

2025 HOUSE POLITICAL SUBDIVISIONS

HB 1197

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB 1197
1/23/2025

A BILL for an Act to create and enact three new sections to chapter 12-44.1 of the North Dakota Century Code, relating to jail improvement grants; and to provide for a transfer.

10:25 a.m. Chairman Longmuir opened the hearing.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Davis, Hager, Hatlestad, Heilman, Klemin, Motschenbacher, Ostlie, Toman, Warrey

Discussion Topics:

- North Dakota population influx
- Funding from local taxpayers
- Jail expansions

10:26 a.m. Kathy Frelich, North Dakota Representative for District 15, introduced the bill, testified in favor, and provided testimony #30972.

10:30 a.m. Jason Pierce, Devils Lake City Commissioner and Vice Chairman of the Lake Region Law Enforcement Center Board of Directors, testified in favor and provided testimony #30767.

11:07 a.m. Representative Alisa Mitskog, for District 25, testified in favor.

11:08 a.m. Donnell Preskey, Executive Director of the ND Sheriff's & Deputies Association, testified in favor and provided testimony #30917.

11:19 a.m. Ron Jurgens, Walsh County Sheriff, testified in favor and provided testimony #31039.

11:25 a.m. Kristi Britnell, Chair of the Walsh County Commission, testified in favor and provided testimony #30906.

Additional written testimony:

Perry Miller, County Commissioner for Richland County, submitted testimony in favor #30769
Amy Suda, Walsh County Commissioner, submitted testimony in favor #30855
Jeff Frith, Ramsey County Commissioner, submitted testimony in favor #30872

11:31 a.m. Chairman Longmuir closed the hearing.

Wyatt Armstrong, Committee Clerk

HB 1197

Chairman Longmuir, members of the Political Subdivisions Committee. Good morning, my name is Jason Pierce. I am a City Commissioner for the city of Devils Lake, and Vice Chairman of the Lake Region Law Enforcement Center Board of Directors. I am here this morning to testify in favor of HB 1197.

Our jail in Devils Lake has outlived its life expectancy and we are in dire need of a new regional facility. We are one broken water pipe away from having to close the facility all together. (I will elaborate on that in a bit.)

With the PowerPoint presentation I am about to present, you will see multiple reasons why it has reached its life expectancy, as well as the lack of safety it provides for our LEC Staff and inmates.

This Bill would help greatly in both the building and soft costs of a new facility. Helping us to provide a safer and larger Regional Jail for our staff, inmates, and community as well as expand our Mental Health Services within the Jail. With the possibility of even having space for our Local Health Care Professionals to have their own office within the facility itself.

(Start PowerPoint)

