)	($1,859,441)		($1,859,441)
Operating expenses		(560,706)		(560,706)
Equipment		(17,650)		(17,650)
Total change from Senate version	(28.00)	($2,437,797)	$0	($2,437,797)

5 The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($60,000)		($60,000)
Compensation rate increase for Parole Board members from $62.50 to $75 per day	2,550		2,550
Total change from Senate version	($57,450)	$0	($57,450)

6 The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		($14,000)		($14,000)
Operating expenses		(407,000)		(407,000)
Funding source change (additional supervision fees)		(60,000)	$60,000	
Remove 2 parole officer II positions				
Salaries and wages	(1.00)	(78,755)		(78,755)
Operating expenses		(32,372)		(32,372)
Total reduction relating to new positions	(1.00)	($111,127)		($111,127)
Total change from Senate version	(1.00)	($592,127)	$60,000	($532,127)

7 The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	($8,000)		($8,000)
Information technology - Data processing	(20,000)		(20,000)
Information technology - Telecommunications	(5,000)		(5,000)
Travel	(15,000)		(15,000)
Information technology - Contractual services	(5,300)		(5,300)
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious diseases	122,800		122,800
Professional development	(10,000)		(10,000)
Office supplies	(5,000)		(5,000)
Other equipment	(100,000)		(100,000)
Capital improvements - Penitentiary parking lot	(403,118)		(403,118)
Capital improvements - Extraordinary repairs	(200,000)		(200,000)
Total change from Senate version	($618,618)	$0	($618,618)

8 The program services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Travel	($5,000)		($5,000)
Professional development	(2,000)		(2,000)
Professional services	(5,000)		(5,000)
Professional supplies	(5,000)		(5,000)
Miscellaneous supplies	(3,000)		(3,000)
Total change from Senate version	($20,000)	$0	($20,000)

9 The security and safety line item is reduced to reflect a $25,000 reduction in operating expenses.

10 The victims services line item is reduced to reflect a $2,500 reduction in temporary salaries and a $6,000 reduction in operating expenses.

11 Funding is removed for the following capital projects:

	GENERAL FUND	OTHER FUNDS	TOTAL
Missouri River Correctional Center - Food service building	($1,983,000)		($1,983,000)
Women's unit	(2,320,000)	($1,400,000)	(3,720,000)
Total change from Senate version	($4,303,000)	($1,400,000)	($5,703,000)

12 Funding is removed for the proposed women's unit as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	($585,457)		($585,457)
Operating expenses	(421,815)		(421,815)
Equipment	(33,795)		(33,795)
Total change from Senate version	($1,041,067)	$0	($1,041,067)

13 The Senate version included $2,452,275 for housing inmates at county or out-of-state correctional facilities. The House amendment increases that amount to $2,648,380 based on the following adjustments to the number of contract inmate beds:

- Funding is reduced to reflect an anticipated 20 contract bed reduction each month of the biennium due to the effect of the drug court (five less contract beds per month) and House Bill No. 1364 (15 less contract beds per month), which eliminates minimum mandatory sentences for certain first-time drug offenders.
- Funding is increased to reflect an anticipated 75 contract bed increase for each of the last eight months of the biennium due to not constructing the women's unit.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$1,281,245	$1,281,357	($205,486)	$1,075,871
Operating expenses	171,447	171,447	(19,385)	152,062
Equipment	80,850	80,850	(23,100)	57,750
Total all funds	$1,533,542	$1,533,654	($247,971)	$1,285,683
Less estimated income	11,160	11,160		11,160
General fund	$1,522,382	$1,522,494	($247,971)	$1,274,523
FTE	10.00	10.00	(1.00)	9.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of House Changes

	REMOVE NEW FTE POSITION AND RELATED OPERATING EXPENSES [1]	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES [2]	REDUCE OPERATING EXPENSES	REDUCE BUDGETED COMPUTER PRICES [3]	REMOVE FUNDING FOR COMPUTER SERVER [4]
Salaries and wages	($79,486)	($1,000)	($125,000)			
Operating expenses	(6,385)			($11,000)		
Equipment					($6,300)	($14,000)
Total all funds	($87,871)	($1,000)	($125,000)	($11,000)	($6,300)	($14,000)
Less estimated income						
General fund	($87,871)	($1,000)	($125,000)	($11,000)	($6,300)	($14,000)
FTE	(1.00)	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [5]	TOTAL HOUSE CHANGES
Salaries and wages		($205,486)
Operating expenses		(19,385)
Equipment	($2,800)	(23,100)
Total all funds	($2,800)	($247,971)
Less estimated income		
General fund	($2,800)	($247,971)
FTE	0.00	(1.00)

1 The Senate version included 2 FTE data processing coordinator I positions to provide information technology support for the department. The House amendment removes one of the new positions and the related operating expenses.

2 The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. The House amendment removes this funding.

3 The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of $2,100 per computer. The House amendment reduces the budgeted price per computer to $1,400.

4 The Senate version for the Central Office included funding to replace three computer servers, one at a price of $25,000 and two at $14,000. The House amendment removes funding for one of the $14,000 servers.

5 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$10,819,873	$10,819,873	($172,375)	$10,647,498
Operating expenses	4,930,382	5,031,382	(139,475)	4,891,907
Equipment	217,050	217,050	(97,350)	119,700
Capital improvements	707,747	707,747	(36,320)	671,427
Grants	4,413,877	4,413,877		4,413,877
Total all funds	$21,088,929	$21,189,929	($445,520)	$20,744,409
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075
General fund	$13,326,654	$13,326,654	($407,320)	$12,919,334
FTE	120.43	120.43	0.00	120.43

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of House Changes

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS 1	REDUCE OPERATING EXPENSES 2	REDUCE EQUIPMENT 3	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES 4	REDUCE BUDGETED COMPUTER PRICES 5
Salaries and wages	($41,000)			($40,000)	($91,375)	
Operating expenses		($139,475)				($43,750)
Equipment			($34,000)			
Capital improvements						
Grants						
Total all funds	($41,000)	($139,475)	($34,000)	($40,000)	($91,375)	($43,750)
Less estimated income						(25,600)
General fund	($41,000)	($139,475)	($34,000)	($40,000)	($91,375)	($18,150)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS 6	REDUCE YOUTH CORRECTIONAL CENTER EXTRAORDINARY REPAIRS 7	TOTAL HOUSE CHANGES
Salaries and wages			($172,375)
Operating expenses			(139,475)
Equipment	($19,600)		(97,350)
Capital improvements		($36,320)	(36,320)
Grants			
Total all funds	($19,600)	($36,320)	($445,520)
Less estimated income	(12,600)		(38,200)
General fund	($7,000)	($36,320)	($407,320)
FTE	0.00	0.00	0.00

1 The Senate version included 1 FTE security officer I for the Youth Correctional Center and 1 FTE administrative assistant I for the Juvenile Community Services Division. The House amendment reduces the salaries and wages line item by $41,000 ($12,000 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions.

2 The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($55,000)		($55,000)
JCS Division - Juvenile transportation costs (SB 2220 with House amendments)	(41,475)		(41,475)
Youth Correctional Center (YCC) - Auxiliary services	(13,000)		(13,000)
YCC - Administration	(7,500)		(7,500)
YCC - Resident care	(12,500)		(12,500)
YCC - Education	(10,000)		(10,000)
Total change from Senate version	($139,475)	$0	($139,475)

[3] The House amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,729 to $20,729.

[4] The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division. The House amendment reduces this amount to $200,000.

[5] The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,200 per desktop and $3,000 per laptop. The House amendment reduces the budgeted prices to $1,400 per desktop and $1,750 per laptop.

[6] The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division.

[7] Funding is removed for heating plant improvements at the Youth Correctional Center, reducing extraordinary repairs funding from $65,320 to $29,000.

This amendment also adds the following sections:

- Section 5, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 6, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 7, which provides that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- Section 8, which authorizes the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- Section 9, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 10, which provides that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.
- Section 11, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 12, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.
- Section 13, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.
- Section 14, which amends NDCC Section 54-23.4-06 to require that crime victims compensation awards may not be provided to a claimant until the claimant has pursued all collateral sources of funds.

- Section 15, which amends NDCC Section 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to initiate a claim for relief to recover funds from a collateral source.

Date: 4-3-01
Roll Call Vote #: 1

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES,
BILL/RESOLUTION NO. SB 2016

House APPROPRIATIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 1804.0206

Action Taken Motion to adopt amendment .0206

Motion Made By Rep. Delzer Seconded By Rep. Svedjan

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm	Voice		Rep - Martinson		
Rep - Byerly	Vote		Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Gulleson			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____ Passed

If the vote is on an amendment, briefly indicate intent:

Prepared by the Legislative Council staff for
House Appropriations - Human Resources
March 30, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Page 3, after line 12, insert:

"**SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION FACILITY NEEDS - LEGISLATIVE COUNCIL STUDY.** During the 2001-02 interim, the legislative council shall consider studying the facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - House Action

This amendment directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.

Date: 4-3-01
Roll Call Vote #: 2

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2016

House APPROPRIATIONS Committee

☐ Subcommittee on _____
or
☐ Conference Committee

Legislative Council Amendment Number 18042.0207

Action Taken Motion to adopt amendment .0207

Motion Made By Rep. Delzer Seconded By Rep. Svedjan

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glassheim			Rep - Thoreson		
Rep - Gulleson			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Voice Vote

Total (Yes) _____ No _____

Absent _____

Floor Assignment _____ Svedjan

If the vote is on an amendment, briefly indicate intent:

Date: 4-3-01
Roll Call Vote #: 3

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2016

House APPROPRIATIONS Committee

☐ Subcommittee on _____

or

☐ Conference Committee

Legislative Council Amendment Number _____

Action Taken motion to amend.

Motion Made By Rep. Kerzman Seconded By Rep. Gulleson

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman					
Wald - Vice Chairman					
Rep - Aarsvold			Rep - Koppelman		
Rep - Boehm			Rep - Martinson		
Rep - Byerly			Rep - Monson		
Rep - Carlisle			Rep - Skarphol		
Rep - Delzer			Rep - Svedjan		
Rep - Glasheim			Rep - Thoreson		
Rep - Gulleson			Rep - Warner		
Rep - Huether			Rep - Wentz		
Rep - Kempenich					
Rep - Kerzman					
Rep - Kliniske					

Total (Yes) _____ No _____ failed

Absent _____

Floor Assignment _____

If the vote is on an amendment, briefly indicate intent:

add back in funding for Seriously Mentally Ill (SMI).

Date: 4-3-01
Roll Call Vote #: 4

2001 HOUSE STANDING COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2016

House APPROPRIATIONS Committee

☐ Subcommittee on

or

☐ Conference Committee

Legislative Council Amendment Number 18042.0208

Action Taken DO PASS As Am

Motion Made By Rep. Delzer Seconded By Rep. Svedjan

Representatives	Yes	No	Representatives	Yes	No
Timm - Chairman	✓				
Wald - Vice Chairman	✓				
Rep - Aarsvold		✓	Rep - Koppelman	✓	
Rep - Boehm	✓		Rep - Martinson	✓	
Rep - Byerly	✓		Rep - Monson	✓	
Rep - Carlisle	✓		Rep - Skarphol	✓	
Rep - Delzer	✓		Rep - Svedjan	✓	
Rep - Glassheim		✓	Rep - Thoreson	✓	
Rep - Gulleson		✓	Rep - Warner	✓	
Rep - Huether	✓		Rep - Wentz	✓	
Rep - Kempenich	✓				
Rep - Kerzman		✓			
Rep - Kliniske	✓				

Total (Yes) 17 No 4

Absent Ø

Floor Assignment Rep Delzer

If the vote is on an amendment, briefly indicate intent:

Less estimated income		
General Fund	[illegible]	[illegible]
FTE	0.00	0.00

[illegible]

The amendment extends the sunset clause on the $350 pesticide product registration fee until June 30, 2003. The product registration fee will revert to $300 for each product registered after June 30, 2003. The amendment removes the requirement for the Department of Agriculture to generate $100,000 revenues from collections of pesticides under Project Safe Send. It does maintain the requirement of establishing a fee schedule for the collection of select chemicals.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended and subsequently passed: SB 2009, SB 2012, SB 2032, SB 2380, SB 2454.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has adopted the conference committee report and subsequently passed: HB 1245, HB 1267, HB 1457.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has passed unchanged: SB 2352.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has amended, subsequently passed, and the emergency clause carried: SB 2015, SB 2019.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate does not concur in the House amendments to SB 2001, SB 2002, SB 2006, SB 2183, SB 2251, and SB 2291 and the President has appointed as a conference committee to act with a like committee from the House on:

SB 2001: Sens. Nething; Kringstad; Lindaas
SB 2002: Sens. Nething; Solberg; Tallackson
SB 2006: Sens. Holmberg; Andrist; Robinson
SB 2183: Sens. Freborg; Wanzek; Christenson
SB 2251: Sens. Flakoll; Cook; Kelsh
SB 2291: Sens. Cook; Flakoll; Christenson

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently passed: SB 2090, SB 2150, SB 2162, SB 2314, SB 2337, SB 2373, SB 2379, and SB 2403.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The Senate has concurred in the House amendments and subsequently failed to pass: SB 2436.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House has concurred in the Senate amendments and subsequently passed: HB 1215.

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The House does not concur in the Senate amendments to HB 1007, HB 1020, HB 1025, and HB 1386 and the Speaker has appointed as a conference committee to act with a like committee from the Senate on:

HB 1007: Reps. Koppelman; Skarphol; Huether
HB 1020: Reps. Martinson; Boehm; Gulleson
HB 1025: Reps. Carlisle; Koppelman; Huether
HB 1386: Reps. Dietrud; Froseth; Ekstrom

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)
MR. SPEAKER: The President has appointed as a conference committee to act with a like committee from the House on:

HB 1461: Sens. Wardner; Kilzer; C. Nelson

MESSAGE TO THE SENATE FROM THE HOUSE (MARK L. JOHNSON, CHIEF CLERK)
MR. PRESIDENT: The Speaker has appointed as a conference committee to act with a like committee from the Senate on:

SB 2034: Reps. Wrangham; Maragos; Delmore
SB 2039: Reps. Herbel; Clark; Winrich
SB 2166: Reps. L. Thoreson; Meier; Grumbo
SB 2204: Reps. D. Johnson; Renner; Onstad
SB 2306: Reps. Devlin; F. Klein; Cleary
SB 2389: Reps. Brandenburg; Kingsbury; Sandvig
SB 2427: Reps. Drovdal; Nelson; Winrich

REPORT OF STANDING COMMITTEE
SB 2016, as engrossed: Appropriations Committee (Rep. Timm, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (17 YEAS, 4 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2016 was placed on the Sixth order on the calendar.

Page 1, line 2, after "transfers" insert ": to provide legislative intent", remove the second "and", and remove "a"

Page 1, line 3, replace "study" with "studies; to create and enact a new section to chapter 54-23.3 and a new subsection to section 54-23.4-06 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation and crime victims compensation; and to amend and reenact section 12-59-02 and subsection 1 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members and subrogation"

Page 1, line 13, replace "1,281,357" with "1,075,871"

Page 1, line 14, replace "171,447" with "152,062"

Page 1, line 15, replace "80,850" with "57,750"

Page 1, line 16, replace "1,533,654" with "1,285,683"

Page 1, line 18, replace "1,522,494" with "1,274,523"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,891,907"

Page 1, line 23, replace "217,050" with "119,700"

Page 1, line 24, replace "707,747" with "671,427"

Page 2, line 2, replace "21,189,929" with "20,744,409"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "12,919,334"

Page 2, line 7, replace "3,423,566" with "3,415,066"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "11,203,870"

Page 2, line 10, replace "28,600,319" with "20,905,566"

Page 2, line 11, replace "4,086,082" with "3,619,457"

Page 2, line 12, replace "25,092,023" with "23,577,624"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "77,427,001"

Page 2, line 15, replace "18,649,184" with "17,296,864"

Page 2, line 16, replace "89,618,983" with "80,130,137"

Page 2, line 17, replace "84,468,111" with "74,323,954"

Page 2, line 18, replace "26,523,619" with "25,133,099"

Page 2, line 19, replace "110,890,730" with "99,457,093"

Page 2, remove lines 23 through 26

Page 3, after line 12, insert:

"**SECTION 5. INMATE PAY AND DEDUCTIONS FROM INMATE PAY - LEGISLATIVE COUNCIL STUDY.** During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION FACILITY NEEDS - LEGISLATIVE COUNCIL STUDY. During the 2001-02 interim, the legislative council shall consider studying the facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness.

SECTION 7. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 8. YOUTH CORRECTIONAL CENTER - TEACHER CONTRACTS FOR SUMMER EDUCATION PROGRAMS. The salaries and wages line item included in subdivision 2 of section 1 of this Act includes funding for teacher contracts to support the summer education program at the youth correctional center. Any moneys budgeted for teacher contracts for the summer education program but not spent for that purpose may not be used for any other purpose and must be returned to the general fund at the end of the biennium beginning July 1, 2001, and ending June 30, 2003.

SECTION 9. TRANSFERS BETWEEN LINE ITEMS AND SUBDIVISIONS - COMPUTER PURCHASES. Notwithstanding section 54-16-04, the department of corrections and rehabilitation may transfer between the various subdivisions included in section 1 of this Act and between the various line items included in subdivision 3 of section 1 of this Act for the purpose of purchasing personal computers to carry out the duties of the department.

SECTION 10. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 11. "PRERELEASE" PROGRAM AND INMATE CONTRACT HOUSING - USE OF MONEYS APPROPRIATED. The institutional offender services line item contained in subdivision 3 of section 1 of this Act includes funding for the operation of a "prerelease center". Any moneys budgeted for the operation of the "prerelease center" but not spent for that purpose may not be used for any other purpose except contracting for additional inmate beds at county or private correctional facilities, as determined necessary by the department. Notwithstanding section 54-16-04, the department may transfer moneys from the institutional offender services line item to the security and safety line item in subdivision 3 of section 1 of this Act as determined necessary by the department to contract for inmate housing.

SECTION 12. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 13. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 14. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Approval of new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program that serves adult or juvenile offenders, including alternatives to conventional incarceration and programs operated on a contract basis, without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 15. A new subsection to section 54-23.4-06 of the 1999 Supplement to the North Dakota Century Code is created and enacted as follows:

Compensation may not be awarded unless the claimant pursues each available collateral source, including claim for relief unless the claim for relief would place an undue burden on the claimant.

SECTION 16. AMENDMENT. Subsection 1 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

1. If compensation is awarded, the division is subrogated to all the claimant's rights to receive or recover benefits or advantages, for economic loss for which and to the extent only that compensation is awarded, from a source that is, or, if readily available to the claimant, would be, a collateral source. The division has the right of subrogation to initiate a claim for relief to recover for economic loss from a collateral source, including a tort-feasor."

Remember accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Department of Corrections and Rehabilitation - Adult Services				
Total all funds	$89,288,147	$89,288,147	($10,841,146)	$77,427,001
Less estimated income	19,849,194	19,849,194	(1,352,320)	17,296,864
General fund	$69,438,953	$69,438,953	($9,488,826)	$60,130,137
Department of Corrections and Rehabilitation - Central Office				
Total all funds	$1,533,542	$1,533,857	($347,971)	$1,385,883
Less estimated income	11,100	11,100		11,100
General fund	$1,522,442	$1,522,757	($347,971)	$1,374,783
Department of Corrections and Rehabilitation - Juvenile Services				
Total all funds	$21,088,889	$21,189,889	($445,520)	$20,744,469
Less estimated income	7,482,475	7,482,475	(98,000)	7,384,475
General fund	$13,606,414	$13,707,414	($347,520)	$13,359,994
Bill Total				
Total all funds	$110,910,578	$110,901,738	($11,534,637)	$99,557,353
Less estimated income	27,342,769	27,353,769	(1,450,320)	25,733,439
General fund	$83,567,809	$83,547,969	($10,084,317)	$73,823,914

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$7,272,227			
Operating expenses	9,222,936			
Equipment	62,102			
Capital improvements				
Grants	3,280,619			
Victims services		$3,423,595	($9,500)	$3,415,095
Institutional offender services		4,460,612	(597,464)	3,863,138
Community offender services		11,755,705	(503,835)	11,251,870
Support services	28,889,318	28,889,318	(7,884,753)	20,995,565
Program services	4,096,882	4,096,882	(496,825)	3,600,057
Security and safety	25,092,023	25,092,023	(1,514,366)	23,577,824
Roughrider Industries	10,849,849	10,849,849	(7,550)	10,842,299
Total all funds	$89,288,147	$89,288,147	($10,841,146)	$77,427,001
Less estimated income	19,849,194	19,849,194	(1,352,320)	17,296,864
General fund	$69,438,953	$69,438,953	($9,488,826)	$60,130,137
FTE	588.25	588.25	(51.50)	456.75

Dept. 518 - Department of Corrections and Rehabilitation - Adult Services - Detail of House Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAMS [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REMOVE FTES AND FUNDING FOR SMI UNIT [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services	($539,284)	($750)			($57,450)	
Community offender services		(11,366)	($9,469)			($532,127)
Support services		(15,469)	(5,699)	($837,700)		
Program services		(3,699)		(340,526)		
Security and safety		(1,699)		(1,158,574)		
Roughrider Industries		($1,750)	($1,550)			
Total all funds	($539,284)	($34,699)	($16,469)	($2,437,797)	($57,450)	($532,127)
Less estimated income		($1,699)	($1,550)			$82,800
General fund	($539,284)	($33,000)	($14,919)	($2,437,797)	($57,450)	($532,127)
FTE	0.00	0.00	0.00	(35.00)	0.00	(1.00)

REMOVE FTE AND

	REDUCE SUPPORT SERVICES [7]	REDUCE PROGRAM SERVICES [8]	REDUCE SECURITY AND SAFETY [9]	REDUCE VICTIMS SERVICES [10]	REMOVE CAPITAL PROJECTS [11]	OPERATING EXPENSES FOR WOMEN'S UNIT [12]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services				($9,500)		
Institutional offender services						
Community offender services						
Support services	($616,618)				($5,783,000)	($414,438)
Program services		($39,699)				(102,950)
Security and safety			($25,000)			($94,136)
Roughrider Industries						
Total all funds	($616,618)	($39,699)	($25,000)	($9,500)	($5,783,000)	($611,667)
Less estimated income					($5,000,000)	
General fund	($616,618)	($39,699)	($25,000)	($9,500)	($783,000)	($611,667)
FTE	0.00	0.00	0.00	0.00	0.00	(2.50)

	ADD FUNDING FOR CONTRACT INMATE HOUSING [13]	TOTAL HOUSE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Victims services		($9,500)
Institutional offender services		(597,464)
Community offender services		(503,835)
Support services		(7,884,753)
Program services		(496,825)
Security and safety	$196,105	(1,514,366)
Roughrider Industries		(7,550)
Total all funds	$196,105	($10,841,146)
Less estimated income		(1,352,320)
General fund	$196,105	($9,488,826)
FTE	0.00	(51.50)

[1] Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,284 to $1,800,000 to reflect a reduction in administrative cost allocation charged by the State Hospital.

[2] The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,300 to $3,500 per computer. The House amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers.

[3] The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 108 to 77. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division.

[4] Funding is removed for the proposed seriously mentally ill (SMI) unit as follows:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	(28.89)	($1,859,441)		($1,859,441)
Operating expenses		(580,708)		(580,708)
Equipment		(17,850)		(17,850)
Total change from Senate version	(28.89)	($2,437,797)	$0	($2,437,797)

[5] The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($60,000)		($60,000)
Compensation rate increase for Parole Board members from $62.50 to $75 per day	2,550		2,550
Total change from Senate version	($57,450)	$0	($57,450)

[6] The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		($14,000)		($14,000)
Operating expenses		(407,000)		(407,000)
Funding source change (additional supervision fees)		($80,000)	$80,000	
Remove parole officer II position				

Salaries and wages	(1.00)	([illegible])		([illegible])
Operating expenses		[illegible]		[illegible]
Total reduction relating to new positions	(1.00)	($111,127)		($111,127)
Total change from Senate version	(1.00)	([illegible])	$60,000	([illegible])

7 The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	([illegible])		([illegible])
Information technology - Data processing	([illegible])		([illegible])
Information technology - Telecommunications	([illegible])		([illegible])
Travel	([illegible])		([illegible])
Information technology - Contractual services	([illegible])		([illegible])
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious diseases	122,000		122,000
Professional development	([illegible])		([illegible])
Office supplies	([illegible])		([illegible])
Other equipment	([illegible])		([illegible])
Capital improvements - Penitentiary parking lot	([illegible])		([illegible])
Capital objects grants - Extraordinary repairs	([illegible])		([illegible])
Total change from Senate version	([illegible])	$0	([illegible])

8 The program services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Travel	([illegible])		([illegible])
Professional development	([illegible])		([illegible])
Professional services	([illegible])		([illegible])
Professional supplies	([illegible])		([illegible])
Miscellaneous supplies	([illegible])		([illegible])
Total change from Senate version	([illegible])	$0	([illegible])

9 The security and safety line item is reduced to reflect a $35,000 reduction in operating expenses.

10 The visitors services line item is reduced to reflect a $2,500 reduction in temporary salaries and a $5,000 reduction in operating expenses.

11 Funding is removed for the following capital projects:

	GENERAL FUND	OTHER FUNDS	TOTAL
Missouri River Correctional Center - Food service building	($1,983,000)		($1,983,000)
Women's unit	([illegible])	([illegible])	([illegible])
Total change from Senate version	([illegible])	([illegible])	([illegible])

12 Funding is removed for the proposed women's unit as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	([illegible])		([illegible])
Operating expenses	([illegible])		([illegible])
Equipment	([illegible])		([illegible])
Total change from Senate version	([illegible])	$0	([illegible])

13 The Senate version included $2,468,275 for housing inmates at county or out-of-state correctional facilities. The House amendment increases that amount to $2,648,388 based on the following adjustments to the number of contract inmate beds:

- Funding is reduced to reflect an anticipated 20 contract bed reduction each month of the biennium due to the effect of the drug court (five less contract beds per month) and House Bill No. 1364 (15 less contract beds per month), which eliminates maximum mandatory sentences for certain first-time drug offenders.
- Funding is increased to reflect an anticipated 75 contract bed increase for each of the last eight months of the biennium due to not constructing the women's unit.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$1,281,245	$1,281,357	([illegible])	$1,075,871
Operating expenses	171,447	171,447	(19,385)	152,062
Equipment	[illegible]	[illegible]	[illegible]	[illegible]
Total all funds	$1,533,542	$1,533,854	($347,971)	$1,285,883
Less estimated income	[illegible]	[illegible]		[illegible]

General fund	$1,088,398	$1,088,484	($347,971)	$1,274,583
FTE	16.00	16.00	(1.00)	0.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of House Changes

	REMOVE NEW FTE POSITION AND RELATED OPERATING EXPENSES [1]	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES [2]	REDUCE OPERATING EXPENSES	REDUCE BUDGETED COMPUTER PRICES [3]	REMOVE FUNDING FOR COMPUTER SERVER [4]
Salaries and wages	([illegible])	([illegible])	([illegible])			
Operating expenses	([illegible])			([illegible])	[illegible]	[illegible]
Equipment						
Total all funds	([illegible])	([illegible])	([illegible])	([illegible])	([illegible])	([illegible])
Less estimated income						
General fund	([illegible])	([illegible])	([illegible])	([illegible])	([illegible])	([illegible])
FTE	(1.00)	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [5]	TOTAL HOUSE CHANGES
Salaries and wages		([illegible])
Operating expenses		(19,385)
Equipment	([illegible])	[illegible]
Total all funds	([illegible])	($347,971)
Less estimated income		
General fund	([illegible])	($347,971)
FTE	0.00	(1.00)

1 The Senate version included 2 FTE data processing coordinator I positions to provide information technology support for the department. The House amendment removed one of the new positions and the related operating expenses.

2 The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. The House amendment removes this funding.

3 The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of $2,100 per computer. The House amendment reduces the budgeted price per computer to $1,400.

4 The Senate version for the Central Office included funding to replace three computer servers, one at a price of $25,000 and two at $14,000. The House amendment removes funding for one of the $14,000 servers.

5 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - House Action

	EXECUTIVE BUDGET	SENATE VERSION	HOUSE CHANGES	HOUSE VERSION
Salaries and wages	$10,818,673	$10,818,673	($172,375)	$10,647,498
Operating expenses	4,930,382	5,031,382	(138,475)	4,891,907
Equipment	217,050	217,050	(97,350)	119,700
Capital improvements	707,747	707,747	(36,320)	671,427
Grants	4,413,877	4,413,877		4,413,877
Total all funds	$21,088,929	$21,188,929	($444,520)	$20,744,409
Less estimated income	[illegible]	[illegible]	[illegible]	[illegible]
General fund	$13,326,854	$13,326,854	($457,320)	$12,819,334
FTE	120.43	120.43	0.00	120.43

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of House Changes

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS [1]	REDUCE OPERATING EXPENSES [2]	REDUCE EQUIPMENT [3]	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES [4]	REDUCE BUDGETED COMPUTER PRICES [5]
Salaries and wages	([illegible])			([illegible])	([illegible])	
Operating expenses		($138,475)				

Equipment			($34,889)			($43,769)
Capital improvements						
Grants						
Total all funds	($41,889)	($138,475)	($34,889)	($48,889)	($84,375)	($43,769)
Less estimated income						$5,889
General fund	($41,889)	($138,475)	($34,889)	($48,889)	($84,375)	($38,158)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [6]	REDUCE YOUTH CORRECTIONAL CENTER EXTRAORDINARY REPAIRS [7]	TOTAL HOUSE CHANGES
Salaries and wages			($172,375)
Operating expenses			(138,475)
Equipment	($15,889)		(87,358)
Capital improvements		($36,389)	($36,389)
Grants			
Total all funds	($15,889)	($36,389)	($446,529)
Less estimated income	($2,889)		($8,889)
General fund	($7,889)	($36,389)	($437,529)
FTE	0.00	0.00	0.00

[1] The Senate version included 1 FTE casualty officer I for the Youth Correctional Center and 1 FTE administrative assistant I for the Juvenile Community Services Division. The House amendment reduces the salaries and wages line item by $41,889 ($12,889 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions.

[2] The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($55,889)		($55,889)
JCS Division - Juvenile transportation costs ($8,889 with House amendments)	(41,475)		(41,475)
Youth Correctional Center (YCC) - Auxiliary services	(12,889)		(12,889)
YCC - Administration	(7,500)		(7,500)
YCC - Resident care	(12,500)		(12,500)
YCC - Education	(10,889)		(10,889)
Total change from Senate version	($138,475)	$0	($138,475)

[3] The House amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,728 to $26,728.

[4] The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to eliminate transfer salaries pursuant to a composite salary schedule developed by the Central Personnel Division. The House amendment reduces this amount to $206,892.

[5] The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,200 per desktop and $3,889 per laptop. The House amendment reduces the budgeted prices to $1,400 per desktop and $2,750 per laptop.

[6] The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 100 to 77. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division.

[7] Funding is removed for heating plant improvements at the Youth Correctional Center, reducing extraordinary repairs funding from $85,339 to $48,950.

This amendment also adds the following sections:

- Section 5, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 6, which directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.
- Section 7, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 8, which provides that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.

- Section 9, which authorizes the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- Section 10, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 11, which provides that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.
- Section 12, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 13, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.
- Section 14, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.
- Section 15, which amends NDCC Section 54-23.4-06 to require that crime victims compensation awards may not be provided to a claimant until the claimant has pursued all collateral sources of funds.
- Section 16, which amends NDCC Section 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to inmate a claim for relief to recover funds from a collateral source.

REPORT OF STANDING COMMITTEE

SB 2202, as engrossed: Education Committee (Rep. R. Kelsch, Chairman) recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (15 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). Engrossed SB 2202 was placed on the Sixth order on the calendar.

Page 1, line 10, remove the overstrike over "seven"

Page 1, line 11, remove "six"

Page 1, line 14, replace "year" with "calendar"

Page 1, line 15, replace "If a six-year-old child is in attendance at a public school kindergarten for the" with "If a person enrolls a child of age six in a public school, beginning thirty days after the date of enrollment the person shall ensure that the child is in attendance at a public school for the duration of the school calendar."

Page 1, remove lines 16 through 18

Page 1, line 23, remove the overstrike over "seven" and remove "six"

Page 2, line 1, overstrike "year" and insert immediately thereafter "calendar"

Page 2, line 3, replace "If a six-year-old child is in attendance at a public school kindergarten for the" with "If a person enrolls a child of age six in a public school, beginning thirty days after the date of enrollment the person shall ensure that the child is in attendance at a public school for the duration of the school calendar."

Page 2, remove lines 4 through 6

Renumber accordingly

REPORT OF STANDING COMMITTEE

SCR 4049: Government and Veterans Affairs Committee (Rep. M. Klein, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 2 ABSENT AND NOT VOTING). SCR 4049 was placed on the Tenth order on the calendar.

2001 SENATE APPROPRIATIONS

CONFERENCE COMMITTEE

SB 2016

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 13, 2001

Tape Number	Side A	Side B	Meter #
Tape #2	x		15.9 - 54.3
Tape # 2		x	0.0 - 1.5
Committee Clerk Signature	Sonnie Quitsch		

Minutes:

Senator Nething, Chair of the SB2016 (Department of Corrections and Rehabilitation) Conference Committee, called the meeting to order at 11:00 AM, Friday, April 13th.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner. All present.

Senator Nething: House address their amendments (18042.0208)? Appears there are thirteen (13) new sections and some other changes-- let's start with the new sections?

Representative Delzer: Section 5 of .0208 amendment: House members wanted to make sure child support being cared for by the inmate payments; not going for capital construction or anything else. Felt study required.

Senator Nething: Problem? Did you ask Corrections?

Representative Delzer: Pretty much -- but House wanted language clearly stated.

Representative Delzer: : Section 6, study of field service; again a legislative council study -- felt a need to be sure department's existing facilities are being used adequately and utilized appropriately.

Senator Robinson: The engrossed SB2016 did include section 5 -- as the Senate placed there -- legislative study language there -- maybe work together?

Senator Nething: Maybe same?

Representative Delzer: Felt this is what the House wanted to say.

Senator Robinson: Engrossed SB2016 is in compliance --- reasonable? Possible same?

Representative Delzer: Having 2 is better.

Representative Delzer: Section 7 -- Felt a need to identify programs when federal funding drops and program falls short.

Section 8: Regarding teachers contracts --- salary line item; amount is for 12 months --- amount is there if CY teachers are employed -- if substitutes are used -- there is a lesser wage paid, and if so, the excess dollars would be given back -- could be something like 40 thousand dollars.

Section 9 Reduce 20-15 percent --- 1400 and 1750 are more accurate cost figures.

Senator Robinson: Believe the reduction cost of computer is more accurate, in part due to some recent information we received. But the number of reductions -- done arbitrarily, with department's knowledge, input?

Representative Delzer: List we had -- department was doing 4 year replacement cycle --- we looked at other departments plans.

Senator Robinson: Replacement cycle now? Surplus -- Putting more out in the system?

Representative Delzer: Doesn't -- no change and go to surplus; more to systems -- perhaps a 6 year replacement cycle.

Senator Robinson: Extending life of technology --- as we move to alternatives, some can be placed in a lesser used traffic area -- compounding the problem?

Representative Delzer: Section 10: report next session --- goes with control, understanding. Section 11: Concerns about quick up and running versus quick for dollars -- contact private sources for services.

Representative Svedjan: Indication that it is appropriate to have this --- delay in getting started --- there was indication that one new program began January 1 --- using some of section 11 area dollars. House felt if dollars were not used for the original purpose -- use it for contracting inmate bed -- only. Not for new, different program.

Senator Nething: Something occur?

Representative Delzer: Understand there was a drug program - perhaps 2 that began January one of this year --- using FTE's and funds used and requested more.

Senator Nething: Wrong?

Representative Delzer: Like to know, beginning program in January -- legislative session has begun -- why not know about it before the session starts?

Representative Delzer: Section 12: district judge(s) there's a possibility of federal grant dollars --- if comes it would take the place of the special funds -- special funds back to general funds (some 30 thousand dollars).

Senator Nething: Don't they always seek federal funds when they can?

Representative Delzer: Save general dollars, use special fund budget.

Senator Nething: Don't they operate that way?

Representative Delzer: Goal is to save general fund dollars.

Representative Svedjan: We've done similar adjustments in departments of Health and Human Services --- general funds pending--- existing special funds spent first.

Senator Nething: Seen a misuse? Implication is that's not being done --- change only legislative intent?

Representative Delzer: No point, possibility of grants -- covers scenario.

Section 13: raises pay of the parole board.

Senator Nething: Same as legislatures, thought it was?

Representative Delzer: Four years ago when the legislature pay was increased -- the tie was spilt -- 62.50 for some, others differently --- now 100, 75 here. Some OMB language: cost of 33 thousand dollars.

Representative Svedjan: Some disparities in budgets regarding 62.50 - 75. This is an attempt to standardize --- or perhaps OMB budget should be amended to accommodate?

Senator Nething: Interim Committees --- mileage and expenses are same here?

Representative Delzer: Important that the Board be 75.

Section 14: The legislators should be giving information regarding new program that begin --- regardless of the fact they were perhaps brought before the Budget Committee, Interim Committees.

Representative Svedjan: Perhaps we could write it differently --- realize it is necessary to try new programs at times -- may even be a shot in the dark but worth pursuing , but we need to know if they are accomplishing what we need to have done --- reduction in bed utilization. Need to have some input, it's not a matter of being all knowing.

Senator Nething: No experts here either -- the experts are within the programs, they are the ones who need to know what may/may not work.

Representative Svedjan: Need to have information for legislative impact --- the bed utilization is legitimate, real --- at a significant cost.

Senator Nething: Experimental program?

Representative Svedjan: Experimental for us --- I feel primary reason for embarking on this is to take heat off demand for beds.

Senator Nething: Rehabilitation -- cuts down on having inmates coming back?

Representative Delzer: Policy and appropriation for State -- partly in conjunction with the Executive Branch --- this is to get budget and appropriations in the loop --- keeping everyone informed.

Representative Delzer: Section 15 and 16: Field service --- giving crime victims another avenue for retrieving medical costs from offenders. When the judge(s) finish the day --- there is no way to get after dollars in no proclamation by the judge(s). 80% of costs can be documented by judge(s) --- and 20 percent of that is often medical coverage --- victims should get dollars from the offender(s).

Senator Nething: Compensation for claimant? Victims must pursue? Authorizes it? How does this work?

Representative Delzer: They, or the department can go after offenders.

Representative Svedjan: The intent is to support victims. Basically, we'd like them to be awarded the money from the offenders before they approach the Crime Victim Fund --- pursue all other sources -- get as much to the victims; the fund being the court of last resort.

Representative Delzer: Crime Victim Fund is hard to sustain.

Senator Nething: Victims are usually helpless, need immediate help --- now there appears to be a delay in getting that help?

Representative Delzer: Most help is made in direct payments to the medical institutions. Perhaps we could make the language better -- we are open to some help there.

Senator Nething: How this helps the victims? Offenders pay --- but the victim has to do it!

Representative Delzer: Sections 15 and 16 together speak to it.

Senator Nething: Did the House bring in any dollars for this?

Representative Delzer: No.

Senator Nething: Perhaps this is not such a big deal --- not a lot of work?

Representative Delzer: Might be the case -- some additional work, but not worth additional dollars.

Senator Nething: Decisions that are needed make, time?

Representative Delzer: No more than what has been done.

Senator Nething: Puzzled? See 2 sections, burden to victims

Representative Delzer: Open to new language.

Senator Robinson: Process --- if I were a victim, I'd want closure --- get it over with, this appears to prolong the situation --- makes it cumbersome. In reality hard for the victim.

Senator Nething: Section 16 --- led to believe the department needs legal help -- going through the process is something only lawyers can do --- If I'm accurate, where are the dollars for this type of assistance?

Representative Svedjan: We understand the division has access to legal counsel --- not a new avenue for appropriation dollars --- other than judges.

Senator Nething: Pay already includes new duties??

Representative Svedjan: Way it is now --- not sure this would consume a lot of time.

Senator Nething: New, broadening base.

Representative Delzer: May need to change the wording --- purpose is not to victimize the victim; it's a new avenue to pursue.

Senator Nething: Making claimants go through this action --- more definition for dollars.

Representative Delzer: If that the way it's interrupted ---need to change wording.

Representative Svedjan: Alternative to spending down the Crime Victim Fund --- this is an avenue to open something up --- need to look --- go to supplement the Crime Victim Fund?

Senator Nething: It is a problem -- most of those going to the Fund are battered women.

Senator Robinson: The intent is to structure -- protect the fund? Victims need that support immediately?

Senator Nething: Unintended consequences?

Representative Svedjan: Better way -- better wording, need to get at it.

Senator Nething: We'll close the meeting, and plan to work through the various division at the next meeting--- think through the 13 sections, now that we both know what each was thinking.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 17, 2001

Tape Number	Side A	Side B	Meter #
Tape # 2	x		0.0 - 48.4

Committee Clerk Signature Sonnie Dietz

Minutes:

Senator Nething, Chair of the SB2016 Conference Committee (Corrections and Rehabilitation Department), opened the meeting at 9:00 am, Tuesday, April 17th in the Harvest Room. Roll Call showed that all members of the Conference committee were present. If we could take these the way they are presented. Start on Adult Services, and work our way through it.

Representative Svedjan, I would like to make a couple of introductory remarks before we start. This is to give the Senators a glimpse of how we reviewed this budget. We worked off of the organizational chart. The chart breaks it down into three divisions; the central office, the juvenile services division (YCC & Community services), the adult services section, and Roughrider Industries. We looked at what was being requested for FTE's, position vacancies, and tried to determine if there were vacancies, how long have they been vacant and are these positions still needed. We requested from the agencies, a spend down report, looked at the

appropriation for the current biennium, we compared spending to date in each of the line items of the budget, and compared the spend down to what they are requesting, taking into account any extraordinary circumstances. Also did the same kink of analysis when it came to equipment budgets, grants, to help us determine whether or not what was being requested was realistic. We did a detailed analysis on the request for capital construction and if it was justified. We factored in several alternatives to incarceration programs, and the impact those programs would have on additional bed space. We consulted with Judiciary to help us determine what the most appropriate projection was for the impact those programs should have on freeing up bed space. Is there a way we can afford to put money into those programs. We went into significant detail in our analysis of all of the line items in this budget.

Representative Delzer. Page 4 is where lists all the major changes. Page 5 starts to break them down. Footnotes start on Page 6. The first line on Page 5 is to reduce funding for DUI offender treatment program. The footnote on Page 6, it says we reduced it from $2, 139,284 to $1,600,000, to reflect a reduction in administrative costs allocation charged by the State Hospital. We compared this program to the TRCU, and the cost of the TRCU. We came up with the cost of $77.00 per day, times the number of inmates they will have, times the 2 years.

Senator Nething. What is footnote 1. I did not see the $77.00?

Representative Delzer. It is not in there anywhere. That is the number we came up with, and the number we used for the cost of the TRCU. The $ 1.6 is a little over that. Footnote #2 is to reduce computer prices. Look at the explanation on Page 6, the Senate version for Adult

Services included 47. The number we changed is #3. The House amendment changes the price for the computer to $1400 for desktops and $1750 for laptops. Computer prices have come down considerably.

Senator Nething. Where did the number come from that you were using?

Representative Delzer. We used some actual one time quotes. It is the next footnote. Footnote #2 is the price of the computer. Footnote #3 is where we adjusted the number of computers by 27% and we actually looked at 25%.

Senator Robinson. What are we looking at when we reduced that number from 106 to 77?

Representative Delzer. One of the things happening in the Department of Corrections, we have the list of computers they want. What they are going to do with the ones they are replacing, they want to replace everything within 4 years, is what they are asking for. The problem the State has, that they are not replacing, they are taking computers and moving other ones out to other people. The actual number of computers is growing largely within that program. We have to ask what these computers are doing for us. How much is technology driving us and how much are we driving technology, and how much are we receiving for this. We did not see a validity in allowing the total growth of this.

Senator Robinson. With reference to the departments technology plan that is filed every year. The department is taking used computers and using them again and again. If you question the

number of computers, the life expectancy of that technology if we are looking at a 4 year period, we probably have computers there that are older than that, and are probably 6 years or older.

Representative Svedjan, #1 for our section to know that they want to take these replaced computers and put them in service elsewhere in the Department of Corrections, is in itself an admission that those computers are good enough to continue to be used. The tightness of the funds available in this budget,, money is short. We have asked in this budget and the Human Service budget also, that we slow the replacement cycle, because we believe there are other uses that hold priority over computer equipment budget. It is easy to take money away from programs that provide services to people to use those funds for hardware and software. For the computers that are being replaced to be put into service elsewhere in the department. 2 years from now we are going to see requests for replacements that are even greater than what we have today. Sooner or later we need to start seeing that the application of technology is befitting us not only in terms of what we do but also in terms of money we can save. We are not seeing that yet.

Senator Nething, How do you integrate, what you have told us the information that is conveyed How does that impact the purpose of the information, how do you weigh that in determining whether they need a computer or not. The computer is there for a purpose, how do impact that purpose by saying yes, you are going to have a computer, or no, you are not going to have a computer?

Representative Svedjan. My contention is if agencies were told that there would be no new computers, I think we would survive. For those computers designated to be put in service elsewhere in the corrections budget, we will play no role in deciding where those computers will be put in use. That is the departments decision, and it is also a management decision as to who gets the new ones. There are some areas that need the most current computers, and there also are areas where you don't need that capability.

Senator Nething. What do you use to make that decision with? How do you determine what they need and don't need?

Representative Svedjun. We can only go by what we were told. The numbers in terms of reduction, price etc. are our numbers. We heard in testimony that there is need in certain areas. I see this as a management process to determine where the new equipment will be placed versus getting along with what you have.

Senator Nething. When the 27% figure came up, is that what was used for the adjustment number?

Representative Svedjun. We want to slow the growth by 25%. This was our choice. Slowing the growth by 25% seemed reasonable, to go to 50% might be unreasonable. We felt the need to slow the growth to reserve funds that would otherwise go to equipment to try to use those funds to apply to programs that serve the people.

Senator Nething. If we provide information that indicated that growth factor should be bigger, would that be acceptable?

Representative Svedjun. For you to provide it, would be acceptable.

Senator Nething. Would you agree to it. What about if it should only be 15% growth factor?

Representative Svedjun. Would need to build a case. We were given a sizable packet of information. It is an aging report of equipment. There is 16-18 pages that we tried to factor into our decision.

Representative Delzer. We also got a list of which ones they are replacing now and what they are doing with the replacements. They wanted to replace all the computers in the central office and move the replaced ones out to other places. We listened to the agency testimony, asked questions, and then formed our decision. Once our decision was made, we did not go back to the department.

Senator Robinson. We are not allowing technology to drive this budget. The inmate population drive the budget. We do have situation where the inmate population is growing by leaps and bounds. We are asking this agency to respond in appropriate ways. I think technology is central to that.

Senator Nething. The dollars they are talking about is $42 thousand. We will be revisiting this. What they are explaining is their methodology they used.

Representative Delzer. The next one is #4, which is the SMI unit. We discussed this extensively, and decided we did not believe there was sufficient return on the investment. We could not see that there was any mistreatment of inmates, granted we accepted that it would be much easier for the corrections department to have everyone put together like this. When we looked at everything, looked at the added cost of having to rent from Stutsman County for the Forensic Unit in Jamestown, we decided to remove the SMI unit for the next biennium. We think it should be part of the consideration of the study. The one we put in was mostly about the facility and where we are going with facilities. The ones the Senate put in were mostly on alternatives incarceration. They work together, but the are different studies. We also have some real concerns about the availability of personnel in the Jamestown area, because there are 28 new FTE's.

Senator Nething. What did you use to determine that? Did you get Job Service information or the job market?

Representative Delzer. The problem is if we put in the SMI inmate and say that there are personnel to cover that. We can make that step 2 years from now. If the legislature decides in 2 years that we need a new State Pen, we could not take it back.

Senator Nething. You did not talk to anybody in the local market to arrive at your decision?

Representative Delzer. We did not ask anybody from Jamestown to come in to testify.

Representative Svedjun. We do have information from an individual who was in the employ of the James River Correction Center. I know that you have to be careful taking information like that from only a handful of people. It became clear to us, that not only is there difficulty recruiting and retaining employees, but there was some question raised about management.

Senator Nething. My interest is our local community through its Job Development Corporation has spent considerable dollars trying to determine the employees that are available for a variety of work sources. I needed to know if you had talked to them.

Representative Warner. I am very uncomfortable with information that was not received inn public hearings. This apparently was secret information and was not widely shared between the committee. The community of Jamestown has a long history of providing workers to the psychiatric industry. If we had been more proactive in the treatment of the mentally ill, we would not be seeing the need for so many services to the seriously mental ill and the prison population. I do not support the removing the funding for the SMI. I hope the committee will consider restoring the SMI to the budget.

Senator Nething. The Senate was convinced initially that this was a concern that this is just not happening to North Dakota, but all over the country. It is how to deal with this population. It is real, and what do we do. That is why we had left it in. We thought the program they indicated to us would be worthy of funding.

Senator Robinson. I agree with your comments and the comments of Representative Warner. We have a need and we have a significant population and it would be a mistake to delay, to postpone an issue that we know needs to be addressed now.

Representative Delzer. Do we want to debate all these as we go through them or do we want to go through them and come back to them.

Senator Nething. We are trying to get an understanding of why you made the changes. It helps us to understand the changes that you made. Once we understand them, we will come back to you with a proposal of our changes, we think are acceptable and those that are not.

Representative Svedjun. In this case, it could not be shown clearly that #1 it is a significant problem. It is for that reason we believe that the SMI issue needs to be studied so we have a clear understanding of what the true nature and scope of that problem is. #2 is to look at this financially. For us to improve $2.5 million for something that we are not sure the problem is serious. For it to yield no positive impact, if anything it may have a negative impact. We felt it was premature to approve this.

Senator Robinson. The Senate felt comfortable that this is not only North Dakota problem, but also a national problem, and it is only getting worse. We have significant population in correction, and it is growing. We identified this problem years back and we knew it was here 2 years ago. To say it is unfounded is not the case.

Senator Nething. Did I get the impression that you say it is not a significant problem?

Representative Svedjan. We have SMI offenders who are incarcerated, and we have had them for many years. What I referred to was that it could not be shown clearly that the SMI patient is seriously detrimental to the inmates. For that reason, we could not see putting that amount of money that would not give us some additional benefit, particularly in the area of bed space.

Senator Nething. As far as you folks were concerned, it was not demonstrated to be a significant problem.

Representative Svedjan. It would be interesting to see from the Senate side, any information you had to show that was the nature, and will still be a problem.

Representative Delzer. We were given information that it was the 3rd priority on the list and that there were 8 - 10 SMI people in crisis at any one particular time. We could not see a marked improvement in bed availability or enough of a demonstration before we decide on the total direction.

Senator Nething. Are there any more questions on why they removed the funding? Lets go on to Item #5.

Representative Delzer. We took $60,000 out of the operating expenses, and we added the change in the Parole Board from $62.50 to $75.00 per day.

Representative Svedjan, I think we all understand for any adjustments made in the operating lines , they all roll up in one. So that $60,000 by itself might look like a sizable amount of money. That amount is generated from the 12 - 14 lines in the budget.

Representative Delzer, Institutional Offender ?Services of $3.8 million on that line. We looked at postage, telephone, travel to trim down.

Representative Svedjan, That is what I meant in my introductory remarks, where we took a look at there spend down, factored in extraordinary between now and the biennium and compared that to their budget request. We made adjustments where we felt were necessary, and rolled them all up for a total $60,000 adjustment We also adjusted the Parole Board compensation.

Representative Delzer, #6 is the community offender services line. There we did a reduction of $14,000 in temporary salaries. Operating expenses we decreased to $407,000. When we looked at this and took out what we thought were over expenditures or over budgeting for the next biennium.

Representative Svedjan, What Rep Delzer said about adding $200,000 back: If you look at the operating expense line item that shows a reduction of $407,000 under Community Offender Services, we had that initially at $607,000. We brought it down to $407,000.

Representative Delzer, The next line, the Funding Source Change, on Page 6, $60,000 changes it from the general fund to the special fund. That has to do with last time when we changed the

fees for supervision from $30.00 to $36.00 per month, was not figured into the budget. The next change was we removed one of the Parole Officer 2 position. The salaries and wages and operating expenses, they were asking for 4 to start with and we ended up allowing 3. 2 in Fargo, 1 in Devils lake, and 1 in , don't remember where. We looked at the case loads and what they want to do, we felt that 3 was enough. We did not look at just case loads, but everything. There is support charges of $800 per month for every office that is out there. I do not believe that this was a unanimous decision of the committee.

Representative Warner. We tried to look at the geographic dispersion of the parole officers where the need is the greatest. The parole officers have everything to do with determining if they stay out on parole, or if they return to the prison. The comfort level that they feel with the community safety issue, has an enormous effect on our bed count. When they start feeling they are marginalized, they are less comfortable.

Representative Delzer. #7 is the Support Services line, which is pretty much the State Pen. On page #6 of the amendment, we have various reductions and additions. The temporary salaries we reduced by $8,000. All of these were done with the same methodology we used in the other lines. The total reduction was $618,618.

Senator Nething. What would change in a study to determine if a parking lot were needed?

Representative Svedjan. #1, you need a plan. There was question 2 years ago about whether or not it was the best plan relative to the need for a parking space. That has not been clarified. The

nature of the discussion in committee was that for us to proceed with an expenditure of that amount, we need to know that we are doing it right. Until we know what would be the best plan for that, there are less expensive ways.

Senator Nething. You don't think a legislative study would put together a plan, do you?

Representative Svedjan. No. I am saying that there needs to be a plan. We have a list of all their extraordinary repairs where we asked them to prioritize. We worked from the bottom up to arrive at out number from the lower priority, moving up, to determine an amount, but we did not specify that they could not purchase those things or do those things that were at lower priority.

Senator Nething. Is this all that had been allowed for extraordinary repairs?

Representative Delzer. No, I believe it was $484,000 or $684,000. On the parking lot, the only thing I could see. We need to talk whether we need to replace the whole section of the pen, that may make a difference of where the parking lot should go.

Senator Nething. We are going to stop now on this item, and we will pick up on Line Item #8 at our next session, which I hope will be tomorrow morning. We will stand adjourned until subject to the call of the schedule.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 18, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		0.0 - 47.0
Committee Clerk Signature	Connie Peterson		

Minutes:

Senator Nething, Chair of the SB2016 Conference Committee (Corrections an Rehabilitation Department), called the meeting to order at 9:00 am, Wednesday, April 18th in the Harvest Room.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner responded. All members present.

Senator Nething: Believe we left off on item # 8 - page 5 of House amendments -- regarding Program Service ..

Representative Delzer: House reduced a total of 20 thousand dollars. Here again, we did the analytic work using the spend down documentation received from the department, and we worked in projected costs.

Senator Nething: Consistent pattern as used before with the spend-down to arrive at that figure?

Representative Svedjan: As stated before, we used the document of spend-down to date as provided by the department, didn't just average costs --- asked during the testimonies; and each Representative (hearing the testimony, not just the three of us) kept a tally where they felt excess was budgeted. We had a collective response from the members -- which indicated there were up 6 from projections on 3 budgets.

Senator Nething: Professional services and support? Overspent?

Representative Svedjan: In the program services, a lot of the expenditures related to the law library -- we considered expenditures and projected expenses -- felt reduction would not effect productivity.

Senator Robinson: Did you involve the Department? All Committee?

Representative Svedjan: Can show the committee vote on each amendment --- we took all the testimony, input from committee members, and then we felt it our job from that point on --- We did not consult with the full committees on every instance.

Senator Nething: #9 - Security and Safety?

Representative Delzer: Reduced 25 thousand, same methodology.

Representative Svedjan: Prison has 3 divisions: 1) support, 3) program and 3) safety.

Representative Delzer: All works together -- and all rolls up to one line item.

Senator Nething: Don't feel this will jeopardize safety?

Representative Svedjan: Reduction is in operating -- 25 thousand -- can be taken from various areas -travel, professional training etc. No, it won't jeopardize the safety/security.

Senator Nething: What is the total dollar in the budget? General fund lid 19 million 20.4 all?

Representative Svedjan: Figures taken from their testimony -- 24 million; 465,778 federal funds 25,920,230, I believe.

Senator Nething: Adult support dollars?

Joe Morrissette, Legislative Council Staff Analyst: House figure of 23 million 4577 thousand includes contracts, all correctional offices.

Senator Nething: 25 more off that total?

Joe Morrissette: Already off the House version.

Representative Delzer: #10 Victims Services -- again, looked at the spend-down etc. We've talked about this before.

Representative Svedjan: Victim Services- Adult is part of Field Service Division.

Senator Nething: Same as we talked earlier, yes -- reason for reduction in salary - temporaries used.

Representative Delzer: Over budget for needs we felt.

Representative Svedjan: None spent on temporaries on information we received to work with; projected usage 'til year end.

Senator Nething: Ask why no spending there?

Representative Svedjan: Again, the same methodology used; some funds left there.

Senator Nething: Number one capital project prison beds?

Representative Delzer: Building (2 facilities), study in section 5 covers that -- under physical management? 75 beds contract included -- Fargo beds are available --- put off building for 2 years --- look/study.

Representative Svedjan: Looked at 3 options 1) new women's facility at Jamestown; 2) renovating facilities; and 3) combining with MRCC -- studied the impact of incarceration on bed space. We talked to personnel in the courts -- agreed that one pilot program could free of as many as 25 beds. We felt there is a need to give the alternative programs a chance -- it is not the

time to do any building -- check how effective the new programs are. Realize the alternative programs are in uncharted waters - but need to allow them to demonstrate a bed reduction.

Senator Nething: We'll exchange numbers on the issues in #12.

Representative Delzer: Women's unit -- #13 is same -- increased cost of the unit.

Senator Nething: Cost used, per day? Asked/checked with the department?

Representative Svedjan: Daily costs in the county 35-45 per day -- believe we used 50 or 55 -- Joe, know the exact figure?

Joe Morrissette: Executive budget figures: 45 first 55 beds; 50 for each additional.

Representative Delzer: Took testimony, accepted written materials, asked questions -- then made decision based on the methodology we used throughout the budget -- all meetings were open forum. No we did not call them regarding our decision - get their viewpoint.

Representative Svedjan: We asked the department to crunch the numbers.

Senator Nething: Central office - page 7? Salary line adjustment?

Representative Delzer: Deleted one FTE-- footnote on page 8.

Senator Nething: Removed 1? The department testified there was a need - not justified in House?

Representative Delzer: 2 systems combined -- didn't feel the need for 2.

Representative Svedjan: Relates to IT costs -- included both location.

Representative Delzer: Reduction in number of computers came into play -- note the second footnote on page 8. Less computers, less people needed.

Dave Krabbenhoft, OMB Analyst: Original request was for 2 IT FTE technicians -- 1 remained.

Representative Delzer: Over budgeted in the temporary line.

Senator Nething: The 125 thousand, as the Senate was told, was to bring beginning salaries up -- starting at 1300 per month positions.

Representative Delzer: 1222 or 222 to the CEO -- the 125 adjustment for those who had started at lower wages, and were now after being there for some time, found entry personnel coming in at their same salary levels.

Senator Nething: Testimony indicated that starting at 1300 monthly -- then after 6 months went to 1600 monthly -- but that was a recruiting problem -- no one wanted that type of job at that salary.

Dave Krabbenhoft: This 125 general salary dollars for the whole agency; Senate was to correct from 1350 to 1675; department privy to how dollars should be used/where best impact made.

Senator Nething: Operating expenses -- 11 thousand reduction? Back to analysis used -- spend down, look at anticipated expenditures?

Representative Svedjan: Yes.

Representative Delzer: 3-4-5 (page 8) are all IT issues -- servers involved.

Senator Nething: Servers are an intricate part of the system?

Representative Warner: Agree, reported to us that some of the functions are performed through the current desktops -- which are getting overloaded.

Representative Svedjan: Some of the rational is an attempt to slow the IT growth - same rational used (as in other areas of the budgets) for the servers, computers.

Senator Nething: Why not zero servers? Computers going to a 6 year cycle?

Representative Delzer: Senate justified budget funds just because the department said it was needed?

Senator Nething: Guess we literally take them at their word. The Governor felt it was justified -- just checking if extra information was received in the House

Representative Svedjan: Same methodology used regarding the servers. Realize there may be some tough decisions that may have to be made -- we want the department to make those decision with no hamstrings. The vote on this amendment was 6-0.

Representative Delzer: Page 8 - temporary salary reduction.

Representative Svedjan: This request was made by the department.

Representative Delzer: Footnote 2 - operating-- used 21 cents as the base for transportation -- believe that should be adjusted to reflect new numbers.

Joe Morrissette: Fiscal note shows $9,525 should be added to cover change there.

Senator Nething: #3 - equipment reduction -- same analysis?

Representative Delzer: Yes, figured from list of items given us -- such things as desks -- others.

Senator Nething: Summer School program reduction?

Representative Delzer: As discussed the other day, if all YCC teachers not used, and temporary teachers hired -- there would be 40 thousand less spent.

Senator Nething: #4 -- 21 teachers have 3 & 2 in budget?

Representative Delzer: Still comes to 9000 including compensation --- compared to the Mandan/Bismarck/State, the number of kids etc.

Representative Svedjan: Council did analysis for us -- factors in passage of pay increases ---some rational used here was to balance with the teachers in the School of the Blind and Deaf, which we don't believe is of nature and scope is comparable.

Senator Nething: Risk factor -- students being taught?

Representative Svedjan: Safety/security personnel around at all times --- don't think that is a problem. Also class size is smaller.

Senator Nething: Standing in relationship to HB1341.

Representative Delzer: Larger than average teachers will get.

Senator Nething: As it left the Senate -- increased salaries up to regional level (Mandan-Bismarck) -- lacked 1750-1750 funds at that time.

Representative Svedjan: Council report indicated Bismarck average : 34,724, with governor's increase: 38,224; Mandan: 28,878 average, with governor's increase 32,378. YCC total dollars - now to conform in the neighborhood of 5 thousand something.

Senator Nething: all increases?

Representative Svedjan: 6238 average for 21 instructors.

Senator Robinson: Which brings higher than Mandan/region but below Bismarck.

No further discussion; Committee meeting recessed until the call of the schedulers.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 19, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		27.9 - 37.4
Committee Clerk Signature	Connie Pelton		

Minutes:

Senator Nething, Chair of the SB2016 Conference Committee (Corrections and Rehabilitation), opened the meeting at 10:00 am, Thursday, April 19th in the Harvest Room.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner.

Senator Nething: Believe we begin today with #5 on page 8 of the House amendments.

Representative Delzer: 5 and 6 are computer -- same process applied by the House.

#7 the House reduced dollars by the heat plant improvement sum.

Believe Senate switched some fund to land board dollars?

Senator Nething: Gravel money.

Senator Nething: page 7 -- ask department to find area of reduction? Check the need when cutting from 65 to 19,600?

Representative Delzer: House denied the heating plant improvement.

Senator Nething: Testimony regarding the need? Age of plant?

Representative Delzer: No information given, House felt they could get by for 2 more years. Not sure of the age. Request was to upgrade; did not indicate it was broken.

Representative Svedjan: As we recall, this is the first time it has been in the budget; first time requested.

Senator Kringstad: Is it possible that the improvement of plant would reduce the fuel costs?

Representative Delzer: No testimony to that effect. We did receive the department priority list and the heating plant was #4.

Senator Nething: Provided for the first 3?

Representative Delzer: Yes; but there was a split vote on the fire suppression.

Senator Nething: Questions regarding the Juvenile Services? No responses.

Representative Delzer: Board raised to 100 --- any talk to equalize all boards --- 75 to 100?

Senator Nething: If legislators serve on board -- their pay is same as legislative pay -- and there are legislatures on this board --- determined best to pay all board members same amount.

Representative Svedjan: Believe there are a number at 62.50- -some at 75; ours 100 -- and believe there is one at 40 -- just wondered if there was talk to standardize:

Senator Nething: Just had one at 40 -- moved to 75; another bill.

Representative Delzer: HB1012?

Senator Nething: Legislative representation -- yes.

Senator Nething: Believe we have covered all of the amendments. We understand the computer -- consistency; other changes were based on your use of the spend-down report and your instrument measurements used. Now it's a matter of having the Senate members reviewing their

notes; finding areas of accord; and identify disagreements. We will recess until the committee is rescheduled -- perhaps tomorrow. Meeting adjourned.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 20, 2001

Tape Number	Side A	Side B	Meter #
Tape # 2	x		10.6 - 38.0

Committee Clerk Signature Connie Dietz

Minutes:

Senator Nething, Chair of the SB2016 Conference Committee (Department of Corrections and Rehabilitation) opened the meeting at 10:00 am on Friday, April 20th in the Harvest Room.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner were present.

Senator Nething: All members present, couple quick announcements before we continue with our discussion on SB2016: Tomorrow (Saturday) we will have conference committee meetings on higher education at 9 and 2 (SB2003); Human Services (HB1012) at 10 and 3; and corrections (SB2016) at 11 and 3 , afternoons are if needed, of course.

Senator Nething: We have talked about the youth correctional portion -- teachers salary in particular. I have had the Legislative Council prepare a memo regarding this subject - distribute at this time (a copy is attached), and will ask Joe to go through it with us.

Joe Morrissette, Legislative Council Staff Analyst: Went though the documentation -- indicating the Youth Correctional Center provided their figures rest came from NDEA. He did respond to a question of the other day -- not included in this memo, but information obtained from YCC-- there are 5 of the 21 teachers who have master's or higher degrees .

Representative Delzer: Include 3 and 2?

Joe Morrissette: No, salary schedule that they did.

Senator Nething: Fair without 3 - 2?

Joe Morrissette: Percent applies to each position -- not sure if any teachers receive more -- not my understanding.

Representative Delzer: Question asked? Is it there -- give if they want to? All one line so they can use temporaries?

Dave Krabbenhoft, OMB Analyst: Way the Cyber program calculates -- amount to catch up -- Joe's schedule is how it's done, would be difficult. In some districts the 1750 may be only raise they will get.

Joe Morrissette: 32,706 comes from them; how 200 thousand funding would be distributed.

Senator Nething: Salary projected over based or justification of 200 thousand or that plus 3 and 2 -- seems to be the question?

Representative Svedjan: 3 and 2 there in addition to 200 thousand?

Senator Nething: We'll have Joe clarify that.

Representative Delzer: Surprised that the averages are not higher considering the first and second year raises?

Joe Morrissette: if 3000 per; would be 9000 per teacher.

Senator Nething: 21 times 9 equals 200 thousand level?

Representative Delzer: That is 2nd year? 3000 first, 3000 second?

Joe Morrissette: YCC gave the 29,196 average -- 32,316 nest year; 32,706 following year.

Representative Delzer: Need to be figured -- 3000 per biennium?

Joe Morrissette: Equity the first year; cost of living the second year.

Senator Kringstad: The last page of the handout -- refers to lanes they're in -- all YCC teachers -- indicates there 9 + masters--- need to question documentation -- what's included in the model/

Joe Morrissette: Pages preceding should give answers.

Representative Delzer: Salaries are based on 9 months -- they can work for 11 of the teachers during the summer if they wish?

Senator Robinson: Consistent with using 9 months?

Senator Nething: We'll ask Joe to get the answers.

Senator Nething: The Department has provided us with a priority list for reinstatement of cuts which I distribute at this time (a copy is attached). Let's start the discussion with #1.

Representative Svedjan: We'll need to go back for details -- we spent some time analyzing -- using the spend down methodology as we'll stated before. We tried to determine where excess dollars were -- wonders why over budgeted -- need to budget to reality; reduce dollars for turnover -- that's smart budgeting --- consistent analysis used throughout the review of the budget.

Senator Nething: Cost of medical is going u for everyone -- should be some justification of priority by department.

Representative Delzer: We took that into account -- current expenditures and anticipated expenses in the future.

Senator Nething: Agency disagrees. Priority # 2- that's a one person shop, cut would cause problems.

Senator Robinson: Testimony we received underscored regular deficiency requests -- need to hold dollars for this type of emergency until the year end.

Representative Svedjan: This is our first look at this document -- need time to review, take each one back to our records, determine what we did and why, then come back with some concrete answers.

Senator Nething: Realize that; and know that you have indicated no conversation with the department after your decisions were made. We have gone through 23 of the priorities -- just prepared yesterday -- we have talked with department; ran out of time before we could finish list.

Representative Svedjan: We'll look them over; prepare for the am meeting.

Senator Nething: Amend the Crime victims - I have a proposed amendment to engrossed SB2016 regarding same (a copy is attached) -- like to have your review.

Representative Delzer: # 19 okayed.

Senator Nething: No further discussion, we'll adjourn until 11 tomorrow morning.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☑ Conference Committee

Hearing Date April 21, 2001

Tape Number	Side A	Side B	Meter #
1	X		33.4-54.6
		X	0.0-2.9
Committee Clerk Signature			

Minutes:

Senator Nething called to order the sixth conference committee on SB 2016. Roll call taken, all members present.

Senator Nething: I am distributing to you a cost analysis (attached) prepared by Legislative Council put together relating to the construction of the department of women's unit. When the bill left the Senate we had the two buildings in it, we had the Missouri River project, this women's unit project, we had the SMI unit and we had the program, not construction, but we had the parking lot. The House brought it back with amendments removing those projects. The reason I want to talk about the women's project is because this is the one that seems to me to relate to the direct costs and security of housing the prisoners. The other SMI is primarily program. The facility at Missouri River is primarily a service unit. I note that under Section 12-47.1 that the director of the Department of Correction and Rehabilitation has the authority to establish facilities at other locations throughout the state within the limits of legislative

appropriation and I don't believe there was any amendment to that section. The director did make that determination that it should be built at Jamestown and they did have the appropriation in for it. Some people have indicated through comments that this is a project that I have promoted, until the establishment of it. With that background I would like to have Joe go over the document.

Joe Morrissette, Legislative Council, explained the cost-saving for the women's until up to June 30, 2011, with a net savings of $674,945 which savings includes the construction cost.

Senator Nething: The conclusion that I see on these estimates that from an investment point, by 6/30/11 and the dollars justify itself.

Representative Svedjan: In one of the flaws in this, that nothing is taken into account here as to what the alternatives to incarceration programs that were heavily funded and likely will be in future years. What impact those programs will have on the demand for prison bed space. I don't see that factored in here.

Senator Nething: It is factored in here by the fact that we are considering the projects will sustain itself, that the programs will be sustainable and not have prisoners returned from those programs..

Representative Svedjan: I don't see that those programs are going to remain static. If anything, if the programs for alternatives to incarceration have merit and everything we are being told that they should have merit and will produce a positive result that it is going to lessen the demand for prison beds over time, and that isn't factored in here.

Senator Nething: If you are going to factor that in then you have to determine a factor of criminal increase and you are saying that crimes committed will stay static, seems one can't remaining static, the number of people that are sentenced verses the number of people who are in

the auxiliary program equals the fact that these numbers are going to be static as well.

Representative Delzer: When you built the cost without construction or whatever you used in 94 beds, that is not how the budget was built or anything else, so what are you giving for beds in the women's unit you figure to operate? How many beds are considering the women's unit to be?

Joe Morrissette: The proposed counted the budget process as adding 75 beds to the facility, it is like 65 beds plus transitional beds, same facility.

Representative Delzer: The building has been little or no support in the House for building a new building for this biennium in Jamestown or Bismarck. That is the reason for this study. The other thing that concerns me, we have private prison who would like to look at this, we have Cass County that wants to look at this and our costs per day per prisoner is a high or higher than our costs to contract. We would like to look at this from the legislative standpoint not just the Department of Corrections, and I know they have the master plan, I am not arguing their right to put the master plan together to bring that forward. I would hope that we as a legislature would look at this very solidly during the interim and decide where the legislature would like this to go.

Senator Robinson: My concern is the cost of private verses state. You have to consider are we going to look at rehabilitation or lock up. We have to focus on rehabilitation or we will be spinning our wheels and if we don't look at that now we are being regressive and we won't catch up with the pressure on beds, this is the right thing to do.

Representative Delzer: I disagree. I think we can do them with a contract situation.

Senator Nething: I haven't seen an evidence that we could do it. The House obviously did not have this information brought to them, we passed it out 100%, everyone was in favor of it. In this conference committee you cannot disgard that. We indicated to you that there is some other things the Senate has agreed to 100%. The House has different thoughts and so we are now

ready to go half way with you. As far a studies, I have budgets and studies here and they have been studied. We are trying to bring the best information we can and to go through that information. We had access to much of that information and visited with the penitentiary and we think this makes good business sense to do it.

Representative Svedjan: Clarification, the Senate first heard this bill they saw fit to pass it out without any reductions, in contrary they added money to the executive budget request. The bill came over to the House, we went through the bill in considerable detail. Our initial offer to the Senate are the amendments that we attached to that bill. We have come into conference committee, we took the first three meetings to explain our amendments, at the fourth meeting the End Tape #1, Side A, meter 54.6.

Senate came back with a priority list which my interpretation is merely a prioritization of all the amendments we made to the bill. Now our amendments comprise our offer to the Senate or initial offer. The Senate had only been able to get through items 1-23 on the priority list, is this counter offer or not. We don't know where you are at.

Senator Nething: That was an explanation as to where we were. I am prepared to continue with this. I am handing out to you our priority list (attached) and I want to discuss the capital projects first and we are prepared then to have you take a look at the other things we are requesting. If you need time to review this list, we will let you do that and we can discuss it at the 2:00 conference set today.

Representative Delzer: I would like time to review this.

Senator Nething: We will recess until this afternoon meeting at 2:00.

Tape #1, Side B, meter 2.9.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☑ Conference Committee

Hearing Date April 21, 2001

Tape Number	Side A	Side B	Meter #
1	X		33.4-54.6
Committee Clerk Signature			

Minutes:

Senator Nething called to order the conference committee to order, 2:00 p.m. Role call taken, all committee members present.

Representative Delzer: The House side still has some concerns about the overall budget. We would really like to hold, not raise taxes with gas tax and that come into play with the overall budget if we give too much back here. We offer today 1-19 take out #10, we will add in #25, and then the $91,375 that was in #10 to go the hepatitis B vaccine. Footnote #2, we do not agree with and footnote #3, we do not agree with, the language replacement for #15 & #16 is fine, under #44 add in $9,375, totaling $834.971.

Senator Nething: Talk a little about the SMI unit as what we were trying to do. Other areas that I want on the record, it is my understanding that currently we have over 300 offenders in the entire system that have a diagnosis of some type of psycho tropic medication to treat mental illness and the SMI unit was designed to provide some treatment for those chronic mentally ill,

who would receive long term treatment. Then also to provide 14 beds that would be used to treat that have the problem. The estimate on this was $2.4 million cost and our offer was that for a 22 month program, our offer was to start this program during the second year of the biennium which would be about a $1.2 million cost. The department has indicated to us this has become the most single most serious issue in prisons division. That is why we wanted to include in our offer of settlement. The settlement was based that we offered based on a meeting you half way in the budget process. In return you offer meets us about one twelfth of the way, or whatever the fraction is. I truly appreciate your consideration of those items 1-19 with the concern of them, the salaries issue is not acceptable to us because we believe that the teachers at Mandan, Youth Correction Center are entitled to be paid the same as other teachers in the state of North Dakota and that funding in item 10 was designed as part of reaching that goal. The women's penitentiary be in the center piece of our offer and your rejection of that leaves us with no alternative but to reject your offer.

Senator Robinson: I would agree with your comments. I might add there needs to be compromise, no question about that. We need to understand there a number of issues are not reflected on our proposal that arguable could be. The women's facility and SMI are right on target, that is a sizable population of 300 and it is growing. We can't walk away from that.

Senator Kringstad: I would agree we have to reject this also. When I look at the national level today, there are two million incarcerated people in the United States and that is going to grow to 2.4 million by 2005 and that will be a reflection on the state of North Dakota with more problems in the near future. We have 132 people under contract that are currently incarcerated in ND and I think that is far too many and this is the best way to meet that.

Representative Warner: One issue that has not been mentioned and need to seriously consider the normal replacement cycle on all of the prison system. We have a building that was built in 1910 which is way past life expectancy, second the cost of staffing the prison or part is very inefficient to staff the multiple floor buildings, a single level with control center and energy efficiency with maintenance costs. We should keep all of these in mind if we consider new construction.

Representative Svedjan: You indicated our counteroffer here you used the fraction of one twelfth. If I look at the number of items that we are willing to give back compared to the total number is something like 19 out of 24. I am adamantly opposed to the new women's unit in particularly so at the Jamestown location. I strongly believe that before we start putting more money into bricks and hardware for our prisons we need to know what these other alternative programs to incarceration are going to do for us. The position we are in right now is that we are being asked to load up those programs financially and prison facilities at the same time. If this was anybody else's money going into this, my belief is that you would have a different approach to it, you wouldn't do both. Reiterate, this is premature to start building new facilities when there are other alliterative available.

Representative Delzer: I would like to add that I am also adamantly opposed to the women's prison in Jamestown. We need to look at it and make sure we know what we are doing before we do that. Sometime we need get a plan that is agreed with by the department, by the Governor's office and by the legislative branch and that hasn't been done yet. Current time this is the best we can offer.

Senator Nething: Beginning of the year you were opposed to Jamestown project. You voted two years ago against the expansion of the 5th and 6th floors, other programs we implemented. Half

the legislature has agreed of the director of institutions, our body agreed unanimously, your body was the inclusion of it, pretty hard to say how many agree or disagree because they have never voted on it.

Senator Nething: We will adjourn. Tape #1, Side B, meter 33.2

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 23, 2001

Tape Number	Side A	Side B	Meter #
1	X		23.0-54.7
		X	0.0-0.8
Committee Clerk Signature	Debbie Thoreson		

Minutes:

Senator Nething called to order the conference committee on SB 2016. Role call was taken with all members present.

Senator Nething: One of the things we were taking information on and some what of a problem matic area with the teacher salary equity issue. We need to get on the same page and what needs to be done to reach an objective. We gave you earlier the Youth Correction Teacher salary comparison, April, 2001, #19808. We have an average salary comparison to handout to you for review and get it explained to you (attached).

Joe Morrissette: The information you received was provided by the Youth Correction Center and he explained the different columns. Column 1 current salary contract for the current school year, average salary of $29,200. Next columns 2 & 3 are what those would be adjusted to next biennium if teachers only received the executive compensation package of 3% and 2% increasing the average to $30,000; columns 4 & 5 show what those amounts would be adjusted to based on

the $291,000 that was included in the executive budget on the Senate version for additional teacher compensation composite schedule, 1st year $33,700 and 2nd year $34,300; Columns 6 & 7 show what the average salary amounts would be based on the $200,000 that was included in the House version of the bill, increase to $32,300 and ~~$32,700;~~ columns 8 & 9 show those salary amounts would be if teachers received both the executive compensation of 3% and 2% and the $200,000 in the House version of the bill. Note at the bottom says the amounts reflected in columns 8 & 9 are based on the assumption that central personnel could redo the composite schedule.

Senator Nething: Now going to that previous memo you had prepared, lets go through that again so we can figure this out.

Joe Morrissette: The $29,196 column one on the schedule from the Youth Correction Center, the $32,706 reflects what is shown on the YCC schedule column 7 based on the distribution of the $200,000.

Senator Nething: Where are we with the 2 & the 3 at this point?

Joe Morrissette: That an issue that was, there wasn't a clear answer for that in discussing it with the YCC, they discussed it and their initial thought was that teacher contracts would be issued at the $200,000. In amounts for column 4 and 5 based on the $291,000, because that is what is reflected by the composite salary schedule based on teachers years of service and educational experience, etc. Columns 8 & 9 contracts could be issued for those amounts if the composite schedule was redone. They are saying the contracts will be issued based on what is reflected on the composite salary schedule. Right now you would take the $291,000, at $200,000 the 3 & 2 funding it would be provided in there as well and composite schedule to be adjusted to reflect that.

Representative Svedjan: What you aren't showing here is what the average salary would be at the $291,000 plus the 3 and the 2.

Joe Morrissette: It is not shown on here because this came from the YCC, it wasn't there intention.

Representative Svedjan: This has been part of our question all along. The 3 and 2 is in there somewhere the question is it going to be in teachers salaries. Our contention was we took a look at this issue in our budget consideration was that the 3 and 2 would be paid with the $200,000.

Dave Krabbenhoft: For the $291,000, the first year-$34,594 and second year-$35,286. One other thing on the composite schedule at YCC and it was our understanding at the Executive branch the composite schedule would be redone with the 3 and the 2 and the $291,000. There was a turn over with the business manager position and that has added confusion here.

Representative Delzer: I don't come up with using all the $200,000, when I look at $32,316 and the $32,706, are they basing that off of the $21,096 or $30,072?

Joe Morrissette: From column 1, change from their current salary contract..

Representative Delzer: So that is $2,250, or is that $3,250?

Senator Nething: This is showing a Bismarck, Mandan comparison $32,706 (column 7) and then we come down to the average between Bismarck and Mandan it is $35,301 (right hand column) and before the average was $31,801 current biennium. So with the $200 and the composite are average would be $32,706. What level, where should we be. In this biennium, $1,000 below the average and but we are about $300 or $400 above Mandan. With the new projection about $400 above Mandan just a little less. Those two played out as far as the dollar amount is concerned based on the funding now. My question is the 3 and the 2 dollars in the bill and the answer is

yes, so then if that is the case we should be looking at the 3 and the 2 and the $200 in columns 8 & 9. So it actually the average salary is $33,675 instead of $32,706.

Representative Delzer: I would question that a little further, when you look at 6 & 7, you can take 6 and subtract the 1 and come up with $3,120. I used $3250 times 21, should be the total for the money for that an average increase. That would be for the first year and double it for the second year, and you have $136,502. Then look difference between the $32,316 and $32,706 you do not come up with enough usage to get to the $200,000. Where is that extra money.

Joe Morrissette: A portion of that $200,00 would go to pay benefits.

Senator Nething: Basically in the chart we have in front of us, we really need to change those numbers, it looks like instead of $32,706 in the upper right hand corner we should $33,675.

Joe Morrissette: That is correct, the funding to provide that is in the bill now.

Senator Nething: Then we bring the $32,706 to $33,675, that is the way the money is in the bill, then we comparing to the Bismarck school at $38,224 and the Mandan at $32,378, so we have about a $1,300 increase over Mandan and guessing still different but closed the gap by doing that.

Representative Svedjan: I would like to say, to compare to the Bismarck, Mandan, the only argument I have to that comparison is the location of the schools. There is differences between YCC and those two schools, class size and significantly smaller. More fair comparison would be the state wide average.

Senator Nething: So the state wide average $34,391, we are below it at $33,675.

Representative Delzer: We do close the gap some the way we are now.

Senator Nething: We are about $700 difference and if we go $33,675 and $34,391, maybe $600 difference. When you look at with public schools and compare YCC with the public schools

state wide average, we are just a little lower, about $600. My question is, with no legislation for the teachers in Mandan a dollar allocation for the additional compensation package. This is the only group of teachers left isolated.

Joe Morrissette: Correct those teachers are not included in the definition of HB 1344, but they are included in the additional funding that was appropriate in HB 1013, not YCC but the Deaf School.

Senator Nething: For the House proposal and the Senate proposal, do we know what dollars would have to be put in here to bring them to the same as all teachers in the state. Can we do that?

Joe Morrissette: Yes.

Senator Nething: It is my feeling that if you look at other teachers, we should included them, bring them all into the same plain, we are doing a pretty good job here of bringing them in on a state wide average for Mandan, more gap with Bismarck.

Representative Warner: Did we ever reach a resolution on how many of the teachers have Master degrees?

Senator Nething: Five out of the 21 teachers.

Senator Kringstad: In ND 19.7% of the certified teachers in ND with master degrees.

Senator Nething: Any discussions on how to deal with the increase compensation program, the concept as they are not included in any place, discussions why to include or why not.

Representative Svedjan: We dealt with this pretty as them being isolated, if that is the right term, for good or for bad, we approached this more from the budget as it was presented and wanted to make sure that process was 3 and 2 as they were entitled to in the budget as a part of this.

Senator Nething: Joe why don't you go ahead and work that up for us so we know what it takes to make that work. If the conference committee is satisfied with the $33,192 or $33,675, then the rest would be a mathematical addition in total dollars plus language to make it apply.

Representative Delzer: The way it is now, they are not in HB 1013.

Senator Nething: The only other two in HB 1013 are Blind/Deaf schools. We haven't had much opportunity to discuss the Sections 5,6,7,10,13 & 14, in the bill. We went over those when the House gave their overview. Section 13, is the pay raise for parole board members. Any questions about these from your notes.

Representative Warner: We did address Section 5, question inmate pay for child support/restitution. If department will dedicate more from the courts on restitution.

End Tape #1, Side A, meter 54.7

Senator Nething: I am distributing the departments reasons for the women's unit for your review and to discuss it at our next meeting.

Meeting adjourned. Tape #1, Side B, meter 0.8.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 24, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0-36.2
Committee Clerk Signature			

Minutes:

Senator Nething called the conference committee to order on SB 2016. Role call taken, all members present.

Senator Nething: I am distributing to you two sheets (attached), one (#19871) Youth Correction Center-Funding for Additional Teacher Compensation Payments and ((#19808.01) Youth Correctional Center-Teacher Salary Comparison prepared by legislative council.

Joe Morrissette: Explained the two sheets and figures for teacher comparison.

Senator Nething: The footnote 3, includes salary adjustment for all public schools for $33,675, YCC shown above does not include the $5,250 increase is that right.

Joe Morrissette: That is correct.

Senator Nething: How close is the salary without the $5,250? About $700 apart? What drives that?

Joe Morrissette: The composite schedule to average the $5,250 for public schools, some more.

Dave Krabbenhoft, OMB, on the composite of $291,000, average of eight schools selected from school district, average higher than state average, different figures on these sheets.

Senator Nething: $5,250 is there.

Joe Morrissette: The sheet #19817, explains the figures arrived for the 18.23 FTE for teachers, total of 22 FTE with $5,250 equaling $115,501.

Senator Nething: If you do that, do you add this to the $33,675?

Joe Morrissette: You add the $3,500 to the base salary of $33,675.

Senator Nething: Do you all understand the two sheets. Joe, is the money there for the teachers average figure, is it secured which ever way HB 1344 goes?

Joe Morrissette: There is some assumption, depends HB 1344, part of $5,250 is from bonus/foundation aid compensation.

Senator Nething: Total dollars stay there, 70% distributed, etc. This amount to stay at $34, 391.

Joe Morrissette: It depends on the base.

Senator Nething: Representative Svedjan, staying close state average.

Representative Svedjan: I just felt it would be better to look statewide average for a comparison especially with the smaller school.

Senator Nething: Any questions on teacher salary, none. Now we will go to the offer we made, page 2, item #3, I am distributing proposed language for Sections 5, 6, and 14 (attached).

Representative Delzer: Why not keep Section 4 in there?

Senator Nething: We are amending those three.

Representative Delzer: We'll need time to look at this, for one study why not all four sections?

Senator Nething: This could be done, we are looking to rewrite Section 5 (1), Section 5 (2) and Section 14 (3) from the sheet.

Representative Svedjan: Why was the last sentence left out of Section 6?

Senator Nething: Not sure of the reason for that.

Senator Nething: Our position to the SMI unit and language in other amendments. Section 8 limiting language funding appropriation for teacher salaries, summer school moneys were returned to the general fund. Section 11 also limits funding. Your proposal already reduced, give some alternatives.

Representative Delzer: In Section 11 maybe. Section 8 line item budget for YCC for teachers to take summer jobs, if they decide not to they would get a substitute, then moneys went back to general fund.

Senator Nething: Give additional budget dollars is alternative programming.

Representative Delzer: Don't see where they can give the money back under juvenile, is there flexibility to move that.

Senator Nething: You could if amount was under $50,000.

Representative Delzer: Can they move anything from line item without emergency clause, we could put language in if needed.

Senator Nething: Money is there, only if any if left Section 11.

Representative Delzer: We'll take a look at that and the idea behind it, in the past contract for prerelease, need to talk on this.

Senator Nething: The other amendment, questions, crime victims compensation applies to Section 15 & 16, any problem with this.

Representative Delzer: No problem if run through council. Question is on the four studies in there, could be allowed with different interim committees compared to one study, can they be split, can council do that?

Senator Nething: Hopefully they wouldn't. One interim to do all to benefits one study. While latitude is given, if they saw the benefit probably, has been done in the past.

Senator Nething: Let's go back to the SMI Unit, we tried to do an offer to bring us half way there. Based on the idea of 300 prisoners, they have been diagnosed that they need certain care, 10 beds are available at the State Hospital, it is an existing facility, with another 25-28 to rotate in and out. You had concerns on this.

Representative Svedjan: First problem, the price tag associated with it, why can't we do the same at a reduced cost, why the need for additional 28 new FTE's when we are doing this in an existing building with the same staff also being there for this type inmate. A budget of $3 million plus alternatives to incarceration, there is available bed space, we need to give priority for the freed beds, this doe none of that with the numbers and is a significant problem shown with this type of inmate. Building appropriated two years ago allowed segregation units in Bismarck. To accomplish this type inmate to qualify for cost effectiveness is not there.

Senator Nething: What justification, did you get testimony from outside of the hearings or just questions from the hearing?

Representative Svedjan: From the hearing process, when it was in our committee, we went line item, asked questions and made our recommendations.

Senator Nething: Did you talk to mental health or any other outside department besides testimony.

Representative Svedjan: Testimony from outside mental health at hearings.

Senator Nething: You didn't view this as serious.

Representative Svedjan: Not a problem to me.

Representative Delzer: What is the ramification to the State Hospital?

Senator Nething: Looking back at disabled lawsuit in courts eye individual did not receive right services. We need to avoid this if possible, not sure of the trigger. Director of Institution states this is the single most serious issue, it is hard not to pursue this issue.

Senator Robinson: In my opinion, they are going from one division to another division, first human services now corrections, this is a national problem and a serious problem. We have identified 300 out of 1000 inmates as the SMI population, it would be an expensive lawsuit and the risk is not going down. The facility in Jamestown addresses both these needs.

Senator Kringstad: Total budget amount of $2.4 million. I am agreeable as this is the single most serious problem with the prison division.

Representative Delzer: It shows here as the third priority for the biennium according to your sheet, does your sheet say first?

Senator Robinson: The verbal testimony was given to us and the analysis tracks the numbers.

Senator Nething: At the last meeting we distributed a memo to you on the Women's unit, any comments.

Representative Svedjan: It is none persuasive, and I have nothing more to add as previously stated.

Senator Nething: Reliance on programs, concern if program doesn't work we will have a bigger need. Programs were shared with you and the dollars are justified.

