

Sixty-third
Legislative Assembly
of North Dakota

ENGROSSED HOUSE BILL NO. 1118

Introduced by

Government and Veterans Affairs Committee

(At the request of the Department of Corrections and Rehabilitation)

1 A BILL for an Act to amend and reenact sections 12-47-06 and 54-23.3-05 of the North Dakota
2 Century Code, relating to the appointing authority of the director of the department of
3 corrections and rehabilitation.

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

5 **SECTION 1. AMENDMENT.** Section 12-47-06 of the North Dakota Century Code is
6 amended and reenacted as follows:

7 **12-47-06. Appointment of officers.**

8 The ~~director of the division of adult services with the concurrence of the~~ director of the
9 department of corrections and rehabilitation shall appoint the warden. The warden may be
10 removed by the director of the division of adult services with the approval of the director of the
11 department of corrections and rehabilitation for misconduct, neglect of duty, incompetency, or
12 other proper cause showing an inability or refusal to properly perform the duties of the office. All
13 other officers and employees must be appointed by the ~~warden, subject to the approval of the~~
14 ~~director of the division of adult services. The warden shall show in the record of any officer or~~
15 ~~employee who is discharged by the warden the reason therefor~~director of the department of
16 corrections and rehabilitation.

17 **SECTION 2. AMENDMENT.** Section 54-23.3-05 of the North Dakota Century Code is
18 amended and reenacted as follows:

19 **54-23.3-05. Appointment and removal of officers.**

20 The director of the department of corrections and rehabilitation with the approval of the
21 governor may appoint a director of the division of juvenile services, a director of the division of
22 adult services, and other division directors and personnel as deemed necessary for the effective
23 and efficient operation of the department. The director of the division of juvenile services, the
24 director of the division of adult services, and other division directors who may be appointed shall

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1 meet qualifications as established for the classified service. ~~The division directors may be~~
2 ~~removed by the director of the department, with the approval of the governor, for misconduct,~~
3 ~~neglect of duty, incompetency, or other cause showing an inability or refusal to properly perform~~
4 ~~the duties of their office.~~ All other officers and employees of each division must be appointed
5 and removed by the ~~director of the division, subject to the approval of the director of the~~
6 department of corrections and rehabilitation. All officers and employees of the department of
7 corrections and rehabilitation are subject to the provisions of the state personnel policies.