LAKE REGION LAW ENFORCEMENT CENTER

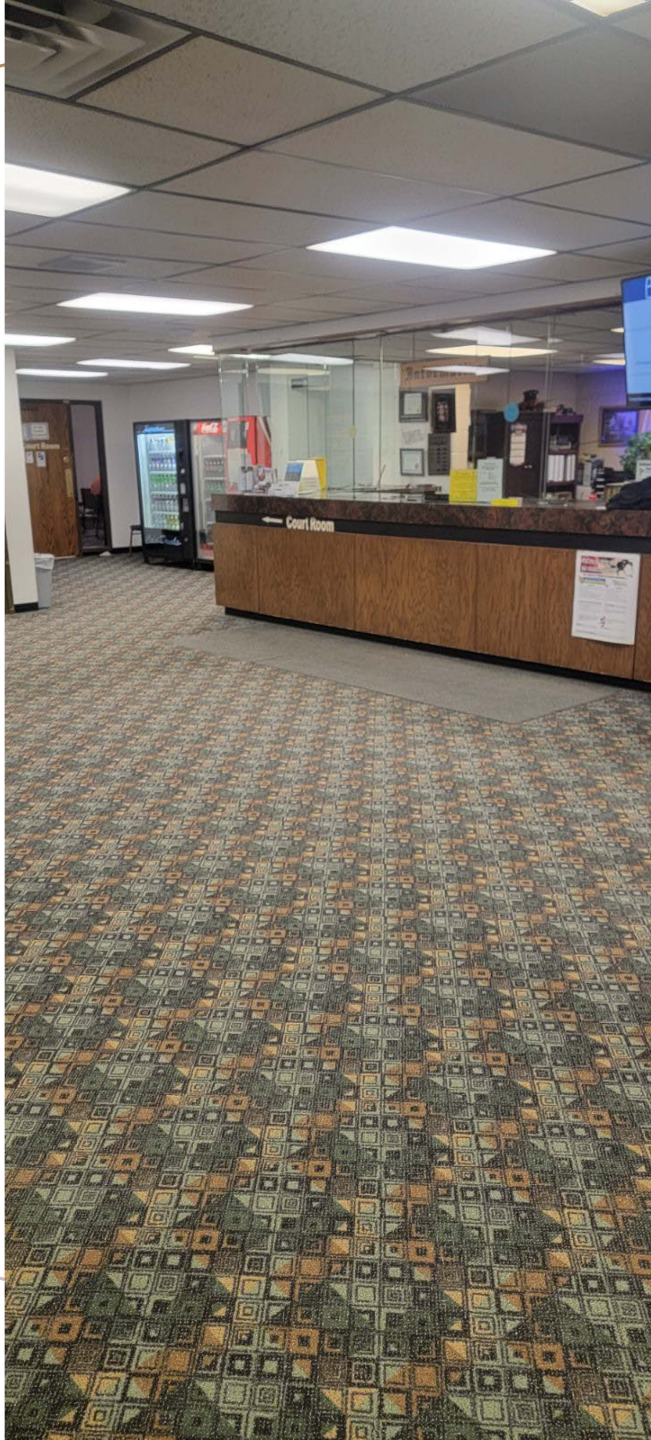
*JASON P. PIERCE
DEVILS LAKE CITY COMMISSIONER
VICE CHAIRMAN LRLEC BOARD*



AGENDA

- Current Facility
 - Age
 - Location
 - Layout of Current Jail
 - Costs
 - Reentry Center
- New Facility
 - Location
 - Possibilities
 - Safety