Senator Nething: All has been discussed at this meeting. Look at the amendments and your thoughts and if what is workable at our next meeting. Meeting adjourned. Tape #1, Side A, meter 36.2.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 25, 2001

Tape Number	Side A	Side B	Meter #
1	X		0.0-25.5
Committee Clerk Signature			

Minutes:

Senator Nething called the conference committee to order on SB2016. Role taken, all committee members present.

Senator Nething: I did receive a copy of the victim's compensation amendment, will distribute that so everybody can take a look at that (attached-#0209 proposed amendments).

Joe Morrissette, Legislative Council, it is basically the amendment that was proposed by the Department, there were some style changes by Legislative Council, so it is the same as included in the amendment that was presented by the Department.

Senator Nething: Would someone like to give us an explanation on how it works?

Elaine Little, Director of Corrections, basically what the amendment does is it takes away any responsibility by the victim having to pursue costs whether medical or whatever and gives the Department authority to recoup any costs from the perpetrators. It also asked the Court to order

restitution in each of the cases. Sometimes there is no restitution ordered and this will help. On the front end it gives the Department an easier chance to recoup that restitution.

Senator Nething: House, it has been a little while since we talked about the situation you were attempting to address, I guess the question would be, are we getting closer here to satisfying what your intent was?

Representative Svedjan: This is our first look at this, just reading it and not through yet.

Representative Delzer: Just a comment, no problems with it, I think one of the things said in our hearing was that quite often they don't know what the reparations should be and I doubt if that will change that. It looks to me like the second section would allow the Department to go after it.

Senator Nething: On page 1, where we changed, may to shall, that the court shall order restitution be paid to the division of Adult Services for any benefits the division has paid or may pay, does this language help define, more descriptive, the awareness of what to do, on the court's behalf? From what the discussion we had our concern was the fact we needed to be more firm in our efforts to get this restitution made and as I recall this is what you were trying to do. Has this gone far enough? Comments from the committee, you may need some time to review it.

Representative Svedjan: I was finishing reading this, the shall, you were talking about, where is that?

Senator Nething: On page 1, at the third line from the bottom.

Senator Nething: Rep. Delzer did you get a chance to do an consideration to those amendments as we discussed the other day?

Representative Delzer: Yes we did. We asked the council to go through and redo this (attached #0210 proposed amendment) and basically it is basically the same for the exception, in the House

side we still have some questions if we want to put the reporting into the council study or into the budget section the way we have it. I would prefer it goes to the budget section, simply that is the group that works on appropriations and group the makes the difference with federal funding for the next biennium

Senator Nething: Is this Section 14 of the amendments that you are talking about?

Representative Delzer: I believe it is Section 7.

Senator Nething: That is the federal funding reductions.

Representative Delzer: Right, I don't believe these do anything with Section 14.

Senator Nething: On Section 14, the only question we had was the body talks about reporting to the legislative assembly or the budget section if they are not in session, but the title indicated approval. If we shouldn't on line 6, Section 14, the first word, change that to reporting of new programs. Is that the intent?

Representative Delzer: More in line of the wording.

Senator Nething: Any other comments or questions on the proposed amendment just discussed. Anything you want to bring forward at this time.

Represeantive Delzer: We have a proposal (attached) pretty much what you offered to us. The House still has no desire for women's unit during this biennium but the studies, we feel there needs to be some specific studies done. We understand the concerns with SMI unit. What we are thinking of and if acceptable by the Senate, use the studies and when the study is done in September of this year, and at that time if study shows, to go ahead with the SMI unit at that time and leave funding in there. The dollar figures aren't right on this sheet for line 21, SMI 6 months. The actual figures would be $783,347.

Senator Nething: Where the first line 21 is, $374,225, next line $92,874, and the last line $316,248.

Representative Delzer: This should do it for the six months for the 28 individuals. If you look at your sheet, we left #10 out, increase #15 to $150,000, like to see $91,375 for #10 used for Hepatitis B, added $250,000 contracting. Total will change, unsure of the number. If you look at the bill we would like to see #7 stay in there, we would be willing to give on #8, 9 & 11. Would like to see #12 if federal grants received.

Senator Nething: On #14 we can change the heading on reporting. Any questions from the committee, everybody understand them.

Represeantive Warner: Just a comment, this has been done in good faith and good effort would still like to see deletion of Section #14. They are reporting to the budget sections on the programs.

Representative Svedjan: In reaction to that it is inconceivable to me that if the Director of Department of Corrections and her staff were planning an introduction of a new program, other than incarceration, you are going to know three months ahead of time that this is what are doing. Can't imagine this provision could be too restrictive and someone to come up with a plan overnight. I would like to keep that section in the bill.

Representative Delzer: If the budget section found this unacceptable, the department would prefer to know before they start something instead of coming to the legislative assembly.

Representative Warner: Maybe we have a different concept of what this new program is. I would hate to see these be restrictive.

Representative Delzer: We are looking at different things, but what we need to consider is putting language on an amendment that significant costs that will reoccur the next biennium,

look at setting some dollar figure. Get some type of flexibility on the things that are just running. This type of program will take extra funding, one that isn't running to capacity and starting a new one and come back in next session and fund the new one, plus refund the existing one, those are the type of things we would like to know about in the budget section report.

Senator Nething: Look at the bill, so notes are accurate, looks like with the amendment #0210 from Representative Delzer, look at that, do we need Section 4 of the bill, if we adopt this amendment.

Representative Delzer: No, Section 4 is the one you put in and is part of this.

Senator Nething: Sections 4, 5 & 6 are combined, keep #7, #8 removed, #9 removed, we keep #10, remove #11, keep #12, keep #13, amend #14 to say report instead of approval, and then 15 & 16 we have that separate amendment. All mark these.

Representative Delzer: Recurring costs for the reporting on Section 14, new programs in the future.

Senator Nething: We can review that and see how it shakes out and see if there is a way to make it a little more accountable and the right word.

Representative Svedjan: For clarification, if my numbers are correct, and with changes to line 21, verify those again, $236,576 to $374,225; $92,870 to $92,874; and $79,486 to $316,248, that totals $783,347 compared to what the total was before the changes of $408,932, a difference of $374,415. So if you add $374,415 to the total shown there, it changes it to $1,731,213, I am assuming my addition is right.

Senator Nething: Close to the ball park with those numbers. Anything else committee members that you would like to bring up at this time. I did receive some additional information on the

SMI for your records (attached), for your reading. That you for your efforts to move forward, we will take under advisement the suggestions, and meet again. Meeting adjourned.

Tape #1, Side A, meter 25.5.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 26, 2001

Tape Number	Side A	Side B	Meter #
1	X		4.5-32.6
Committee Clerk Signature			

Minutes:

Senator Nething called to order the conference committee on SB 2016. Role call taken, all members present.

Senator Nething: Handed out amendments (#0212) to committee with last meeting revisions. The House is keen about the interim study before we proceed and SMI program and willingness after the study and if it is given the go ahead to authorize six months SMI program. We offer, to implement a study for the women's prison and if study shows the need for a women's penitentiary to go through with the same process. If the study shows the need for it to be done with this process, and to speed the proceess/study up to enhance the utilization for the beds with the opportunity for less costs in any delays. We would like you to look at this approach.

Representative Svedjan: Who will do the study, what kind of study will it be, will there be consultants?

Senator Nething: Follow the interim study by the interim committee and have it done as soon as possible with the dollars. If a consultant is wanted this can be looked at, we need to facilitate with the best conclusion. Would like the study to be with legislators, a structure to get the best information possible.

Representative Svedjan: You not advocating a building with approval or denial, how do you envision this happening?

Senator Nething: Same as the SMI program approval or denial. The committee to appropriate the building, then the budget section will receive it and make the decision.

Representative Svedjan: In this amendment, #0212, there are three studies absent approval by anybody.

Representative Delzer: SMI can be done with study, later move it without any problems, not a big issue as the women's prison.

Senator Nething: Try to interest the two together with studies and the importance, by approval process, open for suggestions.

Representative Delzer: The last unbiased study for the prison was done in early 1980, is there any statute for the budget section for approval with this magnitude. This type of authority ever been granted.

Joe Morrissette: There is nothing in the statue governing the budget committee as long as it is appropriated.

Senator Nething: The amendment would be the authority.

Representative Svedjan: What is the extent of your counter offer?

Senator Nething: This is the only issue left with where we are right now. This is an adjustment and part of the total decision.

Representative Svedjan: You are proposing a study for the women's prison and this is prior and in addition to the proposal yesterday.

Senator Nething: We are acceptable where we are now with the offer yesterday, and this study will finalize it.

Representative Svedjan: Exclusive of yesterday.

Senator Nething: Fold this in to the counter offer to settle.

Representative Svedjan: You intent is a verbal offer and only a study for the 01-03 biennium, is this justified?

Senator Nething: This is the process.

Representative Svedjan: No, there are no numbers, need additional total price for construction.

Senator Nething: Those numbers go with part of it.

Representative Svedjan: There is no way to expend those funds.

Senator Nething: This approval with the time frame and a decision. As soon as possible and the dollars for construction.

Representative Svedjan: The study so quickly, how about last year of the biennium?

Senator Nething: Not sure how long it will take, would like to know by 2001, latest Spring 2002 on construction. My idea is as soon as possible and hope by December, 2001, and by March 2002 the meeting of the budget section.

Representative Delzer: I'm uncomfortable with the time line, have concerns having it done this biennium, the changes made with crime down and not enough time for the change for future needs. Maybe in two years. The SMI in six months, study through November with council meeting.

Senator Nething: Other studies have been earlier with alternatives. These are ideas and we respect the House with interest of the study. Try to budget the gap and to resolve our differences.

Senator Kringstad: My comment, there is a need for this with the over crowding and the study is needed as well. With the state paying $60-$65 a day for contracts, this would mean more long term revenue. Having inmates closer to family and friends is important. If the study is approved this will bring back 94 inmates out of the 132 now out of state.

Senator Robinson: We need to go this route. The Senate has gone as far as we can go. This is a serious problem, with the average prison sentence of 5 years and the population on the increase, this is not a short term society places in the judicial system. Also the parole board has not been flexible, we need to compromise and move on.

Representative Svedjan: The House has a very strong position on this. There were very few votes in our caucus for this. We can't consider this without it being in writing.

Senator Nething: We can get it in writing for you if it will make it easier for your consideration and to make the concept easier.

Representative Svedjan: Important that we know the nature and scope of the study and the time line, it is critical, we need to see it on paper.

Senator Nething: We will give that to you in writing.

Representative Warner: The study, an echo from Senator Robinson, language needs to be in the bill, the objective triggers two years. Need outside criteria with the study not delaying the tactic as we have a serious problem with the prison system.

Representative Delzer: I am concerned with the time line and with the issues. Most SMI programs are in Bismarck not Jamestown, and to only have a one year study to look at all the legislative involvement.

Senator Nething: We will go ahead and get the parameters on paper to help solve this and get together at our next scheduled meeting. Hearing adjourned. Tape #1, Side A, meter 32.6.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 27, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		7.4 - 10.7
Committee Clerk Signature	Tonnie Dietsch		

Minutes:

Senator Nething, Chair of SB2016 Conference Committee (Department of Corrections and Rehabilitation), opened the meeting at 11:00 am, Friday April 27th in the Harvest Room.

Roll Call: Senator Nething, chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner were present.

Senator Nething: I distributed copies of this proposed amendments (#18042.0214) yesterday; it has the mechanism to do a study. Could be in preparation for building of women's prison. As you have noticed the consulting language is not here. I assume the House has had the opportunity to review this -- and we are ready to take comments.

Representative Svedjan: We have looked it over -- recognizing there are some blanks; along with that we have some additional concerns. We requested our counter offering; but it is not ready at this time (this is not to be taken as a stalling factor) --- wonder if we could meet this afternoon at which time we would hope to have it ready?

Senator Nething: Able to give us a genius of it?

Representative Svedjan: It is built on the concept of a study -- would prefer to have the written copy before all of us when making our case; have it as part of the discussion. Perhaps Legislative Council can give us a better idea on timing

Joe Morrissette, Legislative Council Staff Analyst: It should be ready by the end of today's floor session --- approximately 1:30.

Senator Nething: We'll plan for 1:30; adjourned until the call of the schedulers.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 27, 2001

Tape Number	Side A	Side B	Meter #
Tape # 1	x		10.7 - 38.4
Committee Clerk Signature	Connie Pietsch		

Minutes:

Senator Nething, Chair of SB2016 Conference Committee (Department of Corrections and Rehabilitation), called the meeting to order at 1:30 pm on Friday, April 27th in the Harvest Room.

Roll Call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Svedjan; Representative Delzer; and Representative Warner were present.

Senator Nething: All members present, believe the House has some proposed amendments.

Representative Svedjan: Just a few remarks before I distribute the amendments. The key is on the study idea. The House has given considerable thought to what we have heard in testimony, and the work we did in committees. We believe this should be done --- needs a comprehensive study of the entire prison system. There should be an analysis on the aging plant --- most of the system is old; need a facility analysis -- need to know the types of facility needs and locations --- including the location of services and the addition of facilities. The facilities plan should include

optimal facilities and services. We need a facility utilization analysis. There is a need for the FTE employee analysis (assuring that we have the man power/woman power). Need an operational efficiency analysis --- we now have 4 plants. Should be a total programmatically analysis -- we just passed HB1393 which has minimal mandatory sentencing. The House believes this is an investment in program; the alternative programs to be included -- need time to show results; time to show the impact of beds available and needs space. There should be an analysis of trends at the level relative to bed needs and availability.

There is a need to utilize the existing county resources; consideration of the possibility of private prisons being built in North Dakota. The prospect of private facility has been discussed, and needs to be examined. There is a need to exam the necessity and availability of rehabilitation as it relates to the Department of Human Services. Review if there is a replications of services. Needs to be a professional, comprehensive study done -- using an unbiased consultant to be selected by the Legislative Council,. We are suggesting 200 thousand in 01-03, for the study purpose, have it done and results reported to the 58th Legislative Session.

The House presents amendments #18042.0216 (a copy is attached). We ask that Legislative Council personnel go through this with us.

Joe Morrissette, Legislative Council Staff Analysis: Went through the amendments.

Representative Svedjan: We like to think of this not only as an opportunity, but need. There is a need to study the fragmentation of our prison. Believe the last time a significant study was done in 79-81 or so; many years ago. The results will help us develop facilities and programs over time. Believe this is how best to serve all prisoners (women and all classes). Because of the aging plant we need to seize this opportunity to develop a plan -- over time.

Senator Nething: House had study in originally -- which the Senate had --- not sure of the variations in this new proposal. Appears it is to be done using a consultant, with in legislative council structure. But it fails to include the Senate intent that they can begin building, if the study indicates appropriate. This appears to negate out offer.

Representative Svedjan: The House recognizes that the women's prison is high on your list, an integral part of this study --- it may be highly recommended --- that's what is needed.

Senator Nething: I understand the study part, but there is no mention of construction.

Representative Svedjan: Depends on priority and recommendation of the Interim Study.

Senator Nething: Senate is strong regarding the study, but the building should be begun immediately if it's found to be needed. We recognize that the buildings are old and there is a need.

Representative Svedjan: That seems to have always been the heart of this conference.

Senator Nething: We have been able to resolve others; the authority to build the building seems to be the difference between bodies.

Representative Svedjan: Why do the study if the money is there to build?

Senator Nething: If the study says yes, they can act quickly.

Representative Svedjan: How would you purpose an unbiased study?

Senator Nething: This study could be done within a year --- Senate wants the department to be able to start at that time --- solve the bed problem --- but won't have permission!

Representative Svedjan: Seems clear to me. Need to deal with the private sector --- plan to do it, do, but do it right the first time. Be sure the facility at the appropriate location; doing it once.

Senator Nething: Not until the study says ----- the Senator position was ignored.

Representative Delzer: Year study may not be enough to see what's going on --- if we once start building --- contracting costs could be short time. Start the prison -- and we can't back away. If we appropriate the dollars --- why bother with the study. Need to push scope of study. Get information back to the Council, then to legislators next session.

Senator Nething: Problem is with housing --- there are no dollars for contracting of these services in the budget. We have a responsibility -- to protect them in corrections, not to hinder the department.

Think we have advances as best we can --- do the study but nothing will trigger the building. Construction depends upon if the study says it is okay. Perhaps we need to consider abandoning the committee --- but I want us to be able to work this out. I am merely delivering what the Governor says --- and advancing the Senate's vote.

Senator Kringstad: All statistics and articles point to the situation that's going to escalate, the prison needs to be expanded.-- The study is marvelous, but if we don't get the results until next session --- that's another 2 years -- which I'm not sure we can afford to lose.

Senator Robinson: There is a lot of data and statistics available -- this is not like starting fresh with out any information --- we know what's happened, and what is happening -- 2 years ago we knew this, and much of what the Senate has done is spun off the abundance of known documentation. No argument with going through the study, but needs the authority to build, as Senator Nething was describing. Not an absence of data --information was not thrown together haphazardly, but with much thought. Let's build if the study says what we think it will --- not the first time legislation "contingent upon" has been put in bills. We wanted SMI to start July 1 and that has been delayed for 6 months --- a compromise. We've come a long way; lost nothing if study doesn't prove a need.

Representative Warner: I need to say thanks to Senators Svedjan and Delzer -- for their precise, innovative and perhaps aggressive presentation. We have had numerous studies --- we have the attorney general crime study analysis -- documents from the Supreme Court ---- on and on. Not sure what we can learn that would be new. Believe the words: "he who has ears, let him hear.

Senator Nething: Issues are clear --- I'll talk to my fellow conferees - the Governor (and his staff), the Majority Leaders --- and then come back with the results of my conversations.

Representative Delzer: Is there a problem with contract amount?

Senator Nething: No idea -- need to make sure there are enough dollars ----but will get figures for you, didn't realize we would be going back there, had hoped to go forward.. Meeting is adjourned until the call of the schedulers.

2001 SENATE CONFERENCE COMMITTEE MINUTES

BILL/RESOLUTION NO. SB 2016

Senate Appropriations Committee

☐ Conference Committee

Hearing Date April 28, 2001

Tape Number	Side A	Side B	Meter #
1	X		29.1-54.4
		X	0.0-3.6
Committee Clerk Signature			

Minutes:

Senator Nething called to order the conference committee on SB 2016. Role was taken, all committee members present, Senator Nething, Senator Kringstad, Senator Robinson, Representative Timm, Representative Belter, Representative Warner.

Senator Nething: I am distributing amendments (#0218-attached), disregard all previous amendments you have received on this bill. Allen Knutsen will go over these with us.

Allen Knutsen, Legislative Council, Starting explaining amendments on page 6.

Representative Timm: The first set of amendments we received on this was a difference of $4.207 million, now different, why?

Allen Knutsen: There was an error on those amendments, this amount of $4.208 is correct, and I will explain where that was when we get there.

Representative Timm: In Section 7, $2.45 and it was $2.32, why difference here?

Allen Knutsen: Because the of the delay of the project and the increased construction costs, an increase of 8%.

Represenative Timm: So an extra $130,000.

Representative Belter: Did the architect give an explanation of the 8% increase.

Dave Krabbenhoft, OMB, this wasn't broken down by the architect to explain that.

Allen Knutsen: Continued explaining amendments.

Senator Robinson: Footnote #4, teacher salaries, what was left in the bill?

Joe Morrissette, Legislative Council, the $200,000 under the composite schedule and the 3 & 2.

Allen Knutsen: Continued with amendments, explained pages 6-11 through juvenile services.

Joe Morrissette: Will explain Sections 4-14, also stated the removed sections from the engrossed bill are explained at the bottom of page 11.

Representative Timm: Sections 12 & 13, why are both of these here, aren't they the same?

Joe Morrissette: Mistake, we will amend and delete Section 12.

End Tape #1, Side A, meter 54.4

Representative Timm: What is the bottom line?

Joe Morrissette: On page 7, upper left hand corner, $4.2 million.

Representative Timm: What the House took out and includes the women's prison.

Joe Morrissette: That is correct.

Senator Robinson moved that the House recede from the House amendments and further amend; seconded by Representative Belter. Discussion.

Senator Nething: Before we take a vote on that motion, I am handing out (attached) an explanation of the YCC teacher salary comparison for your review. Joe will explain this to you.

With no further discussion, a vote was taken on the motion made by Senator Robinson. 6 yes, 0 no, 0 absent. Motion carried.

Hearing adjourned, Tape #1, Side B, meter 3.6.

2001 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. SB2016

Senate Appropriations Committee

☒ Conference Committee

Hearing Date April 28, 2001

Tape Number	Side A	Side B	Meter #
Tape # 2	x		0.0 - 17.1
Committee Clerk Signature	Connie Pietsch		

Minutes:

Senator Nething, Chair of the SB2016 Conference Committee (Department of Corrections and Rehabilitation), opened the meeting at 12:15 am, April 29th in the Harvest Room.

Roll call: Senator Nething, Chair; Senator Kringstad; Senator Robinson; Representative Delzer; Representative Svedjan; and Representative Warner were present.

Senator Nething: All members are present; our report was not accepted in the House; so we are here to reconcile the differences. I distribute documentation regarding the additional dollars that would be needed for contract housing - No Women's Unit (a copy is attached). Figures were discussed; input requested from OMB analyst, Dave Krabbenhoft and Legislative Council Staff analyst Joe Morrissette. The Senate proposes the additional funding (655,535), comprehensive study with reporting back to the legislative assembly next session; section 7 is out-- believe those are the main differences?

Representative Delzer: As reflected in the governor's budget?

Senator Nething: Yes.

Senator Robinson: Would like to move up the effective date of SMI-- possible?

Discussion was led by Senator Nething regarding the cost of 11 months versus 6 months.

Joe Morrissette: Appears the cost for 8 months would be approximately 990,069 and 9 months 1,093,436.

Representative Delzer: House would like to see a 25 bed reduction --- figure for 5 more makes a considerable difference dollar wise?

Dave Krabbenhoft: Would take a few minutes, but will be happy to get that information for you and the rest of the committee.

Representative Delzer: House will agree to 9 months SMI if the Senate considers 5 more beds in the drug court?

Senator Nething led the discussion regarding the request - Dave Krabbenhoft explained in more detail the numbers submitted on contract information distributed earlier. He explained the computation is not done by gender -- it included vacant women's beds (unavoidable vacancies -- some 30 beds) which in essence is eating up the dollars --- behind by using 971. Further discussion regarding the subject.

Representative Svedjan: The House understands what Dave (Krabbenhoft) is saying -- but in speaking with Judge Haggerty -- there up to 25 beds --- we are asking for only 5 more -- could be up to 15 per Judge Haggerty's figures.

Dave Krabbenhoft: Also visited with Judge Haggerty -- confirmed information with the department -- only 9 people presently qualified for drug court. They move through the system.

Elaine Little, Director of Corrections and Rehabilitation was in the audience and recognized by

Senator Nething: A search of the records in the year 2000, there were 18 people in Burleigh

County charged with possession. The criteria for drug court: No violence involved and no dealing in drugs --- only possession. History says not all are eligible for drug court --- not even 10.

Further discussion revolved around the proposals --- Senator Kringstad thought the need was there to get the unit up and going --- would like 1 year instead of 6 months even. A suggested time only, not an offer.

Senator Nething: 655,535, 55 beds are empty --- drug court does compound the problem. Need to set some king of programs --- 655,535 is part of the consideration --- final figures of the offer were given by Joe Morrissette -- with documentation as to how the proposed amendments would be finalized.

Representative Delzer: Language back in section 7?

Senator Nething; Yes.

Senator Nething: Hearing no further discussion, we will be at ease while the amendments are being drawn, back to full committee to review and finalize our report.

Senator Nething reopened the meeting at 3:10 am. Copies of amendments #18042.0221 were distributed. Review and discussion was led by Joe Morrissette, Legislative Council Staff Analyst. All concerns were covered and the recommendation for the House to recede from its amendments, and adopt these committee amendments was made by Senator Robinson Seconded by Senator Kringstad. Discussion; call for the vote: Roll Call Vote: 6 yes; 0 no; 0 absent and not voting.

Senator Nething: Thanked the committee and adjourned the meeting.

S13 2016

DEPARTMENT OF CORRECTIONS AND REHABILITATION

3303 East Main, PO Box 1898 • Bismarck, ND 58502-1898
(701) 328-6390 • FAX (701) 328-6651 • TDD 1-800-366-6888
Website: www.discovernd.com/docr

Proposed Language to Combine Sections 5, 6 and 14.

"SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION FACILITY NEEDS, INMATE PAY DEDUCTIONS, REPORTING ON NEW PROGRAMS BY DIRECTOR – LEGISLATIVE COUNCIL STUDY. During the 2001-2002 interim, the legislative council shall consider (1)studying the facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; and the feasibility and desirability of increased utilization of county and private correctional facilities; (2) studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages, and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution; and (3) hear reports from the director of the department, prior to their implementation, on any new programs that would be provided by department staff or on a contract basis to adult or juvenile offenders.

SB2016 Appropriations Committee
4-20-01

PROPOSED AMENDMENT TO ENGROSSED SENATE BILL No. 2016

Page 1, line 2, remove the second "and"

Page 1, line 3, after "study" insert a semicolon and "and to amend and reenact Subsection 2 of Section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code relating to Crime Victims Compensation Subrogation; and to amend and reenact Subdivision 1 of Section 12.1-32-08 of the North Dakota Century Code relating to hearings for restitution, reparation, or reimbursement of indigent defense costs and expenses.

Page 3, after line 12, insert: **SECTION 6.** Subsection 2 of Section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. Prior to bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a clamant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division to the total recovery. If there is a recovery, the division shall pay attorney's fees to the claimant's attorney from

the recovery in the amount of twenty-five percent of the subrogation proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division shall not be liable for costs or attorneys fees when the claimant has not provided the division with prior written notice of the commencement of an action. If a claimant does not bring an action for damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in its own name and retain as its subrogation interest the full amount it has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date it first awarded benefits, notwithstanding any other statute of limitation. Nothing in this section shall limit the claimant's right to bring an action to recover for other damages.

SECTION 7. Subdivision 1 of Section 12.1-32-08 of the North Dakota Century Code is hereby amended and reenacted as follows:

1. Prior to imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities which have resulted in pecuniary damages, in

addition to any other sentence it may impose, shall order that the defendant make restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages must be limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

The court shall fix the amount of restitution or reparation, which may

not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court ~~may~~ shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits it has paid or may pay under chapter 54-23.4 unless the court, on the record, directs otherwise. Any payments made pursuant to such order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

18042.0209
Title.

Prepared by the Legislative Council staff for
Senator Nething
April 24, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, after the second semicolon insert "to amend and reenact subsection 1 of section 12.1-32-08 and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to indigent defense costs and expenses and crime victims compensation subrogation;"

Page 3, after line 3, insert:

"**SECTION 5. AMENDMENT.** Subsection 1 of section 12.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Prior to~~ Before imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities ~~which~~ that have resulted in pecuniary damages, in addition to any other sentence it may impose, shall order that the defendant make restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

   a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages ~~must be~~ are limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

   b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

   c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

   The court shall fix the amount of restitution or reparation, which may not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court ~~may~~ shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits ~~it~~ the division has paid or may pay under chapter 54-23.4

unless the court, on the record, directs otherwise. Any payments made pursuant to ~~such~~ the order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

SECTION 6. AMENDMENT. Subsection 2 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. ~~Prior to~~ Before bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a claimant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division recovered to the total recovery. If there is a recovery, the division shall pay attorney's fees to the claimant's attorney from the recovery in the amount of twenty-five percent of the subrogation interest recovered. For purposes of this section, recovery includes proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division is not liable for costs or attorney's fees when the claimant has not provided the division prior written notice of the commencement of an action. If a claimant does not bring an action for damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in the division's name and may retain as the division's subrogation interest the full amount the division has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date the division first awarded benefits, notwithstanding any other statute of limitation. This section does not limit the claimant's right to bring an action to recover for other damages."

Renumber accordingly

SB 2016

18042.0210
Title.

Prepared by the Legislative Council staff for
Representative Delzer
April 25, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 3, replace lines 4 through 12 with:

"**SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying:

1. The correctional system in North Dakota, including its functions, responsibilities, and funding; causes for increases in the state's inmate population; types of offenders and offender programs; cost-effectiveness of programs; operation, efficiency, and effectiveness of prison industry programs; rates of recidivism; possible alternatives to incarceration which may reduce the number of inmates and reduce recidivism; and the effectiveness of sentencing laws, incarceration, and treatment.

2. The facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness.

3. Wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - Conference Committee Action

This amendment adds a section providing for a Legislative Council study. The proposed study combines the Legislative Council studies proposed by the Senate (Section 5 of the engrossed bill) and the studies proposed by the House (Sections 5 and 6 of the engrossed bill with House amendments).

18042.0212
Title.

Prepared by the Legislative Council staff for
Senator Nething
April 25, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, replace the second "and" with "; to provide legislative intent"

Page 1, line 3, after "study" insert "; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation; and to amend and reenact section 12-59-02, subsection 1 of section 12.1-32-08, and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members, indigent defense costs and expenses, and crime victims compensation subrogation"

Page 2, remove lines 23 through 26

Page 3, replace lines 4 through 12 with:

"**SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY.** During the 2001-02 interim, the legislative council shall consider studying:

1. The correctional system in North Dakota, including its functions, responsibilities, and funding; causes for increases in the state's inmate population; types of offenders and offender programs; cost-effectiveness of programs; operation, efficiency, and effectiveness of prison industry programs; rates of recidivism; possible alternatives to incarceration which may reduce the number of inmates and reduce recidivism; and the effectiveness of sentencing laws, incarceration, and treatment.

2. The facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness.

3. Wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 5. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of

corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 6. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 7. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 8. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 9. AMENDMENT. Subsection 1 of section 12.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Prior to~~ Before imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities ~~which~~ that have resulted in pecuniary damages, in addition to any other sentence it may impose, shall order that the defendant make

restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages ~~must be~~ are limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

The court shall fix the amount of restitution or reparation, which may not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court ~~may~~ shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits ~~it~~ the division has paid or may pay under chapter 54-23.4 unless the court, on the record, directs otherwise. Any payments made pursuant to ~~such~~ the order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

SECTION 10. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Reports regarding new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program that serves adult or juvenile offenders, including programs that provide alternatives to conventional incarceration and programs operated on a contract basis, without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 11. AMENDMENT. Subsection 2 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. ~~Prior to~~ Before bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a claimant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive

of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division recovered to the total recovery. If there is a recovery, the division shall pay attorney's fees to the claimant's attorney from the recovery in the amount of twenty-five percent of the subrogation interest recovered. For purposes of this section, recovery includes proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division is not liable for costs or attorney's fees when the claimant has not provided the division prior written notice of the commencement of an action. If a claimant does not bring an action for damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in the division's name and may retain as the division's subrogation interest the full amount the division has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date the division first awarded benefits, notwithstanding any other statute of limitation. This section does not limit the claimant's right to bring an action to recover for other damages."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - Conference Committee Action

This amendment removes the following sections included in the House amendment:

- Section 8, which provided that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- Section 9, which authorized the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- Section 11, which provided that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.

This amendment includes the following sections added by the House:

- Section 5, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 6, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 7, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 8, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.
- Section 10, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.

This amendment adds a section providing for a Legislative Council study. The proposed study combines the Legislative Council studies proposed by the Senate (Section 5 of the engrossed bill) and the studies proposed by the House (Sections 5 and 6 of the engrossed bill with House amendments).

This amendment replaces Sections 15 and 16 included in the House amendments with new Sections 9 and 11 relating to court orders for restitution and subrogation interests of the Department of Corrections and Rehabilitation in relation to crime victims compensation claims.

Prepared by the Legislative Council staff for
Senator Nething
April 26, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 3, replace lines 4 through 12 with:

"**SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying:

1. The correctional system in North Dakota, including its functions, responsibilities, and funding; causes for increases in the state's inmate population; types of offenders and offender programs; cost-effectiveness of programs; operation, efficiency, and effectiveness of prison industry programs; rates of recidivism; possible alternatives to incarceration which may reduce the number of inmates and reduce recidivism; and the effectiveness of sentencing laws, incarceration, and treatment.

2. The facility needs of the department of corrections and rehabilitation, including the adequacy and utilization of the department's existing facilities; anticipated future facility needs considering the impact of alternative programs and trends in inmate population; the feasibility and desirability of increased utilization of county and private correctional facilities; and facilities required to address the needs of various inmate populations, including female inmates and inmates diagnosed with serious mental illness.

3. Wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution. .

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION - WOMEN'S UNIT CONSTRUCTION - LEGISLATIVE COUNCIL STUDY - BUDGET SECTION AUTHORIZATION. The total funds appropriation contained in subdivision 3 of section 1 of this Act includes $_____ from the general fund and $_____ from other funds for the construction of a women's unit for housing adult female offenders sentenced to the department of corrections and rehabilitation. The amounts appropriated for the construction of a women's unit may be spent if:

1. The legislative council conducts the study as provided in subsection 2 of section 5 of this Act;

2. The committee conducting the study recommends construction of a women's unit after considering the following:

   a. The need to construct the women's unit based on:

      (1) The anticipated trends in male and female inmate populations;

(2) The anticipated impact of programs that provide alternatives to conventional incarceration;

(3) The availability and cost-effectiveness of prison beds available to the department on a contract basis in county, regional, or private correctional facilities; and

(4) Future capital construction needs of the department; and

b. The most feasible and desirable location of the women's unit based on:

(1) The availability of educational, treatment, work, and other programs;

(2) The availability of qualified staff to operate the women's unit and provide services to inmates; and

(3) Future capital construction needs of the department; and

3. The budget section of the legislative council authorizes the department to spend funds appropriated by the fifty-seventh legislative assembly for this purpose."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - Conference Committee Action

This amendment adds a section providing for three Legislative Council studies. The proposed studies are a combination of the Legislative Council studies proposed by the Senate (Section 5 of the engrossed bill) and the studies proposed by the House (Sections 5 and 6 of the engrossed bill with House amendments).

The amendment also adds a section to provide that, if determined appropriate, the Budget Section may authorize the department to spend the moneys appropriated for construction of a new women's unit after a Legislative Council study that recommends construction of the unit.

Prepared by the Legislative Council staff for
Representatives Svedjan and Delzer
April 27, 2001

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 3, replace lines 4 through 12 with:

"**SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution.

SECTION 6. DEPARTMENT OF CORRECTIONS AND REHABILITATION - FACILITY AND OPERATIONS - LEGISLATIVE COUNCIL STUDY. The legislative council shall study, during the 2001-02 interim, the facilities and operations of the department of corrections and rehabilitation. The study shall include the use of consultant services as determined by the legislative council. The study shall include the following:

1. An analysis and evaluation of all facilities currently used by the department of corrections and rehabilitation and all facilities currently used by the state hospital which may at some time be used by the department, including:
   a. The age, condition, and adequacy of each facility.
   b. The operational efficiency of each facility, including utility costs and staffing needs.
   c. Modifications, if any, required to allow the department to meet the various needs of adult offenders.
2. An analysis and evaluation of future facility needs, including:
   a. The types of facilities needed to serve adult offenders.
   b. The most appropriate location for the department's various facilities, considering:
      (1) The operational inefficiencies of maintaining multiple facilities.
      (2) The administrative benefits of having multiple facilities in which to place offenders.
      (3) The availability of education, treatment, and work programs for inmates.
3. An analysis and evaluation of the staffing needs of the department, including:
   a. Current staff utilization and needs at each facility.

b. Availability of potential employees in each region in which the department operates or may operate a correctional facility.

4. An analysis and evaluation of the anticipated need for additional prison beds, considering the following:

   a. The impact of changes in sentencing laws.

   b. The impact of programs that provide alternatives to conventional incarceration.

   c. Trends in occurrence and types of crime committed in the state.

   d. The utilization and availability of existing and proposed county or regional correctional facilities.

   e. The utilization and availability of existing and proposed private correctional facilities.

5. A cost benefit analysis of the department's current and proposed programs, considering:

   a. The effect on recidivism.

   b. The necessity and effectiveness of providing rehabilitation and treatment services.

   c. The availability of rehabilitation and treatment services which could be provided by entities or agencies other than the department, including regional human service centers.

SECTION 7. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $200,000, or so much of the sum as may be necessary, to the legislative council for the biennium beginning July 1, 2001, and ending June 30, 2003, for the purpose of contracting with a consultant to conduct the study as provided in section 6 of this Act."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Dept. 530 - Department of Corrections and Rehabilitation - Conference Committee Action

This amendment adds a section providing for two Legislative Council studies.

- Section 5 provides for a study of issues relating to the payment of inmate wages.
- Section 6 provides for a comprehensive study, to be conducted using the services of a consultant, on the state's correctional system, including its programs and facilities.
- Section 7 appropriates $200,000 to the Legislative Council to contract with a consultant to carry out the study provided for in Section 6.

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Standing Com. Report

#1

Prepared by the Legislative Council staff for
Conference Committee
April 28, 2001

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1 of 2

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, replace the second "and" with "to provide legislative intent; to provide for budget section authorization of the construction of a women's unit;"

Page 1, line 3, after "study" insert "; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation; and to amend and reenact section 12-59-02, subsection 1 of section 12.1-32-08, and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members, indigent defense costs and expenses, and crime victims compensation subrogation"

Page 1, line 13, replace "1,281,357" with "1,155,357"

Page 1, line 15, replace "80,850" with "65,750"

Page 1, line 16, replace "1,533,654" with "1,392,554"

Page 1, line 18, replace "1,522,494" with "1,381,394"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,917,407"

Page 1, line 23, replace "217,050" with "148,700"

Page 2, line 2, replace "21,189,929" with "20,835,229"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "13,010,154"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "11,353,870"

Page 2, line 10, replace "28,600,319" with "25,258,666"

Page 2, line 11, replace "4,086,082" with "3,732,331"

Page 2, line 12, replace "25,092,023" with "24,163,872"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "82,637,723"

Page 2, line 15, replace "18,649,184" with "18,696,864"

Page 2, line 16, replace "69,618,963" with "63,940,859"

Page 2, line 17, remove "S.B. 2016" and replace "84,468,111" with "78,532,407"

Page 2, line 18, remove "S.B. 2016" and replace "26,523,619" with "26,533,099"

Page 2, line 19, remove "S.B. 2016" and replace "110,890,730" with "105,065,506"

Page 2, remove lines 23 through 26

Page 3, replace lines 4 through 12 with:

"**SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - FACILITY AND OPERATIONS - LEGISLATIVE COUNCIL STUDY. The legislative council shall study, during the 2001-02 interim, the facilities and operations of the department of corrections and rehabilitation. The study must include the use of consultant services as determined by the legislative council. The study must include the following:

1. An analysis and evaluation of all facilities currently used by the department of corrections and rehabilitation and all facilities currently used by the state hospital which may at some time be used by the department, including:
   a. The age, condition, and adequacy of each facility.
   b. The operational efficiency of each facility, including utility costs and staffing needs.
   c. Modifications, if any, required to allow the department to meet the various needs of adult offenders.
2. An analysis and evaluation of future facility needs, including:
   a. The types of facilities needed to serve adult offenders.
   b. The most appropriate location for the department's various facilities, considering:
      (1) The operational inefficiencies of maintaining multiple facilities.
      (2) The administrative benefits of having multiple facilities in which to place offenders.
      (3) The availability of education, treatment, and work programs for inmates.

3. An analysis and evaluation of the staffing needs of the department, including:

   a. Current staff utilization and needs at each facility.

   b. Availability of potential employees in each region in which the department operates or may operate a correctional facility.

4. An analysis and evaluation of the anticipated need for additional prison beds, considering the following:

   a. The impact of changes in sentencing laws.

   b. The impact of programs that provide alternatives to conventional incarceration.

   c. Trends in occurrence and types of crime committed in the state.

   d. The utilization and availability of existing and proposed county or regional correctional facilities.

   e. The utilization and availability of existing and proposed private correctional facilities.

5. A cost-benefit analysis of the department's current and proposed programs, considering:

   a. The effect on recidivism.

   b. The necessity and effectiveness of providing rehabilitation and treatment services.

   c. The availability of rehabilitation and treatment services which could be provided by entities or agencies other than the department, including regional human service centers.

SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $200,000, or so much of the sum as may be necessary, to the legislative council for the biennium beginning July 1, 2001, and ending June 30, 2003, for the purpose of contracting with a consultant to conduct the study as provided in section 5 of this Act.

SECTION 7. DEPARTMENT OF CORRECTIONS AND REHABILITATION - WOMEN'S UNIT CONSTRUCTION - LEGISLATIVE COUNCIL STUDY - BUDGET SECTION AUTHORIZATION. The total funds appropriation contained in subdivision 3 of section 1 of this Act includes $2,450,000 from the general fund and $1,400,000 from other funds for the construction of a women's unit for housing adult female offenders sentenced to the department of corrections and rehabilitation. The amounts appropriated for the construction of a women's unit may be spent if:

1. The legislative council conducts the study as provided in section 5 of this Act;

2. The committee conducting the study recommends construction of a women's unit after considering the following:

   a. The need to construct the women's unit based on:

      (1) The anticipated trends in male and female inmate populations;

(2) The anticipated impact of programs that provide alternatives to conventional incarceration;

(3) The availability and cost-effectiveness of prison beds available to the department on a contract basis in county, regional, or private correctional facilities; and

(4) Future capital construction needs of the department; and

b. The most feasible and desirable location of the women's unit based on:

(1) The availability of educational, treatment, work, and other programs;

(2) The availability of qualified staff to operate the women's unit and provide services to inmates; and

(3) Future capital construction needs of the department; and

3. The budget section of the legislative council authorizes the department to spend funds appropriated by the fifty-seventh legislative assembly for this purpose.

SECTION 8. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 9. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 10. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 11. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 12. AMENDMENT. Subsection 1 of section 12.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Prior to~~ Before imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities ~~which~~ that have resulted in pecuniary damages, in addition to any other sentence it may impose, shall order that the defendant make restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

   a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages ~~must be~~ are limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

   b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

   c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

   The court shall fix the amount of restitution or reparation, which may not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court ~~may~~ shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits it the division has paid or may pay under chapter 54-23.4 unless the court, on the record, directs otherwise. Any payments made pursuant to ~~such~~ the order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make

restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

SECTION 13. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Reports regarding new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program to serve adult or juvenile offenders, including programs that provide alternatives to conventional incarceration and programs operated on a contract basis, if the program is anticipated to cost in excess of one hundred thousand dollars during the biennium in which the program is implemented or any subsequent biennium without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 14. AMENDMENT. Subsection 2 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. ~~Prior to~~ Before bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a claimant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division recovered to the total recovery. If there is a recovery, the division shall pay attorney's fees to the claimant's attorney from the recovery in the amount of twenty-five percent of the subrogation interest recovered. For purposes of this section, recovery includes proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division is not liable for costs or attorney's fees when the claimant has not provided the division prior written notice of the commencement of an action. If a claimant does not bring an action for damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in the division's name and may retain as the division's subrogation interest the full amount the division has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date the division first awarded benefits, notwithstanding any other statute of limitation. This section does not limit the claimant's right to bring an action to recover for other damages."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Council						
Total all funds	$0	$0	$200,000	$200,000	$0	$200,000
Less estimated income						

General fund	$0	$0	$200,000	$200,000	$0	$200,000
Department of Corrections and Rehabilitation - Adult Services						
Total all funds	$88,266,147	$88,266,147	($5,630,424)	$82,637,723	$77,427,001	$5,210,722
Less estimated income	18,649,184	18,649,184	47,680	18,696,864	17,296,864	1,400,000
General fund	$69,616,963	$69,616,963	($5,678,104)	$63,940,859	$60,130,137	$3,810,722
Department of Corrections and Rehabilitation - Central Office						
Total all funds	$1,533,542	$1,533,654	($41,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160		11,160	11,160	
General fund	$1,522,382	$1,522,494	($141,100)	$1,381,394	$1,274,523	$106,871
Department of Corrections and Rehabilitation - Juvenile Services						
Total all funds	$21,086,929	$21,189,929	($354,700)	$20,835,229	$20,744,409	$90,820
Less estimated income	7,762,275	7,663,275	(38,200)	7,825,075	7,825,075	
General fund	$13,326,654	$13,326,654	($316,500)	$13,010,154	$12,919,334	$90,820
Bill Total						
Total all funds	$110,890,618	$110,991,730	($5,926,224)	$105,065,506	$99,457,093	$5,606,413
Less estimated income	26,422,619	26,523,619	9,480	26,533,099	25,133,099	1,400,000
General fund	$84,467,999	$84,468,111	($5,935,704)	$78,532,407	$74,323,994	$4,206,413

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$7,073,227					
Operating expenses	9,222,935					
Equipment	63,102					
Grants	3,280,619					
Victims services		$3,423,566		$3,423,566	$3,415,066	$8,500
Institutional offender services		4,460,612	($597,484)	3,863,128	3,863,128	
Community offender services		11,755,705	(401,835)	11,353,870	11,203,870	150,000
Support services	28,600,319	28,600,319	(3,341,653)	25,258,666	20,905,566	4,353,100
Program services	4,086,082	4,086,082	(353,751)	3,732,331	3,619,457	112,874
Security and safety	25,092,023	25,092,023	(928,151)	24,163,872	23,577,624	586,248
Roughrider Industries	10,849,840	10,849,840	(7,550)	10,842,290	10,842,290	
Total all funds	$88,266,147	$88,266,147	($5,630,424)	$82,637,723	$77,427,001	$5,210,722
Less estimated income	18,649,184	18,649,184	47,680	18,696,864	17,296,864	1,400,000
General fund	$69,616,963	$69,616,963	($5,678,104)	$63,940,859	$60,130,137	$3,810,722
FTE	508.25	508.25	(23.50)	484.75	456.75	28.00

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of Conference Committee Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REDUCE FUNDING FOR SMI UNIT [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services	($539,284)	($750)			($57,450)	
Community offender services		(11,308)	($8,400)			($382,127)
Support services		(15,400)	(5,600)	($563,478)		
Program services		(3,600)		(247,646)		
Security and safety		(1,800)		(843,326)		
Roughrider Industries		(6,150)	(1,400)			
Total all funds	($539,284)	($39,008)	($15,400)	($1,654,450)	($57,450)	($382,127)
Less estimated income		(10,920)	(1,400)			60,000
General fund	($539,284)	($28,088)	($14,000)	($1,654,450)	($57,450)	($442,127)
FTE	0.00	0.00	0.00	0.00	0.00	(1.00)

	REDUCE SUPPORT SERVICES [7]	REDUCE SECURITY AND SAFETY [8]	REMOVE CAPITAL PROJECTS [9]	REMOVE FTE AND OPERATING EXPENSES FOR WOMEN'S UNIT [10]	ADD CONTINGENT FUNDING FOR WOMEN'S UNIT [11]
Salaries and wages					
Operating expenses					
Equipment					
Capital improvements					
Grants					
Victims services					
Institutional offender services					
Community offender services					
Support services	($489,743)		($5,703,000)	($414,432)	$3,850,000
Program services				(102,505)	
Security and safety		($5,000)		(524,130)	
Roughrider Industries					
Total all funds	($489,743)	($5,000)	($5,703,000)	($1,041,067)	$3,850,000
Less estimated income			(1,400,000)		1,400,000
General fund	($489,743)	($5,000)	($4,303,000)	($1,041,067)	$2,450,000
FTE	0.00	0.00	0.00	(22.50)	

	ADD FUNDING FOR CONTRACT INMATE HOUSING [12]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		
Operating expenses		
Equipment		
Capital improvements		
Grants		
Victims services		
Institutional offender services		(597,484)
Community offender services		(401,835)
Support services		(3,341,653)
Program services		(353,751)
Security and safety	$446,105	(926,151)
Roughrider Industries		(7,550)
Total all funds	$446,105	($5,630,424)
Less estimated income		47,680
General fund	$446,105	($5,678,104)
FTE	0.00	(23.50)

1 Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,264 to $1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital, the same as the House version.

2 The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,500 to $3,500 per computer. This amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers, the same as the House version.

3 The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division, the same as the House version.

4 Funding is provided by the Conference Committee for the proposed seriously mentally ill (SMI) unit only for the last six months of the biennium as follows:

	SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE VERSION
Total general fund	$2,437,797	$0	$783,347
FTE	28.00	0.00	28.00

5 The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($10,000)		($10,000)
Compensation rate increase for Parole Board members from $62.50 to $75 per day	2,550		2,550
Total change from Senate version	($7,450)	$0	($7,450)

6 The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		($14,000)		($14,000)
Operating expenses		(257,000)		(257,000)
Funding source change (additional supervision fees)		(60,000)	$60,000	
Remove parole officer II position				
Salaries and wages	(1.00)	(78,755)		(78,755)
Operating expenses		(32,372)		(32,372)
Total reduction relating to new positions	(1.00)	($111,127)		($111,127)
Total change from Senate version	(1.00)	($442,127)	$60,000	($382,127)

Compared to the House version, this amendment restores $150,000 from the general fund to this line item.

7 The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	($8,000)		($8,000)
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious diseases	91,375		91,375
Other equipment	(100,000)		(100,000)
Capital improvements - Penitentiary parking lot	(403,118)		(403,118)
Capital improvements - Extraordinary repairs	(100,000)		(100,000)
Total change from Senate version	($489,743)	$0	($489,743)

8 The security and safety line item is reduced to reflect a $5,000 reduction in operating expenses.

9 Funding is removed for the following capital projects:

	GENERAL FUND	OTHER FUNDS	TOTAL
Missouri River Correctional Center - Food service building	($1,983,000)		($1,983,000)
Women's unit	(2,320,000)	($1,400,000)	(3,720,000) [a]
Total change from Senate version	($4,303,000)	($1,400,000)	($5,703,000)

a Contingent funding of $3.85 million is added for construction of the women's unit (see footnote 11 below).

10 Funding is removed for the proposed women's unit as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	($585,457)		($585,457)
Operating expenses	(421,815)		(421,815)
Equipment	(33,795)		(33,795)
Total change from Senate version	($1,041,067)	$0	($1,041,067)

11 Funding is added for construction of a women's unit, subject to the outcome of a Legislative Council study and Budget Section approval.

12 The Senate version included $2,452,275 for housing inmates at county or out-of-state correctional facilities. This amendment increases that amount to $2,898,380. The House had increased the Senate version by $196,105.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$1,281,245	$1,281,357	($126,000)	$1,155,357	$1,075,871	$79,486
Operating expenses	171,447	171,447		171,447	152,062	19,385
Equipment	80,850	80,850	(15,100)	65,750	57,750	8,000
Total all funds	$1,533,542	$1,533,654	($141,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160		11,160	11,160	
General fund	$1,522,382	$1,522,494	($141,100)	$1,381,394	$1,274,523	$106,871
FTE	10.00	10.00	0.00	10.00	9.00	1.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of Conference Committee Changes

	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REMOVE FUNDING FOR COMPUTER SERVER [3]
Salaries and wages	($1,000)	($125,000)		
Operating expenses				
Equipment			($6,300)	($6,000)
Total all funds	($1,000)	($125,000)	($6,300)	($6,000)
Less estimated income				
General fund	($1,000)	($125,000)	($6,300)	($6,000)
FTE	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [4]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($126,000)
Operating expenses		
Equipment	($2,800)	(15,100)
Total all funds	($2,800)	($141,100)
Less estimated income		
General fund	($2,800)	($141,100)
FTE	0.00	0.00

[1] The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. This amendment removes this funding, the same as the House version.

[2] The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of $2,100 per computer. This amendment reduces the budgeted price per computer to $1,400, the same as the House version.

[3] The Senate version for the Central Office included funding to replace three computer servers, one at a price of $25,000 and two at $14,000. This amendment removes funding for one of the $14,000 servers, the same as the House version.

[4] The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Compared to the House version, this amendment restores one FTE data processing position and related operating expenses ($87,871) and other operating expenses ($11,000).

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$10,819,873	$10,819,873	($172,375)	$10,647,498	$10,647,498	
Operating expenses	4,930,382	5,031,382	(113,975)	4,917,407	4,891,907	$25,500
Equipment	217,050	217,050	(68,350)	148,700	119,700	29,000
Capital improvements	707,747	707,747		707,747	671,427	36,320
Grants	4,413,877	4,413,877		4,413,877	4,413,877	
Total all funds	$21,088,929	$21,189,929	($354,700)	$20,835,229	$20,744,409	$90,820
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075	7,825,075	
General fund	$13,326,654	$13,326,654	($316,500)	$13,010,154	$12,919,334	$90,820
FTE	120.43	120.43	0.00	120.43	120.43	0.00

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of Conference Committee

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS [1]	REDUCE OPERATING EXPENSES [2]	REDUCE EQUIPMENT [3]	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES [4]	REDUCE BUDGETED COMPUTER PRICES [5]
Salaries and wages	($41,000)			($40,000)	($91,375)	
Operating expenses		($113,975)				
Equipment			($5,000)			($43,750)
Capital improvements						
Grants						
Total all funds	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($43,750)
Less estimated income						(25,600)

General fund	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($18,150)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [6]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($172,375)
Operating expenses		(113,975)
Equipment	($19,600)	(68,350)
Capital improvements		
Grants		
Total all funds	($19,600)	($354,700)
Less estimated income	(12,600)	(38,200)
General fund	($7,000)	($316,500)
FTE	0.00	0.00

1 The Senate version included one FTE security officer I for the Youth Correctional Center and one FTE administrative assistant I for the Juvenile Community Services Division. This amendment reduces the salaries and wages line item by $41,000 ($12,000 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions, the same as the House version.

2 The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($55,000)		($55,000)
JCS Division - Juvenile transportation costs (SB 2220 with House amendments)	(41,475)		(41,475)
YCC - Administration	(7,500)		(7,500)
YCC - Education	(10,000)		(10,000)
Total change from Senate version	($113,975)	$0	($113,975)

The House had reduced these items by $139,475.

3 This amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,729 to $49,729. The House had reduced this by $34,000.

4 The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division. This amendment reduces this amount to $200,000, the same as the House version.

5 The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,200 per desktop and $3,000 per laptop. This amendment reduces the budgeted prices to $1,400 per desktop and $1,750 per laptop, the same as the House version.

6 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division, the same as the House version.

This amendment does not reduce funding for heating plant improvements at the Youth Correctional Center. The House version had reduced this item by $36,320 from the general fund.

This amendment removes the following sections included in the House amendment:

- The section which provided that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- The section which authorized the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- The section which provided that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.

This amendment also adds the following sections:

- Section 4, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 5, which directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.

12 of 12

- Section 6, which provides an appropriation of $200,000 to the Legislative Council for a study.
- Section 7, which provides for the Budget Section authorization, after a study, of the women's unit.
- Section 8, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 9, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 10, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 11, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.
- Section 13, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.
- Sections 12 and 14, which amend NDCC Sections 12.1-32-08 and 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to initiate a claim for relief to recover funds from a collateral source.

Date: 4-25-01

Roll Call Vote #: _____

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2016

CONFERENCE COMMITTEE-Department of Corrections & Rehabilitation
Central Office, Juvenile Services, Adult Services

Legislative Council Amendment Number 18042.0201

☑ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1205 - 1213

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken Further Amend

Motion Made By Senator/Representative _____ Seconded By Senator/Representative _____

Senators	Yes	No	Representative	Yes	No
Senator Nething	✓		Representative ~~Svedjan~~ Timm	✓	
Senator Kringstad	✓		Representative ~~Delzer~~ Belter	✓	
Senator Robinson	✓		Representative Warner	✓	

Total Yes 6 No 0 Absent 0

18042.0221
Title.0500
Fiscal No. 2

Standing Comm. Report #2

Prepared by the Legislative Council staff for
Conference Committee
April 29, 2001

4-29-1
10H1

PROPOSED AMENDMENTS TO ENGROSSED SENATE BILL NO. 2016

Conf. Comm. Amends on Engr. SB 2016 4-29-01

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, replace the second "and" with "to provide legislative intent;"

Page 1, line 3, after "study" insert "; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation; and to amend and reenact section 12-59-02, subsection 1 of section 12.1-32-08, and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members, indigent defense costs and expenses, and crime victims compensation subrogation"

Page 1, line 13, replace "1,281,357" with "1,155,357"

Page 1, line 15, replace "80,850" with "65,750"

Page 1, line 16, replace "1,533,654" with "1,392,554"

Page 1, line 18, replace "1,522,494" with "1,381,394"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,917,407"

Page 1, line 23, replace "217,050" with "148,700"

Page 2, line 2, replace "21,189,929" with "20,835,229"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "13,010,154"

Page 2, line 8, replace "4,460,612" with "3,803,128"

Page 2, line 9, replace "11,755,705" with "11,353,870"

Page 2, line 10, replace "28,600,319" with "21,514,202"

Page 2, line 11, replace "4,086,082" with "3,778,761"

Page 2, line 12, replace "25,092,023" with "24,977,530"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "78,268,147" with "79,753,347"

Page 2, line 15, replace "18,649,184" with "17,296,864"

Page 2, line 16, replace "69,618,963" with "62,456,483"

Page 2, line 17, replace "84,468,111" with "77,048,031"

Page 2, line 18, replace "26,523,619" with "25,133,099"

Page 2, line 19, replace "110,890,730" with "102,181,130"

Page 2, remove lines 23 through 26

Page 3, replace lines 4 through 12 with:

"**SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution. The legislative council shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - FACILITY AND OPERATIONS - LEGISLATIVE COUNCIL STUDY. The legislative council shall study, during the 2001-02 interim, the facilities and operations of the department of corrections and rehabilitation and report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly. The study must include the use of consultant services as determined by the legislative council. The study must include the following:

1. An analysis and evaluation of all facilities currently used by the department of corrections and rehabilitation and all facilities currently used by the state hospital which may at some time be used by the department, including:
   a. The age, condition, and adequacy of each facility.
   b. The operational efficiency of each facility, including utility costs and staffing needs.
   c. Modifications, if any, required to allow the department to meet the various needs of adult offenders.
2. An analysis and evaluation of future facility needs, including:
   a. The types of facilities needed to serve adult offenders.
   b. The most appropriate location for the department's various facilities, considering:
      (1) The operational inefficiencies of maintaining multiple facilities.
      (2) The administrative benefits of having multiple facilities in which to place offenders.
      (3) The availability of education, treatment, and work programs for inmates.

3. An analysis and evaluation of the staffing needs of the department, including:

   a. Current staff utilization and needs at each facility.

   b. Availability of potential employees in each region in which the department operates or may operate a correctional facility.

4. An analysis and evaluation of the anticipated need for additional prison beds, considering the following:

   a. The impact of changes in sentencing laws.

   b. The impact of programs that provide alternatives to conventional incarceration.

   c. Trends in occurrence and types of crime committed in the state.

   d. The utilization and availability of existing and proposed county or regional correctional facilities.

   e. The utilization and availability of existing and proposed private correctional facilities.

5. A cost-benefit analysis of the department's current and proposed programs, considering:

   a. The effect on recidivism.

   b. The necessity and effectiveness of providing rehabilitation and treatment services.

   c. The availability of rehabilitation and treatment services which could be provided by entities or agencies other than the department, including regional human service centers.

SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $200,000, or so much of the sum as may be necessary, to the legislative council for the biennium beginning July 1, 2001, and ending June 30, 2003, for the purpose of contracting with a consultant to conduct the study as provided in section 5 of this Act.

SECTION 7. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 8. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding

the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 9. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 10. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 11. AMENDMENT. Subsection 1 of section 12.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Prior to~~ Before imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities ~~which~~ that have resulted in pecuniary damages, in addition to any other sentence it may impose, shall order that the defendant make restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

   a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages ~~must be~~ are limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs

for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

The court shall fix the amount of restitution or reparation, which may not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court ~~may~~ shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits ~~it~~ the division has paid or may pay under chapter 54-23.4 unless the court, on the record, directs otherwise. Any payments made pursuant to ~~such~~ the order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

SECTION 12. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Reports regarding new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program to serve adult or juvenile offenders, including programs that provide alternatives to conventional incarceration and programs operated on a contract basis, if the program is anticipated to cost in excess of one hundred thousand dollars during the biennium in which the program is implemented or any subsequent biennium without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 13. AMENDMENT. Subsection 2 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. ~~Prior to~~ Before bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a claimant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division recovered to the total recovery. If there is a recovery, the division shall pay attorney's fees to the claimant's attorney from the recovery in the amount of twenty-five percent of the subrogation interest recovered. For purposes of this section, recovery includes proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division is not liable for costs or attorney's fees when the claimant has not provided the division prior written notice of the commencement of an action. If a claimant does not bring an action for

damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in the division's name and may retain as the division's subrogation interest the full amount the division has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date the division first awarded benefits, notwithstanding any other statute of limitation. This section does not limit the claimant's right to bring an action to recover for other damages."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Council						
Total all funds	$0	$0	$200,000	$200,000	$0	$200,000
Less estimated income						
General fund	$0	$0	$200,000	$200,000	$0	$200,000
Department of Corrections and Rehabilitation - Adult Services						
Total all funds	$88,268,147	$88,268,147	($8,514,800)	$79,753,347	$77,427,001	$2,326,346
Less estimated income	18,649,184	18,649,184	(1,352,320)	17,296,864	17,296,864	
General fund	$69,618,963	$69,618,963	($7,162,480)	$62,456,483	$60,130,137	$2,326,346
Department of Corrections and Rehabilitation - Central Office						
Total all funds	$1,533,542	$1,533,654	($141,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160		11,160	11,160	
General fund	$1,522,382	$1,522,494	($141,100)	$1,381,394	$1,274,523	$106,871
Department of Corrections and Rehabilitation - Juvenile Services						
Total all funds	$21,088,929	$21,189,929	($354,700)	$20,835,229	$20,744,409	$90,820
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075	7,825,075	
General fund	$13,326,654	$13,326,654	($316,500)	$13,010,154	$12,919,334	$90,820
Bill Total						
Total all funds	$110,890,618	$110,991,730	($8,810,600)	$102,181,130	$99,457,093	$2,724,037
Less estimated income	26,422,619	26,523,619	(1,390,520)	25,133,099	25,133,099	
General fund	$84,467,999	$84,468,111	($7,420,080)	$77,048,031	$74,323,994	$2,724,037

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$7,073,227					
Operating expenses	9,222,935					
Equipment	63,102					
Grants	3,260,619					
Victims services		$3,423,566		$3,423,566	$3,415,066	$8,500
Institutional offender services		4,460,612	($597,484)	3,863,128	3,863,128	
Community offender services		11,755,705	(401,835)	11,353,870	11,203,870	150,000
Support services	28,600,319	28,600,319	(7,086,117)	21,514,202	20,905,566	608,636
Program services	4,086,082	4,086,082	(307,321)	3,778,761	3,619,457	159,304
Security and safety	25,092,023	25,092,023	(114,493)	24,977,530	23,577,624	1,399,906
Roughrider industries	10,649,840	10,649,840	(7,550)	10,642,290	10,642,290	
Total all funds	$88,268,147	$88,268,147	($8,514,800)	$79,753,347	$77,427,001	$2,326,346
Less estimated income	18,649,184	18,649,184	(1,352,320)	17,296,864	17,296,864	
General fund	$69,618,963	$69,618,963	($7,162,480)	$62,456,483	$60,130,137	$2,326,346
FTE	508.25	508.25	(23.50)	484.75	456.75	28.00

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of Conference Committee Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REDUCE FUNDING FOR SMI UNIT [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]

Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services	($539,264)	($750)			($57,450)	
Community offender services		(11,308)	($8,400)			($382,127)
Support services		(15,400)	(5,600)	($457,942)		
Program services		(3,600)		(201,216)		
Security and safety		(1,800)		(685,203)		
Roughrider industries		(6,150)	(1,400)			
Total all funds	($539,264)	($39,008)	($15,400)	($1,344,361)	($57,450)	($382,127)
Less estimated income		(10,920)	(1,400)			60,000
General fund	($539,264)	($28,088)	($14,000)	($1,344,361)	($57,450)	($442,127)
FTE	0.00	0.00	0.00	0.00	0.00	(1.00)

	REDUCE SUPPORT SERVICES [7]	REDUCE SECURITY AND SAFETY [8]	REMOVE CAPITAL PROJECTS [9]	REMOVE FTE AND OPERATING EXPENSES FOR WOMEN'S UNIT [10]	ADD FUNDING FOR CONTRACT INMATE HOUSING [11]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services						($597,464)
Community offender services						(401,835)
Support services	($489,743)		($5,703,000)	($414,432)		(7,086,117)
Program services				(102,505)		(307,321)
Security and safety		($5,000)		(524,130)	$1,101,640	(114,493)
Roughrider industries						(7,550)
Total all funds	($489,743)	($5,000)	($5,703,000)	($1,041,067)	$1,101,640	($8,514,800)
Less estimated income			(1,400,000)			(1,352,320)
General fund	($489,743)	($5,000)	($4,303,000)	($1,041,067)	$1,101,640	($7,162,480)
FTE	0.00	0.00	0.00	(22.50)	0.00	(23.50)

1 Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,264 to $1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital, the same as the House version.

2 The Senate version for the Adult Services Division included funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,500 to $3,500 per computer. This amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers, the same as the House version.

3 The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division, the same as the House version.

4 Funding is provided by the Conference Committee for the proposed seriously mentally ill (SMI) unit only for the last nine months of the biennium as follows:

	SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE VERSION
Total general fund	$2,437,797	$0	$1,093,436
FTE	28.00	0.00	28.00

5 The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($10,000)		($10,000)
Compensation rate increase for Parole Board members from $62.50 to $75 per day	2,550		2,550
Total change from Senate version	($7,450)	$0	($7,450)

6 The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		($14,000)		($14,000)

Operating expenses		(257,000)		(257,000)
Funding source change (additional supervision fees)		($60,000)	$60,000	
Remove parole officer II position				
Salaries and wages	(1.00)	(78,755)		(78,755)
Operating expenses		(32,372)		(32,372)
Total reduction relating to new positions	(1.00)	($111,127)		($111,127)
Total change from Senate version	(1.00)	($442,127)	$60,000	($382,127)

Compared to the House version, this amendment restores $150,000 from the general fund to this line item.

7 The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	($6,000)		($6,000)
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious diseases	91,375		91,375
Other equipment	(100,000)		(100,000)
Capital improvements - Penitentiary parking lot	(403,118)		(403,118)
Capital improvements - Extraordinary repairs	(100,000)		(100,000)
Total change from Senate version	($489,743)	$0	($489,743)

8 The security and safety line item is reduced to reflect a $5,000 reduction in operating expenses.

9 Funding is removed for the following capital projects:

	GENERAL FUND	OTHER FUNDS	TOTAL
Missouri River Correctional Center - Food service building	($1,983,000)		($1,983,000)
Women's unit	(2,320,000)	($1,400,000)	(3,720,000) [a]
Total change from Senate version	($4,303,000)	($1,400,000)	($5,703,000)

a Contingent funding of $3.85 million is added for construction of the women's unit (see footnote 11 below).

10 Funding is removed for the proposed women's unit as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	($585,457)		($585,457)
Operating expenses	(421,815)		(421,815)
Equipment	(33,795)		(33,795)
Total change from Senate version	($1,041,067)	$0	($1,041,067)

11 The Senate version included $2,452,276 for housing inmates at county or out-of-state correctional facilities. This amendment increases that amount to $3,553,915. The House had increased the Senate version by $196,105.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$1,281,245	$1,281,357	($126,000)	$1,155,357	$1,075,871	$79,486
Operating expenses	171,447	171,447		171,447	152,062	19,385
Equipment	80,850	80,850	(15,100)	65,750	57,750	8,000
Total all funds	$1,533,542	$1,533,654	($141,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160		11,160	11,160	
General fund	$1,522,382	$1,522,494	($141,100)	$1,381,394	$1,274,523	$106,871
FTE	10.00	10.00	0.00	10.00	9.00	1.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of Conference Committee Changes

	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REMOVE FUNDING FOR COMPUTER SERVER [3]
Salaries and wages	($1,000)	($125,000)		

Operating expenses				
Equipment			($6,300)	($6,000)
Total all funds	($1,000)	($125,000)	($6,300)	($6,000)
Less estimated income				
General fund	($1,000)	($125,000)	($6,300)	($6,000)
FTE	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [4]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($126,000)
Operating expenses		
Equipment	($2,800)	(15,100)
Total all funds	($2,800)	($141,100)
Less estimated income		
General fund	($2,800)	($141,100)
FTE	0.00	0.00

[1] The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. This amendment removes this funding, the same as the House version.

[2] The Senate version for the Central Office included funding for nine new desktop computers, budgeted at a cost of $2,100 per computer. This amendment reduces the budgeted price per computer to $1,400, the same as the House version.

[3] The Senate version for the Central Office included funding to replace three computer servers, one at a price of $25,000 and two at $14,000. This amendment removes funding for one of the $14,000 servers, the same as the House version.

[4] The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Compared to the House version, this amendment restores one FTE data processing position and related operating expenses ($87,671) and other operating expenses ($11,000).

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$10,819,873	$10,819,873	($172,375)	$10,647,498	$10,647,498	
Operating expenses	4,930,382	5,031,382	(113,975)	4,917,407	4,891,907	$25,500
Equipment	217,050	217,050	(68,350)	148,700	119,700	29,000
Capital improvements	707,747	707,747		707,747	671,427	36,320
Grants	4,413,677	4,413,677		4,413,677	4,413,677	
Total all funds	$21,088,929	$21,189,929	($354,700)	$20,835,229	$20,744,409	$90,820
Less estimated income	7,762,275	7,863,275	(38,200)	7,825,075	7,825,075	
General fund	$13,326,654	$13,326,654	($316,500)	$13,010,154	$12,919,334	$90,820
FTE	120.43	120.43	0.00	120.43	120.43	0.00

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of Conference Committee

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS [1]	REDUCE OPERATING EXPENSES [2]	REDUCE EQUIPMENT [3]	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES [4]	REDUCE BUDGETED COMPUTER PRICES [5]
Salaries and wages	($41,000)			($40,000)	($91,375)	
Operating expenses		($113,975)				
Equipment			($5,000)			($43,750)
Capital improvements						
Grants						
Total all funds	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($43,750)
Less estimated income						(25,600)
General fund	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($18,150)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [6]	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($172,375)
Operating expenses		(113,975)
Equipment	($19,600)	(68,350)
Capital improvements		
Grants		
Total all funds	($19,600)	($354,700)
Less estimated income	(12,600)	(38,200)
General fund	($7,000)	($316,500)
FTE	0.00	0.00

[1] The Senate version included one FTE security officer I for the Youth Correctional Center and one FTE administrative assistant I for the Juvenile Community Services Division. This amendment reduces the salaries and wages line item by $41,000 ($12,000 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the new positions, the same as the House version.

[2] The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($55,000)		($55,000)
JCS Division - Juvenile transportation costs (SB 2220 with House amendments)	(41,475)		(41,475)
YCC - Administration	(7,500)		(7,500)
YCC - Education	(10,000)		(10,000)
Total change from Senate version	($113,975)	$0	($113,975)

The House had reduced these items by $139,475.

[3] This amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,729 to $49,729. The House had reduced this by $34,000.

[4] The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division. This amendment reduces this amount to $200,000, the same as the House version.

[5] The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,200 per desktop and $3,000 per laptop. This amendment reduces the budgeted prices to $1,400 per desktop and $1,750 per laptop, the same as the House version.

[6] The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division, the same as the House version.

This amendment does not reduce funding for heating plant improvements at the Youth Correctional Center. The House version had reduced this item by $36,320 from the general fund.

This amendment removes the following sections included in the House amendment:

- The section which provided that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- The section which authorized the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- The section which provided that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.

This amendment also adds the following sections:

- Section 4, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 5, which directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.
- Section 6, which provides an appropriation of $200,000 to the Legislative Council for a study.

- Section 7, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

- Section 8, which directs the department to report to the Appropriations Committees of the Fifty-eighth Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.

- Section 9, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.

- Section 10, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.

- Section 12, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.

- Sections 11 and 13, which amend NDCC Sections 12.1-32-08 and 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to initiate a claim for relief to recover funds from a collateral source.

Date: 4-29-01

Roll Call Vote #: 1

2001 CONFERENCE COMMITTEE ROLL CALL VOTES
BILL/RESOLUTION NO. SB 2016

CONFERENCE COMMITTEE-Department of Corrections & Rehabilitation
Central Office, Juvenile Services, Adult Services

Legislative Council Amendment Number 1804.0221.

☒ recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE from)
the (Senate/House) amendments on (SJ/HJ) page(s) 1205 - 1213

☐ having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

Action Taken Adopt Amend

Motion Made By Senator/Representative Robinson Seconded By Senator/Representative Representative Svedjan

Senators	Yes	No	Representative	Yes	No
Senator Nething	✓		Representative Svedjan	✓	
Senator Kringstad	✓		Representative Delzer	✓	
Senator Robinson	✓		Representative Warner	✓	

Total Yes 6 No 0 Absent 0

- Add a section to the bill to provide a conditional exemption for state property from city special assessments for flood control (Section 17).

- Create a new section to the North Dakota Century Code (NDCC) which requires the Office of Management and Budget, in conjunction with the Information Technology Department, to complete a cost-benefit analysis for each new building construction project requested in state agency budget requests and report on the cost-benefit analyses for those projects included in the Governor's budget to the Legislative Assembly (Section 28).

This amendment also adds the following provisions:

- Section 2 provides a $125,000 general fund appropriation to the Department of Human Services for the Indian county allocation.

- Section 16 provides a transfer of $160,000 from the state contingency appropriation of the Emergency Commission to the Adjutant General for expenses relating to 2001 spring flood prevention.

- Section 18 provides that members of the Legislative Assembly may receive additional lodging reimbursement for each calendar day the 2001 Legislative Assembly is in session during the month of April 2001.

- Section 19 authorizes Devils Lake levee protection funding.

- Section 20 provides for the elimination of deputy positions in any agency with fewer than 30 FTE positions in the 2003-05 biennium.

- Section 21 allows the University of North Dakota to forgive the amount of debt owed by the Fargo Family Healthcare Center of $395,000 with Budget Section approval.

- Section 22 provides for a Legislative Council study of health insurance company benefit limitations.

- Section 23 amends NDCC Section 6-08.3-13 relating to interstate banking.

- Section 24 creates a new section to Chapter 15-10 of the NDCC relating to local fund sources for capital construction projects.

- Section 25 amends NDCC Section 50-01.2-03.2 to provide that funds be allocated at 90 percent of the affected county's administrative expenses for economic assistance programs that are in excess of the statewide average.

- Section 26 amends NDCC Section 54-16-01 relating to the membership of the Emergency Commission.

- Section 27 amends NDCC Section 54-23.2-09 relating to the provision of 911 services by the State Radio Communications Division of the Office of Management and Budget.

- Section 29 creates a new section to Chapter 55-04 of the NDCC relating to the establishment of a state entities workers' compensation account.

- Section 30 repeals Section 18 of Chapter 37 of the 1995 Session Laws and Section 12 of Chapter 15 of the 1997 Session Laws relating to the provision of 911 services by the State Radio Communications Division of the Office of Management and Budget.

Engrossed HB 1015 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. G. NELSON MOVED that the conference committee report on Engrossed HB 1015 be adopted.

REQUEST

SEN. COOK REQUESTED a recorded roll call vote on the motion to adopt the conference committee report on Engrossed HB 1015, which request was granted.

ROLL CALL

The question being on the motion to adopt the conference committee report on Engrossed HB 1015, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Andrist; Bowman; Tallackson; Watne

The conference committee report on Engrossed HB 1015 was adopted.

Engrossed HB 1015, as amended, was placed on the Fourteenth order.

SECOND READING OF HOUSE BILL

HB 1015: A BILL for an Act to provide an appropriation for defraying the expenses of the various divisions under the supervision of the director of the office of management and budget; to provide other appropriations; to provide for various transfers and financial transactions; to provide an exemption from the provisions of section 54-44.1-11 of the North Dakota Century Code; to provide statements of legislative intent; to provide a conditional exemption for certain state property from special assessments for flood control; to provide for additional lodging reimbursement for members of the legislative assembly; to provide levee protection funding authority; to provide for forgiveness of the Fargo family healthcare center debt; to provide for a legislative council study; to create and enact a new section to chapter 15-10, a new section to chapter 54-44.1, and a new section to chapter 65-04 of the North Dakota Century Code, relating to local fund sources for capital construction projects, new building construction cost-benefit analyses, and a state entities workers' compensation account; to amend and reenact section 6-08.3-13, subsection 3 of section 50-01.2-03.2, section 54-16-01, and section 54-23.2-09 of the North Dakota Century Code, relating to interstate banking, county reimbursements, membership of the emergency commission, and provision of 911 services by the state radio communications division; to repeal section 18 of chapter 37 of the 1995 Session Laws and section 12 of chapter 15 of the 1997 Session Laws, relating to the provision of 911 services by the state radio communications division; to provide an expiration date; and to declare an emergency.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Wanzek; Wardner

ABSENT AND NOT VOTING: Andrist; Bowman; Tallackson; Watne

Engrossed HB 1015, as amended, passed, the title was agreed to, and the emergency clause was declared carried.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report, subsequently passed, and the emergency clause carried: HB 1015.

REPORT OF CONFERENCE COMMITTEE

SB 2016, as engrossed: Your conference committee (Sens. Nething, Kringstad, Robinson and Reps. Svedjan, Delzer, Warner) recommends that the HOUSE RECEDE from the House amendments on SJ pages 1205-1213, adopt amendments as follows, and place SB 2016 on the Seventh order:

That the House recede from its amendments as printed on pages 1205-1213 of the Senate Journal and pages 1293-1301 of the House Journal and that Engrossed Senate Bill No. 2016 be amended as follows:

Page 1, line 2, replace the second "and" with "to provide legislative intent;"

Page 1, line 3, after "study" insert "; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation; and to amend and reenact section 12-59-02, subsection 1 of section 12.1-32-08, and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members, indigent defense costs and expenses, and crime victims compensation subrogation"

Page 1, line 13, replace "1,281,357" with "1,155,357"

Page 1, line 15, replace "80,850" with "65,750"

Page 1, line 16, replace "1,533,654" with "1,392,554"

Page 1, line 18, replace "1,522,494" with "1,381,394"

Page 1, line 21, replace "10,819,873" with "10,647,498"

Page 1, line 22, replace "5,031,382" with "4,917,407"

Page 1, line 23, replace "217,050" with "148,700"

Page 2, line 2, replace "21,189,929" with "20,835,229"

Page 2, line 3, replace "7,863,275" with "7,825,075"

Page 2, line 4, replace "13,326,654" with "13,010,154"

Page 2, line 8, replace "4,460,612" with "3,863,128"

Page 2, line 9, replace "11,755,705" with "11,353,873"

Page 2, line 10, replace "28,600,319" with "21,514,202"

Page 2, line 11, replace "4,086,082" with "3,778,761"

Page 2, line 12, replace "25,092,023" with "24,977,530"

Page 2, line 13, replace "10,849,840" with "10,842,290"

Page 2, line 14, replace "88,268,147" with "79,753,347"

Page 2, line 15, replace "18,649,184" with "17,296,864"

Page 2, line 16, replace "69,618,963" with "62,456,483"

Page 2, line 17, replace "84,468,111" with "77,048,031"

Page 2, line 18, replace "26,523,619" with "25,133,099"

Page 2, line 19, replace "110,890,730" with "102,181,130"

Page 2, remove lines 23 through 26

Page 3, replace lines 4 through 12 with:

"**SECTION 4. DEPARTMENT OF CORRECTIONS AND REHABILITATION - LEGISLATIVE COUNCIL STUDY AND REPORTS.** During the 2001-02 interim, the legislative council shall consider studying wages paid to inmates sentenced to the state correctional system and the various deductions from those wages, including methods used to determine rates of pay; actual wages paid to inmates; deductions from inmate wages; and the effect deductions for incarceration costs, facility operation costs, and capital improvement costs have on inmate payments for child support and restitution. The legislative council shall report its findings and recommendations, together with any

legislation required to implement the recommendations, to the fifty-eighth legislative assembly.

SECTION 5. DEPARTMENT OF CORRECTIONS AND REHABILITATION - FACILITY AND OPERATIONS - LEGISLATIVE COUNCIL STUDY. The legislative council shall study, during the 2001-02 interim, the facilities and operations of the department of corrections and rehabilitation and report its findings and recommendations, together with any legislation required to implement the recommendations, to the fifty-eighth legislative assembly. The study must include the use of consultant services as determined by the legislative council. The study must include the following:

1. An analysis and evaluation of all facilities currently used by the department of corrections and rehabilitation and all facilities currently used by the state hospital which may at some time be used by the department, including:
   a. The age, condition, and adequacy of each facility.
   b. The operational efficiency of each facility, including utility costs and staffing needs.
   c. Modifications, if any, required to allow the department to meet the various needs of adult offenders.
2. An analysis and evaluation of future facility needs, including:
   a. The types of facilities needed to serve adult offenders.
   b. The most appropriate location for the department's various facilities, considering:
      (1) The operational inefficiencies of maintaining multiple facilities.
      (2) The administrative benefits of having multiple facilities in which to place offenders.
      (3) The availability of education, treatment, and work programs for inmates.
3. An analysis and evaluation of the staffing needs of the department, including:
   a. Current staff utilization and needs at each facility.
   b. Availability of potential employees in each region in which the department operates or may operate a correctional facility.
4. An analysis and evaluation of the anticipated need for additional prison beds, considering the following:
   a. The impact of changes in sentencing laws.
   b. The impact of programs that provide alternatives to conventional incarceration.
   c. Trends in occurrence and types of crime committed in the state.
   d. The utilization and availability of existing and proposed county or regional correctional facilities.
   e. The utilization and availability of existing and proposed private correctional facilities.
5. A cost-benefit analysis of the department's current and proposed programs, considering:
   a. The effect on recidivism.
   b. The necessity and effectiveness of providing rehabilitation and treatment services.

c. The availability of rehabilitation and treatment services which could be provided by entities or agencies other than the department, including regional human service centers.

SECTION 6. APPROPRIATION. There is appropriated out of any moneys in the general fund in the state treasury, not otherwise appropriated, the sum of $200,000, or so much of the sum as may be necessary, to the legislative council for the biennium beginning July 1, 2001, and ending June 30, 2003, for the purpose of contracting with a consultant to conduct the study as provided in section 5 of this Act.

SECTION 7. FEDERAL FUNDING REDUCTIONS - BUDGET SECTION APPROVAL. If, during the biennium beginning July 1, 2001, and ending June 30, 2003, the federal government reduces funding below the level anticipated by the fifty-seventh legislative assembly for any programs administered by the department of corrections and rehabilitation, the department may not supplant the federal funds with general or special fund moneys without first obtaining the approval of the budget section of the legislative council. The department's budget request for the biennium beginning July 1, 2003, and ending June 30, 2005, must identify any programs for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.

SECTION 8. OPERATION OF "PRERELEASE" AND "DUI OFFENDER TREATMENT" PROGRAMS - REPORT TO THE FIFTY-EIGHTH LEGISLATIVE ASSEMBLY. During the biennium beginning July 1, 2001, and ending June 30, 2003, the department of corrections and rehabilitation shall monitor the operation of the programs known as the "prerelease center" and the "DUI offender treatment center" authorized by the fifty-seventh legislative assembly. The department shall present a report to the appropriations committees of the fifty-eighth legislative assembly regarding the operation of the programs, including the impact of the programs on recidivism rates; the cost-effectiveness of the programs; the success of the programs; the ability to collect fees, if any, from the participating inmates; and a comparison of the costs and benefits of the "prerelease center" and the "DUI offender treatment center" to other forms of treatment or incarceration.

SECTION 9. LEGISLATIVE INTENT - FUNDING FOR DRUG COURT PROGRAM. It is the intent of the fifty-seventh legislative assembly that the department of corrections and rehabilitation seek federal funding to support the drug court program during the biennium beginning July 1, 2001, and ending June 30, 2003. If federal funds do not become available to the department to support the program, special funds derived from other income of the department may be used to fund the program. If federal funds become available during the biennium, the department must use the federal funds, and any required matching funds to be provided from special funds, to fund the program for the remainder of the biennium before funds from any other source are used for this purpose. Special fund moneys not used for the drug court program pursuant to this section must be used in place of general fund moneys appropriated by the fifty-seventh legislative assembly for other programs operated by the department.

SECTION 10. AMENDMENT. Section 12-59-02 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

12-59-02. Meetings - Compensation - Rules. The governor shall appoint a member of the parole board to be chairman. The chairman of the parole board shall designate three members of the parole board for each meeting of the parole board. Meetings of the parole board must be held in accordance with rules established by the parole board and must be held as often as required to properly conduct the business of the board, but in any event not less than six times per year. The parole board may only take action upon the concurrence of at least two members who participated in the same meeting. The final decision of at least two parole board members who participated in the same parole board meeting constitutes the decision of the parole board. Members are entitled to be compensated at the rate of ~~sixty-two~~ seventy-five dollars ~~and fifty cents~~ per day for each day actually and necessarily spent in the performance of their duties as board members plus the same mileage and expenses as are authorized for state officials and employees. The director of the division of parole and probation, or the director's designee, is the clerk for the parole board.

SECTION 11. AMENDMENT. Subsection 1 of section 12.1-32-08 of the North Dakota Century Code is amended and reenacted as follows:

1. ~~Prior to~~ Before imposing restitution or reparation as a sentence or condition of probation, the court shall hold a hearing on the matter with notice to the prosecuting attorney and to the defendant as to the nature and amount thereof. The court, when sentencing a person adjudged guilty of criminal activities~~which that~~ have resulted in pecuniary damages, in addition to any other sentence it may impose, shall order that the defendant make restitution to the victim or other recipient as determined by the court, unless the court states on the record, based upon the criteria in this subsection, the reason it does not order restitution or orders only partial restitution. In determining whether to order restitution, the court shall take into account:

   a. The reasonable damages sustained by the victim or victims of the criminal offense, which damages ~~must be~~ are limited to those directly related to the criminal offense and expenses actually incurred as a direct result of the defendant's criminal action. This can include an amount equal to the cost of necessary and related professional services and devices relating to physical, psychiatric, and psychological care. The defendant may be required as part of the sentence imposed by the court to pay the prescribed treatment costs for a victim of a sexual offense as defined in chapters 12.1-20 and 12.1-27.2.

   b. The ability of the defendant to restore the fruits of the criminal action or to pay monetary reparations, or to otherwise take action to restore the victim's property.

   c. The likelihood that attaching a condition relating to restitution or reparation will serve a valid rehabilitational purpose in the case of the particular offender considered.

   The court shall fix the amount of restitution or reparation, which may not exceed an amount the defendant can or will be able to pay, and shall fix the manner of performance of any condition or conditions of probation established pursuant to this subsection. The court may shall order restitution be paid to the division of ~~parole and probation~~ adult services for any benefits ~~it~~ the division has paid or may pay under chapter 54-23.4 unless the court, on the record, directs otherwise. Any payments made pursuant to ~~such~~ the order must be deducted from damages awarded in a civil action arising from the same incident. An order that a defendant make restitution or reparation as a sentence or condition of probation may, unless the court directs otherwise, be filed, transcribed, and enforced by the person entitled to the restitution or reparation or by the division of adult services in the same manner as civil judgments rendered by the courts of this state may be enforced.

SECTION 12. A new section to chapter 54-23.3 of the North Dakota Century Code is created and enacted as follows:

Reports regarding new programs. Notwithstanding the powers granted under section 54-23.3-04, the director of the department of corrections and rehabilitation may not authorize any new program to serve adult or juvenile offenders, including programs that provide alternatives to conventional incarceration and programs operated on a contract basis, if the program is anticipated to cost in excess of one hundred thousand dollars during the biennium in which the program is implemented or any subsequent biennium without first reporting to the legislative assembly or, if the legislative assembly is not in session, the budget section of the legislative council.

SECTION 13. AMENDMENT. Subsection 2 of section 54-23.4-12 of the 1999 Supplement to the North Dakota Century Code is amended and reenacted as follows:

2. ~~Prior to~~ Before bringing an action to recover damages related to criminally injurious conduct for which compensation is claimed or awarded, the claimant shall give the division written notice of the proposed action. If a claimant brings an action for the recovery of damages related to criminally injurious conduct for which compensation is claimed or awarded, the division is subrogated to the rights of the claimant up to the total amount the division has paid. When there has been a recovery of damages, the costs of the action, to be paid by the division from the recovery, exclusive of attorney's fees, must be prorated and adjusted on the percentage of the total subrogation interest of the division recovered to the total recovery. If

there is a recovery, the division shall pay attorney's fees to the claimant's attorney from the recovery in the amount of twenty-five percent of the subrogation interest recovered. For purposes of this section, recovery includes proceeds paid pursuant to a settlement, confession of judgment, or judgment of a court. The division may intervene in the action to recover compensation awarded. The division has a lien on a recovery to the extent it has paid compensation. The division is not liable for costs or attorney's fees when the claimant has not provided the division prior written notice of the commencement of an action. If a claimant does not bring an action for damages within six months from the date the division awarded benefits, the division may bring an action or claim for relief in the division's name and may retain as the division's subrogation interest the full amount the division has paid in compensation and benefits to a claimant. The division may bring an action within two years from the date the division first awarded benefits, notwithstanding any other statute of limitation. This section does not limit the claimant's right to bring an action to recover for other damages."

