

# MICROFILM DIVIDER

OMB/RECORDS MANAGEMENT DIVISION

SFN 2053 (2/85) 5M



ROLL NUMBER

DESCRIPTION

3037

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*La Costa Richard*  
Operator's Signature

*10/6/03*  
Date

2003 HOUSE JUDICIARY

HCR 3037

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Salvatore Riccardi  
Operator's Signature

10/6/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3037

House Judiciary Committee

☐ Conference Committee

Hearing Date 2-17-03

Tape Number	Side A	Side B	Meter #
1	XX		0-3.1
Committee Clerk Signature <i>A. Penrose</i>			

**Minutes:** 13 members present.

**Chairman DeKrey:** We will open the hearing on HCR 3037.

**Rep. Betty Grande:** Introduced the bill. Every state has seen changes in the criminal justice system in the sentencing problems and changes. We've also seen that within the assessment of the civil system.

**Chairman DeKrey:** Thank you. Any further testimony in support? Opposition? We will close the hearing. What are the committee's wishes in regard to HCR 3037.

**Rep. Kretschmar:** I move a Do Pass.

**Rep. Wrangham:** Seconded.

13 YES 0 NO 0 ABSENT DO PASS - CONSENT CALENDAR Carrier: Rep. Grande

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*La Costa Richard*  
Operator's Signature

*10/16/03*  
Date

4R

Date: 2/17/03  
Roll Call Vote #: 1

**2003 HOUSE STANDING COMMITTEE ROLL CALL VOTES**  
**BILL/RESOLUTION NO. 3037**

House Judiciary Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Do Pass

Motion Made By Rep. Kretschmar Seconded By Rep. Wrangham

Representatives	Yes	No	Representatives	Yes	No
Chairman DeKrey	✓		Rep. Delmore	✓	
Vice Chairman Maragos	✓		Rep. Eckre	✓	
Rep. Bernstein	✓		Rep. Onstad	✓	
Rep. Boehning	✓				
Rep. Galvin	✓				
Rep. Grande	✓				
Rep. Kingsbury	✓				
Rep. Klemin	✓				
Rep. Kretschmar	✓				
Rep. Wrangham	✓				

Total (Yes) 13 No 0

Absent 0

Floor Assignment Consent Calendar- Rep. Grande

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

La Costa Richard 10/16/03  
Operator's Signature Date

**REPORT OF STANDING COMMITTEE (410)**  
February 17, 2003 11:37 a.m.

Module No: HR-30-2897  
Carrier: Grande  
Insert LC: . Title: .

**REPORT OF STANDING COMMITTEE**  
HCR 3037: Judiciary Committee (Rep. DeKrey, Chairman) recommends **DO PASS** and **BE PLACED ON THE CONSENT CALENDAR** (13 YEAS, 0 NAYS, 0 ABSENT AND NOT VOTING). HCR 3037 was placed on the Tenth order on the calendar.

(2) DESK, (3) COMM

Page No. 1

HR-30-2897

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Salvatore Riccio*  
Operator's Signature

*10/16/03*  
Date

2003 SENATE HUMAN SERVICES

HCR 3037

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Almeta Richardson  
Operator's Signature

10/6/03  
Date

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3037

Senate Human Services Committee

☐ Conference Committee

Hearing Date 03/18/03

Tape Number	Side A	Side B	Meter #
Tape 1	x		4400-end
Tape 1		x	0-200
Committee Clerk Signature			

Minutes:

Senator Judy Lee opens HCR 3037. Senator Fairfield absent.

Representative Better Grande, sponsor of the bill. Every citizen needs this bill. She is aware of the hoghouse amendment that is going to be presented and is fine with it.

Closed HCR 3037

Senator Brown hands out hoghouse amendment and explains it. Thinks it takes 3037 and adds in the mental illness issue, this takes a look also if incarceration is the total answer.

Senator Polovitz: It is obvious that something needs to be done.