- 51 YEARS OLD THIS YEAR

*- USED 24 HOURS A DAY, 7
DAYS A WEEK,
365 DAYS A YEAR,
TO HOUSE PEOPLE WHO
DON'T WANT
TO THE THERE*

- 105 BEDS

*- WE ARE ONE BROKEN PIPE
AWAY FROM HAVING TO
SHUT DOWN THE FACILITY*



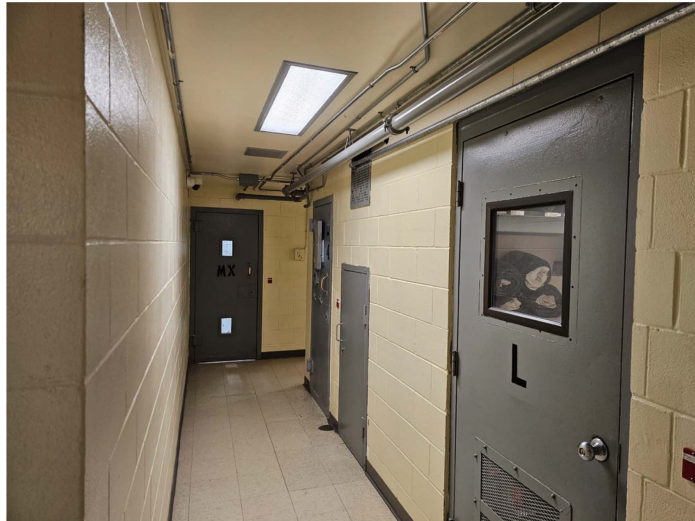
CURRENT INTAKE

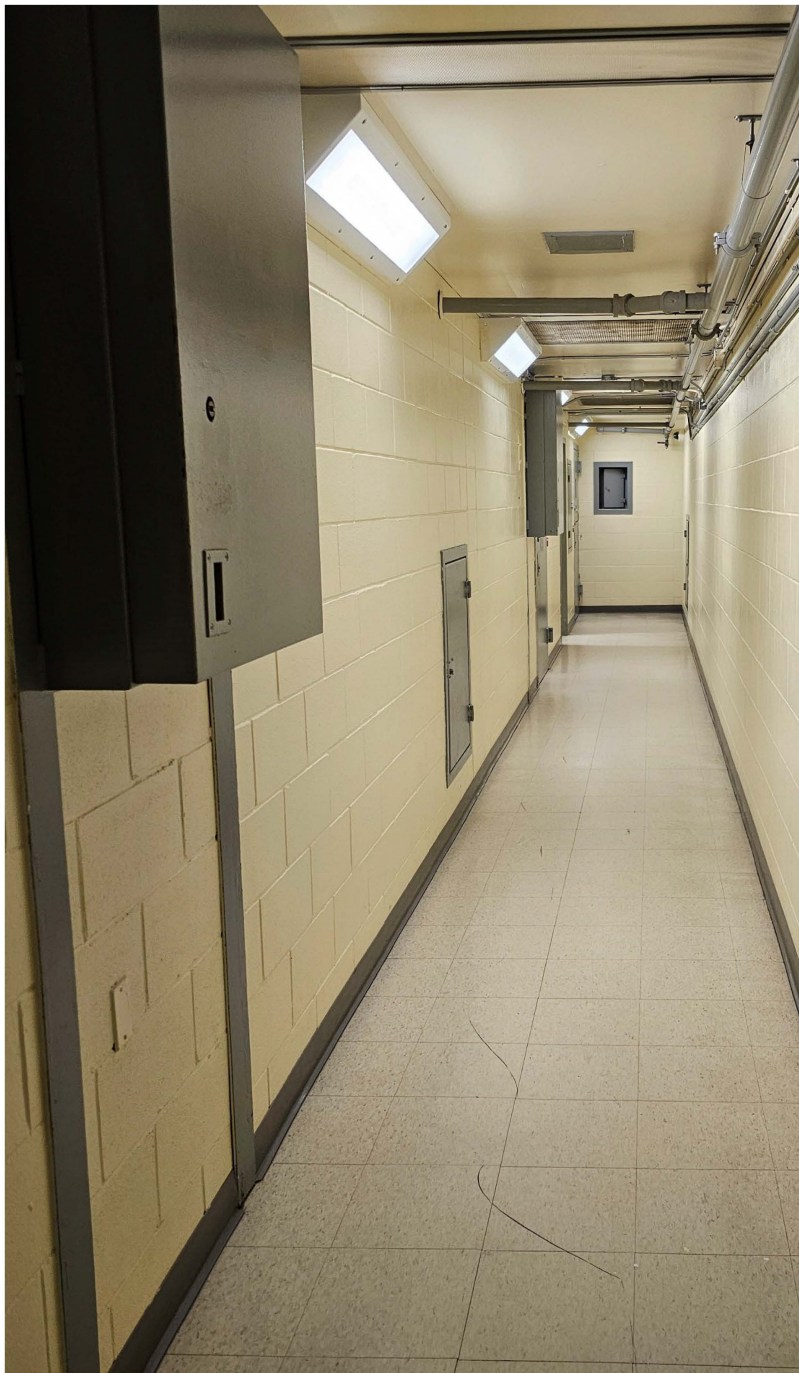


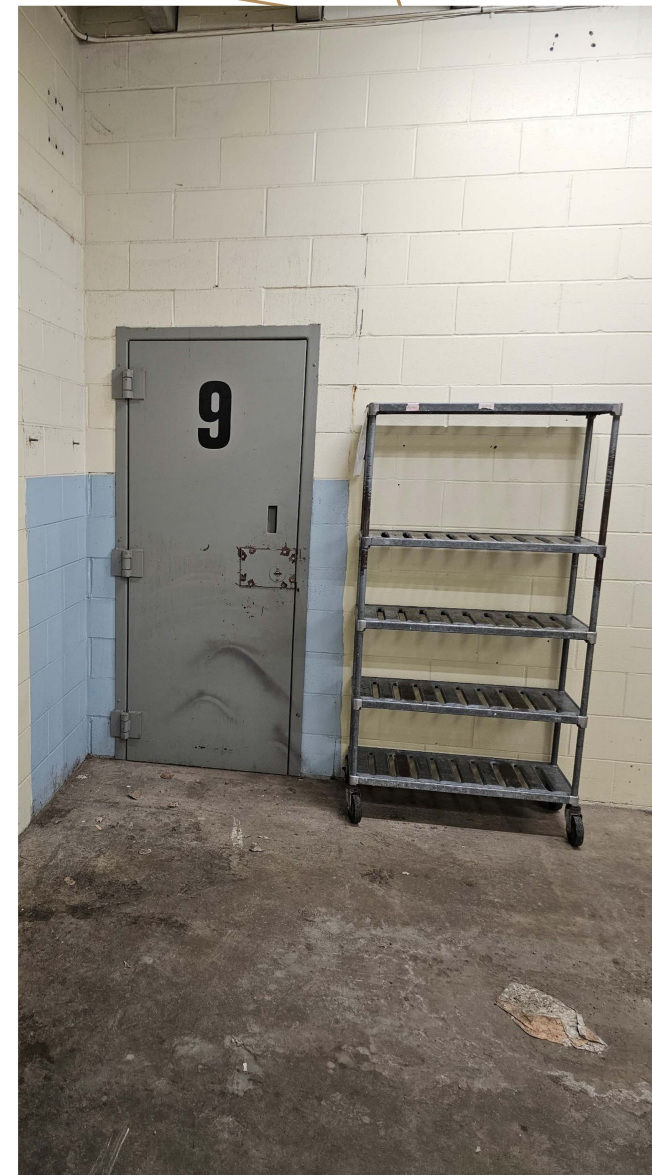
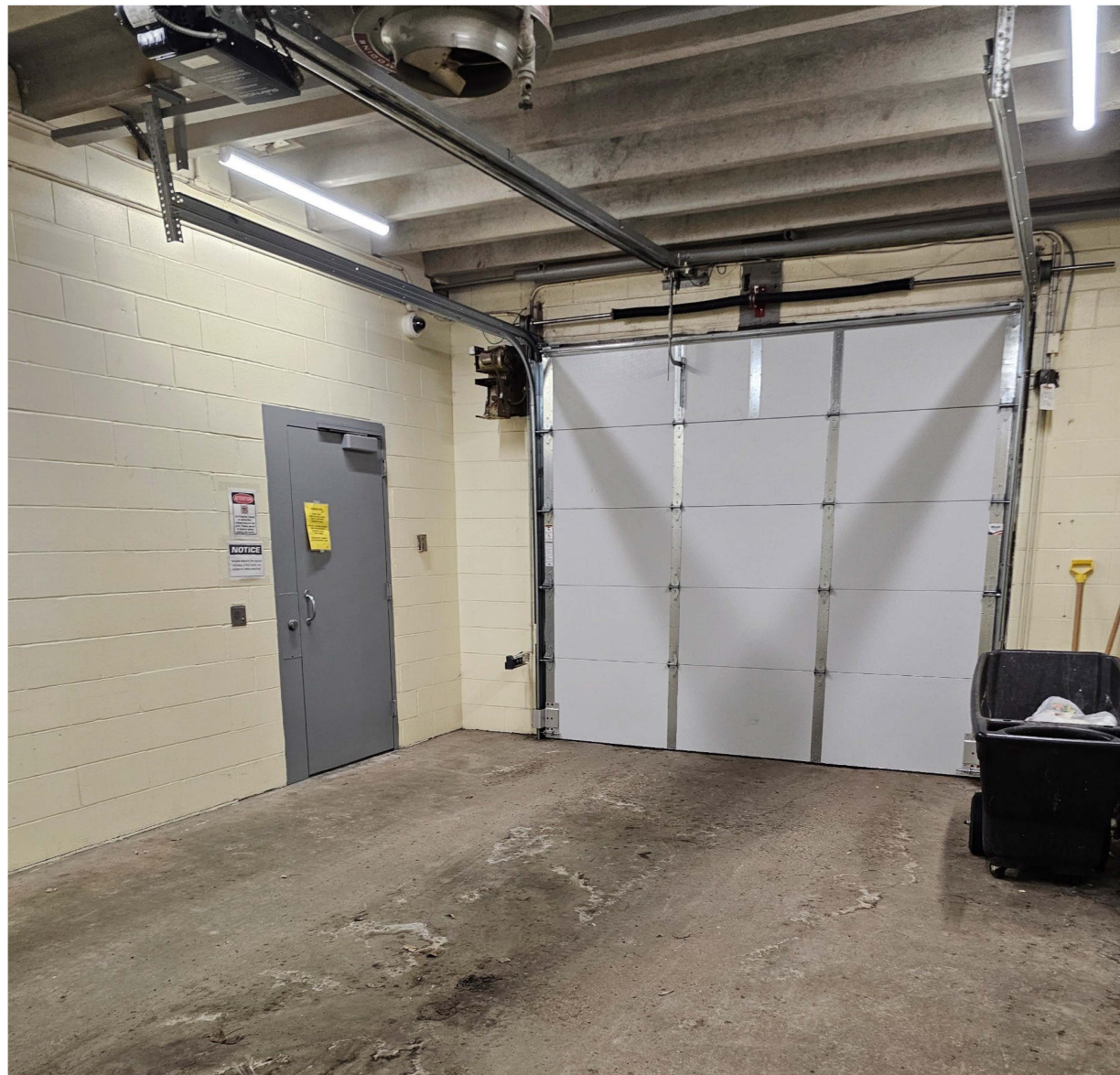