Renumber accordingly

STATEMENT OF PURPOSE OF AMENDMENT:

Senate Bill No. 2016 - Summary of Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Legislative Council						
Total all funds	$0	$0	$200,000	$200,000	$0	$200,000
Less estimated income	0	0	0	0	0	0
General fund	$0	$0	$200,000	$200,000	$0	$200,000
Department of Corrections and Rehabilitation - Adult Services						
Total all funds	$86,263,147	$86,268,147	($8,514,800)	$79,753,347	$77,427,001	$2,326,346
Less estimated income	16,649,184	16,649,184	(1,352,320)	17,296,864	17,296,864	0
General fund	$69,613,963	$69,618,963	($7,162,480)	$62,456,483	$60,130,137	$2,326,346
Department of Corrections and Rehabilitation - Central Office						
Total all funds	$1,533,542	$1,533,854	($141,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160	0	11,160	11,160	0
General fund	$1,522,382	$1,522,694	($141,100)	$1,381,394	$1,274,523	$106,871
Department of Corrections and Rehabilitation - Juvenile Services						
Total all funds	$21,088,928	$21,188,928	($354,700)	$20,835,228	$20,744,408	$90,820
Less estimated income	7,782,275	7,882,275	(88,200)	7,825,075	7,825,075	0
General fund	$13,306,654	$13,306,654	($316,500)	$13,010,154	$12,919,334	$90,820
Bill Total						
Total all funds	$110,880,618	$110,991,730	($8,810,600)	$102,181,130	$99,457,093	$2,724,037
Less estimated income	25,522,619	25,522,619	(1,390,520)	25,133,099	25,133,099	0
General fund	$85,357,999	$85,469,111	($7,420,080)	$77,048,031	$74,323,994	$2,724,037

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Adult Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$7,073,227					
Operating expenses	9,222,935					
Equipment	63,102					
Grants	3,280,819					
Victims services		$3,423,566		$3,423,566	$3,415,066	$8,500
Institutional offender services		4,460,612	($597,484)	3,863,128	3,863,128	0
Community offender services		11,755,705	(401,835)	11,353,870	11,203,870	150,000
Support services	28,600,319	28,600,319	(7,086,117)	21,514,202	20,905,566	608,636
Program services	4,086,082	4,086,082	(307,321)	3,778,761	3,619,457	159,304
Security and safety	25,082,023	25,082,023	(114,493)	24,977,530	23,577,624	1,399,906
Roughrider industries	10,849,849	10,849,849	(7,550)	10,842,299	10,842,299	0
Total all funds	$86,268,147	$86,268,147	($8,514,800)	$79,753,347	$77,427,001	$2,326,346
Less estimated income	16,649,184	16,649,184	(1,352,320)	17,296,864	17,296,864	0
General fund	$69,618,963	$69,618,963	($7,162,480)	$62,456,483	$60,130,137	$2,326,346
FTE	508.25	508.25	(23.50)	484.75	456.75	28.00

Dept. 519 - Department of Corrections and Rehabilitation - Adult Services - Detail of Conference Committee Changes

	REDUCE FUNDING FOR DUI OFFENDER TREATMENT PROGRAM [1]	REDUCE BUDGETED COMPUTER PRICES [2]	REDUCE NUMBER OF NEW DESKTOP COMPUTERS [3]	REDUCE FUNDING FOR Shift Unit [4]	REDUCE INSTITUTIONAL OFFENDER SERVICES [5]	REDUCE COMMUNITY OFFENDER SERVICES [6]
Salaries and wages						
Operating expenses						
Equipment						
Capital improvements						
Grants						
Victims services						
Institutional offender services	($539,284)	($750)			[illegible]	
Community offender services		(11,306)	($8,460)			[illegible]
Support services		(15,400)	(5,600)	($457,942)		
Program services		($3,600)		(203,746)		
Security and safety		(1,800)		($85,203)		
Roughrider industries		(6,750)	(1,400)			
Total all funds	($539,284)	($39,606)	($15,460)	($1,344,361)	[illegible]	[illegible]
Less estimated income		(10,520)	(1,400)			[illegible]
General fund	($539,284)	($29,086)	($14,060)	($1,344,361)	[illegible]	[illegible]
FTE	0.00	0.00	0.00	0.00	0.00	[illegible]

	REDUCE SUPPORT SERVICES [7]	REDUCE SECURITY AND SAFETY [8]	REMOVE CAPITAL PROJECTS [9]	REMOVE FTE AND OPERATING EXPENSES FOR WORKERS Unit 10	ADD FUNDING FOR CONTRACT BEMAP HOUSING [10]	FINAL CONFERENCE COMMITTEE Changes
Salaries and wages						[illegible]
Operating expenses						[illegible]
Equipment						[illegible]
Capital improvements						[illegible]
Grants						[illegible]
Victims services						[illegible]
Institutional offender services						[illegible]
Community offender services						[illegible]
Support services	($488,743)		($5,703,000)	($414,432)		[illegible]
Program services				(102,545)		[illegible]
Security and safety		($5,000)		(524,109)	$1,101,640	[illegible]
Roughrider industries						[illegible]
Total all funds	($488,743)	($5,000)	($5,703,000)	($1,041,087)	$1,101,640	[illegible]
Less estimated income			(1,400,000)			[illegible]
General fund	($488,743)	($5,000)	($4,303,000)	($1,041,087)	$1,101,640	[illegible]
FTE	0.00	0.00	0.00	(22.50)	0.00	[illegible]

[1] Funding for the DUI offender treatment program, which will be operated on a contract basis with the State Hospital, is reduced from $2,139,384 to $1,600,000 to reflect a reduction in administrative cost allocation charged by the State Hospital, the same as the House version.

[2] The Senate version for the Adult Services Division adjusted funding for 47 new desktop computers budgeted at various prices ranging from $1,914 to $2,300 per computer and six new laptop computers budgeted at various prices ranging from $2,500 to $3,580 per computer. This amendment reduces the price per computer to $1,400 for desktop computers and $1,750 for laptop computers, the same as the House version.

[3] The total number of new desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 47 to 34 for the Adult Services Division, the same as the House version.

[4] Funding is provided by the Conference Committee for the proposed temporary mentally ill (Shift) unit only, for the last nine months of the biennium as follows:

	SENATE VERSION	HOUSE VERSION	CONFERENCE COMMITTEE VERSION
Total general fund	$2,437,797	$0	$1,093,436
FTE	28.00	0.00	28.00

[5] The institutional offender services line item is adjusted for the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Operating expenses	($10,000)		($10,000)
Compensation class increase for Parole Board members from $62.50 to $75 per day	2,550		2,550
Total change from Senate version	($7,450)	$0	($7,450)

[6] The community offender services line item is reduced to reflect the following changes:

	FTE	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries		$14,000		$14,000

Operating expenses		(257,000)		(257,000)
Funding source change (additional supervision fees)		(80,000)	$80,000	
Remove parole officer II position				
Salaries and wages	(1.00)	(78,756)		(78,756)
Operating expenses		(32,372)		(32,372)
Total reduction relating to new positions	(1.00)	($111,127)		($111,127)
Total change from Senate version	(1.00)	($442,127)	$80,000	($362,127)

Compared to the House version, the amendment restores $150,000 from the general fund to this line item.

7 The support services line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Temporary salaries	($8,000)		($8,000)
Medical, dental, and optical expenses	30,000		30,000
Hepatitis B vaccinations and screening and treatment for other contagious diseases	91,375		91,375
Other equipment	(100,000)		(100,000)
Capital improvements - Penitentiary parking lot	(403,118)		(403,118)
Capital improvements - Extraordinary repairs	(100,000)		(100,000)
Total change from Senate version	($489,743)	$0	($489,743)

8 The security and safety line item is reduced to reflect a $5,000 reduction in operating expenses.

9 Funding is removed for the following capital projects:

	GENERAL FUND	OTHER FUNDS	TOTAL
Missouri River Correctional Center - Food service building	($1,983,000)		($1,983,000)
Women's unit	(2,320,000)	($1,400,000)	(3,720,000) 8
Total change from Senate version	($4,303,000)	($1,400,000)	($5,703,000)

8 Contingent funding of $3.85 million is added for construction of the women's unit (see footnote 11 below).

10 Funding is removed for the proposed women's unit as follows:

	GENERAL FUND	OTHER FUNDS	TOTAL
Salaries and wages	($585,457)		($585,457)
Operating expenses	(421,815)		(421,815)
Equipment	(33,795)		(33,795)
Total change from Senate version	($1,041,067)	$0	($1,041,067)

11 The Senate version included 22,452,275 for housing inmates at county or out-of-state correctional facilities. This amendment increases that amount to $3,553,915. The House had increased the Senate version by $196,105.

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Central Office - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$1,281,245	$1,281,357	($126,000)	$1,155,357	$1,075,871	$79,486
Operating expenses	171,447	171,447		171,447	152,062	19,385
Equipment	80,850	80,850	(15,100)	65,750	57,750	8,000
Total all funds	$1,533,542	$1,533,654	($141,100)	$1,392,554	$1,285,683	$106,871
Less estimated income	11,160	11,160		11,160	11,160	
General fund	$1,522,382	$1,522,494	($141,100)	$1,381,394	$1,274,523	$106,871
FTE	10.00	10.00	0.00	10.00	9.00	1.00

Dept. 530 - Department of Corrections and Rehabilitation - Central Office - Detail of Conference Committee Changes

	REDUCE FUNDING FOR TEMPORARY SALARIES	REMOVE FUNDING FOR SALARY EQUITY INCREASES 1	REDUCE BUDGETED COMPUTER PRICES 2	REMOVE FUNDING FOR COMPUTER SERVER 3
Salaries and wages	($1,000)	($125,000)		
Operating expenses				
Equipment				
Total all funds	($1,000)	($125,000)		
Less estimated income				
General fund	($1,000)	($125,000)		
FTE	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS 4	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($126,000)
Operating expenses		
Equipment	($2,880)	(15,100)
Total all funds	($2,880)	($141,100)
Less estimated income		
General fund	($2,880)	($141,100)
FTE	0.00	0.00

1 The Senate version included $125,000 for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department. This amendment removed this funding, the same as the House version.

2 The Senate version for the Central Office included funding for new data desktop computers, budgeted at a cost of $2,160 per computer. This amendment reduces the budgeted purchase price per computer to $1,680, the same as the House version.

3 The Senate version for the Central Office included funding to replace three computer servers, one at a cost of $56,000 and two at $14,000. This amendment removes funding for one of the $14,000 servers, the same as the House version.

4 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 106 to 77. The number of budgeted desktop computer purchases is reduced from nine to seven for the Central Office.

Compared to the House version, this amendment restores one FTE data processing position and related operating expenses ($97,871) and other operating expenses ($11,000).

Senate Bill No. 2016 - Department of Corrections and Rehabilitation - Juvenile Services - Conference Committee Action

	EXECUTIVE BUDGET	SENATE VERSION	CONFERENCE COMMITTEE CHANGES	CONFERENCE COMMITTEE VERSION	HOUSE VERSION	COMPARISON TO HOUSE
Salaries and wages	$10,819,873	$10,819,873	($172,375)	$10,647,498	$10,647,498	
Operating expenses	4,930,382	5,031,382	(113,975)	4,917,407	4,686,997	$230,410
Equipment	217,050	217,050	(68,350)	148,700	118,700	30,000
Capital improvements	707,747	707,747		707,747	671,427	36,320
Grants	4,413,877	4,413,877		4,413,877	4,413,877	
Total all funds	$21,088,929	$21,188,929	($354,700)	$20,834,229	$20,744,499	$89,730
Less estimated income	7,762,275	7,862,275	(38,200)	7,824,075	7,886,675	(62,600)
General fund	$13,326,654	$13,326,654	($316,500)	$13,010,154	$12,857,824	$152,330
FTE	120.43	120.43	0.00	120.43	120.43	0.00

Dept. 532 - Department of Corrections and Rehabilitation - Juvenile Services - Detail of Conference Committee

	REDUCE TEMPORARY SALARIES RELATING TO NEW POSITIONS 1	REDUCE OPERATING EXPENSES 2	REDUCE EQUIPMENT 3	REDUCE FUNDING FOR SUMMER SCHOOL PROGRAM	REDUCE FUNDING FOR TEACHER SALARY INCREASES 4	REDUCE BUDGETED COMPUTER PRICES 5
Salaries and wages	($41,000)			($40,000)	($91,375)	
Operating expenses		($113,975)				($43,750)
Equipment			($5,000)			
Capital improvements						
Grants						
Total all funds	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($43,750)
Less estimated income						($5,000)
General fund	($41,000)	($113,975)	($5,000)	($40,000)	($91,375)	($38,750)
FTE	0.00	0.00	0.00	0.00	0.00	0.00

	REDUCE NUMBER OF NEW DESKTOP COMPUTERS 6	TOTAL CONFERENCE COMMITTEE CHANGES
Salaries and wages		($172,375)
Operating expenses		(113,975)
Equipment	($2,880)	(68,350)
Capital improvements		
Grants		
Total all funds	($2,880)	($354,700)
Less estimated income		(38,200)
General fund	($2,880)	($316,500)
FTE	0.00	0.00

Salaries and wages		($172,375)
Operating expenses		(113,975)
Equipment	($19,600)	(68,350)
Capital improvements		
Grants		
Total all funds	($19,600)	($354,700)
Less estimated income	(12,600)	(38,200)
General fund	($7,000)	($316,500)
FTE	0.00	0.00

1 The Senate version reduced one FTE security officer I for the Youth Correctional Center and one FTE administrative assistant I for the Juvenile Community Services Division. This amendment reduces the salaries and wages line item by $41,000 ($12,000 for Juvenile Community Services and $29,000 for the Youth Correctional Center) to reflect an anticipated reduction in the need for temporary employees as a result of the nine positions, the same as the House version.

2 The Juvenile Services Division operating expenses line item is reduced to reflect the following changes:

	GENERAL FUND	OTHER FUNDS	TOTAL
Juvenile Community Services (JCS) Division - Various reductions	($65,000)		($65,000)
JCS Division - Juvenile transportation costs (SB 2228 with House amendments)	(41,475)		(41,475)
YCC - Administration	(7,500)		(7,500)
YCC - Education	(10,000)		(10,000)
Total change from Senate version	($113,975)	$0	($113,975)

The House had reduced these items by $138,475.

3 This amendment reduces the amount appropriated to the Youth Correctional Center for "other" equipment from $54,729 to $49,729. The House had reduced this by $54,000.

4 The Senate version for the Juvenile Services Division included $291,375 for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to a composite salary schedule developed by the Central Personnel Division. This amendment reduces this amount to $800,000, the same as the House version.

5 The Senate version for the Juvenile Services Division included funding for the purchase of 50 new desktop computers and three new laptop computers, budgeted at a price of $2,266 per desktop and $3,000 per laptop. This amendment reduces the budgeted prices to $1,400 per desktop and $1,750 per laptop, the same as the House version.

6 The total number of desktop computers budgeted to be replaced by the Department of Corrections and Rehabilitation is reduced by approximately 27 percent, from 108 to 77, the same as the House version. The number of budgeted desktop computer purchases is reduced from 50 to 36 for the Juvenile Services Division, the same as the House version.

This amendment does not reduce funding for heating plant improvements at the Youth Correctional Center. The House version had reduced this item by $36,320 from the general fund.

This amendment removes the following sections included in the House amendment:

- The section which provided that any moneys budgeted by the Youth Correctional Center for teacher contracts for the summer education program but not spent for that purpose must be returned to the general fund at the end of the 2001-03 biennium.
- The section which authorized the department to transfer funds between the subdivisions and program line items included in the bill for the purpose of providing for computer purchases.
- The section which provided that any moneys budgeted for the operation of the prerelease center but not spent for that purpose may not be used for any other purpose except contracting for inmate housing.

This amendment also adds the following sections:

- Section 4, which directs the Legislative Council to consider studying issues relating to inmate wages and various deductions from those wages.
- Section 5, which directs the Legislative Council to consider studying the facility needs of the Department of Corrections and Rehabilitation.
- Section 6, which provides an appropriation of $200,000 to the Legislative Council for a study.

- Section 7, which provides that if federal funding is reduced during the 2001-03 biennium, the department may not supplant the federal funds with general or special funds. The department must also identify any programs included in its 2003-05 biennium budget request for which general or special fund appropriation authority is requested to replace federal funds previously available for the program.
- Section 8, which directs the department to report to the Appropriations Committees of the Fifty-seventh Legislative Assembly on the effectiveness of the prerelease and DUI offender treatment programs.
- Section 9, which provides legislative intent that the department seek federal funding for the drug court program. If federal funds become available, the department must spend the federal funds in place of the special funds appropriated for the program; the special funds appropriation for the program must then be used in place of general fund moneys appropriated for other programs.
- Section 10, which amends North Dakota Century Code (NDCC) Section 12-59-02 to increase the compensation rate for Parole Board members from $62.50 per day to $75 per day.
- Section 12, which creates a new section to NDCC Chapter 54-23.3 to require the department to report to the Legislative Assembly or the Budget Section before establishing any new correctional program.
- Sections 11 and 13, which amend NDCC Sections 12.1-32-08 and 54-23.4-12 to provide that if crime victims compensation is awarded, the department has the right of subrogation to initiate a claim for relief to recover funds from a collateral source.

Engrossed SB 2016 was placed on the Seventh order of business on the calendar.

CONSIDERATION OF CONFERENCE COMMITTEE REPORT

SEN. ROBINSON MOVED that the conference committee report on **SB 2016** be adopted, which motion prevailed on a voice vote.

SB 2016, as amended, was placed on the Eleventh order.

SECOND READING OF SENATE BILL

SB 2016: A BILL for an Act to provide an appropriation for defraying the expenses of the department of corrections and rehabilitation; to provide for line item transfers; to provide legislative intent; to provide for a legislative council study; to create and enact a new section to chapter 54-23.3 of the North Dakota Century Code, relating to the establishment of new programs by the director of the department of corrections and rehabilitation; and to amend and reenact section 12-59-02, subsection 1 of section 12.1-32-08, and subsection 2 of section 54-23.4-12 of the North Dakota Century Code, relating to compensation of parole board members, indigent defense costs and expenses, and crime victims compensation subrogation.

ROLL CALL

The question being on the final passage of the amended bill, which has been read, the roll was called and there were 45 YEAS, 0 NAYS, 0 EXCUSED, 4 ABSENT AND NOT VOTING.

YEAS: Bercier; Christenson; Christmann; Cook; Dever; Erbele; Espegard; Every; Fischer; Flakoll; Freborg; Grindberg; Heitkamp; Holmberg; Kelsh; Kilzer; Klein; Krauter; Krebsbach; Kringstad; Kroeplin; Lee; Lindaas; Lyson; Mathern, D.; Mathern, T.; Mutch; Nelson, C.; Nelson, G.; Nething; Nichols; O'Connell; Polovitz; Robinson; Schobinger; Solberg; Stenehjem; Thane; Tollefson; Tomac; Traynor; Trenbeath; Urlacher; Warzecha; Wardner

ABSENT AND NOT VOTING: Andrist; Bowman; Tallackson; Wayne

Reengrossed SB 2016 passed and the title was agreed to.

MESSAGE TO THE HOUSE FROM THE SENATE (WILLIAM R. HORTON, SECRETARY)

MR. SPEAKER: The Senate has adopted the conference committee report and subsequently passed: SB 2016.

2001 TESTIMONY

SB 2016

Prepared by the North Dakota Legislative Council staff for Senate Appropriations
January 15, 2001

Department 530 - Department of Corrections and Rehabilitation
Senate Bill No. 2016

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	638.68	$84,467,999	$26,422,619	$110,890,618
1999-2001 Legislative Appropriations	572.68	62,425,829	22,812,461	85,238,290[1]
Increase (Decrease)	66.00	$22,042,170	$3,610,158	$25,652,328

2001-03 Hoeven Executive Budget	638.68	$84,467,999	$26,422,619	$110,890,618
Hoeven Increase (Decrease) to Schafer	0.00	$0	$0	$0

[1]The 1999-2001 appropriation amounts include $557,366, of which $501,696 is from the general fund, for the agency's share of the $5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and $16,629, of which $14,862 is from the general fund, for the agency's share of the $1.4 million funding pool appropriated to OMB for assisting agencies in providing $35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include additional federal funds spending authority of $28,479 authorized by the Emergency Commission during the 1999-2001 biennium and additional spending authority of $691,845, of which $318,922 is from the general fund, carried over from the 1997-99 biennium for capital projects.

Major Schafer Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget

	General Fund	Other Funds	Total
Central Office			
1. Provides funding for an equity salary increase of $182 per month for the director effective January 1, 2002 (the amount included in the executive budget is $112 less than the required amount of $3,831).	$3,719		$3,719
2. Provides funding for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department.	$125,000		$125,000
3. Adds 2 FTE data processing coordinator I positions and provides the following amounts for information technology support for the department:			
Salaries and wages	$158,972		$158,972
Operating expenses	16,770		16,770
Equipment	4,200		4,200
Total recommended appropriation	$179,942		$179,942
4. Deletes a 1 FTE human services program administrator V, the department's director of treatment programs, a currently vacant position.	($115,200)		($115,200)
Juvenile Services - Youth Correctional Center			
5. Increases funding for operating expenses by 10.5 percent, from $1,963,699 to $2,170,300, to reflect the following changes:			
Funding source change from the general fund to other funds	($143,030)	$143,030	$0
Increases funding for utility costs by 11.7 percent, from $301,731 to $336,908, due in part to the Pine Cottage addition completed during the 1999-2001 biennium	35,177		35,177
Provides funding to contract for a full-time psychiatric nurse		69,056	69,056
Increases funding for operating fees and services by 82.3 percent, from $96,000 to $175,000, for contractual services provided to juveniles (e.g., haircuts, coaching fees, etc.)		79,000	79,000
Other	(4,219)	27,687	23,468
Total recommended changes	($112,072)	$318,773	$206,701

	General Fund	Other Funds	Total
6. Decreases funding for capital improvements by $1,883,180 compared to the 1999-2001 biennium appropriation of $2,049,500 to reflect the completion of the Pine Cottage addition during the 1999-2001 biennium.	$91,820	($1,975,000)	($1,883,180)
7. Provides funding for the following capital improvements at the Youth Correctional Center:			
Fire suppression systems in Brown and Maple Cottages	$101,000		$101,000
Extraordinary repairs	65,320		65,320
Total capital projects recommendation	$166,320		$166,320
8. Provides funding for bond repayments for projects completed during previous bienniums. (The bond repayment amounts will be transferred to the Industrial Commission.)	$541,427		$541,427
9. Adds 1 FTE security officer I position to provide additional night security.	$56,665		$56,665
10. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	$6,481	$331	$6,812
11. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to the salary schedule prepared by Central Personnel.	$291,375		$291,375
Juvenile Services - Juvenile Community Services Division			
12. Removes spending authority for the delinquency prevention consortium, a cooperative effort of the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction established by the 1997 Legislative Assembly to study and implement programs to prevent crime and delinquency and reduce the incarceration of juveniles.		($200,000)	($200,000)
13. Increases funding for operating expenses by 15.9 percent, from $2,380,775 to $2,760,082, to reflect increases in information technology, telecommunications, and other costs.	$163,013	$216,294	$379,307
14. Increases funding for equipment from $7,000 to $97,700 for the purchase of computers and filing systems.	($7,000)	$97,700	$90,700
15. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	$3,239	$6,768	$10,007
16. Increases funding for grants by 53.7 percent, from $2,870,900 to $4,413,877, to reflect additional federal funds available from the United States Department of Justice for grants to state and local entities for programs to serve juvenile offenders.		$1,542,977	$1,542,977
17. Adds 1 FTE administrative assistant I position and reduces temporary salaries as follows:			
Adds salaries and wages	$42,601		$42,601
Reduces temporary salaries	(12,693)		(12,693)
Total recommended change	$29,908		$29,908
Adult Services - Field Services Division (formerly Parole and Probation)			
18. Increases funding for grants by 35.2 percent, from $2,426,403 to $3,280,619 to reflect additional federal and other funds available for crime victims compensation and assistance programs.	($129,164)	$983,380	$854,216
19. Decreases funding for equipment by 42.9 percent, from $110,601 to $63,102.	($44,924)	($2,575)	($47,499)

	General Fund	Other Funds	Total
20. Adds 1 FTE parole and probation officer III and provides the following amounts for the establishment of a prerelease center. (The center will be operated on a contract basis and will house up to 50 inmates who are within six months of release. The center will provide counseling, job skills training, cognitive restructuring, and alcohol and drug abuse treatment services.)			
Salaries and wages	$98,813		$98,813
Operating expenses	1,401,648		1,401,648
Equipment	5,000		5,000
Total recommended appropriation	$1,505,461		$1,505,461
21. Provides funding for operating expenses to allow the department to contract with the State Hospital for the operation of a DUI treatment program. (The program will provide treatment services to DUI offenders with three or more offenses and will have a maximum occupancy of 25 inmates.)	$2,139,284		$2,139,284
22. Decreases general fund spending authority and increases other funds spending authority for operating expenses to reflect the collection of additional supervision fees.	($203,636)	$203,636	$0
23. Provides $1,369,655 ($1,009,655 from the general fund; $360,000 from other funds) for the operation of the Tompkins Rehabilitation and Corrections Unit, an increase of $288,455 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program to allow the department to contract with the Stutsman County jail for inmate cells and with the State Hospital for treatment services.)	$288,455		$288,455
24. Adds 4 FTE parole and probation officer II positions and provides the following amounts for additional parole and probation officers to serve the Devils Lake, Fargo, and Grand Forks areas:			
Salaries and wages	$315,020		$315,020
Operating expenses	64,744		64,744
Equipment	10,000		10,000
Total recommended appropriation	$389,764		$389,764
25. Provides $452,000 ($313,760 from the general fund; $138,240 from other funds) for the last chance program, an increase of $260,000 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program, which is an eight-bed residential facility providing cognitive restructuring, treatment, and other services to offenders in the Fargo area who would otherwise face revocation of parole or probation status and return to a Department of Corrections and Rehabilitation facility.)	$204,760	$55,240	$260,000
26. Adds 1 FTE parole and probation officer III position and provides the following amounts for the establishment of a South Central Judicial District drug court, to be funded from supervision fees collected by the department:			
Salaries and wages		$98,813	$98,813
Operating expenses		140,470	140,470
Total recommended appropriation		$239,283	$239,283
Adult Services - Prisons Division (support services, program services, security and safety, and Roughrider Industries line items)			
27. Increases funding for capital projects by $2,657,428 compared to the 1999-2001 biennium appropriation of $4,302,960 (support services and Roughrider Industries).	$3,370,959	($713,531)	$2,657,428

	General Fund	Other Funds	Total
28. Provides funding for the following capital improvements (support services and Roughrider Industries):			
Extraordinary repairs	$604,270	$250,000	$854,270
Food service/multipurpose building - Missouri River Correctional Center	1,983,000		1,983,000
Women's unit - James River Correctional Center	2,320,000	1,400,000	3,720,000
Parking lot - Penitentiary	403,118		403,118
Total adult services capital improvements	$5,310,388	$1,650,000	$6,960,388
29. Provides funding for bond repayments for projects completed during previous bienniums; the bond repayment amounts will be transferred to the Industrial Commission (support services).	$2,250,168		$2,250,168
30. Increases funding for utility costs by 8.1 percent, from $1,733,319 to $1,873,442 (support services).	$140,123		$140,123
31. Increases funding for food and clothing by 34 percent, from $1,975,850 to $2,647,657, due primarily to an anticipated increase in food costs at the Missouri River Correctional Center and Penitentiary, an anticipated decrease in government commodities received by the department, and a reallocation of costs between cost centers (support services).	$671,807		$671,807
32. Increases funding for institutional medical fees and medical, dental, and optical costs by 36.6 percent, from $2,206,419 to $3,013,599, due to increased medical costs for the treatment of inmate medical needs (support services).	$807,180		$807,180
33. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel ($140 included in support services; $87,437 included in security and safety; $17,672 included in Roughrider Industries).	$87,577	$17,672	$105,249
34. Adds 22.5 FTE positions and provides the following amounts for the operation of the proposed James River Correctional Center women's unit for the last nine months of the 2001-03 biennium:			
.5 FTE registered nurse II (support services)	$17,557		$17,557
1 FTE office assistant II (support services)	16,974		16,974
1 FTE instructor (program services)	25,855		25,855
14 FTE correctional officer II (security and safety)	343,154		343,154
1 FTE criminal investigator II (security and safety)	24,511		24,511
1 FTE correctional unit manager (security and safety)	33,183		33,183
1 FTE correctional unit case manager (security and safety)	29,799		29,799
3 FTE correctional caseworker (security and safety)	78,645		29,799
Total FTE positions - 22.5 FTE	$569,678		$569,678
Temporary salaries ($941 included in support services and $14,838 included in security and safety)	$15,779		$15,779
Operating expenses ($345,165 included in support services and $76,650 included in program services)	421,815		421,815
Equipment (support services)	33,795		33,795
Total recommended appropriation	$1,041,067		$1,041,067
35. Adds 28 FTE positions and provides the following amounts for the operation of the proposed seriously mentally ill (SMI) unit at the James River Correctional Center:			
1 FTE pharmacist I (support services)	$99,278		$99,278
3 FTE registered nurse II (support services)	227,079		227,079
1 FTE office assistant II (support services)	41,357		41,357
1 FTE licensed psychologist II (program services)	136,878		136,878
3 FTE social worker II (program services)	188,142		188,142

	General Fund	Other Funds	Total
19 FTE correctional officer II (security and safety)	1,125,921		1,125,921
Total FTE positions - 28 FTE	$1,818,655		$1,818,655
Temporary salaries ($7,133 included in support services and $33,653 included in security and safety)	$40,786		$40,786
Operating expenses ($545,206 included in support services and $15,500 included in program services)	560,706		560,706
Equipment (support services)	17,650		17,650
Total recommended appropriation	$2,437,797		$2,437,797
36. Adds .5 FTE stores clerk for the Penitentiary (support services).	$26,904		$26,904
37. Adds 1 FTE office assistant II and provides the following amounts for the medical department at the Penitentiary (support services):			
Salaries and wages	$47,631		$47,631
Operating expenses	3,195		3,195
Equipment	2,300		2,300
Total recommended appropriation	$53,126		$53,126
38. Increases funding for housing state inmates at county or out-of-state correctional facilities by 35.3 percent, from $1,812,491 to $2,452,275 (security and safety).	$639,784		$639,784
39. Provides funding for salary adjustments, in addition to the executive budget compensation package, for correctional officer positions (security and safety).	$222,528		$222,528
40. Adds 2 FTE correctional officer II positions and provides the following amounts for the Penitentiary (security and safety):			
2 FTE correctional officer II positions	$134,186		$134,186
Temporary salaries	3,720		3,720
Operating expenses	1,850		1,850
Total recommended appropriation	$139,756		$139,756
41. Provides funding for producing a general issue of license plates during the 2001-03 biennium (Roughrider Industries).		$2,500,000	$2,500,000
42. Provides funding for expansion of work programs at the James River Correctional Center (Roughrider Industries).		$500,000	$500,000
43. Adds 3 FTE positions for the operation or expansion of inmate work programs (Roughrider Industries):			
1 FTE storekeeper I		$53,809	$53,809
2 FTE industrial production assistant II		145,230	145,230
Total recommended appropriation		$199,039	$199,039

Major Hoeven Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget Compared to the Bill as Introduced (Schafer Budget)

The Hoeven budget recommendation does not change the Schafer executive budget recommendation for this agency.

Major Legislation Affecting the Department of Corrections and Rehabilitation

As of the date of this report, no major legislation has been introduced which affects this agency.

Prepared by the North Dakota Legislative Council
staff for House Appropriations
February 27, 2001

Department 530 - Department of Corrections and Rehabilitation
Senate Bill No. 2016

	FTE Positions	General Fund	Other Funds	Total
2001-03 Schafer Executive Budget	638.68	$84,467,999	$26,422,619	$110,890,618
1999-2001 Legislative Appropriations	572.68	62,425,829	22,812,461	85,238,290[1]
Increase (Decrease)	66.00	$22,042,170	$3,610,158	$25,652,328

2001-03 Hoeven Executive Budget	638.68	$84,467,999	$26,422,619	$110,890,618
Hoeven Increase (Decrease) to Schafer	0.00	$0	$0	$0

[1] The 1999-2001 appropriation amounts include $557,366, of which $501,598 is from the general fund, for the agency's share of the $5.4 million funding pool appropriated to the Office of Management and Budget (OMB) for special market equity adjustments for classified employees and $16,629, of which $14,862 is from the general fund, for the agency's share of the $1.4 million funding pool appropriated to OMB for assisting agencies in providing $35 per month minimum salary increases in July 1999 and July 2000. The 1999-2001 appropriation amounts do not include additional federal funds spending authority of $28,479 authorized by the Emergency Commission during the 1999-2001 biennium and additional spending authority of $691,845, of which $318,922 is from the general fund, carried over from the 1997-99 biennium for capital projects.

Major Schafer Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget

	General Fund	Other Funds	Total
Central Office			
1. Provides funding for an equity salary increase of $162 per month for the director effective January 1, 2002 (the amount included in the executive budget is $112 less than the required amount of $3,831). (The Senate increased this amount by $112.)	$3,719		$3,719
2. Provides funding for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department.	$125,000		$125,000
3. Adds 2 FTE data processing coordinator I positions and provides the following amounts for information technology support for the department:			
Salaries and wages	$158,972		$158,972
Operating expenses	16,770		16,770
Equipment	4,200		4,200
Total recommended appropriation	$179,942		$179,942
4. Deletes a 1 FTE human services program administrator V, the department's director of treatment programs, a currently vacant position.	($115,200)		($115,200)
Juvenile Services - Youth Correctional Center			
5. Increases funding for operating expenses by 10.5 percent, from $1,983,599 to $2,170,300, to reflect the following changes (the Senate added $101,000 from the general fund for additional operating costs associated with Senate Bill No. 2220):			
Funding source change from the general fund to other funds	($143,030)	$143,030	$0
Increases funding for utility costs by 11.7 percent, from $301,731 to $336,908, due in part to the Pine Cottage addition completed during the 1999-2001 biennium	35,177		35,177
Provides funding to contract for a full-time psychiatric nurse		69,056	69,056

	General Fund	Other Funds	Total
Increases funding for operating fees and services by 62.3 percent, from $96,000 to $175,000, for contractual services provided to juveniles (e.g., haircuts, coaching fees, etc.)		79,000	79,000
Other	(4,219)	27,667	23,468
Total recommended changes	($112,072)	$318,773	$206,701
6. Decreases funding for capital improvements by $1,883,180 compared to the 1999-2001 biennium appropriation of $2,049,500 to reflect the completion of the Pine Cottage addition during the 1999-2001 biennium. (The Senate changed the funding source for the $101,000 Brown and Maple Cottage fire suppression project from the general fund to the Penitentiary land fund.)	$91,820	($1,975,000)	($1,883,180)
7. Provides funding for the following capital improvements at the Youth Correctional Center:			
Fire suppression systems in Brown and Maple Cottages (The Senate changed the funding source for this project from the general fund to the Penitentiary land fund.)	$101,000		$101,000
Extraordinary repairs	65,320		65,320
Total capital projects recommendation	$166,320		$166,320
8. Provides funding for bond repayments for projects completed during previous bienniums. (The bond repayment amounts will be transferred to the Industrial Commission.)	$541,427		$541,427
9. Adds 1 FTE security officer I position to provide additional night security.	$56,665		$56,665
10. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	$6,481	$331	$6,812
11. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to the salary schedule prepared by Central Personnel.	$291,375		$291,375
Juvenile Services - Juvenile Community Services Division			
12. Removes spending authority for the delinquency prevention consortium, a cooperative effort of the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction established by the 1997 Legislative Assembly to study and implement programs to prevent crime and delinquency and reduce the incarceration of juveniles.		($200,000)	($200,000)
13. Increases funding for operating expenses by 15.9 percent, from $2,380,775 to $2,760,082, to reflect increases in information technology, telecommunications, and other costs. (The Senate added $101,000 to partially fund anticipated increased transportation costs for juvenile offenders as a result of Senate Bill No. 2220.)	$163,013	$216,294	$379,307
14. Increases funding for equipment from $7,000 to $97,700 for the purchase of computers and filing systems.	($7,000)	$97,700	$90,700
15. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	$3,239	$6,768	$10,007
16. Increases funding for grants by 53.7 percent, from $2,870,900 to $4,413,877, to reflect additional federal funds available from the United States Department of Justice for grants to state and local entities for programs to serve juvenile offenders.		$1,542,977	$1,542,977
17. Adds 1 FTE administrative assistant I position and reduces temporary salaries as follows:			
Adds salaries and wages	$42,601		$42,601

	General Fund	Other Funds	Total
Reduces temporary salaries	(12,693)		(12,693)
Total recommended change	$29,908		$29,908
Adult Services - Field Services Division (formerly Parole and Probation)			
18. Increases funding for grants by 35.2 percent, from $2,426,403 to $3,280,619 to reflect additional federal and other funds available for crime victims compensation and assistance programs.	($129,164)	$983,380	$854,216
19. Decreases funding for equipment by 42.9 percent, from $110,601 to $63,102.	($44,924)	($2,575)	($47,499)
20. Adds 1 FTE parole and probation officer III and provides the following amounts for the establishment of a prerelease center. (The center will be operated on a contract basis and will house up to 50 inmates who are within six months of release. The center will provide counseling, job skills training, cognitive restructuring, and alcohol and drug abuse treatment services.)			
Salaries and wages	$98,813		$98,813
Operating expenses	1,401,648		1,401,648
Equipment	5,000		5,000
Total recommended appropriation	$1,505,461		$1,505,461
21. Provides funding for operating expenses to allow the department to contract with the State Hospital for the operation of a DUI treatment program. (The program will provide treatment services to DUI offenders with three or more offenses and will have a maximum occupancy of 25 inmates.)	$2,139,284		$2,139,284
22. Decreases general fund spending authority and increases other funds spending authority for operating expenses to reflect the collection of additional supervision fees.	($203,636)	$203,636	$0
23. Provides $1,369,655 ($1,009,655 from the general fund; $360,000 from other funds) for the operation of the Tompkins Rehabilitation and Corrections Unit, an increase of $288,455 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program to allow the department to contract with the Stutsman County jail for inmate cells and with the State Hospital for treatment services.)	$288,455		$288,455
24. Adds 4 FTE parole and probation officer II positions and provides the following amounts for additional parole and probation officers to serve the Devils Lake, Fargo, and Grand Forks areas:			
Salaries and wages	$315,020		$315,020
Operating expenses	64,744		64,744
Equipment	10,000		10,000
Total recommended appropriation	$389,764		$389,764
25. Provides $452,000 ($313,760 from the general fund; $138,240 from other funds) for the last chance program, an increase of $260,000 compared to the 1999-2001 biennium appropriation. (The 1999 Legislative Assembly authorized the program, which is an eight-bed residential facility providing cognitive restructuring, treatment, and other services to offenders in the Fargo area who would otherwise face revocation of parole or probation status and return to a Department of Corrections and Rehabilitation facility.)	$204,760	$55,240	$260,000
26. Adds 1 FTE parole and probation officer III position and provides the following amounts for the establishment of a South Central Judicial District drug court, to be funded from supervision fees collected by the department:			
Salaries and wages		$98,813	$98,813

	General Fund	Other Funds	Total
Operating expenses		140,470	140,470
Total recommended appropriation		$239,283	$239,283
Adult Services - Prisons Division (support services, program services, security and safety, and Roughrider Industries line items)			
27. Increases funding for capital projects by $2,657,428 compared to the 1999-2001 biennium appropriation of $4,302,960 (support services and Roughrider Industries).	$3,370,959	($713,531)	$2,657,428
28. Provides funding for the following capital improvements (support services and Roughrider Industries):			
Extraordinary repairs	$604,270	$250,000	$854,270
Food service/multipurpose building - Missouri River Correctional Center	1,983,000		1,983,000
Women's unit - James River Correctional Center	2,320,000	1,400,000	3,720,000
Parking lot - Penitentiary	403,118		403,118
Total adult services capital improvements	$5,310,388	$1,650,000	$6,960,388
29. Provides funding for bond repayments for projects completed during previous bienniums; the bond repayment amounts will be transferred to the Industrial Commission (support services).	$2,250,168		$2,250,168
30. Increases funding for utility costs by 8.1 percent, from $1,733,319 to $1,873,442 (support services).	$140,123		$140,123
31. Increases funding for food and clothing by 34 percent, from $1,975,850 to $2,647,657, due primarily to an anticipated increase in food costs at the Missouri River Correctional Center and Penitentiary, an anticipated decrease in government commodities received by the department, and a reallocation of costs between cost centers (support services).	$671,807		$671,807
32. Increases funding for institutional medical fees and medical, dental, and optical costs by 36.6 percent, from $2,206,419 to $3,013,599, due to increased medical costs for the treatment of inmate medical needs (support services).	$807,180		$807,180
33. Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel ($140 included in support services; $87,437 included in security and safety; $17,672 included in Roughrider Industries).	$87,577	$17,672	$105,249
34. Adds 22.5 FTE positions and provides the following amounts for the operation of the proposed James River Correctional Center women's unit for the last nine months of the 2001-03 biennium:			
.5 FTE registered nurse II (support services)	$17,557		$17,557
1 FTE office assistant II (support services)	16,974		16,974
1 FTE instructor (program services)	25,855		25,855
14 FTE correctional officer II (security and safety)	343,154		343,154
1 FTE criminal investigator II (security and safety)	24,511		24,511
1 FTE correctional unit manager (security and safety)	33,163		33,163
1 FTE correctional unit case manager (security and safety)	29,799		29,799
3 FTE correctional caseworker (security and safety)	78,645		29,799
Total FTE positions - 22.5 FTE	$569,678		$569,678
Temporary salaries ($941 included in support services and $14,838 included in security and safety)	$15,779		$15,779
Operating expenses ($345,165 included in support services and $76,650 included in program services)	421,815		421,815

	General Fund	Other Funds	Total
Equipment (support services)	33,795		33,795
Total recommended appropriation	$1,041,067		$1,041,067
35. Adds 28 FTE positions and provides the following amounts for the operation of the proposed seriously mentally ill (SMI) unit at the James River Correctional Center:			
1 FTE pharmacist I (support services)	$99,278		$99,278
3 FTE registered nurse II (support services)	227,079		227,079
1 FTE office assistant II (support services)	41,357		41,357
1 FTE licensed psychologist II (program services)	136,878		136,878
3 FTE social worker II (program services)	188,142		188,142
19 FTE correctional officer II (security and safety)	1,125,921		1,125,921
Total FTE positions - 28 FTE	$1,818,655		$1,818,655
Temporary salaries ($7,133 included in support services and $33,653 included in security and safety)	$40,786		$40,786
Operating expenses ($545,206 included in support services and $15,500 included in program services)	560,706		560,706
Equipment (support services)	17,650		17,650
Total recommended appropriation	$2,437,797		$2,437,797
36. Adds .5 FTE stores clerk for the Penitentiary (support services).	$26,904		$26,904
37. Adds 1 FTE office assistant II and provides the following amounts for the medical department at the Penitentiary (support services):			
Salaries and wages	$47,631		$47,631
Operating expenses	3,195		3,195
Equipment	2,300		2,300
Total recommended appropriation	$53,126		$53,126
38. Increases funding for housing state inmates at county or out-of-state correctional facilities by 35.3 percent, from $1,812,491 to $2,452,275 (security and safety).	$639,784		$639,784
39. Provides funding for salary adjustments, in addition to the executive budget compensation package, for correctional officer positions (security and safety).	$222,528		$222,528
40. Adds 2 FTE correctional officer II positions and provides the following amounts for the Penitentiary (security and safety):			
2 FTE correctional officer II positions	$134,186		$134,186
Temporary salaries	3,720		3,720
Operating expenses	1,850		1,850
Total recommended appropriation	$139,756		$139,756
41. Provides funding for producing a general issue of license plates during the 2001-03 biennium (Roughrider Industries).		$2,500,000	$2,500,000
42. Provides funding for expansion of work programs at the James River Correctional Center (Roughrider Industries).		$500,000	$500,000
43. Adds 3 FTE positions for the operation or expansion of inmate work programs (Roughrider Industries):			
1 FTE storekeeper I		$53,809	$53,809
2 FTE industrial production assistant II		145,230	145,230
Total recommended appropriation		$199,039	$199,039

Major Hoeven Recommendations Affecting the Department of Corrections and Rehabilitation 2001-03 Budget Compared to the Bill as Introduced (Schafer Budget)

The Hoeven budget recommendation does not change the Schafer executive budget recommendation for this agency.

Major Legislation Affecting the Department of Corrections and Rehabilitation

House Bill No. 1206 - This bill requires that certain offenders in the department's custody after July 31, 2001, provide a blood or body fluid sample for the purpose of obtaining a DNA sample to be included in law enforcement identification data bases.

House Bill No. 1218 - This bill authorizes a drug court program for repeat DUI offenders.

House Bill No. 1270 - This bill enacts a new interstate compact for the supervision of adult offenders on parole or probation status.

House Bill No. 1334 - This bill eliminates minimum mandatory sentences for certain first-time drug offenses.

House Bill No. 1367 - This bill requires that most drug offenders serve at least 85 percent of the court-imposed sentence.

Senate Bill No. 2135 - This bill allows the department to collect unpaid parole and probation supervision fees in the same manner as civil judgments rendered by district court and allows the department to employ a licensed collection agency in the collection of the unpaid fees.

Senate Bill No. 2220 - This bill increases state costs for the transportation of juvenile offenders. Under current law, if a juvenile is in the legal custody of a state agency, that agency must pay the state mileage rate for the juvenile's transportation for medical examinations and treatment ordered by the court. This bill increases state costs by providing that the county reimbursement must include an additional 50 cents per mile.

Senate Bill No. 2446 - This bill requires the Department of Corrections and Rehabilitation to conduct a risk assessment of sexual offenders under the control of the department or on supervised probation.

Summary of Legislative Changes to Bill as Introduced

See attached Statement of Purpose of Amendment.

SB 2016

Department of Corrections and Rehabilitation

Prepared for the
Senate Appropriations Committee
Senate Bill Number 2016

Senator David E. Nething
Chairman

January 16, 2001

By Elaine Little, Director
DOCR

01-03 EQUIPMENT LIST	GF Equip.	
Buildings & Grounds		
Multi Gas Detector	1,800	
Boiler Rox:n Control Panel Update	18,000	
Industrial Mower, Toro	16,500	
2-Tray Warmers (1820ea)	3,740	
2-Heat Pumps (2200ea)	4,400	
Electric Lift-MRCC	8,800	
Metal Night Stands (160@$185ea)	29,600	
Road Grader	21,500	
2-Sewing Machines (1200ea)	2,400	
Stamping Maching-Laundry	2,700	
Wet & Dry Vac	1,150	
Air Compressor	5,600	
Admin, Services & Business Office		
IBM Wheelwriter 2500	1,700	
MRCC Admin.		
Exhaust Hoods-Mtce Shop	5,000	
2-Mowers to attach to tractors	1,100	
Three-Point Hitch Tiller	800	
Medical Services		
Defibrillator	5,000	
Filing Shelves	1,850	
Xray Table, Tube, Processor	71,436	
Dental Suction Machine/Chair	11,159	
Education		
none (shelves added to oper.)		
Security		
Metal Detector-Industries	5,000	
2-Rifles-Towers (750ea)	1,500	
Armor Stab Vests (30x$1200ea)	36,000	
Unit Management		
Video Camera Monitor System-TU	85,000	OA
Replace Cubicle Dividers/Furnishings-TU (72,000+12,000)	84,000	
Video Camera Monitor System-NU	15,000	OA
Treatment		
Digital Copier Network Printer/Reverse Scanner	12,700	
Total	**453,435**	

JRCC - Medical	
Dental Equipment	2,000
JRCC - Other	
2-Fire Safes (2500ea)	5,000
Staff Wellness Center Equipment	15,000
Portable Tower-Perimeter Security	10,000
Armor Stab Vests (20x$1200ea)	24,000
Total	**56,000**
Computers	
Pen - 6 new	14,600
JRCC - 3 new	6,900
Replacement - Pen 4	9,200
Total	**30,700**
GRAND TOTAL	**540,135**
less amount to Optional Adj.	(100,000)
less plug amount	(447)
Base Equipment	439,688

Program: SUPPORT SERVICES	Reporting Level: 01-530-500-03-54-00-00

3011 Lease/Rentals/Equipment -costs per month for copier rental and one-time rental of other building/maintenance equipment.

3013 Dues and Professional Development - The maintenance of professional growth ensures safe, competent health care for the Prisons Division inmates. Professional development for support staff contributes towards efficient operations.

3014 Operating Fees and Services - the majority of the costs pertain to contracting for food services at JRCC. Also, the Prisons Division is accredited by the American Correctional Association (ACA). The audit is done every three years. The next audit is Oct. 2003 and therefore, costs are not included in this budget.

3016 Repairs - costs reflect a 3 percent annual increase in materials used to repair and maintain facility equipment and for service contract projected increases.

3018 Professional Services - the majority of the costs are attributed to Medical Services and Institutional Medical Fees. The increase in the inmate population, medical procedures, pharmacy drug costs, dental costs, etc, has resulted in this line to increase each year. Medical services at JRCC, such as, psychiatric, dietary, X-ray, and lab are contracted with the State Hospital. ~~Architect and engineering costs associated with capital projects are also part of this line.~~

3019 Insurance - costs are solely for the Risk Management Fund contribution.

3021 Office Supplies - The increased volume of inmates has reflected on needs for additional supplies. An inflation factor of 5 percent was used for the second year.

3025 Professional Supplies and Materials - Federal and state regulations require inmate access to training and education related to safety.

3027 Food and Clothing - The "per meal" cost remained constant the first year. The increase in the second year is slightly less than 5 percent based on vendor-projected increases. We continue to see a loss in receiving government commodities.

MRCC		
FY 2002	150 inmates x 365 days x 3.24/day (1.08/meal, 3 meals/day) =	$177,390
FY 2002	25 staff x 261 days x 2.16/day (2 meals/day) =	$14,094
	TOTAL =	$191,484
FY 2003	150 inmates x 365 days x 3.39/day (1.13/meal) =	$185,603
FY 2003	25 staff x 261 days x 2.26/day =	$14,747

Program: SUPPORT SERVICES	Reporting Level: 01-530-500-03-54-00-00

	TOTAL =		$200,350
	(1.05/meal) 3 meals/day		
NDSP			
FY 2002	515 inmates x 365 days x 3.15/day =	$592,121	
FY 2002	146 staff x 261 days x 2.10/day =	$80,023	
	TOTAL = 3 meals/day		$672,144
	(1.10/meal)		
FY 2003	515 inmates x 365 days x 3.30/day =	$620,318	
FY 2003	146 staff x 261 days x 2.20/day =	$83,833	
	TOTAL =		$704,151

3029 Medical, Dental, and Optical - Costs are directly correlated with the number of inmates served. The more inmates needing services, the costs go up. The number of chronic medical health care needs of inmates is also rising. Examples - HIV, AIDS, TB, cancer, hepatitis, etc. We have seen a large increase in the number of inmates entering our system that have used meth. These are all high maintenance expenditures.

3030 Buildings, Grounds, Vehicle Maintenance Supplies - Costs incurred during the normal day-to-day operations of the physical plant. Vendor projected increases of 3 percent are necessary to maintaining aging buildings and equipment necessary to support 100 percent facility occupancy.

Due to the continued overcrowding of the Prisons Division, it is not feasible to board federal or out-of-state prisoners at our institution. This is consistent with the previous biennium.

3-6-01

#3

OPTIONAL ADJUSTMENTS SUMMARY

530 DEPT OF CORRECTIONS & REHAB

Version: 2001-0530-B-01

Date: 3/5/01
Time: 17:19:58

Priority	Optional Adjustment	Reporting Level	FTE Change	Federal Fund	Special Fund	General Fund	Total Adjustment
1	Treatment Op Budget - YCC	01-530-200-23-25-00-00	0.00	0	0	177,999	177,999
2	Food Contract - JRCC	01-530-500-03-54-00-00	0.00	0	0	355,210	355,210
3	Institutional Med Fees, Oper'g - Prisons	01-530-500-03-54-00-00	0.00	0	0	806,480	806,480
4	Diversified Occupations - Juv Comm Svcs	01-530-200-28-00-00-00	0.00	0	0	245,000	245,000
5	Intensive In Home- Juv Comm Svcs	01-530-200-28-00-00-00	0.00	0	0	10,680	10,680
6	Dir of Treatmnt Pgm Assoc Exp - CO	01-530-130-00-00-00-00	1.00	0	0	117,773	117,773
7	Oper'l Rate Increases - Prisons	01-530-500-03-54-00-00	0.00	0	0	140,919	140,919
8	JRCC Wmn's Unt Salaries Safety&Security	01-530-500-03-59-00-00	0.00	0	0	647,964	647,964
9	JRCC Women's Unit Salary, Support Srvcs	01-530-500-03-54-00-00	0.00	0	0	488,631	488,631
10	JRCC Wmn's Unit Salaries, Program Srvcs	01-530-500-03-57-00-00	0.00	0	0	101,972	101,972
11	SMI - JRCC Safety & Security	01-530-500-03-59-00-00	0.00	0	0	1,101,318	1,101,318
12	SMI - JRCC Support Services	01-530-500-03-54-00-00	0.00	0	0	934,359	934,359
13	SMI - JRCC Program Services	01-530-500-03-57-00-00	0.00	0	0	337,468	337,468
14	External Housing of Inmates - Prisons	01-530-500-03-59-00-00	0.00	0	0	2,320,409	2,320,409
15	Retirement Costs - Central Office	01-530-130-00-00-00-00	0.00	0	0	12,000	12,000
16	Temporary Salaries - Central Office	01-530-130-00-00-00-00	0.00	0	0	1,650	1,650
17	Secretarial Support - Juv Comm Svcs	01-530-200-28-00-00-00	1.00	0	0	49,323	49,323
18	Medical Expenses - YCC	01-530-200-23-25-00-00	0.00	0	0	33,174	33,174
19	Technology Updates Replacements - CO	01-530-130-00-00-00-00	0.00	0	0	21,750	21,750
20	TRCU State Hospital Contract - FS	01-530-500-02-53-00-00	0.00	0	0	275,472	275,472
21	Pre-Release Center - FS	01-530-500-02-52-00-00	1.00	0	0	1,500,645	1,500,645
22	Mtnce Supervisor I - JRCC	01-530-500-03-54-00-00	1.00	0	0	65,244	65,244
23	Social Worker II - JRCC	01-530-500-03-57-00-00	1.00	0	0	73,391	73,391
24	Corr Ofcr II Drvr, Clinic Runs - NDSP	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
25	Cook - YCC	01-530-200-23-23-00-00	0.50	0	0	17,862	17,862
26	Night Security - YCC	01-530-200-23-25-00-00	1.00	0	0	51,096	51,096
27	IT Positions Assoc Expenses - Cen Ofc	01-530-130-00-00-00-00	3.00	0	0	263,628	263,628
28	5 PO II FTEs - FS	01-530-500-02-53-00-00	5.00	0	0	466,445	466,445

OPTIONAL ADJUSTMENTS SUMMARY

530 DEPT OF CORRECTIONS & REHAB

Version: 2001-0530-B-01

Priority	Optional Adjustment	Reporting Level	FTE Change	Federal Fund	Special Fund	General Fund	Total Adjustment
29	Cook II - MRCC	01-530-500-03-54-00-00	0.50	0	0	27,623	27,623
30	Training Fees - Central Office	01-530-130-00-00-00-00	0.00	11,160	0	4,340	15,500
31	Food Service Director I - NDSP	01-530-500-03-54-00-00	0.50	0	0	38,678	38,678
32	Office Assistant II - NDSP	01-530-500-03-54-00-00	0.25	0	0	17,589	17,589
33	Stores Clerk - NDSP	01-530-500-03-54-00-00	0.50	0	0	23,998	23,998
34	Registered Nurse II - JRCC	01-530-500-03-54-00-00	1.00	0	0	87,710	87,710
35	Office Assistant III - NDSP	01-530-500-03-54-00-00	1.00	0	0	52,490	52,490
36	Office Assistant II - NDSP Medical	01-530-500-03-54-00-00	1.00	0	0	50,116	50,116
37	Mental Health Care Associate - NDSP	01-530-500-03-57-00-00	1.00	0	0	61,884	61,884
38	Fill currt FTE, 3CCA 1POII to full-tm FS	01-530-500-02-53-00-00	1.45	0	0	112,995	112,995
39	1 CCA FTE - FS	01-530-500-02-53-00-00	1.00	0	0	65,739	65,739
40	Drug Court - FS	01-530-500-02-53-00-00	1.00	0	0	714,467	714,467
41	Gen Trades Worker - YCC	01-530-200-23-23-00-00	1.00	0	0	51,096	51,096
42	IT Plan Temp Salary Dollars - YCC	01-530-200-23-24-00-00	0.00	0	0	26,704	26,704
43	Vocational Welding Instructor - MRCC	01-530-500-03-57-00-00	1.00	0	0	72,891	72,891
44	Vocational Instructor - JRCC	01-530-500-03-57-00-00	1.00	0	0	93,891	93,891
45	Correctional Ofcr II, North Unit - NDSP	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
46	Correctional Ofcr II, Front Lobby - NDSP	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
47	Correctional Officer IV - JRCC	01-530-500-03-59-00-00	1.00	0	0	80,071	80,071
48	Office Assistant II - Trnt, Medical JRCC	01-530-500-03-54-00-00	1.00	0	0	49,339	49,339
49	3 Admin Assist FTES - FS	01-530-500-02-53-00-00	3.00	0	0	168,275	168,275
50	Additional CVC Funds - FS	01-530-500-02-51-00-00	0.00	0	0	200,000	200,000
51	Native American Liaison - FS	01-530-500-02-53-00-00	1.00	0	0	99,066	99,066
52	Salary Adjustment Pkg - DOCR	01-530-130-00-00-00-00	0.00	0	0	1,867,848	1,867,848
53	Institutional Recreation Spec. - NDSP	01-530-500-03-57-00-00	1.00	0	0	66,813	66,813
54	Corr Ofcr II, Night Shift MRCC	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
55	Addiction Counselor II - MRCC	01-530-500-03-57-00-00	1.00	0	0	91,887	91,887
56	Elec. Equip. Technician II - NDSP	01-530-500-03-54-00-00	1.00	0	0	66,813	66,813

Priority	Optional Adjustment	Reporting Level	FTE Change	Federal Fund	Special Fund	General Fund	Total Adjustment
57	Corr. Ofcr. Salary Pkg - Prisons	01-530-500-03-59-00-00	0.00	0	0	222,528	222,528
58	IT Telemedicine - Prisons	01-530-500-03-54-00-00	0.00	0	0	154,000	154,000
59	PC Replacements - FS	01-530-500-02-53-00-00	0.00	0	0	63,098	63,098
60	Social Wrkr II - JRCC	01-530-500-03-57-00-00	1.00	0	0	73,391	73,391
61	Institutional Rec. Specialist - MRCC	01-530-500-03-57-00-00	1.00	0	0	66,813	66,813
62	Dentist, Dental Hygienist - Prisons	01-530-500-03-54-00-00	1.60	0	0	242,702	242,702
63	Dentist, Dental Hygienist - YCC	01-530-200-23-25-00-00	0.40	0	0	82,575	82,575
64	Registered Pharmacy Technician - NDSP	01-530-500-03-54-00-00	1.00	0	0	55,707	55,707
65	Last Chance FTEs - FS	01-530-500-02-53-00-00	4.00	0	0	239,808	239,808
66	Office Assistant II - JRCC	01-530-500-03-54-00-00	1.00	0	0	49,339	49,339
67	Corr Officer II - Drvr's Relief - MRCC	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
68	Voc'l Carpentry Instructor - MRCC	01-530-500-03-57-00-00	1.00	0	0	72,891	72,891
69	Training Officer II - JRCC	01-530-500-03-54-00-00	1.00	0	0	73,821	73,821
70	Corr Officer II - Front Lobby NDSP	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
71	Corr Officer II - Night Shift MRCC	01-530-500-03-59-00-00	1.00	0	0	64,039	64,039
72	Office Asst III - NDSP	01-530-500-03-54-00-00	1.00	0	0	52,290	52,290
73	Inmate Immun. for Hep B - Prisons	01-530-500-03-54-00-00	0.00	0	0	122,800	122,800
74	Training - YCC	01-530-200-23-24-00-00	0.00	0	0	12,000	12,000
75	IT Imaging - Treatment NDSP	01-530-500-03-57-00-00	0.00	0	0	100,000	100,000
76	IT Replacement Computers - Prisons	01-530-500-03-54-00-00	0.00	0	0	41,262	41,262
77	IT Choices Site Licenses - Prisons	01-530-500-03-57-00-00	0.00	0	0	10,435	10,435
78	Extraordinary Repairs - Prisons	01-530-500-03-54-00-00	0.00	0	0	103,316	103,316
79	Ex-Ord Repairs - YCC	01-530-200-23-24-00-00	0.00	0	0	118,300	118,300
80	Addic. Counselor II - JRCC	01-530-500-03-57-00-00	1.00	0	0	91,887	91,887
81	Corr Offcr II - Shift Relief NDSP	01-530-500-03-59-00-00	2.00	0	0	128,078	128,078
82	Social Wrkr II - Sex Ofndr Trmt NDSP	01-530-500-03-57-00-00	1.00	0	0	73,391	73,391
83	Voc'l Instructor - JRCC	01-530-500-03-57-00-00	1.00	0	0	93,891	93,891
84	Corr'l Officer III - Investigations NDSP	01-530-500-03-59-00-00	1.00	0	0	85,837	85,837

OPTIONAL ADJUSTMENTS SUMMARY

530 DEPT OF CORRECTIONS & REHAB

Version: 2001-0530-B-01

Priority	Optional Adjustment	Reporting Level	FTE Change	Federal Fund	Special Fund	General Fund	Total Adjustment
85	Corr Officer II - Shift Relief NDSP	01-530-500-03-59-00-00	3.00	0	0	192,117	192,117
86	Equipment - Prisons	01-530-500-03-54-00-00	0.00	0	0	100,000	100,000
87	Social Worker II - SMI NDSP	01-530-500-03-57-00-00	1.00	0	0	73,391	73,391
88	Corr Ofcr II - North Unit NDSP	01-530-500-03-59-00-00	2.00	0	0	128,078	128,078
89	Corr Officr II - 2nd Flr AS Unit NDSP	01-530-500-03-59-00-00	3.00	0	0	192,117	192,117
90	Corr Caseworker - 2nd Flr AS Unit NDSP	01-530-500-03-59-00-00	1.00	0	0	75,895	75,895
91	IT-MMPI Software - Trmt Dept NDSP	01-530-500-03-57-00-00	0.00	0	0	40,000	40,000
92	IT-Add'l ITAG User Licenses - NDSP	01-530-500-03-54-00-00	0.00	0	0	52,710	52,710
93	IT-Optical Character Recog Mach -Prisons	01-530-500-03-57-00-00	0.00	0	0	2,500	2,500
94	Legal Assistant II - Law Library NDSP	01-530-500-03-57-00-00	1.00	0	0	67,906	67,906
95	Staff Uniforms - YCC	01-530-200-23-25-00-00	0.00	0	0	10,670	10,670
	TOTAL ADJUSTMENTS		**72.70**	**11,160**	**0**	**18,625,882**	**18,637,042**

3-6-01

#2

DEPARTMENT OF CORRECTIONS AND REHABILITATION
(DOCR)
DEPARTMENT NO. 530

CENTRAL OFFICE - $1,533,654
Budget Cost Center:
DOCR Administration

JUVENILE SERVICES - $21,189,929
Budget Cost Centers:
Auxilary Services (YCC)
Administration (YCC)
Resident Care (YCC)
Education (YCC)
Juvenile Community Services

YCC - Youth Correctional Center

ADULT SERVICES - $88,268,147
Budget Cost Centers
Parole - Victim Services (FSD)
Parole - Institutional Offender Services (FSD)
Parole - Community Offender Services (FSD)
Support Services (PD)
Program Services (PD)
Security and Safety (PD)
Roughrider Industries (PD)

FSD - Field Services Division
PD - Prisons Division

#14 BUDGET CORRECTION (CONTINUED)

Data Lines

	A	B	C	D	E	F	G	H	I	J	K
1	01-03 Data Processing Costs										
2					Device		Amount	Port			0.05
3	Cost Cente	District		Amount	Amount	Devices	Per Month	Charges	CPU Time	Other	Overhead
4	5030	Admin	23,415	976	81	3	27	800	11.47	40	43.17
5	5040	IOSP	3,399	142	135	5	27	0	0	0	6.62
6	5040	Crime Victim Coord P066-99.37	1,360	57	54	2	27	0	0	0	2.65
7	5050	Minot	22,860	952	108	4	27	800	3	0	44.49
8	5051	Williston	22,180	924	81	3	27	800	0	0	43.17
9	5052	Jamestown	8,753	365	81	3	27	266.6667	0	0	17.04
10	5053	Fargo	23,340	972	108	4	27	800	0	20	44.49
11	5054	Grand Forks	24,339	1,014	162	6	27	800	0	5	47.14
12	5055	Grafton	8,812	367	0	2	0	350	0	0	17.15
13	5056	Devils Lake	21,500	896	54	2	27	800	0	0	41.85
14	5057	Rolla	11,430	476	54	2	27	400	0	0	22.25
15	5058	Bismarck	23,100	962	108	4	27	800	0	10	44.49
16	5059	Dickinson	12,110	505	81	3	27	400	0	0	23.57
17	5060	Wahpeton	9,416	392	54	2	27	320	0	0	18.33
18	5061	Mandan	8,812	367	0	4	0	350	0	0	17.15
19	5062	Oakes	5,715	238	27	1	27	200	0	0	11.12
20	5064	Rev Center P144-00	10,171	424	54	2	27	350	0	0	19.80
21	5063	Last Chance P155-00proj 20000	22,180	924	81	3	27	800	0	0	43.17
22	5063	Inter San	2,039	85	81	3	27	0	0	0	3.97
23	5065	Crime Victims	1,433	60	27	1	27	0	31.38	0	1.32
24	5070	West Fargo	18,756	782	81	3	27	664	0	0	36.51
25		Total	285,118	11,880	1,512.00	62	513	9,700.67	42.85	75.00	549.42
26		CVC	1,433	60							
27		IOSP	4,758	198							
28		COSP	278,927	11,622							
29											
30				OMB Inc.	Total						
31		CVC	1,433	0	1,433						
32		IOSP	4,758	649	5,407						
33		COSP	278,927	6,475	285,402						
34		Total	285,118	7,124	292,242						

Telephone

April 2000 ISD Phone Bill 5/15/00						
Object 2006						
Cost Cente	District	Total	Cell	Telephone		
5030	Admin	3,588	811	2,777		
5040	IOSP	7,590	100	7,490		
5050	Minot	8,582	2,971	5,611		
5051	Williston	2,618	624	1,994		
5052	Jamestown	2,885	732	2,153		
5053	Fargo	14,160	3,744	10,416		
5054	Grand Forks	8,299	2,496	5,803		
5055	Grafton	2,400	720	1,680		
5056	Devils Lake	1,942	970	972		
5057	Rolla	3,026	624	2,402		
5058	Bismarck	12,710	3,120	9,590		
5059	Dickinson	5,774	1,248	4,526		
5060	Wahpeton	4,514	2,256	2,258		
5061	Mandan	5,427	1,872	3,555		
5062	Oakes	4,366	624	3,742		
5063	VISTA Life Skills	0	0	0		
5063	Last Chance Proj 20000	0	0	0		
5063	Inter San	15,802	2,892	12,910		
5064	Revocation Center	785	785	0		
5065	Crime Victims	6,137	0	6,137		
5040	CV Coordinator	0	0	0		
5070	West Fargo	3,019	624	2,395		
	Total	113,625	27,212	86,413		
			OMB Inc	Total		
	Crime Victim	6,137	0	6,137		
	IOSP	7,590	1,200	8,790		
	COSP	99,898	12,000	111,898		

Projected 01-03 DOT Mileage & Related Travel							
Cost Center	District	01 - 03 Budgeted Amount	01 - 03 Biennium Mileage		Crime Victims Services	IOS Program	COS Program
5030	Admin	7,488	28,800	In State Meals	339	2,100	13,384
5040	IOSP	1,560	6,000	OS Meals	867	1,911	3,587
5040	Crime Victim	0	0	In State Lodging	413	3,353	19,083
5050	Minot	20,168	77,568	OS Lodging	893	4,231	5,519
5051	Williston	4,574	17,592	In State Mileage	163	221	4,013
5052	Jamestown	5,204	20,016	Air OS	2,255	4,233	7,284
5053	Fargo	32,280	124,152	Other Comm. OS	133	680	345
5054	Grand Forks	26,389	101,496	IRS Meals Taxable	89	487	5,937
5055	Grafton	3,551	13,656	Misc Travel	0	0	0
5056	Devils Lake	3,619	13,920	Travel Non-employees	2,323	38,978	10,799
5057	Rolla	9,360	36,000	Total	7,475	56,194	69,951
5058	Bismarck	22,944	88,248				
5059	Dickinson	18,564	71,400	Budgeted	7,475	57,754	296,376
5060	Wahpeton	13,584	52,248	Dot	0	1,560	226,425
5061	Mandan	15,425	59,328	Above	7,475	56,194	69,951
5062	Oakes	8,112	31,200	Total	7,475	57,754	296,376
5064	Rev Center	12,985	49,944				
5063	Last Chance	4,749	18,264				
5063	Inter San	11,606	44,640				
5065	Crime Victims	0	0				
5070	West Fargo	5,822	22,392				
	Total	227,985	876,864				
	CVC	0					
	IOSP	1,560					
	COSP	226,425					
	Total DOT	227,985					

	A	B	C	D	E	F	G	H	I
1	01-03 Software/Supplies Object 3005								
2				Device		Amount	0.05	Software per Unit	
3	Cost Center	District	Amount	Amount	Devices	Per Unit	Overhead	Anti-Virus	24
4	5030	Admin	248	236	4	59	11.56	Exchange Server	35
5	5040	IOSP	309	295	5	59	14.46	Total	59
6	5040	Crime Victim Coord P066-99.37	124	118	2	59	5.78		
7	5050	Minot	248	236	4	59	11.56	Meta Frame Connection	
8	5051	Williston	186	177	3	59	8.67	30 Units X 75	2,250
9	5052	Jamestown	186	177	3	59	8.67		
10	5053	Fargo	619	590	10	59	28.91	Mis Software	5,000
11	5054	Grand Forks	495	472	8	59	23.13		
12	5055	Grafton	124	118	2	59	5.78		
13	5056	Devils Lake	124	118	2	59	5.78		
14	5057	Rolla	124	118	2	59	5.78		
15	5058	Bismarck	557	531	9	59	26.02		
16	5059	Dickinson	186	177	3	59	8.67		
17	5060	Wahpeton	124	118	2	59	5.78		
18	5061	Mandan	243	236	4	59	11.56		
19	5062	Oakes	62	59	1	59	2.89		
20	5064	Rev Center P144-00	124	118	2	59	5.78		
21	5063	Last Chance P155-00proj 20000	186	177	3	59	8.67		
22	5063	Inter San	186	177	3	59	8.67		
23	5065	Crime Victims	62	59	1	59	2.89		
24	5070	West Fargo	186	177	3	59	8.67		
25		Total	4,704	4,484.00	76	1239	219.72		
26									
27			Software	DP Supplies	Total				
28		CVC	62	1,064	1,126				
29		IOSP	433	2,711	3,144				
30		COSP	11,459	9,025	20,484				
31			11,954	12,800	24,754				

Operating Fees & Services					
	Thru 1/31/01	Thru 1/31/01	Projected	Projected	
Program	All Accounting Objects other than 2441	Object 2441 Purchase of Services	All Accounting Objects other than 2441	Object 2441 Purchase of Services	Projected and Actual
Crime Victim Services	253	0	84	0	337
IOS Program	2,110	0	703	0	2,813
COS Program	15,586	1,387,119	5,195	558,185	1,966,085
	17,949	1,387,119	5,983	558,185	1,969,236
COS Program					
Community Service	83,563				
Low Risk	12,000				
All other contract 2441	202,636				
TRCU Object 2441	259,986				
	558,185				

Projected Programming $

	A	B	C
1	01-03 Projected Programming Costs 8/3/00		
2			
3	TRCU	1,242,460	
4	DL Center	167,900	
5	EMS	6,000	
6	Community Service Programs	430,500	
7	Low Risk Programming	50,400	
8	1/2 Way House Placements	400,000	
9	Jailed Parole Violators	394,560	
10	Cognitive Programming	210,000	
11	3 day Parole Hold	6,000	
12	Last Chance TX Programming	146,640	
13		3,054,460	
14			
15	99-01 Allocation	3,246,593	
16	Projected 01-03	-3,054,460	
17	Allocated to Pre-Release	192,133	

Projected Programming $

Cell: B3
Comment: Chuck Placek:
37 offenders X 730 days X($45 a day+$1 day wages)

Cell: B4
Comment: Chuck Placek:
5 offenders X 730 days X ($45 a day + $1 wages)

Cell: B5
Comment: Chuck Placek:
$5 X 1,200 EMS days

Cell: B6
Comment: Chuck Placek:
Current 410,000 plus 5% increase

Cell: B7
Comment: Chuck Placek:
48,000 present * 5% increase

Cell: B8
Comment: Chuck Placek:
10,000 bed days X $40

Cell: B9
Comment: Chuck Placek:
8,768 bed days X $45 a day

Cell: B10
Comment: Chuck Placek:
8,400 hrs X $25 of contracted programming

Cell: B11
Comment: Chuck Placek:
133 bed days X $45 a day

Projected Programming $

Cell: B12
Comment: Chuck Placek:
$47 hr X 30 hrs per week X 104 weeks

	A	B	C	D	E	F	G	H
1	Projected IT- Equipment 4003							
2		PCs	Per Unit Amount	Total	Lap Tops	Per Unit Amount	Total	Grand Total
3	Crime Victims	0	1,914	0	0	2,500	0	0
4	IOS Program	0	1,914	0	1	2,500	2,500	2,500
5	COS Program	22	1,914	42,102	0	2,500	0	42,102
6	Total	22		42,102	1			44,602
7								
8								
9	On March 2, 2001 our IT Equipment Age Report indicates:							
10								
11	Between 3 & 4 years	13						
12	Between 4 & 5 years	19						
13	Between 5 & 6 years	29						
14	Total over 3 years	61						

DEPARTMENT OF CORRECTIONS AND REHABILITATION

3303 East Main, PO Box 1898 • Bismarck, ND 58502-1898
(701) 328-6390 • FAX (701) 328-6651 • TDD 1-800-366-6888
Website: www.discovernd.com/docr

March 1, 2001

Presentation for the House Appropriations Committee

Overview of Senate Bill No. 2016
Department of Corrections and Rehabilitation

The Department of Corrections and Rehabilitation has experienced a tremendous growth in inmate population, from under 500 inmates in the early 1990s to 1080 inmates today. The largest contributor to this increase in population has been the significant increases in drug offender admissions and violent offender admissions. The number of drug offender admissions has increased from 41 in 1993 to 252 in 2000; the number of violent offender admissions has increased from 74 in 1993 to 149 in 2000. The department estimates that the inmate population will continue to grow at a 7% rate each year of the next biennium. The cost of housing the additional inmates has increased commensurately. The Department's general fund budget in 1995 was $22 million. The general fund appropriation for the Department for the current biennium is $62.7 million. The executive budget includes a general fund budget of $84 million for the 2001-2003 biennium.

There are a number of reasons for the increase in inmate population;

- Less parole and pardon releases (inmates serving more of their sentences)
- Longer sentences by the courts
- Large increase in the number of drug offenders
- Mandatory-minimum sentencing
- Passage of Truth-in-sentencing
- Change of good-time law in 1991
- Call to get-tough-on-crime by public
- Direction of resources to "war on drugs"

In light of the large increase in inmate population one might ask the question as to whether the State has done/or is doing anything to address this situation. With the Legislature's approval the past two biennia the Department of Corrections has implemented several "alternative to incarceration" programs without which ND would be looking at an even larger inmate population. Some of the "alternatives" that are currently being utilized include:

- The Thompkins Rehabilitation and Corrections Unit (formerly known as the revocation center) located at the Combined Law Enforcement Center in Jamestown
- The Last Chance Program in Fargo
- The Community Service and Restitution Programs located all across the State
- Community Placement Program (DOCR places certain inmates in community last 6 months of their sentence
- Treatment including alcohol and drug and cognitive restructuring programming
- Other alternatives including electronic monitoring, house arrest, group homes, on-site drug testing, day reporting and intensive supervision in the community

The proposed budget for the Department of Corrections and Rehabilitation for the 2001-2003 biennium includes additional alternatives. It includes a pre-release work/treatment program (to be located in the Bismarck area) for 50 offenders who are within 6 months of release, a DUI treatment program (housed at the State Hospital) for 25 DUI offenders and a pilot Drug Court program in Burleigh/Morton counties that is estimated to divert another 10 offenders from prison. These programs will free up another 85 prison beds on a daily basis. Without all of the "Alternative to Incarceration" programs operated by the Department of Corrections, the State of North Dakota would be facing the construction of another major prison facility or contracting out the housing of another 300+ inmates. Warren Emmer will present more detailed information on the various alternatives to incarceration for you.

Let's move to the charts for a more detailed analysis of what has happened to our inmate population.

DOCR Prisons Division Inmate Population Information

Population on December 31, 2000

NDSP 534, JRCC 218, MRCC 144 (There are 38 in Jails, 15 at the TRCU (Rev Center), 31 on CPP and 96 at Appleton)

Average Inmate Population, Arrivals, Releases and One Day Counts

	CY 93	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00
Average Daily Population	567	571	619	707	819	902	931	1,016
Annual New Arrivals	452	482	473	581	572	778	702	747
Annual Releases	459	481	451	514	519	657	682	616
Inmate Count on Dec 31	573	592	677	694	770	910	932	1,076

Inmate Admissions of Selected Offenses By Calendar Year

	CY 93	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00
Violent (Non-Sexual)	74	90	81	124	109	153	117	149
Sex Offenders	41	43	30	37	43	55	50	69
Drug & DUI Offenders	41	58	74	95	142	232	231	252
Property, Status & Other	234	225	225	256	217	296	304	277

Average Sentence (In Months) By Calendar Year

	CY 93	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00
All Inmates	42	49	42	43	46	38	40	42
* 85% Truth-in-Sentencing **	47	41	34	60	87	40	46	79
Violent Offenders (not TIS)	58	56	59	59	56	59	57	47
Sex Offenders	71	85	99	87	91	93	94	95
Drug Offenders	40	42	49	40	48	50	65	60

* 85% TIS numbers not included in the Violent Offenders row; ** 85% TIS law passed in 1995 and these numbers reflect the inmates who would have been in this category had the law existed in 1993 and 1994

Inmate Count on December 31, 2000 and Average Sentence

Offense	Inmate Count	Average Sentence
Violent Offenders (Excluding Sexual)	296	119 Months
Sex Offenders	165	135 Months
Drug Offenders	243	60 Months

184 (up from 146 last year)	Inmates Sentenced for Delivery, Manufacture or Intent
59 (up from 21 last year)	Inmates Sentenced for Simple Possession of Drugs or Paraphernalia

Number of Admissions By Sentence Length (Each Calendar Year)							
	CY 94	CY 95	CY 96	CY 97	CY 98	CY 99	CY 00
Less Than One Year	49	50	54	43	68	56	50
One Year to Less Than Five Years	299	282	356	329	492	477	462
Five Years to Less Than Ten years	115	120	138	156	160	132	210
Ten Years to Less Than Twenty Years	30	29	20	31	31	30	19
Twenty Years or More	16	9	11	8	8	7	6

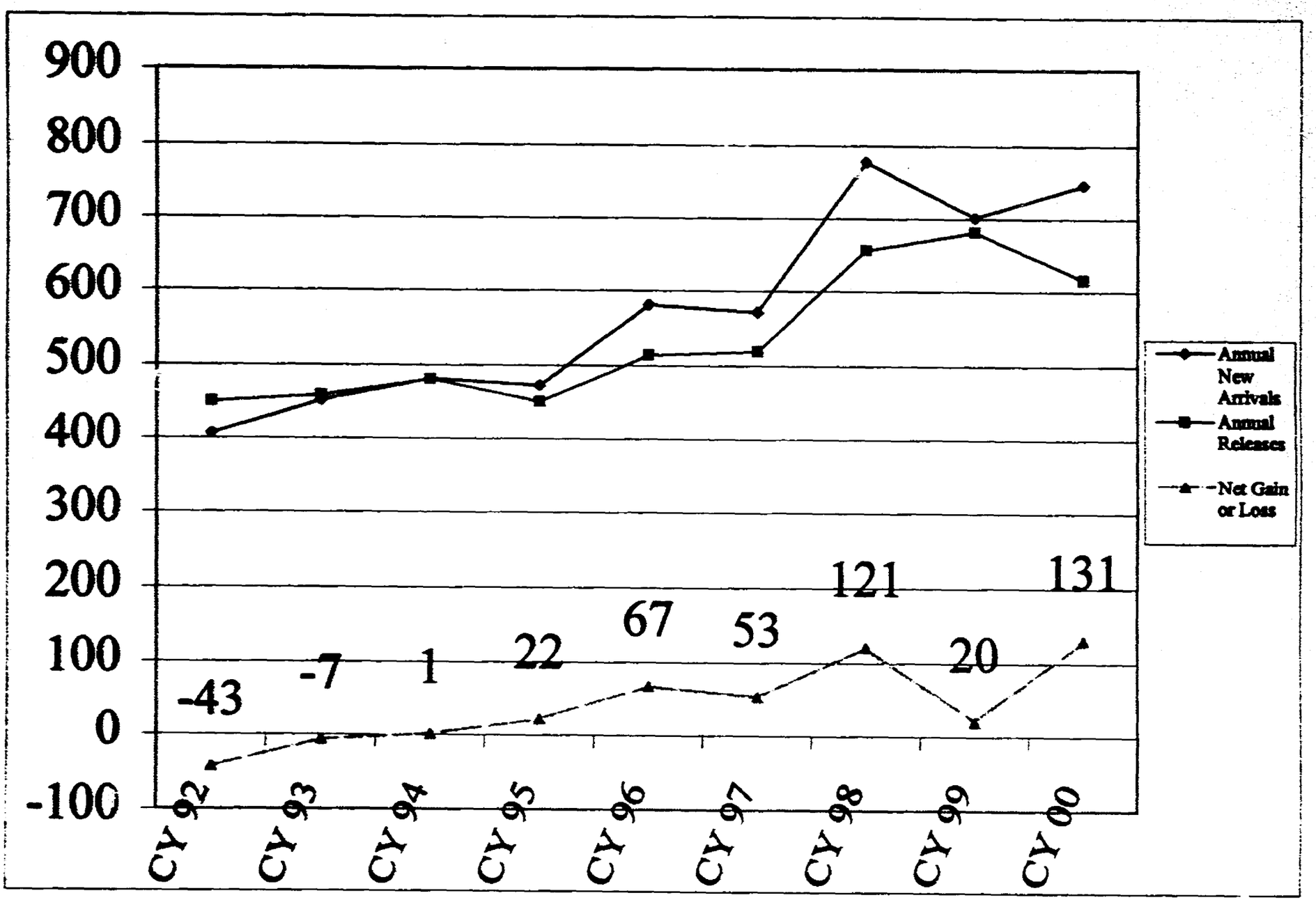
Minimum mandatory sentenced inmates break out as follows (on December 31, 2000):

Offense	Inmate Count	Average Sentence
DUI	43	29 Months
Drug Offenses	91	64 Months
Aggravated Assault (2 Year)	9	48 Months
Aggravated Assault (4 Year)	1	109 Months
Robbery	14	75 Months
Terrorizing	3	26 Months
Murder - Life With No Parole	6	NOTE: 15% of the inmate population on 12-31-2000 had a minimum mandatory sentence.
Total	167	

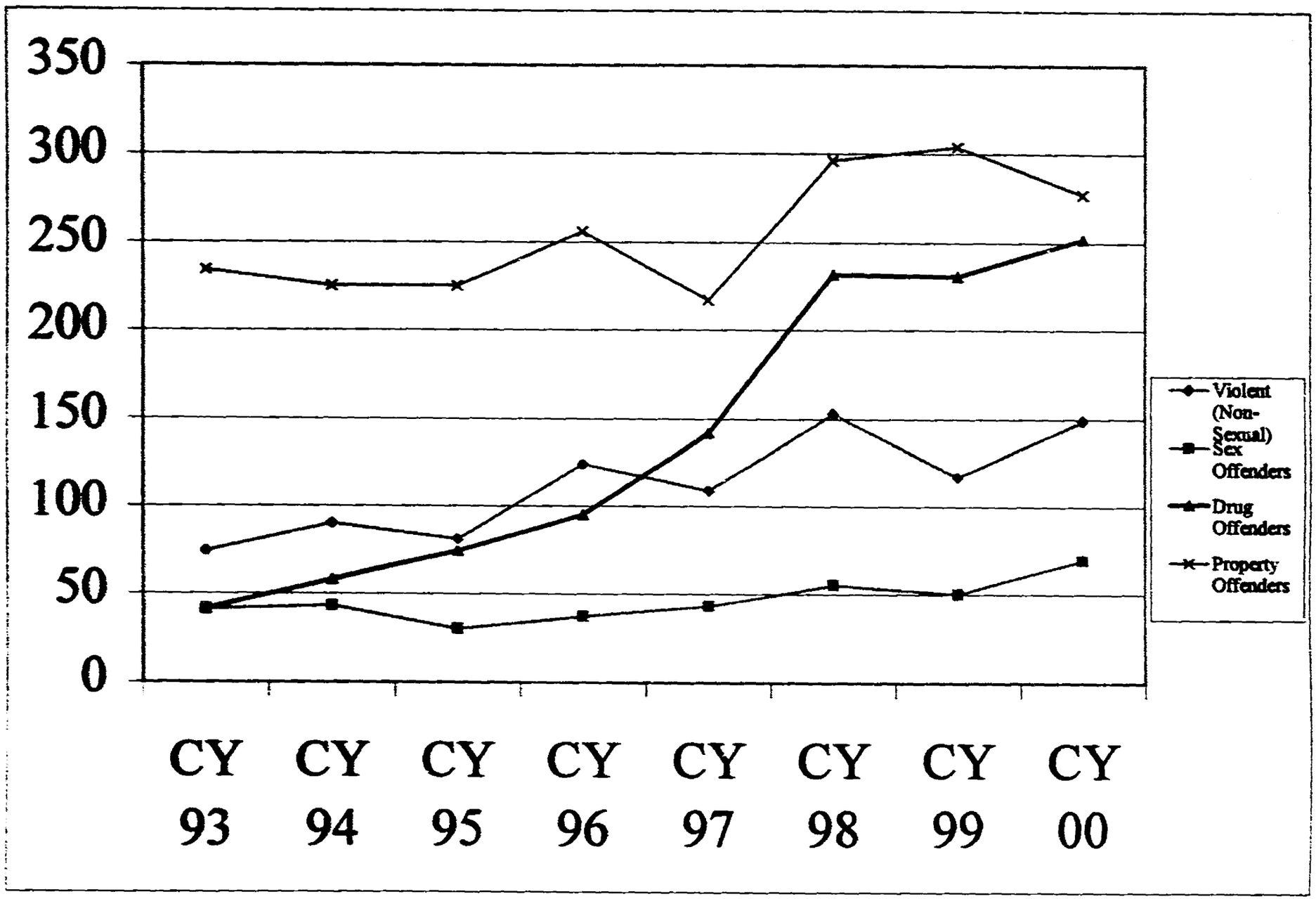
85% (Truth-in-Sentence) inmates break out as follows (on December 31, 2000):

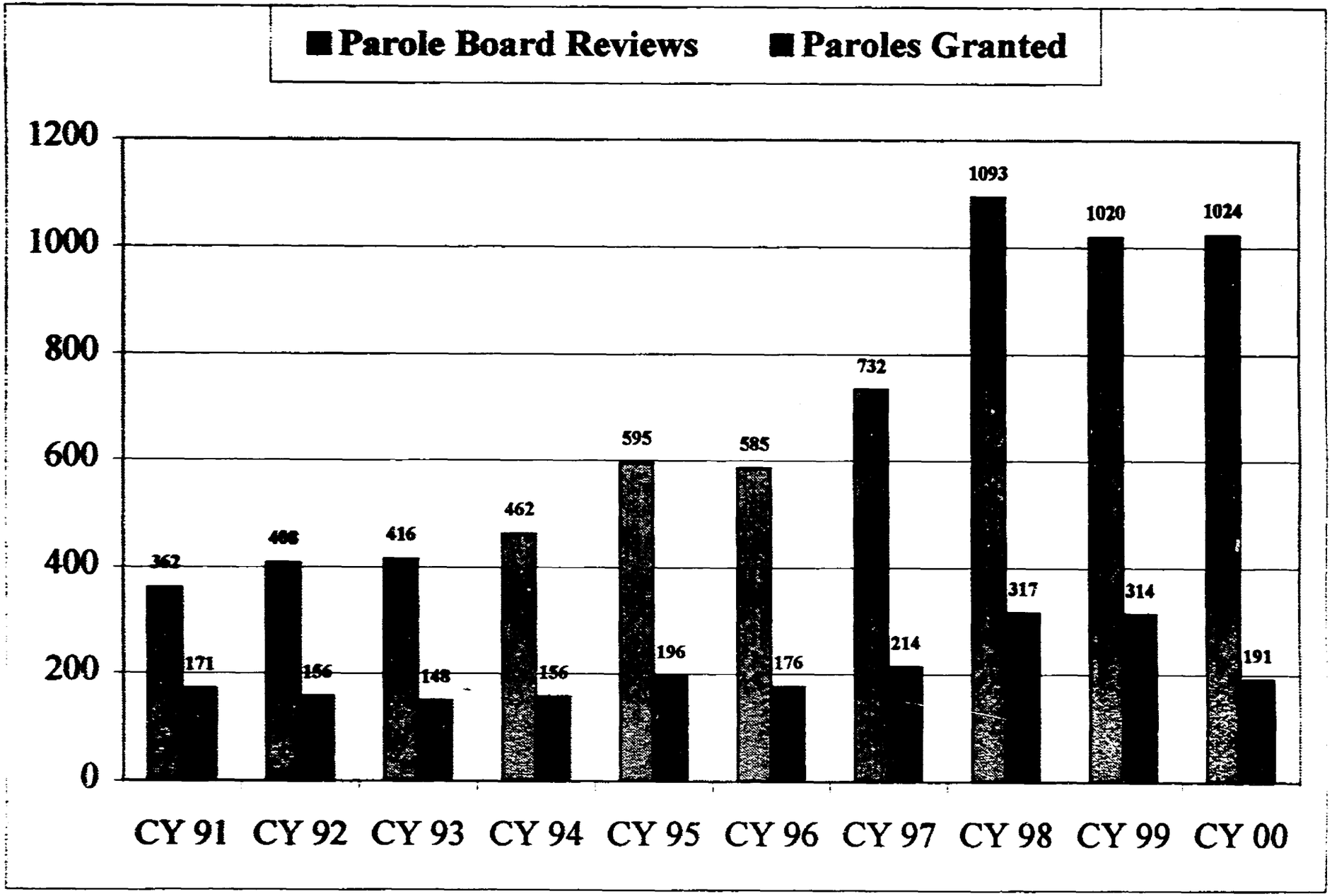
Inmate Count	Average Sentence
124	85 Months

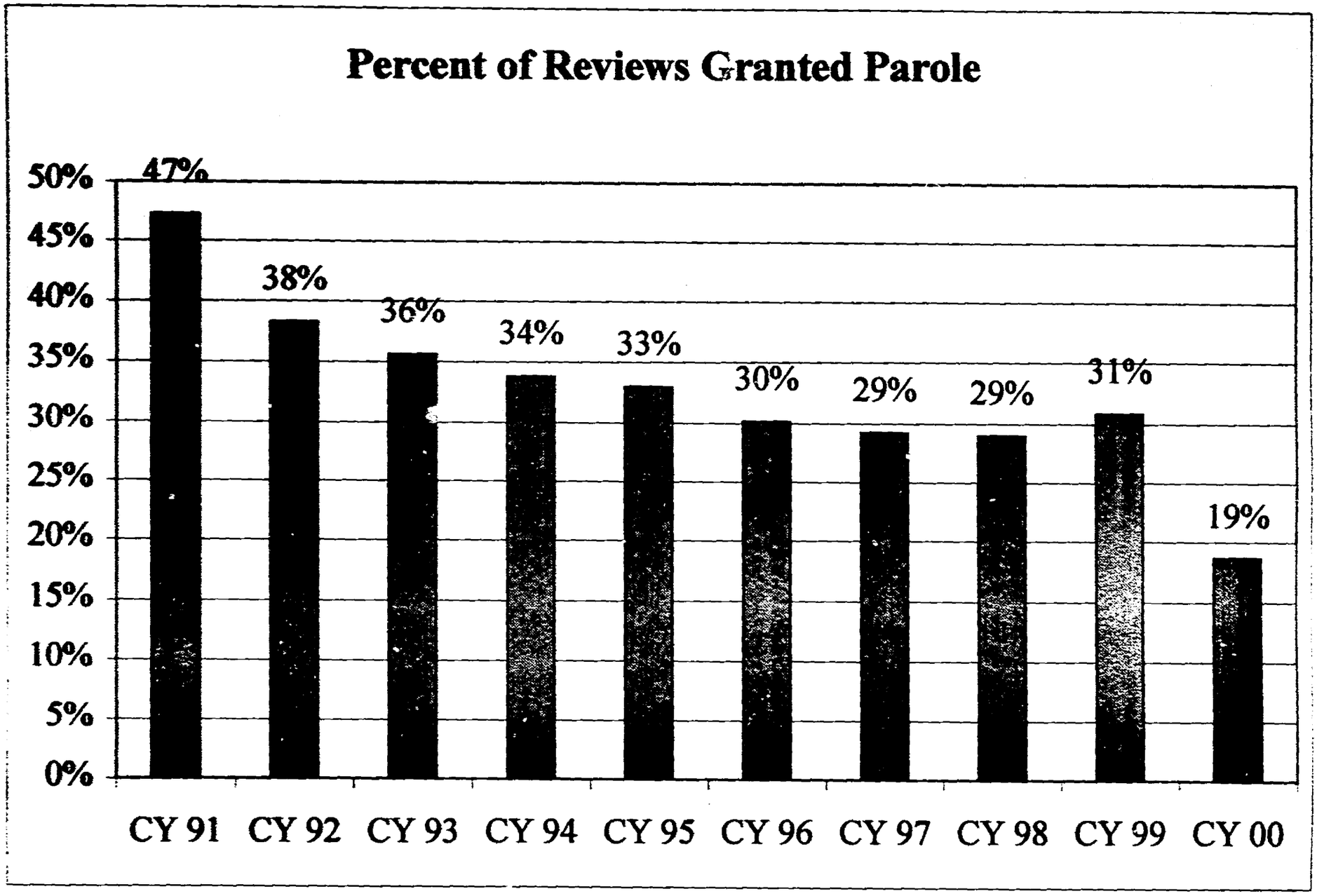
Inmate Arrivals, Releases and Net Gains/Losses



Inmate Admissions by Crime Type




Parole Board Reviews
Paroles Granted
1200
1000
800
600
400
200
0
362
171
408
156
416
148
462
156
595
196
585
176
732
214
1093
317
1020
314
1024
191
CY 91
CY 92
CY 93
CY 94
CY 95
CY 96
CY 97
CY 98
CY 99
CY 00


Percent of Reviews Granted Parole
50%
45%
40%
35%
30%
25%
20%
15%
10%
5%
0%
47%
38%
36%
34%
33%
30%
29%
29%
31%
19%
CY 91
CY 92
CY 93
CY 94
CY 95
CY 96
CY 97
CY 98
CY 99
CY 00

Offenders on Community Supervision
ND DOCR Field Services Division
One Day Counts on December 31 of Each Year

Supervision Type	1993	1994	1995	1996	1997	1998	1999	2000
Probation	1981	2032	2320	2590	2695	2701	2756	2745
Parole	91	95	112	100	117	175	152	115
Interstate Compact	311	312	296	250	184	158	264	377
Community Placement Program	6	3	31	11	6	3	34	28
Total	2389	2442	2759	2951	3002	3037	3206	3265

NOTE: Some offenders may be on multiple types of supervision at the same time. When this occurs, the offender is first counted if on parole, then if on probation, then if on interstate compace and finally community placement. Otherwise the totals are artificially inflated by about ten percent.

