

PROPOSED AMENDMENTS TO REENGROSSED SENATE BILL NO. 2016

Page 1, line 2, replace "15-40.1 and a new" with "12-46"

Page 1, line 3, remove "subsection to section 15-40.2-08"

Page 1, line 4, replace "in cases of residential placements and to the transfer of funds appropriated for" with "for students committed to the youth correctional center"

Page 1, line 5, remove "foundation aid" and remove "; to provide an effective date"

Page 1, line 17, replace "77,929" with "73,713"

Page 1, line 19, replace "880,823" with "876,607"

Page 1, line 21, replace "781,924" with "777,708"

Page 2, line 2, replace "4,188,200" with "4,127,066"

Page 2, after line 5, insert:

"Delinquency prevention consortium" 100,000"

Page 2, line 7, replace "14,902,468" with "14,941,334"

Page 2, line 8, replace "5,006,447" with "5,456,447"

Page 2, line 9, replace "9,896,021" with "9,484,887"

Page 2, line 12, replace "20,392,705" with "20,202,555"

Page 2, line 13, replace "8,921,787" with "8,479,128"

Page 2, line 21, replace "45,833,323" with "45,200,514"

Page 2, line 23, replace "35,350,206" with "34,717,397"

Page 2, line 27, replace "5,964,326" with "5,951,678"

Page 2, line 30, replace "8,699,211" with "8,686,563"

Page 2, line 31, replace "46,028,151" with "44,979,992"

Page 3, line 1, replace "24,287,674" with "24,725,026"

Page 3, line 2, replace "70,315,825" with "69,705,018"

Page 3, replace lines 16 through 26 with:

"**SECTION 5.** A new section to chapter 12-46 of the North Dakota Century Code is created and enacted as follows:

**Youth correctional center - Payment of tuition.** The superintendent shall charge a student's school district of residence tuition as follows:

1. The amount of tuition must be determined pursuant to this section for each student under the age of eighteen who is committed to the youth correctional center.
2. The amount of tuition is the average net foundation aid payment for all high schools for the fiscal year during which the student is committed to the youth correctional center, multiplied by the number of instructional days the student has been committed to the youth correctional center during the period for which the district is being charged, divided by one hundred eighty.
3. The average net foundation aid payment for all high schools is the average per student foundation aid payment for all high school districts, reduced by the average mill deduct per student, as determined by the superintendent of public instruction."

Page 3, replace lines 30 and 31 with "to grant recipients that the amount of funds appropriated for crime victims' grants for the 1997-99 biennium may not continue at the same level during the 1999-2001 biennium. The fifty-sixth legislative assembly is not obligated to provide an appropriation from the state general fund to continue the crime victims' grant program at the"

Page 4, remove line 1

Page 4, line 5, after "of" insert "section 1 of"

Page 4, after line 9, insert:

**"SECTION 8. PURCHASE OF LAND AND BUILDINGS - EXEMPTION FROM CHAPTERS 48-01.1 AND 54-44.7.** The department of corrections and rehabilitation may purchase, within the limits of legislative appropriations provided for that purpose, the forensic unit building, the extended treatment building, a gymnasium building, and surrounding real property at the state hospital for development of a medium security correctional facility. The department of corrections and rehabilitation is not subject to the provisions of chapters 48-01.1 and 54-44.7, relating to public improvement contract bids and architect, engineer, and land surveying services, for construction and renovation relating to the medium security correctional facility.

**SECTION 9. DELINQUENCY PREVENTION CONSORTIUM.** During the 1997-99 biennium, the department of corrections and rehabilitation, the department of human services, and the department of public instruction shall develop a delinquency prevention consortium, including representatives of those departments, other state agencies, and private organizations. The delinquency prevention consortium shall study, develop, and implement, during the 1997-99 biennium, programs to prevent crime and delinquency and reduce incarceration. The consortium shall consider crime prevention programs other than incarceration, such as the following programs identified in the 1996 research report "Diverting Children from a Life of Crime - Measuring Costs and Benefits": early childhood interventions for children at risk of developing antisocial behavior, interventions for families with children exhibiting aggressive or antisocial behavior, providing graduation incentives for disadvantaged high school students, and early monitoring of youth exhibiting delinquent behavior. The delinquency prevention consortium shall, during the 1997-99 biennium, present reports to the legislative council

or its designated committee on programs studied, developed, and implemented and recommendations for the 1999-2001 biennium."

