

Introduced by

Representatives Wieland, Weiler, Carlisle, Grande, Nottestad, Metcalf

1 A BILL for an Act to authorize construction of a state correctional facility and related land
2 acquisition; to require development of a prison facility master site plan and to require reports to
3 the legislative council; to authorize the industrial commission to issue and sell evidences of
4 indebtedness for a capital project; to provide legislative intent regarding the sale of the
5 department of corrections and rehabilitation land; and to provide an appropriation.

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

7 **SECTION 1. CORRECTIONAL FACILITY PROJECT AUTHORIZATION.** The
8 department of corrections and rehabilitation may acquire by purchase or exchange up to one
9 hundred sixty acres of land in Burleigh County for a site for construction of a correctional facility,
10 and the department may construct an eight hundred-bed correctional facility on the site
11 acquired, during the biennium beginning July 1, 2007, and ending June 30, 2009, at a total cost
12 for acquisition and construction not to exceed \$62,800,000.

13 **SECTION 2. PRISON FACILITY CONSULTANT - MASTER SITE PLAN -**
14 **LEGISLATIVE COUNCIL REPORTS.** The department of corrections and rehabilitation shall
15 contract with a prison facility consultant, who must be an expert in prison facility design and
16 construction, for the development of a master site plan, including the design of an eight
17 hundred-bed facility and a design for expansion. The consultant shall present progress reports
18 on the master site plan and facility design to the legislative council, and the department of
19 corrections and rehabilitation shall present the department's plan for constructing the facility to
20 the legislative council prior to beginning construction of the facility.

21 **SECTION 3. AUTHORIZATION - BOND ISSUANCE.** The industrial commission,
22 acting as the North Dakota building authority, shall arrange for the funding of the project
23 authorized in section 1 of this Act declared to be in the public interest, through the issuance of
24 evidences of indebtedness under chapter 54-17.2, beginning with the effective date of this Act

1 and ending June 30, 2009. The industrial commission shall issue evidences of indebtedness
2 under this section with the condition that lease rental payments need not begin until July 1,
3 2009. The authority of the industrial commission to issue evidences of indebtedness under this
4 section ends June 30, 2009, but the industrial commission may continue to exercise all other
5 powers granted to it under chapter 15-17.2 and this Act and to comply with any other
6 commitments made before that date. The proceeds of the evidences of indebtedness and other
7 available funds are appropriated to the department of corrections and rehabilitation beginning
8 with the effective date of this Act and ending June 30, 2009.

9 **SECTION 4. APPROPRIATION.** There is appropriated a total of \$62,800,000,
10 including \$_____ out of any moneys in the general fund, not otherwise appropriated,
11 and \$_____ from other sources derived from federal funds and other income,
12 including any proceeds from evidences of indebtedness issued pursuant to provisions of this
13 Act or so much of these sums as may be necessary, to the department of corrections and
14 rehabilitation for the purpose of acquiring land and constructing the correctional facility
15 authorized in section 1 of this Act, for the biennium beginning July 1, 2007, and ending June 30,
16 2009.

17 **SECTION 5. LEGISLATIVE INTENT - SALE OF THE PENITENTIARY AND**
18 **MISSOURI RIVER CORRECTIONAL CENTER LAND AND BUILDINGS.** It is the intent of the
19 sixtieth legislative assembly that the department of corrections and rehabilitation, on behalf of
20 the state of North Dakota, sell all current state penitentiary and Missouri River correctional
21 facility land and buildings after the correctional facility authorized by this Act is operational, and
22 that the department of corrections and rehabilitation seek authorization from the sixty-first
23 legislative assembly for the sale of these lands and buildings.

NOTE: This bill draft contains blanks that will need to be filled in before introduction to
the sixtieth legislative assembly.