2001-2003 DOCR NEW FTE COMPUTERS

DIVISION	NEW FTE POSITION	# OF NEW COMPUTERS	COST PER UNIT	FUNDING SOURCE
Central Office	DP Coordinator I	1	2,100	General
	DP Coordinator I	1	2,100	General
Total		2	4,200	
Prisons Division	Medical Office Assistant	1	2,300	General
	WU-Office Assistant	1	2,300	General
	WU-Case Mgr	1	2,300	General
	WU-Caseworker	1	2,300	General
Total		4	9,200	
Field Services	Parole Officer II-COSP	1	1,914	General
	Parole Officer II-COSP	1	1,914	General
	Parole Officer II-COSP	1	1,914	General
	Parole Officer II-COSP	1	1,914	General
	Parole Officer III-COSP	1	1,914	General
	Parole Officer III-IOSP	laptop 1	2,500	General
Total		6	12,070	

SB 2016

Testimony on SB 2016

Department of Corrections and Rehabilitation

Central Office

Senate Appropriations Committee
Senator Nething, Chairman

January 16, 2001

By Elaine Little
Director

The DOCR Central Office budget for the 2001-2003 biennium includes funding for 8.0 current FTEs and the associated administrative expenses. In addition, the budget includes funding for two new FTE's to address information technology needs within all Divisions of the Department of Corrections and Rehabilitation (DOCR). Also included is funding to cover costs for the inspection of local jails, for the training of county correctional officers and jail administrators, and funding to continue the support of the DOCR's automation network and systems.

Salaries and Wages - $ 1,281,245

- 8.0 FTEs - $ 933,765 (current staff)
- 2.0 FTEs - $ 150,765 (new technology positions)
- Temporary Salaries - $1,650
- Executive Recommendation for Salary/Benefit Funding - $ 58,065
- Retirement Costs - $12,000
- Salary Equity Funding - $ 125,000

Justification of the two new technology positions:

The DOCR has close to 300 computer users and currently has two full-time and one part-time student intern dedicated to information technology (I.T.) support. Also, the Division of Juvenile Services contracts with the ND Association of Counties for IT support. The need for additional staff support is critical in all areas including:

- Desktop support
- Software troubleshooting services
- Network troubleshooting services
- Hardware support services
- User training services
- Report developments
- Application development, and
- Repair services.

Presently, the two Central Office staff are responsible for all of the DOCR automation systems. One of the new positions will be assigned to facilitate and problem solve the IT needs for Field Services, Division of Juvenile Services (DJS) statewide offices, the Missouri River Correctional Center (MRCC), and the James River Correctional Center (JRCC). The other new position will be assigned to the Youth Correctional Center.

Operating Expenses - $ 171,447

- **Data Processing/Telecommunications - $ 24,506**

- **Travel - $42,840**
  Expenses include motor pool in-state mileage, and lodging costs related to the inspection of jails within the state, the training of county jail administrators and correctional officers, and management and technology

staff travel ($14,508). Also includes out-of-state travel costs for management staff to attend national conferences, meetings and training seminars, and for information technology staff training ($28,332).

- Lease of Equipment - $ 4,440
  Monthly rental costs for copier.

- IT Software Supplies - $ 24,244
  Funding to update Adult Services Network servers to version 5.1. Upgrade Novell master server to facilitate E-Publishing capabilities, upgrade Tapeback system software, and purchase intranet server software.

- IT Contractual Services - $ 4,000
  Funding to upgrade/replace network wiring infrastructure to facilitate new network connections.

- Dues and Professional Development - $ 21,600
  Registration and conference fees, national association dues, management training fees and information technology staff training as required to support DOCR automation systems.

- Operating Fees and Services - $ 20,751
  Funding included to provide training to corrections management staff and county jail administrators - $11,160 Federal Funds/$4,340 General Fund. Also includes funding for freight charges, advertising services, audit fees, legal fees and employee awards.

- Insurance - $ 1,406
  Premiums paid to the State Fire and Tornado Fund for contents coverage and contributions to the Risk Management Fund.

- Professional Supplies and Materials - $ 6,000
  Includes funding for subscriptions, correctional publications, personnel, fiscal and technology updates, video library tapes and training materials.

- Other Expenses - $ 21,660
  Postage, repairs, office supplies, printing costs and miscellaneous equipment items costing less than $750.

Equipment - $ 80,850

- Funding to replace Oracle server hardware ($25,000), JRCC server hardware ($14,000), purchase and install intranet server to host services for ITAG (Inmate

information system) and centralized report generation ($14,000), and upgrade/replace network wiring infrastructure to facilitate new network connections ($4,000). Also includes funding to purchase PCs for new technology positions ($4,200) and for PC and printer replacement needs ($19,650).

TOTAL CENTRAL OFFICE BUDGET - $1,533,542

Funding Source

General Fund - $ 1,522,382
Federal Funds - $ 11,160

E-RATE

- On May 7, 1997, the Federal Communications Commission (FCC) adopted a Universal Service order implementing the Telecommunications Act of 1996. The Order was designed to ensure that all eligible schools and libraries have affordable access to modern telecommunication and information services.

- Dollars are available to provide eligible schools and libraries with discounts, often referred to as the "E-Rate" for authorized services. The level of discount is based on percentage of students eligible for the National School Lunch Program.

- Once a funding request has been accepted and approved, the school or library will receive the applicable discount on internet access and/or internal connections, and pay the remaining portion of the costs to the service providers. The universal service fund pays the service provider.

- E-Rate applied for and approved:
  - 1999: $19,400
  - 2000: 15,084

  Total Cost $34,484

- ITD bills us at 10%

- Application for the E-Rate has been made for 2001; however, approval is pending

FFICE OF MANAGEMENT AND BUDGET

600 East Boulevard Avenue, Fourth Floor • Bismarck, North Dakota 58505-0400

FAX - (701) 328-3230

Ann.
FYI

RECEIVED

JUL 1 1998

DEPT. OF CORRECTIONS

TO: All State Agencies and Institutions

FROM: Sheila Peterson, Director of Fiscal Management

DATE: June 29, 1998

RE: Risk Management Contributions

Our Risk Management fund actuary has completed an analysis of the fund and determined that contributions to the fund will not be necessary for the 1999-2001 biennium.

Your agency, therefore, does not need to include a request for these expenditures in your current budget request.

If you have any questions, please feel free to call me at (701)328-4905.

[redacted] - Fourth Floor - (701) 328-4904
[redacted] Management - Fourth Floor - (701) 328-2680
[redacted] Services Division- Judicial Wing - (701) 328-3190
[redacted] Environmental Assistance - Fourteenth Floor - (701) 328-2094

Central Services - Judicial Wing - (701) 328-2772
Central Personnel - Fourteenth Floor - (701) 328-3290
Record Management - Judicial Wing - (701) 328-3585
Risk Management - Fourth Floor - (701) 328-4901

INSURANCE
(Object Code 3019)

99-01 Biennium

Through December 2000	-	$ 29,761	
Projected January –June 2001	-	761	(Pine Additional Coverage)
TOTAL For 99-01 Biennium For Insurance		$ 30,522	

NOTE: Risk Management contributions for 99-01 were not necessary. Therefore, we over budgeted approximately $17,641.

01-03 Biennium

Executive recommendation = $48,163 for 01-03 biennium.

NOTE: Risk Management contributions for 01-03 will be necessary and have been budgeted at approximately $18,087.

In addition, continuation of insurance coverage for fidelity, property, liability and boiler will be necessary at approximately $30,076.

Elaine Little

3-5-01

#1

Testimony on Engrossed SB 2016

Department of Corrections and Rehabilitation

Central Office

House Appropriations Human Resources Subcommittee
Representative Ken Svedjan, Chairman

March 5, 2001

By Elaine Little
Director

DOCR CENTRAL OFFICE
BUDGET PRESENTATION TO THE
HOUSE APPROPRIATIONS HUMAN RESOURCES SUBCOMMITTEE
MARCH 5, 2001

The DOCR Central Office budget for the 2001-2003 biennium includes funding for 8.0 current FTEs and the associated administrative expenses. In addition, the budget includes funding for two new FTE's to address information technology needs within all Divisions of the Department of Corrections and Rehabilitation (DOCR). Also included is funding to cover costs for the inspection of local jails, for the training of county correctional officers and jail administrators, and funding to continue the support of the DOCR's automation network and systems.

Salaries and Wages - $ 1,281,357

- 8.0 FTEs - $ 933,877 (current staff)
- 2.0 FTEs - $ 150,765 (new technology positions)
- Temporary Salaries - $1,650
- Governor's Salary/Benefit Funding - $ 58,065
- Retirement Costs - $12,000
- Salary Equity Funding - $ 125,000

Justification of the two new technology positions:

The DOCR has close to 300 computer users and currently has two full-time and one part-time student intern dedicated to information technology (I.T.) support. Also, the Division of Juvenile Services contracts with the ND Association of Counties for IT support. The need for additional staff support is critical in all areas including:

- Desktop support
- Software troubleshooting services
- Network troubleshooting services
- Hardware support services
- User training services
- Report developments
- Application development, and
- Repair services.

Presently, the two Central Office staff are responsible for all of the DOCR automation systems. One of the new positions will be assigned to facilitate and problem solve the IT needs for Field Services, Division of Juvenile Services (DJS) statewide offices, the Missouri River Correctional Center (MRCC), and the James River Correctional Center (JRCC). The other new position will be assigned to the Youth Correctional Center.

Operating Expenses - $ 171,447

- Data Processing/Telecommunications - $ 24,506

- Travel - $42,840
  (Expenses include motor pool in-state mileage, and lodging costs related to the inspection of jails within the state, the training of county jail administrators and correctional officers, and management and technology staff travel ($14,508). Also includes out-of-state travel cost of management staff to attend national conferences, meetings and training seminars, and for information technology staff training ($28,332).

- Lease of Equipment - $ 4,440
  (Monthly rental costs for copier).

- IT Software Supplies - $ 24,244
  (Funding to update Adult Services Network servers to version 5.1 ($10,805), Up-grade Novell master server and JRCC server to facilitate E-Publishing capabilities ($5,090) upgrade Tape-back system software ($1,100), purchase Intranet server software ($4,000), PC software for PC replacements ($2,700), anti-virus protection ($216) and Email exchange license renewal ($333).

- IT Contractual Services - $ 4,000
  (System maintenance ie: repairs, backup tape replacements and Novell support costs).

- Dues and Professional Development - $ 21,600
  (Registration and conference fees, national association dues, management training fees and information technology staff training as required to support DOCR automation systems.)

- Operating Fees and Services - $ 20,751
  (Funding included to provide training to corrections management staff and county jail administrators - $11,160 Federal Funds/$4,340 General Fund. Also includes funding for freight charges, advertising services, audit fees, legal fees and employee awards.)

- Insurance - $ 1,406
  (Premiums paid to the State Fire and Tornado Fund for contents coverage ($200) and contributions to the Risk Management Fund ($1,206).

- Professional Supplies and Materials - $ 6,000

(Includes funding for subscriptions, correctional publications, personnel, fiscal and technology updates, video library tapes and training materials.)

- Other Expenses - $ 21,660
  (Postage ($2,660), repairs ($800), office supplies ($5,400), printing costs ($4,700), and miscellaneous supplies and equipment ($8,100)

Equipment - $ 80,850

- Funding to replace Oracle server hardware ($25,000), JRCC server hardware ($14,000) purchase and install Intranet server to host services for ITAG and centralized report generation ($14,000) and upgrade/replace network wiring infrastructure to facilitate new network connections ($4,000). Also includes funding to purchase PCs for new technology positions ($4,200) and for PC and printer replacement needs ($19,650).

TOTAL CENTRAL OFFICE BUDGET - $1,533,654

Funding Source

General Fund -$1,522,494
Federal Funds - $ 11,160

Elaine Little 530

Central Office

"DOCR"

3-7-01

#1

Program #	Object Description	Object Code	Actual Expenditures Through 01/01	Estimated Expenditures Last 5 Months	Projected 99-01 Expenditures	Appropriated 99-01 Budget	Executive Recommendation 01-03	Increase/ (Decrease)
530-130	**Salaries and Wages**							
	Salaries	1001	547,912	149,300	697,212	[illegible]	889,525	120,709
	Temporary Overtime & Shi	1002	24	0	24	1,500	1,500	0
	Benefits	1008	148,617	39,100	187,717	[illegible]	253,332	41,438
	Salary Equity	1001					125,000	125,000
	Retirement	1008					12,000	12,000
	Total		696,553	188,400	884,953	982,210	1,281,357	299,147
	Operating Expenses							
	IT-Data Processing	3002	6,442	2,142	8,584	7,777	9,949	2,172
	IT-Telephone	3003	11,529	2,726	14,255	12,818	14,557	1,739
	Travel	3004	28,958	4,800	33,758	36,400	42,840	6,440
	IT-Software/Supplies	3005	7,409	4,591	12,000	12,000	24,244	12,244
	Postage	3007	2,212	580	2,792	2,860	2,660	(200)
	IT-Contractual Services	3008	700	1,300	2,000	2,000	4,000	2,000
	Lease/Rent - Equipment	3011	1,295	925	2,220	2,220	4,440	2,220
	Lease/Rent - Bldg/Land	3012	420	0	420	100	100	0
	Dues & Professional Dev.	3013	16,218	3,281	19,499	19,499	21,600	2,101
	Operating Fees & Services	3014	10,572	7,000	17,572	24,287	20,751	(3,536)
	Repairs	3016	1,171	0	1,171	1,000	800	(200)
	Professional Services	3018	16	0	16	200	200	0
	Insurance	3019	229	0	229	300	1,406	1,106
	Office Supplies	3021	4,318	1,135	5,453	5,300	5,400	100
	Printing	3024	3,972	1,045	5,017	4,700	4,700	0
	Professional Supplies & M	3025	4,794	1,260	6,054	6,500	6,000	(500)
	Bldg,Grnds,Vehicle Mntce S	3030	109	50	159	200	200	0
	Miscellaneous Supplies	3033	2,084	1,037	3,121	4,000	7,600	3,600
	Total		102,448	31,872	134,320	142,161	171,447	29,286
	Equipment							
	IT-Equipment	4003	24,716	2,234	26,950	26,950	80,850	53,900
	Other Equipment	4020	0	0	0	5,000	0	(5,000)
	Total		24,716	2,234	26,950	31,950	80,850	48,900
	Reporting Level Funding							
	General Fund	9991	812,079	217,106	1,029,185	1,127,842	1,522,494	394,652
	Federal Fund	9992	11,638	5,400	17,038	28,479	11,160	(17,319)
	Special Fund	9993	0	0	0	0	0	0
	Total		823,717	222,506	1,046,223	1,156,321	1,533,654	377,333
	FTE Employees				8	9	8	(1)

The 1999-2001 salary history and FTE to support a Director of Treatment Programs position was transferred from Adult Servics to Central Office.

COST ESTIMATES FOR DOCR ADMINISTRATION
2001-2003 BIENNIUM

IT Data Processing	#Units	Cost per Unit	Total Cost	New Positions (2)
Records Management			$ 480.00	
Device Connections	11	$ 27.00	5,832.00	$ 1,296.00
CPU ($64.70/Mo.)			1,320.00	233.00
Admin. Fees (4.9%)			375.00	63.00
Miscellaneous Fees (Connection Fees)				350.00
TOTAL			**$ 8,007.00**	**$ 1,942.00**

IT Telecommunications

Basic Phone Services	11	$ 22.50	$ 4,860.00	$ 1,080.00
Analog Station	1	21.00	504.00	
Speaker Phones	2	2.00	96.00	
Speaker Display Phones	9	3.00	504.00	144.00
Voice Mail	10	3.00	576.00	144.00
In-State/Out-State Directory ($2/Mo.)			48.00	
InState/OutState/Inter Long Distance($120/Mo.)			2,304.00	576.00
Admin. Fees (4.9%)			437.00	95.00
Miscellaneous Fees (Connection Fee)				350.00
Cellphones ($113/Mo.)			2,472.00	368.00
TOTAL			**$ 11,801.00**	**$ 2,756.00**

$42/night Lodging (Proposed $47)
$20/ day Meals
$.25 Mileage (Proposed $.31/mile)

Travel Budget – Central Office

Motor Pool:

Administrative Services	1200 miles x $.39 =	$ 475 x 2 years =	$ 950
Training	9400 miles x $.39 =	$3670 x 2 years =	7340
Technology	1882 miles x $.39 =	734 x 2 years =	1468
Jail Inspections	2000 miles x $.39 =	780 x 2 years =	1560

Employee In-State/Out-of-State Mileage/Lodging:

			Lodging		Meals	
Administrative Services	In-State Travel for 5 staff	$ 1,250	2 nights/yr x 5 = 20 x42 =	$ 840	$20 x 20 days =	$400
	Out-of-State Travel for 4 staff	9,600	2 trips/staff x $1,200/trip			
Training	In-State Travel for 1 staff	1,500	1 night/month	1,008	$20 x 24 days =	492
	Out-of-State Travel for 1 staff	4,800	4 trips x $1200/trip =	4,800		
Technology	Out-of-State Travel for 4 IT staff	13,932	4 trips/2 staff x $1,250/trip	5,000		
			Additional out-of-state training for two new IT staff	3,732		
Jail Inspections	In-State Travel for 1 staff (meals/lodging)	440	3-4 trips/year	440		

Motor Pool/In-State	$14,508
Out-of-State Travel	28,332
Total	$42,840

Dues and Professional Development

Admininistration	$6,000		
Training	$2,000		
Training	$12,600	$3,600	New Positions

Central Office
Dues and Professional Development

Administration	6,000
PowerPoint Computer Training	76
Microsoft Publisher	76
Peace Officer Association	20
Notary Law Institute	59
Steve Engen (Registration)	85
Bismarck Tribune	59
American Correctional Assoc. Corrections Compendium	75
ND Planning Association	45
American Correctional Center	187
Central Dakota Human Resourc	30
Access Training	76
American Correctional Assoc.	35
Assoc of State Corr Administrat(	900
ND Peace Officers Assoc	40
HTML (web page language) Tra	23
Frontpage 2000	76
Gov't Finance Association	380
UND	200
HTML Introduction Computer	75
American Correctional Center	75
Telephone Etiquette	10
American Correctional Assoc.	35
Stress Strategies Workshop	50
Int'l Community Corrections	250
Bismarck State College	185
Gov't Finance Association	380
Assoc of State Corr Administrat(	1,350
Int'l Community Corrections	50
Bismarck Tribune	69
Attendance of Bev J.	30
Central Dakota Human Resourc	30
ND Peace Officers Assoc	20
Lutheran Social Services	200
ND Planning Association	40
Total	5,291

Training	$ 2,000
Americans for Effective Law Enf	597
Americans for Effective Law Enf	597
ND Peace Officers Assoc	20
ND Nursing Assoc	50
CNE Net (Continuing Education)	30
Info Assoc of Director of Law En Stds and Training (IADLEST)	100
Total	1,394

Technology	$ 10,000
Seagate Technologies	1,700
Novell Brainshare 2000	1,395
Skillpath Seminar	199
Application Developers	1,295
Institute for Network Professions	50
Corrections Technology Associa	25
Corporate Technologies	1,995
Corporate Technologies	796
Alto Consulting	2,790
Total	10,245

LC 3-5-01 #3

19666.01

Prepared by the North Dakota Legislative Council staff

March 2001

DEPARTMENT OF CORRECTIONS AND REHABILITATION SALARY INCREASES - 2001-03 BIENNIUM EXECUTIVE BUDGET RECOMMENDATION

The Schafer and Hoeven executive budget recommendations for the Department of Corrections and Rehabilitation (DOCR) include the following amounts for salary adjustments in addition to the executive budget compensation package of three percent the first year of the biennium and two percent the second year of the biennium:

	General Fund	Other Funds	Total
Provides funding for an equity salary increase of $182 per month for the director effective January 1, 2002 (the amount included in the executive budget is $112 less than the required amount of $3,831).	$3,719		$3,719
Provides funding for salary adjustments, in addition to the executive budget compensation package, to address equity and salary compression issues within the department.	125,000		125,000
Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase salaries to new pay range minimums established by Central Personnel.	97,297	$24,771	122,068
Provides funding for salary adjustments, in addition to the executive budget compensation package, to increase teacher salaries pursuant to the salary schedule prepared by Central Personnel.	291,375		291,375
Provides funding for salary adjustments, in addition to the executive budget compensation package, for correctional officer positions.	222,528		222,528
Total	$739,919	$24,771	$764,690

In addition to the amounts reflected above, the Schafer and Hoeven budget recommendations for the Office of Management and Budget include $5.4 million ($2.7 million from the general fund; $2.7 million from other funds) for market equity compensation adjustments for classified state employees. The 1999 Legislative Assembly also appropriated $5.4 million to the Office of Management and Budget for similar compensation adjustments to be distributed during the 1999-2001 biennium. The 1999-2001 biennium funding pool was allocated to state agencies, including the DOCR, which received $557,366 ($501,598 from the general fund; $55,768 from other funds).

Chairman Svedjan

3-13-01

#2

House Appropriations
Human Resources Subcommittee
Representative Ken Svedjan
March 13, 2001

DOCR COMPENSATION ADJUSTMENTS

In Table One you will see the compensation adjustments requested for the divisions within the DOCR. The proposed adjustments will generally affect different staff.

The $291,375 salary adjustment is to place the teachers at the NDYCC on the composite salary schedule that was developed in conjunction with Central Personnel and based on a review of salaries and benefits received by teachers in public schools. This review looked at schools located in areas surrounding the NDYCC, the School for the Blind and the School for the Deaf. The Public Schools selected for the survey were Bismarck, Devils Lake, Fargo, Grand Forks, Mandan and Minot. Crookston and Moorhead were also selected for the survey because of the proximity to the NDSD and the NDSB. East Grand Forks did not respond to the survey. The composite schedule is calculated at 95% of market just like the calculations that are done by Central Personnel for classified positions. This adjustment will ensure that the teachers at the NDYCC are compensated at a level commensurate with the teachers at the NDSD and NDSB. Currently the salaries at the other schools are above those of comparable teachers at NDYCC. The teachers at the NDYCC are not classified and are not included in the proposed salary market/equity adjustment of $5.4 million through the Central Personnel Division.

The $222,528 salary adjustment for Correctional Officers will be used to increase the entry-level salaries for new and recently hired temporary and regular salaried Correctional Officers (Table Two).

In 1999, the OMB Central Personnel Division provided a salary adjustment package for classified employees similar to the one that has currently been requested for the next biennium. The DOCR portion of the 1999 adjustments was $557,189 in salary and benefits. Table Three shows examples of the individual positions and how they were adjusted. Included are the positions, the years of service, the salary/benefit increases and the quartile after the adjustment. When Central Personnel converted the salary ranges from 44 to 20, the DOCR received a large portion of the dollars, due in part, to the need to ensure that the existing staff would at least be at the new entry salaries for the pay ranges. Overall about 55% of classified employees were eligible for the adjustment. In the DOCR about 81% were eligible for the adjustment. Even with this adjustment, 89% our staff were below midpoint compared to 65%for employees statewide.

Salary data for the year 2000 presented by Central Personnel (Table Four) with their request for $5.4 million in market/equity indicates that 21.8% of all classified employees had salaries in the first quartile of their pay grades, for DOCR employees the figure was 52%; 41% statewide in the second quartile, 35% for DOCR; 27.2% statewide in the third quartile, 12% for DOCR and 9.8% statewide in the fourth quartile, 1% for DOCR. In 2000 the percentage of all classified employees below the midpoint of their salary range was 63% and in the DOCR that figure was 87%.

The salary adjustments that are included in the proposed market/equity adjustments by OMB/Central Personnel would be used to adjust the salaries of existing classified staff within our department. In the market/equity proposal by Central Personnel the entry levels of the pay ranges would be increased. Some of our existing staff is at the entry salary in their current pay ranges. The $97,657 will be used to increase these salaries so that these employees will not be below the entry level of the new pay range. The other portion of the market/equity dollars will be used to move existing staff into their respective pay ranges. Since the salaries of our staff are so compressed within the first two quartiles, any adjustments from this will have a limited affect on moving existing staff into their pay ranges.

In 1999 the *compa- ratio for classified employees was .96 with an average of 12 years of service. The average c ratio for all the employees within the DOCR was .89 with an average of 9 years of service. Using the 1999 standard of .96 at 12 years as a guide, we reviewed each division within the DOCR to determine where they were in relation to compa- ratio and years of service. We then looked at where they should be in 2000. In order to bring the DOCR salaries more in line with the statewide average, still using the1999 standard, we determined that the cost would be $753, 246 in salaries and benefits for the next biennium. **In discussions with Central Personnel staff they advised that generally the compa- ratio would increase by one tenth of a point each year and the average years of services will increase by 4 to 6 months. Using that data and aging it with the 1999 data, we then applied this to the DOCR divisions and their staff salaries. We determined that if the compa- ratio for our affected divisions increased by two to three tenths over the next two years and the years of service increased by one year between a 1999 and 2002 the requested adjustment would be about $1.5 million in salaries and benefits for the next biennium (Table Five). With this increase and using the 2000 pay ranges; about 75% of our staff will be below the midpoint.

The $125,000 salary adjustment recommended by the OMB and included in the budget would be used to adjust the salaries of existing classified staff by a portion of the request (Table Five and Six). This would be done by factoring the relationship between the years of service and placement in the pay ranges. In recent discussions with the Central Personnel Division they think that this adjustment would compliment the market/equity adjustment that they have proposed for classified employees as it would it would move our employees into their pay ranges and bring them somewhat in line with the placement of other classified state employees in the pay ranges.

* Comparison of the employee's base salary to the dollar value at the midpoint of the pay range--with 1.00 representing a base salary at midpoint

** In 2000 the average compa- ratio for classified state employees was .97 with 12.6 years of service

Table One
Compensation Changes

$291, 375	Salary Adjustments for Teachers
222,528	Salary Adjustments for Correctional Officers
125,000	Salary Adjustments for DOCR Employees to Address Equity and Compression
97,657	Salary Adjustment to bring existing salaries to the new proposed pay range minimums
$736,560	Total

Table Two
Correctional Officers

Position	*Current Starting Salary*		*Projected Starting Salary*
New Temporary Correctional Officers	1350	to	1600
New Correctional Officer I (CO I)	1530	to	1750
New Correctional Officer II (CO II)	1830	to	1900

07/2001 – 01/2002				
	13	CO I's to CO II's ($70 x 6 months)	=	$5,460
A.	10	Temporary CO's ($250 x 6 months)	=	15,000
01/2002 – 07/2002				
	13	CO I's to CO II's ($70 x 6 months)	=	$5,460
A.	10	CO's to CO I's ($220 x 6 months)	=	13,200
B.	10	Temporary CO's ($250 x 6 months)	=	15,000
07/2002 – 01/2003				
A.	10	CO I's ($220 x 6 months)	=	$13,200
B.	10	CO's to CO I's ($220 x 6 months)	=	13,200
C.	10	Temporary CO's ($250 x 6 months)	=	15,000
01/2003 – 07/2003				
A.	10	CO I's to CO II's ($70 x 6 months)	=	4,200
B.	10	CO I's ($220 x 6 months)	=	13,200
C.	10	CO I's ($220 x 6 months)	=	13,200
D.	10	Temporary CO's ($250 x 6 months)	=	15,000
		Holiday Pay		41,200
		Benefits		40, 528
				222,528

Table Three
1999 Central Personnel Equity/Compression Salary Adjustment

$557,189	Total Salary and Benefit Dollars Received for 1999 - 2000		
Examples			
Title	*Years*	*Salary/Benefit Increase*	*Quartile*
Correctional Officer II	1	0	1
Correctional Officer II	7	$6	1
Correctional Officer II	18	$16	2
Registered Nurse II	3	$5	1
Registered Nurse II	9	$9	2
Account Technician II	1	$4	1
Account Technician II	15	$15	2

Table Four
Statewide and DOCR Salary Range
Quartile Distribution (2000)

	1st Quartile	2nd Quartile	3rd Quartile	4th Quartile
Statewide	21.8%	41.1%	27.2%	9.8%
DOCR	52%	35%	12%	1%
Difference	30.2%	6.1%	(15.2%)	(8.8%)

Table Five
DOCR Equity/Compression Salary Adjustments

A. Current Average C Ratio for DOCR is .90 with 9 years of service (C ratio of 1.00 is midpoint in the range)
B. $1,562,933 Salary Adjustment Dollars Requested
   - Average Salary/Benefit = $108
C. $125,000 Salary Adjustment Dollars Recommended
   - Average Salary/Benefits Increase = $9
D. Examples
   - $1.5 Million Salary/Benefits Increase

Title	*Base Salary*	*Years of Service*	*Salary & Benefits Increase*	*Quartile*
Registered Nurse II	$2,741	11	$152	2nd
Admin Assistant I	1,501	10	105	2nd

   - $125,000 Salary Benefits Increase

Title	*Base Salary*	*Years of Service*	*Salary & Benefits Increase*	*Quartile*
Registered Nurse II	$2,741	11	$12	2nd
Admin Assistant I	1,501	10	8	2nd

Table Six

TOTAL DOLLARS AVAILABLE	
$ 107,000	Base Salary
0.17	Benefit Factor (17%)
$ 18,190	Benefits
$ 107,000	Base Salary
18,000	Benefits
$ 125,190	Total

SALARY EQUITY DOLLARS FOR 2001-2003		
DOCR Division	Amount Requested	Amount Included in Governor's Executive Recommendation
NDSP	744,840	59,587
JRCC	19,464	1,557
FIELD SERVICES	265,440	21,235
DJS/COMMUNITY	134,664	10,773
DJS/YCC	171,432	13,714
Salary	1,335,840	106,866
Benefits	227,092	18,167
TOTAL	$ 1,562,933	$ 125,033

Chairman Svedjan

Agency/Position No./Description	Date Vacated	Number of Months Vacant 01-Mar	Date Expected to Be Filled	Current Status	Salary and Fringe Benefit Amounts Included in the 2001-03 Executive Budget: General Fund	Special Funds	Total	
518/Prisons Division/JRCC								
6870-6881 Correctional Officers 12 for 5/6th floors	New Positions		01-May	Will fill when 5/6th floors are completed	686,236		686,236	Salary & Benefits
6882-6887 Correctional Caseworkers 6 for 5/6th floors	New Positions		01-May	Will fill when 5/6th floors are completed	408,276		408,276	Salary & Benefits
6888-6889 Correctional Casemanagers 2 for 5/6th	New Positions		01-May	Will fill when 5/6th floors are completed	155,205		155,205	Salary & Benefits
	Total --20 FTE				42,233		42,233	Holiday pay and Benefits
518/Prisons Division/MDSP								
485 Addiction Counselor II (TCU and Treatment)	Jul-00	8 months	Immediately	This has been advertised since 7/00 and no qualified applicants have applied	85,892		85,892	
543 Correctional Officer II	Jun-00	9 months		Placed in Central Office budget/unfunded by OMB	0		0	
546 Unit Manager to Deputy Warden	12/15/2000	2.5 months	01-Mar	This position reclassified 2/01 by Central Personnel, has been advertised and interviews have been scheduled	101,928		101,928	
	Total 3 FTE							
530/Prisons Division/RRI								
322 DP Coordinator	05/19/1998	33 months	*see below	No Action Being Taken		60,109	60,109	
376 Indust. Production Assistant II	12/18/1999	14 months	*see below	No Action Being Taken		66,080	66,080	
375 Indust.Production Apprentice	Never Filled	33 months	* see below	No Action Being Taken		62,302	62,302	
3[illegible] Indust. Production Assistant II	Never Filled	38 months	* see below	No Action Being Taken		61,576	61,576	
	Total--4 FTE							
530/Division of Juvenile Services/Community								
726 Juvenile Corrections Specialist	Jul-00	8 months	Spring 01	Due to recent increase in caseloads will fill as soon as possible	41,541		41,541	
	Total--.50 FTE							
Total FTE -- 27.50					$1,521,313	$250,047	$1,771,360	

* Since Rough Rider Industries operates with self-generated revenues, a prime consideration in filling these positions is making sure that the funds are there to support the new positions hired. With the increased prison population RRI is working to find employment for more inmates. As inmate job numbers grow, RRI will fill the above positions to provide supervision and security as necessary.

3-13-01

#3

3-21-01

Prepared by the North Dakota Legislative Council staff for House Appropriations - Human Resources Division
March 2001

#2

DEPARTMENT OF CORRECTIONS AND REHABILITATION - 2001-03 BUDGETED AMOUNT FOR TRAINING COUNTY CORRECTIONAL OFFICERS

The following amounts are included in the Schafer and Hoeven executive budget recommendations, and Engrossed Senate Bill No. 2016, for costs anticipated to be incurred by the Department of Corrections and Rehabilitation for providing training to county correctional officers during the 2001-03 biennium:

	General Fund	Other Funds	Total
Central office - Operating expenses object code			
Travel	$4,400		$4,400
Professional development	360		360
Printing	1,000		1,000
Training workshops	4,340	$11,160[1]	15,500
Total	$10,100	$11,160	$21,260

[1] Federal Edward Byrne grant program.

3-14-01

#05

Questions asked by the House Sub-committee 3/6/01

1. Rep. Delzer. What amount did the salary increase in FY01 for CO's come to?

We have not begun paying officers at the proposed new rates. Last July, I did increase the salary of 12 Correctional Officers at Jamestown by $27.00/month, and 9 correctional Officers at Bismarck by $17.00/month to raise their monthly pay over the $1900/month level that I planned to pay the new CO II's. I didn't want existing officers with more experience being paid at a lower level than the new COII officers. The total for these raises is $5,724. However, we did not increase the salaries yet for the new hires, people moving from temporary to COI openings, or those staff that have earned the COII status since July.

2. Rep. Delzer. Can you provide a copy of the Extraordinary Repairs list?

A copy of the list is provided *(A)*.

3. Rep. Delzer. What is the cost of WU renovation vs. construction? What would the cost be in contracting bed space if the unit is not built? What would we save if we placed the Women's Unit at the MRCC? What are the savings if we combine construction of the MRCC Food Service building with the new Women's Unit?

A copy of the costs to renovate the Employee Apartment building *(B)* and estimates for the new building *(C)* are attached. There is documentation comparing the costs spent for contracting bed space versus the costs for constructing the new unit *(D)*. Documents from Prison's Division Director of Plant Services Dick Frohlich, which address the costs of building at the MRCC, and savings generated by combining the two buildings, are also attached *(E)*.

4. Rep. Warner. Has a female inmate become pregnant from a male inmate at JRCC recently?

No female inmate has been impregnated by a male inmate at JRCC. It's possible that your source was describing a situation where a female inmate was released from prison and became pregnant from her boyfriend, who was also an ex-inmate. She was only out for a short period of time, before she came back into the prison on a parole violation.

5. Rep. Delzer. What is the average length of stay for female? What is the breakdown by custody levels?

The average sentence, including probation time, is 27 months; 19 months incarceration, and 8 months of subsequent probation. The average length of stay in the prison is 14 months. We presently have 63 women in our system. There are 3 maximum custody, 32 medium custody, and 28 minimum custody female prisoners.

6. Rep. Delzer. What is the breakdown (salary, operating, equipment) for the SMI unit?

A copy of the optional adjustment package is attached *(F)*.

7. Rep. Delzer. What would happen to the employees that are presently working in the unit that is proposed to become the SMI Unit?

The Officer working in the control room on each shift would remain. I answered incorrectly though regarding the other two officers. In checking with the Warden at the JRCC, he informed me that the staffing plan for the unit would require 5 additional Correctional Officers, along with the two that are presently working there, for a total of 7 officers per each day shift.

8. Rep. Delzer. Population projections: What is the breakdown of useable bed space? Temporary Bedspace? Can we project 10 cells in the 100 unit as "useable beds?

A copy of the bed space breakdown (memo of 7/20/00) is attached *(G)*.

9. Rep. Delzer. Optional Adjustment detail for the $222, 528 request for Correctional Officer salary increases.

A copy of the working papers used to arrive at the $222,528 is attached *(H)*.

[redacted]ARY REPAIRS
[redacted] DEPT OF CORRECTIONS & REHABILITATION
Version: 2001-0630-A-01

Pa[redacted]f 1
Da[redacted]/2000
Time: 16:09:27

Program: EXTRAORDINARY REPAIRS	Reporting Level: 01-530-500-03-54-70-74

Priority	Project Description	Line	Funding Request			
			General	Federal	Special	Total
02	Security Improvements, Fences, Razor Wire, Cameras - NDSF	75	75,750			
04	Tube Replacement, Cooling Tower - NDSP	75	57,288			
05	Simplex System, Retrofit - NDSP	75	36,325			
06	Sewer Lift Station Pumps - MRCC	75	10,000			
07	Energy Management System, Retrofit - NDSP	75	31,800			
08	Life Safety - ADA, 3 sites - NDSP	75	27,000			
09	Roof Repairs; Administrative Building, Dairy Barn - NDSP	75	86,580			
10	Repairs, Warden's House (Attic rafters, Front porch, Basement walls) - NDSP	75	34,000			
11	Hard Surface Walks, North Unit - NDSP	75	44,000			
12	Recarpet Corridors - DOCR, South Unit Dayroom - NDSP	75	13,400			
13	Metal Ceiling Panes - JRCC Floors 1 - 4	75	18,000			
14	Paint Project - NDSP	75	28,800			
15	Additional Parking - JRCC	75	90,000	0		
16	Parking Lot Lighting, Heater Plugs - JRCC	75	12,000			
17	Milling, Chip Seal, Mall Lot - NDSP	75	23,340			
18	Mechanical Duct Cleaning, WCH, ECH, SU, NU - NDSP	75	7,815			
19	Ceiling Replacement, Kitchen, Dishtank - NDSP	75	4,584			
20	Computer Lab, Treatment Building - NDSP	75	3,200			
REPORTING LEVEL TOTAL			BASE 605,852	0	0	0

531,230
+ 73,040 Energy Retrofit Ⓚ
604,270 Recommended Budget (General)

A?

Ⓚ Our Requested Budget had this as bonding dollars, through a DCS grant. It was included as operating and not extraordinary repairs.

B

JAMES RIVER CORRECTIONAL CENTER
PROPOSED WOMEN'S UNIT
PHASE I EMPLOYEE BUILDING #75 COMPLETE RENOVATION

OPINION OF PROBABLE COST----------DATE: 10-2-00

AREA INVOLVED: - Renovation = 35,500 sf

HARD COSTS:

General Construction		=	$ 753,000.00
Mechanical Construction		=	$ 352,000.00
Electrical Construction		=	$ 503,000.00
Environmental Abatement		=	$ 134,000.00
Food Service Construction		=	$ 100,000.00
FF&E (furniture, fixtures, and equipment)		=	$ 150,000.00
Contingency:			
-Schematic Design	(20%)	=	$ 400,000.00
-Design Develop.	(%)	=	$_____
-1/2 Contr. Doc.	(%)	=	$_____
-100% Contr. Doc.	(%)	=	$_____
Hard Cost Total		=	$ 2,392,000.00

SOFT COSTS:

Professional Fees & Expenses	=	$ 240,000.00
Legal Costs	=	$ -------
Site Survey	=	$ 4,000.00
Geotechnical (soil borings)	=	$ -------
Environmental Assessment	=	$ 15,000.00
Field Testing	=	$ 5,000.00
Soft Cost Total	=	$ 264,000.00

SUMMARY:

Hard Costs	=	$ 2,392,000.00
Soft Costs	=	$ 264,000.00
Total Costs	=	$ 2,656,000.00

Inflation from date above @ 8% per annum = $212,000,00(add)

C

JAMES RIVER CORRECTIONAL CENTER
PROPOSED WOMEN'S UNIT (WITH COMPLETE SITE)

OPINION OF PROBABLE COST---------- DATE: 10-2-00

AREA INVOLVED: - New = 20,000 sf

HARD COSTS:

General Construction		=	$ 1,737,000.00
Mechanical Construction		=	$ 437,000.00
Electrical Construction		=	$ 325,000.00
Demolition & Abatement		=	$ 60,000.00
Sitework		=	$ 400,000.00
FF&E (furniture, fixtures, and equipment)		=	$ 150,000.00
Contingency:			
-Schematic Design	(10%)	=	$ 311,000.00
-Design Develop.	(%)	=	$_____
-1/2 Contr. Doc.	(%)	=	$_____
-100% Contr. Doc.	(%)	=	$_____
Hard Cost Total		=	$ 3,420,000.00

SOFT COSTS:

Professional Fees & Expenses	=	$ 286,000.00
Legal Costs	=	$ ----------
Site Survey	=	$ 5,000.00
Geotechnical (soil borings)	=	$ 4,000.00
Field Testing	=	$ 5,000.00
Soft Cost Total	=	$ 300,000.00

SUMMARY:

Hard Costs	=	$ 3,420,000.00
Soft Costs	=	$ 300,000.00
Total Costs	=	$ 3,720,000.00

Inflation from date above @ 8% per annum = $298,000,00(add)

JRCC Women's Unit Construction Cost Comparison

D

Costs for 2001-2003 (9 months)			
Salaries & Wages (22.5 FTE)	$	585,457	
Operating/Equipment		455,610	
Total	$	1,041,067	
W. U. Construction Costs	$	3,720,000	(2,320,000 general funds)
Costs for 2003-2005 (Full Bien.)			
Salaries & Wages (22.5 FTE)	$	1,553,937	(salaries as of 6/30/03, without any increase)
Operating/Equipment		1,152,410	
Total	$	2,706,347	

Cost to contract out 94 male inmates from 11/02 - 6/03 @ $50 per day, if the WU is not built - $1,137,400
Cost to contract out 94 male inmates for a biennium @ $50 per day, if the WU is not built - $3,431,000
- If the Women's Unit (WU) is built, we will be able to use the entire second floor for male inmates (80 beds). We will also be able to house 14 more men at the MRCC because the women will be housed in the WU.

Cost Savings	**WU**	**Contract Housing**	**Savings**
Expenditures 2001-2003 (9 mo.)	1,041,067	1,137,400	96,333
Expenditures 2003-2005	2,706,347	3,431,000	724,653
Expenditures 2005-2007	2,706,347	3,431,000	724,653
Expenditures 2007-2009	2,706,347	3,431,000	724,653
	$ 9,160,108	$ 11,430,400	$ 2,270,292

The savings of $2,270,292 by building the Women's Unit will offset the construction of $2,320,000 within 7 years.

D2

2001-2003 JRCC WOMEN'S UNIT BUDGET

SUPPORT SERVICES	**Requested**	**Recommended**
Salaries (1.5 FTE)	36,381	34,505
Operating:		
utilities	36,400	
medical	44,450	
institutional medical	90,000	
administrative	3,000	
food	133,390	
purchasing/warehouse	32,068	
start-up	79,147	
Operating sub-total	418,455	345,165
Equipment	33,795	33,795
Total	488,631	413,525
PROGRAM SERVICES		
Salaries (1 FTE)	25,322	25,322
Operating:		
inmate pay	76,650	76,650
Total	101,972	101,972
SECURITY & SAFETY		
Salaries	623,287	515,960
	(25 FTE)	(20 FTE)
Adjustment		9,610
GRAND TOTAL	**1,213,890**	**1,041,067**
SALARIES	684,990	585,457
OPERATING	495,105	421,815
EQUIPMENT	33,795	33,795
GRANT TOTAL	**1,213,890**	**1,041,067**

E

Cost to Build Women's Unit at MRCC:

1. 2,500 cubic yards engineer fill, to raise building above 100 year flood plain

2500 c.y.
x $9.50 per yard
$23,750 includes overhead

2. Replace 13,000 feet of 2" high-pressure sewer line with 3" line. Existing 2" would be too small for additional inmate load.

13000 ft. 3 " line
x $4.50 includes materials and excavating
$58,500

3. Fire Protection - Hydrants

2 Hydrants x $5800 each = $11,600

4. If inmates were served meals at approximately the same time, additional equipment would be required:

2 ovens, 1 steamer = $20,000 equipment

5. Additional square footage requirement:

200 s.f. in Kitchen, Multi-Purpose Building

200 s.f.
x $125 s.f.
$25,000

Additional mechanical room, space to accommodate boiler and chiller equipment will be needed. Note: At JRCC a boiler and chiller were not required because we purchase steam and chilled water from the State Hospital. At MRCC we would need the boiler and chiller. At JRCC we would not need them.

150 s.f. addition mechanical room space
x $180 s.f.
$12,000

E2

6. Boiler, hot water with domestic hot water heater coil - $65,000

Central chiller system and cooling tower

Chiller	$32,500
Condenser or tower	$32,000
	$64,500

7. Building demolition would be slightly less at MRCC, but because of flood plain concerns, we may need to do demolition at MRCC as well, but could use inmate labor.

TOTAL NOS. 1 - 6 ADDITIONAL CONSTRUCTION COST: $270,350
As always, because these are construction costs, architects would receive their percentage of the total above. Somewhere around 7% or $21,628 in Fees.

Savings if we combine construction of Women's Unit and MRCC Food Service:

The Women's Unit, Dining and Multi-Purpose space square footage is 1333 s.f.
The Pantry (kitchen) is 363 s.f.

	1333 s.f.	
	363 s.f.	
	1696 s.f. Total	
x	$125 s.f.	
	$212,000	
x	16,960	8% Fee
SAVINGS OF	**$228,960**	

If the MRCC Multi-Purpose building footprint remains the same, the only place the Women's Unit could be attached is on the north end of the Multi-Purpose building. If you recall, the grade is lower in that area, and I think it would cost more to raise the grade to 100 year flood plain than we would save by sharing 60' of block wall. I would suggest staying out of the low wooded area as much as possible. There is a good possibility utilities would have to be re-routed as well, in which case we would need to add perhaps another $20,000 to estimates given for building the Women's Unit at MRCC. The good news is that the present generator is large enough.

Submitted by Richard Frohlich, Plant Services Director, Prisons Division
March 8, 2001

F.

2001-2003 JRCC SMI UNIT

SUPPORT SERVICES	**Requested**	**Recommended**
Salaries (5 FTE)	371,503	357,233
Operating:		
medical	201,531	
institutional medical	90,000	
administrative	107,580	
start-up	22,495	
Operating sub-total	421,606	421,606
Equipment	17,650	17,650
Extraordinary Repairs	123,600	123,600
Total	934,359	920,089
PROGRAM SERVICES		
Salaries (4 FTE)	321,968	308,808
Operating:		
administrative	15,500	15,500
Total	337,468	324,308
SECURITY & SAFETY		
Salaries (19 FTE)	1,101,318	1,104,894
Adjustment		88,506
GRAND TOTAL	**2,373,145**	**2,437,797**
SALARIES	1,794,789	1,859,441
OPERATING	437106	437,106
EQUIPMENT	17650	17,650
EXTRAORDINARY REPAIRS	123,600	123,600
GRAND TOTAL	**2,373,145**	**2,437,797**

G

DEPARTMENT OF CORRECTIONS AND REHABILITATION
PRISONS DIVISION

MEMORANDUM

TO: MANAGEMENT TEAM
ELAINE LITTLE, DIRECTOR, DOCR

FROM: TIM SCHUETZLE, DIRECTOR, PRISONS DIVISION

DATE: JULY 10, 2000

SUBJ: AVAILABLE BED SPACE WITHIN PRISONS DIVISION

ACTUAL USEABLE BED SPACE

NDSP		
North Unit	66	
Overflow Unit (dorm style)	31	
East Cell House	159	
West Cell House	80	
South Unit	87	
Therapeutic Community	60	
Administrative Segregation	40	
NDSP Total		**523**
MRCC		
(Includes 14 female beds)		
MRCC Total		**150**
JRCC		
Floors 2-5 (Includes 80 female beds)	320	
Floor 6	20	
Administrative Segregation (100 unit)	9	
JRCC Total		**349**

Subtotal Useable Beds	**1022**
Less 5% "unavoidable vacancy"	**51**
TOTAL USABLE BEDS	**971**

TEMPORARY BED SPACE

NDSP	
Disciplinary Detention (7 - 2nd floor + 4 - 3rd floor)	11
Detention (2 - 2nd floor + 2 - NU)	4
Observation (4 plus 1 padded)	5
Infirmary	5
Overflow Special Management Housing	2
JRCC	
JRCC DD (1st floor)	5
JRCC Infirmary (1st floor)	4
JRCC Unit 400	8
JRCC Unit 500	6
JRCC 6th Floor (7 DD + 5 AS + 1 Observation)	13
TOTAL TEMPORARY BEDS	**63**

G

1. A 5% deduction is to account for inmate movement, not always being able to fill AS beds, not having enough women in the system to fill their general housing beds, etc.

   We cannot count on our Temporary Beds as being always available to house the right mix of inmates.

2. We plan to increase the available bed space by 75 beds with the addition of the JRCC Women's Unit building in 11/02.

H

1/01-1/02)
13 cots × $70 × 6 month = $5,460 ⟩ $20,460
10 Temps × $250 × 6 months = 15,000 ⟩

1/02-7/02
13 cots × $70 × 6 month = 5460
10(A) Temps × $220 × 6 months = 13,200 ⟩ 33,600
10(B) Temps × $250 × 6 months = 15,000 ⟩

7/02-1-03
10(A) Temps × $220 × 6 months = 13,200
10(B) Temps × $220 × 6 month = 13,200 ⟩ 41,400
10(C) Temps $250 × 6 months = 15,000 ⟩

1/03-7/03
10(A) Temps @ $70 × 6 months = $4,200
10(B) Temps × $220 × 6 months = $13,200 ⟩ 45,600
10(C) " × $220 × 6 months = 13,200 ⟩
10(D) Temps × $250 × 6 months = $15,000 ⟩

$141,200
41,200

Holiday Pay
10(A) Temps @ 168 hours @ $10.10/hour $16,847
10(B) " " 126 hours @ 9.81/hour = 12,361
10(C) Temps @ 84 hours @ 9.66/hour = $8,115
10(D) Temps @ 42 hours @ $9.23/hr = 3877
$41,200

184,200
× 22% Benefits
= $222,528

SB 2016

TESTIMONY ON SB2016
SENATE APPROPRIATIONS COMMITTEE

ROUGH RIDER INDUSTRIES
DENNIS FRACASSI, DIRECTOR
JANUARY 16, 2001

Rough Rider Industries represents 12% of the budget for Adult Services or $10,849,840 ($10,850,000). The funding source for this line item request is comprised entirely of special funds. All salaries, equipment, capital improvements and operating expense are funded through self-generated revenues from products and services we provide to eligible customers..

We currently have over 160 inmates working each day in the industry program. This has a huge impact on maintaining peace and order within the prison cell houses. It gives the inmates an outlet to release energy and frustration and simultaneously allows them to provide for their own livelihood while incarcerated. Inmates will think twice before acting out when they know that inappropriate conduct either at work or in the cell house will cost them their job. It also saves state taxpayers several hundred thousand dollars each year that would otherwise be needed for additional staff and other forms of programming.

We are requesting an increase of $3,222,616 for the RRI budget from the current biennium. Approximately 1.7 million is targeted for raw materials in anticipation of a new general issue of license plates. Some of the remaining 1.5 million will be used to

cover additional labor and overhead for the general issue, but the majority of these dollars are targeted towards continued efforts to build relationships with the private sector.

I am excited and encouraged by the progress RRI has made in working with private sector companies to create new inmate jobs in order to provide more work for our escalating prison population. In the past two and a half years, RRI has done business with over 70 North Dakota private sector businesses, reaching sales of 1.7 million dollars and providing work for an additional 50 - 60 inmates. Efforts to communicate on both the part of RRI and ND business have enabled us to find common grounds that allows for our presence in the marketplace. Business fears of losing private sector jobs to prison inmates have been significantly reduced. In fact, many businesses are starting to look to us as a potential source of labor rather than a competitive adversary. This is not to say that all ND businesses accept our presence or like what we do, but for those who have worked with us, they are finding that we can work together to achieve common goals.

The partnership arrangements that offer the greatest potential to achieve our goals in a non-threatening manner with the private sector are those under the auspice of the Prison Industry Enhancement Program (PIE). We are currently working with 3 different private sector partners at our industry program in Jamestown. The companies are Acceleration Products, Inc. and Global Electric Motors both of Fargo, and Soaring Eagle Outwear of Minot. All three of these companies have needs for cut and sew products and they have all experienced frustrations trying to find someone in North Dakota to provide for their needs. In this program inmates are paid minimum or local prevailing wages and agree to

deductions of up to 80% of their gross earnings for state and federal income taxes; a 5% deduction to a victims reparation fund, deductions for fines, restitution, child and family support; and institutional costs that are used to help defray the cost of incarceration.

For the eighteen months ending December 31, 2000, a total of $310,193 has been paid to inmates in the PIE program. From these earnings the following deductions have been made:

Victims Reparation:	$ 20,249
Federal Income Tax:	$ 30,532
State Income Tax	$ 4,274
Fines, Child Support, Restitution:	$ 18,883
Institutional Costs:	$162,756

Institutional costs may appear to be excessive or out of line with other deductions, but one of the intents of the PIE program is to make the inmate contribute to their own cost of incarceration. The institutional costs are currently retained by RRI to help defray the cost of startup for the Jamestown operation. As with any new startup business, it often takes several years to become profitable and financially stable. Once this is achieved, our hope would be to use the deductions to help defray the cost of incarceration in the form of partial repayment for room and board. But for now, it makes sense to let the inmates who benefit from this program share in the responsibility of building the business.

In closing, I want to assure you that Rough Rider Industries will continue to work hard to provide as many inmate jobs as possible by working with the private sector, and to do so without using general fund dollars. Part of our success in working with the private sector can be attributed to opening our factories for public tours. I invite you, your spouses, friends and constituents to call us at any time for a personal tour of our operations. We would also be happy to present a 15-minute video presentation to any chamber group or civic club in your district. In the interim, I would appreciate your support for the appropriation request as presented to you in the budget.

Program: 530-600-03-62
ROUGH RIDER INDUSTRIES

Object Description	Object Code	Actual Expenditures Through 01/01	Estimated Expenditures Last 5 Months	Projected 99-01 Expenditures	Appropriated 99-01 Budget	Executive Recommendation 01-03	Increase/ (Decrease)
Salaries and Wages							
Salaries	1001	1,247,563	328,880	1,576,443	1,769,038	2,111,457	342,419
Temporary & Overtime	1002	17,488	1,885	19,373	70,032	107,232	37,200
Benefits	1008	379,139	102,991	482,130	604,525	759,451	154,926
Total		1,644,190	433,756	2,077,946	2,443,595	2,978,140	534,545
Operating Expenses							
IT-Data Processing	3002	2,911	1,640	4,551	0	17,000	17,000
IT-Telephone	3003	23,456	6,425	29,881	30,000	40,000	10,000
Travel	3004	33,118	10,000	43,118	66,000	54,000	(12,000)
IT-Software/Supplies	3005	7,693	2,000	9,693	13,000	10,000	(3,000)
Utilities	3006	77,317	17,750	95,067	113,200	126,200	13,000
Postage	3007	10,177	2,000	12,177	14,000	16,800	2,800
IT-Contractual Services	3008	12,937	0	12,937	23,000	54,366	31,366
Lease/Rent-Equipment	3011	27,941	3,013	30,954	30,000	53,000	23,000
Dues & Professional Dev.	3013	8,531	2,000	10,531	12,000	12,500	500
Operating Fees & Services	3014	782,113	200,000	382,113	775,000	952,634	177,634
Repairs	3016	82,277	17,500	99,777	103,000	143,000	40,000
Professional Services	3018	27,194	2,000	29,194	63,000	34,000	(29,000)
Insurance	3019	17,249	3,700	20,949	22,000	32,000	10,000
Office Supplies	3021	16,017	3,500	19,517	13,000	24,000	11,000
Printing	3024	5,782	700	6,482	12,200	12,200	0
Bldg. Grnds (Raw Materials)	3030	2,534,602	500,000	3,034,602	3,189,229	4,700,000	1,510,771
Misc. Supp. (Raw Materials)	3033	423,211	18,000	441,211	510,000	1,100,000	590,000
Total		4,092,526	790,228	4,882,754	4,988,629	7,381,700	2,393,071
Equipment							
Office Equipment & Furnit	4002	0	0	0	18,000	12,000	(6,000)
IT-Equipment	4003	2,652	0	2,652	12,000	27,000	15,000
Other Equipment	4020	99,944	42,233	142,177	115,000	201,000	86,000
Total		102,596	42,233	144,829	145,000	240,000	95,000
Capital Improvements	5005	0	0	0	50,000	250,000	200,000
Reporting Level Funding							
General Fund	7891	0	0	0	0	0	0

Program: 539-888-03-62
ROUGH RIDER INDUSTRIES

Object Description	Object Code	Actual Expenditures Through 01/01	Estimated Expenditures Last 5 Months	Projected 99-01 Expenditures	Appropriated 99-01 Budget	Executive Recommendation 01-03	Increase/ (Decrease)
Federal Fund	7892	0	0	0	0	0	0
Special Fund	7893	5,839,312	1,266,217	7,105,529	7,627,224	10,849,840	3,222,616
Total		5,839,312	1,266,217	7,105,529	7,627,224	10,849,840	3,222,616
FTE Employees				27.00	31.00	34.00	3.00

Dennis Fracassi

3-6-01

#6

TESTIMONY ON SB2016
HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRESENTATIVE KEN SVEDJAN, CHAIRMAN

ROUGH RIDER INDUSTRIES
DENNIS FRACASSI, DIRECTOR
MARCH 5, 2001

Rough Rider Industries represents 12% of the budget for Adult Services or $10,849,840 ($10,850,000). The funding source for this line item request is comprised entirely of special funds. All salaries, equipment, capital improvements and operating expense are funded through self-generated revenues from products and services we provide to eligible customers.

We currently have over 160 inmates working each day in the industry program. That's 160 bodies that are removed from an already congested cell house environment, who are trained, supervised and put to work at no cost to ND taxpayers. This gives the inmates an outlet to release energy and frustration and to provide for their own livelihood while incarcerated. Taking these inmates off the hands of prison security staff helps to maintain peace and order within the cell houses. The bottom line is that Rough Rider Industries plays a significant role in reducing inmate idleness that leads to unrest, and simultaneously saves state taxpayers several hundred thousand dollars each year that would otherwise be needed for additional staff and other forms of programming.

We are requesting an increase of $3,222,616 for the RRI budget from the current biennium. Approximately 1.7 million is targeted for raw materials in anticipation of a new general issue of license plates. Some of the remaining 1.5 million will be used to cover additional labor and overhead for the general issue, but the majority of these dollars are targeted towards continued efforts to build relationships with the private sector.

While RRI provides a cost effective and invaluable service to the ND State Penitentiary and to many inmates who have taken advantage of our program, it's no secret that private sector businesses with whom we compete have not always accepted our presence in the marketplace. However, efforts to communicate on both the part of RRI and ND business have enabled us to find common ground to work together and significantly reduce business fears of losing private sector jobs to prison inmates. In fact, many businesses are starting to look to us as a potential source of labor rather than a competitive adversary. This is not to say that all ND businesses accept our presence or like what we do, but for those who have worked with us, they are finding that we can work together to achieve common goals. In the past two and a half years, RRI has done business with over 70 North Dakota private sector businesses, reaching sales of 1.7 million dollars and providing work for an additional 50 – 60 inmates.

The working arrangements that offer the greatest potential to achieve our goals in a non-threatening manner with the private sector are those under the auspice of the Prison Industry Enhancement Program (PIE) sponsored by the U.S. Bureau of Justice. We are currently working with 3 different private sector partners at our industry program in

Jamestown. The companies are Acceleration Products, Inc. and Global Electric Motors both of Fargo, and Soaring Eagle Outerwear of Minot. All three of these companies have needs for cut and sew products and they have all experienced frustration trying to find someone in North Dakota to provide for their needs. In this program inmates are paid minimum or local prevailing wages and agree to deductions of up to 80% of their gross earnings. These deductions include state and federal income taxes; a 5% deduction to a victims reparation fund, deductions for fines, restitution, child and family support; and institutional costs that are used to help defray the cost of incarceration.

For the eighteen months ending December 31, 2000, a total of $310,193 has been paid to inmates in the PIE program. From these earnings the following deductions have been made:

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would be to use that deduction to help defray the cost of incarceration in the form of partial repayment for room and board. But for now, it makes sense to let the inmates who benefit from this program share in the responsibility of building the business.

Appropriation breakdown:

Revenues:	$10,849,840	100% Special funds (generated from sale of products and services).
Salaries and Benefits:	$2,978,140	These dollars represent our current workforce of 27 FTE's with 4 vacant FTE positions. It also includes a request for 3 new FTE's to ensure that staff are available if we are successful in attracting new private sector partners.
IT Expense:	$ 123,366	This is what we anticipate our needs will be to maintain our cost-accounting software, telephones, access to the state Wide Area Network, payments for leased equipment, and computer upgrades.
Operational Expense:	$7,285,334	The majority of this expense is for raw materials ($5,800,000) or 53% or our entire budget. The balance is used for travel, training, utilities, insurance, repairs and maintenance and other such expense necessary to operate a business.
Equipment:	$ 213,000	These dollars are targeted towards equipment replacement for existing machinery and additional health and safety equipment such as air filtration systems.
Capital Improvements:	$ 250,000	No new construction is planned, however extraordinary repairs which are capitalized, are often necessary to maintain existing structures or retrofit buildings to accommodate new business.

SB 2016

SENATE BILL 2016
Department of Corrections and Rehabilitation Appropriation Request
Testimony on Prisons Division Funding
Senate Appropriation Committee 1/16/01
Tim Schuetzle, Prisons Division Director

The Prisons Division consists of the three secure facilities, the North Dakota State Penitentiary and Missouri River Correctional Center in Bismarck, and the James River Correctional Center in Jamestown. Our prison population has continued to increase throughout this biennium, and therefore the Executive Recommendation budget for the Prisons Division is $57.7 million dollars for the 2001-2003 biennium.

I. 1999-2001 Biennium Highlights

The prison's division is experiencing a very successful biennium. We continue to meet our mission of protecting the public, and providing a safe environment for staff and inmates to work and live. There hasn't been an escape from any of our secure facilities, and the number of assaults on staff, or other inmates, continues to be one of the lowest in the nation. In October of 1999, inmate Kyle Bell escaped from a prisoner transport bus in New Mexico, but he was recaptured and is currently serving his sentence as a state transfer in the federal prison system. Unfortunately, in November of 1999 we did experience our first suicide in over ten years, but there were no other un-natural inmate deaths.

We are also meeting the second part of our mission, which is provide rehabilitative programs for the inmates so they can learn to be successful when released to society. We continue to emphasize addiction treatment, as about 80% of the people entering prison have a chemical addiction diagnosis. We were able to hire two new addiction counselors at JRCC, and now provide addiction therapy at all three facilities. We expanded our anger management therapy, and have implemented cognitive restructuring treatment at all three prisons. Due to this rehabilitative programming, our recidivism rate fell to 20% for 1999, again one of the best in the nation.

a. Current Population Levels

Our average daily population for December was 1,069 inmates, which meant we needed to place 180 inmates in county jails, the private prison in Appleton Minnesota, and through the Community Placement Program. The number of inmates housed outside the facility is higher than we projected, due to the fact that the 5th and 6th floor construction at the JRCC did not open in November of 2000 as we originally anticipated. The number of inmates in the system is somewhat below what our projected prison population would be, thanks in large part to the success of the alternative sentencing options like the Tompkins Rehabilitation and Corrections Unit, which has diverted many of the inmates with probation revocations from entering the prison system.

note with exception of pages that follow this is same testimony given to House on 3-6-01

There was $121,000 in our budget for security improvements to the JRCC, including running plumbing and electricity to cells in the High Security unit, and more cameras and fence electronics. We expanded the recreation yard in Jamestown. In addition, the parking lot and Entrance Building for the JRCC will be completed this spring, as will the fire suppression/sprinkling system in the JRCC gymnasium and High Security Unit.

e. Staffing and Salaries

It is becoming more difficult to attract and retain workers at the three facilities, particularly Correctional Officers, Addiction Counselors, Nurses, and Clerical staff. We are discovering that we are becoming a training ground for other correctional facilities in our region, and are losing many of our younger security staff to other states and even county correctional facilities in North Dakota because we cannot pay a comparable wage. It took 17 months of the biennium to fill three addiction counselor positions, and in order to attract people, it meant bringing them on board at a higher salary than what current staff, with years of dedicated service to the department, were making. In July of 2000, we increased the salaries of our existing nurses, clerical personnel, and addiction counselors to bring some equity with what more recent hires were making. We also increased the starting wages for new correctional officers with the hope of increasing our ability to attract more applicants.

II. 2001-2003 Biennial Budget

The 2001-2003 governor's budget for the Prisons Division includes a $13.2 million increase over this biennium's funding. Capital projects increased by $2.5 million over last biennium. The two main construction projects that are funded are a $1.9 million food service/multi-purpose building at the Missouri River Correctional Center, and $3.7 million for a new Women's Unit at the James River Correctional Center. There are two new program areas that add to this increase-the staffing and operations of this women's unit, and a new program for the seriously mentally ill. Finally, we have been given $2.25 million in bond repayment money that used to be included in the Industrial Commission budget.

a. MRCC Food Service/ Multi-purpose Building ($1.983 million)

Construction of a new kitchen and dining hall that can double as recreation and program space is our top priority for the next two years. This is the third biennium we have requested this building, and I believe most of you are familiar with the need to replace the present kitchen. It was constructed over 60 years ago to feed a population of 40 inmates, and lacks a fire suppression system. We also need more programming and indoor recreation space for the 150 inmates that now live there. A copy of the proposed floor plan is attached at the end of this document.

b. Women's Unit at the JRCC (3.7 million)

We have experienced problems trying to operate the women's unit floor inside the mostly male, medium security prison at Jamestown. Concerns for the women's safety, and the need to keep the sexes separated has meant we have had to split the time available for the use of the programming areas (gymnasium, library, yard) between the two sexes. This means that neither group has as much access to these areas as the inmates in the penitentiary. Of greater concern though, was the under-utilization of bed space on the women's floor. We have averaged 47 women living on a floor designed to house 80 people. This means that 33 beds have been left open at a time when we are paying to house over 130 males in county jails and private prisons. It became clear that we needed to correct this inefficient use of state resources, as well as find a solution to being able to provide more programming for the JRCC inmates. Our solution is to construct a new Women's Unit outside the current fence line at the JRCC, and make it for both medium and minimum security women. This means we can house the 14 women from the MRCC at this new facility, returning those beds back to being used for male inmates. This will raise our average count of females in Jamestown to 61 women.

We had originally requested money to renovate the 35,000 square foot "employee apartment building", an existing building adjacent to the JRCC fence, to be used as a separate women's unit for the Prisons Division. The cost for this renovation was estimated at 2 million dollars, but the plan had some major drawbacks. The building's roof and walls leak, and it is not energy efficient. The windows all need replacing, which was not part of the planned renovation, and the "hotel-like" design did not lend itself to good visibility into the living units-a must in a correctional setting. The building was more than large enough, with space on the 4 floors to at least house two, and in some cases 3 people per room, or up to 126 inmates. The building design, however, would have been very staff intensive to operate and provide adequate supervision.

Because of these drawbacks, we requested a new building as an alternate in our budget. We estimated that the new windows, which we had originally planned to request in the 2003-2005 biennium, would cost $300,000. Utility costs to heat the apartment building were estimated at an additional $75,0000 a biennium, and we also determined that a new building, with proper visibility and lines of sight, would enable us to reduce our staffing request by 5 officers. This would produce a biennial savings of $375,000 in our costs to operate the building, and when we include the cost to replace the windows, it means the $1.7 million additional up front expense of the proposed new building would pay for itself in less than 8 years.

The $3.7 million dollar, 20,000 square foot building would be partially funded with $1.4 million federal dollars from the crime bill money, and will house 75 women. We expect construction to be completed in November of 2002, and therefore are asking for salaries and operating expenses of $1,031,457 for only the last 9 months of the biennium. Staffing for this new unit is 22.5 positions. These include 15 Correctional Officer II's (3 per shift), 3 Caseworkers, 1 Case Manager, 1 Unit Manager, 1 Office Assistant, 1 LD instructor, and a half-time nurse to hold sick call in the unit each day. A proposed floor plan for this unit is attached after the last page of this testimony.

housed over the following 24 months. We have estimated a growth of 7 inmates per month throughout the biennium. The Executive Recommendation continues funding to the Division of Field Service's programs at the Tompkins Rehabilitation and Corrections Unit, and proposes funding for the Drug Court, Pre Release Center, and the DUI program at the State Hospital. There is $1,812,491 in our base budget to house inmates outside our system, and by using these population projections, we will need another $639,784 to pay for bed spaces during these two years, making the total $2,452,275 for external housing.

e. Increased Medical Expenses ($808,480)

As previously noted, we will be about $590,000 deficient with our medical expenses this biennium. We are requesting an additional $808,480 for the next biennium to cover known increases in our medical contract with Med Center One, increased pharmaceutical costs, increases to the number of inmates in our system, and increases in professional service contracts, particularly with dental services.

f. Correctional Officers Starting Salaries ($222,528)

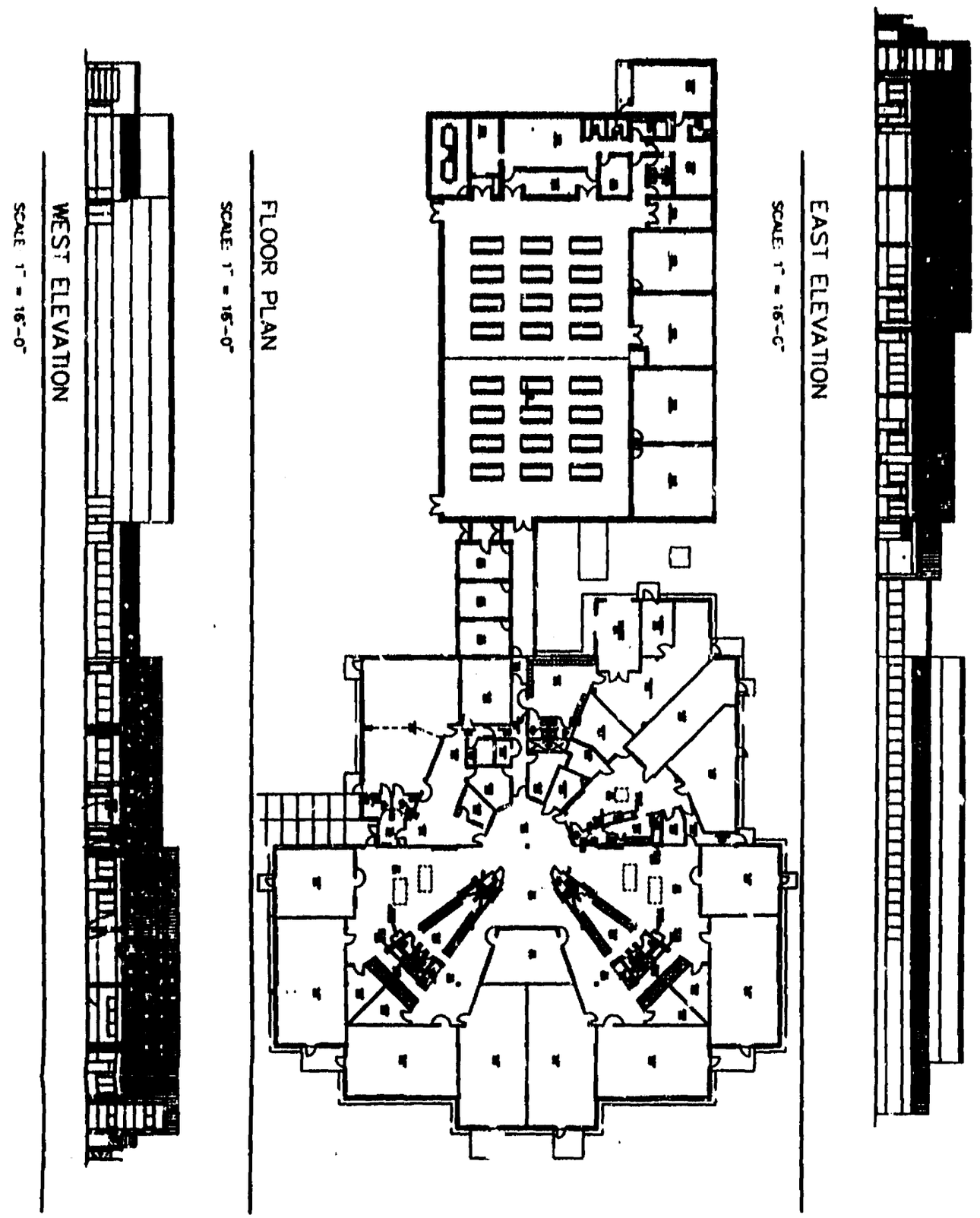
We needed to raise the starting pay level for correctional officers in order to attract qualified candidates. Historically, new hires came into our system as temporary employees, at a starting wage of $1350/month, with no state benefits. After three to six months on the job, they would promote to a Correctional Officer I position, which had become available through the normal attrition of staff. At this point they would begin receiving state benefits, and would receive a salary of $1530/month. After a one-year apprenticeship, they became a Correctional Officer II, with a salary of $1830/month.

To compete with other correctional employers, we need to raise the starting pay for these new temporary employees from $1350 to $1600 per month, especially considering that they won't earn state benefits until they can slide into an authorized FTE. This then increases the Correctional Officer I salary from $1530 to $1750/month, and the CO II salary from $1830 to $1900/month. We project that we will hire 40 new correctional officers during the next biennium, and have analyzed that we will need $222,528 to cover these salary increases over the next two years.

g. Additional Positions, Capital Improvements, and Equipment

Along with the new positions for the Women's Unit, and the SMI Unit, the governor's budget includes 3.5 FTE's for the Penitentiary. These include two CO II's, one for our orientation unit and another for a second daytime driver for hospital and clinic runs. There is one full time clerical position for our infirmary, and a ½ time Store Clerk for the Prison's Division warehouse.

The Executive Recommendation includes $403,000 for improvements to the NDSP parking lot, $531,230 for extraordinary repairs and $439,688 for equipment purchases for the next two years.



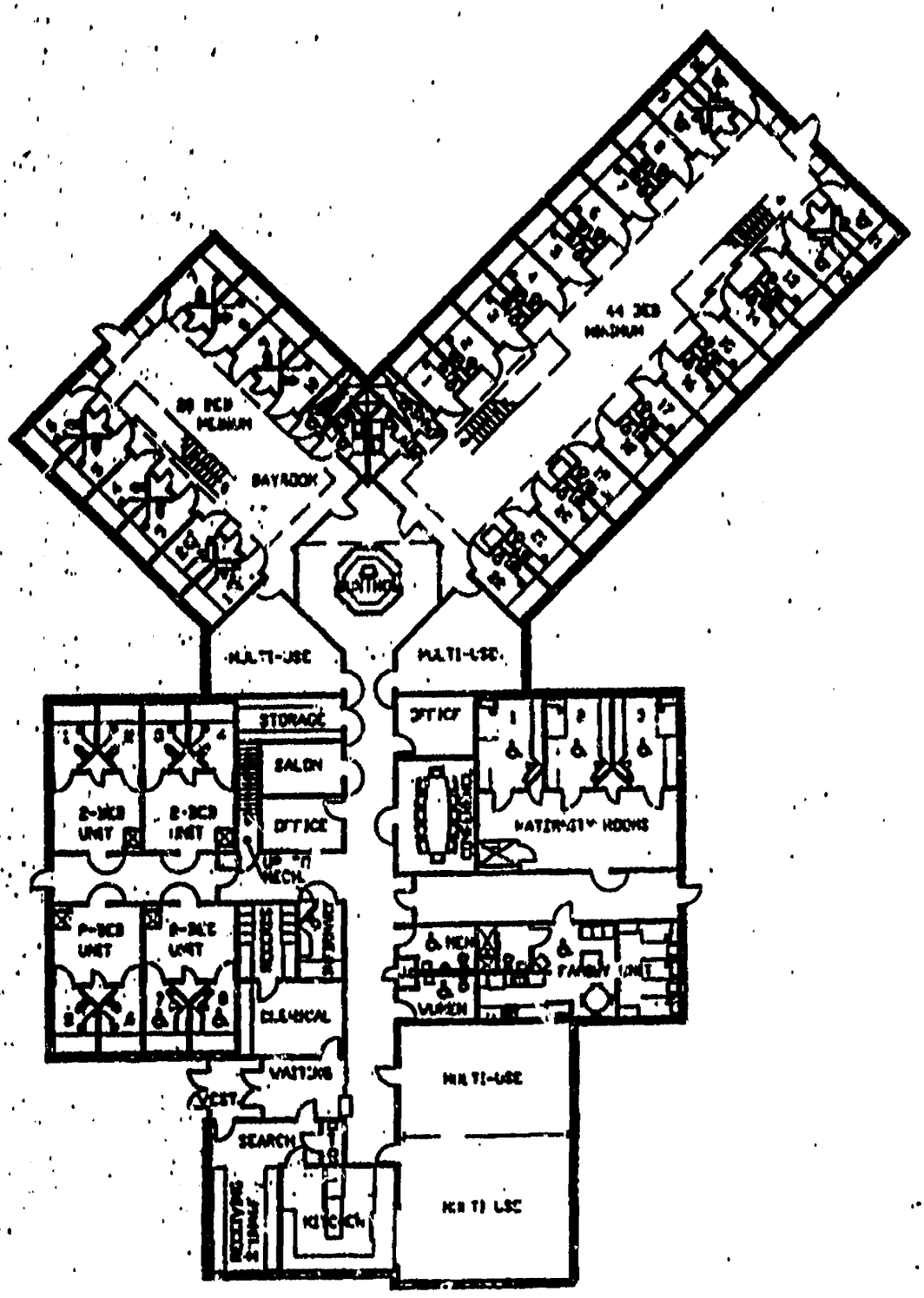
MRCC FOOD SERVICE/
MULTI-PURPOSE BUILDING
BISMARCK, ND

FLOOR PLAN
BUILDING ELEVATIONS

AMBW - BISMARCK, P.C.
P.O. BOX 5878
1600 W. DIVIDE AVE.
BISMARCK, ND 58506

DATE 11-10-00
SCALE 1/32" = 1'-0"
JOB NUMBER 2016

SHEET
GLP



GROUND FLOOR PLAN

3-0-01
14th

PRISONS DIVISION
2001-2003 EXECUTIVE RECOMMENDATION
PROJECTS AND EXTRAORDINARY REPAIRS

CAPITAL PROJECTS	Total	General	Federal
MRCC Food Service Building	1,983,000	1,983,000	
Pen Parking Lot	403,118	403,118	
JRCC Women's Unit	3,720,000	2,320,000	1,400,000
Sub-Total	6,106,118	4,706,118	1,400,000
Extraordinary Repairs	604,270	604,270	0
TOTAL	**6,710,388**	**5,310,388**	**1,400,000**

* Heidi Lee took minutes on this one 14th & 15th

[redacted] Department of Corrections and Rehabilitation Budget

Prison's Division Request

Testimony to Full House Appropriation Committee

March 1, 2001

[redacted]

The 2001-2003 governor's budget for the Prisons Division includes a $13.2 million increase over this biennium's funding. Capital projects increased by $2.5 million over last biennium. The two main construction projects that are funded are a $1.9 million food service/multi-purpose building at the Missouri River Correctional Center, and $3.7 million for a new Women's Unit at the James River Correctional Center. There are two new program areas that add to this increase-the staffing and operations of the proposed women's unit, and a new program for the seriously mentally ill. Finally, our budget now includes $2.25 million in bond repayment money that was previously part of the Industrial Commission budget.

a. MRCC Food Service/ Multi-purpose Building ($1.983 million)

Construction of a new kitchen and dining hall that can double as recreation and program space is our top priority for the next two years. This is the third biennium we have requested this building, and I believe most of you are familiar with the need to replace the present kitchen. It was constructed over 60 years ago to feed a population of 40 inmates, and lacks a fire suppression system. Prison standards require we provide adequate indoor recreation space for the 150 inmates that now live there, plus we need more space for the treatment groups and education classes that are a vital part of the inmate's rehabilitation. A copy of the proposed floor plan is attached at the end of this document.

b. Women's Unit at the JRCC (3.7 million)

We have experienced problems trying to operate the women's unit floor inside the mostly male, medium security prison at Jamestown. Concerns for the women's safety, and the need to keep the sexes separated has meant we have had to split the time available for the use of the programming areas (gymnasium, library, yard) between the two sexes. This means that neither group has as much access to these areas as the inmates in the penitentiary. Of greater concern though, was the under-utilization of bed space on the women's floor. We have averaged 47 women living on a floor designed to house 80 people. This means that 33 beds have been left open at a time when we are paying to house over 130 males in county jails and private prisons. It became clear that we needed to correct this inefficient use of state resources, as well as find a solution to being able to provide more programming for the JRCC inmates. Our solution is to construct a new Women's Unit outside the current fence line at the JRCC, and make it for both medium and minimum security women. This means we can house the 14 women from the MRCC at this new facility, returning those beds back to being used for male inmates. This will raise our average count of females in Jamestown to 61 women.

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c. Seriously Mentally Ill (SMI) Unit ($2.349 million)

Our third priority for this biennium is to hire staff specifically trained to work with the mentally ill inmates that are inundating our prison system. We have over 300 inmates in our system that have an Axis I (DSM-IV) diagnosis, and/or are on some type of psychotropic medication. Our employees often function like mental health workers rather than correctional officers. Appropriate mental health care is a constitutional right, and while I believe we have a very caring staff that treats inmates humanely, we need additional staff who are properly trained to deal with the special needs these people have. Many mentally ill offenders are management problems in general population. They are unpredictable and violent towards themselves and others, and often their aberrant behavior makes them vulnerable to attacks by other inmates. We need to ensure adequate treatment for the mentally ill offenders.

To do this, we plan to convert the High Security Unit at the JRCC into an "SMI Unit". We project this 24 bed mini-unit will be able to treat and stabilize inmates when they are in crisis, usually occurring when they are refusing to take the medications prescribed by the contract psychiatrists. The vast majority of the 300+ inmates on psychotropic medication

take their medications regularly, and successfully control their mental illnesses. However, at any given time, we will have 8 to 10 inmates that are in a crisis stage, and another 10 to 15 inmates that are transitioning back into medication compliance that still require special monitoring. These inmates in crisis are extremely staff intensive, because they can be suicidal, self-destructive, assaultive, and destructive of state property. We presently try to control them in our observation units, or segregation areas, but we don't have enough space and human resources to treat them effectively

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d. External Housing of Inmates ($639,784)

Despite our requests for new construction, and alternative sentencing measures implemented by the Division of Field Services, we will still need to house many of our state inmates at North Dakota county jails, and the private prison. We project we will have 1118 inmates on July 1, 2001.The Office of Management and Budget Analyst has compiled a spreadsheet (attached) that illustrates how and where these inmates will be housed over the following 24 months. We have estimated a growth of 7 inmates per month throughout the biennium. The Executive Recommendation continues funding to the Division of Field Service's programs at the Tompkins Rehabilitation and Corrections Unit, and proposes funding for the Drug Court, Pre Release Center, and the DUI program at the State Hospital. There is $1,812,491 in our base budget to house inmates outside our system, and by using these population projections, we will need another $639,784 to pay for bed spaces during these two years, making the total $2,452,275 for external housing.

e. Increased Medical Expenses ($808,480)

We are currently about $590,000 deficient in our medical-related line items, and this causes us concerns that we will have enough funding remaining to finish this biennium on budget. One of the reasons for the shortfall in medical costs include a $312,000 shortage over what was projected for inmate hospitalization, caused in part by a three-month hospital stay for an inmate that generated a $150,000 hospital bill. There was also a $205,000 increase in our pharmaceutical costs, and $73,000 increase in dental

services. We are requesting an additional $808,480 for the next biennium to cover known increases in our medical contract with Med Center One, increased pharmaceutical costs, increases to the number of inmates in our system, and increases in professional service contracts, particularly with dental services.

f. Correctional Officers Starting Salaries ($222,528)

It is becoming more difficult to attract and retain workers at the three facilities, particularly Correctional Officers, Addiction Counselors, Nurses, and Clerical staff. We are discovering that we are becoming a training ground for other correctional facilities in our region, and are losing many of our younger security staff to other states and even county correctional facilities in North Dakota because we cannot pay a comparable wage.

We need to raise the starting pay level for correctional officers in order to attract qualified candidates. Historically, new hires came into our system as temporary employees, at a starting wage of $1350/month, with no state benefits. After three to six months on the job, they would promote to a Correctional Officer I position, which had become available through the normal attrition of staff. At this point they would begin receiving state benefits, and would receive a salary of $1530/month. After a one-year apprenticeship, they became a Correctional Officer II, with a salary of $1830/month.

To compete with other correctional employers, we need to raise the starting pay for these new temporary employees from $1350 to $1600 per month, especially considering that they won't earn state benefits until they can slide into an authorized FTE. This then increases the Correctional Officer I salary from $1530 to $1750/month, and the CO II salary from $1830 to $1900/month. We project that we will hire 40 new correctional officers during the next biennium, and have analyzed that we will need $222,528 to cover these salary increases over the next two years.

g. Additional Positions, Capital Improvements, and Equipment

Along with the new positions for the Women's Unit, and the SMI Unit, the governor's budget includes 3.5 FTE's for the Penitentiary. These include two CO II's, one for our orientation unit and another for a second daytime driver for hospital and clinic runs. There is one full time clerical position for our infirmary, and a ½ time Store Clerk for the Prison's Division warehouse.

The Executive Recommendation includes $403,000 for improvements to the NDSP parking lot, $531,230 for extraordinary repairs and $439,688 for equipment purchases for the next two years. The parking lot is especially important due to safety concerns for the staff and inmate visitors, who currently must walk in the roadway to gain access to the facility. The present lot has 111 spaces for vehicles, but on any given day there are 125 vehicles parked in the lot and along the adjacent roadway, old Highway 10. The proposed lot would maximize the space available to provide 162 parking spaces, include pedestrian walkways, ADA improvements, and improve the lighting in the area.

Tim Schuetzle 3-6-01 #4

SENATE BILL 2016
Department of Corrections and Rehabilitation Appropriation Request
Testimony on Prisons Division Funding
House Appropriation, Human Resources Sub-committee 3/5/01
Tim Schuetzle, Prisons Division Director

The Prisons Division consists of the three secure facilities, the North Dakota State Penitentiary and Missouri River Correctional Center in Bismarck, and the James River Correctional Center in Jamestown. Our prison population has continued to increase throughout this biennium, and therefore the Executive Recommendation budget for the Prisons Division is $57.7 million dollars for the 2001-2003 biennium.

I. 1999-2001 Biennium Highlights

The prison's division is experiencing a very successful biennium. We continue to meet our mission of protecting the public, and providing a safe environment for staff and inmates to work and live. There hasn't been an escape from any of our secure facilities, and the number of assaults on staff, or other inmates, continues to be one of the lowest in the nation. In October of 1999, inmate Kyle Bell escaped from a prisoner transport bus in New Mexico, but he was recaptured and is currently serving his sentence as a state transfer in the federal prison system. Unfortunately, in November of 1999 we did experience our first suicide in over ten years, but there were no other un-natural inmate deaths.