Senator Lee: This is a huge study and they will probably have to take it on piece by piece.

Senator Polovitz: Is there a fiscal note with this?

Senator Lee: I will talk to Senator Holmberg on that.

2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3037

Senate Human Services Committee

☐ Conference Committee

Hearing Date March 24, 2003

Tape Number	Side A	Side B	Meter #
1		X	4100 - 4395
Committee Clerk Signature			

Minutes:

SENATOR JUDY LEE reopened the committee discussion on HCR 3037. She asked the committee to look over the amendments.

SENATOR BROWN said he wanted to remind the senators he did talk Representative Grande who is one of the authors and I did read the two changes she would like. ...

SENATOR FISCHER: What she is doing is taking pieces out of the original.

SENATOR BROWN: Two pieces.

SENATOR LEE: Closed the committee discussion at this time. (Meter # 4395)

La Costa Richardson  
Operator's Signature

10/16/03  
Date



2003 SENATE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3037

Senate Human Services Committee

☐ Conference Committee

Hearing Date March 25, 2003

Tape Number	Side A	Side B	Meter #
1	X		0 - 244
Committee Clerk Signature <i>Donna Kramer, Clerk</i>			

Minutes:

SENATOR JUDY LEE called the Senate Human Services to order.

Roll call was read. All present.

SENATOR LEE opened the committee discussion on HCR 3037 to study the state's justice process.

SENATOR BROWN reviewed the history of the resolution and the amendments.

SENATOR BROWN made a motion DO PASS TO AMEND.

SENATOR FAIRFIELD seconded the motion.

Roll call was held. 5 yes 0 nay 1 absent

SENATOR BROWN made a MOTION TO PASS.

SENATOR ERBELE seconded the motion.

Roll call was read. 5 yeas 0 nays 1 absent.

SENATOR BROWN will be the carrier. (Meter # 244)

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

*Salvatore Riccio*  
Operator's Signature

*10/6/03*  
Date

33068.0101  
Title.

Prepared by the Legislative Council staff for  
Senator J. Lee

March 14, 2003

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3037

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, the state's correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, over the past decade, more community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's own community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually, resulting in an additional 415 offenders by 2012; and

**WHEREAS**, the 2002 study indicated that for the Department of Corrections and Rehabilitation to avoid a critical prison capacity shortfall, especially for the female offenders, additional bed space is necessary;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, the state's correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including citizens, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3037

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's family and community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually; and

**WHEREAS**, the 2002 study indicated that the Department of Corrections and Rehabilitation will need additional bed space to avoid a critical prison capacity shortfall, especially for the female offenders; and

**WHEREAS**, treatment and other programs that provide alternatives to incarceration may reduce the number of inmates and reduce recidivism;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including citizens, individuals receiving services, the individuals' families, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council study the cost-effectiveness and efficiency of incarcerating large numbers of inmates in a large facility; and

**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

42

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

Page No. 2

33068.0102

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Salvatore Riccio  
Operator's Signature

10/16/03  
Date

23  
3-25-03  
1 of 2

PROPOSED AMENDMENTS TO HOUSE CONCURRENT RESOLUTION NO. 3037

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's family and community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually; and

**WHEREAS**, the 2002 study indicated that the Department of Corrections and Rehabilitation will need additional bed space to avoid a critical prison capacity shortfall, especially for the female offenders; and

**WHEREAS**, consideration has been given to whether colocation of patients and prisoners is appropriate; and

**WHEREAS**, treatment and other programs that provide alternatives to incarceration may reduce the number of inmates and reduce recidivism;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including individuals receiving services, the individuals' families, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council study the cost-effectiveness and efficiency of incarcerating large numbers of inmates in a large facility; and

2 of 2  
**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

Date: 03-25-03  
Roll Call Vote #: (1)

