

**Sixty-third Legislative Assembly of North Dakota  
In Regular Session Commencing Tuesday, January 8, 2013**

HOUSE BILL NO. 1118  
(Government and Veterans Affairs Committee)  
(At the request of the Department of Corrections and Rehabilitation)

AN ACT to amend and reenact sections 12-47-06 and 54-23.3-05 of the North Dakota Century Code, relating to the appointing authority of the director of the department of corrections and rehabilitation.

**BE IT ENACTED BY THE LEGISLATIVE ASSEMBLY OF NORTH DAKOTA:**

**SECTION 1. AMENDMENT.** Section 12-47-06 of the North Dakota Century Code is amended and reenacted as follows:

**12-47-06. Appointment of officers.**

~~The director of the division of adult services with the concurrence of the director of the department of corrections and rehabilitation shall appoint the warden. The warden may be removed by the director of the division of adult services with the approval of the director of the department of corrections and rehabilitation for misconduct, neglect of duty, incompetency, or other proper cause showing an inability or refusal to properly perform the duties of the office. All other officers and employees must be appointed by the warden, subject to the approval of the director of the division of adult services. The warden shall show in the record of any officer or employee who is discharged by the warden the reason therefor.~~  
director of the department of corrections and rehabilitation.

**SECTION 2. AMENDMENT.** Section 54-23.3-05 of the North Dakota Century Code is amended and reenacted as follows:

**54-23.3-05. Appointment and removal of officers.**

The director of the department of corrections and rehabilitation with the approval of the governor may appoint a director of the division of juvenile services, a director of the division of adult services, and other division directors and personnel as deemed necessary for the effective and efficient operation of the department. The director of the division of juvenile services, the director of the division of adult services, and other division directors who may be appointed shall meet qualifications as established for the classified service. ~~The division directors may be removed by the director of the department, with the approval of the governor, for misconduct, neglect of duty, incompetency, or other cause showing an inability or refusal to properly perform the duties of their office.~~ All other officers and employees of each division must be appointed and removed by the director of the division, ~~subject to the approval of the director of the department of corrections and rehabilitation.~~ All officers and employees of the department of corrections and rehabilitation are subject to the provisions of the state personnel policies.

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Speaker of the House

\_\_\_\_\_  
President of the Senate

\_\_\_\_\_  
Chief Clerk of the House

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Secretary of the Senate

This certifies that the within bill originated in the House of Representatives of the Sixty-third Legislative Assembly of North Dakota and is known on the records of that body as House Bill No. 1118.

House Vote:    Yeas 88            Nays 4            Absent 2

Senate Vote:    Yeas 47            Nays 0            Absent 0

\_\_\_\_\_  
Chief Clerk of the House

Received by the Governor at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

Approved at \_\_\_\_\_ M. on \_\_\_\_\_, 2013.

\_\_\_\_\_  
Governor

Filed in this office this \_\_\_\_\_ day of \_\_\_\_\_, 2013,

at \_\_\_\_\_ o'clock \_\_\_\_\_ M.

\_\_\_\_\_  
Secretary of State