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	11,577,679

13	Total all funds - Base level	\$114,316,698

14 Less estimated income - Base level 32,580,087

15 Total general fund - Base level \$81,736,611

16 SECTION 2. FUNDING ADJUSTMENTS OR ENHANCEMENTS INFORMATION. The

amounts identified in this section represent the funding adjustments or enhancements to the 17

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

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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	(4,018,278)	
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, 200	05, 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	28,561,809	
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 se	ervices 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 provid	led 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 s	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 use	d by the department of	
26	corrections and rehabilitation for capital projects at the youth correct	tional 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	on 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.