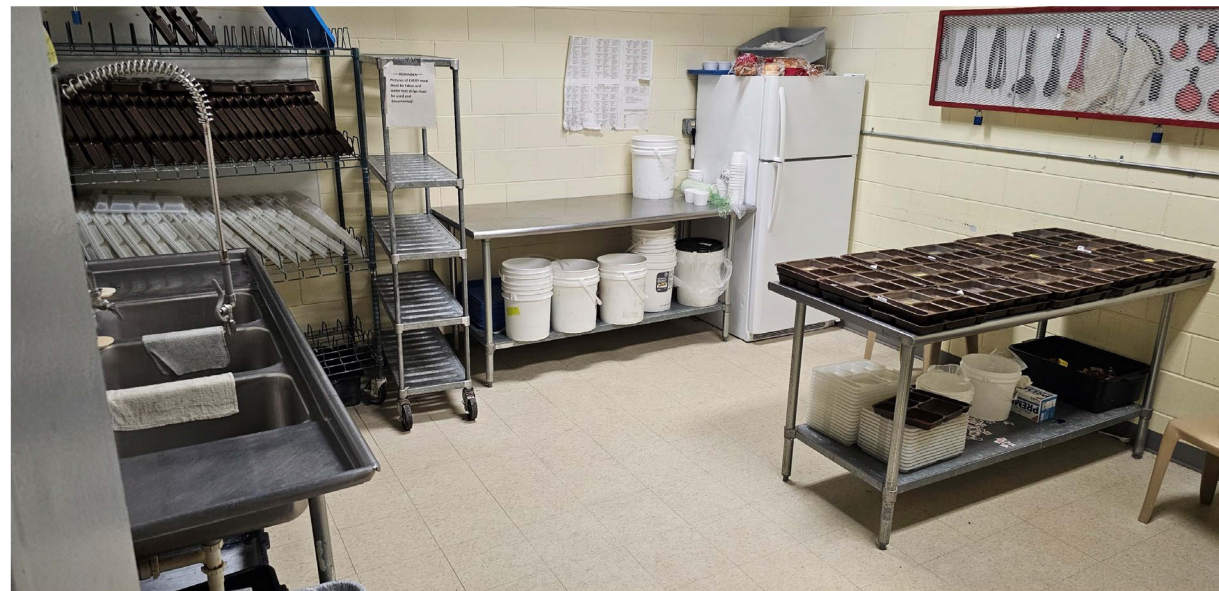
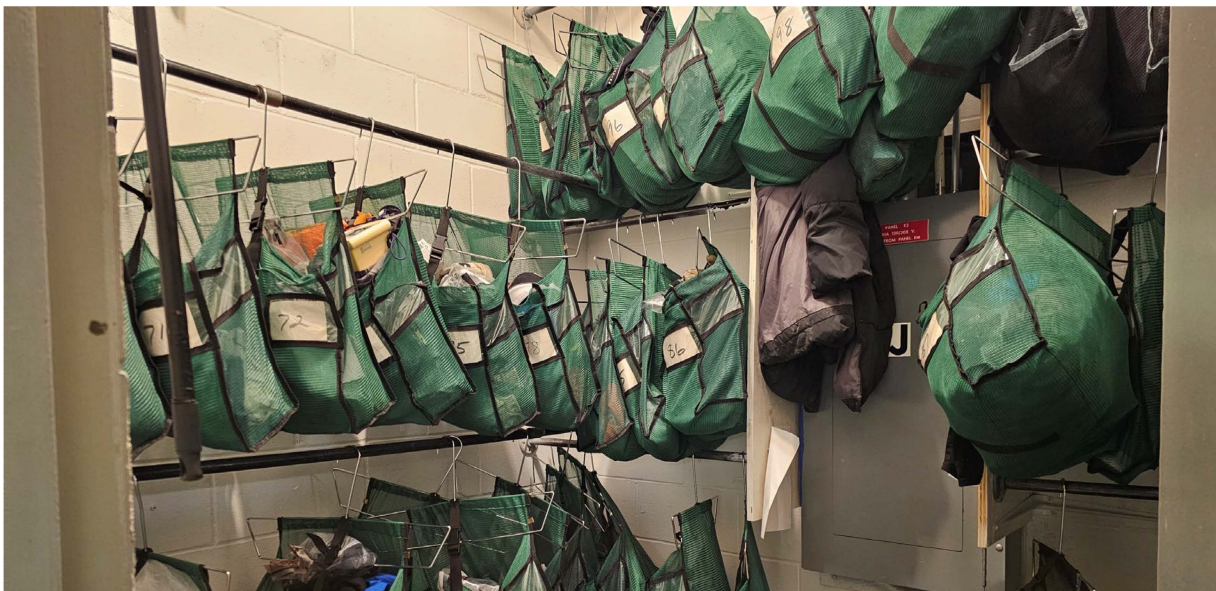
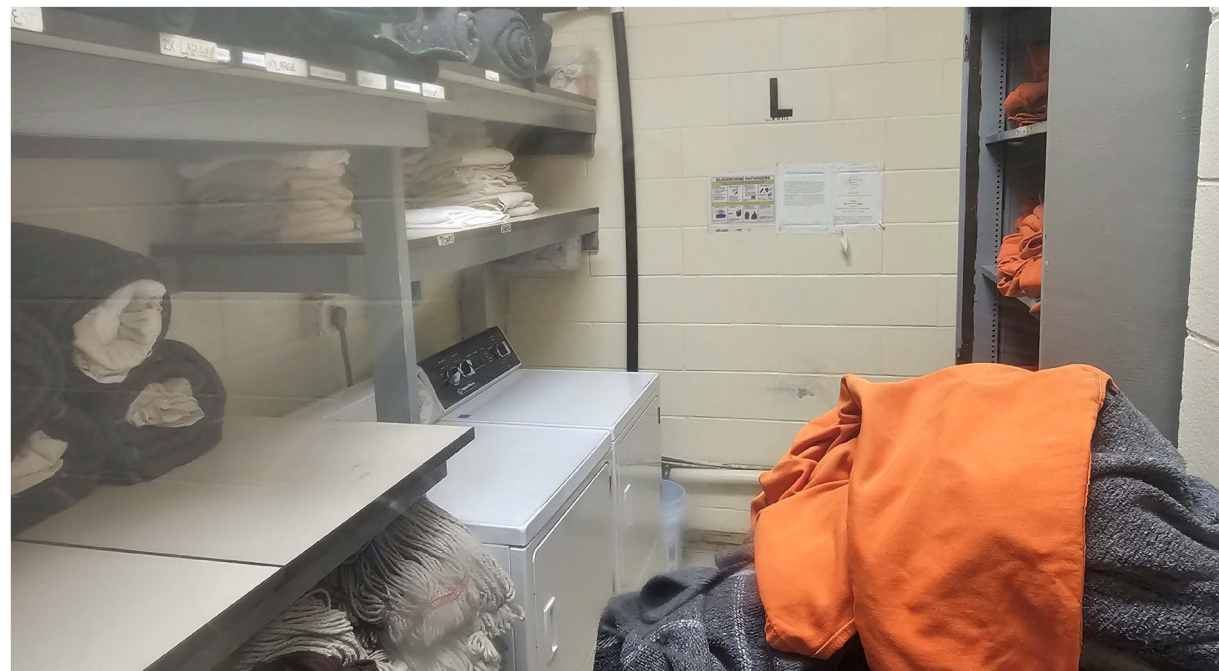
MONITORING AREA

