

**HOUSE BILL NO. 1173**

Introduced by

Representatives Klemin, Kretschmar, Glassheim

Senators Carlisle, Oehlke, Triplett

1 A BILL for an Act to amend and reenact section 54-35-24 of the North Dakota Century Code,  
2 relating to the expiration date of the commission on alternatives to incarceration.

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

4 **SECTION 1. AMENDMENT.** Section 54-35-24 of the North Dakota Century Code is  
5 amended and reenacted as follows:

6 **54-35-24. (Effective through August 1, ~~2013~~2017) Commission on alternatives to**  
7 **incarceration.**

8 1. The commission on alternatives to incarceration is composed of:

- 9 a. Three members appointed by the governor, one of whom must be an academic  
10 researcher with specialized knowledge of criminal justice sentencing practices  
11 and sentencing alternatives;
- 12 b. The attorney general or the attorney general's designee;
- 13 c. Two members appointed by the chief justice of the supreme court;
- 14 d. The director of the department of corrections and rehabilitation;
- 15 e. The director of the department of human services;
- 16 f. Two local law enforcement officers appointed by the attorney general;
- 17 g. One state's attorney appointed by the North Dakota state's attorney's association;
- 18 h. Three members of the house of representatives, two of whom must be selected  
19 by the leader representing the majority faction of the house of representatives  
20 and one of whom must be selected by the leader representing the minority  
21 faction of the house of representatives;
- 22 i. Three members of the senate, two of whom must be selected by the leader  
23 representing the majority faction of the senate and one of whom must be  
24 selected by the leader representing the minority faction of the senate; and

- 1           j. One representative of the North Dakota association of counties appointed by the  
2           association of counties.
- 3           2. The chairman of the legislative management shall select the chairman and vice  
4           chairman of the commission from the legislative members of the commission.
- 5           3. The commission shall meet at the times and places as determined by the chairman.  
6           The legislative council shall provide staffing for the commission.
- 7           4. The commission shall study sentencing alternatives, mandatory sentences, treatment  
8           options, the expanded use of problem-solving courts, home monitoring, and other  
9           related issues. If the commission determines that consultant services are necessary to  
10          assist the commission in conducting its assigned studies, the commission may request  
11          funding for consultant services from the legislative council and other interested  
12          entities. The commission shall provide to the governor information and  
13          recommendations for the governor's consideration in time for inclusion of the  
14          recommendations in the biennial executive budget. The commission shall report its  
15          findings and recommendations together with any legislation required to implement  
16          those recommendations to the legislative management.
- 17          5. The members of the commission who are not state employees or members of the  
18          legislative assembly are entitled to mileage and expenses as provided by law for state  
19          officers and employees. Unless otherwise provided in this subsection, the expenses of  
20          appointed members are to be paid by the legislative council. A state employee who is  
21          a member of the commission must receive that employee's regular salary and is  
22          entitled to mileage and expenses, to be paid by the employing agency. The members  
23          of the commission who are members of the legislative assembly are entitled to  
24          compensation from the legislative council for attendance at commission meetings at  
25          the rate provided for members of the legislative assembly for attendance at interim  
26          committee meetings and are entitled to reimbursement for expenses incurred in  
27          attending the meetings in the amounts provided by law for other state officers.