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3037

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken Pass To Amend

Motion Made By Sen. Brown Seconded By Sen. Fairfield

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee - Chairman	✓				
Senator Richard Brown - V. Chair.	✓				
Senator Robert S. Erbele	✓				
Senator Tom Fischer					
Senator April Fairfield	✓				
Senator Michael Polovitz	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment \_\_\_\_\_

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

Richard Brown  
Operator's Signature

10/16/03  
Date

Date: 03-25-03  
Roll Call Vote #: 2

2003 SENATE STANDING COMMITTEE ROLL CALL VOTES  
BILL/RESOLUTION NO. 3037

Senate Human Services Committee

☐ Check here for Conference Committee

Legislative Council Amendment Number \_\_\_\_\_

Action Taken DO Pass as Amended

Motion Made By Sen. Brown Seconded By Sen. Erbele

Senators	Yes	No	Senators	Yes	No
Senator Judy Lee - Chairman	✓				
Senator Richard Brown - V. Chair.	✓				
Senator Robert S. Erbele	✓				
Senator Tom Fischer					
Senator April Fairfield	✓				
Senator Michael Polovitz	✓				

Total (Yes) 5 No 0

Absent 1

Floor Assignment Sen. Brown

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

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Richard Costa  
Operator's Signature

10/16/03  
Date



**REPORT OF STANDING COMMITTEE (410)**  
March 26, 2003 8:28 a.m.

Module No: SR-54-5766  
Carrier: Brown  
Insert LC: 33068.0103 Title: .0200

**REPORT OF STANDING COMMITTEE**

**HCR 3037: Human Services Committee (Sen. J. Lee, Chairman)** recommends **AMENDMENTS AS FOLLOWS** and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 1 ABSENT AND NOT VOTING). HCR 3037 was placed on the Sixth order on the calendar.

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's family and community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually; and

**WHEREAS**, the 2002 study indicated that the Department of Corrections and Rehabilitation will need additional bed space to avoid a critical prison capacity shortfall, especially for the female offenders; and

**WHEREAS**, consideration has been given to whether colocation of patients and prisoners is appropriate; and

**WHEREAS**, treatment and other programs that provide alternatives to incarceration may reduce the number of inmates and reduce recidivism;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; and the impact and availability of community services; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including individuals receiving services, the individuals' families, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**REPORT OF STANDING COMMITTEE (410)**  
March 26, 2003 8:28 a.m.

**Module No: SR-54-5766**  
**Carrier: Brown**  
**Insert LC: 33068.0103 Title: .0200**

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council study the cost-effectiveness and efficiency of incarcerating large numbers of inmates in a large facility; and

**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

*Richard Costa*  
Operator's Signature

*10/16/03*  
Date

2003 HOUSE JUDICIARY

CONFERENCE COMMITTEE

HCR 3037

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Yolanda Richardson  
Operator's Signature

10/6/03  
Date

2003 HOUSE STANDING COMMITTEE MINUTES

BILL/RESOLUTION NO. HCR 3037

House Judiciary Committee

☒ Conference Committee / House Judiciary and Senate Human Services Committees

Hearing Date 4/2/03

Tape Number	Side A	Side B	Meter #
1	xx		12.5-29.6
Committee Clerk Signature <i>APemrose</i>			

**Minutes:** 6 members present: Sens. Brown, Erbele, Polovitz, Reps. Grande, Kingsbury, & Onstad.

**Rep. Grande:** We will call the Conference committee on HCR 3037 to order. Roll call was called and a quorum is present. What we have before us is HCR 3037, where the Senate has made a considerable amount of changes. The House has looked through the amendments and feel that it further enhances the bill except that we would like to change a little bit of the language to it.

**Rep. Onstad:** The reason for enhancing that was why?

**Sen. Brown:** There were three bills that came to us, and what we did in Human Services was put them all together and enhance it from a mental health study point of view, while trying very hard to maintain the prison and corrections side of it. So we think we've got the whole thing put together.