We are also meeting the second part of our mission, which is provide rehabilitative programs for the inmates so they can learn to be successful when released to society. We continue to emphasize addiction treatment, as about 80% of the people entering prison have a chemical addiction diagnosis. We were able to hire two new addiction counselors at JRCC, and now provide addiction therapy at all three facilities. We expanded our anger management therapy, and have implemented cognitive restructuring treatment at all three prisons. Due to this rehabilitative programming, our recidivism rate fell to 20% for 1999, again one of the best in the nation.

a. Current Population Levels

Our average daily population for December was 1,069 inmates, which meant we needed to place 180 inmates in county jails, the private prison in Appleton Minnesota, and through the Community Placement Program. The number of inmates housed outside the facility is higher than we projected, due to the fact that the 5th and 6th floor construction at the JRCC did not open in November of 2000 as we originally anticipated. The number of inmates in the system is somewhat below what our projected prison population would be, thanks in large part to the success of the alternative sentencing options like the Tompkins Rehabilitation and Corrections Unit, which has diverted many of the inmates with probation revocations from entering the prison system.

b. Current Budget Forecast

We are currently about $590,000 deficient in our medical-related line items, and this causes us concerns that we will have enough funding remaining to finish this biennium on budget. Some of the causes for the shortfall in medical costs include a $312,000 shortage over what was projected for inmate hospitalization, caused in part by a three-month hospital stay for an inmate that generated a $150,000 hospital bill. There was also a $205,000 increase in our pharmaceutical costs, and $73,000 increase in dental services. We are hopeful that we will be able to recover some of this debt through savings generated in other line items, but there are still areas beyond our control that may jeopardize our ability to recover all of the deficiency. Utility expenses for heat and power for our 3 physical plants could be a problem. We currently have adequate funding thanks to last year's relatively mild winter, but the rates have increased, and we don't know what the weather will be like in the months ahead. Another potential problem area will be if we receive more inmates into the system than projected over the next 6 months. If our population exceeds our projections, we will need more money to rent bedspace outside the system. We are carefully watching all of our expenditures, and will be able to give a more accurate update when we present our budget request to the House Appropriation Committee in 6 to 8 weeks.

c. Delay in 5th and 6th floor construction

There were some unexpected changes to our plan for the past two years, most notably the time delay by the federal government in providing funding from the crime bill. We did not receive the crime bill money in October of 1999 as anticipated, in fact, it wasn't until September of 2000 before the funds became available. This pushed back our beginning construction date for remodeling the 5th and 6th floors almost one year, and meant that we were not able to open those floors in November of 2000 as projected in our budget. Because we don't have the additional 110 beds, we were forced to contract more bed space, and for a longer period of time than we had originally planned. We are paying for these contracted beds with the salary and operating expenses intended to open and operate the 5th and 6th floors at JRCC, but since contracted bed space is more expensive than managing the prisoners in our own system, we may be over budget in this area. The renovation at the JRCC is now underway, and we expect to have those 110 beds on the top two floors available by June 30, 2001.

d. Capital Construction during 1999-2001

Thanks to money for two capital projects you approved last session, our facility is a safer, more secure place. We received $198,000 to construct a fence around the north - Building A side of the facility. This project was the final step to completely enclose the state penitentiary with a double fence, and was completed in August of 1999. We also received $ 245,000 to renovate the first floor west side of the West Cell House, making it into 20 fully enclosed cells for Administrative Segregation. Our AS unit now stands at 40 beds, giving us the flexibility to segregate those unruly, predatory inmates from the rest of the population. This renovation was completed in January of 2000.

There was $121,000 in our budget for security improvements to the JRCC, including running plumbing and electricity to cells in the High Security unit, and more cameras and fence electronics. We expanded the recreation yard in Jamestown. In addition, the parking lot and Entrance Building for the JRCC will be completed this spring, as will the fire suppression/sprinkling system in the JRCC gymnasium and High Security Unit.

e. Staffing and Salaries

It is becoming more difficult to attract and retain workers at the three facilities, particularly Correctional Officers, Addiction Counselors, Nurses, and Clerical staff. We are discovering that we are becoming a training ground for other correctional facilities in our region, and are losing many of our younger security staff to other states and even county correctional facilities in North Dakota because we cannot pay a comparable wage. It took 17 months of the biennium to fill three addiction counselor positions, and in order to attract people, it meant bringing them on board at a higher salary than what current staff, with years of dedicated service to the department, were making. In July of 2000, we increased the salaries of our existing nurses, clerical personnel, and addiction counselors to bring some equity with what more recent hires were making. We also increased the starting wages for new correctional officers with the hope of increasing our ability to attract more applicants.

II. 2001-2003 Biennial Budget

The 2001-2003 governor's budget for the Prisons Division includes a $13.2 million increase over this biennium's funding. Capital projects increased by $2.5 million over last biennium. The two main construction projects that are funded are a $1.9 million food service/multi-purpose building at the Missouri River Correctional Center, and $3.7 million for a new Women's Unit at the James River Correctional Center. There are two new program areas that add to this increase-the staffing and operations of this women's unit, and a new program for the seriously mentally ill. Finally, our budget now includes $2.25 million in bond repayment money that was previously part of the Industrial Commission budget.

a. MRCC Food Service/ Multi-purpose Building ($1.983 million)

Construction of a new kitchen and dining hall that can double as recreation and program space is our top priority for the next two years. This is the third biennium we have requested this building, and I believe most of you are familiar with the need to replace the present kitchen. It was constructed over 60 years ago to feed a population of 40 inmates, and lacks a fire suppression system. Prison standards require we provide adequate indoor recreation space for the 150 inmates that live there now, plus we need more space for the treatment groups and education classes that are a vital part of the inmate's rehabilitation. A copy of the proposed floor plan is attached at the end of this document.

b. Women's Unit at the JRCC (3.7 million)

We have experienced problems trying to operate the women's unit floor inside the mostly male, medium security prison at Jamestown. Concerns for the women's safety, and the need to keep the sexes separated has meant we have had to split the time available for the use of the programming areas (gymnasium, library, yard) between the two sexes. This means that neither group has as much access to these areas as the inmates in the penitentiary. Of greater concern though, was the under-utilization of bed space on the women's floor. We have averaged 47 women living on a floor designed to house 80 people. This means that 33 beds have been left open at a time when we are paying to house over 130 males in county jails and private prisons. It became clear that we needed to correct this inefficient use of state resources, as well as find a solution to being able to provide more programming for the JRCC inmates. Our solution is to construct a new Women's Unit outside the current fence line at the JRCC, and make it for both medium and minimum security women. This means we can house the 14 women from the MRCC at this new facility, returning those beds back to being used for male inmates. This will raise our average count of females in Jamestown to 61 women.

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the facility. The present lot has 111 spaces for vehicles, but on any given day there are 125 vehicles parked in the lot and along the adjacent roadway, old Highway 10. The proposed lot would maximize the space available to provide 162 parking spaces, include pedestrian walkways, ADA improvements, and improve the lighting in the area.

III. Future Concerns

a. More Space Needs due to Growth at JRCC

By the start of the 2003-2005 biennium, the James River Correctional Center will have 400 permanent and 58 temporary cells – roughly the same size as the State Penitentiary was 10 years ago. Yet we will still be operating with the same size kitchen, program space, and visiting room that are overcrowded today with 200 inmates. We will need more food preparation, visiting, and programming space for these inmates, and must explore possible options for additional space in the next biennium.

b. More Staff for the Prison's Division

The Governor's budget includes 54 new positions out the 96.25 that we requested for the Prison Division. These are much appreciated. Employee needs for future biennia exist in the clerical, nursing, and plant maintenance fields. With the projected growth to the physical plant at JRCC, more than the 1 maintenance person currently on staff will be needed. A Training Position is also needed at JRCC, as we will need to provide 120 hours of pre-employment training for the 70 new positions scheduled to be hired over the next two years, and then provide 40 hours of annual training to the 167 employees every year after that. There are still no vocational instructors at the Jamestown facility, and as the population there grows, we will need this type of educational programming for inmate rehabilitation.

c. Staff Retention and Salaries

I am concerned about our ability to retain trained, long-term employees at both the penitentiary, and at JRCC. Last year our turnover rate at NDSP more than doubled to 14% and JRCC had a turnover rate of 28%. In exit interviews with these staff, many are leaving because of pay and pay equity issues. As previously discussed, we have money in the budget to raise the starting pay for officers to be competitive with other agencies, but we don't have money to increase the salaries of those employees with 3 or more years experience. This has caused pay compression problems at the bottom range of the scale.

Of greater concern are pay equity issues at the penitentiary. Central Personnel uses a mathematical formula called the "C ratio" to illustrate how far into a pay range an employee has moved compared to the employees length of service. In 1999, the average C ratio for all state employees was .96 (with a 1.00 being at the middle of the pay range), with an average of 11.5 years of service. That same year, the average C ratio for Penitentiary employees was .90, with an average of 10.5 years of service. We believe the low pay for Penitentiary employees is effecting our turnover rate. Of the 68 penitentiary employees with more than 15 years of experience, 33 of them are not even

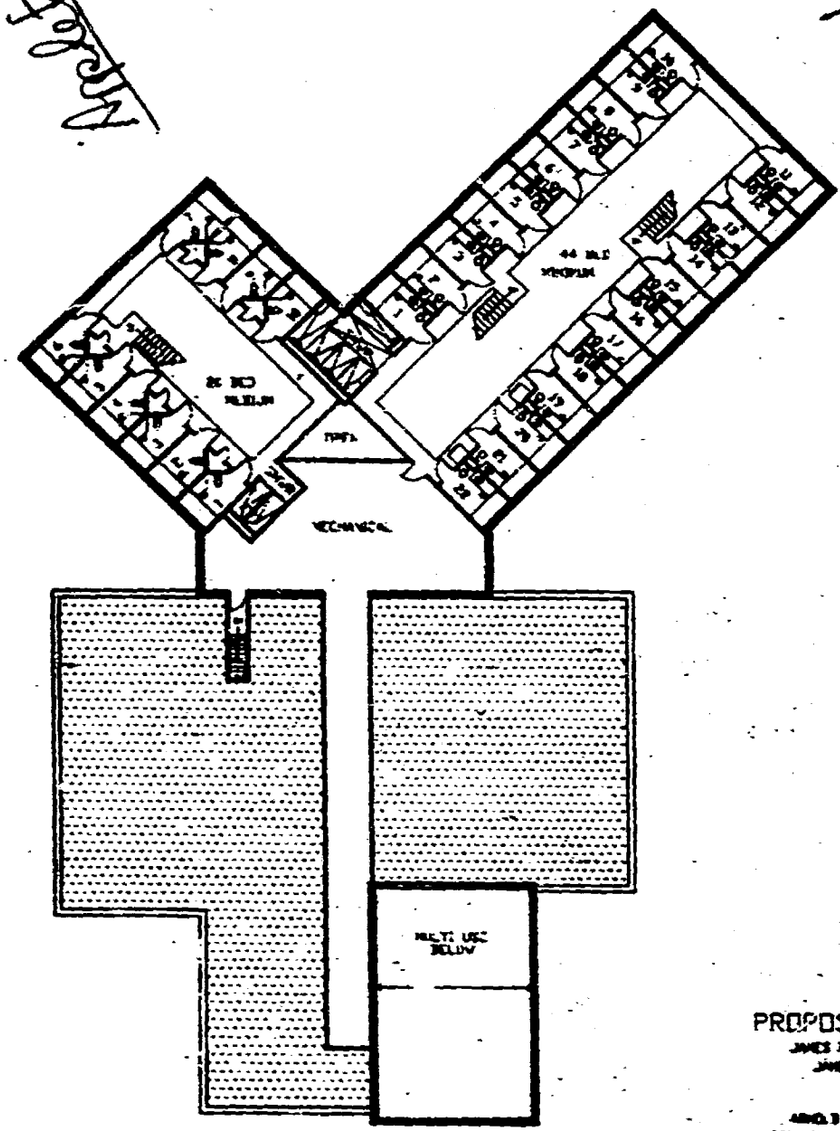
to the midpoint of their pay range. We hope that in the next few years this pay inequity issue will be addressed so that we can retain these long-term, well-trained employees.

d. Biomass Energy Grant

The Penitentiary applied for a federal grant to conduct an energy study where we combine "biomass" (wood chips and other wood products) from the Bismarck City landfill with coal in our coal-fired boiler. The idea behind the study is to save on heating fuel costs, and decrease the amount of usable fuel taking up space in the landfill. The study also suggests that we operate our boiler year round, at maximum capacity to produce more steam, which can then be converted into electricity for use at the prison and sold back to the local electric utility. The grant was for $168,000 to complete a pilot study this winter, but we also have grant authority for another $1.8 million to implement the project on a larger scale should the pilot study demonstrate this idea is economically feasible. The larger project would mean jobs creation for inmates, who would be needed to convert wood products into wood chips to be burned in the boiler. The study being conducted will include cost projections for the equipment, building, and staff needed to implement this on a larger scale, and will include a time estimate of when we could recoup our investment. We estimate that the equipment and building would run around 2.3 million, and that this project may take 6 more Boiler Operators. This means there will be a need for additional general funds, but we would only request to proceed if it appeared the state would save money even with the general fund investment. We are proud to have been chosen as the pilot site for this project, and are encouraged that we may be able to reduce the utility expense burden for the state taxpayers.

ESTIMATED INMATE POPULATION FOR 2001-2003 BIENNIUM

Date	Project Population	Prison Beds	CPP (Prison)	CPP (TRCU)	TRCU	Pre-Release	SMI	DUI (NDSH)	Drug Court	Total Beds Available	Jail Beds Needed	County Jail	PCF	Total Cost
Jul-01	1,118	971	15	20	20	-	-	25	10	1,061	57	76,725	3,100	79,825
Aug-01	1,125	971	15	20	20	-	-	25	10	1,061	64	76,725	13,950	90,675
Sep-01	1,132	971	15	20	20	-	-	25	10	1,061	71	74,250	24,000	98,250
Oct-01	1,139	971	15	20	20	25	-	25	10	1,086	53	73,935	-	73,935
Nov-01	1,146	971	15	20	20	30	-	25	10	1,091	55	74,250	-	74,250
Dec-01	1,154	971	15	20	20	35	-	25	10	1,096	58	76,725	4,650	81,375
Jan-02	1,161	971	15	20	20	40	-	25	10	1,101	60	76,725	7,750	84,475
Feb-02	1,167	971	15	20	20	45	-	25	10	1,106	61	69,300	8,400	77,700
Mar-02	1,175	971	15	20	20	50	-	25	10	1,111	64	76,725	13,950	90,675
Apr-02	1,181	971	15	20	20	50	-	25	10	1,111	70	74,250	22,500	96,750
May-02	1,189	971	15	20	20	50	-	25	10	1,111	78	76,725	35,650	112,375
Jun-02	1,196	971	15	20	20	50	-	25	10	1,111	85	74,250	45,000	119,250
Jul-02	1,203	971	15	20	20	50	-	25	10	1,111	92	76,725	57,350	134,075
Aug-02	1,210	971	15	20	20	50	-	25	10	1,111	99	76,725	68,200	144,925
Sep-02	1,217	971	15	20	20	50	-	25	10	1,111	106	74,250	76,500	150,750
Oct-02	1,224	971	15	20	20	50	-	25	10	1,111	113	76,725	89,900	166,625
Nov-02	1,231	1,046	15	20	20	50	-	25	10	1,186	45	60,750	-	60,750
Dec-02	1,238	1,046	15	20	20	50	-	25	10	1,186	52	72,540	-	72,540
Jan-03	1,245	1,046	15	20	20	50	-	25	10	1,186	59	76,725	6,200	82,925
Feb-03	1,252	1,046	15	20	20	50	-	25	10	1,186	66	69,300	15,400	84,700
Mar-03	1,259	1,046	15	20	20	50	-	25	10	1,186	73	76,725	27,900	104,625
Apr-03	1,266	1,046	15	20	20	50	-	25	10	1,186	80	74,250	37,500	111,750
May-03	1,273	1,046	15	20	20	50	-	25	10	1,186	87	76,725	49,600	126,325
Jun-03	1,280	1,046	15	20	20	50	-	25	10	1,186	94	74,250	58,500	132,750
Jul-03												1,786,275	666,000	2,452,275

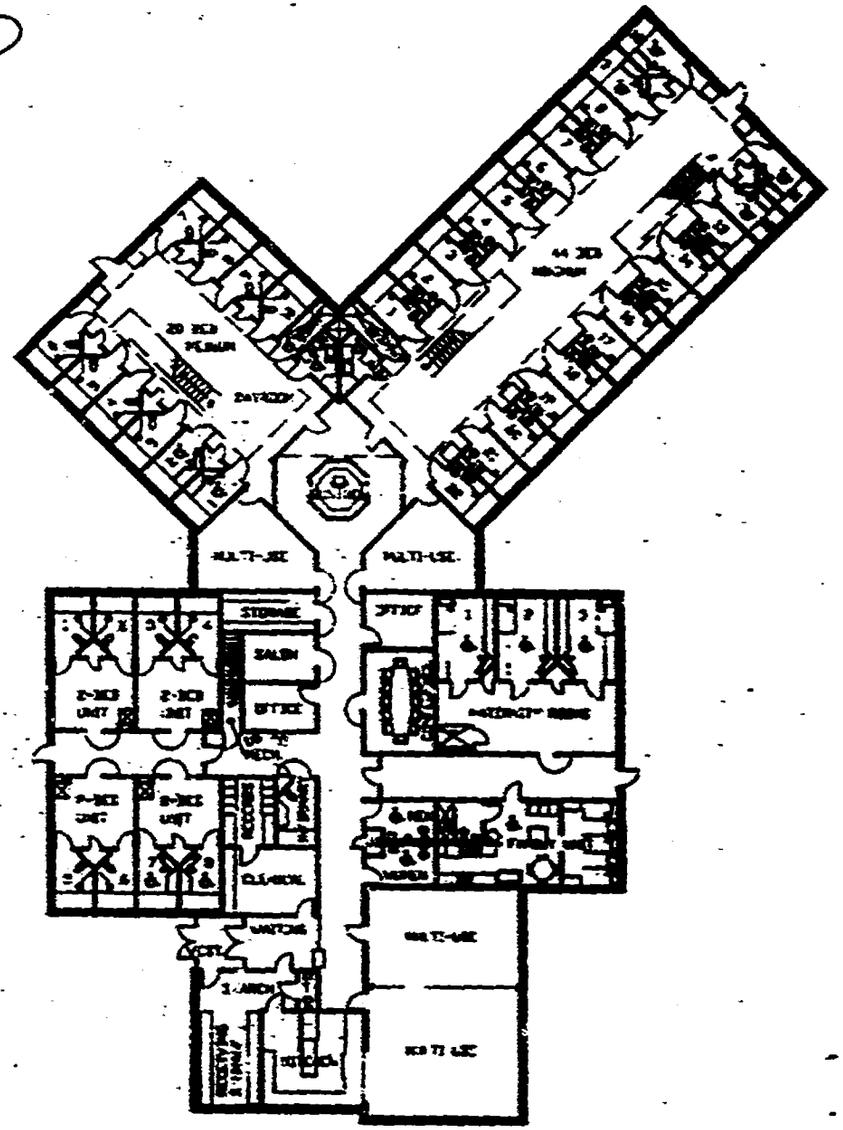


MEZZANINE FLOOR PLAN

PROPOSED WOMEN'S UNIT
JAMES RIVER CORRECTIONAL CENTER
JAMESTOWN, NORTH DAKOTA

ARNOLD LEVIS HANSEN, ARCHITECT
BISMARCK, ND 3-30-01

29,975 SF GROSS FLOOR & MEZZANINE



GROUND FLOOR PLAN

PRISONS DIVISION 2001-2003

SUPPORT SERVICES	**97-99 Appn.***	**99-01 Appn.**	**99-01 Expend.**	**01-03 Appn.**
Medical:				
Professional Services - Medical Contracts	741,150	588,206	756,698	818,890
Professional Services - Institution Medical	957,966	1,212,500	1,873,535	1,212,500
Medical, Dental, Optical	654,148	993,919	1,257,417	992,619
OA#3	-	-	-	808,480
TOTAL	2,353,264	2,794,625	**3,887,650**	**3,832,489**
Appropriation Deficient			-	**55,376**
			3,887,650	3,887,865

99-01Appn. Increase from 97-99 Appn. 439,846

*JRCC opened 6/98. I included a full 24mo for comparison purposes.

PRISONS DIVISION 2001-2003

SUPPORT SERVICES

OPERATING FEES & SERVICES*	1,490,733
*amount for JRCC Food Contract	1,275,373

	Agency Request	Exec. Recom.
JRCC Food Contract - Base Budget	1,275,373	1,275,373
OA#2	355,210	313,526
	1,630,583	1,588,899
unfunded amount		41,684
Women's Unit	133,390	less

JRCC FOOD CONTRACT

Total Population w/women: 240+110+60=410
Used a population of 330 (220+110) in JRCC Oper. Line vs a full 350 because not full on women's floor and used 80 for WU food budget. (330+80=410)

Rates:

1) July '01 – Jan. '02 $1.98 per meal x 3 = 5.94
2) Feb. '02 – Jan. '03 $2.05 per meal x 3 = 6.15
3) Feb. '03 – Jun. '03 $2.12 per meal x 3 = 6.36
↓ meals/day

1) 5.94 x 330 pop. x 215 days = 421,443
1789 (ave guests/staff) x 1.98 x 7mo = 24,795.54
*2,000/mo. bread + peanut butter x 7mo. = 14,000
12 FTE (5th+6th floor) x 215 days x 1.98 = 4989.60
5/6 (5108.40)
→ $465,228

2) 6.15 x 330 pop x 365 days = 740,767.50
1789 x 2.05 x 12mo. = 44,009.40
*2000/mo P+B x 12mo = 24,000
12 FTE x 2.05 x 365 days = 8,979
→ $817,756

3) 6.36 x 330 pop. x 150 days = 314,820
1789 x 2.12 x 5mo. = 18,963.40
*2000 P+B x 5mo. = 10,000
12 FTE x 2.12 x 150 days = 3816
→ $347,599

$1,630,583

JRCC Women's Unit

80 pop. x 242 days (8mo. 1/02) x 6.36/day (2.12/meal) = $123,130

20 new staff x 242 days x 2.12 = 10,260

$133,390

PRISONS DIVISION 2001-2003

SUPPORT SERVICES

Food & Clothing Line:

Warehouse - Food	1,768,129	
Warehouse - Clothing	547,132	
Sub-Total		2,315,261
Other Depts. Food & Clothing		18,870
TOTAL		2,334,131
OA#2 **		313,526
GRAND TOTAL		2,647,657

**amount should have been added to Operating Fees & Service Line for JRCC Food Contract.

19686

Prepared by the North Dakota Legislative Council staff for Representative Delzer
March 2001

DEPARTMENT OF CORRECTIONS AND REHABILITATION
COMPARISON OF ESTIMATED AND ACTUAL INMATE POPULATION FOR THE 1999-2001 BIENNIUM

Month/Year	Estimated Inmate Population\1	Actual Inmate Population	Actual Population Higher (Lower) Than Estimated	Percentage Actual Population Higher (Lower) Than Estimated
FY 2000				
July 1, 2000	937	932	(5)	(0.5%)
August 1, 2000	925	933	8	0.9%
September 1, 2000	913	939	26	2.8%
October 1, 2000	911	945	34	3.7%
November 1, 2000	919	938	19	2.1%
December 1, 2000	927	931	4	0.4%
January 1, 2001	935	957	22	2.4%
February 1, 2001	943	948	5	0.5%
March 1, 2001	951	980	29	3.0%
April 1, 2001	959	999	40	4.2%
May 1, 2001	967	1,003	36	3.7%
June 1, 2001	975	1,015	40	4.1%
FY 2001				
July 1, 2001	983	1,022	39	4.0%
August 1, 2001	996	1,022	26	2.6%
September 1, 2001	1,009	1,026	17	1.7%
October 1, 2001	1,022	1,043	21	2.1%
November 1, 2001	1,035	1,069	34	3.3%
December 1, 2001	1,048	1,063	15	1.4%
January 1, 2002	1,061	1,076	15	1.4%
February 1, 2002	1,074	1,075	1	0.1%
March 1, 2002	1,087	1,077	(10)	(0.9%)
April 1, 2002	1,100	N/A	N/A	N/A
May 1, 2002	1,114	N/A	N/A	N/A
June 1, 2002	1,128	N/A	N/A	N/A

\1 Detail regarding the estimated inmate population is included on the attached appendix.

ATTACH:1

DEPARTMENT OF CORRECTIONS AND REHABILITATION (DOCR)
INMATE POPULATION ESTIMATE DETAIL FOR THE 1999-2001 BIENNIUM

Estimated Population Adjusted for Alternative Programs

Month/Year	(A) Estimated Gross Population (Before Adjustments for Alternatives)\1	(B) Inmates Estimated to Be Diverted From the Prisons Division Population Due to Alternative Programs\2	(C) Estimated Prisons Division Population (A-B)
FY 2000			
July 1, 2000	962	25	937
August 1, 2000	970	45	925
September 1, 2000	978	65	913
October 1, 2000	986	75	911
November 1, 2000	994	75	919
December 1, 2000	1,002	75	927
January 1, 2001	1,010	75	935
February 1, 2001	1,018	75	943
March 1, 2001	1,026	75	951
April 1, 2001	1,034	75	959
May 1, 2001	1,042	75	967
June 1, 2001	1,050	75	975
FY 2001			
July 1, 2001	1,058	75	983
August 1, 2001	1,071	75	996
September 1, 2001	1,084	75	1,009
October 1, 2001	1,097	75	1,022
November 1, 2001	1,110	75	1,035
December 1, 2001	1,123	75	1,048
January 1, 2002	1,136	75	1,061
February 1, 2002	1,149	75	1,074
March 1, 2002	1,162	75	1,087
April 1, 2002	1,175	75	1,100
May 1, 2002	1,189	75	1,114
June 1, 2002	1,203	75	1,128

Prisons Division Estimated Population Detail (Column C)

(D) Estimated Population in Each of the Following: DOCR Facilities	(E) Revocation Center	(F) Community Placement	(G) Contract Facilities	(H) Reconciliation to Estimated Population After All Adjustments for Alternative Programs as Reported to 1999 Appropriations Committees (A-B-E-F)
861	20	30	26	887
861	20	30	14 \3	875
861	20	30	2 \3	863
861	20	30	0 \3	861
861	20	30	8 \3	869
861	20	30	16	877
861	20	30	24	885
861	20	30	32	893
861	20	30	40	901
861	20	30	48	909
861	20	30	56	917
861	20	30	64	925
861	20	30	72	933
861	20	30	85	946
861	20	30	98	959
861	20	30	111	972
971	20	30	15	985
971	20	30	27	998
971	20	30	40	1,011
971	20	30	53	1,024
971	20	30	66	1,037
971	20	30	79	1,050
971	20	30	93	1,064
971	20	30	107	1,078

\1 "Gross population" is the estimated population before adjustments for alternatives, as presented to the 1999 Legislative Assembly.

\2 Includes beds saved through the following alternative programs--last chance program, jailed parole violators, house arrest, halfway house placements, three-day parole hold, day reporting, and DOCR rooms. The total number of inmates included in columns B, E, and F is the total "adjustment for alternatives," as presented to the 1999 Legislative Assembly by the DOCR.

\3 The department indicated that to effectively manage the inmate population, a minimum of 15 inmate beds are needed each month at county jails. Consequently, the department's budget included funding to contract for at least 15 inmate beds each month.

APPENDIX

FU[redacted]G REQUEST BY REPORTING LEVEL

Pro[redacted]upport Services

Support Services	Object Code	Actual Expenditures thru 1/31/01	Projections Last 5 months	Projected Expenditures 1999 -2001	Appropriated Budget 1999-2001	Executive Recommended Budget 2001 - 2003 Biennium	2001 - 2003 Biennium Incr. (Decr.)
Salaries	1001	2,695,421	753,654	3,449,075	3,472,423	4,138,246	665,823
Temporary	1002	102,871	25,810	128,681	104,241	156,706	52,465
Benefits	1008	910,825	252,939	1,163,764	1,155,611	1,468,868	313,257
IT-Data Processing	3002	44,183	16,251	60,434	34,179	120,452	86,273
IT-Telecommunication	3003	117,925	40,867	158,792	175,188	171,128	(4,060)
Travel	3004	211,549	73,821	285,370	296,042	319,300	23,258
IT-Software/Supplies	3005	30,040	7,600	37,640	32,928	60,230	27,302
Utilities	3006	1,136,494	389,950	1,526,444	1,733,319	1,873,442	140,123
Postage	3007	24,078	8,120	32,198	35,296	35,500	204
IT-Contractual Services	3008	78,949	13,800	92,749	64,870	64,548	(322)
Lease/Rent - Equip.	3011	37,509	9,848	47,357	45,660	57,160	11,500
Lease/Rent - Bldg/Land	3012	25	-	25	50	100	50
Professional Dev	3013	27,804	10,740	38,544	47,412	51,012	3,600
Operating Fees & Services	3014	857,043	403,594	1,260,637	1,268,045	1,490,733	222,688
Repairs	3016	452,518	106,743	559,261	459,023	364,644	(94,379)
Professional Services	3018	2,148,528	922,004	3,070,532	2,067,391	2,144,392	77,001
Insurance	3019	93,362	-	93,362	106,620	178,967	72,347
Office Supplies	3021	83,104	38,945	122,049	123,361	135,079	5,718
Printing	3024	20,951	5,740	26,701	19,695	24,100	4,405
Professional Supplies	3025	42,342	26,820	69,160	89,019	56,207	(32,812)
Food & Clothing	3027	1,538,880	491,005	2,029,885	1,975,850	2,647,657	671,807
Medical, Dental & Optical	3029	869,489	388,000	1,257,489	993,919	1,801,099	807,180
Bldg,Grnds,Veh Macs	3030	618,397	274,411	892,808	804,139	691,308	(112,831)
Misc. Supplies	3033	160,042	60,300	220,342	246,567	203,931	(42,636)
Operating Budget Adjustmt	WU/SMI					891,521	891,521
Office Equip & Furniture	4002	6,882	750	7,632	3,189	21,250	18,061
IT-Equipment	4003	48,575	6,000	54,575	9,830	40,900	31,070
Other Equipment	4020	118,233	86,275	204,508	246,041	431,283	185,242
Other Capital Payment						2,250,168	2,250,168
Land & Buildings	5005	1,004,319	3,001,346	4,005,665	4,406,226	6,710,388	2,304,162
Total		13,480,348	7,415,333	20,895,679	20,022,134	28,600,319	8,578,185
Support Services							
General Fund	7591	12,780,117	5,448,194	18,198,309	17,364,764	27,075,319	9,710,555
Federal Fund	7592	183,325	1,795,626	1,978,951	1,997,427	1,400,000	(597,427)
Special Fund	7593	516,906	171,513	688,419	659,943	125,000	(534,943)
Total		13,480,348	7,415,333	20,865,679	20,022,134	28,600,319	8,578,185
							-

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FU[redacted]G REQUEST BY REPORTING LEVEL

Pr[redacted]rogram Services

Program Services	Object Code	Actual Expenditures thru 1/31/01	Projections Last 5 months	Projected Expenditures 1999 -2001	Appropriated Budget 1999-2001	Executive Recommended Budget 2001 - 2003 Biennium	2001 - 2003 Biennium Incr. (Decr.)
Salaries	1001	1,098,716	311,676	1,410,392	1,606,662	1,958,715	352,053
Temporary	1002	6,323	1,663	7,986	35,895	2,208	(33,687)
Benefits	1008	328,709	96,761	425,470	458,174	606,292	148,118
IT-Data Processing	3002	-	272	272		-	-
IT-Telecommunication	3003	1,816	404	2,220	2,420	3,400	980
Travel	3004	42,114	19,027	61,141	75,000	66,000	(9,000)
IT-Software/Supplies	3005	23,197	2,430	25,627	12,350	12,100	(250)
Utilities	3006	-	-	-		-	-
Postage	3007	-	-	-		-	-
IT-Contractual Services	3008	1,725	-	1,725		1,750	1,750
Lease/Rent - Equip.	3011	1,541	408	1,949	1,300	2,000	700
Lease/Rent - Bldg/Land	3012	-	-	-	500	-	(500)
Professional Dev	3013	10,053	200	10,253	13,500	16,000	2,500
Operating Fees & Services	3014	588,271	211,300	799,571	929,533	986,266	56,733
Repairs	3016	5,321	1,923	7,244	14,051	9,200	(4,851)
Professional Services	3018	104,362	24,510	128,872	572,274	165,010	(407,264)
Insurance	3019	-	-	-		-	-
Office Supplies	3021	5,680	3,712	9,392	16,100	15,450	(650)
Printing	3024	3,469	1,103	4,572	9,150	7,800	(1,350)
Professional Supplies	3025	55,089	15,550	70,639	58,174	81,325	23,151
Food & Clothing	3027	4,750	1,050	5,800	5,250	5,000	(250)
Medical, Dental, & Optical	3029	-	-	-		-	-
Bldg,Grnds,Veh Macs	3030	8,361	1,250	9,611	14,125	6,950	(7,175)
Misc. Supplies	3033	22,230	8,605	30,835	25,565	36,800	11,235
Operating Budget Adjustmt	WU/SMI		-			92,150	92,150
Office Equip & Furniture	4002	-		-	3,258	-	(3,258)
IT-Equipment	4003	4,922	1,336	6,258	8,106	11,666	3,560
Other Equipment	4020	-	-	-		-	-
Land & Buildings	5005	-		-		-	-
Total		2,316,649	703,180	3,019,829	3,861,387	4,086,082	224,695
		-	-	-		-	
Support Services		-	-	-		-	
General Fund	7591	2,104,556	639,757	2,744,313	3,439,481	3,730,234	290,753
Federal Fund	7592	183,534	46,023	229,557	356,906	290,848	(66,058)
Special Fund	7593	28,559	17,400	45,959	65,000	65,000	-
Total		2,316,649	703,180	3,019,829	3,861,387	4,086,082	224,695

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FU[redacted]G REQUEST BY REPORTING LEVEL

Pro[redacted]curity & Safety

Security & Safety	Object Code	Actual Expenditures thru 1/31/01	Projections Last 5 months	Projected Expenditures 1999 -2001	Appropriated Budget 1999-2001	Executive Recommended Budget 2001 - 2003 Biennium	2001 - 2003 Biennium Incr. (Decr.)
Salaries	1001	9,339,148	2,497,837	11,836,985	12,605,682	15,356,403	2,750,721
Temporary	1002	770,743	281,930	1,052,673	690,062	1,005,995	315,933
Benefits	1008	3,355,291	918,323	4,273,614	4,359,992	5,820,635	1,460,643
IT-Data Processing	3002	1,073	857	1,930	1,404	1,944	540
IT-Telecommunications	3003	324	286	610	241	900	659
Travel	3004	16,358	6,775	23,133	26,000	27,000	1,000
IT-Software/Supplies	3005	25,706	12,500	38,206	16,000	22,050	6,050
Utilities	3006	-	-	-	-	-	-
Postage	3007	-	-	-	-	-	-
IT-Contractual Services	3008	6,600	6,600	13,200	13,200	15,000	1,800
Lease/Rent - Equip.	3011	1,124	1,945	3,069	-	10,000	10,000
Lease/Rent - Bldg/Land	3012	-	-	-	400	-	(400)
Professional Dev	3013	4,506	1,400	5,906	12,500	13,500	1,000
Operating Fees & Services	3014	1,357,040	1,193,249	2,550,289	2,696,839	2,617,891	(78,948)
Repairs	3016	14,757	3,250	18,007	13,100	14,000	900
Professional Services	3018	32,658	10,380	43,038	52,500	50,500	(2,000)
Insurance	3019	-	-	-	-	-	-
Office Supplies	3021	3,768	3,134	6,902	11,982	10,150	(1,832)
Printing	3024	19,112	7,000	26,112	25,460	23,860	(1,600)
Professional Supplies	3025	12,981	2,140	15,121	10,550	14,000	3,450
Food & Clothing	3027	9,291	23,144	32,435	9,645	26,800	17,155
Medical, Dental & Optical	3029	2,150	700	2,850	15,000	5,145	(9,855)
Bldg,Grnds,Veh Macs	3030	19,607	6,090	25,697	26,250	26,250	-
Misc. Supplies	3033	13,250	23,000	36,250	20,246	25,000	4,754
Office Equip & Furniture	4002	-	-	-	-	-	-
IT-Equipment	4003	23,738	4,000	27,738	25,440	5,000	(20,440)
Other Equipment		-	16,200	16,200	-	-	-
Land & Buildings	5005	-	-	-	-	-	-
Total		15,029,225	5,020,740	20,049,965	20,632,493	25,092,023	4,459,530
		-	-	-	-	-	-
Support Services		-	-	-	-	-	-
General Fund	7591	14,790,545	4,978,582	19,769,127	20,086,170	24,626,245	4,540,075
Federal Fund	7592	238,680	42,158	280,838	546,323	465,778	(80,545)
Special Fund	7593	-	-	-	-	-	-
Total		15,029,225	5,020,740	20,049,965	20,632,493	25,092,023	4,459,530
							-

PRISONS DIVISION TOTAL SOURCE

	99-01 Projected	99-01 APPN	01-03 APPN
GENERAL			
Support Services	18,198,309	17,364,764	27,076,319
Program Services	2,744,313	3,439,481	3,730,234
Security & Safety	19,769,127	20,086,170	24,626,245
Total	40,711,749	40,890,415	55,431,798
FEDERAL			
Support Services	1,978,961	1,997,427	1,400,000
Program Services	229,557	356,906	290,848
Security & Safety	280,838	546,323	465,778
Total	2,489,346	2,900,656	2,156,626
SPECIAL			
Support Services	688,419	659,943	125,000
Program Services	45,959	65,000	65,000
Security & Safety			
Total	734,378	724,943	190,000
TOTAL ALL FUNDS	43,935,473	44,516,014	57,778,424

Projected Programming $

	A	B	C
1	01-03 Projected Programming Costs 8/3/00		
2			Expend thru 1/31/01
3	TRCU	1,242,460	603,494
4	DL Center	167,900	0
5	EMS	6,000	4,810
6	Community Service Programs	430,500	242,448
7	Low Risk Programming	50,400	27,406
8	1/2 Way House Placements	400,000	222,422
9	Jailed Parole Violators	394,560	260,991
10	Cognitive Programming	210,000	8,469
11	3 day Parole Hold	6,000	3,191
12	Last Chance TX Programming	146,640	0
13	Day Reporting	0	13,888
14	All accounting obects other than 2441	0	17,949
15		3,054,460	1,405,068
16			
17	99-01 Allocation	3,243,238	
18	Projected 01-03	-3,054,460	
19	Allocated to Pre-Release	188,778	

Chuck Placid

3-14-01
SB 2016

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#5

DEPARTMENT OF CORRECTIONS AND REHABILITATION
ESTIMATED ACTUAL INMATE POPULATION
FOR THE 1999-2001 BIENNIUM

Month/Year	Estimated Prisons Division Population *	Actual Prisons Division Population	Actual Population Higher (Lower) than Estimated
FY2000			
July 1, 1999	937	932	(5)
August 1, 1999	925	933	8
September 1, 1999	913	939	26
October 1, 1999	911	945	34
November 1, 1999	919	938	19
December 1, 1999	927	931	4
January 1, 1999	935	957	22
February 1, 1999	943	948	5
March 1, 2000	951	980	29
April 1, 2000	959	999	40
May 1, 2000	967	1003	36
June 1, 2000	975	1015	40
FY2001			
July 1, 2000	983	1022	39
August 1, 2000	996	1022	26
September 1, 2000	1009	1026	17
October 1, 2000	1022	1043	21
November 1, 2000	1035	1069	34
December 1, 2000	1048	1063	15
January 1, 2001	1061	1076	15
February 1, 2001	1074	1075	1
March 1, 2001	1087	1081 N/A	N/A (6)
April 1, 2001	1100	N/A	N/A
May 1, 2001	1114	N/A	N/A
June 1, 2001	1128	N/A	N/A

*This estimate reflects that on the average 75 offenders would be diverted from prison through the following alternative programs: last chance program, jailed parole violators, house arrest, halfway house/placements, day reporting, and DOCR Rooms.

3-14-01

#06

DOCR PRISONS DIVISION

			WU	SMI
SUPPORT SERVICES (62.75 FTE)	**1999-2001**	**2001-2003**	**2001-2003**	**2001-2003**
Food Services-Pen				
Buildings/Grounds-Pen	17.50			
Prisons-Administration	30.25	0.5	1	1
Utilities/Fixed Cost				
Training				
Purchasing				
Medical Services	16.00	1	0.5	4
Institutional Med. Fees				
Capital Projects & Extraordinary Repairs				
PROGRAM SERVICES (24.75 FTE)				
Treatment Services	17			4
Inmate Work Programs				
Education:	7.75			
Adult Education			1	
Vocational Education				
Library				
Pre-Employment Training				
SECURITY & SAFETY (256 FTE)				
Pen/MRCC-Security	129	2		
Pen/MRCC-Unit Managment	27			
JRCC-Security/Unit Mgmt.	99		20	19
TOTAL	**343.5**	**3.5**	**22.5**	**28**

#8

#5 PRISON PROJECTIONS BY PROGRAM OR PLACEMENT

DATE	PRE-RELEASE	DUI (NDSH)	DRUG COURT	TOTAL BEDS
Jul-01	0	25	10	35
Aug-01	0	25	10	35
Sep-01	0	25	10	35
Oct-01	25	25	10	60
Nov-01	30	25	10	65
Dec-01	35	25	10	70
Jan-02	40	25	10	75
Feb-02	45	25	10	80
Mar-02	50	25	10	85
Apr-02	50	25	10	85
May-02	50	25	10	85
Jun-02	50	25	10	85
Jul-02	50	25	10	85
Aug-02	50	25	10	85
Sep-02	50	25	10	85
Oct-02	50	25	10	85
Nov-02	50	25	10	85
Dec-02	50	25	10	85
Jan-03	50	25	10	85
Feb-03	50	25	10	85
Mar-03	50	25	10	85
Apr-03	50	25	10	85
May-03	50	25	10	85
Jun-03	50	25	10	85

H:\LEGISLATURE\DETAIL REQUEST.XLS

#7 ACTUAL DAILY [redacted]NCARCERATION RATE

	Bed Days Saved		
	July 1, 1999 through December 31, 2000		
TRCU, LC, CPP Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$95,012.55	3,183	$29.85
Day Reporting	$4,593.16	3,212	$1.43
Electronic Monitoring	$271.60	97	$2.80
Jailed Parole Violators	$3,722.48	124	$30.02
3-Day Parole Holds	$0.00	0	$40.10
DOCR Room	$10,157.16	1,149	$8.84
CPP	$17,955.75	6,725	$2.67
TRCU	$878,872.00	12,825	$68.53
House Arrest	$0.00	0	$2.67
Last Chance	$137,505.72	4,281	$32.12
Other Programs	$14,572.86	5,458	$2.67
Total	$1,162,663.28	37,054	$31.38
Beds Saved		67	
All Other Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$128,534.10	4,306	$29.85
Day Reporting	$9,173.45	6,415	$1.43
Electronic Monitoring	$5,138.00	1,835	$2.80
Jailed Parole Violators	$239,829.78	7,989	$30.02
3-Day Parole Holds	$2,927.30	73	$40.10
DOCR Room	$23,956.40	2,710	$8.84
CPP	$0.00	0	$2.67
TRCU	$0.00	0	$23.41
House Arrest	$870.42	326	$2.67
Last Chance	$0.00	0	$32.12
Other Programs	$146,855.34	55,002	$2.67
Total	$557,284.79	78,656	$7.09
Beds Saved		143	
Grand Total	$1,719,948.07	115,710	
Grand Total Beds Saved		211	
Appleton, MN Daily Cost ($50) X 140, 432 Bed days		5,785,500	
Field Services Cost ($12.247) X 140,432 Bed Days		1,720,292	
		4,065,208	

WE

3-9-01

#10

	Bed Days Saved		
	July 1, 1999 through December 31, 2000		
TRCU, LC, CPP Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$95,012.55	3,183	$29.85
Day Reporting	$4,593.16	3,212	$1.43
Electronic Monitoring	$271.60	97	$2.80
Jailed Parole Violators	$3,722.48	124	$30.02
3-Day Parole Holds	$0.00	0	$40.10
DOCR Room	$10,157.16	1,149	$8.84
CPP	$17,955.75	6,725	$2.67
TRCU	$878,872.00	37,547	$23.41
House Arrest	$0.00	0	$2.67
Last Chance	$137,505.72	4,281	$32.12
Other Programs	$14,572.86	5,458	$2.67
Total	$1,162,663.28	61,776	$18.82
Beds Saved		113	
All Other Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$128,534.10	4,306	$29.85
Day Reporting	$9,173.45	6,415	$1.43
Electronic Monitoring	$5,138.00	1,835	$2.80
Jailed Parole Violators	$239,829.78	7,989	$30.02
3-Day Parole Holds	$2,927.30	73	$40.10
DOCR Room	$23,956.40	2,710	$8.84
CPP	$0.00	0	$2.67
TRCU	$0.00	0	$23.41
House Arrest	$870.42	326	$2.67
Last Chance	$0.00	0	$32.12
Other Programs	$146,855.34	55,002	$2.67
Total	$557,284.79	78,656	$7.09
Beds Saved		143	
Grand Total	$1,719,948.07	140,432	
Grand Total Beds Saved		256	
Appleton, MN Daily Cost ($50) X 140, 432 Bed days		7,021,600	
Field Services Cost ($12.247) X 140,432 Bed Days		1,720,292	
		5,301,308	

Warden

3-16-01

#2

01-02 EQUIPMENT LIST

Priority		GF EQUIP		
1	Armor Stab Vests (25x$1200ea)	35,000		
2	Road Grader	21,500		
3	Replace Cubicle Dividers/Furnishings-TU (72,000+12,000)	84,000		
4	Electric Lift-MRCC	6,800		
5	Metal Night Stands (160@$185ea)	29,600		
6	Dental Equipment	2,000		
7	2-Fire Safes (2500ea)	5,000		
8	2-Heat Pumps (2200ea)	4,400		
9	1 Mower to attach to tractors	550		
10	Digital Copier Network Printer/Reverse Scanner	12,700		
11	Filing Shelves	1,850		
12	Metal Detector-Industries	5,000		
13	9 Computers @2300 each	20,700		
14	Industrial Mower, Toro	16,500		
15	1 Sewing Machine (1200ea)	1,200		
16	Exhaust Hoods-Mtce Shop	5,000		
17	IBM Wheelwriter 2500	1,700		
18	Stamping Maching-Laundry	2,700		
19	1 Mower to attach to tractor	550		
20	Portable Tower-Perimeter Security	10,000		
21	1Tray Warmer (1820ea)	1,820		
22	1Rifle-Towers (750ea)	750		
23	Xray Table, Tube, Processor	71,436		
24	Boiler Room Control Panel Update	18,000		
25	Three-Point Hitch Tiller	800		
26	Staff Wellness Center Equipment	15,000		
27	Wet & Dry Vac	1,150		
28	Defibrillator	5,000		
29	Armor Stab Vests (25x$1200ea)	35,000		
30	4 Computers @ 2300	9,200		
31	Air Compressor	5,600		
32	1 Rifle (tower)	750		
33	Dental Suction Machine/Chair	11,159		
34	1 Tray warmer	1,820		
35	Multi Gas Detector	1,800		
36	1 Sewing Machine (1200ea)	1,200		
	Unit Management			
	Video Camera Monitor System-TU	85,000	OA	
	Video Camera Monitor System-NU	15,000	OA	

EQUIP.

PEN	JRCC
16,250	5000
23,800	6900
336,738	51,000
376,788 +	62,900 = 439,688 BASE (1)

NEW FTE-ITEQ

Med Office Asst	2300
WL (only 6900 is PC's)	7900
	10,200 OA (1)

WL [redacted]	25,895
SMI	17,650
	43,545 OA (1)

Total → (1) 493,433

Support SVC

All EQUIP LINES

21,250
40,900
431,283
493,433

Rep Delzer 19708

3-21-01

#12

Prepared by the North Dakota Legislative Council staff for Representative Delzer
March 2001

COUNTY CORRECTIONAL FACILITIES HOUSING STATE INMATES - RATES AND BEDS AVAILABLE

The Department of Corrections and Rehabilitation contracts with various county and regional correctional facilities in this state to house state inmates. The local facilities shown on the following table have a current contract to house state inmates at times requested by the department, within the limits of available space at each facility. The following table shows for each facility the current daily contract rate and the number of beds available, as well as each facility's estimate of the requested daily rate and number of beds available for the 2001-03 biennium:

Facility	Average Number of Beds Available for the 1999-2001 Biennium	Current Daily Contract Rate for the 1999-2001 Biennium	Estimated Number of Beds Available for the 2001-03 Biennium	Estimated Daily Rate to Be Requested From the State for the 2001-03 Biennium
Barnes County	10	$45	10	$45
Bottineau County	2-3	$40	2-3	Anticipate increase
Burleigh County	0	$45	0	Unsure
Grand Forks County	3-5	$55	3-5	$60
Lake Region	10-12	$45	12 or more	$45
Morton County[1]	0	$45	0	N/A
Pierce County	2	$35	2	Anticipate increase
Richland County	2-4	$45	2-4	$45
Rolette County	4	$35	4	$35
Stark County	12-15	$45	12-15	$45
Stutsman County	10-15	$45	10-15	$45
Traill County	7-11	$35	7-11	$35
Walsh County	3-4	$40	3-4	$40
Ward County	5-6	$45	5-6	Unsure
Williams County	2	$45	2	$45
Total	72-93		74-93	

[1] The jail administrator indicated that the county does not plan to accept state inmates because the contract rate is not adequate and the facility has limited space.

#13

JOB DESCRIPTION
ADMINISTRATIVE ASSISTANT I
JUNE 2000

RESPONSIBILITY:

A. Receptionist Duties:
1. Greet offenders and other people coming into the office. Direct them to the proper officer or handle situation personally.
2. Respond to offender's daily questions regarding their supervision status and conditions of probation or parole.
3. Answer telephone and direct calls to proper officer. Attempt to assist the caller in the absence of the officer. Direct the calling party to the appropriate agency or official if our office is unable to assist the caller.
4. Maintain appointment schedule for the officers.
5. Type correspondence for the officers (forms, memos, letters). Compose letters or memos on the officer's behalf.
6. Responsible for processing incoming and outgoing mail. Pickup incoming mail at the post office, open and stamp with date received, distribute to proper officer or process personally. Prepare and post outgoing mail and deliver to post office.
7. Create and revise forms as needed.

B. Computer Data Entry:
1. Review all legal documents for accuracy on information being data entered.
2. Responsible for all data entry from the offender files for the district office.
3. Submit requests for record checks on new offenders.
4. Updates are received from central office in Bismarck on a weekly basis and uploaded onto district computer.
5. Print jail list daily from computer.

C. Assist Officer with Supervision of Offenders:
1. Monitor monthly contact sheets, send reminder notices monthly to offenders not reporting as required.
2. Photograph new offenders in absence of officer.
3. Issue travel permits to offenders using discretion in the absence of officer.
4. Fingerprint new offenders, compile and type necessary information on fingerprint card, and submit to central office in Bismarck for further processing.
5. Collect urine samples from female offenders, when necessary.

6. Monitor court-ordered financial obligations by verifying balance with clerk of court. This is done on a needed or requested basis.
7. Assist in maintaining current chronological logs on offenders.
8. Express concerns to the officer when anything unusual is noticed about an offender.
9. In absence of the officer, answer questions posed by law enforcement officials, states attorneys, defense attorneys, district and county judges.
10. Assist in compiling information for pre-sentence investigations, type report, obtain officer's signature, photocopy and distribute to the court and entitled personnel.
11. Collect and distribute financial payments by offenders to agencies. This would include supervision fee payments to be collected.

D. Maintenance of Offender Files:
1. Assemble new offender files. This involves receipt of intake material from the officer, typing appropriate forms and gathering necessary documents for the file (records check, criminal information or complaint and judgment).
2. Input data into computer.
3. Verify offender has repayment schedule if financial obligation is ordered by the court.
4. Contact necessary agency to obtain information relevant to offender which is deemed appropriate for the file or requested by the officer.
5. Purge files as required.
5. Maintain offender supervision fee remittance report, submit payments to central office in Bismarck.
6. Complete supervision fee waivers, PSI and EMS debit reports.

E. Monthly Reports:
1. Keep track of expenses incurred during the month by the officers, review with officer, type expense voucher, obtain officer's signature and submit to central office in Bismarck for further processing.
2. Compile list of offenders being supervised by the district offices, along with their offenses, and mail to various law enforcement agencies.
3. Print out reassessment and discharge reports from the computer.
4. Maintain record of contact with all offenders on a monthly contact sheet, total at end of each month and prepare new contact sheet for upcoming month with new offenders added, and expired or terminated offenders deleted.

5. Compile monthly caseload worksheets to be attached to completed monthly contact sheet and submit to Regional Supervisor.
6. Compile vehicle mileage of state units and submit to Central Office.
7. Maintain offender supervision fee balance records on monthly basis or as needed.
8. Review all time sheets for accuracy for supervisor's signature.

F. Miscellaneous:

1. Responsible for maintaining the stock of supplies on hand and ordering supplies from central office when necessary.
2. Submit inventory list to central office in Bismarck on an annual basis.
3. Responsible for maintaining supply of designed forms for use within the office.
4. Maintain correctional training requirements.

_____ _____

Employee Date

_____ _____

Supervisor Date

#14

JOB DESCRIPTION
BUSINESS OFFICER
(JANICE YOUNG)
MAY 2000

A. Administrative Liaison for the Division Director and Regional Supervisors

1. Serve as liaison to members of various boards served by the Director.
2. Provide administrative contacts to division employees relating to benefits, department programs, memberships, professional development and various personnel issues.
3. Coordinate the Director's activities with judicial, law enforcement, human service and other state agencies.
4. Interpret and implement policy and procedures on the administration, organization and management of the division.
5. Interact with Department of Corrections staff to accomplish the department's mission.
6. Provide direction to administrative staff by assessing and developing appropriate recommendations on administrative issues.
7. Respond to inquiries from the general public, media and correction agencies from other states about current/previous offenders on parole or probation.

B. Business Officer for the Division

1. Perform office management functions for the Division's Central Office and 17 state district offices.
2. Provide supervision to Administrative Secretary II1 and temporary office staff to include training, professional development, evaluating employee performance reviews, assigning duties and planning workflow.
3. Conduct fiscal studies and prepare reports relating to budget issues.
4. Make recommendations to management regarding proposed changes or enhancements to the operation of the Central Office.
5. Coordinate meetings and staff training to include agenda, travel and accommodations.
6. Maintain control of sensitive information flowing through the Central Office.
7. Purchase supplies for division.
8. Maintain division's forms inventory and order printing when necessary.
9. Maintain accurate records of mileage, gas slips and maintenance for 32 state vehicles.

C. Technical Support

1. Provide maintenance support and advice on purchasing various types of office equipment.
2. Provide technical assistance on the operation of Microsoft Word, e-mail and parole/probation database.
3. Analyze computer operations and recommend improvements for use in the district offices.
4. Plan and conduct word processing training for users.
5. Review and edit errors from the database "root" files.
6. Attend computer training to maintain knowledge necessary to perform this duty.
7. Maintain equipment inventory online for division.

D. Supervise "Supervision Fee" Program

1. Ensure that the operation of the "supervision fee" program is conducted properly utilizing accounting practices and procedures.
2. Oversee the payment of cash transactions to individual accounts in the automated accounting system.
3. Balance deposit revenue received by the division with the state treasurer.
4. Investigate cash payment transactions that appear to conflict with statewide remittance lists.
5. Supervise the production of quarterly non-compliance notices.
6. Investigate discrepancies on offender's accounts.

E. Administer Personnel and Payroll

1. Responsible for additions, changes and deletions to monthly payroll.
2. Advise new and current employees with additions and changes to life, dental and health insurance, flex comp and retirement issues.
3. Accountable that the correct salaries are paid to division employees.
4. Verify employee's timesheets on required hours worked in specific timeframe.
5. Analyze and submit supplement payroll for temporary staff.
6. Maintain personnel/payroll records and related documents per OMB guidelines.
7. Maintain accurate records of annual, sick, and compensatory for employees.

F. Accounts Payable

1. Verify and code vouchers/invoices for payment.
2. Verify abstract and submit to OMB for processing.
3. Process checks to appropriate vendors.
4. Prepare and input interdepartmental billings (IDB's) and journal vouchers.

G. North Dakota Pardon Advisory Board

1. Contact sentencing judge and states attorney to solicit comments on Pardon Board petitioners.
2. Coordinate agenda.
3. Research files to determine accurate facts and provide board members with necessary information.
4. Record meetings and type minutes.
5. Maintain inmate records for Pardon Board appearances and results in Dbase.
6. Respond to inquiries regarding application procedure.

Employee _____ Dated _____

Supervisor _____ Dated _____

#15

JOB DESCRIPTION
COMMUNITY CORRECTIONS AGENT I
DECEMBER 2000

RESPONSIBILITY:

A. Supervise Low Risk Offenders:

1. Maintain collateral contacts with offender referral agencies concerning offender progress.
2. Identify and solve problems related to worksites and offender performance.
3. Monitor offender compliance at worksites.
4. Enforce conditions as set by the Court and/or the Parole Board.
5. Document worksite time sheets.
6. Resolve transportation, work rules and other issues with offenders.
7. Identify and assist with social problems related to low risk offenders.
8. Conduct on-site alcohol/drug/DNA testing in accordance with division policy.
9. Assist with transporting criminal offenders.
10. Assist with searches of offenders.
11. Assist with the placement and monitoring of EMS.
12. Assist with the arrest of offenders.
13. Petition the Court/Parole Board for revocation of offender supervision.
14. Collect program costs and/or Court/Parole Board ordered fines, fees, restitution, PSI fee and supervision fees.
15. Develop and maintain offender supervision plans.

B. Provide referral information and respond to crime victim needs and interests throughout a specified region.

1. Monitor and assist with the collection of restitution for crime victims.
2. Ensure crime victims receive referral services to assist them in recovering from injuries and losses.
3. Provide victim information services.
4. Inform crime victims of their rights.
5. Report victim needs and issues to the Parole Board.
6. Provide consultation for crime victims.
7. Assist with victim/offender mediation training.

C. Maintain Caseload Records and Computer Data Program for Low Risk Offenders

1. Maintain case/file format in accordance with the division's policy and procedures.
2. Maintain all caseload records on the computer intake data program.
3. Monitor fiscal collections for offender supervision fees.
4. Document correspondence on chronological reports.
5. Develop reporting forms, referral forms and other necessary forms as needed.
6. Prepare interstate compact documents.

D. Assist and Work with the Development and Maintenance of Low Risk Programs

1. Evaluate and assign offenders to appropriate worksites based on offender's skills, obligations and capabilities.
2. Assign offenders to restitution worksites for the purpose of repayment of restitution to crime victims.
3. Assist with the evaluation of low risk worksites and personnel (worksite monitors)

E. Analyze Information and Submit Periodic Statistic Reports to Supervising Program Manager

1. Submit accurate, timely reports.
2. Analyze and categorize statistical data.
3. Compare, count statistics, differentiates, measures, and assembles copies and records data and information.
4. Collect and distribute program costs, supervision fees and restitution funds.

F. Perform Administrative Support Duties

1. Operate personal computer and related software for offender and victim data input.
2. Develop and monitor general accounting and record keeping practices concerning both victims and offenders by ledger or computer data program.
3. As required, greet offenders, answer telephone and direct calls.
4. As required, process incoming and outgoing mail.

G. Communicate Low Risk Offender Progress and Victim Assistance with Various Local, State and Federal Officials

1. Report offender compliance to parole/probation officer, courts, corrections board, parole board and/or states attorney.
2. Submit accurate reports to the supervising program manager.
3. Prepare and conduct presentations regarding low risk offender information and victim information to various organizations.
4. Attend and participate in required staff meetings.

G. Supervision of Employees

1. Supervise interns and temporary employees.
2. Assist supervisor in the evaluation of temporary employees and interns work performance
3. Coordinate communication between the school advisor and the Field Services Division regarding the intern program.

_____ _____

Employee Date

_____ _____

Supervisor Date

#16

JOB DESCRIPTION
COMMUNITY CORRECTIONS AGENT II
DECEMBER 2000

RESPONSIBILITY:

A. Supervise Low Risk Offenders:
1. Maintain collateral contacts with offender referral agencies concerning offender progress.
2. Identify and solve problems related to worksites and offender performance.
3. Monitor offender compliance at worksites.
4. Enforce conditions as set by the Court and/or the Parole Board.
5. Document worksite time sheets.
6. Resolve transportation, work rules and other issues with offenders.
7. Identify and assist with social problems related to low risk offenders.
8. Conduct on-site alcohol/drug/DNA testing in accordance with division policy.
9. Assist with transporting criminal offenders.
10. Assist with searches of offenders.
11. Assist with the placement and monitoring of EMS.
12. Assist with the arrest of offenders.
13. Petition the Court/Parole Board for revocation of offender supervision.
14. Collect program costs and/or Court/Parole Board ordered fines, fees, restitution, PSI fee and supervision fees.
15. Develop and maintain offender supervision plans.

B. Assessment of Offender Risk/Need
1. Utilize department approved assessment instruments to properly classify offender risk and individual need.
2. Staff cases(s) with relative correctional, law enforcement, and social services staff to establish offender risk and individual need.

C. Maintain Caseload Records and Computer Data Program for Low Risk Offenders
1. Maintain case/file format in accordance with the division's policy and procedures.
2. Maintain all caseload records on the computer intake data program.
3. Monitor fiscal collections for offender supervision fees.
4. Document correspondence on chronological reports.
5. Monitor and assist with the collection of restitution for crime victims.
6. Develop reporting forms, referral forms and other necessary forms as needed.
7. Prepare interstate compact documents and conduct investigations for offender placements in ND.

D. Assist and Work with the Development and Maintenance of Low Risk Programs; Supervise Staff

1. Evaluate and assign offenders to appropriate worksites based on offender's skills, obligations and capabilities.
2. Develop restitution work sites for the purpose of repayment of restitution to crime victims.
3. Assign offenders to restitution work sites for the purpose of repayment of restitution to crime victims.
4. Assist with the evaluation of low risk worksites and personnel (worksite monitors).
5. Supervise interns and temporary employees.
6. Assist supervisor in the evaluation of temporary employees and interns work performance.
7. Coordinate communication between the school advisor and the Field Services Division regarding the intern program.

E. Conduct Investigations

1. Conduct offender pre-sentence investigations and provide court with a report.
2. Conduct post-sentence investigations and provide the appropriate party(s) a report.

F. Manage Cognitive Restructuring Groups

3. Develop and deliver cognitive programming to offenders.
4. Maintain appropriate records as to program effectiveness.

G. Provide referral information and respond to crime victim needs and interests throughout a specified region.

1. Monitor and assist with the collection of restitution for crime victims.
2. Ensure crime victims receive referral services to assist them in recovering from injuries and losses.
3. Provide victim information services.
4. Inform crime victims of their rights.
5. Report victim needs and issues to the Parole Board.
6. Provide consultation for crime victims.
7. Assist with victim/offender mediation training.

H. Analyze Information and Submit Periodic Statistic Reports to Supervising Program Manager

1. Submit accurate, timely reports.
2. Analyze and categorize statistical data.
3. Compare, count statistics, differentiates, measures, and assembles copies and records data and information.
4. Collect and distribute program costs, supervision fees and restitution funds.

I. **Communicate Low Risk Offender Progress and Victim Assistance with Various Local, State and Federal Officials**

1. Report offender compliance to parole/probation officer, courts, corrections board, parole board and/or states attorney.
2. Submit accurate reports to the supervising program manager.
3. Prepare and conduct presentations regarding low risk offender information and victim information to various organizations.
4. Attend and participate in required staff meetings.

J. **Perform Administrative Support Duties**

1. Operate personal computer and related software for offender and victim data input.
2. Develop and monitor general accounting and record keeping practices concerning both victims and offenders by ledger or computer data program.
3. As required, greet offenders, answer telephone and direct calls.
4. As required, process incoming and outgoing mail.

_____ _____

Employee Date

_____ _____

Supervisor Date

#17

JOB DESCRIPTION
CRIME VICTIM SPECIALIST
(PAUL COUGHLIN)
MAY, 1994

RESPONSIBILITY:

A. Determine initial eligibility and validity of claims by conducting investigations and responsible for the overall administration and management of the statewide program.

1. Receive incoming claims, prepare files, initiate investigations to obtain reports from prosecutors, medical providers and law enforcement.
2. Interview claimants, employers and witnesses, and attend criminal hearings to gather the information necessary to make decisions related to the findings of the investigation and compensability of the claim.
3. Responsible for the overall administration and management, and accountable for the statewide Crime Victims Reparations Program. This involves approximately $750,000 of state and federal money governed by complex state and federal laws which need to be reviewed, interpreted, implemented and adhered to.
4. Responsible for continued training, public relations and public information; and development and management of policies and procedures to meet the goals and objectives of the statewide program.

B. Responsible for the administration and management of the state crime victims, federal Victims of Crime Act and Native American Victims of Crime Act grants.

1. Responsible for the overall administration, management, review and operation of the statewide crime victim grant programs which involves 55 participating government and private agencies; and $950,000 in state and federal grants.
2. Responsible for accessing these grants on behalf of the state.
3. Organize and coordinate the grant review committee and manage the grant review process.
4. Provide technical assistance and monitor all grants to ensure financial and statistical reporting requirements are met related to state and federal requirements.
5. Compile financial reports and statistics to provide mandatory reports to the federal government.
6. Monitor budget to ensure funds are properly distributed and spent according to state and federal guidelines.
7. Work with accountant, computer programmer and data

processor to develop and manage systems for reporting to comply with state and federal regulations to properly administer and manage the statewide crime victim grant programs.

8. Work with state victim groups and associations to provide technical advice and consultation related to victim issues. This involves supervision of all grant activities of 55 agencies and 173 employees who provide services to over 8,000 victims of crime.

C. Authorize medical benefit payments and determine continued liability.

1. Authorize benefit payments on accepted claims.
2. Review and interpret medical records and medical bills.
3. Determine whether medical charges are related, reasonable, customary and necessary; clarify any discrepancies.
4. Authorize medical bill payments, investigate whether or not claimant has insurance or other collateral sources available such as Medicare, Medicaid, veteran's benefits, etc.
5. Confer with medical experts on medical issues that arise and monitor medical records to determine future liability.
6. Verify restitution balance with court before final payment is authorized.

D. Authorize economic loss benefits and other allowable benefits; and determine continued liability.

1. Interpret and review medical records to determine if disability occurred as a result of injuries sustained.
2. Investigate employment to determine work lost, wage rate, sick/annual leave or other benefits available through employment.
3. Verify possible collateral sources such as worker's compensation, social security, etc.
4. Calculate and authorize lost wage benefits; monitor disability and verify on continued basis; and authorize funeral expenses in homicide cases.
5. Determine eligibility for economic loss benefits in homicide/permanent injury cases.
6. Investigate thoroughly collateral sources such as life insurance, disability insurance, social security, etc.
7. Determine need, calculate benefits and amount to be paid.
8. Monitor all payments to ensure caps are not exceeded and monitor fund balances.

E. Data collection for financial and statistical reporting for state and federal grant regulations and state laws.

1. Operate computer to implement program to track and input financial and statistical data. Design, create and implement files.
2. Enter benefit payments into Crime Victim Reparations host system; enter data for statistical reporting requirements; and ensure data collections are current with any changes/revisions in state and federal regulations.
3. Implement tickler system to track files and necessary follow-up.
4. Study state policies/regulations and federal grant regulations.
5. Work closely with accountant, computer programmer, and data processor to carry out functions; compile data and prepare required reports.

F. Provide information to promote public awareness. Provide contact and referral services to interested parties. Draft legal documents and correspondence.

1. Receive incoming calls on 1-800 telephone line and any program inquiries.
2. Provide program information to caller/inquirer, explain eligibility requirements, program benefits, application process, etc.
3. Provide information routinely to law enforcement, prosecutors and medical providers.
4. Refer victims to other programs or appropriate service agencies.
5. Draft legal orders on claims when reducing or denying a claim/benefits.
6. Draft necessary correspondence in connection with claims adjudication.

#18

JOB DESCRIPTION
PAROLE OFFICER I (5101)
May, 1999

TO ENSURE THAT APPROPRIATE DECISIONS ARE BEING MADE, THE OFFICER WILL STAFF DIFFICULT CASES WITH REGIONAL SUPERVISOR AND/OR LEAD OFFICER IN THEIR DISTRICT OFFICE ON A WEEKLY BASIS.

RESPONSIBILITY:

A. Offender Supervision:
1. Meet with offender as supervision standards dictate.
2. Monitor conduct, progress and employment history of offender.
3. Refer offender to appropriate agencies and staff progress with the agencies as required.
4. Assist offender in finding and maintaining employment.
5. Assist offender with career decision making.
6. Maintain collateral contact with other appropriate people concerning the progress of the offender.
7. Conduct unscheduled/scheduled home visits with offender either day or night.
8. Search offender's home, vehicle, or person as needed for firearms, dangerous weapons, drug paraphernalia, stolen property or any other forbidden contraband.
9. Responsible for transportation of all parole violators from within, or outside, the State of North Dakota.
10. Arrange, refer, or approve community service sites and monitor adherence.
11. Notify sex offenders of their mandated responsibilities to register with law enforcement agencies and ensure that they do the same.
12. Perform arrests, which may require the officer to verbally and physically restrain offenders, as warranted.
13. Transport offenders to correctional centers, penitentiary, halfway houses, or home confinement as warranted.

B. Case Management:
1. Maintain chronological log of all offenders.
2. Prepare necessary monthly reports for assigned cases.
3. Interview offenders to include preparing necessary Admission to Caseload forms, assessing the offender's individual needs and probable risk to society, prepare other case assessment instruments, as well as the case provision plan for all offender
4. Reassess all offenders' needs and potential risk to society every six months. Should problems develop, reassess risk immediately and move to higher security/supervision status.

5. Issue travel permits, prepare waiver of extradition forms as required, provide for travel and/or transfer of offender as provided by Interstate Compact for adult offenders.

C. Interact with appropriate courts, parole and pardon boards:

1. Testify in courts and before the parole/pardon board.
2. Prepare petitions to revoke probation violators.
3. Prepare petitions to dismiss and terminate probation when appropriate.
4. Provide information to judges, states attorneys, and defense counselors concerning the progress of the offender. This information would include recommendations for sentencing.
5. Monitor payment of court costs, attorney fees, court fees, fines, restitution, administrative fees and supervision fees by the offender.
6. Complete investigations as ordered by the court or parole board to include the development of pre-release plans for offenders requesting placement on community confinement.
7. Ensure that all issues concerning victims are dealt with appropriately.
8. Testify at all necessary preliminary hearings, administrative hearings and disciplinary hearings concerning possible violations of parole.
9. Transport all adjudicated parole violators to the appropriate place of confinement.
10. Prepare annual and final reports concerning the progress and conduct of all appropriate offenders.
11. Make sentencing recommendations when and if requested by the Court.

D. Prepare presentence and post-sentence investigation reports:

1. Interview offenders, victims, and collateral sources to determine the nature of the offense, the damage caused to the victim(s), and information concerning the offender's past experiences and future plans.
2. Complete a full criminal records check to determine offender's prior record.
3. Prepare a formal victim impact statement on behalf of the victim with such statement to be included with the investigative report.
4. Prepare the sentencing report to include all appropriate information provided by the offender's collateral contacts and criminal information check.

E. Other professional responsibilities appropriate to the duties of a parole/probation officer:

1. Assist law enforcement investigations concerning offenders including locating the offender, assisting in arrest or facilitating searches.
2. Assist with the maintenance of handling of all evidence concerning criminal activity perpetrated by offenders.
3. Maintain licensing requirements as provided by the Criminal Justice Training Division of the ND Attorney General's office.
4. Maintain Firearms Certification.
5. Continue to grow professionally by developing the skills appropriate to the duties of a Parole/Probation Officer I.
6. As a representative of the Department of Corrections, maintain a professional demeanor.

_____

Employee Date

_____

Supervisor Date

#19

JOB DESCRIPTION
PAROLE OFFICER II
FEBRUARY 2001

RESPONSIBILITY:

A. Provide Offender Supervision:

1. Complete an extensive assessment tool to gauge the risk to the community and the needs of the offender. This is then reflected in the individual offender case plan.
2. Determine initial/on-going referrals including but not limited to: social service agencies, chemical, mental, emotional, financial, sexual treatment agencies, and/or various self-help groups.
3. Maintain continuous communication between various treatment agencies to monitor offender progress and conduct.
4. Conduct on-site drug/alcohol testing to determine offender usage.
5. Provide and complete offender registration forms to comply with court mandated offenders for compliance with NDCC.12.1-32-15. Monitor offender's current residence and employment and update the change of address forms when needed. Initiate and follow through with court proceedings if they fail to comply.
6. Initiate and maintain contacts with those individuals who are acquainted with or have an impact on the offender's life. This may include employer, spouse, significant others, family members, neighbors, friends and/or clergy.
7. Initiate unscheduled/scheduled home visits with criminal offenders for the purpose of determining the compliance of community supervision rules and to observe life skills.
8. Initiate, command, and conduct warrantless/warranted searches of offender homes, vehicles, or person(s) based on collateral information obtained and discretion of supervising officer.
9. Collect restitution for crime victims as well as other court ordered financial obligations.
10. Transport offenders as deemed appropriate. This may be in a custodial or non-custodial situation.
11. Determine if a higher level of community constraint, up to and including arrest, is appropriate in response to a violation.
12. Be accessible to offenders and others outside normal working hours, which may include officers being contacted at home, at all hours of the day or night. This may include the officer being called out for duty during the night, weekends, and on holidays.
13. Conduct the DNA testing on a sex offender and complete appropriate paperwork for compliance with NDCC 31-13-03.
14. Handle and maintain evidence in accordance with evidentiary law.

B. Management/Supervision of Programs:

1. In the absence of the District Supervisor, PO II's are designated as acting supervisors and are responsible for making independent decisions that would otherwise be demonstrated by PO III's.
2. Chair and oversee various committees both permanent and temporary.

3. Monitor and evaluate volunteer programs associated with the Division of Field Services, e.g. VISTA (Volunteers in Service to America), Green Thumb, college and high school students.
4. Develop job descriptions. Hire, evaluate, and supervise contract employees, e.g. part-time parole/probation surveillance officers, pre-sentence investigation writers, transport officers, and continuously monitor standards, qualifications, and certifications.
5. Interview, hire, evaluate, and provide supervision to college level interns completing undergraduate or graduate degrees in criminal justice, social work, or other human service-related fields.
6. Develop policy and provide supervision to community service/restitution programs throughout the state. Serve as a representative to Community Service Advisory Boards.
7. In areas of the state where Parole Officer III's are not immediately available, Parole Officer II's are "lead officers." The officers are responsible for the day-to-day duties conducted within the district office to include assigning work to other staff and the management of local contract programs.
8. PO II's are certified firearms instructors and are responsible for the training, development, and certification of all parole officers in the Division of Field Services, as well as assisting in training of personnel from other agencies. This includes continuous monitoring and researching of laws, standards, and training techniques.
9. PO II's are certified armorers and oversee maintenance, performance, and repairs of all Department issued firearms.
10. PO II's are certified as Pressure Point Control Tactics (PPCT) instructors and are in charge of training the Field Service's Division employees, as well as other Departments or agencies.
11. PO II's are cognitive restructuring group facilitators and provide groups to all types of offenders in the criminal justice system. These facilitators provide a designed atmosphere to educate and assist offenders with their criminal thinking process.
12. PO II's are cognitive restructuring trainers and provide training to all types of agencies. (Human Service Center employees, correctional officers, law enforcement personnel, treatment personnel). The Field Services Division is an extensive trainer for the state of ND.
13. PO II's manage and coordinate the intensive supervision program (ISP). This program allows for the Parole Board and the Department of Corrections and Rehabilitation to release higher risk offenders in the community.

C. Community Policing:
1. Assist residents in the community by meeting with them individually or in groups to aid in the safety of the community.
2. Maintain a community partnership, which promotes residents to share information concerning offenders.
3. Conduct presentations to civic and community groups to inform others of parole officer duties and the overall mission of the Department of Corrections and Rehabilitation; promote a

line of communication between parole officers and residents in the community.

4. Establish and maintain satellite field offices within the community in which officers are accessible to offenders and to the community.
5. Participate on the Community Policing Advisory Committee to identify community problems.

D. Provide Case Management of Offenders:

1. Maintain chronological records of criminal offenders based on offender case plan.
2. Interview offenders to assess the offender's needs and probable risk to society. This includes completing sophisticated assessment tools, LSI-R (Life Skills Inventory - Revised), MnSOST (Minnesota Sex Offender Screening Tool - Revised), and admission to caseload forms. Develop a case supervision plan on each offender based upon the LSI-R assessment and Court ordered conditions, which would address the offenders' risk and needs to ensure safety to the community.
3. Reassess all offenders' needs and potential risk to society on a six-month basis. This reassessment can occur at any time based on the offender's most recent development to include drug use, criminal activity, loss of employment, loss of residence, or other significant personal development. Case supervision plans will be adjusted according to developments in offender's supervision.
4. Assess and determine whether travel permits to other states are appropriate based on offender's past behavior, potential risk to society and rehabilitation.
5. Coordinate and assess services with offenders for appropriate treatment/resources that will address the offender's needs and risk. Maintain contact with treatment staff to monitor compliance of court ordered or referred treatment.
6. Determine if the implementation of an intermediate sanction is appropriate when a violation of supervision occurs and monitor compliance of the sanction.
7. Administer the MnSOST-R (Minnesota Sex Offender Screening Tool - Revised) on sex offenders.

E. Interact with Appropriate Agencies:

1. Testify before municipal courts, district courts, federal courts, community placement hearings, the North Dakota Parole Board, and the North Dakota Pardon Advisory Board. Provide testimony in probable cause and revocation of probation/parole hearings as well as community placement revocation hearings.
2. Make informed decisions to develop and prepare petitions to dismiss, terminate and modify probation supervision judgments.
3. Provide pertinent and necessary information to the Governor's Office, Pardon Advisory Board, Parole Board, judges, states attorneys, and defense counselors concerning the progress of offenders. This information includes sentencing recommendations, sentencing alternatives, and offender's progress while on supervision.

4. To ensure compliance with fiscal obligations, monitor and distribute payments for restitution, administrative fees, court costs, attorney fees, fines, supervision fees, and victim/witness fees.
5. Initiate contact and assist human service/mental health centers in determining treatment and placement plans of criminal offenders.
6. Assist local drug task forces specializing in the detection, surveillance, and arrest of drug offenders.
7. Testify before the North Dakota Legislature regarding bills that would affect the Division of Field Services as well as the Department of Corrections and Rehabilitation.
8. Serve as co-facilitator with human service staff in sex offender treatment groups.
9. Interview victims during the pre-sentence phase to determine crime impact. This information is used to assist in making sentencing recommendations to the court.
10. Provide victims with post-sentencing information to include changes of offender status and other necessary developments.
11. Refer victims to services as deemed appropriate.

F. Maintain Licensing Requirements:
1. Maintain ND Peace Officer Licensure.
2. Maintain firearm instructor/armorer certification and provide certification to officers within the Division of Field Services.
3. Provide certified instruction to students of the ND Peace Officers Training Program (Bismarck and Devils Lake).
4. Represent the Department of Corrections and Rehabilitation and maintain a professional demeanor while on and off duty.
5. Obtain licensure and certification in the following areas: Correctional Officer, Minnesota Sex Offender Screening Tool-Revised, Life Skills Inventory-Revised, Pressure Point Control Tactics Instructor, Cognitive Restructuring Facilitator, On-site Drug Testing.
6. Receive continuing education as required by the Division of Field Services.
7. Maintain firearm certification as required by the ND Post Board and the ND DOC&R, Field Services Division.

G. Prepare Investigation Reports:
1. Interview criminal offenders, victims, and collateral sources with skills acquired through specialized interviewing techniques.
2. Complete an extensive criminal records check to determine offender's prior record to include juvenile history.
3. Investigate an offender's social, mental, and chemical history and compile it into formal reports. The officer's investigation determines the appropriateness of the offender's community placement plan and the level of risk the offender would present to the community. Recommendations are made by the officer based on the above factors.
4. Report and assist in the investigation of possible child abuse/neglect related to the offender's home life.
5. Investigations are conducted by the officer including community placement plans, parole plans, interstate compact

investigation reports, pre-sentence investigations, sentencing reports, and pardon advisory board reports.

6. Conduct specialized investigations to complete a sex offender-screening tool. This screening tool will aid the officer in making treatment recommendations and assist the officer in providing information to law enforcement for public notification.
7. Initiate and conduct drug enforcement investigations that may lead to the discovery of methamphetamine labs or evidence of drug manufacturing. Make contact with appropriate agencies for proper disposal of the drug operations.
8. Assess and investigate an offender's involvement in committing a new criminal offense and initiate the criminal compliant process with the prosecuting attorney that has jurisdiction.

H. Implement Intermediate Measures Program:

1. Parole Officers exercise their authority in the implementation of an intermediate sanction based on the officer's professional judgement and other pertinent assessment information.
2. Determine whether placing an offender in community service, day reporting, curfew, home confinement, house arrest, halfway house, intensive supervision, or electronic monitoring programs would be more appropriate than possible revocation of parole/probation in hopes of brining about corrected offender behavior as well as reducing jail and prison populations.
3. Maintain accurate records of intermediate measures usage in order to gain statistical data for use by the Division of Parole/Probation and other state agencies.

_____ _____

Employee Date

_____ _____

Supervisor Date

#20

JOB DESCRIPTION
PAROLE OFFICER III
JUNE 1997

RESPONSIBILITY:

A. Management of Parole/Probation Staff Within Region/Program:
1. Complete employee work performance appraisals and monitor employee's progress toward desired performance appraisal results. This may include progressive discipline including recommendations for the termination of employees.
2. Investigate and respond to all regional employee grievances.
3. Investigate and respond to all complaints lodged against regional personnel and submit reports regarding same to the Division of Parole/Probation director.
4. Review and approve all employee time sheets, vouchers, and wellness points to ensure compliance with division policies.
5. Conduct and lead all regional staff meetings.
6. Responsible for contacting the division director with staff concerns.
7. Ensure that parole, probation, community placement cases; presentence, post-sentence, placement and special investigations; and parole plans are assigned to personnel within the region.
8. Conduct case plan audits of officer's case files. These audits include reviewing chronological histories, field files, assessments, pre-sentence investigations, parole plans and community placed files.
9. Manage division budget for region/program.

B. Provide Offender Supervision:
1. Meet with criminal offenders based on risk and needs reflected in individual offender case plan.
2. Make appropriate referrals to agencies; staff offender's progress and conduct with other agencies.
3. Assist offender in seeking and maintaining employment. Maintain collateral contact with other agencies and individuals concerning the progress of criminal offenders. Conduct employment checks to ensure a satisfactory job placement.
4. Conduct unscheduled/scheduled home visits with criminal offenders to ensure compliance with parole/probation/community placement agreement.
5. Conduct warranted/warrantless searches of homes, vehicles, or persons of criminal offenders as needed to determine possession of firearms, dangerous weapons, drugs, drug paraphernalia, stolen property, or evidence of any other criminal behavior.
6. Determine if arrest or higher level of detention is needed which may include transportation to jail, correctional center, halfway house, detox center, treatment center, and/or house arrest.

7. Responsible for the transportation of criminal offenders listed as parole or community placement violators as well as criminal offenders found in violation of their district court probation. This may include travel outside the State of North Dakota.
8. Collect supervision fees per NDCC 12.1-32-37.6. Arrange, approve, and monitor community service sites for criminal offenders.
9. Notify court-mandated sex offenders of their responsibility to register with local law enforcement and monitor their adherence to this statute.
10. Conduct on-site drug/alcohol testing to determine offender's drug/alcohol ingestion.
11. Perform criminal investigations and supervise other agencies conducting investigations on parole/probation/community placement offenders.

C. Manage Programming Within Region/Program:
1. Determine which offenders enter the intermediate measures program.
2. Operate as a member of the intensive supervision program in conjunction with the intensive program coordinator and the intensive supervision officer.
3. Responsible for community placement offenders in the designated region.
4. Authorize electronic monitoring provided within region.
5. Ensure that all programs managed by parole/probation officer II's are in compliance with the DOCR and division missions.

D. Provide Case Management of Offenders:
1. Maintain chronological records of criminal offenders based on offender case plan.
2. Interview offenders to include preparing necessary admission to caseload forms, assessing the offender's individual needs, and probable risk to society, preparing other case assessment instruments, as well as case supervision plan on all offenders.
3. Reassess all offenders' needs and potential risk to society on a six-month basis. This reassessment can occur at any time based on the offender's most recent development to include drug use, criminal activity, loss of employment, loss of residence, or other significant personal development.
4. Assess and determine whether travel permits to other states are appropriate based on offender's past behavior, potential risk to society and rehabilitation.

E. Serve as Division's Field Liaison with Appropriate Agencies:
1. Maintain personal contacts with all district/county judges and criminal justice agencies in the region to facilitate the division's mission.
2. Provide information to local media, community service groups, and schools pertaining to division policy and procedures.

3. Serve as the division's regional representative on various community task forces and related boards.
4. Serve as the division's representative on various state or multi-state community task forces and related boards.

F. Regional Staff Hiring, Orientation and On-Going Training:
1. Responsible for developing job description, job listing, screening of applications and participating in the interview process of regional personnel.
2. Assist new employees in the orientation of the policy and procedures of the Division of Parole/Probation.
3. Assist new and existing employees in the on-going staff training in order to assure each employee receives minimal training requirements.
4. Provide expertise to subordinate officers who may be responsible for the management and supervision of any programs within the division.

G. Act as Division Hearing Officer:
1. Serve as Morrissey Hearing Officer for parole revocation hearings, provide findings of fact, and make recommendations to the Parole Board.
2. Serve as Adjustment Committee Hearing Officer for community placement offenders.
3. Act as disinterested third party in approving negotiated sanctions of line officer and parole violator.
4. Serve as hearing officer for the implementation of intermediate measures in the region.
5. Prepare and complete documentation of all hearings regarding parole violations and community placement hearings.

H. Maintain Licensing Requirements:
1. Maintain firearm certification.
2. Maintain firearm instructor/armorer certification and provide certification to officers within the Division of Parole/Probation.
3. Provide certified instruction to students of the ND Peace Officers Training Program (Bismarck and Devils Lake).
4. Provide instruction to high schools, colleges, and fraternal organizations regarding duties and responsibilities of ND parole/probation officers.
5. Represent the Department of Corrections and maintain a professional demeanor while on and off duty

Rick Schuchard — 5-30-00
Employee — Date

Lisa Bernard — 5-30-00
Supervisor — Date

#21

JOB DESCRIPTION
Intensive Programs Supervisor
April 26, 1999

RESPONSIBILITIES:

A. **SUPERVISE COMMUNITY PROGRAMMING RELATIVE TO ADDITIONAL TREATMENT AND INTERMEDIATE CONDITIONS FOR HIGH AND LOW RISK CRIMINAL OFFENDERS.**

1. Assist North Dakota communities with new creative treatment options and intermediate conditions for both low and high-risk criminal offenders.

2. Consult with appropriate federal, state, county and municipal entities to determine alternative sanctions that have been used in other jurisdictions which may be appropriately modified for North Dakota.

3. Identify and develop plans for the creation of new correction programs and intermediate conditions for low and high-risk criminal offenders.

4. Develop and/or update goals, objectives, procedures, policy manuals, guidelines, standards and an appraisal system as may be appropriate for community programs.

B. **ENSURES THAT EXISTING TREATMENT AND CORRECTIONS SERVICES ARE MOST EFFECTIVELY UTILIZED BY THE CRIMINAL JUSTICE SYSTEM RELATIVE TO CRIMINAL OFFENDERS.**

1. Assist current parole/probation staff and community correctional centers with the coordination and allocation of community services available to criminal offenders.

2. Assist local political sub-divisions with the coordination and allocation of community correction services available to criminal offenders.

3. Assist the parole board by providing recommendations on community and department resources for effective offender supervision.

4. Serve as department representative to the Seriously Mentally Ill Program (SMI) to enhance and promote the continuum of care and access to community resources.

C. **OBTAIN PUBLIC INPUT INTO THE DEVELOPMENT AND ENHANCEMENT OF COMMUNITY CORRECTIONS PROGRAMS.**

1. Make public appearances in support of correctional programs as a representative of the Division.

2. Provides technical assistance to the Community Correction Programs and Advisory Boards.

D. **ASSISTS IN THE PREPARATION AND JUSTIFICATION FOR BUDGET REQUESTS.**

1. Research and prepare grant requests as directed.

2. Assist local community correction boards and other organizations with grant writing that will support the Mission of the Division.

3. Assist the Community Corrections Program Manager with all joint powers agreements, contracts and other agreements to ensure they are renewed on a timely basis.

3. Compile quarterly reports from community correction programs and provide this information to the Community Corrections Program Manager.

E. **SUPERVISES AND PROVIDES TRAINING RELATIVE TO THE NEEDS OF COMMUNITY CORRECTIONS PROGRAMS.**

1. Assists and provides community corrections training as needed for community corrections program.

2. Assists with the development and implementation of a computer software program and training necessary to implement this program.

F. **PROVIDES FOR AND SUPPORTS THE MISSION OF THE DIVISION.**

1. Make public appearances on behalf of and in support of the Division's Director.

2. Work with political subdivisions, the judiciary and communities in support of the Department of Corrections and Community Corrections programs.

3. Act as the Division's liaison to local corrections boards, universities, victim groups and all other organizations, agencies or departments.

4. Serve on boards and committees that will enhance the mission of the Division.

5. Prepares legislation and submits testimony before the North Dakota Legislature as required.

G. ***Manage Drug Testing and Electronic Surveillance Programs***

1. Develop and manage contracts with vendors.

2. Develop and manage contracts with criminal justice agencies.

3. Review and modify programs as needed concerning technological advances.

3. Provide training and support services for the application of these tools.

H. **Intensive Supervision Program Management**

1. Manage the operation and continued development of the ISP program.

2. Directly supervise the ISP officer.

3. Gather data and analyze in order to provide for positive evolutional changes to the ISP program.

I. ***Offender Management***

1. When required perform all those duties required of a Parole/Probation line officer to include collateral contacts to verify offender compliance plans and compliance with conditions of supervision.