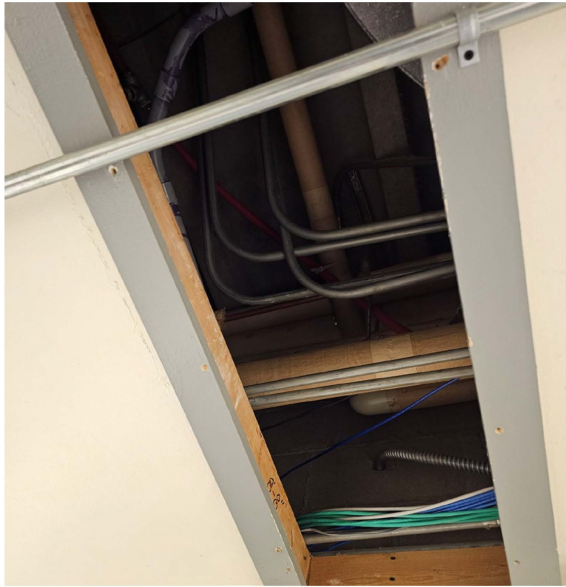
- *SEVERELY CONFINED*
- *NOT SUPPOSED TO BE IN
THE CURRENT LOCATION*
 - *DOOR ON RIGHT OPENS
INTO FEMALE WING*
 - *INMATES CAN SEE
DIRECTLY INTO ROOM*















In North Dakota, a low or moderate risk registered sex offender can live as close to a school as they want, unless specifically prohibited by their probation conditions; however, high risk offenders cannot live within 500 feet of a school, preschool, or other childcare facility.