Page 4, remove line 10

Page 4, line 12, replace "is" with "and section 8 of this Act are"

Renumber accordingly

**STATEMENT OF PURPOSE OF AMENDMENT:**

**DEPARTMENT 530 - DEPARTMENT OF CORRECTIONS AND REHABILITATION**

HOUSE - This amendment removes risk management premiums of \$210,807 (\$198,159 general fund, \$12,648 other funds) from the Department of Corrections and Rehabilitation.

This amendment transfers \$90,150 general fund appropriation authority from salaries and wages to operating expenses for a .3 FTE physician position. The Senate transferred the authority for the .3 FTE position from the State Hospital to the Department of Corrections and Rehabilitation. However, the position will not be transferred. The Department of Corrections and Rehabilitation will contract for these services.

This amendment increases other fund appropriation authority for the Juvenile Services Division by \$350,000 and decreases general fund appropriation authority by the same amount to reflect tuition payments that the Youth Correctional Center will receive from school districts.

This amendment removes Sections 5 and 6 of the reengrossed bill. Section 5, which was effective on July 1, 1999, prohibited the transfer of foundation aid to the Youth Correctional Center. Section 6 provided that school districts were not liable for tuition for students at the Youth Correctional Center.

This amendment adds a new section which provides that school districts are responsible for the payment of tuition for students at the Youth Correctional Center. The tuition payment is equal to the statewide average foundation aid payment for high school districts, based on the number of days the student is at the Youth Correctional Center.

This amendment also reduces general fund appropriation authority for the Adult Services Division by \$500,000 (\$400,000 operating expenses, \$100,000 salaries and wages). The operating expenses reduction is for programmatic reductions to be determined by the Department of Corrections and Rehabilitation. The salaries and wages reduction is to encourage the department to postpone filling unspecified positions relating to the proposed medium security facility in Jamestown.

This amendment directs the Department of Corrections and Rehabilitation, the Department of Human Services, and the Department of Public Instruction to develop a delinquency prevention consortium. The consortium will study, develop, and implement programs to prevent crime and delinquency through early intervention methods and present results and recommendations to a Legislative Council committee. This amendment also appropriates \$100,000 of federal or other funds to the Department of Corrections and Rehabilitation for the delinquency prevention consortium.

This amendment clarifies the legislative intent contained in Section 7 of the reengrossed bill, relating to crime victims' grants. This section provides legislative intent that crime victims' grant recipients be provided a notice that the federal funds available for grants during the 1997-99 biennium may not be available during the 1999-2001 biennium and may not be replaced with state funds.

This amendment also adds a new section which allows the Department of Corrections and Rehabilitation to purchase, from the State Hospital, the buildings and land for the medium

security facility and exempts the department from the provisions of Chapters 48-01.1 and 54-44.7, relating to bidding requirements and architect, engineer, and land surveying services.