2. Meet with offender as supervision standards dictate.

3. Monitor conduct, progress and employment history of offenders.

4. Refer offender to appropriate agencies.

5. Maintain necessary collateral contacts.

6. Conduct home visits, when necessary.

7. Search offender's home, vehicle, or person when authorized and needed.

8. Perform arrests of offenders as warranted.

9. Transport offenders when requested.

10. Provide the offender with the required case management.

5-24-99
SUPERVISOR DATE

5-24-99
PROGRAM MANAGER DATE

C:Mydocuments/IntSupJob

Mr. Chairman, I would like to offer an amendment to the Department of Corrections Appropriation Bill, SB 2016 that deals with a health care issue.

The Department had in its original budget request an item for $123,000 to purchase Hepatitis B vaccine with the purpose being to immunize the inmate population. Data from the Center for Disease Control (CDC) and the American Medical Association, indicate that this investment will reduce not only the incidence of a preventable disease but the costs associated with its treatment.

WHY?

- Hepatitis B is a highly contagious, blood borne pathogen, which causes liver disease, liver failure and death.
- The Hepatitis B virus kills 5,000 people annually.
- The Hepatitis B virus is 100 times more virulent than the AIDS virus and can live up to 30 days under ideal conditions.
- Prison populations have a higher percentage of Hept. B and Hept. C cases than the non-incarcerated population, primarily due to higher incidences of injecting drug use and sexual contact.
- One liver transplant costs approximately $250,000; the cost of vaccinating all inmates is only $123,000.
- A high percentage of inmates will eventually be released into the general population at some time in the near future. If we protect the inmate population against acquiring Hept. B while incarcerated we also protect the general population when inmates are released back into society.

The vaccine that protects against Hept. B has been referred to as the first vaccine against CANCER. This is due to the fact that approximately 10 percent of the Hept. B cases will eventually result in cancer of the liver.

- The CDC estimates that there are 3 million cases of Hepatitis B in the U.S. The sad fact is that there are estimated to be over 1 million people that are carriers of the disease.
- Medical costs for a single case of Hept. B related cirrhosis of the liver is estimated to average $87,000.
- Other State Department of Corrections studies confirm that up to 40 percent of inmates are infected with Hepatitis C.

- The California Department of Corrections study tested over 5,000 prisoners for Hepatitis C and found that approximately 34 percent were positive for the disease.

- The Rhode Island Department of Corrections estimates that 80 percent of prisoners who tested HIV positive also tested positive for Hept. C.

- The Canadian Department of Corrections estimates that between 28 percent and 40 percent of Canadian prisoners test positive for Hepatitis C. Approximately 25 percent test positive for Hepatitis B.

- The Michigan Department of Corrections found that of the 1,110 prisoners tested for Hepatitis B, 16 percent of the men had past or present Hept.B infection and 27 percent of the women were or had been infected.

Incidentally, the 1999 legislative session enacted a law requiring that children entering school be protected against Hepatitis B. Some 45 states now have such a requirement.

Therefore, I move that we add $123,000 to the Dept. of Correction's budget to be used to vaccinate the North Dakota inmate population against Hepatitis B.

VACCINATION AGAINST HEPATITIS A AND B PREVENTS SERIOUS LIVER COMPLICATIONS THROUGH CO-INFECTION WITH HEPATITIS C

Hepatitis C (HCV)—The Underlying Virus

- Most common blood-borne infection in the United States and is referred to as the "silent epidemic of the new millenium".
- Highly contagious primarily through direct contact with contaminated blood.
- Prisoners are especially susceptible to contracting hepatitis C (HCV) because of their previous high risk behaviors (i.e. intravenous drug use, unprotected sex with multiple partners, sharing needles, close living conditions).
- Nearly 4 million Americans are infected with HCV.
- 135,000-180,000 new cases each year, approximately 25% to 30% of which are diagnosed.
- Causes liver disease, liver failure and death (8,000-10,000 deaths annually).
- Deaths caused by hepatitis C are projected to triple by the year 2010.
- 50-70% of those who get hepatitis C will develop chronic HCV (often leading to cirrhosis, liver failure or death), but many will have mild or no symptoms until 10-20 years following infection.
- Leading cause of liver transplants in the U.S.
- Post-infection treatment costs are very expensive (approximately $10,000-$15,000 per treatment).

Hepatitis A and B — Sources of Dangerous Co-Infection

I. Hepatitis A (HAV)

- Transmitted through person-to-person contact, use of injection drugs, or ingestion of contaminated food or water.
- Prisoners are at heightened risk because of personal contact with infected persons in a confined environment, living in a closed community subject to cyclical outbreaks, unprotected sex and poor personal hygiene.
- Each year over 140,000 Americans are infected with hepatitis A.
- Hepatitis A has a long incubation period (15-50 days) before symptoms appear, if at all, thereby facilitating the transmission of the disease.
- Up to 20% of infected adults require hospitalization at an average cost of about $2,000; if corrections staff are infected, lost productivity averages five weeks absence from work.
- According to the CDC, hepatitis A has an average societal cost of $200 million per year.

II. Hepatitis B (HBV)

- Incidence of hepatitis B is ten times higher in prisons than in the general population (1.0-1.5%)[1].

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[1] Prisoners are at increased risk because of histories of intravenous drug use, unprotected sex with multiple partners, sharing needles, close living conditions (i.e. 50% of all incarcerated persons in 1993 were charged with a drug offense, 80% of people in prison today have a history of substance abuse, 80% of all inmates will leave the prison system and return to the community).

- Transmitted through contact with contaminated blood, injecting-drug use, sexual contact.
- Nearly 300,000 people are infected with hepatitis B each year in the United States.
- An estimated 1,000,000 to 1,250,000 people have chronic hepatitis B infection and are potentially infectious to others. Hepatitis B virus carriers have a 12- to 300-fold increased risk of primary liver cancer.
- 100 times more contagious than HIV.
- 4,000-5,000 people die each year due to hepatitis B related liver cancer and cirrhosis.
- Medical costs for a single case of hepatitis B related cirrhosis of the liver are estimated to average $87,000; for a liver transplant $159,000.
- The CDC estimates that $700 million is spent each year on medical expenses and lost work productivity associated with HBV infection.

Prevalence of Hepatitis B and C in Prisons

- State Department of Corrections studies confirm that up to 40% of inmates are infected with hepatitis C.
- A California Department of Corrections study tested over 5,000 prisoners for hepatitis B and found that approximately 34% were positive for the disease.
- The Rhode Island Department of Corrections estimates that 80% of prisoners who tested positive for HIV also tested positive for hepatitis C.
- The Canadian Department of Corrections estimates that between 28% and 40% of Canadian prisoners test positive for hepatitis C. Approximately 25% test positive for hepatitis B.
- The Michigan Department of Corrections found that of the 1,110 prisoners tested for hepatitis B, 16% of men had past or present hepatitis B infection and 27% of women were or had been infected.

State Programs

- In 1993, the Michigan Legislature allocated $4 million to conduct hepatitis B vaccination among prisoners in Michigan correctional facilities. Program benefits include: (i) protection of participating prisoners against hepatitis B infection and complications; (ii) reduced risk of hepatitis B acquisition for correctional health care workers and corrections officers; (iii) reduced risk of co-infection for prisoners infected with hepatitis C.
- Several states currently have vaccination programs in place to protect inmates against the transmission of hepatitis B.
- The New York State Department of Corrections has established protocols for the vaccination of inmates with hepatitis C, including protection against hepatitis A and B.

Clinical Studies Warn of Fatal Co-infection

- A study in the *New England Journal of Medicine* [2] found that the co-infection of hepatitis C patients with hepatitis A led to serious medical consequences: a 41% rate of fulminant liver failure and a 35% fatality rate.

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[2] Vento, Sandro M.D. ET AL., "Fulminant Hepatitis Associated with Hepatitis A Virus Superinfection in Patients with Chronic Hepatitis C." *The New England Journal of Medicine*, 338: 286-290 (January 29, 1998).

- The authors recommended that chronic carriers of hepatitis C who are at risk for hepatitis A infection should be vaccinated against hepatitis A, since superinfection with this virus may place them at risk to severe, life-threatening acute liver damage.

- A study in *Hepatology*[3] found that the hepatitis A vaccine was well tolerated and induced as satisfactory immune response in patients with chronic hepatitis B, chronic hepatitis C, and miscellaneous chronic liver diseases.

- The authors recommended that individuals should be vaccinated against hepatitis A in view of the apparent risk posed by acute hepatitis A infections in patients with chronic liver disease.

- A study in *Gut*[4] found that HBV infection is highly correlated with liver cancer, liver cirrohsis and chronic liver disease in patients with hepatitis C. Of 2000 Japanese patients infected with hepatitis C, almost half (49.9%) tested positive for HBV at various clinical stages of liver disease development (i.e., chronic hepatitis, liver cirrhosis, liver carcinoma); this rate is higher than that observed in the general Japanese population.

- The authors concluded that co-infection with hepatitis B virus may play an important role in chronic hepatitis C-liver related disease, particularly with respect to the development of liver cancer.

Recommendations of Public Health Agencies/ Organizations

- The National Institutes of Health (NIH) recommends hepatitis A and B vaccination for all hepatitis C positive patients.

- The Centers for Disease Control and Prevention (CDC) recommend the hepatitis A and B vaccines for at risk HCV positive patients.

- The Advisory Committee on Immunization Practices (ACIP) recommends the hepatitis B vaccine for adults living in high-risk settings (e.g., correctional facilities).

- National Commission on Correctional Health Care recommends vaccinating inmates against Hepatitis B.

Conclusions

- **Based on high incidences of hepatitis B and C among prisoners, the serious ramifications of co-infection, and the wealth of public policy support for the vaccination of HCV positive patients against co-infection, a program targeting vaccination against hepatitis A and B will help prevent serious liver complications leading to expensive liver transplants for prisoners suffering from hepatitis C.**

- **Vaccinations programs for inmates with hepatitis C will also protect citizens against the spread of two highly contagious diseases -- hepatitis A and B -- when prisoners are released into the community at large for parole or at the end of their prison terms.**

- **A prison vaccination program will also protect the offspring of incarcerated, HBV infected pregnant mothers from getting the disease and, as potential chronic carriers, that offspring then infecting other children in the community at large.**

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[3] Keeffe, B Emmet ET AL., "Safety and Immunogenicity of Hepatitis A Vaccine in Patients with Chronic Liver Disease." *Hepatology*, Vol. 27, No.3: 881-885 (March 1998).

[4] Maruyama, H., et. al., "High Prevalence of Anti-hepatitis B Virus Serological Markers in Patients with Hepatitis C Virus Related Chronic Liver Disease in Japan", *Gut*, Vol. 45: 284-288 (July 1999).

Vaccinating Prisoners for Hepatitis B Protects Public Health and Reduces Health Care Spending

Hepatitis B in US Correctional Facilities

- **All prisoners should be vaccinated against hepatitis B, as recommended by the CDC. Each $26.10 vaccination can protect innocent lives and save up to $96,000 in state prisoner healthcare costs.**
- **Vaccinating 100,000 prisoners costs $2.6 million. The same population of 100,000 prisoners will harbor 33,700 cases of hepatitis B, which will cost $330 million to treat.**
- Out of every 100,000 inmates in state correction institutes, there will be. . .
  - **$329 million spent treating the consequences of their hepatitis B infections. Some 23% of that cost ($76 million) might be saved if vaccinations were required of all inmates.**
- **Vaccination can prevent hepatitis B, cut spending on treatment, and block the spread to additional victims outside the prison . . .**
  - Health care, corrections, and law-enforcement personnel.
  - Post release contacts (including future victims).
  - Families, household members, and partners.

HOUSE APPROPRIATIONS COMMITTEE
REPRESENTATIVE MIKE TIMM, CHAIRMAN
MARCH 1, 2001

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION
FIELD SERVICES DIVISION
PRESENTING TESTIMONY RE: SB 2016

OVERVIEW OF ALTERNATIVES PROGRAM

I. CURRENT BIENNIUM

A. 1999 Legislative Session
1. Legislature was briefed as to how we thought we might save prison beds and how we would calculate our savings
2. Mandated that we save 125 additional prison beds
3. Approved our Alternatives Program

B. Current Alternatives Program
1. Tompkins Rehabilitation and Corrections Unit
   a. 100 day intensive alcohol/drug/cognitive program
   b. Has saved 37,547 prison days through December 31, 2000
   c. Has cost $878,872; daily rate $23.41
2. Halfway House Program
   a. Has saved 7,489 prison days through December 31, 2000
   b. Has cost $223,547; daily rate $29.85
3. Day Reporting Program
   a. Has saved 9,627 prison days through December 31, 2000
   b. Has cost $13,767; daily rate $1.43
4. Electronic Monitoring Program
   a. Has saved 1,932 prison days through December 31, 2000
   b. Has cost $5,410; daily rate $2.80
5. Jail Parole Violators
   a. Has saved 8,113 prison days through December 31, 2000
   b. Has cost $243,552; daily rate $30.02
6. 3-Day Hold Program
   a. Has saved 73 prison days through December 31, 2000
   b. Has cost $2,927; daily rate $40.10
7. DOCR Room Program
   a. Has saved 3,859 prison days through December 31, 2000
   b. Has cost $34,114; daily rate $8.84
8. Community Placement Program
   a. Has saved 6,725 prison days through December 31, 2000
   b. Has cost $17,955.75; daily rate $2.67

9. House Arrest Program
    a. Has saved 326 prison days through December 31, 2000
    b. Has cost $870.42; daily rate $2.67
10. Last Chance Program
    a. Has saved 4,281 prison days through December 31, 2000
    b. Has cost $137,506; daily rate $32.12
11. All Other Programs
    a. Includes all other treatment programs and community service
    b. Have saved 60,460 prison days through December 31, 2000
    c. Have cost $161,428; daily rate $2.67
    d. Arguably some of the "other programs" savings is subjective
        (1) Although these people violated the conditions of supervision, it is really impossible to know what the court might have done.
        (2) The court may not have sentenced all of the probationers returned on violations to confinement.
        (3) We believe that most would have been confined.
12. Total Savings From All Alternative Programs
    a. Minimum savings (excluding any "other programs")
        (1) Have saved 79,972 prison days through December 31, 2000
        (2) Have cost $1,719,948; daily rate $21.50
        (3) Have saved an average of 147 prison beds per day and $2,279,202
    b. Days saved including half of all "other programs"
        (1) Have saved 110,402 prison days through December 31, 2000
        (2) Have cost $1,719,948; daily rate $15.58
        (3) Have saved an average of 203 prison beds per day and $3,800,037
    c. Days saved including all "other programs"
        (1) Have saved 140,432 prison days through December 31, 2000
        (2) Have cost $1,719,948; daily rate $12.25
        (3) Have saved an average of 256 prison beds per day and $5,301,308
    d. Have realized additional savings
        (1) Approximately $600,000 will be returned to the general fund.
        (2) In the past two fiscal years, we have also generated $5,740,200 in supervision fees, court fees, court costs, court fines, restitution and community service.

II. NEEDS FOR 2001-2003

A. Four line officers to accommodate growth in offender population in Devils Lake (1), Grand Forks (1) and Fargo (2).

B. Maintain Drug Court pilot program
   1. Court supervised
   2. Treatment orientated
   3. Targets non-violent offenders with a substance abuse problem
   4. Requires one FTE parole officer
   5. Will save 10 prison beds per day
   6. Utilizes no general fund dollars

C. Cooperative DUI program (State Hospital and DOC&R)
   1. Structured 100 day treatment program
   2. Includes aftercare component at human services
   3. Requires staff supervision of offender
   4. For chronic (3 or more) DUI offender
   5. Will save 25 prison beds per day, ***without factoring in any rehabilitative effect.***
   6. Transfer of **$2,139,284** from State Hospital to DOC&R

D. Pre-Release Program
   1. Program designed to transition people from prison to the community
   2. Inmates will typically be eligible six months prior to presumptive parole date
   3. Will utilize alcohol/drug programming, release planning, cognitive programming, work release, living skills training, and relapse programming
   4. Offenders in the community are also eligible for the program at the time of violation of condition(s) of supervision
   5. Will require one FTE parole officer
   6. Will save 50 prison beds each day, ***without factoring in any rehabilitative effect***
   7. Will require $1,500,000 additional general fund dollars. The Prison Division will require the identical sum of money for the housing of inmates, in the event that the prerelease programming is not funded

ALTERNATIVES TO INCARCERATION: The Division of Field Services operates numerous programs and provides referrals to other programs that are used as intermediary steps to help offenders reduce risk with the goal of diverting them from occupying a prison bed. Division of Field Services operated or managed Alternatives to Incarceration programs include: Tompkins Rehabilitation and Correctional Unit, Last Chance, Community Placement Program, Halfway Houses, Day Report, Electronic Monitoring, Cognitive Restructuring, Drug Court, Community Service, Life Skills, Jailed Parole Violators, Three Day Holds, DOCR Rooms, Home Confinement, Program Costs, Fines, Fees and Restitution, and the Intensive Supervision Program. Other community programs not operated by the Division of Field Services but utilized as Alternatives to Incarceration are: Chemical Addiction Treatment, AA/NA, Anger Management, Psychological and Psychiatric Services, and Sex Offender Treatment.

COMMUNITY PLACEMENT PROGRAM:

By authority of the DOCR Director an offender sentenced to the Prisons Division may be eligible for community release as an inmate within 6 months of their sentence expiration. There is a PreRelase Team designated to manage the screening and determine appropriate candidates. Inmates may be approved by the Director for release upon an investigation of a verified plan to reintegrate into their community. At any given time this program has between 20 and 40 offenders.

TOMPKINS REHABILITATION AND CORRECTIONS UNIT

A major addiction treatment strategy that was introduced as a pilot program in January 1999 and identified in the budget during this biennium. This program is the Tompkins Rehabilitation and Corrections Unit (TRCU) in Jamestown, ND. This program is a collaboration of three public agencies with independent budgets. This collaboration includes the DOCR Field Services Division, Stutsman County Correctional Center and the North Dakota State Hospital. A contractual agreement between these three agencies provides payment from the DOCR to Stutsman County Correctional Center for facility and housing offenders in a jail environment to provide addiction treatment services. The contract otherwise establishes operating procedures and a commitment of staff resources, supplies and equipment to support program delivery. TRCU provides up to 30 beds to offenders in residence and an additional 30 to 40 offenders are in the community as successful graduates of the program that otherwise would be incarcerated by the DOCR Prisons Division. The target offender population referred includes, but not limited to, non-violent, chemically dependent offenders who are revoked or would otherwise be revoked from community supervision or are first time prison sentenced offenders. To ensure program integrity and accountability evaluations were conducted in February and December, 2000.

THE LAST CHANCE PROGRAM

The Last Chance Program was designed and implemented in October 1999. This program was designated to serve up to 20 offenders in Cass County. The offenders identified for the program are on community supervision and reported in violation of probation conditions. The offender would otherwise be revoked and sentenced to prison if not for this program. The target population is primarily non-violent, chemically dependent offenders. As an addiction treatment

program, the Last Chance Program was evaluated with the assistance of the North Dakota State Hospital director of addiction treatment services. Subsequently, the program was redirected implementing changes and leading to a strategic planning in January 2000. The Last Chance Program also provides a measure of rehabilitative effect to the date that the offender would otherwise have been incarcerated.

DRUG COURT:

Drug Court is a national trend that began in the mid 1980's as a result of the crack cocaine epidemic. Drug court combines judicial supervision with chemical addiction treatment and other services to stop the revolving door syndrome. During the past 2 years the North Dakota Division of Field Services has lead a group of representatives from both the public and private sector to plan and implement a pilot drug court in the South Central Judicial District. The South Central Judicial District Drug Court became operational on January 5, 2001. It is a court-supervised treatment-oriented program and targets non-violent participants whose major problems stem from substance abuse. The Drug Court is a voluntary program, which includes regular court appearances before the Drug Court Judge. Treatment, which includes drug testing, individual and group counseling, and regular attendance at 12-step meetings (Alcoholics Anonymous and Narcotics Anonymous). The probation and the treatment team may also assist with obtaining education and skills assessments and will provide referrals for vocational training, education and/or job placement services. The program length, determined by the participant's progress, will be no less than 1 year. Successful completion and "graduation" from the Drug Court Program may result in having the original charges dismissed or probation terminated early.

COGNITIVE RESTRUCTURING:

Cognitive Restructuring is a program and strategy that we began piloting in February 1999, and implemented during the course of the '99-'01 biennium. Cognitive restructuring is a correctional education program that teaches offenders to manage and reduce their own risk by learning how their thinking, feelings, and beliefs drive behavior that is hurtful, harmful, dangerous or destructive to themselves or someone else. The goal of cognitive restructuring is long term reduction of risk by the offender. Cognitive restructuring is a philosophical approach adopted by the DOCR and all staff are being trained in utilizing cognitive techniques. The Division of Field Services currently operates 10 cognitive restructuring groups across the state and all staff have been trained in cognitive restructuring techniques.

COMMUNITY POLICING:

Community policing is a national trend that is based upon the premise that law enforcement alone cannot do the job of keeping society safe. The Division of Field Services recognizes the power of involving the community in supervising offenders and reducing the risk to the community. The Division of Field Services has adopted measures to facilitate the process of moving officers into the community. The division has provided training on community policing to all staff, we have begun to decentralize our officers by locating offices in different areas of the community to make them more visible and accessible, the division has incorporated a philosophy of directly involving ourselves in the community to develop partnerships, and in December 2000

we formed a community policing team to develop a strategic plan to implement community policing concepts. As the community policing team develops the strategic plan it is one of our goals to involve community members, business leaders, and other community leaders into a community policing advisory team for the Division of Field Services.

LIFE SKILLS:

Life skills is a program that has recently been developed and implemented in the state by VISTA Volunteers. The program provides offenders with an opportunity to learn new techniques and develop new skills. The primary focus of the program is to identify the offender's barriers to employment while assisting the offender in securing and maintaining suitable employment. Skills taught include self-management, self-esteem, conflict management, cognitive skills, stress management, health awareness, and employment skills.

LEVELS OF SERVICES INVENTORY – REVISED

During the second year of this biennium, we implemented the Level of Services Inventory - Revised. This is a third generation assessment tool to effectively evaluate offender risk and needs to develop a case supervision strategy. Utilizing the LSI-R the case plan will more effectively match resources with identified risks and needs. This instrument incorporates the principles of risk, needs, responsivity, and professional discretion supporting the Division's cognitive behavioral theory and approach. The LSI-R supports the "what works model " of supervision and is research based.

PROPOSED ALTERNATIVE PROGRAMS:

This biennium has provided an opportunity to identify future program development and alternatives for specific offender populations. Two of these programs are the 25-bed Multiple DUI offender program requiring addiction treatment, and a 40-50 bed Pre-Release Center providing a menu of services, including addiction treatment. During this biennium, we have evaluated the DUI offender population in the DOCR corrections system as well as the need for transitional services.

A third proposed program specific to an addiction treatment strategy to enhance effectiveness is the Life Management Skills Program for chemically addicted offenders in recovery. To follow are brief summaries of the programs:

PRERELEASE CENTER

A proposed 50 bed male offender facility located in the city of Bismarck or Mandan. Designed for the purpose of reducing costs and commitments to the North Dakota State Penitentiary by units of local and federal government. The facility provides for individualized offender treatment, counseling and supervision under a structured environment. The program is designed to include citizen participation in the policymaking and program planning related to the community corrections facilities and programs through the formation of a local community corrections board. The Pre-Release

Center houses offenders for six months, but this may be extended to provide offenders with additional programming to best reduce risk in the community.

LIFE MANAGEMENT PROGRAM

A proposed interactive, experimental program based on the principles of cognitive restructuring and behavior modification. The purpose of the program is to reduce relapse and recidivism through the learning of New Life Skills. The program adds the concept of accountability, focuses on life issues and addresses core problems to create lasting life changes with offenders. This program is designed to continue support and aftercare services beyond primary addiction treatment. The Life Management Program is supported through a private, non-profit and Bush Foundation grant that will provide training to deliver this program. It is anticipated that the Division may partner with other state agencies to provide training and establish strategically placed programming within the state.

MULTIPLE DUI OFFENDER PROGRAM

The North Dakota State Hospital Chemical Dependency Services and Division of Adult Field Services of the Department of Corrections and Rehabilitation are collaborating to design and implement a 25 bed Addiction Day Treatment and Therapeutic Community Program. (The ND State Hospital Executive Board in December 2000 endorsed the proposal and recommended to proceed.)

The proposal is a treatment strategy for DUI offenders who have three or more DUI's. This population of offenders in the Department of Corrections and Rehabilitation (DOCR) includes over 40 DUI offenders in the penitentiary.

In North Dakota we have the largest per capita arrest rate in the nation. Multiple DUI offenders are arguably the most potentially harmful offenders that are released from jail and prison and these offenders typically receive short sentences. Their addiction treatment needs require a new and more effective strategy to reduce this risk of harm.

Bed Days Saved Computation
Community Placement Program, Tompkins Rehabilitation and Corrections Unit, and the Last Chance Program.

During the 99-01 biennium the data reported for the 3 programs; CPP, TRCU, and LC Program, was managed and retained in an attached program to the Field Services DOCSTAR System. The input and management of this data was limited to individuals directly responsible for these programs.

The Bed Days Saved for each program are managed and reported quarterly as follows:

- A CPP offender is an inmate placed in the community to complete their sentence of incarceration. The bed days saved is day for a day from the date placed into the community up to their otherwise good time release date from prison. If the offender returns to NDSP prior to completion of their CPP the days credited ends on the day they return to custody. (TRCU graduates discharged on CPP are excluded from the other CPP data and included as rehabilitative effect for TRCU.)

  Example 1: CPP case released on 07-01-2000 and expires on 09-30-2000 would equal 92 bed days saved.

  Example 2: CPP Case released on 07-01-2000 and expires on 09-30-2000 but was revoked on 07–25-2000 would equal 25 bed days saved.

- TRCU is a minimum 100-day addiction treatment program located at the Stutsman County Jail. A TRCU offender who would otherwise be incarcerated calculates both the day for a day TRCU placement and includes a rehabilitative effect for those successful offenders returning to the community. If the offender is arrested and returned to NDSP prior to the date for achieving the rehabilitative effect the days credited ends on the day they return to custody. Offenders at TRCU are either inmate or community placed (probation or parole) status:
  - Inmates at TRCU calculate the day for a day while they are at the TRCU. A rehabilitative effect is indicated only if the offender is successfully discharged to the community. These days are counted after TRCU discharge up to their otherwise predetermined Parole Eligibility Date.

    Example 1: Inmate case goes to TRCU on 07-01-2000 and is released 100 days later on 10-08-2000. Their parole eligibility date is 12-15-2000. Total actual days saved is 168 (100 days TRCU + 68 rehabilitative days in the community)

    Example 2: Inmate case goes to TRCU on 07-01-2000 and is released 100 days later on 10-08-2000. Their parole eligibility date is 12-15-2000. The offender is arrested and returned to custody on 11-12-2000. The rehabilitative effect through 12-15-2000 was not achieved. Actual days saved reported is 135 (100 days TRCU + 35 rehabilitative days in the community)

- Community offenders at TRCU, after violation of probation or parole and placed by the authority of the Court or the Parole Board, calculate a day for a day while they are in treatment at TRCU. A rehabilitative effect is indicated only if the offender is successfully discharged to the community. The rehabilitation days are counted after the offender's TRCU discharge up to 150 days from their admission date to TRCU for a misdemeanor offender and 300 days from their admission to TRCU for a felony offender.

  Possible Days saved = Felony case – 300 days
  Misd. case - 150 days

  Example 1: Petition to modify probation is granted on a Felony case effective 01-01-2000 to the TRCU. Probation supervision will expire on 01-05-01. Case is assigned 300 days upon admission to TRCU, which is to 10-27-2000. The offender completes the 100 days at TRCU, is released to the community and completes supervision. Bed days reported is 300 days.

  Example 1.1: Using the same scenario above if the case is revoked within 300 days of being sent to the TRCU and sentenced to a DOCR institution on 06-01-2000 bed days reported are 151 days.

- The Last Chance Program is up to a 180-day addiction treatment program alternative in Cass County. Offenders, after violation of probation, are placed in the Last Chance as an alternative to incarceration by authority of the Court. This offender is credited day for a day while they are in treatment in the Last Chance Program. A rehabilitative effect applies if the offender is discharged successful from the Program to continue supervision in the community. The rehabilitation days are counted after the offender's discharge from Last Chance Program up to 150 days from their admission date for a misdemeanor offender and 300 days from their admission for a felony offender. If the offender is arrested and incarcerated prior to the date for achieving the rehabilitative effect the days credited ends on the day they return to custody.

  Example: For probation cases sent to the Last Chance Program by way of agreed to Intermediate Sanction or a petition to modify the same rule applies as listed with the TRCU, Community Offender.

The 150 days for misdemeanors and 300 days for felons is based on history of sentences for offenders who were imprisoned as a result of a revocation of their probation.

Bed Days Saved
July 1, 1999 through December 31, 2000

TRCU, LC, CPP Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$95,012.55	3,183	$29.85
Day Reporting	$4,593.16	3,212	$1.43
Electronic Monitoring	$271.60	97	$2.80
Jailed Parole Violators	$3,722.48	124	$30.02
3-Day Parole Holds	$0.00	0	$40.10
DOCR Room	$10,157.16	1,149	$8.84
CPP	$17,955.75	6,725	$2.67
TRCU	$878,872.00	37,547	$23.41
House Arrest	$0.00	0	$2.67
Last Chance	$137,505.72	4,281	$32.12
Other Programs	$14,572.86	5,458	$2.67
Total	$1,162,663.28	61,776	$18.82
Beds Saved		113	

All Other Programs	Expenditures	Days	Average Per Day Cost
Halfway House	$128,534.10	4,306	$29.85
Day Reporting	$9,173.45	6,415	$1.43
Electronic Monitoring	$5,138.00	1,835	$2.80
Jailed Parole Violators	$239,829.78	7,989	$30.02
3-Day Parole Holds	$2,927.30	73	$40.10
DOCR Room	$23,956.40	2,710	$8.84
CPP	$0.00	0	$2.67
TRCU	$0.00	0	$23.41
House Arrest	$870.42	326	$2.67
Last Chance	$0.00	0	$32.12
Other Programs	$146,855.34	55,002	$2.67
Total	$557,284.79	78,656	$7.09
Beds Saved		143	
Grand Total	$1,719,948.07	140,432	
Grand Total Beds Saved		256	
Appleton, MN Daily Cost ($50) X 140, 432 Bed days		7,021,600	
Field Services Cost ($12.247) X 140,432 Bed Days		1,720,292	
		5,301,308	

#6. March 1, 2001 Bed Days Saved Cha.

	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
1	Officer	1/2 Way House	Day Reporting	House Arrest	EMS	Jailed Parole Violators	DOCR Room	3 Day Hold	TRCU	CPP	Last Chance	Fargo ISP	Bismarck ISP	Intensive Program Totals	Anger Manager	Chem. Add TX	Cognitive Restructuring	Community Service	Domestic Viol	Physiological TX	Sex Offender	Life Skills	Non-Intensive Program Totals	Total
2	BACHMEIER - IC													0									0	0
3	BECKER													0			1						1	1
4	BERNTSON	0												0									0	0
5	BIRRENKOTT					1								1		5	1	1					7	8
6	BOHL													0		5		2					7	7
7	BORG											17		17									0	17
8	BREILAND										19			19									0	19
9	CLOWER	0				1								1									0	1
10	COLLEGE	2	4											6		1							1	7
11	ECKERT													0		2	2	2				1	7	7
12	ELSHAUG			1										1		1							1	2
13	ESLINGER	0												0									0	0
14	GOURDE		6											6		4							4	10
15	GRUMBO													0				2					2	2
16	HAAGENSON	1				1								2				1					1	3
17	HEADRICK					1								1									0	1
18	HEADRICK													0									0	0
19	HOEKSTRA								70	25				95									0	95
20	HOORNAERT	1			1	1								3		6		4					10	13
21	IVERSON													0		2					1		3	3
22	JENSEN		1											1									0	1
23	JENSEN		1		1									2		5		2				1	8	10
24	KEMMET													0		1	1	3		1			6	6
25	KIRKEBY													0									0	0
26	KNUTSON													0		1		1					2	2
27	KOLPIN	2												2		4		3					7	9
28	LAGASSE	0												0									0	0
29	LARSON													0									0	0
30	LEINGANG		1											1		4							4	5
31	MASCHING													0		2	1	1					4	4
32	McCLAFLIN	0												0									0	0
33	MEHL	0												0									0	0
34	MERKEL					1								1	1	5							6	7
35	NANKIVEL	0												0									0	0
	A	B	C	D	E	F	G	H	I	J	K	L	M	N	O	P	Q	R	S	T	U	V	W	X
36	PARENT	0												0									0	0
37	PLESSAS											1		1									0	1
38	PROCHNOW													0									0	0
39	PUNTON	0				1								1									0	1
40	REEVES													0									0	0
41	ROGNLIEN													0									0	0
42	ROHMEDDER		1			1								2		1							1	3
43	SANDERS		3											3		3							3	6
44	SCHILLINGER													0									0	0
45	SCHLINGER					1							8	9									0	9
46	SCHMALENBERGER		1											1		2	2	1	1			1	7	8
47	SCHUCHARD	0												0									0	0
48	SEYMOUR													0									0	0
49	SWEENEY													0									0	0
50	THELEN													0									0	0
51	THOMAS					1								1		2							2	2
52	TOMANEK	0												0									0	0
53	WALLOCK					1								1									0	1
54	WALTZ	0												0									0	0
55	WENTZ	0												0									0	0
56	WHITNEY		1											1		2		2					4	5
57	WILDE													0									0	0
58	Totals	6	19	1	2	11	0	0	70	25	19	18	8	179	1	58	8	25	1	1	1	3	98	277

RESIDENTIAL BED DAYS SAVED REPORT FOR THE TOMPKINS REHABILITATION AND CORRECTION UNIT
Jamestown North Dakota

TRCU Totals in residence – July 1, 1999 to December 31, 2000
12,825
23.4

Bed Days Saved for TRCU in residence - July 1 – September 30, 1999

JULY 1999	AUGUST 1999	SEPT 30, 1999	TOTAL
578	787	649	2014
18.65	25.39	21.63	21.89

Bed Days Saved for TRCU in residence - Oct 1–Dec. 31, 1999

OCT 1999	NOV 1999	DEC 1999	TOTAL
751	547	723	2021
24.2	18.2	23.3	21.9

Bed Days Saved for TRCU in residence - Jan 1–Mar. 31, 2000

JAN 2000	FEB 2000	MAR 2000	TOTAL
799	513	517	1829
25.8	17.7	16.7	20.1

Bed Days Saved for TRCU in residence - Apr 1– Jun 30, 2000

APR 2000	MAY 2000	JUN 2000	TOTAL
449	738	997	2184
15	23.8	33.2	24

Bed Days Saved for TRCU in residence - Jul 1– Sep 30, 2000

JUL 2000	AUG 2000	SEP 2000	TOTAL
990	792	819	2581
31.9	25.5	27.3	28

Bed Days Saved for TRCU in residence - Oct 1– Dec 31, 2000

OCT 2000	NOV 2000	DEC 2000	TOTAL
787	671	738	2196
25.4	22.4	23.8	23.9

SB 2016

SENATE APPROPRIATIONS COMMITTEE
SENATOR DAVID E NETHING, CHAIRMAN
JANUARY 16, 2001

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION
FIELD SERVICES DIVISION
PRESENTING TESTIMONY RE: SB 2016

I. Introduction

A. Overview of Division
B. Accomplishments and Challenges During 1999-2001
C. Needs for 2001-2003

II. Overview of Division

A. We supervise 3,265 offenders outside of prison
   1. 86% are felons
   2. Parolees
   3. Probationers
   4. CPP inmates
   5. All are prison eligible
      a. Three times the current prison population
      b. Has grown "by one prison" since 1993

B. We conduct 1,660 investigations per year
   1. Pre-sentence reports to the court
   2. Reports to the Parole Board and Pardon Advisory Board

C. We support both the Parole Board and Pardon Advisory Board
   1. Manage over 1,100 Parole Board reviews each year
   2. Conduct all Morrisey hearings for the Parole Board

D. We manage victim programs
   1. The Crime Victim Compensation Program
   2. The Victim of Crime Act Program
   3. The Crime Victim Account Grant Program
   4. We anticipate expending over $3.2 million to and for victims of crime
   5. We do victim advocacy for Adult Services

III. Accomplishments and Challenges During 1999-2001

A. Accomplishments
1. Developed a model correctional treatment program known as the Tompkins Rehabilitation and Corrections Unit
   a. Intense 100 day alcohol/drug/cognitive program
   b. Program is a cooperative effort with the Department of Human Services and Stutsman County
   c. Costs **$28.54** per day
2. Aggressively utilized other alternatives to incarceration to reduce prison overcrowding
3. Mandated to save 166 prison beds each day of the biennium; 194 actual prison beds saved each day
4. We have been good stewards of the money entrusted to us by the legislature. We accomplished more than expected while spending **$600,000** less than expected in general fund dollars.
5. We have developed a strong cooperative working relationship with the Department of Human Services and the State Hospital
6. We have collected **$5,740,200** in supervision fees, court fees, court costs, court fines and restitution in the last two fiscal years.
7. Our officers are out of their offices working with offenders on the streets. They are using cognitive programming with offenders and are assessing offenders' risk better by utilizing state-of-the-art assessment tools. Officers are making a difference.

B. Challenges
1. Offenders are getting tougher
   a. More drugs
   b. More violent
2. Sentences are getting longer
3. Parole Boards are more conservative
4. Crime Victims Compensation medical expense are exceeding the budget by over **$250,000**

IV. Needs for 2001-2003

A. Four line officers to accommodate growth in offender population in Devils Lake (1), Grand Forks (1) and Fargo (2).

B. Maintain Drug Court pilot program
1. Court supervised
2. Treatment orientated
3. Targets non-violent offenders with a substance abuse problem
4. Requires one FTE parole officer
5. Will save 10 prison beds per day
6. Utilizes no general fund dollars

C. Cooperative DUI program (State Hospital and DOC&R)
   1. Structured 100 day treatment program
   2. Includes aftercare component at human services
   3. Requires staff supervision of offender
   4. For chronic (3 or more) DUI offender
   5. Will save 25 prison beds per day, ***without factoring in any rehabilitative effect.***
   6. Transfer of **$2,139,284** from State Hospital to DOC&R

D. Pre-Release Program
   1. Program designed to transition people from prison to the community
   2. Inmates will typically be eligible six months prior to presumptive parole date
   3. Will utilize alcohol/drug programming, release planning, cognitive programming, work release, living skills training, and relapse programming
   4. Offenders in the community are also eligible for the program at the time of violation of condition(s) of supervision
   5. Will require one FTE parole officer
   6. Will save 50 prison beds each day, ***without factoring in any rehabilitative effect***
   7. Will require $1,500,000 additional general fund dollars. The Prison Division will require the identical sum of money for the housing of inmates, in the event that the prerelease programming is not funded

V. Conclusion

A. The division is achieving its mission.
B. It is providing public safety.
C. It is holding offenders accountable.
D. It is diverting offenders from beds within the Prisons Division.

VI. Special Request

The Division of Field Services respectfully requests that it be allowed to continue to operate as a Performance Based budget in 2001-2003. This action would allow us the flexibility to direct programming where it will provide the best service for the state of North Dakota

Warren
Emmer
Chuck Closich

3-13-01

#1

Field Services Division - Special Fund Statement 3/13/01									
Fund	372	379							
	Crime Victims	DOCR Operating	Division Total						
Balance June 30, 1999	11,641	432,937	444,578						
Est. Revenues 99 - 01									
Offender Fees	0	1,078,000	1,078,000						
Misc Revenues	50,000	62,000	112,000						
Total	61,641	1,572,937	1,634,578						
Est. 99-01 Expenditures									
Salaries/Wages	0	225,000	225,000						
Operating	0	66,000	66,000						
Grants	60,000	412,005	472,005						
Total	60,000	703,005	763,005						
Est. Balance 6/30/01	1,641	869,932	871,573						
				Increased					
Est. Revenues 01 - 03				Suprv Fees		Current	1,100,000		
Offender Fees	0	1,100,000	1,100,000	110,000		20% Inc.	220,000		
Misc Revenues	50,000	20,000	70,000			Reduced to 50%	-110,000		
Total	51,641	1,989,932	2,041,573			Total Available	110,000		
Est. 01 - 03 Expenditures					Currently 39% of the offender have a $36 a month order.				
Salaries & Wages	0	238,948	238,948		I am projecting an average of 50% throughout the 01-03				
Operating	0	932,633	932,633		biennium. The Division will still have a percentage of				
Grants	50,000	359,403	409,403		orders with a $30 order at the beginning of the 03-05				
Total	50,000	1,530,984	1,580,984		biennium.				
Est. Balance 6/30/03	1,641	458,948	460,589						
OMB increase Rec.	0	-239,282	-239,282						
Increased Suprv Fees	0	110,000	110,000						
HB 1026 Action	0	-250,000	-250,000						
Adjusted Est. Balance	1,641	79,666	81,307						

Special Func by Program	99 - 01 Biennium	01 - 03 Biennium	Change						
Crime Victims Services	389,239	414,472	25,233						
IOSP	101,000	15,256	-85,744						
COSP	805,026	1,390,538	585,512						
Total	1,295,265	1,820,266	525,001						
		Pending							
Grants	2,951,403	250,000	3,201,403						
VOCA	2,325,000		2,325,000						
CVA	100,000		100,000						
CVC	521,349	118,000	639,349						
	2,946,349	132,000	137,054						
Excess Authority 1/31/01	5,054								

Warren Emmer

3-6-01

#1

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRESENTATIVE KEN SVEDJAN, CHAIRMAN
MARCH 5, 2001

-- --

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION
FIELD SERVICES DIVISION
PRESENTING TESTIMONY RE: SB 2016

I. Introduction

Field Services Division is the community side of the Department of Corrections and Rehabilitation (DOCR). It is "the quiet company", rarely talked about and often misunderstood. When one thinks of the DOCR, it is prisons that we think about. Ironically the Field Services Division manages over three times as many offenders in a much less secure environment, "the community".

A. Overview of Division
B. Accomplishments and Challenges During 1999-2001
C. Needs for 2001-2003

II. Overview of Division

A. Community Offender Services Program
B. Institutional Offender Services Program
C. Victim Services Program

COMMUNITY OFFENDER SERVICES PROGRAM (COSP)

FTE'S

- **Base Budget:** Increased by 0.95 FTE (total 62.75)
  - 0.5 from victims and 0.45 from IOSP
- Governor's Recommended Budget: Increase of 5 FTE's (total 67.75)
  - 1 PO III for Drug Court
  - 4 PO II's for supervision

Salaries and Benefits

- **Base Budget:** Increased by $321,798
  - $124,262 temporary and overtime increases; currently we have 1.45 FTE's of straight temporary overtime being utilized as follows: Williston PO II = 0.25 FTE, Williston CCA = 0.25 FTE, Wahpeton CCA = 0.45 FTE, Devils Lake CCA = 0.5 FTE. These 1.45 FTE's represent $110,545 of $124,262.
  - $197,536 represents the increase of 0.95 FTE and salary adjustments and a PO II funded for two years
- Governor's Recommended Budget: Increase of $695,798
  - $303,389 general salary and benefits
  - $392,409 1 FTE PO III and 4 FTE's PO II's

Operating

- **Base Budget:** Increased by $158,299
  - $125,474 increase in data processing
  - $2,497 increase in telephone
  - $2,518 increase in travel
  - ($466) decrease in IT software/supplies
  - $1,800 increase in utilities
  - $27,676 increase in rent
  - ($1,200) decrease in dues & professional development
  - ($12,000) decrease in professional services
  - $12,000 increase in risk management insurance
- Governor's Recommended Budget: Increase of $740,686
  - $275,472 for contracting with State Hospital assigned to TRCU
  - $260,000 for contracting at Last Chance
  - $69,559 for 5 new FTE's
  - $135,655 for Drug Court

Equipment

- **Base Budget:** Decreased by $41,499
  - Zeroed out computer replacement
- Governor's Recommended Budget: Increased by $10,000
  - Office equipment for 5 new FTE's

A. Community Offender Services Program (continued)

1. Supervises 3,265 offenders outside of prison
2. 86% are felons
3. Parolees
4. Probationers
5. CPP inmates - community placement program? CPP
6. All are prison eligible
   a. Three times the current prison population
   b. Has grown "by one prison" since 1993
7. Supervision means:
   a. Managing offenders cases by utilizing risk reduction programming
      (1) Cognitive self change programming
      (2) Alcohol/drug treatment
      (3) Life skills training
   b. Surveillance
      (1) Home visits
      (2) Drug tests
      (3) Warrantless Searches?
   c. Connecting to the community
      (1) Out of the office and "on the street"
      (2) Connecting with offender's families and other contacts in the offender's community
      (3) Non-traditional office settings
   d. Holding offenders accountable
      (1) Intermediate sanctions
      (2) Arrest

INSTITUTIONAL OFFENDER SERVICES PROGRAM (IOSP)

FTE'S • Base Budget: Reduction of 0.45 FTE (7 FTE's proposed) • Governor's Recommended Budget: Includes 1 new FTE
Salaries and Benefits • Base Budget: Decrease of $25,306 • Governor's Recommended Budget: Increase of $132,737 - $93,997 PO III for Pre-Release Program - $38,740 general salary and benefits
Operating • Base Budget: Saw no change • Governor's Recommended Budget: Increase of $3,540,932 - $1,401,648 for Pre-Release Program - $2,139,284 DUI Program
Equipment • Base Budget: Decreased by $21,000 • Governor's Recommended Budget: Increase of $5,000 - Office furniture, printer, computer

B. Institutional Offender Services Program
   1. Conducts 1,660 investigations per year
      a. Pre-sentence reports to the court
      b. Reports to the Parole Board and Pardon Advisory Board
   2. Supports both the Parole Board and Pardon Advisory Board
      a. Manage over 1,100 Parole Board reviews each year
      b. Conduct all Morrisey hearings for the Parole Board
   3. Assigning offenders to alternatives to incarceration
      a. TRCU
      b. CPP
      c. Last Chance

VICTIM SERVICES PROGRAM

FTE'S • **Base Budget: Reduced by 0.5 FTE (1 FTE proposed)**
Salaries and Benefits • **Base Budget: Decrease of $40,534 (loss of 0.5 FTE)** • **Balance constitutes salary and benefits for 1 FTE**
Operating • **Reduction in operating of $1,423**
Equipment • **Is zero**
Grants • Increased $329,216 in federal, over current adjusted grant line of $2,951,403 • Grants are: VOCA $2,654,216 – Fed CVA $200,000 Both Fed + special < CVC - Fed $426,403

C. Victim Services Program
   1. Manages victim programs for the State of North Dakota
   2. The Crime Victim Compensation Program
   3. The Victim of Crime Act Program
   4. The Crime Victim Account Grant Program
   5. We anticipate expending over $3.2 million to and for victims of crime
   6. We do victim advocacy for Adult Services

III. Accomplishments and Challenges During 1999-2001

A. Accomplishments
   1. Developed a model correctional treatment program known as the Tompkins Rehabilitation and Corrections Unit
      a. Intense 100 day alcohol/drug/cognitive program
      b. Program is a cooperative effort with the Department of Human Services and Stutsman County

c. Costs **$23.41** per day. TRCU incurred **$878,872** in expenditures for the first 18 months of this biennium. We project that this program will expend **$1,242,460**, plus **$275,472** for State Hospital contracting, for the 2001-2003 biennium.

2. Aggressively utilized other alternatives to incarceration to reduce prison overcrowding. The other alternatives incurred **$841,076** in expenditures for the first 18 months of this biennium. We project that this program will expend **$1,812,000** for "other alternatives", plus an additional **$260,000** for Last Chance Program contracting, for the 2001-2003 biennium.
3. Mandated to save an additional 125 prison beds each day of the biennium. We have accomplished this.
   a. Alternative programming utilizes the expertise of field officers
   b. Alternative programming utilizes the expertise of staff managers
   c. Alternative programming utilizes the expertise of other professionals
4. We have been good stewards of the money entrusted to us by the legislature. We accomplished more than expected while spending **$600,000** less than expected in general fund dollars.
5. We have developed a strong cooperative working relationship with the Department of Human Services and the State Hospital
6. We have collected **$5,740,200** in supervision fees, court fees, court costs, court fines, community service and restitution in the last two fiscal years. **$3,161,023** of total was collected in cash.
7. Our officers are out of their offices working with offenders on the streets. They are using cognitive

programming with offenders and are assessing offenders' risk better by utilizing state-of-the-art assessment tools. Officers are making a difference.

B. Challenges
   1. Offenders are getting tougher
      a. More drugs
      b. More violent
   2. Sentences are getting longer
   3. Parole Boards are more conservative
   4. Crime Victims Compensation medical expense are exceeding the budget by over **$250,000.** We are now part of HB 1026. We still will turn back approximately $600,000 to the general fund. We are asking for $250,000 in special fund authority to pay medical bills.

IV. Needs for 2001-2003

A. Four line officers; found in COSP
Additional officers required to accommodate growth in offender population in Devils Lake (1), Grand Forks (1) and Fargo (2). **($373,607 general fund)**

B. Maintain Drug Court pilot program; found in COSP
   1. Court supervised
   2. Treatment orientated
   3. Targets non-violent offenders with a substance abuse problem
   4. Requires one FTE parole officer
   5. Will save 10 prison beds per day
   6. Utilizes no general fund dollars **($234,467 special fund)**

C. Cooperative DUI program; found in IOSP
   1. Structured 100 day treatment program
   2. Includes aftercare component at human services
   3. Requires staff supervision of offender
   4. For chronic (3 or more) DUI offender
   5. Will save 25 prison beds per day, ***without factoring in any rehabilitative effect.***
   6. Transfer of **$2,139,284** from State Hospital to DOC&R

D. Last Chance Alternative Program; found in COSP. In lieu of five FTE's, we are contracting for residential care for up to 14 offenders per day. **$260,000** in general fund monies will be required to fund this program.

E. Pre-Release Program, found in IOSP
   1. Program designed to transition people from prison to the community
   2. Inmates will typically be eligible six months prior to presumptive parole date
   3. Will utilize alcohol/drug programming, release planning, cognitive programming, work release, living skills training, and relapse programming
   4. Offenders in the community are also eligible for the program at the time of violation of condition(s) of supervision
   5. Will require one FTE parole officer
   6. Will save 50 prison beds each day, ***without factoring in any rehabilitative effect***
   7. Will require **$1,401,648** additional general fund dollars; $200,000 for this program is currently in the base budget. The Prison Division will require the identical sum of money for the housing of inmates, in the event that the prerelease programming is not funded

V. Conclusion

A. The division is achieving its mission.
B. It is providing public safety.
C. It is holding offenders accountable.
D. It is diverting offenders from beds within the Prisons Division.

H:\LEGISLATURE\SB2016(HR).DOC

Warren Emmer

3-9-01

H-1

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRESENTATIVE KEN SVEDJAN, CHAIRMAN
MARCH 8, 2001

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION
FIELD SERVICES DIVISION
PRESENTING TESTIMONY RE: SB 2016

QUESTIONS ASKED BY THE HOUSE APPROPRIATION
SUB-COMMITTEE OF THE FIELD SERVICES DIVISION

1. FTE Flow Chart
   a. See FTE Flow Chart ←

2. Amount of Temporary Salaries for Last Chance Program
   a. Through January 31, 2001, the Last Chance Program expended $38,540. We project expending an additional $23,425 through the end of the biennium. The projected total would then be $61,965. We still anticipate utilizing the $61,965 so that we may expand the Last Chance Program related Life Skills Program.

3. Explain Drug Court Budget
   a. See detailed outline of proposed Drug Court Budget ←

4. How many Parole Officers, caseloads and maximum number of offenders per officer?
   a. 38 FTE Direct Service Parole Officers ←
   b. Current Average Parole Officer caseloads are 65
   c. The Division feels the maximum number of enhanced risk scored offenders a Parole Officer can effectively supervise is 60.

5. Prison Projections by Program or Placement ←

6. March 1, 2001 Bed Days Saved Chart
   a. See March 1, 2001 spreadsheet ←

7. Actual daily TRCU incarceration rate versus daily rate that includes rehabilitative days included CHART←
   a. TRCU bed days saved between July 1, 1999 through December 31, 2000, factoring in the rehabilitative days, were 37,547. This resulted in a daily cost of $23.41. The actual incarcerated days were 12,825, which would result in a daily rate of $68.53.

8. DUI Program Budget Breakout ←
   a. OMB will provide information
   b. See State Hospital's explanation of costs. Comparing it to the actual incarceration, costs at TRCU would be $77.00 a day. This will be explained in greater detail during our hearing.

9. How many Morrissey hearings held?
   a. The Division has conducted approximately one Morrissey hearing per month this past biennium. We have attempted to encourage offenders to waive this and the hearing that follows with the Office of Administrative Hearings due to the expense. It is a legal requirement that the Division utilize the services of the Office of Administrative Hearings.

10. Reason for the lack of victim services program not having a greater reduction in operating lines? ← Next week
    a. Since we have been a program-based budget, we have been able to adjust our expenditures at the end of the biennium and actually spend more money on the Crime Victim Services grants than what was budgeted.
    b. See Crime Victims Compensation expenditures spreadsheet

11. How much money was granted to Domestic Violence programs? ←
    a. In it's latest grant cycle, the Division was awarded $1,269,663 in VOCA funds. Domestic Violence/Sexual Assault programs received $844,261 (66%); Victim Advocates received $315,191 (25%); other programs received $110,211 (9%).
    b. See Federal VOCA Grant Awards chart

12. Recidivism rates at TRCU versus Non-TRCU offenders.
    a. See TRCU Statistical Information worksheet ←

13. Division Populations Over Time
    a. See Offenders on Community Supervision chart ←

14. January 31, 2001 Budget Correlation
    a. See Field Services and related three programs budget correlation spreadsheets. ←

3-9-01

#5

#1. FTE Flow Chart

Field Services -

01-03 Cost Centers

Cost Center	District	Total FTE	Classification of FTE
5030	Admin - Bismarck	4.025	1 - Admin Officer; 1 - Admin Asst I; 1 - Program Manager; 1 - Director; .025 Extra FTE
5040	IOSP - Bismarck	7	1 - CCA; 1 - POI; 1 - PO II; 1 - PO III; 3 - Program Managers
5050	Minot	4	1 - CCA; 2 - PO II; 1 - PO III
5051	Williston	2.5	.75 - CCA; 1.75 PO II
5052	Jamestown	2	1 - CCA; 1 - PO III
5053	Fargo - Admin	3.5	1 - CCA; 1.5 -Admin Asst I; 1 - PO III
5053	Fargo - Comm Homes	2	2 - PO II
5053	Fargo - Goldmark Prop	2	1 - PO 1; 1 - PO II
5053	Fargo - Duis Building	2	2 - PO II
5053	Fargo - NW Fargo Housing	1.75	1.75 - PO II
5054	Grand Forks	6	1 - CCA; 1 - Admin Asst I; 3 - PO II; 1 - Program Manager
5054	Grand Forks - Staging Area	2	2 - PO II
5055	Grafton	1.8	.8 - CCA; 1 - PO II
5056	Devils Lake	2.5	.5 - CCA; 2 - PO II
5057	Rolla	2	1 - CCA; 1 - PO II
5058	Bismarck	4	1 - CCA; 2 - PO II; 1 - PO III
5058	Bismarck - Staging Area	2	2 - PO II
5059	Dickinson	4	1 - CCA; 2 - PO II; 1 - Program Manager
5060	Wahpeton	1.55	.55 - CCA; 1 - PO II
5061	Mandan	4.75	1 - CCA; 3.75 - PO II
5062	Oakes	1	1 - PO II
5064	Rev Center	1	1 - PO II
5063	Last Chance	1	1 - PO III
5063	Inter San	2.625	.625 - Admin Asst I; 1 - PO III; 1 - Program Manager
5065	Crime Victims - Bismarck	1	1 - Human Service Program Manger IV
5070	West Fargo	2.75	1 - CCA; 1.75 PO II
	Total	70.75	
	Total	70.75	

#4. How many Parole Officers, caseloads and maximum number of offender per officer

DIRECT SERVICES STAFF FOR FIELD SERVICES DIVISION					
PO I - 5101	FTE	TOTAL FTE			
Kolpin, Corey	1.00				
TOTAL		1.00			
PO II - 5102	FTE	TOTAL FTE			
Becker, Jim A	1.00				
Berntson, Rhonda J	1.00				
Birrenkott, Dave	1.00				
Bohl, Steven	1.00				
Borg, David	1.00				
Clower, Lisa	0.75				
College, Jennifer	0.75				
Deckert, Stacy K	1.00				
Eckert, Michael L	1.00				
Elshaug, Renae	1.00				
Eslinger, Terry L	1.00				
Gourde, John	1.00				
Grumbo, Terry A	1.00				
Haagenson Lloyd	0.75				
Hoornaert, Chad	1.00				
Iverson, Carrie	1.00				
Jensen, Cammy	1.00				
Jensen, Jackie	1.00				
Kemmet, Mark	1.00				
Knutson, John	1.00				
Leingang, Roml J	0.75				
Masching, Gary	1.00				
Merkel, Lois P	1.00				
Nankivel, Gerald G	1.00				
Plessas, Kristin	1.00				
Prochnow, Sherrie J	1.00				
Punton, Lonnie	1.00				
Schlinger, Corey	1.00				
Schmalenberger, Robyn	1.00				
Seymour, Dan	1.00				
Thelen, Christen	1.00				
Thomas, Lila	1.00				
Wallock, Rachel	1.00				
Waltz, Loralyn E	1.00				
TOTAL		33.00			
PO III - 5103	FTE	TOTAL FTE			
Headrick, Loren M	1.00				
McClaflin, Joyce M	1.00				
Rohwedder, Mike A	1.00				
Schuchard, Rick A	1.00				
TOTAL		4.00			

#4. How many Parole Officers, caseloads and maximum number of offender per officer

CCA I - 5135	FTE	TOTAL FTE			
Dauer, Kelly	1.00				
Headrick, Peggy J	1.00				
Kirkeby, Mary K	0.80				
Lagasse, Pam	1.00				
Reeves, Debra	0.50				
Rognlien, Linda R	0.75				
Schillinger, Tammy	0.55				
Wilde, Kathy	1.00				
TOTAL		6.60			
CCA II - 5136	FTE	TOTAL FTE			
Bachmeier, Sharon E	1.00				
Larson, Sylvia M	1.00				
Mehl, Judith A	1.00				
Parent, Sandy L	1.00				
Whitney, Rebecca A	1.00				
TOTAL		5.00			
DIRECT SERVICES TOTAL FTE'S			49.60		
NON-DIRECT SERVICES STAFF FOR FIELD SERVICES DIVISION					
DIRECT STAFF MANAGERS	FTE	TOTAL FTE			
Tomanek, Les D	1.00				
Wentz, Owen L	1.00				
TOTAL		2.00			
INTENSIVE PROGRAMS STAFF	FTE	TOTAL FTE			
Bohn, Patrick	1.00				
Brehm, Timothy R	1.00				
Brelland, Barbara H	1.00				
Carr, Kara	1.00				
TOTAL		4.00			
INSTITUTIONAL OFFENDER SERVICES PROGRAM		TOTAL FTE			
Blotsky, Penny	1.00				
Goldsack, Clarissa	1.00				
Helt, Nancy	1.00				
Hoekstra, Richard M	1.00				
Reinert, Ernest J	1.00				
Stein, Tracy	1.00				
Vorachek, Amy	1.00				
TOTAL		7.00			

#4. How many Parole Officers, caseloads and maximum number of offender per officer

OTHER ADMIN STAFF	FTE	TOTAL FTE			
Coughlin, Paul (human serv admin)	1.00				
Emmer, Warren R (director)	1.00				
Nelson, Colleen (admin assistant)	1.00				
Norman, Julie A (admin assistant)	1.00				
Placek, Charles R (fiscal mgr)	1.00				
Veitz, Jeannine (admin assistant)	0.625				
Volk, RaeAnn E (admin assistant)	1.00				
Weller, Colleen (admin assistant)	0.50				
Young, Janice M (admin officer)	1.00				
Extra FTE	0.025				
TOTAL		8.15			
NON-DIRECT SERVICES TOTAL FTE'S			21.15		
TOTAL DIVISION FTE'S			70.75		
			H:\JANICE\NAMES FOR LEG.XLS		

#10 REASON FOR THE [illegible] OF VICTIM SERVICES PROGRAM
NOT HAVING A GREATER REDUCTION IN OPERATING LINES

W.E. 3-9-01

CRIME VICTIMS COMPENSATION EXPENDITURES - 1/26/01

Biennium	95 - 97	97 - 99	99 - 01 thru 12/31/00
General	51,570.09	102,401.15	105,935.40
Federal	156,000.00	101,000.00	102,886.52
Special	276,758.91	251,328.59	310,083.74
Total	484,329.00	454,729.74	518,905.66
Appropriated	426,403.00	426,403.00	426,403.00
CVA Transfer		30,047.00	100,000.00
Amount unpaid and carried forwarded into new biennium	59,000.00	34,000.00	56,000.00

The Division is requesting an amendment to SB 2016 increasing the 99 - 01 biennium's Crime Victim Services special fund authority by $250,000. This additional authority would give the Division the ability to pay Crime Victim's compensation bills that are presented since November 2000 and June 30, 2001.

The Division would attempt to monitor it's special fund collections and expenditures in the 01-03 biennium to address any potential expenditures over the Governor's recommended $426,403 in the 01-03 biennium.

The Division feels that with increasing medical costs at a time of trending increases of crime victims utilizing the program, the Division will be faced with a deficiency situation in the 01-03 biennium. We would propose increasing our special fund authority by $300,000 for the 01-03 biennium. The Division feels that with increased collections of supervision fees and restitution payments to the Crime Victim Fund this increased special fund authority could be met.

#10 12

NORTH DAKOTA FIELD SERVICES DIVISION

REVISED 03/2001

BISMARCK	P.O. BOX 5521 58506-5521		(3303 E MAIN)	
	CENTRAL OFFICE	(WORK)	(HOME)	FAX 328-6186
	EMMER, Warren	328-6192	258-2711	CELL PHONE 701/220-6732
	COUGHLIN, Paul	328-6195	258-5437	1-800-445-2322
	PLACEK, Charles	328-6198	258-5407	
	VOLK, RaeAnn	328-6190	258-3954	
	VORACHEK, Amy	328-6183	221-5896	1-888-568-4410
	YOUNG, Janice	328-6193	663-7318	
	CONFERENCE ROOM	328-6225		
	COMMUNITY OFFENDER SERVICES			FAX 328-6186
	BREHM, Tim	328-6353	258-0464	CELL PHONE 701/220-5441
	BOHN, Patrick	328-6664	223-9262	
	KNIGHT-SOLIDAY, Karen (VISTA)	328-6665		
	ZAMDER, Bernadette (VISTA)	328-6665		
	INSTITUTIONAL OFFENDER SERVICES			
	REINERT, Ernest	328-6191	258-6436	FAX 328-6186
	BLOTSKY, Penny	328-6661	255-2562 \	Office at NDSP
	GOLDSACK, Clarissa	328-6663	250-0727 /	328-6659
	HEIT, Nancy	328-6199	258-8310	
	VEITZ, Jeannine	328-6197		
	TOMPKINS REHAB & CORRECTIONS UNIT			
	STEIN, Tracy	328-6196	663-2138	
	HOEKSTRA, Rick	328-6144	223-9327	CELL PHONE 701/391-8473
	DOC CENTRAL (FAX 328-6651)			
	CONKLIN, Vicky	328-6390		
	ENGEN, Steve	328-6652		CELL PHONE 701/220-6730
	HUHNCKE, David	328-6361		
	PEGORS, Rod	328-6230		
BISMARCK	515 E MAIN ST SUITE 7 58501			
	BACHMEIER, Sharon (CCA)	328-6660/9700	258-3043	FAX 328-9708
	ECKERT, Mike	328-9704	222-4080	CELL PHONE 701/391-8475
	SCHMALENBERGER, Robyn	328-9705	255-6538	CELL PHONE 701/351-8475
	SCHUCHARD, Rick	328-9703	250-9536	CELL PHONE 701/391-8472
	FONTENOT, Rob (CSR)	222-0003	(Misdemeanor probation officer)	
	SCHAEFER, Sheila (CSR)			
	KEATING, Nancy (CSR-Urban)	258-6258	(CENTER INC, 103½ S 3rd St #250, 58504)	
	DOLLINGER, Kelly (CSR-Rural)	222-0573	1-888-650-8300, FAX 701-222-0030	
BISMARCK	523 E BISMARCK EXPRESSWAY STE B 58504		(Send mail directly to the Bismarck District Office)	
	GRUMBO, Terry	328-9658	250-8838	CELL PHONE 701/400-4663
BISMARCK	1110 COLLEGE DR SUITE 209 58503		(Send mail directly to the Bismarck District Office)	
	KEMMET, Mark	328-9706	258-2934	CELL PHONE 701/391-8471
DEVILS LAKE	222 WEST WALNUT ST, LAW ENFORCEMENT CENTER		58301-3596 (LEC 662-5323)	
	REEVES, Deb (CCA)	662-1350		FAX 662-0707
	ELSHAUG, Renae		393-4469	
	KNUTSON, John		662-9172	CELL PHONE 701/351-1173
	HORNER, Andy (CSR)	662-7071 (524 4th Ave Box 2, Ramsey Co Crthouse)		FAX 662-5323
DICKINSON	135 SIMS ST SUITE 205 58601			
	LARSON, Sylvia (CCA)	227-7420		FAX 227-7421
	ESLINGER, Terry		264-7281	CELL PHONE 701/290-4964
	MASCHING, Gary		483-1452	CELL PHONE 701/290-0299
	TOMANEK, Leslie		227-1290	CELL PHONE 701/290-2584
	HILL, Lynn (CSR)	483-8500 (1173 3rd Ave West)		FAX 483-8501
FARGO	115 N UNIVERSITY DR, SUITE I 58102			
	MERL, Judith (CCA)	239-7272	293-6847	FAX 239-7254
	NORMAN, Julie (Admin Asst) or	239-7273	492-2969	
	WELLER, Colleen (Admin Asst)		860-6419	
	McCLAFLIN, Joyce		749-2330	CELL PHONE 701/799-7951
	FRIESTAD, Chasity (CSR)	239-0078 \	RESTORE	FAX 239-0197
	SHARSTROM, Sara & SPAIN, Kelly (CSR)	/		
FARGO	1017 26TH ST NW 58102		(Send mail directly to the Fargo Central Office)	
	CLOWER, Lisa	239-7225	293-8574	
	PROCHNOW, Sherrie		277-8644	CELL PHONE 701/793-8498
FARGO	510 4TH AVE N #106 58102		(Send mail directly to the Fargo Central Office)	
	SANDERS, Stacy	239-7217	298-7632	CELL PHONE 701/799-6153
	SEYMOUR, Dan		271-9394	CELL PHONE 701/799-6279
FARGO	2226 6TH AVE S #80 58103		(Send mail directly to the Fargo Central Office)	
	GOURDE, John	239-7177	271-8490	CELL PHONE 701/799-6278
	WALLOCK, Rachel		492-2922	CELL PHONE 701/799-6278

FARGO	2537 15TH ST S #3 58103		(Send mail directly to the Fargo Central Office)	
	BORG, David	239-7240	492-2474	CELL PHONE 701/799-7897
	KOLPIN, Corey		280-0661	CELL PHONE 701/799-6152
FARGO DOCK HOUSE	1105 5TH AVE S 58103			
	BREILAND, Barbara	239-7105	232-3151	Cell Ph 701/799-8885 or 218/790-4570
	BAKER, John (VISTA) or	239-7106/7187		FAX 239-7108
GRAFTON	638 COOPER AVE 58237			
	HOORNAERT, Chad (352-5019)	352-0100 Ombudsman	352-2779	CELL PHONE 701/360-1941
	KIRKEBY, Kathy (352-5020)	CCA		FAX 352-3347
GRAND FORKS	P.O. BOX 5564 58206-5564	(212 S 4TH ST, ROOM 300)		
	NELSON, Colleen (Admin Asst)	795-3673	746-9698	FAX 795-3897
	PARENT, Sandy (CCA) or	795-3872	775-7685	
	BECKER, Jim		746-0156	CELL PHONE 701/739-3071
	FUNTON, Lonnie		746-1158	CELL PHONE 701/739-2367
	THELEN, Christin		787-8767	CELL PHONE 701/740-3822
	WENTZ, Owen		775-6543	CELL PHONE 701/739-3216
	SCHULER, Deb (CSR)	775-3403		
GRAND FORKS	715 N 42ND ST #105A 58201		(Send mail directly to the Grand Forks Central Office)	
	IVERSON, Carrie	795-3809	772-6819	CELL PHONE 701/739-2373
	WALTZ, Loralyn		795-8517	CELL PHONE 701/741-5522
JAMESTOWN	300 2ND AVE NE, JAMESTOWN MALL, SUITE 218 58401			
	WHITNEY, Rebecca (CCA)	253-3227		FAX 253-3216
	ROHRBOOKER, Mike		252-2369	CELL PHONE 701/320-0966
	AKKERMAN, Gary (CSR)	251-2038	(Jamestown Mall, Suite 214)	FAX 253-2868
	OPDAHL, Sissy (CSR)	762-7663	(PO Box 12, Litchville 58461)	FAX 762-3675
JAMESTOWN TRCU	205 6TH ST SE 58401			
	CARR, Kara	251-6203	285-3328	FAX 252-7087
	BROUSSEAU, Angella (VISTA)	252-9804		
	MENTAL HEALTH TECHNICIANS	253-3894 at State Hospital		
	OSTER, Sharold (LAC)	251-6204	763-6242	
	PETERSON, Deb (LAC)	251-6205		WICKS, Kerry 253-3281
	RAICHE, Teri (LAC)	251-6205		Thompson, Wendy 251-6354
	SPRENGER, Joleen (LAC)	251-6204	252-7966	SCCC 252-7413
MANDAN	210 2ND AVE NW SUITE 260 58554			
	SWEENEY, Kelly (CCA)	667-3401	663-0954	FAX 667-3224
	BOHL, Steve	667-3492	663-1096	CELL PHONE 701/400-4665
	JENSEN, Cammy	667-3491	663-8554	CELL PHONE 701/220-7949
	LETNGANG, Romi	667-3397	667-4101	
	SCHLINGER, Corey	667-3491	222-1557	CELL PHONE 701/220-1998
MINOT	108 BURDICK EXPRESSWAY EAST 58701			
	HEADRICK, Peggy (CCA)	857-7583	838-7383	FAX 857-7721
	HEADRICK, Loren	857-7729	838-7383	CELL PHONE 701/721-6767
	JENSEN, Jackie	857-7684	852-1320	CELL PHONE 701/721-1863
	PLESSAS, Kristie	857-7722	837-0790	CELL PHONE 701/721-1862
	BRUNNER, Joni (CSR)	839-4240	(RRMAB Services, 1421 2nd Ave SW)	
	REDMILL, Kenneth (VISTA)	839-4240		FAX 838-2622
OAKES	PO BOX 125 (517 MAIN AVE) 58474			
	BERNTSON, Rhonda	742-3192	742-3535	CELL PHONE 701/320-5054
				FAX 742-2546
ROLLA	PO BOX 1207 (8 Main Ave East) 58367-1207			
	LAGASSE, Pam (CCA)	477-3318	477-6696	FAX 477-3318
	THOMAS, Lila		477-3672	CELL PHONE 701/228-8046
RUGBY	%PIERCE COUNTY COURTHOUSE, 240 SE 2ND ST 58368			
	DICKSON, Lee (CSR)	776-2944		FAX 776-6891
WAHPETON	LAW ENFORCEMENT CENTER, 413 3rd AVE N 58075			
	SCHILLINGER, Tammy (CCA)	671-1517		FAX 642-7701
	NANKIVEL, Gerald	1-877-671-1517	642-8459	CELL PHONE 701/899-3764
WEST FARGO	623 E MAIN SUITE 102 58078			
	WILDE, Kathy (CCA)	239-7150	924-6259	FAX 239-7152
	BIRRENKOTT, Dave		281-1871	CELL PHONE 701/799-7940
	COLLEGE, Jennifer		492-9168	CELL PHONE 701/799-7940
WILLISTON	512 4TH AVE E 58801			
	ROGHLIEN, Linda (CCA)	774-4340		FAX 774-4339
	HAAGENSON, Lloyd		572-1043	CELL PHONE 701/770-0772
	MERKEL, Lois		572-0215	CELL PHONE 701/770-5137
	MARION, Judy (CSR-Coord)	572-5345		(PO Box 2074)
	SAVOY, Christie (CSR-Office Asst)		RALPH, Tracy (workstation supervisor)	

KEY OF CELL/BEEPERS COAD, Bob 258-2675 (home) SCHEITER, Tim [illegible] (personal room)

#12 RECIDIVISM RATES AT TRCU VS NON-TRCU OFFENDERS

TRCU STATISTICAL INFORMATION:

As we measure effect and success using a rehabilitative model we are more critically assessing success or failure than corrections systems have used historically to report success or failure. Offenders in TRCU are offenders that otherwise would be incarcerated. TRCU serves a higher risk offender group than the overall population that this information is often compared to in the DOCR or nationally.

We have not had a control group to date in our study (to assure we are comparing apples to apples) but we are developing that piece of our analysis on a historical bases as well as for future research of the program effectiveness.

Recidivism in the Parole population during this time has been reported over 20% while probation revocation rates have been over 30%. (The year prior to program implementation the parole revocation rate was 27% and probation revocation rates were 35%).

TRCU through June 30, 2000:

There were 209 offenders placed in the program. On June 30, 2000 there were 28 offenders in residence at TRCU. Of the 181 offenders discharged (209 – 28=181) there were 161 released to the community and 20 returned to prison unsuccessful prior to completion of treatment.

Of the 161 offenders discharged to the community there were 121 (75%) successful and 40 (25%) returned to prison unsuccessful.

#13 DIVISION PO[redacted]IONS OVER TIME

Offenders on Community Supervision
ND DOCR Field Services Division
One Day Counts on December 31 of Each Year

Supervision Type	1993	1994	1995	1996	1997	1998	1999	2000
Probation	1981	2032	2320	2590	2695	2701	2756	2745
Parole	91	95	112	100	117	175	152	115
Interstate Compact	311	312	296	250	184	158	264	377
Community Placement Program	6	3	31	11	6	3	34	28
Total	2389	2442	2759	2951	3002	3037	3206	3265

NOTE: Some offenders may be on multiple types of supervision at the same time. When this occurs, the offender is first counted if on parole, then if on probation, then if on interstate compace and finally community placement. Otherwise the totals are artificially inflated by about ten percent.

FUNDING REQUEST FOR FIELD SERVICES DIVISION

	Object Code	Actual Expenditures thru 1/31/01	Projections Last 5 months	Actual + Projections	Total Budget 1999 -2001 Biennium	Executive Recommended Budget 2001 - 2003 Biennium	2001 - 2003 Biennium Incr. (Decr.)
Salaries	1001	3,359,910	943,807	4,303,717	4,459,299	5,112,104	652,805
Temporary,Overtime	1002	132,237	51,840	184,077	89,554	217,224	127,670
Benefits	1008	1,063,280	283,597	1,346,877	1,439,881	1,743,899	304,018
IT - Data Processing	3002	122,225	64,706	186,931	159,809	292,242	132,433
IT - Telephone	3003	82,402	26,634	109,036	112,532	126,825	14,293
Travel	3004	298,823	94,534	393,357	359,087	361,605	2,518
IT - Software/Supplies	3005	37,601	36,675	74,276	25,220	24,754	-466
Utilities	3006	4,006	2,046	6,052	13,275	15,075	1,800
Postage	3007	33,190	11,063	44,253	46,830	46,830	0
IT - Contractual Services	3008	0	0	0	200	200	0
Lease/Rent - Equip.	3011	13,744	5,349	19,093	20,644	20,644	0
Lease/Rent - Bldg/Land	3012	230,699	62,010	292,709	306,784	334,460	27,676
Dues & Professional Dev.	3013	26,690	8,897	35,587	65,938	64,738	-1,200
Operating Fees & Services	3014	1,405,068	564,168	1,969,236	3,246,593	3,246,743	150
Repairs	3016	10,105	2,775	12,880	18,992	18,992	0
Professional Services	3018	69,228	23,076	92,304	110,172	4,172,728	4,062,556
Insurance	3019	798	0	798	2,530	14,530	12,000
Office Supplies	3021	43,992	16,331	65,323	70,805	70,805	0
Printing	3024	13,720	5,332	19,052	18,230	18,230	0
Professional Supplies	3025	17,270	5,757	23,027	19,785	19,785	0
Food & Clothing	3027	0	20	20	400	400	0
Medical,Dental & Optical	3029	64,897	23,127	88,024	78,886	78,886	0
Bldg,Grnds,Veh Mtces	3030	2,065	687	2,752	555	555	0
Misc. Supplies	3033	60,659	20,220	80,879	107,174	107,174	0
Opera Budget Adjustment	3900	0	0	0	0	186,734	186,734
Office Equip & Furniture	4002	2,985	0	2,985	5,000	5,000	0
IT - Equipment	4003	76,810	66,000	142,810	90,649	44,602	-46,047
Other Equipment	4020	5,930	12,834	18,764	14,952	11,000	-3,952
Equip Budget Adjustment	4900	0	0	0	0	2,500	2,500
Grants	6006	2,103,522	1,097,881	3,201,403	2,951,403	3,280,619	329,216
Total		9,286,856	3,429,364	12,716,221	13,835,179	19,639,883	5,804,704
Funding Source				0			
General Fund	7591	6,763,285	1,933,009	8,696,294	9,296,294	14,187,165	4,890,871
Federal Fund	7592	1,997,607	913,000	2,915,607	3,243,620	3,632,452	388,832
Special Fund	7593	525,964	578,355	1,104,319	1,295,265	1,820,266	525,001
Total		9,286,856	3,429,364	12,716,220	13,835,179	19,639,883	5,804,704

	A	B	C	D	E	F	G	H
1	FUNDING REQUEST FOR FIELD SERVICES DIVISION							
2	FTE COUNT					1.5	1	-0.5
3	VICTIM SERVICES	Object Code	Expenditures thru 1/31/01	Projections Last 5 months	Actual + Projections	Total Budget 1999 -2001 Biennium	Recommended Budget 2001 -2003	2001 - 2003 Biennium Incr. (Decr.)
4	Salaries	1001	91,452	24,762	116,214	114,296	79,121	-35,175
5	Temporary,Overtime	1002	0	0	0	1,200	4,608	3,408
6	Benefits	1008	18,697	4,862	23,559	32,464	23,697	-8,767
7	IT - Data Processing	3002	1,559	730	2,289	1,602	1,433	-169
8	IT - Telephone	3003	4,714	1,493	6,207	7,541	6,137	-1,404
9	Travel	3004	4,443	923	5,366	7,475	7,475	0
10	IT - Software/Supplies	3005	53	60	113	1,126	1,126	0
11	Utilities	3006	0	0	0	0	0	0
12	Postage	3007	1,010	337	1,347	3,176	3,176	0
13	IT - Contractual Services	3008	0	0	0	0	0	0
14	Lease/Rent - Equip.	3011	2,022	1,120	3,142	3,108	3,108	0
15	Lease/Rent - Bldg/Land	3012	0	0	0	0	0	0
16	Dues & Professional Dev.	3013	2,617	872	3,489	5,074	5,074	0
17	Operating Fees & Services	3014	253	84	337	350	500	150
18	Repairs	3016	0	0	0	420	420	0
19	Professional Services	3018	0	0	0	0	0	0
20	Insurance	3019	15	0	15	836	836	0
21	Office Supplies	3021	315	105	420	3,131	3,131	0
22	Printing	3024	724	1,000	1,724	3,000	3,000	0
23	Professional Supplies	3025	0	0	0	0	0	0
24	Food & Clothing	3027	0	20	20	100	100	0
25	Medical,Dental & Optical	3029	0	0	0	0	0	0
26	Bldg,Grnds,Veh Mtces	3030	3	0	3	5	5	0
27	Misc. Supplies	3033	0	0	0	0	0	0
28	Opera Budget Adjustment	3900	0	0	0	0	0	0
29	Office Equip & Furniture	4002	0	0	0	0	0	0
30	IT - Equipment	4003	0	0	0	0	0	0
31	Other Equipment	4020	0	0	0	0	0	0
32	Equip Budget Adjustment	4900	0	0	0	0	0	0
33	Grants	*6006	2,103,522	1,097,881	3,201,403	2,951,403	3,280,619	329,216
34	Total		2,231,399	1,134,249	3,365,648	3,136,307	3,423,566	287,259
35	Funding Source							
36	General Fund	7591	309,353	4,715	314,068	314,068	137,878	-176,190
37	Federal Fund	7592	1,586,717	846,283	2,433,000	2,433,000	2,871,216	438,216
38	Special Fund	7593	335,329	283,251	618,580	389,239	414,472	25,233
39	Total		2,231,399	1,134,249	3,365,648	3,136,307	3,423,566	287,259

	A	B	C	D	E	F	G	H
1	FUNDING REQUEST FOR FIELD SERVICES DIVISION							
2	FTE COUNT					7.45	8	0.55
3	INSTITIONAL OFFENDER SERVICES PROGRAM	Object Code	Expenditures thru 1/31/01	Projections Last 5 months	Actual + Projections	Total Budget 1999 -2001 Biennium	Recommended Budget 2001 -2003	2001 - 2003 Biennium Incr. (Decr.)
4	Salaries	1001	422,063	116,800	538,863	526,066	605,105	79,039
5	Temporary,Overtime	1002	3,810	5,025	8,835	12,960	12,960	0
6	Benefits	1008	118,842	30,925	149,767	161,365	189,757	28,392
7	IT - Data Processing	3002	2,677	892	3,569	4,759	5,407	648
8	IT - Telephone	3003	5,689	1,896	7,585	7,590	8,790	1,200
9	Travel	3004	33,297	11,099	44,396	57,754	57,754	0
10	IT - Software/Supplies	3005	1,140	154	1,294	3,144	3,144	0
11	Utilities	3006	0	0	0	0	0	0
12	Postage	3007	2,738	913	3,651	6,459	6,459	0
13	IT - Contractual Services	3008	0	0	0	0	0	0
14	Lease/Rent - Equip.	3011	3,699	1,120	4,819	6,800	6,800	0
15	Lease/Rent - Bldg/Land	3012	0	0	0	0	0	0
16	Dues & Professional Dev.	3013	3,027	1,009	4,036	3,720	3,720	0
17	Operating Fees & Services	3014	2,110	703	2,813	3,005	3,005	0
18	Repairs	3016	567	189	756	480	480	0
19	Professional Services	3018	930	310	1,240	4,924	3,544,008	3,539,084
20	Insurance	3019	40	0	40	719	719	0
21	Office Supplies	3021	3,010	1,003	4,013	4,074	4,074	0
22	Printing	3024	749	250	999	600	600	0
23	Professional Supplies	3025	83	28	111	380	380	0
24	Food & Clothing	3027	0	0	0	200	200	0
25	Medical,Dental & Optical	3029	1,516	2,000	3,516	1,000	1,000	0
26	Bldg,Grnds,Veh Mtces	3030	2	0	2	50	50	0
27	Misc. Supplies	3033	712	237	949	1,200	1,200	0
28	Opera Budget Adjustment	3900	0	0	0			
29	Office Equip & Furniture	4002	0	0	0	0	0	0
30	IT - Equipment	4003	20,785	0	20,785	21,000	2,500	-18,500
31	Other Equipment	4020	0	0	0	0	0	0
32	Equip Budget Adjustment	4900	0	0	0	0	2,500	2,500
33	Grants	6006	0	0	0	0	0	0
34	Total		627,486	174,554	802,040	828,249	4,460,612	3,632,363
35	Funding Source				0			0
36	General Fund	7591	520,461	130,568	651,029	651,029	4,400,895	3,749,866
37	Federal Fund	7592	42,372	14,124	56,496	76,220	44,461	-31,759
38	Special Fund	7593	64,653	29,862	94,515	101,000	15,256	-85,744
39	Total		627,486	174,554	802,040	828,249	4,460,612	3,632,363

	A	B	C	D	E	F	G	H
1	FUNDING REQUEST FOR FIELD SERVICES DIVISION							
2	FTE COUNT					61.8	67.75	5.95
3	COMMUNITY OFFENDER SERVICES PROGRAM	Object Code	Actual Expenditures thru 1/31/01	Projections Last 5 months	Actual + Projections	Total Budget 1999 -2001 Biennium	Recommended Budget 2001 -2003	2001 - 2003 Biennium Incr. (Decr.)
4	Salaries	*1001	2,846,395	802,245	3,648,640	3,818,937	4,427,878	608,941
5	Temporary,Overtime	*1002	128,427	46,815	175,242	75,394	199,656	124,262
6	Benefits	*1008	925,741	247,810	1,173,551	1,246,052	1,530,445	284,393
7	IT - Data Processing	3002	117,989	63,084	181,073	153,448	285,402	131,954
8	IT - Telephone	3003	71,999	23,244	95,243	97,401	111,896	14,497
9	Travel	3004	261,083	82,512	343,595	293,858	296,376	2,518
10	IT - Software/Supplies	3005	36,408	36,461	72,869	20,950	20,484	-466
11	Utilities	3006	4,006	2,046	6,052	13,275	15,075	1,800
12	Postage	3007	29,442	9,814	39,256	37,195	37,195	0
13	IT - Contractual Services	3008	0	0	0	200	200	0
14	Lease/Rent - Equip.	3011	8,023	3,109	11,132	10,736	10,736	0
15	Lease/Rent - Bldg/Land	3012	230,699	62,010	292,709	306,784	334,460	27,676
16	Dues & Professional Dev.	3013	21,046	7,015	28,061	57,144	55,944	-1,200
17	Operating Fees & Services	3014	1,402,705	563,380	1,966,085	3,243,238	3,243,238	0
18	Repairs	3016	9,538	2,586	12,124	18,092	18,092	0
19	Professional Services	3018	68,298	22,766	91,064	105,248	628,720	523,472
20	Insurance	3019	743	0	743	975	12,975	12,000
21	Office Supplies	3021	45,667	15,222	60,889	63,600	63,600	0
22	Printing	3024	12,247	4,082	16,329	14,630	14,630	0
23	Professional Supplies	3025	17,187	5,729	22,916	19,405	19,405	0
24	Food & Clothing	3027	0	0	0	100	100	0
25	Medical,Dental & Optical	3029	63,381	21,127	84,508	77,886	77,886	0
26	Bldg,Grnds,Veh Mtces	3030	2,060	687	2,747	500	500	0
27	Misc. Supplies	3033	59,947	19,982	79,929	105,974	105,974	0
28	Opera Budget Adjustment	3900	0	0	0	0	186,734	186,734
29	Office Equip & Furniture	*4002	2,985	0	2,985	5,000	5,000	0
30	IT - Equipment	4003	56,025	66,000	122,025	69,649	42,102	-27,547
31	Other Equipment	4020	5,930	12,834	18,764	14,952	11,000	-3,952
32	Equip Budget Adjustment	4900	0	0	0	0	0	0
33	Grants	6006	0	0	0	0	0	0
34	Total		6,427,971	2,120,561	8,548,532	9,870,623	11,755,705	1,885,082
35	Funding Source				0			0
36	General Fund	7591	5,933,471	1,797,726	7,731,197	8,331,197	9,648,392	1,317,195
37	Federal Fund	7592	368,518	57,593	426,111	734,400	716,775	-17,625
38	Special Fund	7593	125,982	265,242	391,224	805,026	1,390,538	585,512
39	Total		6,427,971	2,120,561	8,548,532	9,870,623	11,755,705	1,885,082

3-19-01 #3

HOUSE APPROPRIATIONS COMMITTEE
HUMAN RESOURCES DIVISION
REPRESENTATIVE KEN SVEDJAN, CHAIRMAN
MARCH 19, 2001

WARREN R. EMMER, DIRECTOR
DEPARTMENT OF CORRECTIONS AND REHABILITATION
FIELD SERVICES DIVISION
PRESENTING TESTIMONY RE: SB 2016

On March 14, your committee requested that we provide the committee with information concerning recidivism as it relates to the pre-release programming in Montana. Montana's Department of Corrections Statistics Bureau Chief has informed us that for the fiscal years 1997-2000, offenders directly released to parole were four times more likely to be returned to incarcerated status than those who were released to parole ***after serving part of their sentence in a pre-release center***.

I hope this information is helpful to your committee.

H:\Legislature\SB2016(house)2.doc

SB 2016

19810

Prepared by the North Dakota Legislative Council staff for Senator Nething

April 2001

COST-SAVINGS ANALYSIS - CONSTRUCTION OF DEPARTMENT OF CORRECTIONS AND REHABILITATION WOMEN'S UNIT

2001-03 Biennium - Operating Cost-savings	
Estimated additional contracting costs WITHOUT construction of women's unit (November 1, 2002, to June 30, 2003)	$1,137,400 [1]
Less women's unit operating costs - Salaries and wages, operating expenses, and equipment (November 1, 2002, to June 30, 2003)	1,041,067
2001-03 biennium savings (excluding construction costs) resulting from constructing women's unit	$96,333
2003-05 Biennium and Subsequent Bienniums - Operating Cost-savings	
Estimated additional contracting costs WITHOUT construction of women's unit	$3,431,000 [2]
Less women's unit operating costs - Salaries and wages, operating expenses, and equipment	2,706,347 [3]
2003-05 biennium savings (excluding construction costs) resulting from constructing women's unit	$724,653
Time Required to Recoup Capital Construction Costs Through Estimated Savings in Operating Expenses	
Operating expenses savings estimated as follows:	
2001-03 biennium	$96,333
2003-05 biennium	724,653
2005-07 biennium	724,653
2007-09 biennium	724,653
2009-11 biennium	724,653
Net estimated operating savings through June 30, 2011	$2,994,945
Construction costs (general fund share only; excludes $1.4 million of costs paid with federal funds)	2,320,000
Net estimated savings through June 30, 2011, including construction costs	$674,945

[1] The estimated additional cost to contract for inmate beds resulting from not constructing the women's unit is based on the need to contract for an additional 94 inmate beds per month, as indicated by the Department of Corrections and Rehabilitation. The 94 beds are based on the women inmates vacating the 80-bed floor currently occupied at the James River Correctional Center and 14 beds at the Missouri River Correctional Center; the beds will subsequently be made available to house male inmates. However, the executive budget reduced the number of contract inmate beds by only 75 beds per month for the last eight months of the 2001-03 biennium to reflect the construction of the women's unit.

[2] The estimated additional cost to contract for inmate beds resulting from not constructing the women's unit is based on the need to contract for an additional 94 inmate beds per month for each month of the biennium at a rate of $50 per day. Consequently, this analysis does not consider inflationary increases in the contracting rate.