The RRC is approximately 657 ft away from Minnie H

RECENT UPGRADES AND REPAIRS COST 2016 - PRESENT

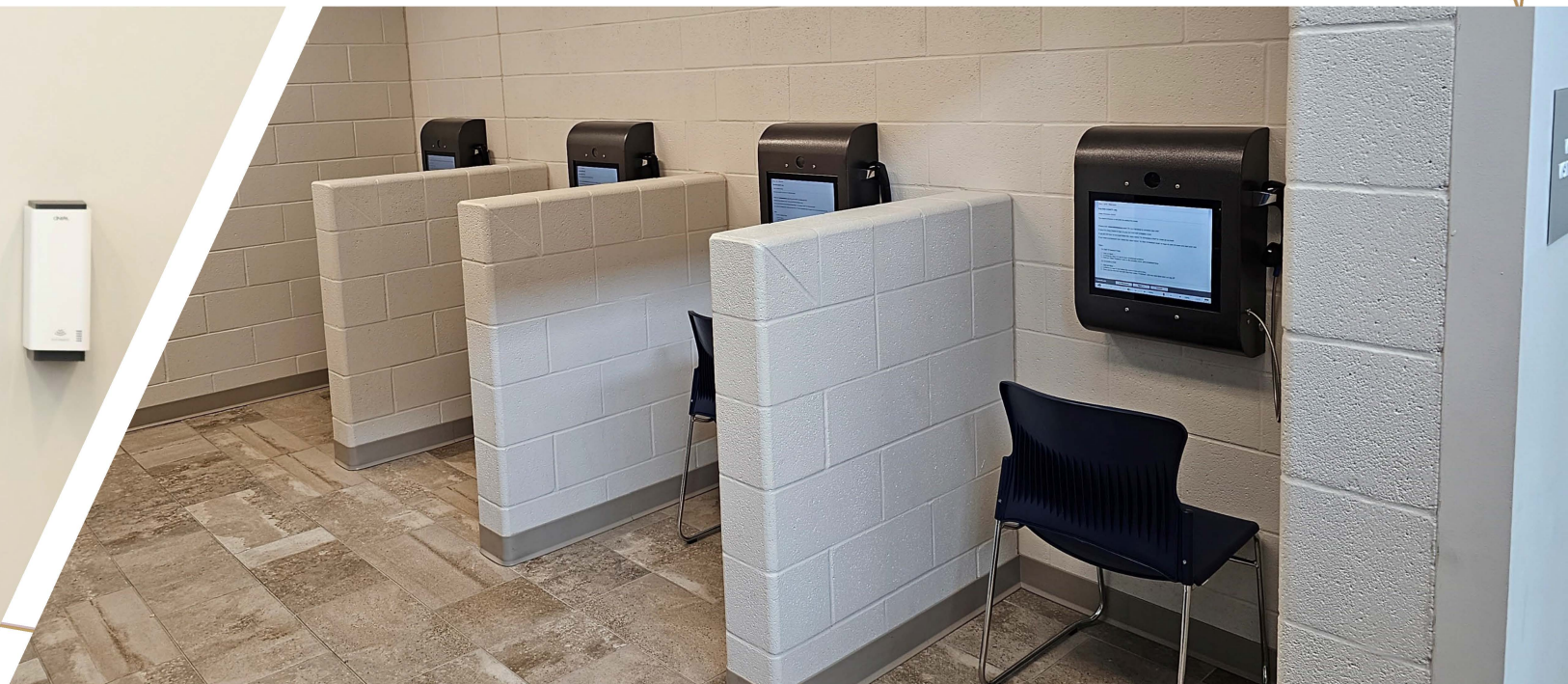
Item	Cost
Fence (2024)	\$22,606.00
Water Heater	\$8,488.36
Boiler	\$14,385.00
Sewer Line Repair	\$1,436.00
Lights (2021)	\$36,305.00
Booking Area	\$10,000.00
Offices Upgrade	\$4,000.00
Intox Room	\$1,500.00
Property Room/Bathroom	\$1,000.00

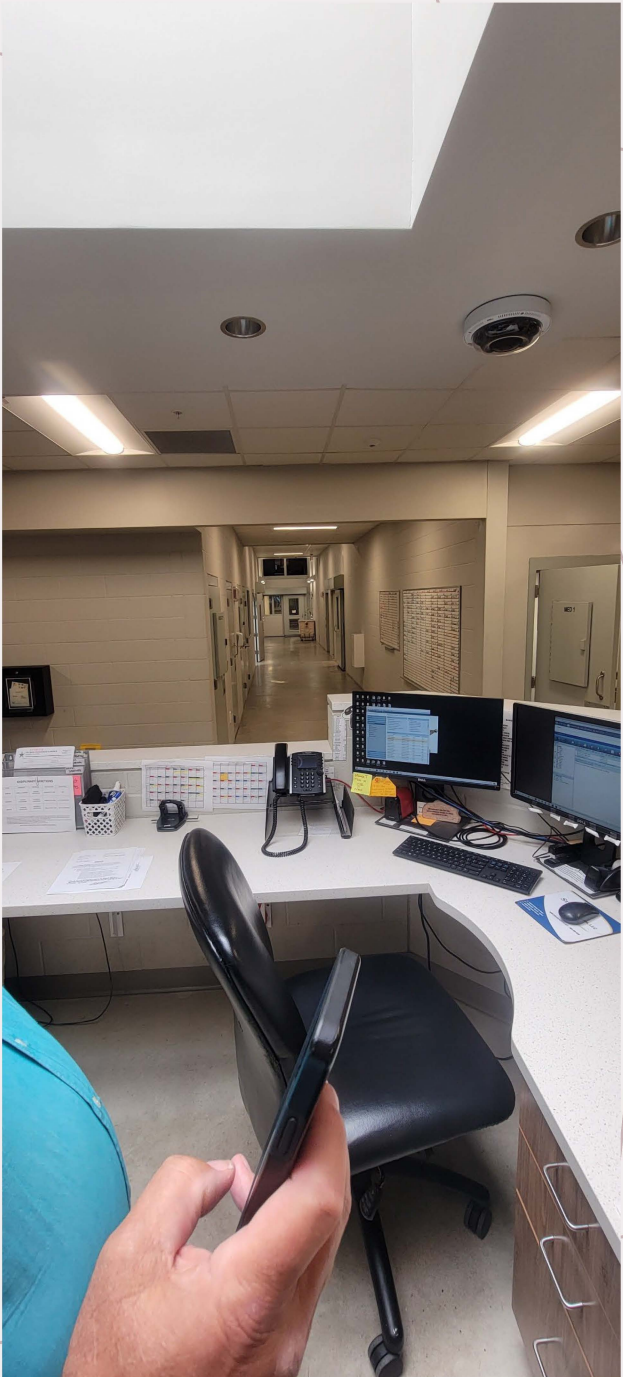
Item	Cost
Phone System	\$50,330.00
Roof Repair (2016)	\$133,804.00
Jail Management System (2023)	\$24,226.00
Security System (2019)	\$425,000.00
Misc.	\$4,500.00
Total cost so far	\$747,221.00