**Rep. Onstad:** Yes, all in one then.

Page 2  
House Judiciary Committee  
Bill/Resolution Number HCR 3037  
Hearing Date 4/2/03

**Sen. Brown:** Yes.

**Rep. Onstad:** Good.

**Sen. Brown:** And we used HCR 3037 as the vehicle, which was one of the three bills.

**Rep. Grande:** Part of that really comes down to, one of the things that I had a concern with as I had put together this particular resolution, the original 3037 was, my concern really to it from the mental health aspects of the criminal justice system and how are we dealing with them, and how are they phasing through. That's why in my initial request, there was the process from arrest to release, and when were the treatments taking place and how were we dealing with drugs, alcohol and mental illness, and so on. So when they looked at combining those bills, we did see this as a vehicle to try and combine them.

**Sen. Brown:** And look at it especially from a female prisoner point of view.

**Rep. Grande:** And you can kind of see through, as you point out, Rep. Onstad, 13-18, we are still dealing with the Department of Corrections and Rehabilitation, prison capacity, and also really taking into the female offender aspect in line 18. Considering then in line 19, where we are dealing with patient and prisoners, and that is where a lot of what I was concerned about came into place, and if we have that type of situation, what are some alternatives to incarceration and that was the real key to me because I really feel that we're not looking as solidly as we should be at the recidivism rates, and how can we solve that, because so much of this deals with the drug and alcohol side that drops them right back into that setting. So how can we see the whole person, let's just not look at this person as a criminal, but as the whole person. I think mental health falls into that exactly, because I think there comes a time where, due to mental illness, they either turn to drugs or violence or crime and so how do we deal with that person. I

Page 3  
House Judiciary Committee  
Bill/Resolution Number HCR 3037  
Hearing Date 4/2/03

think that is what the Senate really did when they put together and dealt with community's mental health, clinical practices, and that aspect of it. So I thought it was a nice combination. I just had one other thing that I wanted just for real clarification to make sure that the criminal side does not get left out and that is what I would like to further amend that.

**Rep. Onstad:** That would be my second question. You're pretty specific in the original of your bill, and then just to make sure that those things are covered and not leaving something out.

**Rep. Grande:** So I would propose, if everybody is looking at the original bill, in the statement, where it comes to a concurrent resolution directing the Legislative Council to study, that is in the engrossment, if we at the end of line 6, added in "along with the state's criminal justice process from arrest to release, including the cost effectiveness and efficiency in incarcerating large numbers of inmates." I don't think at this point, we need to worry about large facilities and electronic monitoring because that really comes into play in the numbers of inmates in lines 13-20, there. So then I am jumping to "Alternatives to incarceration and the effectiveness of incarceration and treatment" and deleting sentencing laws.

**Rep. Onstad:** This is a lot to study, this could take around five years.

**Rep. Grande:** I think they do combine themselves real well, we'll see it goes. It does encompass a huge thing.

**Rep. Onstad:** You have a huge number of departments to deal with here.

**Rep. Grande:** And the thing is, though, if we don't start getting these departments to communicate and work together on this..., we all sat through those judiciary bills and you guys do on the human service side and you just start to shake your head.

**Sen. Brown:** If we don't start somewhere, we'll never get anywhere.

*Richard Costa*  
Operator's Signature

10/6/03  
Date

Page 4

House Judiciary Committee

Bill/Resolution Number HCR 3037

Hearing Date 4/2/03

**Rep. Onstad:** Right.

**Rep. Kingsbury:** The system will just be more fractured as we go along.

**Sen. Brown:** So let's give it a try.

**Rep. Onstad:** They all come at it at a different angle and we've got to get them on the same track.

**Sen. Erbele:** That language will come in on the engrossed bill on line 6.

**Sen. Brown:** All we are asking for is an additional sentence, it will work.

**Rep. Grande:** It is just more so for clarification as to what comes in as the whereas is for.

**Sen. Polovitz:** Is there any need for this to go to the appropriations committee.

**Rep. Grande:** No.

**Sen. Polovitz:** I mean if we're going to have a study, I was just wondering if we were going to have to have money.

**Sen. Brown:** This is going to be folded into the OMB budget.

**Rep. Kingsbury:** Why is it going to be folded into OMB.

**Sen. Brown:** It was put into their budget, so we don't have to have an appropriation. This is what the leadership told me on our side.