[3] The estimated operating costs for the women's unit, as determined by the Department of Corrections and Rehabilitation, are based on the continuation of salaries at the June 30, 2003, level and no inflationary increases in operating expenses.

SB 2016

DEPARTMENT OF CORRECTIONS AND REHABILITATION

3303 East Main, PO Box 1898 • Bismarck, ND 58502-1898
(701) 328-6390 • FAX (701) 328-6651 • TDD 1-800-366-6888
Website: www.discovernd.com/docr

Reasons the Women's Unit Should be Built during 2001-2003

It is critical that a new Women's Unit be added to the prison system in the next biennium.

Economic Reasons

Presently the women are housed on the second floor of the ET housing unit at the JRCC. On any day there are approximately 45-50 women housed there; since each floor can house 80 inmates, 30-35 beds are vacant each day. While these beds are vacant we are housing male inmates out of our system at $50 dollars per day per inmate or at a cost of $45,000 per month for these vacant 30 bed spaces. We need to move the women so that this floor can be filled with male inmates. During a biennium the cost of having 30 vacant bed spaces is $1,095,000. Also, by moving all women to a women's unit, 14 bed spaces will be vacated at the MRCC for additional male inmates to be housed there.

Management Reasons

Three years ago the Department transferred the women inmates to the JRCC since the small women's unit at the Penitentiary was not adequate to house the growing number of women inmates. Also, since the women's unit was a self-contained secure unit comprised of single cells it was an appropriate unit to utilize as the system's orientation unit for all new arrivals.

Housing the men and women together in the ET building at the JRCC requires excessive staff time in order to assure the separation of the men and women. Also, the sharing of space at the facility between the women and men does not provide adequate time and access to the space, for either the men or women inmates. We must separate the men and women by housing them in separate buildings. This is a very serious concern and must be addressed as soon as possible.

Bed Spaces Added by Construction of the Women's Unit are Needed Now

It has been suggested that a study be conducted before building the new women's unit to assure that the State does not overbuild the prison system for future years. The concern expressed is that if the alternatives to incarceration program works well, the inmate population may begin to decrease significantly in the next few years. Data does not support this concern. When analyzing the sentences of the current inmate population along with the conservative approach utilized to provide early release to

inmates, a decrease in inmate population will not occur any time soon. It is still the Department's goal to try to stabilize (not reduce) the population through the alternatives to incarceration program. Even with the construction of the Women's Unit the Department will still need to contract out 94 inmates to jails and a private prison by June 30, 2003. If the Women's Unit is not built the department will be forced to contract out over 150 inmates by the end of the next biennium. Contracting out so many inmates causes many problems for the prison system including not only the question of bed space availability but also legal questions about equal programming, visitation and work opportunities. Also, the State certainly provides much more programming for virtually the same cost per day than is provided to inmates through contract facilities. It is critical that the State does not delay the construction of the Women's Unit yet another biennium.

Appropriate Location for a New Women's Unit?

It has also been suggested that before additional cells are added to the prison system, a study be conducted to determine whether the JRCC is the appropriate place for any new housing unit, including the women's unit. This study has already been done. The Department conducted an in-depth strategic planning process January through July, 2000 through which this issue was addressed. The study showed that a new housing facility would most appropriately be placed at the JRCC since, at both the MRCC and at the State Penitentiary, the infrastructure would need to be expanded if additional housing facilities were added. Such areas as utilities, program space and food service facilities would need to be expanded if additional beds were added to the facility. Also, it would not be wise to add a women's unit at the MRCC which is an open campus for primarily male minimum custody inmates. It is our intent to bring about greater separation of the genders, not to increase their contact. The strategic planning process proposed that any additional beds, for male or female, would most appropriately be added at the medium custody JRCC.

SB 2016
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Contract Housing Computation - No Womens Unit

Date	Projected Population	Prison Beds	CPP (Prison)	CPP (TRCU)	TRCU	Pre-Release	DUI (NDSH)	Drug Court	Total Beds Available	Jail Beds Needed	County Jail	PCF	Total Cost
Jul-01	1,118	971	15	20	20	-	25	10	1,061	57	76,725	3,100	79,825
Aug-01	1,125	971	15	20	20	-	25	10	1,061	64	76,725	13,950	90,675
Sep-01	1,132	971	15	20	20	-	25	10	1,061	71	74,250	24,000	98,250
Oct-01	1,139	971	15	20	20	25	25	10	1,086	53	73,935	-	73,935
Nov-01	1,146	971	15	20	20	30	25	10	1,091	55	74,250	-	74,250
Dec-01	1,154	971	15	20	20	35	25	10	1,096	58	76,725	4,650	81,375
Jan-02	1,161	971	15	20	20	40	25	10	1,101	60	76,725	7,750	84,475
Feb-02	1,167	971	15	20	20	45	25	10	1,106	61	69,300	8,400	77,700
Mar-02	1,175	971	15	20	20	50	25	10	1,111	64	76,725	13,950	90,675
Apr-02	1,181	971	15	20	20	50	25	10	1,111	70	74,250	22,500	96,750
May-02	1,189	971	15	20	20	50	25	10	1,111	78	76,725	35,650	112,375
Jun-02	1,196	971	15	20	20	50	25	10	1,111	85	74,250	45,000	119,250
Jul-02	1,203	971	15	20	20	50	25	10	1,111	92	76,725	57,350	134,075
Aug-02	1,210	971	15	20	20	50	25	10	1,111	99	76,725	68,200	144,925
Sep-02	1,217	971	15	20	20	50	25	10	1,111	106	74,250	76,500	150,750
Oct-02	1,224	971	15	20	20	50	25	10	1,111	113	76,725	89,900	166,625
Nov-02	1,231	971	15	20	20	50	25	10	1,111	120	74,250	97,500	171,750
Dec-02	1,238	971	15	20	20	50	25	10	1,111	127	76,725	111,600	188,325
Jan-03	1,245	971	15	20	20	50	25	10	1,111	134	76,725	122,450	199,175
Feb-03	1,252	971	15	20	20	50	25	10	1,111	141	69,300	120,400	189,700
Mar-03	1,259	971	15	20	20	50	25	10	1,111	148	76,725	144,150	220,875
Apr-03	1,266	971	15	20	20	50	25	10	1,111	155	74,250	150,000	224,250
May-03	1,273	971	15	20	20	50	25	10	1,111	162	76,725	165,850	242,575
Jun-03	1,280	971	15	20	20	50	25	10	1,111	169	74,250	171,000	245,250
Jul-03								-			1,803,960	1,553,850	**3,357,810**

Contract Housing Amount Required - No Womens Unit	3,357,810
Contract Housing Amount Include in Engrossed Senate Bill No. 2016	2,452,275
Additional Contract Housing Amount Offered by the House	250,000
Additional Contract Housing Funds Necessary 01-03	**655,535**

3-16-01

#3

Wheeler

Women's Unit Renovation

Total Cost 2,656,000

2,762,240 ÷ 35,000 S.F. = $78.92 S.F.

OPTION #1

4 Levels instead of 5

28,000 S.F. x 78.92	$2,209,760
ACA & Code. All levels	89,880
Add. Structural	62,000
	2,361,640
Less Fee (8%)	23,500
	2,338,140

Construction Time frame 4 mo.

inflation - Hard numbers only $95,680.00

Womens Unit Renovation

Option 2

3 Levels instead of 5

21,000 x 78.92 S.F. =	$1657,320
ACA-Codes All levels	179,760
STructural	62,000
	$1,899,080
Less Fees (8%)	60,500
	$1,838,588

Construction Time Frame 4% annual inflation Hard number only $23,543.00

Work Sheet

Per ACA All levels

Ventilation 10 cfm per Inmate	$70,000
Suppression 35,000 S.F. x 3.50 =	$122,500
Fire Panel $15,000 x 5 Levels =	$75,000
Abatement & Survey - Testing	$164,000
Standby Power	$18,000
	$449,500

449500 ÷ 35,000 S.F. $12.84 S.F. list above
1 Floor not Remodeled = 7,000 S.F. x 12.84 = $89,880
2 Floors not remodeled = 14,000 S.F. x 12.84 = $179,760

These are things that need to be done to all 5 floors, whether we occupy the floors or not

Prepared by the North Dakota Legislative Council staff
for House Appropriations - Human Resources
March 2001

DEPARTMENT OF CORRECTIONS AND REHABILITATION - WOMEN'S UNIT AND CONTRACTED INMATE BEDS - OPTIONS REQUESTED BY HOUSE APPROPRIATIONS - HUMAN RESOURCES DIVISION

	Executive Budget and Senate Version	Option #1 (Appendix A)	Option #2 (Appendix B)	Option #3 (Appendix B)
Capital construction costs - Missouri River Correctional Center (MRCC) food service	$1,983,000	$0	$0	$0
Capital construction costs - Women's unit (Department of Corrections and Rehabilitation (DOCR) estimate)	3,720,000	0	1,838,588	0
Capital construction costs - Combined facility (DOCR estimate)	0	0	0	5,744,390
Salaries and wages, operating expenses, and equipment - Women's unit (DOCR estimate)	1,041,067	0	1,041,067	1,041,067
Operating expenses - Contract inmate beds	2,452,275	2,648,380	1,427,585	1,427,585
Total - All funds	$9,196,342	$2,648,380	$4,307,240	$8,213,042
Less estimated income	1,400,000		1,400,000	1,400,000
Total general fund	$7,796,342	$2,648,380	$2,907,240	$6,813,042
FTE - Women's unit	22.50		22.50	22.50
Total increase (decrease) from Senate version - All funds		($6,547,962)	($4,889,102)	($983,300)
Less increase (decrease) from Senate version - Estimated income		(1,400,000)	0	0
Total increase (decrease) from Senate version - General fund		($5,147,962)	($4,889,102)	($983,300)
FTE increase (decrease)		(22.50)	0.00	0.00

	Construction of New Facility for Women's Unit[1]	Renovation of Existing Facility for Women's Unit[2]	Construction of Combined MRCC Food Service and Women's Unit[3]	Adjustment to Executive Budget Contract Inmate Beds to Reflect the Additional Impact of Drug Court[4]	HB 1364[4]	Women's Unit[5]
Executive budget/Senate version	Yes	No	No	0	0	0
Option #1	No	No	No	(5)	(15)	75
Option #2	No	Yes	No	(5)	(15)	(30)
Option #3	No	No	Yes	(5)	(15)	(30)

[1] Construction of a 75-bed women's unit at the James River Correctional Center (JRCC); estimated completion date of November 2002.
[2] Renovation of the basement and first two floors of the State Hospital's employee apartment building at the JRCC; estimated completion date of November 2002.
[3] Construction of a combined 75-bed women's unit and food service building at the Missouri River Correctional Center (MRCC); estimated completion date of November 2002.
[4] Change in the number of inmate beds budgeted to be contracted by the department for each month of the biennium.
[5] Change in the number of inmate beds budgeted to be contracted by the department for each of the last eight months of the biennium.

328-01

#5

OPTION NO. 1 - ESTIMATED CONTRACTING COSTS

	Contract Beds in Executive Budget	Legislative Adjustments				Net Contracting Beds	Contracting Costs\2
		Drug Court	HB 1364	Other\1	Total Adjustments		
FY 2002							
July	57	(5)	(15)		(20)	37	$51,615
August	64	(5)	(15)		(20)	44	61,380
September	71	(5)	(15)		(20)	51	68,850
October	53	(5)	(15)		(20)	33	46,035
November	55	(5)	(15)		(20)	35	47,250
December	58	(5)	(15)		(20)	38	53,010
January	60	(5)	(15)		(20)	40	55,800
February	61	(5)	(15)		(20)	41	51,660
March	64	(5)	(15)		(20)	44	61,380
April	70	(5)	(15)		(20)	50	67,500
May	78	(5)	(15)		(20)	58	81,375
June	85	(5)	(15)		(20)	65	89,250
FY 2003							
July	92	(5)	(15)		(20)	72	103,075
August	99	(5)	(15)		(20)	79	113,925
September	106	(5)	(15)		(20)	86	120,750
October	113	(5)	(15)		(20)	93	135,625
November	45	(5)	(15)	75	55	100	141,750
December	52	(5)	(15)	75	55	107	157,325
January	59	(5)	(15)	75	55	114	168,175
February	66	(5)	(15)	75	55	121	161,700
March	73	(5)	(15)	75	55	128	189,875
April	80	(5)	(15)	75	55	135	194,250
May	87	(5)	(15)	75	55	142	211,575
June	94	(5)	(15)	75	55	149	215,250
Total							$2,648,380

\1 Additional 75 contract beds to reflect not authorizing construction of a new women's facility

\2 $45 per day for first 55 beds; $50 per day for additional beds

APPENDIX A

OPTION NOS. 2 AND 3 - ESTIMATED CONTRACTING COSTS

	Contract Beds in Executive Budget	Legislative Adjustments				Net Contracting Beds	Contracting Costs\1
		Drug Court	HB 1364	Other	Total Adjustments		
FY 2002							
July	57	(5)	(15)		(20)	37	$51,615
August	64	(5)	(15)		(20)	44	61,380
September	71	(5)	(15)		(20)	51	68,850
October	53	(5)	(15)		(20)	33	46,035
November	55	(5)	(15)		(20)	35	47,250
December	58	(5)	(15)		(20)	38	53,010
January	60	(5)	(15)		(20)	40	55,800
February	61	(5)	(15)		(20)	41	51,660
March	64	(5)	(15)		(20)	44	61,380
April	70	(5)	(15)		(20)	50	67,500
May	78	(5)	(15)		(20)	58	81,375
June	85	(5)	(15)		(20)	65	89,250
FY 2003							
July	92	(5)	(15)		(20)	72	103,075
August	99	(5)	(15)		(20)	79	113,925
September	106	(5)	(15)		(20)	86	120,750
October	113	(5)	(15)		(20)	93	135,625
November	45	(5)	(15)	(30)	(50)	(5)	0
December	52	(5)	(15)	(30)	(50)	2	2,790
January	59	(5)	(15)	(30)	(50)	9	12,555
February	66	(5)	(15)	(30)	(50)	16	20,160
March	73	(5)	(15)	(30)	(50)	23	32,085
April	80	(5)	(15)	(30)	(50)	30	40,500
May	87	(5)	(15)	(30)	(50)	37	51,675
June	94	(5)	(15)	(30)	(50)	44	59,400
Total							$1,427,585

\1 $45 per day for first 55 beds; $50 per day for additional beds

APPENDIX B

#11 MONEY GRANTED TO DOMESTIC VIOLENCE PROGRAMS

FEDERAL VOCA GRANT AWARDS

7/1/00 – 6/30/01

TOTAL AWARDED: $1,269,663

DOMESTIC VIOLENCE / SEXUAL ASSAULT

BELCOURT	TURTLE MT. BAND OF CHIPPEWA INDIANS	$ 11,000	(55%)
BEULAH	MERCER CO. WOMEN'S ACTION & RESCOURCE CTR.	25,460	
BISMARCK	ABUSED ADULT RESOURCE CTR.	142,519	
BOTTINEAU	FAMILY CRISIS CTR	20,243	
DEVILS LAKE	SAFE ALTERNATIVES FOR ABUSED FAMILIES	51,533	
DICKINSON	DOMESTIC VIOLENCE & RAPE CRISIS CTR.	56,042	
ELLENDALE	KEDISH HOUSE	36,022	
FARGO	RAPE & ABUSE CRISIS CTR.	99,312	
FT. TOTTEN	SPIRIT LAKE VICTIM ASSISTANCE PGM	26,303	(60%)
GRAFTON	TRI-CO. CRISIS DOMESTIC VIOLENCE PGM	24,544	
GRAND FORKS	ABUSE & RAPE CRISIS CTR.	66,000	
JAMESTOWN	S.A.F.E. SHELTER	40,025	
LISBON	ABUSE RESOURCE NETWORK	19,100	
MINOT	DOMESTIC VIOLENCE CRISIS CTR	70,986	
NEW TOWN	FT. BERTHOLD COALITION AGAINST D/V	25,509	
STANLEY	DOMESTIC VIOLENCE PGM.	5,081	(50%)
VALLEY CITY	ABUSED PERSONS OUTREACH CTR	32,742	
WAHPETON	THREE RIVERS CRISIS CTR.	35,646	
WASHBURN	MCLEAN FAMILY RESOURCE CTR	25,289	
WILLISTON	FAMILY CRISIS SHELTER	30,905	
	TOTAL:	$844,261	(66%)

VICTIM ADVOCATES

BELCOURT	TURTLE MT. BAND OF CHIPPEWA INDIANS	9,000	(45%)
BISMARCK	BIS./BURLEIGH CO V/A PGM	29,838	
BOTTINEAU	FAMILY CRISIS CTR.	14,100	
CAVALIER	TRI-CO. CRISIS V/A PGM	11,350	
DICKINSON	SW VICTIM/WITNESS PGM	25,550	
DOCR ADULT	DEPT. OF CORRECTIONS	22,784	
DOCR JUVENILE	DEPT. OF CORRECTIONS	41,259	
FARGO	CASS CO. V/W ASSISTANCE PGM	20,098	
FT. TOTTEN	SPIRIT LAKE V/A PGM	17,535	(40%)
GRAFTON	WALSH CO. V/A PGM	19,400	
GRAND FORKS	V/W PGM – COMMUNITY VIOLENCE INT.	55,000	
HETTINGER	FOUR CO. V/W ASSISTANCE PGM	12,196	
JAMESTOWN	SUTSMAN CO. V/W PGM	16,000	
STANLEY	VICTIM ADVOCATE -DOMESTIC VIOLENCE PGM	5,081	
WILLISTON	WILLIAMS CO. V/W ASSISTANCE PGM	16,000	
		TOTAL: $315,191	**(25%)**

"OTHER PROGRAMS"

BISMARCK	MENTAL HEALTH ASSOC.	19,000	
BISMARCK	MEDCENTER – CHILD ASSESSMENT CTR.	54,792	
GRAND FORKS	UND – LEGAL AID	33,202	
GRAND FORKS	FAMILY & FRIENDS OF MURDER VICTIMS	3,217	
		TOTAL: $110,211	**(9%)**

SB 2016

3-14-01

#2

Prepared by the North Dakota Legislative Council staff for House Appropriations - Human Resources Division
March 2001

INFORMATION TECHNOLOGY DEPARTMENT - ESTIMATED SPECIAL FUND REVENUE FOR 2001-03

The Information Technology Department is responsible for wide area network planning and implementation, computer support services, software development, statewide communication services, and technology training. The department is primarily funded through the billing of state agencies, departments, and institutions for services provided. The department reviews the actual cost for providing each service and determines an appropriate billing rate to recover costs and to provide for ongoing operations. To provide funding for administrative expenses such as administrative personnel salaries, office space rent, audit fees, and insurance, the department charges each agency, on their monthly billing, an administrative fee of 4.9 percent of total bill charges except miscellaneous charges.

For the 2001-03 biennium, the Information Technology Department anticipates receiving special fund revenue from state agencies, departments, and institutions of approximately $71.3 million. The following provides special fund revenue information by service category:

Service Category	Estimated Revenue
Telephone	$11,051,043
Data processing	18,936,308
Application development	24,929,741
Network services	13,395,391
Overhead	3,015,270
Total[1]	$71,327,753

[1] The amount shown differs from the special fund appropriation provided to the Information Technology Department in Engrossed Senate Bill No. 2022 of $71,185,087 by $142,666. As the result of an error in the calculation of the recommended state employee salary increases, the department's general fund appropriation should be reduced by $142,666 to $25,575,766 and the special fund appropriation should be increased by $142,666 to $71,327,753.

Randy Miller

3-8-01

#5

IT-DATA PROCESSING FEES Breakdown

Item	1999-2001	2001-2003	Difference	Explanation
Records Management	$0.00	$1,920.00	$1,920.00	ITD charges for records retention schedule support
Ports	12,000.00	19,200.00	$7,200.00	One port (T-1 line); ITD cost from $500 to $800/month
Device Connections	32,640.00	55,080.00	$22,440.00	85 connections; ITD cost from $16/connec./month to $27/con/mo
CPU	480.00	403.00	-$77.00	Decrease charge by ITD from $.95 to $.90/second for mainframe access
Lan Backup Storage	360.00	2,160.00	$1,800.00	Increase in backup costs
Norton Anti-Virus	960.00	1,920.00	$960.00	24 months vs. 12 months starting new biennium
Miscellaneous Fees	200.00	1,225.00	$1,025.00	Hookup charges for computers to access the Internet
Desktop Support Analyst	3,240.00	3,528.00	$288.00	Network technical support, i.e., e-mail/internet through ITD
				ITD cost from $45/hour to $49/hour
Dial-Up User ID (Trent/Fax Machine	0.00	240.00	$240.00	School counselor - faxing; fax machine
Modem Connection (Chaplain)	0.00	192.00	$192.00	Chaplain since there is no T-1 line
Admin Fees (4.9%)	2,276.00	3,975.00	$1,699.00	Difference of totals
	$52,156.00	$89,843.00	$37,687.00	

3-9-01

#2

DEPARTMENT OF CORRECTIONS AND REHABILITATION

3303 East Main, PO Box 1898 ● Bismarck, ND 58502-1898
(701) 328-6390 ● FAX (701) 328-6651 ● TDD 1-800-366-6888
Website: www.discovernd.com/docr

COMPUTER DEPLOYMENT SCHEDULE SUMMARY
2001 –2003 Biennium

3/8/2001

Explanation of Terms:

New – Indicates new computer deployment

Used – Indicates used computer deployment

Offline – Computer hardware is placed "Offline" when it can no longer adequately perform agency operational tasking. Offline computers are used to support non-critical agency operations such as education, parts cannibalization, temporary hot spares and in any other capacity that best utilizes the remaining value of this resource. Offline computers are not connected to the network unless they are used as a temporary hot spare.

Surplus – Computer hardware is sent to surplus when any one of the following criteria is met:

- The machine has been fully cannibalized and can no longer be used to provide spare parts.
- The cost of repair/parts replacement exceeds the value of the equipment.
- The machine is so outdated and obsolete that it provides no useable functionality by any division within the agency.

The Information Systems Administrator designates what machines are sent to surplus. Computer components such as screens, keyboards, mouse are not sent to surplus if still in working order.

Agency Replacement/Deployment Summary Totals:

Total New Computers: 83
Total Redeployed/Used Computers: 39
Total Offline: 44
Total Surplus/Depot: 7

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS.)	LOCATION	NEW	USED	OFFLINE	SURPLUS
DJS COMMUNITY	6720HVU6T115	4.1	BISMARCK	1			
DJS COMMUNITY	6720HVU6R536	4.1	BISMARCK	1			
DJS COMMUNITY	6720HVU6T853	4.1	BISMARCK	1			
DJS COMMUNITY	6720HVU65791	4.1	BISMARCK	1			
DJS COMMUNITY	6720HVU6S293	4.1	BISMARCK	1			
DJS COMMUNITY	A722HVU5D529	4.1	GRAND FORKS	1			
DJS COMMUNITY	6722HVU6R545	4.1	GRAND FORKS	1			
DJS COMMUNITY	6733BK64P224	4.1	GRAND FORKS	1			
DJS COMMUNITY	A722HVU5D356	4.1	GRAND FORKS	1			
DJS COMMUNITY	A722HVU5D385	4.1	FARGO	1			
DJS COMMUNITY	A722HVU5D205	4.1	FARGO	1			
DJS COMMUNITY	6745BNL7P708	4.1	FARGO	1			
DJS COMMUNITY	A722HVU5D516	4.1	FARGO	1			
DJS COMMUNITY	A722HVU5E268	4.1	FARGO	1			
DJS COMMUNITY	A722HVU5D533	4.1	WILLISTON	1			
DJS COMMUNITY	A722HVU5D367	4.1	WILLISTON	1			
DJS COMMUNITY	A722HVU5D515	4.1	WILLISTON	1			
DJS COMMUNITY	A722HVU5E393	4.1	DEVILS LAKE	1			
DJS COMMUNITY	A722HVU5D530	4.1	DEVILS LAKE	1			
DJS COMMUNITY	A722HVU5D535	4.1	DEVILS LAKE	1			
DJS COMMUNITY	A722HVU5D518	4.1	DICKINSON	1			
DJS COMMUNITY	A722HVU5D520	4.1	DICKINSON	1			
DJS COMMUNITY	A722HVU5D873	4.1	DICKINSON	1			
DJS COMMUNITY	A722HVU5D504	4.1	MINOT	1			
DJS COMMUNITY	A722HVU5D216	4.1	MINOT	1			
DJS COMMUNITY	A722HVU5D517	4.1	MINOT	1			
DJS COMMUNITY	A722HVU5D224	4.1	JAMESTOWN	1			
DJS COMMUNITY	A722HVU5D167	4.1	JAMESTOWN	1			
DJS COMMUNITY	A722HVU5D508	4.1	JAMESTOWN	1			
DJS COMMUNITY	A722HVU5D328	4.1	JAMESTOWN	1			
DJS COMMUNITY	A722HVU5E483	4.1	ROLLA	1			
DJS COMMUNITY	A722HVU5E485	4.1	ROLLA	1			
DJS COMMUNITY	0008885814	3.2	BISMARCK				
DJS COMMUNITY	6A6ZP	1.4	BISMARCK				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS)	LOCATION	NEW	USED	OFFLINE	SURPLUS
DJS COMMUNITY	6A6ZY	1.4	FARGO				
DJS COMMUNITY	6A6ZF	1.4	DICKINSON				
DJS COMMUNITY	G83ZA	1.1	BISMARCK				
DJS COMMUNITY	G840E	1.1	BISMARCK				
DJS COMMUNITY	G83ZG	1.1	BISMARCK				
DJS COMMUNITY	G842I	1.1	BISMARCK				
			TOTAL NEW:	**32**			
			TOTAL USED:	**0**			
			TOTAL OFFLINE:	**0**			
			TOTAL SURPLUSED:	**0**			
DOC CENTRAL OFFICE	6710HVU6R123	4.1	BISMARCK	1			
DOC CENTRAL OFFICE	001-99234512	3.9	BISMARCK	1			
DOC CENTRAL OFFICE	GWMKZ	2.4	BISMARCK				
DOC CENTRAL OFFICE	0012984838	2.0	BISMARCK	1			
DOC CENTRAL OFFICE	WOV37	1.9	BISMARCK	1			
DOC CENTRAL OFFICE	0CIW5	1.8	BISMARCK	1			
DOC CENTRAL OFFICE	001-531-4301	1.5	BISMARCK	1			
DOC CENTRAL OFFICE	0015475440	1.3	BISMARCK	1			
DOC CENTRAL OFFICE	001-678-1338	1.2	BISMARCK				
DOC CENTRAL OFFICE	001-663-9391	1.2	BISMARCK				
DOC CENTRAL OFFICE	001-663-9390	1.2	BISMARCK				
DOC CENTRAL OFFICE	001-678-1337	1.2	BISMARCK				
DOC CENTRAL OFFICE	001-663-9410	1.2	BISMARCK				
DOC CENTRAL OFFICE	001-663-9392	1.2	BISMARCK				
			TOTAL NEW:	**7**			
			TOTAL USED:	**0**			
			TOTAL OFFLINE:	**0**			
			TOTAL SURPLUSED:	**0**			

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIPAGE NBS	LOCATION	NEW	USED	OPTIPLEX	DSPNTP
FIELD SERVICES	4098058	5.2	BISMARCK	1		1	
FIELD SERVICES	4098078	5.2	BISMARCK	1		1	
FIELD SERVICES	4098068	5.2	BISMARCK	1		1	
FIELD SERVICES	78-X3383	5.2	BISMARCK	1		1	
FIELD SERVICES	4098075	5.2	FARGO	1		1	
FIELD SERVICES	4098073	5.2	FARGO	1		1	
FIELD SERVICES	4098067	5.2	WILLISTON	1		1	
FIELD SERVICES	4098079	5.2	WILLISTON	1		1	
FIELD SERVICES	4098081	5.2	WILLISTON	1		1	
FIELD SERVICES	4098057	5.2	DEVILS LAKE	1		1	
FIELD SERVICES	4098086	5.2	DEVILS LAKE	1		1	
FIELD SERVICES	4098069	5.2	DICKINSON	1		1	
FIELD SERVICES	4098083	5.2	MINOT	1		1	
FIELD SERVICES	4098087	5.2	MINOT	1		1	
FIELD SERVICES	4098076	5.2	MINOT	1		1	
FIELD SERVICES	4098064	5.2	JAMESTOWN	1		1	
FIELD SERVICES	4098077	5.2	JAMESTOWN	1		1	
FIELD SERVICES	4098072	5.2	JAMESTOWN	1		1	
FIELD SERVICES	4098070	5.2	JAMESTOWN	1		1	
FIELD SERVICES	4098063	5.2	WAHPETON	1		1	
FIELD SERVICES	4098084	5.2	ROLLA	1		1	
FIELD SERVICES	4098060	5.2	GRAFTON	1		1	
FIELD SERVICES	4098061	5.2	GRAFTON				
FIELD SERVICES	0009549953	5.2	MANDAN				
FIELD SERVICES	4098071	5.2	MANDAN				
FIELD SERVICES	4098080	5.2	WEST FARGO				
FIELD SERVICES	4098085	5.2	WEST FARGO				
FIELD SERVICES	4098074	5.2	WEST FARGO				
FIELD SERVICES	6096274	5.2	WAHPETON				
FIELD SERVICES	6097638	4.3	BISMARCK				
FIELD SERVICES	0006446546	4.3	BISMARCK				
FIELD SERVICES	0006097637	4.3	JAMESTOWN				
FIELD SERVICES	000-609-6685	4.3	OAKES				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS)	LOCATION	NEW	USED	OFFLINE	SURPLUS
FIELD SERVICES	4098066	4.3	BISMARCK				
FIELD SERVICES	0006097635	4.3	BISMARCK				
FIELD SERVICES	0006097634	4.3	BISMARCK				
FIELD SERVICES	0006097636	4.3	DEVILS LAKE				
FIELD SERVICES	0006096273	4.3	DICKINSON				
FIELD SERVICES	000-609-6684	4.3	DICKINSON				
FIELD SERVICES	UNKNOWN9	4.2	BISMARCK				
FIELD SERVICES	4098059	4.1	BISMARCK				
FIELD SERVICES	10290230002	4.1	FARGO				
FIELD SERVICES	000-644-6545	4.1	FARGO				
FIELD SERVICES	5480418	4.1	FARGO				
FIELD SERVICES	00-644-6547	4.1	MINOT				
FIELD SERVICES	1029021-0001	4.1	JAMESTOWN				
FIELD SERVICES	1029021-0003	4.1	JAMESTOWN				
FIELD SERVICES	1029021-0002	4.1	MANDAN				
FIELD SERVICES	1029022-0003	4.1	MANDAN				
FIELD SERVICES	1029025-0001	3.4	BISMARCK				
FIELD SERVICES	1029024-0001	3.4	FARGO				
FIELD SERVICES	000-888-5826	3.2	BISMARCK				
FIELD SERVICES	0008885845	3.2	BISMARCK				
FIELD SERVICES	000-888-5822	3.2	BISMARCK				
FIELD SERVICES	000-888-5840	3.2	BISMARCK				
FIELD SERVICES	000-888-5824	3.2	BISMARCK				
FIELD SERVICES	000-888-5838	3.2	BISMARCK				
FIELD SERVICES	000-888-5847	3.2	BISMARCK				
FIELD SERVICES	000-888-5842	3.2	BISMARCK				
FIELD SERVICES	000-888-5841	3.2	BISMARCK				
FIELD SERVICES	0008885836	3.2	GRAND FORKS				
FIELD SERVICES	000-888-5846	3.2	MANDAN				
FIELD SERVICES	000-954-9398	2.8	BISMARCK				
FIELD SERVICES	001-015-7778	2.7	BISMARCK				
FIELD SERVICES	0011160711	2.4	BISMARCK				
FIELD SERVICES	0011690472	2.3	FARGO				
FIELD SERVICES	001-169-0470	2.3	BISMARCK				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS.)	LOCATION	NEW	USED	OFFLINE	SURPLUS
FIELD SERVICES	UNKNOWN8	2.2	BISMARCK				
FIELD SERVICES	0015532037	2.2	MINOT				
FIELD SERVICES	78-DTVL3	2.1	JAMESTOWN				
FIELD SERVICES	0014092991	1.7	GRAND FORKS				
FIELD SERVICES	0015532036	1.5	BISMARCK				
FIELD SERVICES	001-541-9182	1.5	BISMARCK				
FIELD SERVICES	001-541-9181	1.5	BISMARCK				
FIELD SERVICES	001-541-9176	1.5	BISMARCK				
FIELD SERVICES	001-547-5444	1.5	GRAND FORKS				
FIELD SERVICES	001-541-9180	1.5	FARGO				
FIELD SERVICES	001-541-9183	1.5	BISMARCK				
FIELD SERVICES	001-607-3904	1.3	BISMARCK				
FIELD SERVICES	GPT47	1.1	BISMARCK				
FIELD SERVICES	G4QDI	1.1	BISMARCK				
FIELD SERVICES	G845I	1.1	BISMARCK				
FIELD SERVICES	G844L	1.1	BISMARCK				
FIELD SERVICES	G83ZI	1.1	GRAND FORKS				
FIELD SERVICES	G841A	1.1	GRAND FORKS				
FIELD SERVICES	G843U	1.1	GRAND FORKS				
FIELD SERVICES	G842G	1.1	GRAND FORKS				
FIELD SERVICES	G842E	1.1	GRAND FORKS				
FIELD SERVICES	G844A	1.1	FARGO				
FIELD SERVICES	G841E	1.1	FARGO				
FIELD SERVICES	G840U	1.1	FARGO				
FIELD SERVICES	G845A	1.1	FARGO				
FIELD SERVICES	G844E	1.1	FARGO				
FIELD SERVICES	G843E	1.1	FARGO				
FIELD SERVICES	G83ZK	1.0	BISMARCK				
			TOTAL NEW:	**22**			
			TOTAL USED:	**0**			
			TOTAL OFFLINE:	**22**			
			TOTAL SURPLUSED:	**0**			

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIPAGE SYS	LOCATION	NEW	USED	OFFLINE	SURPLUS
JAMES RIVER CORRECTIONS	6734231	4.2	JAMESTOWN	1		1	
JAMES RIVER CORRECTIONS	UNKNOWN5	3.2	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631702	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631705	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631699	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631707	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631706	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631704	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	4631703	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631708	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631701	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	9631700	2.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	0013181134	2.0	JAMESTOWN				
JAMES RIVER CORRECTIONS	0013181133	2.0	JAMESTOWN				
JAMES RIVER CORRECTIONS	0211189P4001	1.9	JAMESTOWN				
JAMES RIVER CORRECTIONS	001-547-5443	1.4	JAMESTOWN				
JAMES RIVER CORRECTIONS	001-547-5441	1.4	JAMESTOWN				
JAMES RIVER CORRECTIONS	001-547-5442	1.4	JAMESTOWN				
JAMES RIVER CORRECTIONS	0016781336	1.2	JAMESTOWN				
JAMES RIVER CORRECTIONS	0014713783	1.2	JAMESTOWN				
JAMES RIVER CORRECTIONS	GU3K2	1.0	JAMESTOWN				
JAMES RIVER CORRECTIONS	Y5R5G	1.0	JAMESTOWN				
			TOTAL NEW:	1			
			TOTAL USED:				
			TOTAL OFFLINE:	1			
			TOTAL SURPLUSED:				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBERS	EQUIP AGE (YRS)	LOCATION	NEW	USED	OFFLINE	SURPLUS
MISSOURI RIVER CORRECTIONS	02111898P40000	2.3	BISMARCK				
MISSOURI RIVER CORRECTIONS	0013181028	2.0	BISMARCK				
MISSOURI RIVER CORRECTIONS	0013181032	2.0	BISMARCK				
MISSOURI RIVER CORRECTIONS	0013181030	2.0	BISMARCK				
MISSOURI RIVER CORRECTIONS	0013181029	2.0	BISMARCK				
			TOTAL NEW:	**0**			
			TOTAL USED:	**0**			
			TOTAL OFFLINE:	**0**			
			TOTAL SURPLUSED:	**0**			
STATE PENITENTIARY	0010D1A	7.2	BISMARCK	1			1
STATE PENITENTIARY	23VKZ9R	7.0	BISMARCK	1			1
STATE PENITENTIARY	4098082	5.2	BISMARCK	1			1
STATE PENITENTIARY	4098075	5.2	BISMARCK		1	1	
STATE PENITENTIARY	4561205	5.0	BISMARCK		1	1	
STATE PENITENTIARY	5649131	4.3	BISMARCK		1	1	
STATE PENITENTIARY	5649130	4.3	BISMARCK		1	1	
STATE PENITENTIARY	5649200	4.3	BISMARCK		1	1	
STATE PENITENTIARY	5649201	4.3	BISMARCK		1	1	
STATE PENITENTIARY	000-564-9199	4.3	BISMARCK		1	1	
STATE PENITENTIARY	5490351	4.2	BISMARCK				
STATE PENITENTIARY	000-888-5817	4.2	BISMARCK				
STATE PENITENTIARY	9158550002	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0007	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0005	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0002	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0009	4.1	BISMARCK				
STATE PENITENTIARY	915855-0001	4.1	BISMARCK				
STATE PENITENTIARY	6710HVU6Q952	4.1	BISMARCK				
STATE PENITENTIARY	6710HVU6R737	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0004	4.1	BISMARCK				
STATE PENITENTIARY	1029022-0008	4.1	BISMARCK				
STATE PENITENTIARY	6710HVU6R751	4.1	BISMARCK				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE	LOCATION				
STATE PENITENTIARY	851535-0001	4.1	BISMARCK				
STATE PENITENTIARY	6710HVU6R744	4.1	BISMARCK				
STATE PENITENTIARY	10290220001	4.1	BISMARCK				
STATE PENITENTIARY	0008396850	3.8	BISMARCK				
STATE PENITENTIARY	10290230001	3.4	BISMARCK				
STATE PENITENTIARY	0008396849	3.3	BISMARCK				
STATE PENITENTIARY	0010400108	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5819	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5828	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5834	3.2	BISMARCK				
STATE PENITENTIARY	0008885837	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5835	3.2	BISMARCK				
STATE PENITENTIARY	0008885827	3.2	BISMARCK				
STATE PENITENTIARY	0013181150	3.2	BISMARCK				
STATE PENITENTIARY	0008885839	3.2	BISMARCK				
STATE PENITENTIARY	0008885820	3.2	BISMARCK				
STATE PENITENTIARY	8885814	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5815	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5821	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5816	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5818	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5825	3.2	BISMARCK				
STATE PENITENTIARY	8885830	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5844	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5831	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5832	3.2	BISMARCK				
STATE PENITENTIARY	000-888-5833	3.2	BISMARCK				
STATE PENITENTIARY	5649132	3.2	BISMARCK				
STATE PENITENTIARY	887878-0001	2.9	BISMARCK				
STATE PENITENTIARY	UNKNOWN6	2.5	BISMARCK				
STATE PENITENTIARY	0013181161	2.4	BISMARCK				
STATE PENITENTIARY	915865-001	2.4	BISMARCK				
STATE PENITENTIARY	02111798P40004	2.3	BISMARCK				
STATE PENITENTIARY	UNKNOWN11	2.2	BISMARCK				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS)	LOCATION	NEW	USED	OFFLINE	SURPLUS
STATE PENITENTIARY	0013181162	2.0	BISMARCK				
STATE PENITENTIARY	0013181163	2.0	BISMARCK				
STATE PENITENTIARY	001-541-9178	1.5	BISMARCK				
STATE PENITENTIARY	001-541-9179	1.5	BISMARCK				
STATE PENITENTIARY	001-541-9177	1.5	BISMARCK				
STATE PENITENTIARY	001-544-5706	1.5	BISMARCK				
STATE PENITENTIARY	001-547-5424	1.4	BISMARCK				
STATE PENITENTIARY	001-547-5423	1.4	BISMARCK				
STATE PENITENTIARY	001-547-5434	1.4	BISMARCK				
STATE PENITENTIARY	001-541-9184	1.4	BISMARCK				
STATE PENITENTIARY	001-541-9793	1.2	BISMARCK				
STATE PENITENTIARY	M2K10007487	1.1	BISMARCK				
			TOTAL NEW:	**3**			
			TOTAL USED:	**7**			
			TOTAL OFFLINE:	**7**			
			TOTAL SURPLUSED:	**3**			
YOUTH CORRECTIONAL CENTER	891731	9.2	MANDAN	1			1
YOUTH CORRECTIONAL CENTER	272K92	8.2	MANDAN	1			1
YOUTH CORRECTIONAL CENTER	MODEL 8036-25	8.2	MANDAN	1			1
YOUTH CORRECTIONAL CENTER	609BC05AD610	5.9	MANDAN	1			1
YOUTH CORRECTIONAL CENTER	21HQJ2E120	5.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	NONE	5.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	17HQJ20297	5.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	17HQJ21296	5.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	17HQJ20215	5.3	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	542AF16AB216	5.1	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	518AF05AC758	5.1	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	686LIPPS111196-3	4.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	496005	4.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	3172283	4.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	686LIPPS11119601	4.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	686LIPPS111196-2	4.4	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	686BGRT11129601	4.4	MANDAN	1		1	

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIP AGE (YRS)	LOCATION	NEW	USED	OFFLINE	SURPLUS
YOUTH CORRECTIONAL CENTER	696ARMY115971	4.2	MANDAN	1		1	
YOUTH CORRECTIONAL CENTER	142949	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-1	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	686ARMY115972	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	686ARMY115974	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	686LIPPS111196-01	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	686ARMY15973	4.2	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-11-2	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-5	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-8	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	68621797-4	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-10-1	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-7	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-12	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-13	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-9	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	6862197-2	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	68621797-6	4.1	MANDAN				
YOUTH CORRECTIONAL CENTER	1762412	3.9	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-62797-1	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-BGER-62697-4	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	02011899C300A02	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-BGER-62697-3	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-62797-2	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-BGER-62697-5	3.8	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-2	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-4	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81497-1	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-6	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-1	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81497-2	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-5	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	CYX-JAS-81397-3	3.6	MANDAN				
YOUTH CORRECTIONAL CENTER	143077	3.5	MANDAN				

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
YOUTH CORRECTIONAL CENTER	5NTZP	3.5 MANDAN					
YOUTH CORRECTIONAL CENTER	1029018-0001	3.4 MANDAN					
YOUTH CORRECTIONAL CENTER	BYFCD	3.3 MANDAN					
YOUTH CORRECTIONAL CENTER	PZ-NBW012098-2	3.2 MANDAN					
YOUTH CORRECTIONAL CENTER	PZ-JAS-012298-3	3.2 MANDAN					
YOUTH CORRECTIONAL CENTER	00-888-5843	3.2 BISMARCK					
YOUTH CORRECTIONAL CENTER	PNT-DRH-021498-1	3.1 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-01598-2	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-01598-3	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	23NFVC8	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-01598-1	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-01598-4	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	P2-JAS-030998-1	2.9 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-071098-2	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-07178-2	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-071798-1	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-DRH-071898-2	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNTDRH0718981	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-072098-1	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-071798-3	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-071798-5	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-NBW-071898-1	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PNT-JAS-072798-5	2.7 MANDAN					
YOUTH CORRECTIONAL CENTER	PS-JAS-0916983	2.5 MANDAN					
YOUTH CORRECTIONAL CENTER	P2-FAO-101098-1	2.4 MANDAN					
YOUTH CORRECTIONAL CENTER	15Y9V	1.7 MANDAN					
YOUTH CORRECTIONAL CENTER	001-471-3782	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	001-471-3790	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	0014713787	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	001-471-3786	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	001-471-3784	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	14713789	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	001-471-3788	1.6 MANDAN					
YOUTH CORRECTIONAL CENTER	14713791	1.6 MANDAN					

DEPARTMENT OF CORRECTIONS AND REHABILITATION COMPUTER DEPLOYMENT SCHEDULE

DIVISION	SERIAL NUMBER	EQUIPAGE	[illegible]				
YOUTH CORRECTIONAL CENTER	001-471-3785	1.6	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5478	1.5	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5485	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5481	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5484	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5479	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5482	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5477	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5483	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4365	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5480	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	16139719	1.4	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4368	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4366	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4367	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4371	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4369	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-547-5438	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4372	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4370	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-607-4364	1.3	MANDAN				
YOUTH CORRECTIONAL CENTER	001-678-1335	1.2	MANDAN				
YOUTH CORRECTIONAL CENTER	MISC TRAINING		MANDAN		32		
			TOTAL NEW:	18			
			TOTAL USED:	32			
			TOTAL OFFLINE:	14			
			TOTAL SURPLUSED:	4			

SB 2016

For Conference Committee on SB 2016
Senator Nething, Chairman
April 20, 2001

Priority List for Reinstatement of Cuts

Priority	Dollar Amount	Division	Program/Line Item		Description	Base Budget or OA
1	$ 12,500	DJS - YCC	Operating Expenses		Mostly medical - resident care	OA
2	8,500	Field Services	Victim Services		Salaries & operating - need to operate	Base
3	60,300	Prisons Division	Support Services		Various operating - IT rate increases	Mostly Base
4	20,000	Prisons Division	Program Services		Chaplaincy contracts	Base
5	20,000	Prisons Division	Safety and Security		Various operating	Base
6	11,000	Central Office	Operating		IT software and Costs	Mostly Base
7	79,486	Central Office	Salaries		New IT position	OA
8	8,385	Central Office	Operating		Operating for new IT position	OA
9	36,320	DJS - YCC	Capital Improvement		Extraordinary Repairs - heating plant	Base
10	91,375	DJS - YCC	Salaries		Teacher salary equity	OA
11	13,000	DJS - YCC	Operating Expenses		General operating in auxiliary services	Base
12	29,000	DJS - YCC	Operating Expenses		General equipment	Base
13						
14						
15	90,000	Field Services	COSP		Operating & alternatives funding	Base
16						
17	50,000	Field Services	IOP		Various operating costs	Base
18	8,000	Central Office	Equipment		New server [1]	Base
19	(196,105)	Prisons Division	Support Services	[2]	Reverses House Amendment	House Amend
20	1,000	Central Office	Salaries		Temp Salaries	OA
21	550,724	Prisons Division	Support Services		SMI Unit - Startup costs & 11 mos. op'g	OA
	170,260	Prisons Division	Program Services		SMI Unit - 11 months of operation	OA
	579,787	Prisons Division	Safety and Security		SMI Unit - 11 months of operation	OA
22						
23	3,720,000	Prisons Division	Support Services		Women's Unit Construction ($1,400,000 Fed. Funds)	OA
	414,633	Prisons Division	Program Services		Women's Unit Staff and operating	OA
	102,505	Prisons Division	Program Services		Women's Unit Staff and operating	OA
	542,130	Prisons Division	Safety and Security		Women's Unit Staff and operating	OA
24						
25	100,000	Prisons Division	Support Services		Extraordinary Repairs	OA
26						

SB 2016

For Conference Committee on SB 2016
Senator Nething, Chairman
April 20, 2001

(122,800)	Prisons Division	Support Services	Hepatitis B vaccine	House Amend

SubTotal	$ 6,400,000		
Less:	1,400,000	Federal Funds (Women's Unit)	
TOTAL	$ 5,000,000	General Funds	[3]

[1] Based on today's estimated price of $11,000 per server, this amount will allow the department to purchase two servers by adding $8,000 to the $14,000 remaining in engrossed SB2016.

[2] This restores the amount included for contracting for inmate housing to the Executive Budget recommendation. It also assumes the construction of the Women's Unit. It's critical that the additional bed days saved, added by the House, for the Drug Court Program (5) and the 15 bed days saved for HB1364 be removed.

[3] We also continue our request that Sections 5, 6, 7, 10, 13, and 14 be deleted. These sections micromanage the department and remove flexibility for funding of programs.

SB 2046 Conference Committee 4-20-01

pg 1 of 2

Priority List for Reinstatement of Cuts

Priority	Dollar Amount	Division	Program/Line Item		Description	Base Budget or OA
1	(12,500)	DJS - YCC	Operating Expenses		Mostly medical - resident care	OA
2	(8,500)	Field Services	Victim Services		Salaries & operating - need to operate	Base
3	(60,300)	Prisons Division	Support Services		Various operating - IT rate increases	Mostly Base
4	(20,000)	Prisons Division	Program Services		Chaplaincy contracts	Base
5	(25,000)	Prisons Division	Safety and Security		Various operating	Base
6	(11,000)	Central Office	Operating		IT software and Costs	Mostly Base
7	(79,486)	Central Office	Salaries		New IT position	OA
8	(8,385)	Central Office	Operating		Operating for new IT position	OA
9	(36,320)	DJS - YCC	Capital Improvement		Extraordinary Repairs - heating plant	Base
10	(91,375)	DJS - YCC	Salaries		Teacher salary equity	OA
11	(13,000)	DJS - YCC	Operating Expenses		General operating in auxiliary services	Base
12	(34,000)	DJS - YCC	Operating Expenses		General equipment	Base
13	(7,500)	DJS - YCC	Operating Expenses		General operating in administration	Base
14	(10,000)	DJS - YCC	Operating Expenses		Books - curriculum updates	Base
15	(100,000)	Field Services	COSP		Operating & alternatives funding	Base
16	(2,550)	Field Services	IOP		Parole Board Member Compensation	Added by House
17	(60,000)	Field Services	IOP		Various operating costs	Base
18	(14,000)	Central Office	Equipment		New server	Base
19	[1] 196105	Prisons Division	Support Services	[1]	Added 75 beds for contracting to replace women's unit - adds contracting funds for 75 beds for 8 months. Added 5 bed days saved for drug court (reduced contract funds by $162,500) Added 15 bed days saved for HB1364 (reduced contract funds by $547,500)	House Amendment
20	(1,000)	Central Office	Salaries		Temp Salaries	OA
21	(937,703)	Prisons Division	Support Services		SMI Unit	OA
	(340,520)	Prisons Division	Program Services		SMI Unit	OA
	(1,159,574)	Prisons Division	Safety and Security		SMI Unit	OA
22	1,983,000	Prisons Division	Support Services		MRCC Food Services	OA
23	3,720,000	Prisons Division	Support Services		Women's Unit Construction	OA
	414,432	Prisons Division	Program Services		Women's Unit Staff and operating	OA
	102,505	Prisons Division	Program Services		Women's Unit Staff and operating	OA
	542,130	Prisons Division	Safety and Security		Women's Unit Staff and operating	OA
24	403,118	Prisons Division	Support Services		Penitentiary Parking Lot	OA
25	200,000	Prisons Division	Support Services		Extraordinary Repairs	OA
26	100,000	Prisons Division	Support Services		Equipment	OA
27	125,000	Central Office	Salaries		Equity adjustments for all divisions	OA

28	40,000	DJS - YCC	Salaries		...uces summer school salary	Base
29	8,000	Prisons Division	Support Services		Temp Salaries	Base
30	4,000	DJS Community Svcs	Salaries		Temporary salaries - administration	Base
31	29,000	DJS - YCC	Salaries		Temporary salaries - resident care	Base
32	78,755	Field Services	COSP		New FTE parole officer	OA
33	32,372	Field Services	COSP		New FTE operating expenses, equipment	OA
34	307,000	Field Services	COSP		Various operating & alternatives	Base
35	(14,000)	Field Services	COSP		Temporary salaries	Base
36	(12,600)	DJS Community Svcs	Equipment		Desktops (9) - All federal funds	Base
37	(5,600)	Prisons Division	Support Services		Desktops (4)	Base
38	(8,400)	Field Services	COSP		Desktops (6)	OA
39	(7,000)	DJS - YCC	Equipment		Desktops (5)	Base
40	(2,800)	Central Office	Equipment		Desktops (2)	OA
41	(8,000)	DJS Community Svcs	Salaries		Temporary salaries	Base
42	(55,000)	DJS Community Svcs	Operating		ITD shared ports & CPU time	Base
43	(1,400)	Prisons Division	RRI		Desktop (1)	Base
44	122,800	Prisons Division	Support Services		Hepatitis B vaccine	House Amendment
45	(539,284)	Field Services	IOP	[2]	DUI Program - State Hospital overhead	House Amendment
46	60,000	Field Services	Increase in Estimated Income		Supervision fee collections	House Amendment
47	(41,475)	DJS Community Svcs	Operating	[3]	HB2220 reimbursement to counties	House Amendment

[1 This reflects a net addition to contracting for inmate housing. It's critical that the additional bed days saved, added by the House, for the Drug Court Program (5) and at least 10 of the bed days saved for HB1364 be removed, which would require an addition of $547,500 to contracting for housing, or a total of $743,605 needs to be added (if the Women's Unit is not restored).

[2 This reduction does not affect the DOCR, but might significantly affect the State Hospital.

[3 We strongly suggest that Sections 5, 6, 7, 10, 13, and 14 be deleted. These sections micromanage the department and remove flexibility for funding of programs.

#3 EXPLAIN D[illegible]OURT BUDGET

Drug Court Budget Detail 2001-2003 Biennium

Personnel

Item	*Monthly Expenditure*	*Yearly Expenditure*	*Biennium*
Drug Court Coordinator:			
Salary	$3,203	$38,436	
Fringe	$914	$10,968	
Total		$49,404	$98,808

Operating

Support:

Equipment			
1 Desktop Computer		$2,000	
1 Desk		$400	
1 Computer Desk		$200	
1 Filing Cabinet		$120	
1 Office Chair		$350	
1 Alco-Sensor		$500	
1 Car Radio		$750	
1 Handheld Radio		$600	
1 Handgun		$750	
Bulletproof Vest		$500	
1 Duty Belt with Accessories		$225	
Total		$6,395	
Reoccurring:			
Ammunition	$10	$144	
Office Supplies	$90	$1,080	
		$1,224	$8,843

Travel:			
Mileage	$257	$3,084	
In State Meals	$50	$600	
Out of State Meals	$35	$420	
In State Lodging	$54	$648	
Out of State Lodging	$52	$624	
IRS Meals	$43	$516	
Conference Expense	$43	$516	
Total		$6,408	$12,816

#6

Communication:				
	Cell Phone	$50	$600	
	Telephone	$236	$2,832	
	Total		$3,432	$6,864
Training:				
	Nation Conferences Total		$4,000	
			$4,000	$4,000
Direct Services:				
Alcohol/Drug Testing:				
	Alcohol:	$64	$768	
	Drugs:			
	On Site	$1,536	$18,432	
	Confirmation	$334	$4,008	
	Total		$23,208	$46,416
Cognitive Restructuring:				
	Contract Staff-2 staff running 4 groups per week @ a rate of $10/hr and 2 hours of time per group. (2 X ($10/hr X 2) X 4/grps wk. X 52=		$8,320	
	Training		$2,080	
	Total		$10,400	$20,800
Automation:				
	Contract Staff @ a rate of $50/hour X 80 Hours over 2 years		$4,000	
			$4,000	$4,000
Alternative Treatment:				
	$35/Acupuncture Tx X 12 Treatments/Person X 38 participants/yr		$15,960	
			$15,960	31,920
	Biennium Total			**$234,467**

3-14-01 #4

19684

SB 2016

Prepared by the North Dakota Legislative Council staff for House Appropriations - Human Resources Division
March 2001

DUI CRIMINAL PENALTIES

The following table describes criminal penalties for driving while under the influence as contained in North Dakota Century Code Section 39-08-01:

	Class of Offense	Minimum Sentence [1]	Maximum Sentence
Offense within five years			
First	B misdemeanor	$250 and addiction evaluation [2]	$1,000 and 30 days' imprisonment
Second	B misdemeanor	$500, either five days with 48 consecutive hours imprisonment or minimum security placement or 30 days' community service, and addiction evaluation [2]	$1,000 and 30 days' imprisonment
Third	A misdemeanor	$1,000, 60 days with 48 consecutive hours imprisonment or minimum security placement, and addiction evaluation [2]	$2,000 and one-year imprisonment
Offense within seven years			
Fourth	A misdemeanor	$1,000 and 180 days with 48 consecutive hours imprisonment or minimum security placement	$2,000 and one-year imprisonment
Fifth or more	C felony	$1,000 and 180 days with 48 consecutive hours imprisonment or minimum security placement	$5,000 and five-years' imprisonment

[1] No suspended or deferred sentences permitted.

[2] If addiction evaluation indicates need for treatment, the court may order treatment and the time in treatment is counted against imprisonment or placement.

#10

#8 DUI PROGRAM BUDGET BREAKOUT
NORTH DAKOTA STATE HOSPITAL
OCTOBER 2000

DESCRIPTION	CLASSIFICATION	NAME	% OF TIME	ANNUAL COST
SALARIES:	Dir of Chaplaincy Services		10.00%	5,651
	Physician		2.50%	5,130
	Instructor		10.00%	3,951
	Therapy Rec Spec II		20.00%	8,339
	Social Worker II		10.00%	4,120
	VR Counselor II		10.00%	5,355
	Occupational Therapist		10.00%	5,062
	HSPA VI		35.00%	25,618
	Addiction Counselor II		100.00%	39,508
	Addiction Counselor III		100.00%	53,465
	Addiction Counselor II		100.00%	53,268
	Registered Nurse II		50.00%	22,108
	Licensed Psychologist II		2.50%	1,811
	MHCS III		100.00%	33,749
	MHCS II		100.00%	33,833
	MHCS II		100.00%	33,455
	MHCS I		100.00%	25,314
	MHCS II		100.00%	28,649
	MHCS II		100.00%	29,882
	MHCS II		100.00%	29,882
	MHCS II		100.00%	28,018
	MHCS II		100.00%	30,736
TOTAL SALARIES				506,904
OPERATING EXPENSES				5,000
ENGINEERING ALLOCATION				10,246
LAB ALLOCATION				23,166
LAUNDRY & DIETARY ALLOCATION				167,742
ADMINISTRATIVE COST ALLOCATION				356,585
		TOTAL ANNUAL COSTS		1,069,643
		VR Counselor II		-5,355
		Occupational Therapist		-5,062
		Administrative Cost		-356,585
				702,641
		702642 / 365 / 25 = 77.00		
		H:\LEGISLATURE\DETAIL REQUEST.XLS		

PROPOSAL

NORTH DAKOTA STATE HOSPITAL CHEMICAL DEPENDENCY SERVICES & DEPARTMENT OF CORRECTIONS AND REHABILITATION

Kerry Wicks - October 11, 2000

The increase in prison population in North Dakota is projected to continue for the next several years. North Dakota reports over 1000 prisoners in the Department of Corrections and Rehabilitation. Over 80% of the current population is estimated to have committed crimes involved with alcohol or other drugs and have a diagnosis of substance abuse. The current prison programs in Bismarck and Jamestown are able to treat a limited number of inmates with chemical dependency problems but with the expansion of the prison system to Jamestown there is an increased demand for the treatment of offenders. Part of our response to this growing need was to develop a day treatment program (the Tompkins Rehabilitation and Corrections Unit/TRCU) at the Law Enforcement Center in Jamestown for offenders who have alcohol and drug problems and are in the process of being revoked due to alcohol or other drug abuse. This program has been extremely effective and has saved 60 bed days per day in the penitentiary. The cost savings has been excellent, over $1,000,000.00 and the outcomes for people in this program have been very good.

We are now proposing a service for DUI offenders who have three or more DUI's. This population of offenders in the Department of Corrections and Rehabilitation (DOCR) includes over 40 DUI offenders in the penitentiary. It also includes an undetermined number who are serving their sentences in county jails (see attached document).

In North Dakota, the problem of drinking and driving is very serious. We have the largest per capita arrest rate in the nation. We had 3,500 arrests and 3,100 convictions in 1999. In North Dakota, the percentage of traffic fatality directly related to the use of alcohol is 48% (1997 data). In North Dakota, 46% of 9-12 graders have been involved in binge drinking in the last 30 days (the national average is 33%) and motor vehicle crashes are the leading cause of death for 10-24 year-olds in the state. Multiple DUI offenders are arguably the most potentially harmful offenders that are released from jail and prison and these offenders typically receive short sentences.

A predictable increase in DUI arrests and convictions would occur if the blood alcohol limit is reduced to .08.

At the same time this prison population is increasing, the chemical dependency population at the North Dakota State Hospital is decreasing. With funding shifted to the regional Human Service Centers, treatment for alcohol and drug dependent citizens is being offered in the community whenever possible. The current trend in admissions has decreased approximately 30%. We have been at about a 60% to 65% occupancy for the last two months. We would need to assure that

the number of admissions for Chemical Dependency Services does not exceed 25 beds. To make that assurance, I am proposing that each of the eight regions have a given number of beds assigned in the NDSH Chemical Dependency program based on population. In order to admit a new patient, the region would have to have a bed available or take the most stable patient and place him/her in the community or 'borrow' a bed from a region that has excess beds here.

The current proposal addresses the treatment need for these individuals with the hope of creating the same successful outcomes as the TRCU. This proposal is a logical next step to shift treatment services to the Department of Corrections and Rehabilitation to assist in treating the nonviolent DUI offender.

The Chemical Dependency Services (CDS) at the ND State Hospital is able to offer a complete addiction program that is already highly developed for the offender population. We have typically treated DUI offenders and other offenders at the State Hospital for years. 70% of the last 1,200 admissions to CD Services had a criminal history. As a result, the staff at the CDS have a wealth of experience in treating individuals who have poor motivation for treatment, are often difficult to treat due to co-occurring personality disorders, and who are often resistant to change. With the additional expertise of running the TRCU, we are very well suited to provide a level of care unavailable in North Dakota at this time.

A new program could be up and running in a short time given the amount of experience the staff at the Chemical Dependency Service has. I would recommend that services be provided by staff at the ND State Hospital so there is a direct connection with other treatment staff that may be able to provide a certain number of program hours without having to deal with the complexity of being DOCR or NDSH employees.

The program would be designed to offer a set number of hours of service per day at a day treatment licensure level and staff would be designated from the CDS to provide those services and the supervision of the program. I would recommend that the program would be a cooperative agreement between the ND State Hospital and the Department of Corrections and Rehabilitation Field Services Division.

The current research clearly indicates that providing mental health and addiction services is cost effective. I believe the Department of Human Services' strategic plan should reflect these outcomes in the provision of services to a wider population. Treatment provided to DUI offenders will reduce costs over time by reducing prison beds and reducing repeat offenses. For the state taxpayers, it is money well spent and for the Department of Human Services, it is a direction that addresses the heart of many of our state's social problems.

Please see attachments for program descriptions, staffing requirements and budget.

THE MULTIPLE OFFENDER DUI PROGRAM

Benefits

- To learn specific new skills to prevent relapse into drinking, a behavior that has led to drinking and driving problems.

- Complete a major step toward driving legally again by completing Level II education and therapy credits while you are in this new treatment program.

- Learn problem-solving skills including cognitive restructuring skills. Research has shown these methods to be very successful.

- Group with other individuals working on some of the same problems. Support can be very helpful in the change process.

- Meets needs of a population in a highly focused program.
  This program should facilitate recovery therefore helping the state reduce:
  a) overall treatment costs
  b) costs of law enforcement
  c) costs of emergency care for clients to the communities (DT's and risk of seizures and other aggravated physical problems)
  d) costs of clients continuing on disability when the disability could be remediated
  e) costs of clients on unemployment when clients could be employable
  f) costs of imprisonment
  g) costs of social services such as child support payments, emergency aid, etc.

The Multiple Offender DUI Program

The program is designed for individuals who have three or more Driving Under the Influence charges (DUI's). The court order would clearly state that the defendant will be on supervised probation for a minimum of one year. The order would impose conditions necessary for supervision of the defendant. The mandatory period of confinement required by statute would be made a condition of the suspended sentence. The program is one year in length, has three phases, and requires alcohol and drug free status throughout the year.

Phase I - The first phase is 90 days in intensive residential/day treatment. Clients participate in the treatment program seven days a week, 24 hours a day in a therapeutic community environment. They live in the same unit as the other clients and working on the common goal of sobriety. Prior to promotion to Phase II, clients must successfully complete the treatment expectations spelled out in the treatment plan. This may include starting Antabuse (unless medically contraindicated).

Phase II - The second phase is 90 days. Dependent on the conditions of the court order, the defendant may be required to participate in a day reporting program (locally) four days per week. Participation in cognitive restructuring groups and addiction counseling continuing care group would be mandatory. Offenders are under the supervision of the DOCR Field Services Division and violation of policy will be reviewed by Field Services staff and could result in incarceration. Cooperation with the treatment plan expectations are required. This may include Antabuse, Rivia, random urinalysis (UA's), weekly schedules, accountability for whereabouts at all times, case management and monitoring.

Phase III - Clients will be on supervised probation and subject to conditions imposed by the court would attend continuing care and cognitive restructuring once a week in this phase. Random UA's are required for Phase III.

Expectations of Clients

- Take responsibility for behavior.
- Participate fully in all aspects of the program, e.g. practice exercises.
- Attend all treatment sessions and be on time.
- Remain sober from alcohol and drugs throughout the program

Program Components

1. Addiction counseling and cognitive restructuring - education, individual and group.
2. Work Adjustment -- 20 to 30 hours per week, $2 per hour and 30% towards the patient's hospitalization.
3. Activity Therapy -- skills building for sober living
4. Job seeking skills.
5. Appropriate medical coverage for maintenance stabilization and possibly improvement.
6. AA both in the community and the hospital two to three times weekly.
7. Use of volunteers to promote interpersonal relationships and ties with the community.

Other Program Criteria and Considerations

1. Duration for complete program - 100 days residential - one year total.
2. One week evaluation period following detoxification (where indicated) in closed setting with individualized privileges. This screening or evaluation process will involve admission and screening by treatment staff and DOCR staff.
3. Contraband such as alcohol or other drugs would be criterion for referral to more intensive and restrictive setting.
4. When discharged for reasons other than medical or for successful completion of the program, clients will not be reconsidered for admission.
5. Spot breath tests, Naltrexone (Rivia) and Antabuse may be vital tools in helping keep an alcohol free environment.
6. Progress in the treatment program should be documented weekly for the first month and on a monthly basis thereafter.
7. Number of beds needed is estimated to be 25.

Treatment Staff and Components:

Addiction Counselor's (3) - Provide Individual and Group Counseling Sessions, Multi-disciplinary treatment planning, Family Counseling, Family Program (educational component), Relapse Prevention Group, Separate treatment approaches (Cognitive-Behavioral/Big Book, Insight-Motivational, Solution Focused, Cognitive Restructuring).

Adult Education (4 hours per week) - GED Course Work, Computer Skills, Money Management, Assertiveness Training, Parenting Classes, Stress Management.

Chaplaincy (4 hours per week) - Spiritual Assessment, Spirituality Issues, Self Forgiveness, Grief Issues, Values Clarification, 5th Step Work.

RN (4 hours per day) - Smoking Cessation Classes, Alcohol Awareness, Cognitive Restructuring, Personal Hygiene, Activities of Daily living, Medication Teaching, Teaching Healthiness in a Chemical Free Lifestyle, Domestic Violence, Depression Group.

Mental Health Care specialists (8-10) - Ward milieu, supervision, Cognitive Restructuring groups

Occupational Therapy (4 hours per week) - Groups on Self Esteem/Self Awareness Issues, Communication Skills, Motor Skills and Everyday Living Skills, Children's Programming (as part of Family Program), Task Groups.

Psychiatric Services (Consult 1 hour a week) - Medication management, Therapy, Teaching, Support,

Psychological Services (Consult 1 hour a week) - Psychological Testing and Evaluation.

Social Work (4 hours a week) - Provide discharge planning and arrangement of specialized community services, Community Resource Referencing.

Therapeutic Recreation (8 hours a week) - Exploring Healthy Leisure Options, Leisure Planning, Leisure Skills Building, Socialization Skills, Coping Skills, Community Reintegration, Anger Management, Children's Programming (as part of Family Program).

Vocational Rehabilitation (4 hours a week) - Building Job Skills, Exploring Job Options/Career Choices, Employment Services while in Treatment, Work Habit Evaluations and Vocational Discharge Planning

This menu of services is available to all treatment levels based on needs assessments. All Day Treatment Clients would be assessed to determine needs and priority placement in the above mentioned programs. All levels of treatment are included in ongoing research.

SB 2016

Testimony on SB 2016

Division of Juvenile Services

Overview

Senate Appropriations Committee
Senator Nething, Chairman

January 16, 2001

By Alton Lick
Director

Overview

Commitments

Attachment #1 details the changes in our population:

Date	Commitments to DJS
4-1-93	418
1-1-96	525
8-1-97	475
6-1-99	525
1-1-01	442

Just looking at this data can be misleading.

- In 1990 – North Dakota juvenile population was 175,400; so 418 commitments would mean we had 2.4 percent of young people age 0-18 in our system.

- In 2000 – the number of young people age 0-18 dropped to 162,400; which means we now have 2.7 percent of this age group in our custody.

Problem Areas

Along with the dynamics of these population changes, the type of youngster being committed to DJS has changed drastically. Division data shows that, about 75 percent of commitments fit within the DSM IV designation. Mixing the problem of mental illness

with the drug/alcohol usage among young people, has created a very difficult, hard to manage population.

These more difficult to treat young people have caused us to change and rethink many of the methods we have used in the past for treatment and rehabilitation. We have had to change our training curriculum so that we include methods and philosophy in how to manage and treat troubled adolescents with co-occurring conditions (mental health and drug/alcohol). In February, at our next quarterly training session, we will bring in Lindsay Hayes, a nationally recognized expert in juvenile suicides and suicide prevention. In November, our training will be centered on managing mental health juveniles in corrections. Lisa Boesky, another nationally known expert from the state of Washington, will be the presenter.

In order to serve the more mentally ill youth that we now receive at YCC, we have recently contracted for child psychiatry and child psychology services from a local hospital. Many more youth require medications than in the past. Through a federal grant, we have added a second licensed addiction counselor. There is also a new position for a psychiatric nurse in this budget from federal funds. These positions and contract services are all included in the Youth Correctional Center budget. In the Community, DJS youth receive services from the Human Service Centers and, because of the common foster care system, the Residential Treatment Centers used by the county social services for placements are also available to us. There are also eight (8) long-term mental health beds available to us at the State Hospital.

The Division remains committed to maintaining public safety. You can easily imagine the pressures created when the services available in North Dakota's local communities vary greatly. That is one of the reasons we maintain about ten (10) percent fewer commitments in the Community than in the past.

Prevention – Grants

The Division remains very involved with tribal courts and tribal social services within the state. Data supports our involvement with the tribes since Native American young people make up 5-6 percent of the children's population, but make up 28 percent of our juvenile corrections population in North Dakota. Through federal grants, we have funded juvenile probation officers on each of the reservations. This is the only youth population in North Dakota that is projected to grow in the coming years. We are including the appropriate staff from each of the reservations in our training. The parties, which meet on a regular basis are: tribal social services, tribal courts, North Dakota Children and Family Services (Dept. of Human Services); and federal Parole and Probation.

Recidivism

As has been the tradition in the past, DJS again contracted with Toucan Research to conduct a recidivism rate study for youth committed to the Division the past two years. As you can see by looking at Attachment #2, we have done well in maintaining our low recidivism rates. In 1997-98, we dropped to a new low of 9.6 percent, but then jumped to 17.0 percent for 1998-99. The research firm we use did not seem concerned and

stated random fluctuations from year to year should be expected. They felt the data did not demonstrate any trend change in the rates. It is quite evident looking at the study that we do not feed the adult system with any significant numbers.

Attachment #3 gives you a comparison as to how North Dakota's recidivism rate compares to other states who use the same definition and time period. Once again we are able to maintain these standards of recidivism, because of the high rates of graduation from North Dakota schools. As I have mentioned in the past, absence from school is a major contribution to young people being involved with juvenile corrections. Also in comparison to large urban states, we are able to maintain a more structured family system.

Arrest Data

The last attachment (#4) shows that there has been a decrease in juvenile arrests over the past three years. There was a 6.2 percent decrease from 1997 to 1998 and an 8.1 percent overall decrease in juvenile arrests from 1998 to 1999. The increases in arrests regarding drug and alcohol offenses is not a surprise since, as mentioned earlier, usage is a big problem with troubled adolescents. Please do not conclude that we are by any means satisfied or willing to accept what is happening. Occasionally, we all need to step back and do a "gut check" about what is happening around us. Based upon conversations with my counterparts around the United States, some other states are experiencing decreases in juvenile arrests and juvenile corrections numbers.

Attachment #1

DJS Custody Counts

Date	Male	Female	Total
04/01/1993	320	96	416
09/01/1993	339	95	434
11/01/1993	355	88	443
03/01/1994	358	94	452
06/01/1994	380	88	468
11/01/1994	398	95	493
02/01/1995	408	109	517
05/01/1995	396	114	510
07/01/1995	375	105	480
10/01/1995	391	93	484
01/01/1996	425	100	525
03/01/1996	408	90	498
06/01/1996	416	87	503
08/01/1996	407	79	486
10/01/1996	392	88	480
12/01/1996	409	90	499
02/01/1997	396	83	479
04/01/1997	401	81	482
06/01/1997	406	75	481
08/01/1997	401	74	475
11/01/1997	408	80	488
02/01/1998	418	84	502
08/01/1998	403	87	490
10/01/1998	402	89	491
12/01/1998	403	93	496
01/01/1999	403	97	500
02/01/1999	396	94	490
03/01/1999	400	101	501
04/01/1999	403	100	503
06/01/1999	419	106	525
09/01/1999	399	104	503
10/22/1999	367	92	459
12/31/1999	358	88	446
02/01/2000	370	94	464
06/01/2000	379	79	458
09/01/2000	388	84	472
11/01/2000	360	80	440
12/01/2000	362	82	444
01/01/2001	360	82	442

RECONVICTION

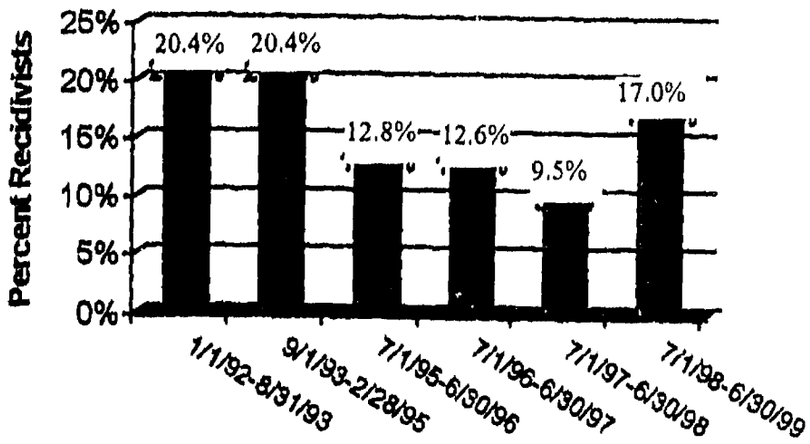
12 Months Follow-up

Data for the latest two years of the study reveal a reduction in the recidivism rate to 9.5 percent for the 97-98 cohort and an increase to 17.0 percent for the 98-99 cohort. Combining the last two years indicates that an average of 13.3 percent of youths were reconvicted within twelve months after release from DJS. Some random fluctuations in rates from year to year should be expected when conducting repeated measures. The numbers presented below do not demonstrate any trend change in the rates.

As presented in Figure 1 below, these proportions are similar to those reported in previous studies. In the initial release sample (1/1/92-6/31/93), 45 of the 221 juveniles were reconvicted (20.4 percent). In the subsequent sample (9/1/93-2/28/95), 66 youths of 324 recidivated (20.4 percent). In the third sample (7/1/95-6/30/96) 36 of 282 youths were reconvicted (12.8 percent), and in the fourth (7/1/96-6/30/97) 36 of 285 youths were reconvicted (12.6 percent). The most recent study showed that in the fifth sample (7/1/97-6/30/98) 26 of 273 youths were reconvicted (9.5 percent) and in the sixth (7/1/98-6/30/99) 47 of 277 youths were reconvicted (17.0 percent).

Figure 1

Percent Reconvicted



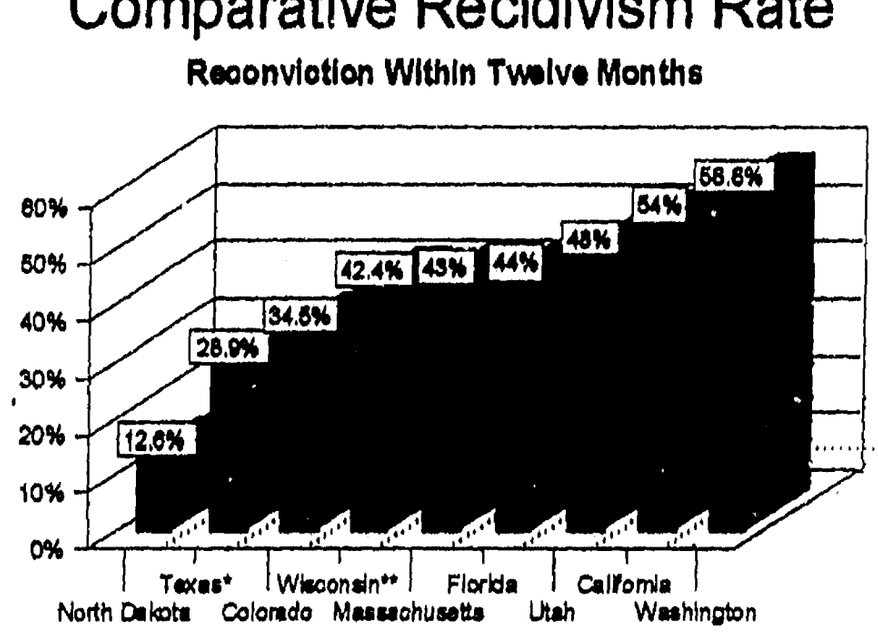
Of the 73 young people reconvicted in the most recent two years of the latest study, 26 were recommitted to DJS (4.7 percent), and 44 were placed on adult probation or sentenced prison (8.0 percent).

Comparative Recidivism Rates

Previous recidivism reports noted that the North Dakota juvenile recidivism rate compared favorably to other states that have published results of recidivism studies.[1] A more recent survey of state recidivism methods[2], conducted by the Texas Youth Commission in 1997, supports the conclusion that North Dakota has the lowest reported statewide recidivism rate in the nation.

The Texas Youth Commission study found that 27 of the 43 states responding to the survey measure recidivism following release from the juvenile justice system, and 21 provided summary statistics. Of these seven use an unstandardized follow-up period, four use a follow-up of greater than 24 months and six defined recidivism as other than reconviction. Only two states reporting data (Colorado and Washington), track recidivism in a manner similar to the North Dakota study. In addition Texas reports a 12-month reinstitutionalization rate of 28.9% and Wisconsin reports a 24-month reinstitutionalization rate of 42.4% for 1992.

Figure 2



*The Texas definition of recidivism excludes probation sentences.
**The Wisconsin definition of recidivism excludes probation sentences and uses a 24-month follow-up period.

[1]Data from "Recidivism Analysis of Juveniles Discharged in FY 1990-91." (1993) Cecilia E. Boyles. Denver: Colorado Department of Institutions, Division of Youth Services. "Rehabilitation, Release and Reoffending: A Report on the Criminal Careers of the Division of Juvenile Rehabilitation 'Class of 1982'." (1991) John C. Steiger and Cary Dizon. Olympia: Juvenile Offender Research Unit, Department of Social and Health Services. "Unlocking Juvenile Corrections: Evaluating Massachusetts Department of Youth Services." (1969) James Austin, William Elms, Barry Krisberg and Patricia A. Steele. San Francisco: National Council on Crime and Delinquency.
[2]National Recidivism Methods Study (1997) Texas Youth Commission.

Attachment #4

Juvenile Arrests by Offense, 1990-1999

Murder/Non-Neg. Manslaughter				2		9	1			1
Negligent Manslaughter		2			1					1
Forcible Rape	8	6	13	8	13	16	12	6	13	6
Robbery	8	1	8	14	8	13	10	13	8	9
Aggravated Assault	28	34	30	47	37	68	45	35	47	25
Burglary	171	166	272	226	197	208	201	222	201	202
Larceny/Theft	1602	1947	1972	1900	1846	2066	2056	1771	1372	1212
Motor Vehicle Theft	160	178	211	196	223	262	198	205	162	185
Other Assaults	193	247	316	368	379	467	517	424	420	401
Arson	17	47	26	13	19	24	20	25	23	10
Forgery and Counterfeiting	77	49	52	51	77	65	54	46	42	37
Fraud	12	11	13	23	19	16	28	20	28	17
Embezzlement				1		1				
Stolen Property Offenses	159	132	93	109	86	83	138	105	81	49
Vandalism	444	455	551	605	609	569	420	654	532	420
Weapons Offenses	42	40	56	64	61	62	50	34	30	27
Prostitution							2			
Other Sex Offenses	30	28	28	34	25	31	30	32	32	18
Drug Offenses	94	26	27	63	84	136	205	229	269	284
Gambling	1									
Off. Against Family/Children	3	41	155	126	97	142	109	96	110	98
Driving Under the Influence	90	83	86	85	77	77	62	104	114	169
Liquor Law Violations	1279	1143	1297	1291	1426	1712	1900	1976	2169	2176
Disorderly Conduct	315	346	315	356	454	579	575	611	762	709
Vagrancy			2							1
All Other Offenses	636	571	689	801	975	1303	1635	1643	1564	1187
Suspicion	6	30	3							
Curfew and Loitering	359	337	364	409	495	414	561	486	347	382
Runaways	766	705	862	951	1038	1109	1109	1043	849	803

Juvenile Arrests by Gender, 1990-1999

1990	4,531	69.7 %	1,969	30.3 %	6,500
1991	4,782	72.2	1,843	27.8	6,625
1992	5,241	70.4	2,200	29.6	7,441
1993	5,452	70.4	2,291	29.6	7,743
1994	5,726	69.4	2,520	30.6	8,246
1995	6,423	68.1	3,009	31.9	9,432
1996	6,512	65.5	3,426	34.5	9,938
1997	6,363	65.1	3,417	34.9	9,780
1998	6,129	66.8	3,046	33.2	9,175
1999	5,457	64.7	2,972	35.3	8,429

Division of Juvenile Services

Community Services Budget Detail

Alton Lick
Director

Salaries and Wages $2,640,214

The new administrative assistant position in the budget allows the Division to have full-time administrative assistant staff in Williston, Devils Lake, and Dickinson. We started in the late 1980's thinking we could manage the regional offices with half-time administrative support, especially in the smaller regions. This is not the case and this position would staff us at the levels we need.

Operating Expenses $2,760,082

- A major increase in this category is ITD's projected rates for the new biennium. Data processing costs increased by $136,929 over the current biennium's budget. That is a 146 percent increase.
- Operating Fees and Services make up $1,544,030 of this line item total.
    1. $577,800 – Tracker fees
    2. $135,480 – State match for seven (7) Intensive In-Home projects
    3. $480, 000 – Five (5) Day Treatment Programs throughout the state
- Professional Fees - $250,400
    1. $245,000 – Diversified Occupations Programs

Equipment $97,700

- $79,200 – replacements for personal computers and printers in our regional offices (federal funds)
- $18,500 – open-face filing systems in regional offices (federal funds)

Grants $4,413,877

The Division is the receiving agency for about 4.7 million dollars in federal funds. There are two (2) types of grants received.

- Approximately 1.7 million dollars from the Office of Juvenile Justice and Delinquency Prevention for a two-year period.
- About one (1) million dollars is passed through to the counties and private providers for the Non-Secure Holdover Program. That program supervises approximately 2,500 adolescents in a two-year period.

The balance of these funds is granted to State and local governments and tribes to keep troubled adolescents out of the juvenile justice system. The distribution of these dollars is granted by a State advisory group appointed by the Governor.

The remaining three (3) million dollars is Juvenile Accountability and Incentive Block Grant dollars. Twenty-five (25) percent is passed through to counties and cities , the balance of the dollars is distributed through a plan the Division submits to the Governor. The Governor has final approval on the expenditure of these funds. There are 14 program areas for which these dollars can be expended. The two areas the State has emphasized are programs that keep adolescents in school, and programs that assist the reservations in dealing with troubled adolescents.

JUVENILE COMMUNITY SERVICES
1999/2001 AND 2001/2003 BREAKDOWN
OF OPERATING FEES AND SERVICES LINE

OBJECT	LINE ITEM	1999-2001 PROJECTED EXPENDITURES	2001-2003 EXECUTIVE RECOMMENDATION	INCREASE/ (DECREASE)
3014	**Operating Fees & Services**			
	Tracking Services	**488,218**	**457,800**	**(30,418)**
	General Funds	244,109	228,900	(15,209)
	Federal Funds	244,109	228,900	(15,209)
	Tracker Training	**80,000**	**104,000**	**24,000**
	General Funds	40,000	52,000	12,000
	Federal Funds	40,000	52,000	12,000
	Family Therapy (Fargo Program)	**85,988**	**120,000**	**34,012**
	General Funds	69,582	120,000	50,418
	Special Funds	16,406	-	(16,406)
	Intensive In-Home	**124,000**	**135,480**	**11,480**
	General Funds	101,400	112,080	10,680
	Special Funds	22,600	23,400	800
	Victims Advocacy Project	**61,520**	**84,000**	**22,480**
	General Funds	12,304	16,800	4,496
	Federal Funds	49,216	67,200	17,984
	SED Coordinators - ND Partnership	**61,700**	**72,000**	**10,300**
	General Funds	61,700	72,000	10,300
	Day Treatment Program	**480,000**	**480,000**	**0**
	General Funds	480,000	480,000	0
	Sheriffs Transporation Reimbursement	**60,000**	**161,000**	**101,000**
	General Funds	60,000	161,000	101,000
	Safe Beds For Kids	**2,250**	**2,250**	**0**
	General Funds	2,250	2,250	0
	Electronic Monitoring	**5,000**	**6,000**	**1,000**
	General Funds	1,000	2,000	1,000
	Special Funds	4,000	4,000	0
	Juvenile Training & Consultant Fees	**16,776**	**18,000**	**1,224**
	Federal Funds	16,776	18,000	1,224
	ACA Accreditation Fees	**4,432**	**4,500**	**68**
	General Funds	4,432	4,500	68
	Total Operating Fees & Services	**1,469,884**	**1,645,030**	**175,146**
	General Funds	1,076,777	1,251,530	174,753
	Federal Funds	350,101	366,100	15,999
	Special Funds	43,006	27,400	(15,606)

SB 2016

Overview of Juvenile Corrections

House Appropriations Committee
Representative Timm, Chairman

March 1, 2001

By Alton Lick
Director

Mr. Chairman and members of the full House Appropriations Committee, for the record, I am Al Lick, Director of the Division of Juvenile Services.

Before I get into specific testimony, I want to take a minute to thank the committee for the changes we have been able to make the past two biennia. The renovation in the gymnasium has saved the building and allowed us to really maximize its usage. The addition and renovation of Pine Cottage was completed the first of January this year, and we really appreciate how that has enhanced the total operation of the facility. But the most important improvement, which has had a direct effect upon the lives of young people committed to us, is the twelve-month school year. This past summer school issued 111 high school credits: Eight (8) students completed their GED, four (4) seventh graders were promoted to the eighth grade, and five (5) eighth graders were promoted to the ninth grade. Keeping students current in education increases their chances of success when they return to their local communities. I'm sure our low recidivism rate to juvenile corrections is partly attributable to success in school.

Commitments

Date	Commitments to DJS
4-1-93	418
1-1-96	525
8-1-97	475
6-1-99	525
2-1-01	446

The decrease in commitments of juveniles from 1999 to 2001 is something that will probably continue. However, just looking at numbers can be somewhat deceiving.

- In 1990, the North Dakota juvenile population of young people ages 0-18 was 175,400; so 418 commitments meant we had 2.4 percent of young people in our system.
- In 2000, the total number of young people age 0-18 dropped to 162,400; which means we now have 2.7 percent of this age in our custody.

Major Problem Area

Mixed with the dynamic of the population change is the drastic change in the type of young person we are receiving in juvenile corrections. Data indicates that, about 75 percent of our commitments fit the DSM IV designation. Mixing the problem of mental illness with acting out behavior and/or drug and alcohol usage, has created a very difficult, hard-to-manage population. This is not just a problem in our state, but is a national problem in even larger proportions than we are experiencing in North Dakota. I don't want to leave you with the impression that 75 percent of our caseload consists of these difficult to manage troubled adolescents with co-occurring conditions. Conduct disorders are included in the DSM IV designation, which are your typical behavioral related correctional young person. However, it should be noted that approximately 30 percent of our caseload is made up of hard-to-manage young people with co-occurring conditions.

These more difficult to treat young people have caused us to rethink and change many of our methods and resources we have used in the past for treatment and rehabilitation. The first thing we have done is change our training curriculum. Our last quarterly training in February included a day-long training session from a nationally recognized expert in suicides and suicide prevention. In November, our training will be devoted to managing mental health juveniles in a correctional system. We have contracted with a nationally recognized expert in dealing with mental health problems with juvenile corrections clients.

In order to serve the more difficult and complicated mental health population at the Youth Correctional Center, we contract for child psychiatry and child psychology services. Through a federal grant, we have added a second licensed addiction counselor. There is also a new position for a psychiatric nurse in this budget funded from federal funds. These positions and contract services are all included in the YCC (Youth Correctional Center) budget. In the Community, our commitments receive mental health services from the Human Service Centers. Because we are part of the common foster care system, we are also eligible to place youngsters at the residential treatment centers in North Dakota.

There are also eight long-term mental health beds for adolescents available at the State Hospital. We also have, at any given time, six (6) to eight (8) placements out-of-state.

One of our missions is to provide public safety. You can easily see the pressures created when we have communities where local services vary greatly. This is one of the reasons we now manage about 10 percent fewer commitments in the community than in the past.

Recidivism

As has been the tradition in the past, we contracted with Toucan Research to conduct a recidivism rate study for youth committed to the Division the past two years. As you can tell by looking at Attachment #2, we have done well in maintaining our low recidivism rates. In 1997-98, we dropped to a low of 9.6 percent, but then jumped to 17.0 percent for 1998-99. The research firm we use did not seem concerned and stated random fluctuations can be expected because of the low number of recidivists we have.

Attachment #3 gives you a comparison as to how North Dakota's recidivism rate compares to other states who use the same definition and time period. It is quite evident we are not feeding the large increase in the adult population.

Arrest Data

Attachment #4 indicates there has been a decrease in juvenile arrests over the past three years. There was a 6.2 percent decrease in juvenile arrests from 1997 to 1998 and an 8.1 percent decrease from 1998 to 1999. The increase in arrests regarding drug and alcohol offenses is not a surprise since, as mentioned earlier, drug and alcohol usage is a big problem with troubled adolescents.

Budget Item

I would like to mention one budget item to the full committee. About four years ago, the teachers at the Youth Correctional Center, Deaf School, and Blind School, through an Attorney General's opinion, were removed from the state classification system. This group of employees was placed on a state teacher salary schedule for all three institutions. The teachers at YCC have fallen behind the teachers at the Deaf and Blind Schools. There is an amount of $292,000, in YCC's budget request to get our teachers back on the same level as the teachers at the Deaf School and Blind School. We had also requested this equity adjustment for the teachers for the current biennium, however it was not funded.

