

**FIRST ENGROSSMENT
with Senate Amendments**

Fifty-sixth
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1016

Introduced by

Appropriations Committee

(At the request of the Governor)

1 A BILL for an Act to provide an appropriation for defraying the expenses of the department of
2 corrections and rehabilitation; to amend and reenact subsection 2 of section 12.1-32-07 of the
3 North Dakota Century Code, relating to the supervision of probationers; to provide an effective
4 date; and to declare an emergency.

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

6 **SECTION 1. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are hereby appropriated out of any moneys in the general fund in
8 the state treasury, not otherwise appropriated, and from special funds derived from federal
9 funds and other income, to the department of corrections and rehabilitation for the purpose of
10 defraying the expenses of its various divisions, for the biennium beginning July 1, 1999, and
11 ending June 30, 2001, as follows:

12 Subdivision 1.

13 CENTRAL OFFICE

14 Salaries and wages	\$865,070
15 Operating expenses	118,682
16 Equipment	<u>26,950</u>
17 Total general fund appropriation	\$1,010,702

18 Subdivision 2.

19 JUVENILE SERVICES

20 Salaries and wages	\$9,552,045
21 Operating expenses	4,344,374
22 Equipment	123,571
23 Capital improvements	74,500
24 Grants	2,870,900

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1	Delinquency prevention consortium	<u>200,000</u>
2	Total all funds	\$17,165,390
3	Less estimated income	<u>5,839,216</u>
4	Total general fund appropriation	\$11,326,174
5	Subdivision 3.	
6	ADULT SERVICES	
7	Victim services	\$2,609,036
8	Institutional offender services	821,649
9	Community offender services	9,836,759
10	Support services	19,350,252
11	Program services	3,833,361
12	Security and safety	21,576,321
13	Roughrider industries	<u>7,521,794</u>
14	Total all funds	\$65,549,172
15	Less estimated income	<u>14,865,710</u>
16	Total general fund appropriation	\$50,683,462
17	Grand total general fund appropriation H.B. 1016	\$63,020,338
18	Grand total special funds appropriation H.B. 1016	\$20,704,926
19	Grand total all funds appropriation H.B. 1016	\$83,725,264

20 **SECTION 2. TRANSFER AUTHORITY - BUDGET SECTION APPROVAL.** Upon
21 approval of the budget section, the director of the department of corrections and rehabilitation
22 may transfer appropriation authority contained in the various subdivisions in section 1 of this
23 Act.

24 **SECTION 3. LINE ITEM TRANSFERS - EMERGENCY COMMISSION AND BUDGET**
25 **SECTION APPROVAL.** Upon approval of the emergency commission, the director of the
26 department of corrections and rehabilitation may transfer between the various line items in
27 subdivision 3 of section 1 of this Act, appropriation authority of up to ten percent of a given line
28 item to adjust for changing circumstances in meeting established performance measures. Any
29 further transfers must be approved by the budget section.

30 **SECTION 4. LAND BOARD DISTRIBUTIONS.** Notwithstanding the provisions of
31 section 15-03-05.2, during the 1999-2001 biennium, the board of university and school lands

1 shall distribute to the youth correctional center all income from permanent funds managed for
2 the benefit of that institution.

3 **SECTION 5. AMENDMENT.** Subsection 2 of section 12.1-32-07 of the North Dakota
4 Century Code is amended and reenacted as follows:

5 2. The conditions of probation must be such as the court in its discretion deems
6 reasonably necessary to ensure that the defendant will lead a law-abiding life or to
7 assist the defendant to do so. The court shall provide as an explicit condition of
8 every probation that the defendant not commit another offense during the period
9 for which the probation remains subject to revocation. The court shall order
10 supervision costs and fees of not less than ~~thirty~~ thirty-six dollars per month unless
11 the court makes a specific finding on record that the imposition of fees will result in
12 an undue hardship.

13 **SECTION 6. APPROPRIATION.** The funds provided in this section, or so much of the
14 funds as may be necessary, are hereby appropriated from special funds derived from federal
15 funds to the department of corrections and rehabilitation for the purpose of defraying its
16 expenses for the period beginning with the effective date of this Act and ending June 30, 1999,
17 as follows:

18 Operating expenses	\$15,000
19 Equipment	<u>18,209</u>
20 Total special funds	\$33,209

21 **SECTION 7. EFFECTIVE DATE.** Section 5 of this Act is effective for fees collected
22 after December 31, 2000, for offenses committed after June 30, 1999.

23 **SECTION 8. EMERGENCY.** Section 6 of this Act is declared to be an emergency
24 measure.