**Rep. Grande:** Right now there is no appropriation in here, but if it requires money, we're going to have the language in OMB to cover us.

(At this point, a motion was made by Rep. Kingsbury and seconded by Rep. Onstad to accede to the Senate's amendments, and a voice vote was unanimous. The intern then informed the committee that the Senate had to recede from their amendments because it

Page 5

House Judiciary Committee

Bill/Resolution Number HCR 3037

Hearing Date 4/2/03

was a hog house amendment and had to be treated as one long line and Rep. Grande's amendment would not be able to be added to the bill unless the Senate receded.)

**Sen. Brown:** I move that the Senate recede from the Senate Amendments to HCR 3037 found on HJ pages 1079-1080.

**Sen. Erbele:** Seconded.

Voice vote: Carried.

**Sen. Brown:** I move the Grande amendments.

**Sen. Erbele:** Seconded.

**Rep. Grande:** We will have a roll call vote.

6 YES 0 NO 0 ABSENT

PASSED

CARRIER: Rep. Grande



33068.0104  
Title.0300

Adopted by the Conference Committee  
April 2, 2003

**Conference Committee Amendments to HCR3037 - 04/02/2003**

That the Senate recede from its amendments as printed on pages 1079 and 1080 of the House Journal and pages 941 and 942 of the Senate Journal and that House Concurrent Resolution No. 3037 be amended as follows:

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; the impact and availability of community services; the state's criminal justice process from arrest to release; alternatives to incarceration; and the effectiveness of incarceration and treatment.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's family and community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually; and

**WHEREAS**, the 2002 study indicated that the Department of Corrections and Rehabilitation will need additional bed space to avoid a critical prison capacity shortfall, especially for the female offenders; and

**WHEREAS**, consideration has been given to whether colocation of patients and prisoners is appropriate; and

**WHEREAS**, treatment and other programs that provide alternatives to incarceration may reduce the number of inmates and reduce recidivism;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; the impact and availability of community services; the state's criminal justice process from arrest to release; alternatives to incarceration; and the effectiveness of incarceration and treatment; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including individuals receiving services, the individuals' families, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council study the cost-effectiveness and efficiency of incarcerating large numbers of inmates in a large facility; and

**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

2 of 2

33068.0104

The micrographic images on this film are accurate reproductions of records delivered to Modern Information Systems for microfilming and were filmed in the regular course of business. The photographic process meets standards of the American National Standards Institute (ANSI) for archival microfilm. NOTICE: If the filmed image above is less legible than this Notice, it is due to the quality of the document being filmed.

Y. Costa Richardson  
Operator's Signature

10/16/03  
Date

IP

**REPORT OF CONFERENCE COMMITTEE  
(ACCEDE/RECEDE)**

Bill Number HCR 3037 (, as (re)engrossed):

Your Conference Committee *House Judiciary + Senate Human Services*

For the Senate:

For the House:

Sen. Brown ✓	X	Rep. Grande ✓	X
Sen. Erbele ✓	X	Rep. Kingsbury ✓	X
Sen. Polovitz ✓	X	Rep. Onstad ✓	X

recommends that the (SENATE/HOUSE) (ACCEDE to) (RECEDE) from)

the (Senate/House) amendments on (SJ/HJ) page(s) 1079 -- 1080

\_\_\_\_\_ and place \_\_\_\_\_ on the Seventh order.

X, adopt (further) amendments as follows, and place 3037 on the Seventh order:

having been unable to agree, recommends that the committee be discharged and a new committee be appointed.

