

Fifty-ninth
Legislative Assembly
of North Dakota

ENGROSSED SENATE BILL NO. 2015

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 create and enact a new section to chapter 12-44.1 of the North
3 Dakota Century Code, relating to the incarceration of female inmates in grade one correctional
4 facilities; and to provide an expiration date.

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

6 **SECTION 1. BASE LEVEL FUNDING INFORMATION.** The amounts identified in this
7 section represent the base level funding component appropriated to the department of
8 corrections and rehabilitation in section 3 of this Act as follows:

9 Field services	\$21,087,058
10 Prisons division	72,022,798
11 Juvenile community services	9,629,163
12 Youth correctional center	<u>11,577,679</u>
13 Total all funds - Base level	\$114,316,698
14 Less estimated income - Base level	<u>32,580,087</u>
15 Total general fund - Base level	\$81,736,611

16 **SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION.** The
17 amounts identified in this section represent the funding adjustments or enhancements to the
18 base funding level for the department of corrections and rehabilitation which are included in the
19 appropriation in section 3 of this Act as follows:

20 Field services	(\$21,087,058)
21 Prisons division	(72,022,798)
22 Juvenile community services	(9,629,163)
23 Youth correctional center	(11,577,679)
24 Adult services	105,918,493

1	Juvenile services	20,838,606
2	Equity pool	<u>1,100,000</u>
3	Total all funds - Adjustments/enhancements	\$13,540,401
4	Less estimated income - Adjustments/enhancements	<u>(4,018,278)</u>
5	Total general fund - Adjustments/enhancements	\$17,558,679

6 **SECTION 3. APPROPRIATION.** The funds provided in this section, or so much of the
7 funds as may be necessary, are appropriated out of any moneys in the general fund in the state
8 treasury, not otherwise appropriated, and from special funds derived from federal funds and
9 other income, to the department of corrections and rehabilitation for the purpose of defraying
10 the expenses of that agency, for the biennium beginning July 1, 2005, and ending June 30,
11 2007, as follows:

12	Adult services	\$105,918,493
13	Juvenile services	20,838,606
14	Equity pool	<u>1,100,000</u>
15	Total all funds	\$127,857,099
16	Less estimated income	<u>28,561,809</u>
17	Total general fund appropriation	\$99,295,290

18 **SECTION 4. CRIME VICTIMS RESTITUTION AND GIFT FUND.** The sum of \$44,000,
19 or so much of the sum as may be necessary, included in the field services line item in section 3
20 of this Act, is from the crime victims restitution and gift fund and must be used by the
21 department of corrections and rehabilitation for the purposes provided in section 54-23.4-05, for
22 the biennium beginning July 1, 2005, and ending June 30, 2007.

23 **SECTION 5. STATE PENITENTIARY LAND FUND.** The sum of \$135,000, or so much
24 of the sum as may be necessary, included in the youth correctional center line item in section 3
25 of this Act, is from the state penitentiary land fund and must be used by the department of
26 corrections and rehabilitation for capital projects at the youth correctional center, for the
27 biennium beginning July 1, 2005, and ending June 30, 2007.

28 **SECTION 6. PROBATIONER VIOLATION TRANSPORTATION FUND.** The sum of
29 \$165,000, or so much of the sum as may be necessary, included in the field services line item
30 in section 3 of this Act, is from the probationer violation transportation fund and must be used

1 by the department of corrections and rehabilitation for the purposes provided in section
2 12-65-08, for the biennium beginning July 1, 2005, and ending June 30, 2007.

3 **SECTION 7.** A new section to chapter 12-44.1 of the North Dakota Century Code is
4 created and enacted as follows:

5 **Female inmates in grade one correctional facilities.** Notwithstanding section
6 12-44.1-06, a grade one correctional facility that has a contract with the department of
7 corrections and rehabilitation to confine female inmates who have been sentenced to the legal
8 and physical custody of the department of corrections and rehabilitation may confine the female
9 inmate for more than one year in accordance with the terms of the contract. A female inmate
10 who has been sentenced to the legal and physical custody of the department of corrections and
11 rehabilitation and who is confined in a grade one correctional facility under a contract with the
12 department of corrections and rehabilitation has the same rights to sentence reduction for good
13 and meritorious conduct and to pardon and parole as an inmate confined in a department of
14 corrections and rehabilitation prisons division facility.

15 **SECTION 8. EXPIRATION DATE.** Section 7 of this Act is effective through June 30,
16 2007, and after that date is ineffective.