	1997-99 EXECUTIVE RECOMMENDATION	TOTAL SENATE CHANGES	SENATE VERSION	REMOVE RISK MANAGEMENT PREMIUMS	DELINQUENCY PREVENTION CONSORTIUM	REMOVE PHYSICIAN POSITION AND ADD OPERATING EXPENSES FOR CONTRACTED SERVICES	REDUCE SALARIES AND WAGES AND OPERATING EXPENSES	ADD OTHER FUNDS AUTHORITY AND REDUCE GENERAL FUND AUTHORITY FOR TUITION PAYMENTS	TOTAL HOUSE CHANGES	HOUSE VERSION
<b>CENTRAL OFFICE</b>										
Salaries and wages	\$ 798,494		\$ 798,494						\$ (4,216)	\$ 798,494
Operating expenses	77,929		77,929							73,713
Equipment	4,400		4,400							4,400
Total	\$ 880,823	\$ 0	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607
General fund	\$ 781,924		\$ 781,924							\$ 777,708
Other funds	98,899		98,899							98,899
Total	\$ 880,823	\$ 0	\$ 880,823	\$ (4,216)	\$ 0	\$ 0	\$ 0	\$ 0	\$ (4,216)	\$ 876,607
<b>JUVENILE SERVICES</b>										
Salaries and wages	\$ 8,708,389		\$ 8,708,389							\$ 8,708,389
Operating expenses	4,188,200		4,188,200							4,127,066
Equipment	102,879		102,879							102,879
Capital improvements	573,000		573,000							573,000
Grants	1,280,000		1,280,000		\$100,000				100,000	1,280,000
Delinquency prevention consortium										100,000
Institutional medical fees	50,000		50,000							50,000
Total	\$14,902,468	\$ 0	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334
General fund	\$ 9,100,456	\$ 795,565	\$ 9,896,021					\$ (350,000)	\$ (411,134)	\$ 9,484,887
Other funds	5,802,012	(795,565)	5,006,447		\$100,000			350,000	450,000	5,456,447
Total	\$14,902,468	\$ 0	\$14,902,468	\$ (61,134)	\$100,000	\$ 0	\$ 0	\$ 0	\$ 38,866	\$14,941,334
<b>ADULT SERVICES</b>										
Salaries and wages	\$15,692,616	\$ 4,700,089	\$20,392,705							\$20,202,555
Operating expenses	13,258,931	(4,337,144)	8,921,787						\$ (190,150)	8,479,128
Equipment	170,867		170,867	\$ (132,809)					(442,659)	170,867
Capital improvements	1,010,650		1,010,650							1,010,650
Capital improvements - security facility		4,896,425	4,896,425							4,896,425
Institutional medical fees	850,000		850,000							850,000
Victim services	1,904,399	1,200,000	3,104,399							3,104,399
Institutional offender services	321,991		321,991							321,991
Community offender services	6,164,499		6,164,499							6,164,499

Total	\$39,373,953	\$ 0	\$45,833,323	\$(132,809)	\$ 0	\$ 0	\$(500,000)	\$ 0	\$(632,809)	\$45,200,514
General fund	\$34,513,731	\$ 836,475	\$35,350,206	\$ (132,809)			\$(500,000)		\$ (632,809)	\$34,717,397
Other funds	<u>4,860,222</u>	<u>5,622,895</u>	<u>10,483,117</u>							<u>10,483,117</u>
Total	\$39,373,953	\$ 6,459,370	\$45,833,323	\$(132,809)	\$ 0	\$ 0	\$(500,000)	\$ 0	\$(632,809)	\$45,200,514
ROUGH RIDER INDUSTRIES										
Salaries and wages	\$ 2,427,773		\$ 2,427,773							\$ 2,427,773
Operating expenses	5,964,326		5,964,326	\$ (12,648)					\$ (12,648)	5,951,678
Equipment	221,000		221,000							221,000
Capital improvements	<u>50,000</u>	<u>36,112</u>	<u>86,112</u>							<u>86,112</u>
Total	\$ 8,663,099	\$ 36,112	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$(12,648)	\$ 8,686,563
General fund										
Other funds	<u>\$ 8,663,099</u>	<u>\$ 36,112</u>	<u>\$ 8,699,211</u>	<u>\$ (12,648)</u>					<u>\$ (12,648)</u>	<u>\$ 8,686,563</u>
Total	\$ 8,663,099	\$ 36,112	\$ 8,699,211	\$ (12,648)	\$ 0	\$ 0	\$ 0	\$ 0	\$(12,648)	\$ 8,686,563
DOCR total general fund	\$44,396,111	\$ 1,632,040	\$46,028,151	\$(198,159)	\$(350,000)		\$(500,000)		\$(1,048,159)	\$44,979,992
DOCR total other funds	<u>19,424,232</u>	<u>4,863,442</u>	<u>24,287,674</u>	<u>(12,648)</u>	<u>\$100,000</u>			<u>350,000</u>	<u>437,352</u>	<u>24,725,026</u>
DOCR total all funds	\$63,820,343	\$ 6,495,482	\$70,315,825	\$(210,807)	\$100,000	\$ 0	\$(500,000)	\$ 0	\$(610,807)	\$69,705,018
FTE	431.14	87.80	518.94			(0.30)			(0.30)	518.64