3-5-01

#2

Division of Juvenile Services Presentation

House Appropriations Sub-Committee
Human Resources
Representative Svedjan, Chairman

March 5, 2001

DIVISION OF JUVENILE SERVICES/COMMUNITY 2001-2003 FUNDING REQUESTS INCLUDED IN THE GOVERNOR'S EXECUTIVE RECOMMENDATIONS

Salaries and Wages $2,640,214

Outside of salary support for all Community staff, including the Governor's salary/benefit funding, the additional dollars are to support one full-time administrative support position. We have attempted to staff the smaller offices with half-time office support, but that has not been adequate for our mission. This position will give us full-time support in Williston, Dickinson, and Devils Lake. We have decreased temporary and overtime salaries with the additional FTE support positions. ($20,000 decrease in part-time temporary.)

Operating Expenses $2,861,082

- Data Processing/Telecommunications - $298,452 (See Schedule)

  Includes funding for data processing and telecommunications for DJS/Community, based on ITD's projected rates for 2001-2003. Data processing costs increased by $136,929, a 146 percent increase over the current biennium's budget of $93,915. Also includes funding for cellular phones for the Director, two (2) regional managers, and one phone for each of the nine (9) regional offices.

- Travel - $242,546

Includes funding for motor pool expenses. Allows for an average of 16,550 miles/month x 24 months @ $.26/mile, and 1,500 miles/month x 24 months @ $.39/mile - $117,305. Also includes funding for in-state and out-of-state travel expenses for Director, regional managers, and case managers - $76,541; travel costs for the interstate compact coordinator for ongoing training and administrative support - $5,000; mileage costs for the return of runaways - $2,000; family mileage reimbursement - $3,000; mileage paid to trackers statewide who provide aftercare to youth transitioning back into the community - $24,600; travel costs for juvenile trainers and consultants - $10,800; and diversified occupations program - $3,300.

- Lease/Rentals - $203,696

  Funding included covers office space costs and parking fees at nine (9) regional offices - $165,644. Also includes monthly copier rental and maintenance agreement costs at the regional offices to include an increase in funding to upgrade the copier at the Minot regional office during the upcoming biennium - $38,052.

- IT Software/Supplies - $6,748

  Funding to purchase, upgrade, and maintain software as needed.

- IT Contractual Services - $83,675

  Funding to continue technology support for the regional offices and to expand the offender management system to incorporate additional modules to provide assess to real-time data and efficiencies in case management.

- Dues and Professional Development - $22,550

Registration and conference fees, presenter fees for DJS quarterly meetings, staff development training for regional services staff, national association dues. ($19,200 FF Technology Plan.)

- Operating Fees and Services - $ 1,645,030

  1. Includes funding for tracker fees - $577,800
  2. Funding for tracker training costs - $ 104,000 (50%General/50%Federal)
  3. Continuation funding for State match for seven Intensive In-home projects - $135,480
  4. Ongoing funding for Victims Advocacy Program in Fargo - $ 84,000 (80% Federal/20% General)
  5. Continuation funding to support two ND Partnership care coordinators (case managers) out posted in Bismarck and Fargo DJS offices - $72,000
  6. Day Treatment programs located at five sites around state - $480,000
  7. Sheriff transportation fees - $161,000
  8. Miscellaneous: Safe beds for youth - $2,250 (Bismarck level), electronic monitoring fees - $6,000, ACA accreditation fees - $4,500, and juvenile training and consultant (Fed. money) fees - $18,000

- Professional Services - $242,200

  State funding for the Diversified Occupational Programs - $ 236,800, and other miscellaneous professional services - $5,400

- Medical/Dental/Optical - $10,700

  Funding to purchase drug testing kits and adulteration strips.

- Other Expenses - $105,485

Funding for postage - $40,100, repairs – $9,600, office supplies - $23,200, insurance - $8,535, printing costs - $9,100, miscellaneous equipment under $750 - $10,000 and other miscellaneous expenses - $4,950.

Equipment $97,700

- $79,200 – replacement of the computers and printers in all of our regional offices. Federal funds cover all of these costs.

- $18,500 – State law dictates we must save the juvenile records we accumulate for 10 years after the age of 18. With that law in place, we need to instate an open-faced filing system in each regional office in order to save space. These costs are also supported by federal funds.

Grants $4,413,877

The Division is the receiving agency for approximately 4.7 million dollars in federal funds. There are two distinct types of grants received.

1). Approximately 1.7 million dollars is received from the Office of Juvenile Justice and Delinquency Prevention (OJJDP) for a two-year period.

- About one million dollars is passed through to the counties and private providers for the Non-Secure Holdover Program. The program supervises about 2,500 adolescents in a biennium.

- The balance of these funds is granted to State and local units of government, private providers, and Tribes to keep troubled adolescents out of the juvenile justice system.

2). The remaining three million dollars is Juvenile Accountability and Incentive Block Grant (JAIBG) dollars.

- Twenty-five (25) percent is passed through to the cities and counties and they must spend it within twelve prescribed program areas.

- The balance of the dollars is expended through a plan the Division submits to the Governor for approval. We must stay within the twelve programs and we emphasize programs to keep young people in school and assist the Reservations in dealing with troubled adolescents.

TOTAL DJS-COMMUNITY BUDGET – $10,012,873

Funding Sources:	General Funds	$ 4,481,920
	Federal Funds	$ 5,503,553
	Other Funds	$ 27,400

COST ESTIMATES FOR DJS-COMMUNITY SERVICES
1999-2001 and 2001-2003

IT Data Processing	# Units	Cost per unit	1999-2001	# Units	Cost per unit	2001-2003
Records Management			480.00			$ 480.00
8 Ports (56K)	8	$ 50/100/300	$ 46,800.00	8	$ 800	153,600.00
1 Port (T-1	1	167	4,008.00	1	800	19,200.00
Device Connections	36	16/19.50	16,320.00	36	27	23,328.00
CPU			19,200.00			21,480.00
Norton AntiVirus			432.00			864.00
Lan Backup Storage						240.00
Admin. Fees (4.9%)			4,275.00			10,740.00
Miscellaneous Charges			2,400.00			720.00
Desktop Support Analyst						192.00
TOTAL			**$ 93,915.00**			**$ 230,844.00**

IT Telecommunications						
Basic Phone Services	32	$ 24.50	$ 18,816.00	33	$ 22.50	$ 17,820.00
Analog Station	5	21.00	2,520.00	5	21.00	2,520.00
Phone Extensions	5	8.00	960.00	7	8.00	1,344.00
Speaker Phones	6	2.00	288.00	6	2.00	288.00
Speaker Display Phones	6	3.00	432.00	6	3.00	432.00
Voice Mail	11	3.00	792.00	11	3.00	792.00
In-State/Out-of-State Directory			216.00			264.00
Calling Cards			4,560.00			4,656.00
InState/OutState/Inter Long Distance			12,600.00			13,388.00
Admin. Fees (4.9%)			2,018.00			2,184.00
Miscellaneous Fees			13,440.00			13,840.00
Cell Phones (usage charges)			9,600.00			10,080.00
TOTAL			**$ 66,242.00**			**$ 67,608.00**

532 Juvenile Community Services

Program #	Object Description	Object Code	Actual Expenditures Through 01/01	Estimated Expenditures Last 5 Months	Projected 99-01 Expenditures	Appropriated 99-01 Budget	Executive Recommendation 01-03	Increase/ (Decrease)
530-200-28	**Salaries and Wages**							
	Salaries	1001	1,413,816	372,737	1,786,553	1,795,490	1,930,189	134,699
	Temproary Overtime & Shi	1002	62,669	16,000	78,669	45,200	36,987	(8,213)
	Benefits	1008	462,116	120,500	582,616	597,148	673,038	75,890
	Total		1,938,601	509,237	2,447,838	2,437,838	2,640,214	202,376
	Operating Expenses							
	IT-Data Processing	3002	80,412	44,400	124,812	93,915	230,844	136,929
	IT-Telephone	3003	51,270	17,088	68,358	66,242	67,608	1,366
	Travel	3004	159,913	35,674	195,587	243,887	242,546	(1,341)
	IT-Software/Supplies	3005	1,587	2,413	4,000	4,000	6,748	2,748
	Utilities	3006	789	311	1,100	1,100	1,100	0
	Postage	3007	30,707	8,080	38,787	42,890	40,100	(2,790)
	IT-Contractual Services	3008	14,580	15,420	30,000	30,000	83,675	53,675
	Lease/Rent - Equipment	3011	21,135	6,993	28,128	31,470	38,052	6,582
	Lease/Rent - Bldg/Land	3012	107,573	32,245	139,818	151,678	165,644	13,966
	Dues & Professional Dev.	3013	15,202	4,000	19,202	15,350	22,550	7,200
	Operating Fees & Services	3014	996,781	456,697	1,453,478	1,398,980	1,645,030	246,050
	Repairs	3016	7,545	1,985	9,530	10,100	9,600	(500)
	Professional Services	3018	126,573	118,065	244,638	230,120	242,200	12,080
	Insurance	3019	1,221	0	1,221	1,250	8,535	7,285
	Office Supplies	3021	13,730	6,048	19,778	22,000	23,200	1,200
	Printing	3024	6,297	1,655	7,952	9,100	9,100	0
	Professional Supplies & M	3025	2,259	594	2,853	5,150	2,000	(3,150)
	Food & Clothing	3027	843	100	943	100	100	0
	Medical, Dental, & Optical	3029	8,000	2,105	10,105	11,693	10,700	(993)
	Bldg,Grnds,Vehicle Mntce S	3030	285	200	485	1,750	1,750	0
	Miscellaneous Supplies	3033	7,419	2,581	10,000	10,000	10,000	0
	Total		1,654,121	756,654	2,410,775	2,380,775	2,861,082	480,307
	Equipment							
	Office Equipment & Furniture	4002	1,680	0	1,680	0	18,500	18,500
	IT-Equipment	4003	1,963	0	1,963	7,000	79,200	72,200
	Total		3,643	0	3,643	7,000	97,700	90,700
	Grants							
	Grants, Benefits, & Claims	6006	4,355,009	329,291	4,684,300	2,870,900	4,413,877	1,542,977
	Total		4,355,009	329,291	[illegible]	2,870,900	4,413,877	1,542,977
	Delinquency Prevention							
	Operating Fees & Services	3014	16,406	0	16,406	200,000	0	(200,000)
	Total		16,406	0	16,406	200,000	0	(200,000)

Reporting Level Funding							
[redacted] General Fund	9991	2,913,049	[redacted]6,639	3,979,688	3,979,688	4,481,920	[redacted]02,232
[redacted]ederal Fund	9992	4,998,633	[redacted]7,129	5,515,762	3,794,225	5,503,553	[redacted]09,328
Special Fund	9993	39,694	11,412	51,106	122,600	27,400	(95,200)
Total		7,951,376	1,595,180	9,546,556	7,896,513	10,012,873	2,116,360
FTE Employees				30.50	30.50	31.50	1.00

Additional $10,000 approved by EC in November 2000.
Additional $30,000 approved by EC in November 2000.

DIVISION OF JUVENILE SERVICES

Division of North Dakota Department of Corrections and Rehabilitation

3303 East Main, PO Box 1898 • Bismarck, ND 58502-1898

(701) 328-6390 • FAX (701) 328-6651 • TDD 1-800-366-6888

MEMO

TO: Al Lick, Director

FROM: Susan H. Wagner, LSW

DATE: March 6, 2001

RE: Vocational Funds

On Monday, March 5, 2001, I contacted Wanda Geier, regional director of Vocational Rehabilitation regarding programs/funding for services for youth. Wanda advised me that normally their involvement with youth is in joint planning with other agencies involved with the youth and maybe career exploration and/or training if that's appropriate. There is no funding available from their division until a youth graduates from school. Wanda indicated that the costs for services for youth in school is the responsibility of the school. I asked Wanda if there was new program emphasis or new money targeted for youth and she said she wasn't aware of anything. She did refer me to Gene Hysjulien, the state administration of Vocational Rehabilitation, for more information.

I contacted Gene but he wasn't available so I left a message. He called back to say that in order to qualify for vocational rehabilitation, the disability must prevent the individual from employment. Behavioral/correctional issues alone no longer qualify an individual for services.

One important factor here is that not all the kids in DO programming meet eligibility requirements for vocational rehabilitation services or have the kind of disability that falls within the realm of vocational rehabilitation services. In fact, DO was initially developed for adjudicated youth who were in trouble not disabled in the sense that vocational rehabilitation is appropriate.

DIVERSIFIED OCCUPATION INFORMATION

Compiled March 6, 2001

Beach	2000-01	Total Enrolled	52
		HOTR 23	
		Beach H.S. 29	
	1999-00	Total Enrolled	53
		HOTR 33	
		Beach H.S. 20	
	1998-99	Total Enrolled	20
Belcourt	2000-01	Total Enrolled	23
	1999-00.	" "	26
	1998-99	" "	25
Bismarck	2000-01	Total Enrolled	59
	1999-00	" "	54
	1998-99	" "	70
Devils Lake	2000-01	Total Enrolled	18
	1999-00	" "	27
	1998-99	" "	33
Dickinson	2000-01	Total Enrolled	77
	1999-00	" "	90
	1998-99	" "	86
Grand Forks	2000-01	Total Enrolled	92
	1999-00	" "	82
	1998-99	" "	66
Williston	2000-01	Total Enrolled	1
	1999-00	" "	4
	1998-99	" "	1
All Programs	2000-01	Total Enrolled	**322**
	1999-98	" "	**336**
	1998-99	" "	**317**

Travel Budget - DJS Community

Motor Pool

Cost/Mile	Miles	
0.190	14,784	compact
0.220	142,040	compact
0.240	16,553	compact
0.245	85,181	compact
0.265	63,888	compact
0.310	421	4-wheel
0.330	964	4-wheel
0.350	8,179	4-wheel
0.360	5,593	4-wheel
Total	**337,603**	

Current Biennium									
337,603	divided by	19 =	17,769	x 5 mo's =	88.845		Total Cost	$110.102	
337,603	plus	88.845 =	426,448	miles			Total Miles	80,845 through 12/00	
								29,256 01/01-06/01	

2001-2003			
16,550	x 24 =	397,200	
1,500	x 24 =	36,000	
		433,200	miles

In-State/Out-of-State

(Average Cost per Trip - $1,200)		
4 trips	Director	5,000
4 trips	Regional Managers (2	5,000
2 trips	Case Managers (20)	48,000

8 Quarterly Meetings per biennium	
2 Secretarial Meetings per biennium	18,500

Randy Miller

3-8-01

#2

FUNDING REQUEST BY REPORTING LEVEL

530.2 JUVENILE SERVICES

Reporting Level: 530-280-23-23
Program: AUXILIARY SERVICES

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)	
SALARIES AND WAGES								
SALARIES	1001	331,473	112,744	444,217	450,225	480,005	29,780	
TEMP;OT;OTS	1002	33,618	30,376	63,994	50,400	48,600	(1,800)	
BENEFITS	1006	113,708	36,507	150,215	157,801	179,691	21,890	
TOTAL		478,799	179,627	658,426	658,426	708,296	49,870	
OPERATING EXPENSES								
IT-TELEPHONE	3003	55,854	18,618	74,472	81,135	84,665	3,530	
TRAVEL	3004	30,732	7,044	37,776	36,000	36,000	0	
UTILITIES	3006	208,478	89,493	297,971	301,731	336,908	35,177	
IT-CONTRACT SERVICES	3008	270	90	360	0	0	0	
LEASE/RENT - EQUIP.	3011	258	86	344	0	0	0	
LEASE RENT - BLDG/LAND	3012	0	0	0	0	0	0	
DUES & PROF DEV.	3013	134	45	179	0	0	0	
OPER. FEES & SERVICES	3014	4,130	1,377	5,507	70,800	70,800	0	Janitorial
REPAIRS	3016	46,498	22,471	68,969	20,000	20,000	0	
PROFESSIONAL SERVICES	3018	13,143	11,846	24,989	10,000	10,000	0	
INSURANCE	3019	29,761	17,776	47,537	48,163	48,163	0	
PROF. SUPPLIES & MAT.	3025	398	133	531	0	0	0	
FOOD & CLOTHING	3027	170,569	70,056	240,625	246,003	246,003	0	
BLDG,GRNDS,VEHICLE MTCE. SUPP.	3030	103,073	19,358	122,431	106,537	106,537	0	
MISC. SUPPLIES	3033	20,708	6,903	27,611	28,997	46,457	17,460	
TOTAL		684,006	265,295	949,301	949,366	1,005,533	56,167	
AUXILIARY SERVICES LINE TOTAL		**1,162,805**	**444,922**	**1,607,727**	**1,607,792**	**1,713,829**	**106,037**	

FUNDING REQUEST BY REPORTING LEVEL

530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-23
Program: AUXILIARY SERVICES

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
FUNDING							
GENERAL FUNDS	9991	936,678	316,920	1,253,598	1,253,663	1,345,495	91,832
FEDERAL FUNDS	9992	183,495	59,119	242,614	242,614	256,819	14,205
SPECIAL FUNDS	9993	42,632	68,883	111,515	111,515	111,515	0
AUXILIARY SERVICES FUNDING TOTAL		**1,162,805**	**444,922**	**1,607,727**	**1,607,792**	**1,713,829**	**106,037**

FUNDING REQUEST BY REPORTING LEVEL
530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-24
Program: ADMINISTRATION

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
SALARIES AND WAGES							
SALARIES	1001	480,196	159,856	620,052	625,175	663,730	38,555
TEMP;OT;OTS	1002	14,571	5,760	20,331	24,276	24,251	(25)
BENEFITS	1006	144,985	47,447	192,432	193,152	215,909	22,757
TOTAL		619,752	213,063	832,815	842,603	903,890	61,287
OPERATING EXPENSES							
IT-DATA PROCESSING	3002	11,518	3,839	15,357	52,156	89,843	37,687
IT-TELEPHONE	3003	344	115	459	0	0	0
TRAVEL	3004	29,382	12,820	42,202	42,258	42,258	0
IT-SOFTWARE/SUPPLIES	3006	3,941	7,349	11,290	11,290	11,290	0
POSTAGE	3008	7,977	2,659	10,636	10,000	10,000	0
LEASE/RENT - EQUIP.	3011	8,057	2,686	10,743	10,200	10,200	0
LEASE RENT - BLDG/LAND	3012	485	162	647	0	0	0
DUES & PROF DEV.	3013	17,367	5,789	23,156	23,481	23,481	0
OPER. FEES & SERVICES	3014	5,069	1,690	6,759	4,200	4,200	0
REPAIRS	3016	1,043	348	1,391	800	800	0
PROFESSIONAL SERVICES	3018	10,427	3,476	13,903	5,000	5,000	0
OFFICE SUPPLIES	3021	26,133	8,711	34,844	34,718	34,718	0
PRINTING	3024	5,578	1,859	7,437	10,300	10,300	0
PROF. SUPPLIES & MAT.	3025	12,522	4,174	16,696	12,393	12,393	0
FOOD & CLOTHING	3027	188	63	251	0	0	0
MEDICAL,DENTAL & OPTICAL	3029	17	6	23	0	0	0
BLDG,GRNDS,VEHICLE MTCE. SUPP.	3030	2,869	956	3,825	0	0	0
MISC. SUPPLIES	3033	6,914	2,305	9,219	7,400	7,400	0
TOTAL		149,831	59,004	208,835	224,196	261,883	37,687

FUNDING REQUEST BY REPORTING LEVEL
530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-24
Program: ADMINISTRATION

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
EQUIPMENT							
OFFICE EQUIP & FURNITURE	4002	10,860	3,620	14,480	7,450	0	(7,450)
IT-EQUIPMENT	4003	32,621	10,874	43,495	54,392	64,621	10,229
OTHER EQUIPMENT	4020	43,988	14,609	58,597	54,729	54,729	0
TOTAL		87,469	29,102	116,571	116,571	119,350	2,779
CAPITAL IMPROVEMENTS							
LAND & BUILDINGS	5005	318,970	1,656,030	1,975,000	1,975,000	166,320	(1,808,680)
OTHER & BONDING PAYMENTS	5020	9,833	158,054	167,887	167,887	541,427	373,540
TOTAL		328,803	1,814,084	2,142,887	2,142,887	707,747	(1,435,140)
ADMINISTRATION LINE TOTAL		**1,185,855**	**2,115,254**	**3,301,109**	**3,326,257**	**1,992,870**	**(1,333,387)**
FUNDING							
GENERAL FUNDS	9991	623,506	378,402	1,001,908	1,027,057	1,717,559	690,502
FEDERAL FUNDS	9992	301,438	407,748	709,186	709,186	248,401	(460,785)
SPECIAL FUNDS	9993	260,911	1,329,103	1,590,014	1,590,014	26,910	(1,563,104)
ADMINISTRATION FUNDING TOTAL		**1,185,855**	**2,115,254**	**3,301,109**	**3,326,257**	**1,992,870**	**(1,333,387)**

FUNDING REQUEST BY REPORTING LEVEL
530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-25
Program: RESIDENT CARE

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
SALARIES AND WAGES							
SALARIES	1001	1,906,508	657,414	2,563,922	2,597,319	2,804,295	206,976
TEMP;OT;OTS	1002	200,063	64,993	265,056	262,904	267,000	4,096
BENEFITS	1008	658,930	215,910	874,840	909,879	1,039,566	129,687
TOTAL		2,765,501	938,317	3,703,818	3,770,102	4,110,861	340,759
OPERATING EXPENSES							
TRAVEL	3004	3,556	1,185	4,741	10,000	10,000	0
IT-CONTRACT SERVICES	3008	126	42	168	0	0	0
LEASE/RENT - EQUIP.	3011	23	8	31	0	0	0
PROFESSIONAL DEVELOPMENT	3013	100	33	133	0	0	0
OPER. FEES & SERVICES	3014	35,350	11,783	47,133	21,000	100,000	79,000
REPAIRS	3016	795	265	1,060	0	0	0
PROFESSIONAL SERVICES	3018	7,353	2,451	9,804	10,000	10,000	0
OFFICE SUPPLIES	3021	5,208	1,736	6,944	0	0	0
PRINTING	3024	95	32	127	0	0	0
PROF. SUPPLIES & MAT.	3025	4,828	1,609	6,437	25,200	15,200	(10,000)
FOOD & CLOTHING	3027	24,961	13,320	38,281	36,800	36,800	0
MEDICAL,DENTAL & OPTICAL	3029	240,698	152,233	392,931	399,484	296,099	(103,385)
BLDG,GRNDS,VEHICLE MTCE. SUPP.	3030	44,755	19,341	64,096	78,000	78,000	0
MISC. SUPPLIES	3033	20,285	13,762	34,047	26,000	26,000	0
OPERATIONS BUDGET ADJUSTMENT	3900	0	0	0	0	147,232	147,232
TOTAL		388,133	217,801	605,934	606,484	719,331	112,847
RESIDENT CARE LINE TOTAL		**3,153,634**	**1,156,118**	**4,309,752**	**4,376,586**	**4,830,192**	**453,606**

FUNDING REQUEST BY REPORTING LEVEL

530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-25
Program: RESIDENT CARE

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
FUNDING							
GENERAL FUNDS	9991	2,565,178	843,144	3,408,322	3,475,156	3,783,237	308,081
FEDERAL FUNDS	9992	427,941	101,648	529,589	529,589	670,239	140,650
SPECIAL FUNDS	9993	160,515	211,326	371,841	371,841	376,716	4,875
RESIDENT CARE FUNDING TOTAL		**3,153,634**	**1,156,118**	**4,309,752**	**4,376,586**	**4,830,192**	**453,606**

FUNDING REQUEST BY REPORTING LEVEL

530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-26
Program: EDUCATION

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
SALARIES AND WAGES							
SALARIES	1001	974,502	377,436	1,351,938	1,478,010	1,583,538	105,528
TEMP;OT;OTS	1002	50,534	6,050	56,584	20,000	55,200	35,200
BENEFITS	1008	328,589	116,278	444,867	460,165	526,499	66,334
TEACHER SALARY ADJUSTMENT	1900	0	0	0	0	291,375	291,375
TOTAL		1,353,625	499,764	1,853,389	1,958,175	2,456,612	498,437
OPERATING EXPENSES							
LEASE/RENT - EQUIP.	3011	6,592	2,197	8,789	8,952	8,952	0
DUES & PROF DEV.	3013	8,526	2,842	11,368	12,600	12,600	0
OPER. FEES & SERVICES	3014	4,602	1,534	6,136	0	0	0
REPAIRS	3016	587	196	783	0	0	0
PROFESSIONAL SERVICES	3018	3,558	1,186	4,744	0	0	0
OFFICE SUPPLIES	3021	485	162	647	0	0	0
PRINTING	3024	1,205	402	1,607	0	0	0
PROF. SUPPLIES & MAT.	3025	65,028	56,112	121,140	144,301	144,301	0
FOOD & CLOTHING	3027	1,673	558	2,231	1,600	1,600	0
BLDG,GRNDS,VEHICLE MTCE. SUPP.	3030	1,360	453	1,813	0	0	0
MISC. SUPPLIES	3033	18,222	6,074	24,296	16,100	16,100	0
TOTAL		111,838	71,715	183,553	183,553	183,553	0

FUNDING REQUEST BY REPORTING LEVEL

530.2 JUVENILE SERVICES

Reporting Level: 530-200-23-26	
Program: EDUCATION	

Object Description	Object Code	Actual To Dec 2000	Projected Jan-June 2001	Projected Expenditures 99-01	Approp. 99-01 Budget	Exec. Recomm. 01-03	Increase (Decrease)
EQUIPMENT							
IT-EQUIPMENT	4003	1,826	609	2,435	0	0	0
OTHER EQUIPMENT	4020	3,284	1,095	4,379	0	0	0
TOTAL		5,110	1,703	6,813	0	0	0
EDUCATION LINE TOTAL		**1,470,573**	**573,183**	**2,043,756**	**2,141,728**	**2,640,165**	**498,437**
FUNDING							
GENERAL FUNDS	9991	1,136,620	460,042	1,596,663	1,694,636	2,099,443	404,807
FEDERAL FUNDS	9992	142,985	49,774	192,769	192,769	297,409	104,640
SPECIAL FUNDS	9993	199,879	54,444	254,323	254,323	243,313	(11,010)
EDUCATION FUNDING TOTAL		**1,470,573**	**573,183**	**2,043,756**	**2,141,728**	**2,640,165**	**498,437**

SB 2016

NORTH DAKOTA YOUTH CORRECTIONAL CENTER

Better Choices, Brighter Future

2001-2003 Biennial Budget

Senate Bill 2016

Senate testimony identical - 3-5-01
to House

Presented By:

Darrell Nitschke, Superintendent

January 16, 2001

NORTH DAKOTA YOUTH CORRECTIONAL CENTER
2001-2003 BUDGET PRESENTATION
January 16, 2001

Senate Appropriations Committee
Chairman: Senator Dave Nething
Vice Chairman: Senator Ken Solberg

Introduction

A. Mr. Chairman and members of the Senate Appropriations Committee. I thank you for the opportunity to meet with you this morning to review NDYCC's 2001-2003 Budget Proposal as recommended by the Governor.

Highlights for the 1999-2001 Biennium

A. **ACA Accreditation** – Commission of Accreditation through the American Correctional Association – August 1999.

B. **North Central Accreditation – (NCA)**

Public declaration to educational improvements on an annual basis. It's an ongoing commitment to provide the best educational services possible.

C. **12 Month Extended School Schedule**

NDYCC has just completed 2 years of the extended school schedule. The extended school program went from 180 days as required for other school districts to 230 school days. The extended school program gives students an opportunity to complete more educational credits while placed at NDYCC. On average juveniles referred to our facility are 8.2 credits behind.

D. **Drug and Alcohol Program –**

Licensed as an Intensive Outpatient Treatment Program by the Division of Mental Health and Substance Abuse/Department of Human Services.

E. **Medical Service Agreement – MedCenter One Health Systems**

Medical Director	Medical Waste
Physician	Dietary Services
(1) Additional RN	Pharmacy
Hospital Services	Psychiatry (16 hours/month)
Laboratory Services	Psychological Services (32 hours/month)

F. **Capital Improvements**

Pine Cottage – Renovation and Addition -- $1.9

G. **Extraordinary Repairs**

Renovation of staff supervision areas in Hickory, Maple and Brown Cottages. -- $11,600

Installation of a Dust Collector System located in the Tech Educational Shop in the Administration/School building. -- $20,000

H. **Equipment**

- Security Camera in Brown, Hickory and Maple Cottages -- $16,164
- Bobcat = $14,000

North Dakota Youth Correctional Center Budget Request – 2001-2003

Line Item	99-01	01-03	Inc/(Dec)	Explanation
SALARIES				
(73% of Total Budget)				Increase Includes:
FTE	87.93	88.93	1.00 (1)	1) Night Security 1.00 FTE 37,822
Salaries	5,150,729	5,531,568	380,839 (1,2)	2) Salary Increase 343,017
Temp/OT/OTS	357,580	395,051	37,471 (3)	3%-2% & Continue Programs
Benefits	1,720,997	1,961,665	240,668 (4)	With Current Staff
Salary/Benefit Adj.	0.00	291,375	291,375 (5)	3) Inc Temp/OT/OTS 37,471
Total Salaries	**$7,229,306**	**$ 8,179,659**	**$ 950,353**	4) Health Ins Inc, Meet 240,668
				Salary Adj Portion, NS
				5) Teacher Comp Sch 291,375
				Total $ 950,353
OPERATING				
(20% of Total Budget)				Increase Includes:
Auxiliary Services	949,366	1,005,533	56,167 (1,2,3)	1) Utility Add Load & Incr 35,177
Administration	224,196	261,883	37,687 (4,5)	2) Radio Repair/Replace &
Education	183,553	183,553	0.00	Cell Phones 17,460
Resident Care:				3) IT-Telephone 3,530
Cottage Life	192,000	192,000	0.00	4) IT - Data Process Fees 35,767
Sp Programs (Grants)	15,000	84,000	69,000 (6)	5) Records Mgmt 1,920
Treatment	399,484	443,331	43,847 (7)	6) Inc Federal Grant Funding
Total Res Care	606,484	719,331	112,847	(Refinancing) 69,000
				7) Inc Over Current Level 43,847
Total Operating	**$ 1,963,599**	**$ 2,170,300**	**$ 206,701**	(147,232 Opt – 103,385 Base)
				Total $ 206,701
EQUIPMENT				
(1% of Total Budget)				Increase Includes:
Equipment – IT	54,392	64,621	10,229 (1)	1) Inc Over Current Level
Other Equipment	62,179	54,729	(7,450) (2)	(IT Plan – Computers &
Total Equipment	**$ 116,571**	**$ 119,350**	**$ 2,779**	Video Conf) 10,229
				2) Change in Level
				of Equip Required (7,450)
				Total $ 2,779
CAPITAL IMPROVEMENTS				
(6% of Total Budget)				Approved:
Land & Buildings	2,142,887	166,320	(1,976,567) (1,2,3,4)	1) Fire Suppression 101,000
Bonding Repayments	0.00	541,427	541,427 (5)	2) Door Replacement 29,000
Total Cap Improv	**$ 2,142,887**	**$ 707,747**	**($1,435,140)**	3) Partial of Heating Plant
				Improvements 36,320
				4) Decr Cap Imp (1,060,033)
				5) Bond Repay (541,427)
				Total ($1,435,140)
TOTAL BUDGET	**$11,452,363**	**$11,177,056**	**($275,307)**	
Funding:				Federal & Special Funds:
General	7,450,512	8,945,734	1,495,222	1) $120.50/day Not $140.00/day
Federal	1,674,158	1,472,868	(201,290) (1)	Represents Decrease of
Special	2,327,693	758,454	(1,569,239) (1)	($149,467.50)

Closing Remarks

I again want to thank-you for your time and support. We need to continually view our population not as just children at risk but children of promise. We extend an invitation for you to visit NDYCC at your convenience. I will be glad to answer any questions, you may have.

3-12-01

#1

19699.01

LC

Prepared by the North Dakota Legislative Council staff for House Appropriations - Human Resources Division
March 2001

YOUTH CORRECTIONAL CENTER - TEACHER SALARY COMPARISON

The 1995 Legislative Assembly (Senate Bill No. 2211) removed teachers at the Youth Correctional Center, School for the Blind, and School for the Deaf from the state classified personnel system. North Dakota Century Code (NDCC) Section 15-47-27.2 directs the Superintendent of Public Instruction and the director of the Department of Corrections and Rehabilitation to develop personnel policies for teachers employed by their respective departments.

Pursuant to NDCC Section 15-47-27.2, the Central Personnel Division conducted a salary study on behalf of the Department of Public Instruction and the Department of Corrections and Rehabilitation. The study included a survey of selected public schools to develop a comparison of teacher salaries at the Youth Correctional Center, School for the Blind, and School for the Deaf and teacher salaries at various public schools. Selected schools were Bismarck, Devils Lake, Fargo, Grand Forks, Mandan, and Minot, North Dakota; and Crookston and Moorhead, Minnesota. As a result of the study, the Central Personnel Division developed a proposed salary schedule for teachers in the three agencies. A copy of the summary report and proposed salary schedule is attached as an appendix.

The summary report indicates that the target salary schedules prepared by the Central Personnel Division would place teacher salaries at the three state agencies approximately eight percent below the teacher salaries at the surveyed public schools. The report also indicates that teacher pay at the three agencies lagged the market by a similar percentage at the time the teachers were removed from the central personnel system in 1995.

Teacher salaries at the Youth Correctional Center compare with teacher salaries in the Bismarck and Mandan area and the rest of the state, as follows:

	Average Teacher Salary - 2000-01 School Year	Projected Average Teacher Salary - 2002-03 School Year
Youth Correctional Center	$29,196[1]	$34,279[1]
Comparison to Bismarck/Mandan		
Bismarck Public Schools	$34,724[2]	$38,224[3]
Mandan Public Schools	$28,878[2]	$32,378[3]
Average of Bismarck/Mandan	$31,801	$35,301
Youth Correctional Center percentage above (below)		
Bismarck Public Schools	(18.9%)	(11.5%)
Mandan Public Schools	1.1%	6.6%
Average of Bismarck/Mandan	(8.9%)	(3.0%)
Comparison to statewide average		
All North Dakota public schools	$30,891[2]	$34,391[3]
Youth Correctional Center percentage above (below) statewide average	(5.8%)	(0.3%)

[1] The amount shown is the salary amount excluding benefits, as provided by the Youth Correctional Center. The 2002-03 amount is based on the distribution of additional teacher salary increases, pursuant to the attached salary schedule, for which funding is included in the Schafer and Hoeven budget recommendations and Senate Bill No. 2016, as passed by the Senate.

[2] The amount shown is the salary amount excluding benefits, as provided by the North Dakota Education Association.

[3] The amount shown is based on the 2000-01 amount adjusted to reflect salary increases of $1,750 per year during the 2001-03 biennium, as included in House Bill No. 1344, as passed by the House.

ATTACH:1

SB 2016

19808.01

Prepared by the North Dakota Legislative Council staff for Senator Nething
April 2001

YOUTH CORRECTIONAL CENTER - TEACHER SALARY COMPARISON

The 1995 Legislative Assembly (Senate Bill No. 2211) removed teachers at the Youth Correctional Center, School for the Blind, and School for the Deaf from the state classified personnel system. North Dakota Century Code (NDCC) Section 15-47-27.2 directs the Superintendent of Public Instruction and the director of the Department of Corrections and Rehabilitation to develop personnel policies for teachers employed by their respective departments.

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Teacher salaries at the Youth Correctional Center compare with teacher salaries in the Bismarck and Mandan area and the rest of the state as follows:

	Average Teacher Salary - 2000-01 School Year	Projected Average Teacher Salary - 2002-03 School Year (Based on Funding Included in House Version of SB 2016)
Youth Correctional Center	$29,196[1]	$33,675[1]
Comparison to Bismarck/Mandan		
Bismarck Public Schools	$34,724[2]	$38,224[3]
Mandan Public Schools	$28,878[2]	$32,378[3]
Average of Bismarck/Mandan	$31,801	$35,301
Youth Correctional Center percentage above (below)		
Bismarck Public Schools	(18.9%)	(13.5%)
Mandan Public Schools	1.1%	3.9%
Average of Bismarck/Mandan	(8.9%)	(4.8%)
Comparison to statewide average		
All North Dakota public schools	$30,891[2]	$34,391[3]
Youth Correctional Center percentage above (below) statewide average	(5.8%)	(2.1%)

[1] The amount shown is the salary amount, excluding benefits, as provided by the Youth Correctional Center. The 2002-03 amount is based on the distribution of $200,000 for teacher salary increases during the 2001-03 biennium in addition to the executive budget compensation package of three percent the first year of the biennium and two percent the second year. The cost to fully fund the salary increases indicated on the composite salary schedule developed by Central Personnel is $291,375. The amount provided in Senate Bill No. 2016 (with House amendments) is $200,000 plus the executive budget compensation package of three percent the first year of the 2001-03 biennium and two percent the second year.

[2] The amount shown is the salary amount, excluding benefits, as provided by the North Dakota Education Association.

[3] The amount shown is based on the 2000-01 amount adjusted to reflect total salary increases of $5,250 per teacher during the 2001-03 biennium. For the purpose of this analysis, the public schoolteacher salary increases are assumed to be distributed $1,750 the first year of the biennium and an additional $1,750 the second year, for a total increase of $3,500 during the 2001-03 biennium, compared to the 2000-01 salary level. Actual salary increases received by public schoolteachers may be different than the amounts shown. House Bill No. 1344, as passed by the Senate, provides for teacher bonus payments of $1,300 per year and legislative intent that 70 percent of the amount received for foundation aid be used to provide teacher compensation.

SB 2016

19608.02

Prepared by the North Dakota Legislative Council staff for Senator Nething
April 2001

YOUTH CORRECTIONAL CENTER - TEACHER SALARY COMPARISON

The 1995 Legislative Assembly (Senate Bill No. 2211) removed teachers at the Youth Correctional Center, School for the Blind, and School for the Deaf from the state classified personnel system. North Dakota Century Code (NDCC) Section 15-47-27.2 directs the Superintendent of Public Instruction and the director of the Department of Corrections and Rehabilitation to develop personnel policies for teachers employed by their respective departments.

Pursuant to NDCC Section 15-47-27.2, the Central Personnel Division conducted a salary study on behalf of the Department of Public Instruction and the Department of Corrections and Rehabilitation. The study included a survey of selected public schools to develop a comparison of teacher salaries at the Youth Correctional Center, School for the Blind, and School for the Deaf and teacher salaries at various public schools. Selected schools were Bismarck, Devils Lake, Fargo, Grand Forks, Mandan, and Minot, North Dakota; and Crookston and Moorhead, Minnesota. As a result of the study, the Central Personnel Division developed a proposed "composite salary schedule" for teachers in the three agencies.

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Youth Correctional Center percentage above (below)		
Bismarck Public Schools	(18.9%)	(12.0%)
Mandan Public Schools	1.1%	5.3%
Average of Bismarck/Mandan	(8.9%)	(3.3%)
Comparison to statewide average		
All North Dakota public schools	$30,891[2]	$33,891[3]
Youth Correctional Center percentage above (below) statewide average	(5.8%)	(.6%)

[1] The amount shown is the salary amount, excluding benefits, as provided by the Youth Correctional Center. The 2002-03 amount is based on the distribution of $200,000 for teacher salary increases during the 2001-03 biennium in addition to the executive budget compensation package of three percent the first year of the biennium and two percent the second year. The cost to fully fund the salary increases indicated on the composite salary schedule developed by Central Personnel is $291,375. The amount provided in Senate Bill No. 2016 (with House amendments) is $200,000 plus the executive budget compensation package of three percent the first year of the 2001-03 biennium and two percent the second year.

[2] The amount shown is the salary amount, excluding benefits, as provided by the North Dakota Education Association.

[3] The amount shown is based on the 2000-01 amount adjusted to reflect total salary increases of $5,250 per teacher during the 2001-03 biennium. For the purpose of this analysis, the public schoolteacher salary increases are assumed to be distributed $1,000 the first year of the biennium and an additional $2,000 the second year, for a total increase of $3,000 during the 2001-03 biennium, compared to the 2000-01 salary level. Actual salary increases received by public schoolteachers may be different than the amounts shown.

AVERAGE SALARY

Name	1) Salary Contracts 00-01 SY (9 Months)	3% 2) Salary Contracts 01-02 SY (9 Months)	2% 3) Salary Contracts 02-03 SY (9 Months)	$291,000 4) Composite Salary 01-02 SY (9 Months)	$291,000 5) Composite Salary 02-03 SY (9 Months)	$200,000 6) Composite Salary 01-02 SY (9 Months)	$200,000 7) Composite Salary 02-03 SY (9 Months)	3% & $200,000 8) Salary 01-02 SY (9 Months)	2% & $200,000 9) Salary 02-03 SY (9 Months)
Kuntz	$28,886	$29,753	$30,348	$35,261	$35,986	$33,285	$33,765	$34,151	$34,834
Anderson	27,063	27,875	28,432	32,111	32,836	30,546	31,046	31,358	31,985
Barstad, K	25,188	25,944	26,463	29,461	30,186	28,136	28,637	28,892	29,470
Cussons	29,698	30,589	31,201	35,261	35,986	33,536	34,037	34,427	35,116
Heid	27,503	28,328	28,895	30,711	31,436	29,717	30,217	30,542	31,152
Jones	27,819	28,654	29,227	33,311	34,036	31,608	32,109	32,443	33,092
Massey	33,713	34,724	35,419	37,661	37,696	36,437	36,472	37,449	37,484
Ringgenberg	31,075	32,007	32,647	36,936	37,661	35,119	35,619	36,051	36,772
Unkenholz	36,511	37,606	38,358	42,086	42,121	40,358	40,393	41,453	41,488
Baird	31,292	32,231	32,875	35,985	36,021	34,531	34,566	35,470	35,505
Barstad, T	25,061	25,813	26,329	30,661	31,386	28,925	29,425	29,677	30,270
Donovan	29,127	30,001	30,601	34,761	35,486	33,014	33,515	33,888	34,566
Dykema	25,972	26,751	27,286	30,911	31,636	29,380	29,880	30,159	30,762
Fleck L.	29,570	30,457	31,066	34,536	35,261	32,997	33,497	33,884	34,561
Holm	36,872	40,038	40,839	43,086	43,121	41,780	41,815	42,946	42,981
Hornbacher	28,457	29,311	29,897	34,036	34,761	32,307	32,807	33,160	33,823
Klein	25,393	26,155	26,678	32,111	32,836	30,028	30,529	30,790	31,406
Simons	24,516	25,251	25,757	28,536	29,261	27,290	27,790	28,025	28,586
Fleck W.	24,786	25,530	26,040	24,786	25,511	24,786	25,286	25,530	26,040
Tweedy	37,821	38,956	39,735	41,086	41,121	40,074	40,109	41,208	41,243
Hintz	24,786	25,530	26,040	24,786	25,511	24,786	25,286	25,530	26,040
	$613,109	$631,502	$644,132	$706,081	$719,856	$678,540	$686,819	$697,033	$707,178
Avg. Salary	**$29,196**	**$30,072**	**$30,673**	**$33,718**	**$34,279**	**$32,316**	**$32,706**	**$33,192**	**$33,675**

1) Actual 9 Month Contracts 00-01 SY
2) Based On Actual 9 Month Contract - (School Year 01-02) 3% Increase
3) Based On Actual 9 Month Contract - (School Year 02-03) 2% Increase
4) Based On Actual 9 Month Contract From Composite Schedule For 1st Year
5) Based On Actual 9 Month Contract From Composite Schedule For 2nd Year
6) **ASSUMPTION** Based On Actual 9 Month Contract From Composite Schedule At $200,000 House Proposal
7) **ASSUMPTION** Based On Actual 9 Month Contract From Composite Schedule At $200,000 House Proposal
8) **ASSUMPTION** Based On Actual 9 Month Contract For 3% Increase + Composite Schedule At $200,000 House Proposal
9) **ASSUMPTION** Based On Actual 9 Month Contract For 2% Increase + Composite Schedule At $200,000 House Proposal

NOTE: Column 8 & 9 Would Need To Go Back To Central Personnel Division For Updated Composite Schedule

SB 2216

(revised)4/20/01
miller

SB 2016.

19617

Prepared by the North Dakota Legislative Council staff for Senator Nething
April 2001

YOUTH CORRECTIONAL CENTER - FUNDING FOR ADDITIONAL TEACHER COMPENSATION PAYMENTS

House Bill No. 1344 as passed by the Senate included an appropriation for bonus payments of $1,300 per year for teachers in public schools. The bill also contained legislative intent that school districts use 70 percent of the state foundation aid payments for the purpose of teacher compensation. The intent was that teachers be provided additional compensation of at least $5,250 during the 2001-03 biennium.

Funding is included in Senate Bill No. 2016, with House amendments, to partially fund the teacher composite salary schedule developed by Central Personnel and to provide Youth Correctional Center teachers the executive compensation package salary increases of three percent the first year and two percent the second year. If an additional $5,250 is provided for each teacher and instructional personnel at the Youth Correctional Center, the cost for the 2001-03 biennium is as follows:

Position	FTE[1]	Cost of Additional $5,250 Compensation
Instructional program coordinator	0.71	$3,728
Guidance counselor	1.70	8,925
Instructional programmer	0.50	2,625
Library media specialist	0.86	4,515
Teacher	18.23	95,708
Total	22.00	$115,501

[1] The number of FTE is based on personnel reported to the Department of Public Instruction (DPI). The Department of Public Instruction compiles personnel information for public school districts and the Youth Correctional Center, School for the Deaf, and School for the Blind, which are approved schools. For DPI reporting purposes, a nine-month teacher position is a one FTE, whereas a nine-month position reported to the Office of Management and Budget for a state agency is considered a .75 FTE. The information included in this memorandum reflects the DPI reporting model and is consistent with similar information reported for public school districts.

19808 SB 2016
Conference Committee

4-20-01 mtg

Prepared by the North Dakota Legislative Council staff for Senator Nething
April 2001

YOUTH CORRECTIONAL CENTER - TEACHER SALARY COMPARISON

The 1995 Legislative Assembly (Senate Bill No. 2011) removed teachers at the Youth Correctional Center, School for the Blind, and School for the Deaf from the state classified personnel system. North Dakota Century Code (NDCC) Section 15-47-27.2 directs the Superintendent of Public Instruction and the director of the Department of Corrections and Rehabilitation to develop personnel policies for teachers employed by their respective departments.

Pursuant to NDCC Section 15-47-27.2, the Central Personnel Division conducted a salary study on behalf of the Department of Public Instruction and the Department of Corrections and Rehabilitation. The study included a survey of selected public schools to develop a comparison of teacher salaries at the Youth Correctional Center, School for the Blind, and School for the Deaf and teacher salaries at various public schools. Selected schools were Bismarck, Devils Lake, Fargo, Grand Forks, Mandan, and Minot, North Dakota; and Crookston and Moorhead, Minnesota. As a result of the study, the Central Personnel Division developed a proposed salary schedule for teachers in the three agencies. A copy of the summary report and proposed salary schedule is attached as an appendix.

Teacher salaries at the Youth Correctional Center compare with teacher salaries in the Bismarck and Mandan area and the rest of the state, as follows:

	Average Teacher Salary - 2000-01 School Year	Projected Average Teacher Salary - 2002-03 School Year (Based on Funding Included in House Version of SB 2016)
Youth Correctional Center	$29,196[1]	$32,706[1]
Comparison to Bismarck/Mandan		
Bismarck Public Schools	$34,724[2]	$38,224[3]
Mandan Public Schools	$28,878[2]	$32,378[3]
Average of Bismarck/Mandan	$31,801	$35,301
Youth Correctional Center percentage above (below)		
Bismarck Public Schools	(18.9%)	(16.9%)
Mandan Public Schools	1.1%	1.0%
Average of Bismarck/Mandan	(8.9%)	(7.9%)
Comparison to statewide average		
All North Dakota public schools	$30,891[2]	$34,391[3]
Youth Correctional Center percentage above (below) statewide average	(5.8%)	(5.2%)

[1] The amount shown is the salary amount excluding benefits, as provided by the Youth Correctional Center. The 2002-03 amount is based on the distribution of $200,00 for additional teacher salary increases during the 2001-03 biennium. The cost to fully fund the salary increases indicated on the attached salary schedule is $291,375. The amount provided in Senate Bill No. 2016 is $200,000. Consequently, the salary schedule increases were reduced by approximately 31 percent to arrive at the average amount shown on this memorandum.

[2] The amount shown is the salary amount excluding benefits, as provided by the North Dakota Education Association.

[3] The amount shown is based on the 2000-01 amount adjusted to reflect salary increases of $5,250 per teacher during the 2001-03 biennium, as provided for in House Bill No. 1344, as passed by the Senate. For the purpose of this analysis, the public schoolteacher salary increases are assumed to be distributed $1,750 the first year of the biennium and an additional $1,750 the second year. Actual salary increases received by public schoolteachers may be different than the amounts shown.

ATTACH:1

SUMMARY REPORT OF TEACHER STUDY
Conducted by Central Personnel Division
March, 2000

Purpose of Study

At the request of the Superintendent of Public Instruction and the Director of the Department of Corrections, to conduct a comparison of public school teacher salaries and benefits with teacher salaries and benefits at North Dakota School for the Deaf (NDSD), North Dakota School for the Blind (NDSB), and the Youth Correctional Center (YCC).

Scope of Study

Public Schools selected for the survey were: Bismarck, Devils Lake, Fargo, Grand Forks, Mandan, and Minot in North Dakota; and Crookston and Moorhead in Minnesota. Those schools in Minnesota were selected because of the proximity to the NDSD and NDSB. Information was also requested of East Grand Forks, Minnesota; however, they did not respond.

Results Overview – Composite Salary Schedule

A Composite Salary Schedule was developed using 1999-2000 data (attached at the end of this report). At the time of data collection, some schools were still in the midst of their negotiation process for the next year and did not have 2000-2001 salary schedules prepared.

Discussion and Analysis of Composite Schedule

Since the time teachers were removed from the classified service, target salary schedules have been developed that somewhat mirror the pay line of the classified service in relationship to the market. The classified service pay lagged market pay by about eight percent at comparable grade levels, and the target salary schedules were set about eight percent below the surveyed market.

The target salary schedules are step systems, like school districts use, that place employees at a designated step on the schedule. They are very difficult to fund – not only because of the lock-step increase for each additional year of service, but also because employees can move across the schedule by gaining additional credentials. Furthermore, it is difficult to predict, when budgeting nearly three years in advance, the number of teachers that will reach another lane during a biennium, much less to predict at what lane a new teacher coming into the system will be placed. Therefore, the Central Personnel Division is proposing another concept – the composite salary schedule.

The Composite Salary Schedule, like target salary schedules in the past, advances cross based on credentials, while it advances down based on years of service. The amount of the increments for credentials is greater than that for years of service, thereby recognizing the value of additional education in the profession.

Specifically, the salary schedule advances $850 to the second lane (i.e. Bachelor's + 15), $925 from the second to the third lanes, $950 from the third to the fourth, $975 from the fourth to the fifth, and $1000 to each of the lanes beyond. As we have indicated in the past, the primary advantage of graduating amounts is that there is an incentive and reward for teachers to obtain more education in their field.

The schedule advances $725 per step within each lane. This figure was arrived at by evenly distributing the difference from step 0 to the maximum and considering points in between in relation to the market. **Flat amounts from step to step versus graduating amounts reflect that additional experience alone does not increase the value of an employee, but that experience together with additional credentials makes an employee more valuable to the organization.**

The Composite Salary Schedule would be in place for one biennium, whereas we previously developed a target schedule for each year of the biennium.

The other piece of the Composite Salary Schedule approach is a model designed to award the largest percentage of available salary dollars to those furthest behind their corresponding point on the composite schedule.

Advantages of Composite Salary Schedule approach:

a. Composite provides a market snapshot every two years.
b. Provides a means to measure teachers' pay against market pay (depending on legislative funding, schools may not ever be on target).
c. Flexibility in prioritizing salary adjustments based on various factors, i.e. equity, special project assignments, performance, etc.

Disadvantages of Composite Salary Schedule approach:

a. No lock-step for teachers targeted pay
b. Administrators may need to monitor internal teacher pay equity more closely
c. No predetermined relationship to market

Lanes

In 1998, we added an eighth lane, for a Master's plus 60 graduate credits or a doctorate in education. This lane was added to recognize a teacher for achieving the next educational milestone. The following table shows the lanes that each of the surveyed schools recognize:

District	BA	BA + 15	BA + 30	BA + 45	BA + 60	MA	BA + 75	MA + 15	BA + 90	MA + 30	BA + 105	MA + 45	MA+60/EDD
Bismarck	X	X	X	X		X		X		X			X
Crookston	X	X	X	X	X	X		X		X			
D. Lake	X	X (16)	X (32)	X (48)		X		X (16)		X (32)			
Fargo	X	X	X	X		X		X		X		X	
G. Forks	X	X	X			X		X		X			
Mandan	X	X (16)	X			X		X (16)		X			
Minot	X	X (16)	X	X		X		X (16)		X		X	
Moorhead	X	X	X	X	X	X	X	X	X	X	X	X	

Steps

The following table indicates the number of steps that each of the surveyed schools has in the corresponding lane:

District	BA	BA + 15	BA + 30	BA + 45	BA + 60	MA	BA + 75	MA + 15	BA + 90	MA + 30	BA + 105	MA + 45	MA+60/EDD
Bismarck	13	21	23	23		25		25		25			25
Crookston	16	16	16	16	16	16		16		16			
D. Lake	13	17	20	25		30		30		30			
Fargo	10	10	12	12		12		13		14		15	
G. Forks	17	19	21			23		24		26			
Mandan	18	21	21			22		22		22			
Minot	12	12	21	21		22		22		23		23	
Moorhead	18	18	18	18	19	19	19	19	19	19	19	19	

There is one teacher in the State's three schools who is in the Lane VIII (MA+60/EDD).

Credit on Salary Schedule for Outside Prior Teaching Experience

Bismarck	Bachelors up to 7 yrs Masters up to 6 yrs
Devils Lake	Full credit up to 7 yrs
Fargo	Year-for-year for first 7 yrs, then one year for every two to a maximum of 10 yrs
Grand Forks	Full credit up to 5 yrs
Mandan	Credit for each year of experience if experience is in relation to position
Minot	No outside service credit
Crookston	Negotiated – up to 10 yrs
Moorhead	99-00: full credit up to 7 yrs with discretion up to step 10 w/o regard to prior teaching experience 00-01+: full credit up to 2 yrs with discretion up to step 10 w/o regard to prior teaching experience

Results Overview - Benefits

The table of Teacher Benefit Information is also included at the end of this Summary. The purpose of this information is to show the cost of the various benefits that are provided by the schools surveyed, not to compare the value or quality of benefits in one school to those of another.

Recommendation/Action

The Central Personnel Division recommends that the Composite Salary Schedule approach be adopted.

The Division is also recommending that a review of market pay be conducted biennially to develop a revised Composite Salary Schedule and to the develop models to distribute available salary dollars using the Composite Salary Schedule as a guide. The timing of the market review should coincide with the pay plan development for inclusion in the biennial budget request, as is currently the case. The Central Personnel Division continues to be available to do the market review and develop pay models.

Questions pertaining to this document or the study may be directed to Virginia Rivinius at the Central Personnel Division at 328-3374.

TEACHER BENEFIT S[illegible]EY INFORMATION

School	Health*		Retirement	Life Ins		Vision*		Dental*		EAP	Sick	ST/LT Dis	Funeral	Personal	Other Leave (Emergency, etc.)
	Dist	Empe		Dist Cost	Coverage	Dist	Empe	Dist	Empe						
Devils Lake	2106[1]	3096[1]	7.75%	%	25,000	101	117	296	475	[7]	10[8]	Yes	See (6)	2	
Mandan	5040	0	7.75%	47	15,000	0	216[10]	N/A	N/A	16	10	Yes	5	2	
Minot	4405	1200	7.75%	14	10,000	N/A	N/A	N/A	N/A	N/A	10	[7]	5	2	
Fargo	4510	480	7.75%[11]	51	25,000	146	48	539	180	27	15	Yes	5	2	3
Bismarck	4878	1926	7.75%	54	50,000	165	52	168	455	[8]	12	Yes	Incl in SL	2	
G. Forks	3563	9217	7.75%	20	15,000	N/A	N/A	N/A	N/A	[4]	20[2]	Yes	5	2	3
Crookston	6246	1562	5.00%	87	50,000	N/A	N/A	N/A	N/A	[4]	15	[7]	Incl in SL[3]	5	
Moorhead	4884[5]	780[6]	5.00%	5	50,000	N/A	N/A	N/A	N/A	4	20[9]	Yes	Incl in PTO	1	

* Family Plan

(1) Equivalent of single policy
(2) 20 days granted initially with graduated scale of accumulation based on use of SL in previous year
(3) Up to 10 days, additional 5 days for death of spouse or child
(4) Paid as needed
(5) Increase of 10% planned for 2000-01 w/ empe paying $960
(6) Up to 5 days SL may be used annually for illness of teacher's children and for funeral leave of family members
(7) Employee pays
(8) Included in health insurance
(9) Paid Time Off (PTO) Plan covers sick leave, funeral leave, family illness, emergency leave
(10) If teacher enrolls in less than family health plan, the district pays the vision premium
(11) Fargo Public Schools pays members assessment also

Prepared by Central Personnel Division
3/29/00

Composite S[illegible] Schedule
2001-[illegible]03

Step	BA BS	BA BS+15	BA BS+30	BA BS+45	MA MS	MA MS+15	MA MS+30	MA MS+60 EdD
0	21,886	22,736	23,661	24,611	25,586	26,586	27,586	28,586
1	22,611	23,461	24,386	25,336	26,311	27,311	28,311	29,311
2	23,336	24,186	25,111	26,061	27,036	28,036	29,036	30,036
3	24,061	24,911	25,836	26,786	27,761	28,761	29,761	30,761
4	24,786	25,636	26,561	27,511	28,486	29,486	30,486	31,486
5	25,511	26,361	27,286	28,236	29,211	30,211	31,211	32,211
6	26,236	27,086	28,011	28,961	29,936	30,936	31,936	32,936
7	26,961	27,811	28,736	29,686	30,661	31,661	32,661	33,661
8	27,686	28,536	29,461	30,411	31,386	32,386	33,386	34,386
9	28,411	29,261	30,186	31,136	32,111	33,111	34,111	35,111
10	29,136	29,986	30,911	31,861	32,836	33,836	34,836	35,836
11	29,861	30,711	31,636	32,586	33,561	34,561	35,561	36,561
12	30,586	31,436	32,361	33,311	34,286	35,286	36,286	37,286
13	31,311	32,161	33,086	34,036	35,011	36,011	37,011	38,011
14	32,036	32,886	33,811	34,761	35,736	36,736	37,736	38,736
15	32,761	33,611	34,536	35,486	36,461	37,461	38,461	39,461
16		34,336	35,261	36,211	37,186	38,186	39,186	40,186
17			35,986	36,936	37,911	38,911	39,911	40,911
18				37,661	38,636	39,636	40,636	41,636
19					39,361	40,361	41,361	42,361
20						41,086	42,086	43,086

Prepared by Central Personnel Division
3/27/00

TEACHER SALARY [illegible]EASE MODEL

DRAFT

Diff	Inc
Up to 10%	3%
11 to 20%	6%
21 to 30%	9%
31 + %	12%

Org	Dept	Div	Name	Lane	Yrs Cr on 8/1/01	Current Salary	Compst Point	% to Compst	Proposed Inc	New Salary	New % to Compst
xxx	yyy	zzz	1	I	3.0	24,000	24,061	-0.3%	720	24,720	2.7%
xxx	yyy	zzz	2	III	5.0	26,000	27,286	-4.9%	780	26,780	-1.9%
xxx	yyy	zzz	3	IV	5.0	21,000	28,236	-34.5%	2,520	23,520	-20.1%
xxx	yyy	zzz	4	III	5.0	26,050	27,286	-4.7%	782	26,832	-1.7%
xxx	yyy	zzz	5	V	5.0	23,410	29,211	-24.8%	2,110	25,520	-14.5%
xxx	yyy	zzz	9	I	9.0	28,500	28,411	0.3%	0	28,500	0.3%
xxx	yyy	zzz	10	III	8.0	27,270	29,461	-8.0%	818	28,088	-4.9%
xxx	yyy	zzz	11	VI	14.0	22,000	24,761	-12.6%	1,320	23,320	-6.2%
xxx	yyy	zzz	12	IV	10.0	29,530	31,861	-7.9%	886	30,416	-4.8%
xxx	yyy	zzz	13	II	17.0	41,840	34,336	17.9%	0	41,840	17.9%
xxx	yyy	zzz	14	III	22.0	22,370	35,986	-60.9%	2,684	25,054	-43.6%
xxx	yyy	zzz	15	IV	10.0	29,150	31,861	-9.3%	875	30,025	-6.1%
xxx	yyy	zzz	16	VI	4.0	26,060	29,486	-13.1%	1,564	27,624	-6.7%
xxx	yyy	zzz	17	VII	4.0	28,690	30,486	-6.3%	861	29,551	-3.2%
xxx	yyy	zzz	18	I	21.0	36,190	32,761	9.5%	0	36,190	9.5%
xxx	yyy	zzz	19	I	9.0	22,650	28,411	-25.4%	2,039	24,689	-15.1%
xxx	yyy	zzz	20	VI	25.0	29,460	41,086	-39.5%	3,535	32,995	-24.5%
xxx	yyy	zzz	21	V	17.0	32,000	37,911	-18.5%	1,920	33,920	-11.8%
xxx	yyy	zzz	22	IV	7.0	28,000	29,686	-6.0%	840	28,840	-2.9%
xxx	yyy	zzz	23	VII	4.0	36,190	30,486	15.8%	0	36,190	15.8%
xxx	yyy	zzz	24	I	21.0	22,650	32,761	-44.6%	2,718	25,368	-29.1%
xxx	yyy	zzz	25	I	9.0	29,460	28,411	3.6%	0	29,460	3.6%
xxx	yyy	zzz	26	VI	25.0	32,000	41,086	-28.4%	2,880	34,880	-17.8%
xxx	yyy	zzz	27	V	17.0	28,000	37,911	-35.4%	3,360	31,360	-20.9%
xxx	yyy	zzz	28	IV	7.0	29,460	29,686	-0.8%	884	30,344	2.2%

Prepared by Central Personnel Division
3/31/00

Consulting Services and Technical Assistance
Buildings and Grounds
Professional Services – Object Code 3018

With the increase in train traffic on the BNSF the main entrance into the North Dakota Youth Correctional Center is blocked frequently due to traffic and switching of railroad cars. In an effort to reduce concerns a new entrance was proposed coming into the Youth Correctional Center from the south.

The South Entrance Road was a venture that was started with the involvement of the North Dakota National Guard and the North Dakota Highway Department. The National Guard was going to supply the equipment and personnel to clear the area and to build the new entrance road into the facility. The Highway Department was going to supple the blacktop to surface the new road. The North Dakota Youth Correctional Center was to be responsible for the fuel for the equipment and to arrange for the engineering costs for the project. The engineering costs are as follows:

Toman Engineering	$4,879
University of North Dakota (archeological study)	850
KBM, Inc. (aerial study)	1,560
Total Costs	$7289

- The National Guard is no longer an option.
- Federal easement has been approved through USDA.
- Funding for the project did not make DOCR's prioritization list at this time.

PURCHASE ORDER
STATE OF NORTH DAKOTA
SFN 2033 (Rev. 01-97)

PO NO. A425337

TO:

North Dakota
Youth Correctional Center
701 16th Ave SW
Mandan, ND 58554

DATE	REQUISITION NO.	THIS NUMBER MUST APPEAR ON ALL INVOICES AND OTHER CORRESPONDENCE
11/8/99		

INSTRUCTIONS TO VENDOR:
1. VOUCHERS WILL BE PREPARED BY THE RECEIVING AGENCY UPON RECEIPT OF YOUR INVOICE.
2. THE STATE OF NORTH DAKOTA REQUIRES THAT ALL INVOICES BE F.O.B. (FREE ON BOARD) DESTINATION. THIS MEANS THAT SHIPPING CHARGES MUST BE PAID BY THE VENDOR.*
3. THE STATE DOES NOT PAY SALES TAX OR FEDERAL EXCISE TAX. THE STATE'S SALE TAX EXEMPTION No. IS E-2001. THE FEDERAL TAX FREE TRANSACTION NO. IS 45-70-0011K.

VENDOR:

TOMAN Engineering Company
906 2ND ST. N.W.
MANDAN, N. DAK. 58554

SHIP TO:

QUANTITY	UNIT	DESCRIPTION	UNIT PRICE	AMOUNT
5.5	Hours	CLERICAL	20/Hr	110.00
2.75	Hours	Technician	35/Hr	96.25
32	Hours	Principal Engineer	75/Hr.	2,400.00
22.5	Hours	Computer-CADD	40/Hr.	900.00
13.5	Hours	Graduate Engineer	42/Hr.	567.00
1.5	Hours	Registered Land Surveyor	55/Hr.	82.50
5.5	Hours	Two Man Crew	75/Hr.	412.50
1	Hour	Survey Vehicle	25/Day	25.00
				4593.25

X-O Repair
South Entrance Road

AGENCY HEAD OR AUTHORIZED AGENCY

VENDOR

UNIVERSITY OF UND NORTH DAKOTA

ANTHROPOLOGY
HARIMAN RESEARCH CENTER
P.O. BOX 9036
GRAND FORKS, NORTH DAKOTA 58202-9036
PHONE (701) 777-2436
FAX (704) 777-3650

September 30, 1999

Mr. Ronald W. Manchester
Toman Engineering Company
906 2nd Street NW
Mandan, ND 58554

Mr. Manchester,

This is in response to your request for a bid on the conducting of an archeological survey for the North Dakota Youth Correctional Center Road near Mandan, North Dakota. based upon the maps supplied to me, UNDAR-West would submit a bid of $850.00. I am also mailing a hard copy of this bid letter to you.

Thank you for asking UNDAR-West to submit a bid for this project. If you have any questions or comments, please contact me.

Sincerely,

Duane Klinner
Director, UNDAR-West
P.O. Box 737
Belfield, ND 58622-0737
(701) 575-4074

encl.

UND is an equal opportunity/affirmative action institution

KBM, INC.

INVOICE

1604 SOUTH WASHINGTON STREET • GRAND FORKS, NORTH DAKOTA 58201

TOMAN ENGINEERING CO
906 2ND STREET NORTHWEST
MANDAN, ND 58554

Date: 08/13/98

JDF

Statement

Project: 0522-033-000 ND YOUTH CORRECTIONAL CTR ROADWAY
Client Ref: VERBAL

Invoice			Balance
Number	Date	Amount	
060018	07/15/98	1,560.00	1,560.00
			1,560.00

Ageing

000-030	031-060	061-090	091-Over
1,560.00	.00	.00	.00

IF YOU HAVE ANY QUESTIONS REGARDING THIS INVOICE PLEASE CONTACT OUR ACCOUNTING DEPARTMENT (701) 772-5746

Temp: OT: OTS:
(Object Code 1002)

99-01 Biennium

Through December 2000	-	$200,063
Projected January – June 2001	-	64,387
Total for 99-01		$264,450

Note: $64,387 = $13,312 (2NS) + $17,680 (2RC) + $3,774 (3SWS) + $15,834 (OTS) + $13,787 (OT)

NS = Night Security RC = Resident Counselor SWS = Summer Work Supervisor
OTS = Holiday Pay OT = Overtime (this is a projection based on compensation during the same time in Jan '99 – June '99)

Appropriation for 99-01 biennium = $262,904

01-03 Biennium

Executive Recommendation = $267,000 for the 01-03 biennium

North Dakota Youth Correctional Center
Fire Protection Systems
Capital Improvement – Object Code 5005
Probable Costs
July 27, 1998

Brown Cottage		
Fire Protection		$38,500
Maple Cottage		
Fire Protection		$62,500
	Total Costs	$101,000

- Combining the two projects the state could save up to 10-15% through the bidding process according to Al Fitterer, Architect.
- Fire Marshal's Report recommends Fire Suppression Systems in Brown and Maple Cottages.

OFFICE OF ATTORNEY GENERAL
STATE OF NORTH DAKOTA

Heidi Heitkamp
ATTORNEY GENERAL

CAPITOL TOWER
State Capitol
600 E. Boulevard Ave.
Bismarck, ND 58505-0040
701-328-2210
FAX 701-328-2226

Consumer Protection
and Antitrust Division
701-328-3404 (V/TDD)
800-472-2600 (V/TDD)
Toll Free in North Dakota
FAX 701-328-3535

Gaming Division
701-328-4848
FAX 701-328-3535

Licensing Section
701-328-4848
FAX 701-328-3535

CAPITOL COMPLEX
State Office Building
600 E. Boulevard Ave.
Bismarck, ND 58505-0041
FAX 701-328-4300

Civil Litigation
701-328-3640

Natural Resources
701-328-3640

Racing Commission
701-328-4290

Bureau of Criminal
Investigation
P.O. Box 1054
Bismarck, ND 58502-1054
701-328-5500
800-472-2185
Toll Free in North Dakota
FAX 701-328-5510

Fire Marshal
Northbrook Mall
1929 N. Washington
Bismarck, ND 58501-1818
701-328-5470
FAX 701-328-5474

Fargo Office
P.O. Box 1773
Fargo, ND 58107-1773
701-239-7126
FAX 701-239-7129

June 13, 1995

Keith Rasmussen
Plant Services
State Industrial School
701-16th Ave. SW
Mandan, ND 58554

Dear Keith:

This is a recap of the meeting that was held on June 1, 1995.

New bathroom facilities are being added to resident rooms in Brown Cottage, and two bath rooms will share ventilation. Dampers would be required if the building is not provided with a complete automatic sprinkler system. Brown Cottage is required to be sprinklered, but due to budgetary constraints this cannot be done until at least 1997.

This office would approve the above project without dampers, with the assurance that the sprinkler system will be installed in 1997. The reason this will be acceptable for this period of time is that several safety features are already present so the lack of the sprinkler system should not present a hazard to life and safety for a short time. The facility has electric door locks (operated from a remote locaton), smoke detection in each resident room, an intercom system, and visual inspections are done at least every 30 minutes.

Again, this is acceptable only if the complete automatic sprinkler system is installed in 1997, otherwise the dampers will need to be installed.

Sincerely,

Barb Skogen

Barb Skogen
Deputy State Fire Marshal

EMERGENCY CALLS "911"

CITY OF MANDAN
FIRE DEPARTMENT

110 COLLINS AVENUE
MANDAN, ND 58554
PHONE: (701) 667-3288
PHONE/FAX: (701) 667-3289

RECEIVED

MAR 29 1999

ND YOUTH CORRECTIONAL CENTER

TO: N. D. YOUTH CORRECTIONAL CENTER
C/O DARRELL NITSCKE
701 16TH AVENUE SW
MANDAN, ND 58554

FROM: JOHN GERDING, FIRE MARSHAL

RE: DRESSER DRAWERS IN THE ROOMS OF THE COTTAGES

IT WAS BROUGHT TO OUR ATTENTION IF THERE WAS A PROBLEM WITH HAVING WOOD DRESSER DRAWERS OR CARDBOARD DRESSER DRAWERS IN PINE COTTAGE. THIS WAS NOT A ISSUE FOR US THAT THE DRESSER DRAWERS OF WOOD OR CARDBOARD IN PINE COTTAGE ARE BEING USED FOR THE RESIDENT IN THE ROOM.

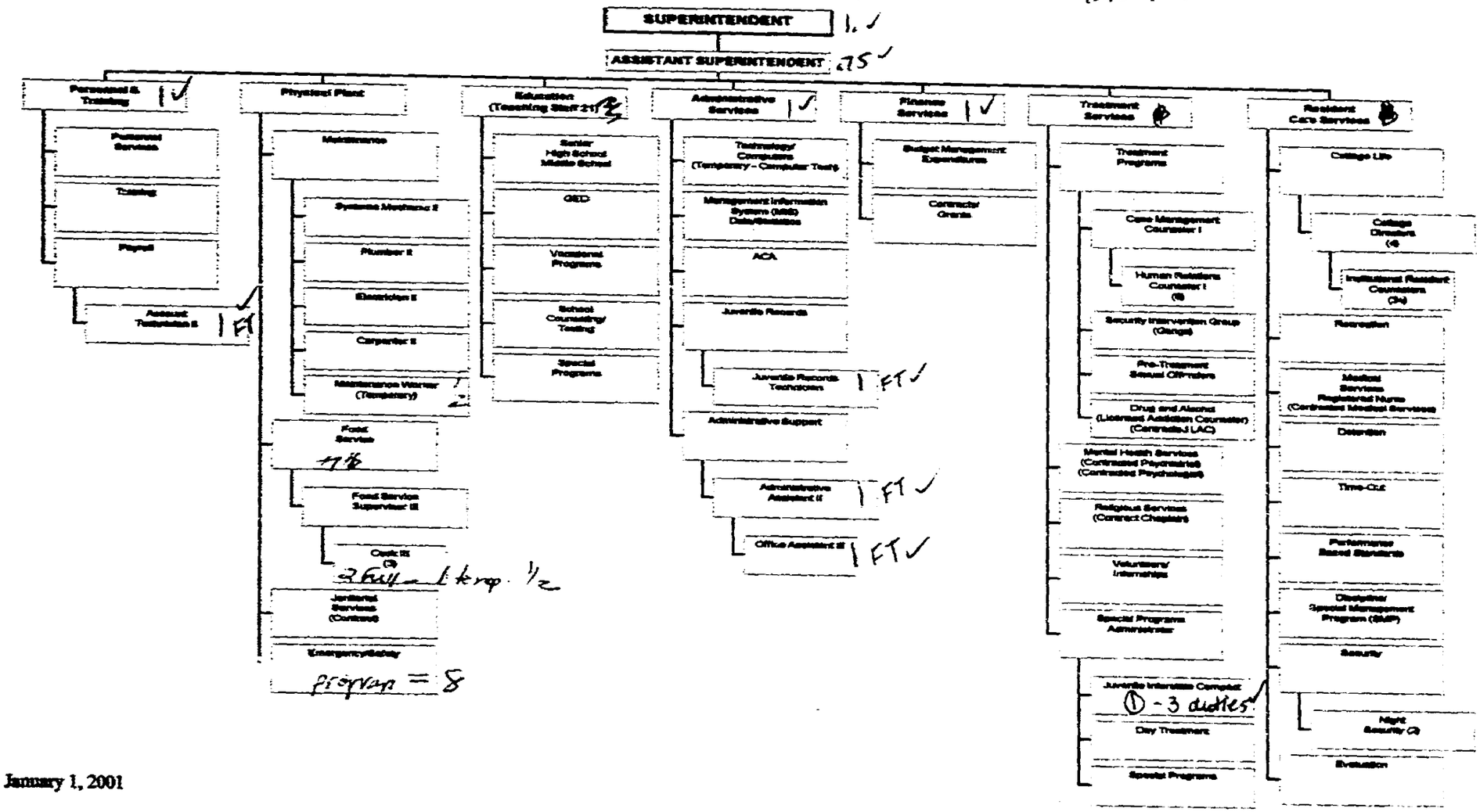
YOUR COTTAGES ALL HAVE FIRE ALARM SYSTEMS AND SMOKE DETECTORS IN EVERY ROOM. ONE OF THE COTTAGES HAD A FULL SPRINKLER SYSTEM INSTALLED RECENTLY AND HOPEFULLY THIS WILL BE DONE IN ALL THE COTTAGES.

#3

NORTH DAKOTA YOUTH CORRECTIONAL CENTER

Organizational Chart for 2001

9.75 FTE ✓



January 1, 2001

Randy Miller

3-8-01

#6

North Dakota Youth Correctional Center Budget Request – 2001-2003
(Other Equipment)

OTHER EQUIPMENT NEEDS

MEDICAL OFFICE

Exam Table	$ 2,000.00	
Desks (2 @ $1,000)	2,000.00	
Medical Storage Chest	1,500.00	
Medical Total	**$ 5,500.00**	

RESIDENT CARE

Night Vision Devices (2 @ $2,000)	$ 4,000.00	(remove to meet base budget)
Audio/Visual Equipment	4,000.00	
Dining Room Table (Replacements) (2 @ $1,500)	3,000.00	
Couches (Replacements) (2 @ $1,000)	2,000.00	
Resident Care Total	**$ 13,000.00**	

EDUCATION

Teacher Desks (21 @ $850)	$ 17,850.00	
CAD Graphics	8,000.00	(remove to meet base budget)
Grant Funded Equipment	14,621.00	
Education Total	**$ 40,471.00**	

ADMINISTRATIVE SERVICES

Fax Machine (Replacement)	$ 1,500.00
Admin Services Total	**$ 1,500.00**

MAINTENANCE

Hand Pipe Threading Machine	$ 1,100.00
Grapple Fork for Bobcat	1,300.00
Test Meter	1,200.00
Flue Cleaning Machine (Boiler Mtce)	2,500.00
Maintenance Total	**$ 6,100.00**

TOTAL OTHER EQUIPMENT NEEDS $ 66,571.00

Total Other Equipment Needs Listed	$ 66,571.00	
Less Items Removed to Meet Base Budget	11,842.00	(actual value above = $12,000.00)
Requested Base	**$ 54,729.00**	

3-9-01

Randy Miller

ND YOUTH CORRECTIONAL CENTER
FIRE PROTECTION
OPINION OF PROBABLE COST
July 27, 1998

BROWN COTTAGE:

Fire Protection	21,550)	
Water Service	4,150)	30,200
General Construction	2,500)	
Electrical Construction	2,000)	
A & E Fees	4,600)	
Administration	1,000)	8,300
Contingency	2,700)	
		$38,500

MAPLE COTTAGE: 2 Floors at (3696) = 7392 SF

Fire Protection System	32,000	
Water Service	4,500)	49,000
General Construction	10,000)	
Electrical Construction	2,500)	
A & E Fees	7,500)	
Administration	1,000)	13,500
Contingency	5,000)	
		$62,500

3-8-01 #1

AI TioK

Juvenile Accountability Incentive Block Grant Program

Background

In Fiscal Year (FY) 1998, Public Law 105-119, Making Appropriations for the Departments of Commerce, Justice and State, the Judiciary, and Related Agencies for Fiscal Year Ending September 30, 1998, and for other purposes (Appropriations Act) appropriated $250 million for the Juvenile Accountability Incentive Block Grant (JAIBG) program as described in Title III of H.R. 3, as passed by the House of Representatives on May 8, 1997. Although Congress has still not passed authorizing legislation, a third appropriation in the amount of $238 million was made for juvenile justice purposes in FY 2000, of which $1.47 million was allocated to North Dakota and its local governments pursuant to the block grant formula.

The Appropriations Act directed the Attorney General to establish guidelines, in consultation with Congress, to assist States in determining whether they may certify eligibility for JAIBG funds. Eligibility is based on certification that the State has formally considered legislation, policies, or practices in four specific areas; and further certified that it has in-place "*a policy of testing appropriate categories of juveniles within the juvenile justice system for use of controlled substances.*"

The four policy areas for eligibility are in general: 1) waiver into adult court of juveniles 15 years old and older for serious violent crime; 2) a system of graduated sanctions; 3) a system of record keeping to pass certain juvenile records into the federal system; and 4) to ensure that state law does not prohibit juvenile courts from issuing orders against parents with regard to supervision. The ND Department of Corrections believes that all four areas were addressed by the Juvenile Justice Task Force in 1994 and the Legislature in 1995. In addition, juveniles in State custody (i.e. Division of Juvenile Services) are already subject to testing for controlled substances.

Funding Allocation

The federal appropriation language contains a "default" allocation formula that states: "*Absent a waiver, each State shall distribute not less than 75 percent of the State's allocation received among all units of local government in the State. In making such distribution, the State shall allocate to each unit of local government an amount, by formula, based on a combination of law enforcement expenditures for each unit of local government and the average number of UCR part 1 violent crimes reported by each unit of local government for the three most recent calendar years for which data are available.*"

The federal appropriation language goes on to state that a "*waiver may be requested by a State for the 75 percent pass-through to units of local government if the State demonstrates that it bears the primary financial burden (more than 50 percent) for the administration of juvenile justice within the State.*" Since the Juvenile Court and the services of the Division of Juvenile Services are state-funded, a comparison of state and local government (city and county) costs for the administration of juvenile justice suggests that close to 80% of the costs are currently borne by the State. Therefore, the State requested and received a waiver of the requirement for FY 2000 to pass-through only 25% of the FY 2000 JAIBG funds to local government. **Table 1** details the program allocation of the "State-share" of the funding.

Allocations are made to individual units of local government based on arrest and law enforcement expenditure data. Per the JAIBG guidelines, jurisdictions whose allocation is less than $5,000 are not eligible for a direct award of JAIBG funds and must join together to exceed this amount to receive their allocation, or the State is required to expend the balance for the benefit of other local jurisdictions. **Table 2** details the programs in which the counties and cities have dedicated the FY 2000 pass-through funding.

Program Guidelines

The purpose of the JAIBG program is to provide states and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. Twelve program purpose areas have been established for expending JAIBG program funds. **Table 3** provides a description for each of the JAIBG purpose areas.

The JAIBG program requires that, other than the funds set aside for administration, not less than forty-five percent (45%) be allocated to program purpose areas 3 through 9 and not less than thirty-five percent (35%) allocated to program purpose areas 1, 2 and 10. Up to 10 percent (10%) of the JAIBG funds awarded can be used for administrative costs related to the JAIBG program. However, all funds used for administrative costs are subject to the match requirement.

The JAIBG program provides that Federal funds may not exceed ninety percent (90%) of total program costs, including administrative costs. Therefore, matching contributions need to be made for ten percent (10%) of total program costs, with the exception of construction of permanent corrections facilities, which requires a fifty percent (50%) match. The total program costs is comprised of the Federal award amount plus the cash match.

JAIBG program funds cannot be used to supplant state or local funds. They must increase the amount of funds that would otherwise be available from state and/or local sources. JAIBG program funds received but not expended by the end of the grant period must be repaid. The grant period is a two-year period that starts September 1st of the applicable fiscal year and runs through the second subsequent year ending October 30th.

The State and eligible units of local government are required to establish a local Juvenile Crime Enforcement Coalition (JCEC) and develop a coordinated enforcement plan for reducing juvenile crime. The JCEC must include, unless impracticable, individuals representing: (1) police; (2) sheriff; (3) prosecutor; (4) State or local probation services; (5) juvenile court; (6) schools; (7) business; and (8) religious affiliated, fraternal, nonprofit, or social service organizations involved in crime prevention. Additional representation may be added as appropriate. Prevention Policy Boards or other existing groups that focus on youth in lieu of establishing a local JCEC, provided that the membership of such meets the preceding membership requirements.

A coordinated enforcement plan must be developed for reducing juvenile crime. The plan should be based upon an analysis of juvenile justice system needs. The analysis should determine the most effective use of funds within the twelve purpose areas to achieve the greatest impact on reducing juvenile delinquency, improving the juvenile justice system, and increasing accountability for juvenile offenders.

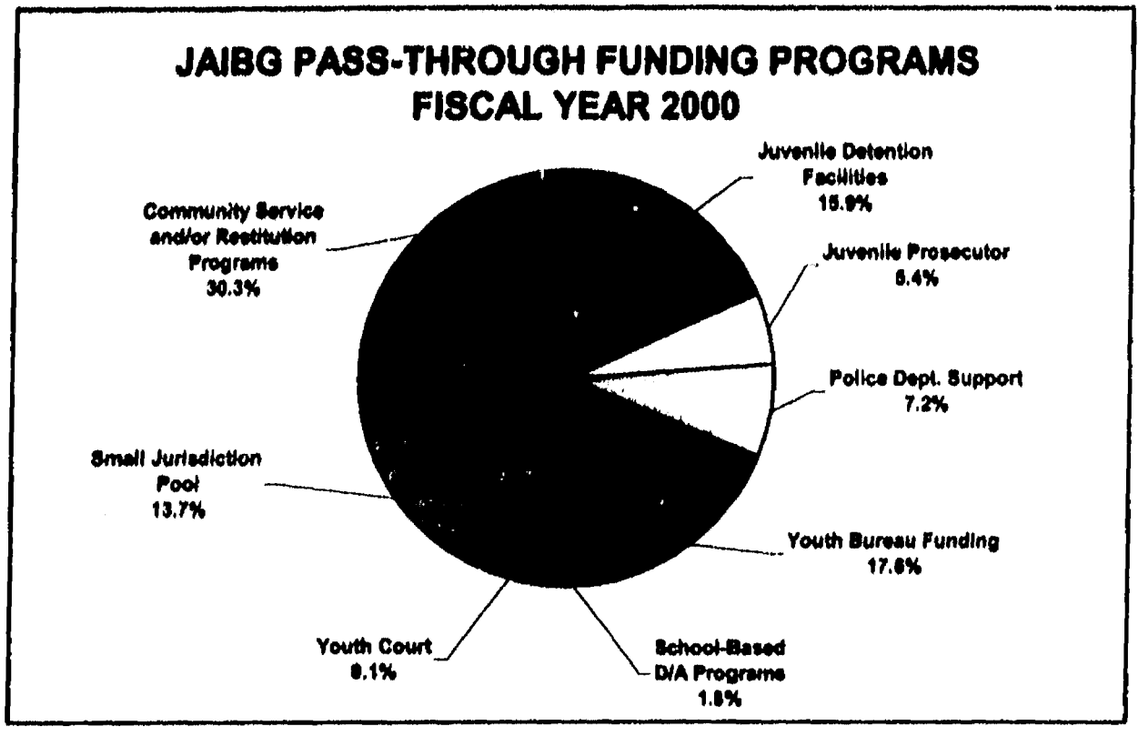
Table 1

Juvenile Accountability Incentive Block Grant Program
FY2000 Program Allocations

Program	Purpose Area	Allocation
Secure Facility Enhancement (YCC)		
Addiction Counseling Enhancement	1	$ 65,000.00
Psychiatric Services	1	69,056.00
Juvenile Work Program	1	40,000.00
Pine Cottage Improvement Project	1	59,165.00
Case Management Automation (DJS)		
Case Management System (Syscon)	10	53,199.00
Hardware/Software Replacement	10	81,424.00
NDACo Support Contract (includes travel)	10	20,400.00
Records Retention	10	18,500.00
Juvenile Court Support		
Tribal Juvenile Court Probation	7	120,500.00
Tribal Social Services Case Management	2	63,548.00
Restorative Justice (thru June 30, 2001)	7	56,768.00
Intensive Tracking (thru June 30, 2001)	7	123,320.00
Day Treatment / Reporting		
Solen Day Treatment	2	40,000.00
Grand Forks Day Report Center	7	116,770.00
SDSS Program (Detention Component)	7	60,000.00
Training/Professional Development	2	10,000.00
JAIBG Administration	Admin	108,150.00
Total "State-Share" Funding		$ 1,105,800.00
Pass-Through Funding to Local Jurisdictions		368,600.00
		$ 1,474,400.00

Percentage Requirements (State-share):

Purpose Areas 1, 2, 10 (minimum of 35%)	52.15%
Purpose Areas 3 - 9 (minimum of 45%)	47.85%
	100.00%



Community Service and/or Restitution Programs:	Bowman County	$11,174
	Cass County	51,475
	Devils Lake City	11,820
	Grand Forks City	9,537
	LaMoure County	7,448
	Walsh County	12,194
	Williams County	8,000
		$111,647
Juvenile Detention Facilities:	Grand Forks County	$14,699
	Ward County	34,149
	Williams County	9,666
		$58,514
Juvenile Prosecutor:	Burleigh County	$20,013
Police Dept. Support:	Grand Forks City	$17,711
	Jamestown City	8,936
		$26,647
Youth Bureau Funding:	Bismarck City	$34,235
	Bowman County	11,971
	Mandan City	18,513
		$64,719
School-Based D/A Programs:	McLean County	$6,722
Youth Court:	Cass County	$29,762
Small Jurisdictional Pool:		$50,576
		$368,600

Juvenile Accountability Incentive Block Grant (JAIBG) Program Program Purpose Areas

The purpose of the JAIBG Program is to provide States and units of local government with funds to develop programs to promote greater accountability in the juvenile justice system. Funds are available for the following eleven program purpose areas, as enumerated in H.R. 3. In addition, the Appropriations Act provides a twelfth area for which funds may be expended: the implementation of a State or local policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

Purpose Area 1 - building, expanding, renovating, or operating temporary or permanent juvenile correction or detention facilities, including training of correctional personnel;

Purpose Area 2 - developing and administering accountability-based sanctions for juvenile offenders;

Purpose Area 3 - hiring additional juvenile judges, probation officers, and court-appointed defenders, and funding pre-trial services for juveniles, to ensure the smooth and expeditious administration of the juvenile justice system;

Purpose Area 4 - hiring additional prosecutors, so that more cases involving violent juvenile offenders can be prosecuted and backlogs reduced;

Purpose Area 5 - providing funding to enable prosecutors to address drug, gang, and youth violence problems more effectively;

Purpose Area 6 - providing funding for technology, equipment, and training to assist prosecutors in identifying and expediting the prosecution of violent juvenile offenders;

Purpose Area 7 - providing funding to enable juvenile courts and juvenile probation offices to be more effective and efficient in holding juvenile offenders accountable and reducing recidivism;

Purpose Area 8 - the establishment of court-based juvenile justice programs that target young firearms offenders through the establishment of juvenile gun courts for the adjudication and prosecution of juvenile firearms offenders;

Purpose Area 9 - the establishment of drug court programs for juveniles so as to provide continuing judicial supervision over juvenile offenders with substance abuse problems and to provide the integrated administration of other sanctions and services;

Purpose Area 10 - establishing and maintaining interagency information-sharing programs that enable the juvenile and criminal justice system, schools, and social services agencies to make more informed decisions regarding the early identification, control, supervision, and treatment of juveniles who repeatedly commit serious delinquent or criminal acts;

Purpose Area 11 - establishing and maintaining accountability-based programs that work with juvenile offenders who are referred by law enforcement agencies, or which are designed, in cooperation with law enforcement officials, to protect students and school personnel from drug, gang, and youth violence; and,

Purpose Area 12 - implementing a policy of controlled substance testing for appropriate categories of juveniles within the juvenile justice system.

proposal House

SB 2016
4-25-01

1	$12,500.00	
2	$8,500.00	
3	$60,300.00	study as one
4	$20,000.00	instead of three
5	$20,000.00	
6	$11,000.00	
7	$79,486.00	
8	$8,385.00	
9	$36,320.00	
10	$0.00	
11	$42,000.00	
16	$150,000.00	
17	$50,000.00	
18	$8,000.00	
21	$236,576.00	smi 6 months
21	$92,870.00	
21	$79,486.00	
25	$100,000.00	
44	$91,375.00	
ontracting	$250,000.00	500 bed days
total	$1,356,798.00	