((Re)Engrossed) 3037 was placed on the Seventh order of business on the calendar.

DATE: 4/3/03

CARRIER: Grande

LC NO. of amendment	<u>33068. 0104 .0300</u>
LC NO. of engrossment	
Emergency clause added or deleted	
Statement of purpose of amendment	

Salvatore Riccardi  
Operator's Signature

10/16/03  
Date

**REPORT OF CONFERENCE COMMITTEE (420)**  
April 3, 2003 7:45 a.m.

**Module No: SR-60-6582**

**Insert LC: 33068.0104**

**REPORT OF CONFERENCE COMMITTEE**

**HCR 3037:** Your conference committee (Sens. Brown, Erbele, Polovitz and Reps. Grande, Kingsbury, Onstad) recommends that the **SENATE RECEDE** from the Senate amendments on HJ pages 1079-1080, adopt further amendments as follows, and place HCR 3037 on the Seventh order:

That the Senate recede from its amendments as printed on pages 1079 and 1080 of the House Journal and pages 941 and 942 of the Senate Journal and that House Concurrent Resolution No. 3037 be amended as follows:

Page 1, line 1, after "resolution" replace the remainder of the resolution with "directing the Legislative Council to study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; the impact and availability of community services; the state's criminal justice process from arrest to release; alternatives to incarceration; and the effectiveness of incarceration and treatment.

**WHEREAS**, changes in clinical practices and service delivery systems have created a need for new and different responses in caring for individuals with mental illness and drug and alcohol addictions; and

**WHEREAS**, community-based mental health treatment, service, and support options have been developed to support an individual's recovery in or near the individual's family and community; and

**WHEREAS**, a 2002 study of the operations and facilities of the Department of Corrections and Rehabilitation projected that the number of inmates in the state's prison system will continue to grow by approximately three percent annually; and

**WHEREAS**, the 2002 study indicated that the Department of Corrections and Rehabilitation will need additional bed space to avoid a critical prison capacity shortfall, especially for the female offenders; and

**WHEREAS**, consideration has been given to whether colocation of patients and prisoners is appropriate; and

**WHEREAS**, treatment and other programs that provide alternatives to incarceration may reduce the number of inmates and reduce recidivism;

**NOW, THEREFORE, BE IT RESOLVED BY THE HOUSE OF REPRESENTATIVES OF NORTH DAKOTA, THE SENATE CONCURRING THEREIN:**

That the Legislative Council study the needs of individuals with mental illness, drug and alcohol addictions, and physical or developmental disabilities, including individuals with multiple needs, and how the state responds to those needs; the long-term plans for the State Hospital, the Developmental Center at Westwood Park, Grafton, state and county correctional facilities, and other state facilities and the relationships among those facilities; the impact and availability of community services; the state's criminal justice process from arrest to release; alternatives to incarceration; and the effectiveness of incarceration and treatment; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council solicit testimony from interested parties, including individuals receiving

**REPORT OF CONFERENCE COMMITTEE (420)**  
**April 3, 2003 7:45 a.m.**

**Module No: SR-60-6582**

**Insert LC: 33088.0104**

services, the individuals' families, administrators and staff at state and community facilities, the Department of Human Services, the Department of Corrections and Rehabilitation, advocacy groups, and the governing boards of state facilities providing services to those individuals; and

**BE IT FURTHER RESOLVED**, that in conducting the study, the Legislative Council study the cost-effectiveness and efficiency of incarcerating large numbers of inmates in a large facility; and

**BE IT FURTHER RESOLVED**, that the Legislative Council may contract with an independent party to conduct the study; and

**BE IT FURTHER RESOLVED**, that the Legislative Council report its findings and recommendations, together with any legislation required to implement the recommendations, to the Fifty-ninth Legislative Assembly."

Renumber accordingly

HCR 3037 was placed on the Seventh order of business on the calendar.