*PROPOSED NEW
REGIONAL FACILITY*



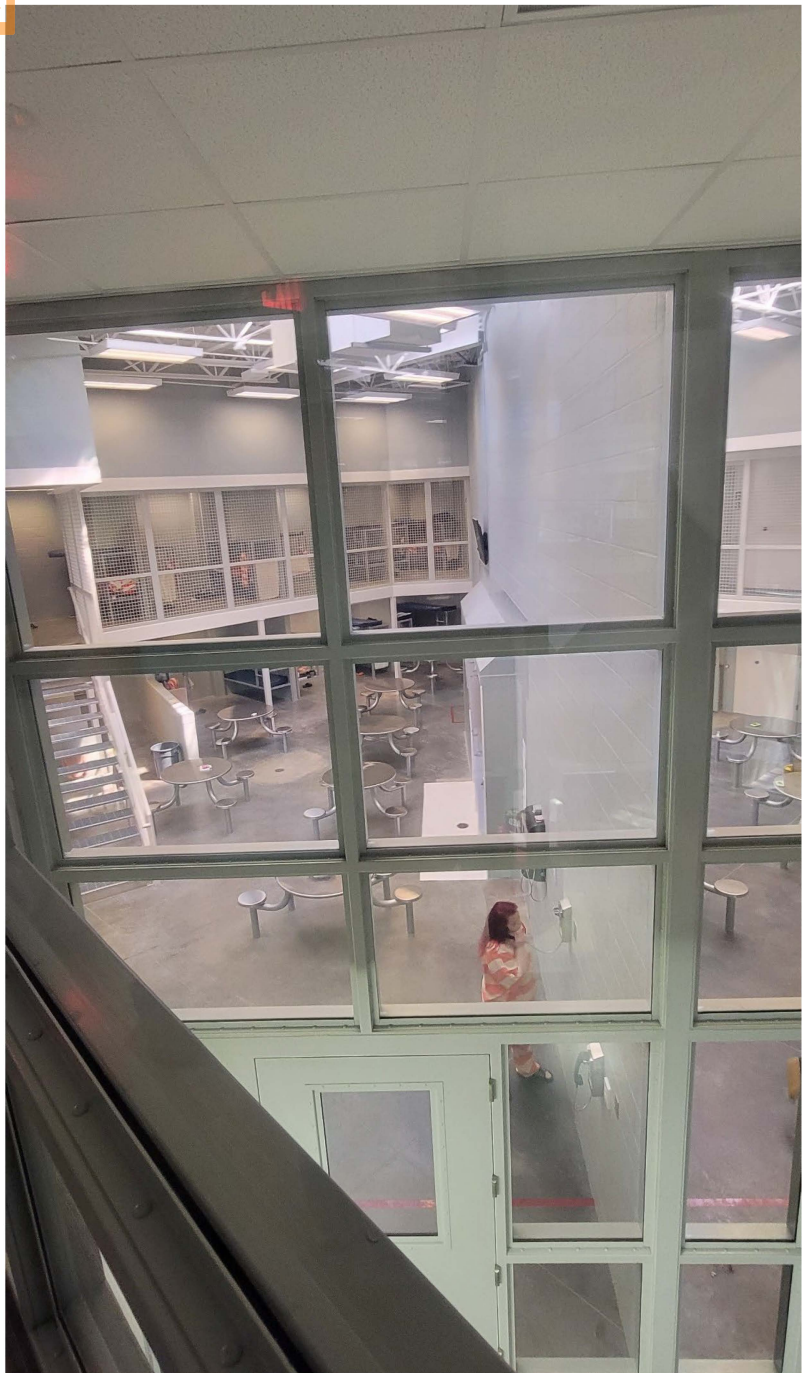


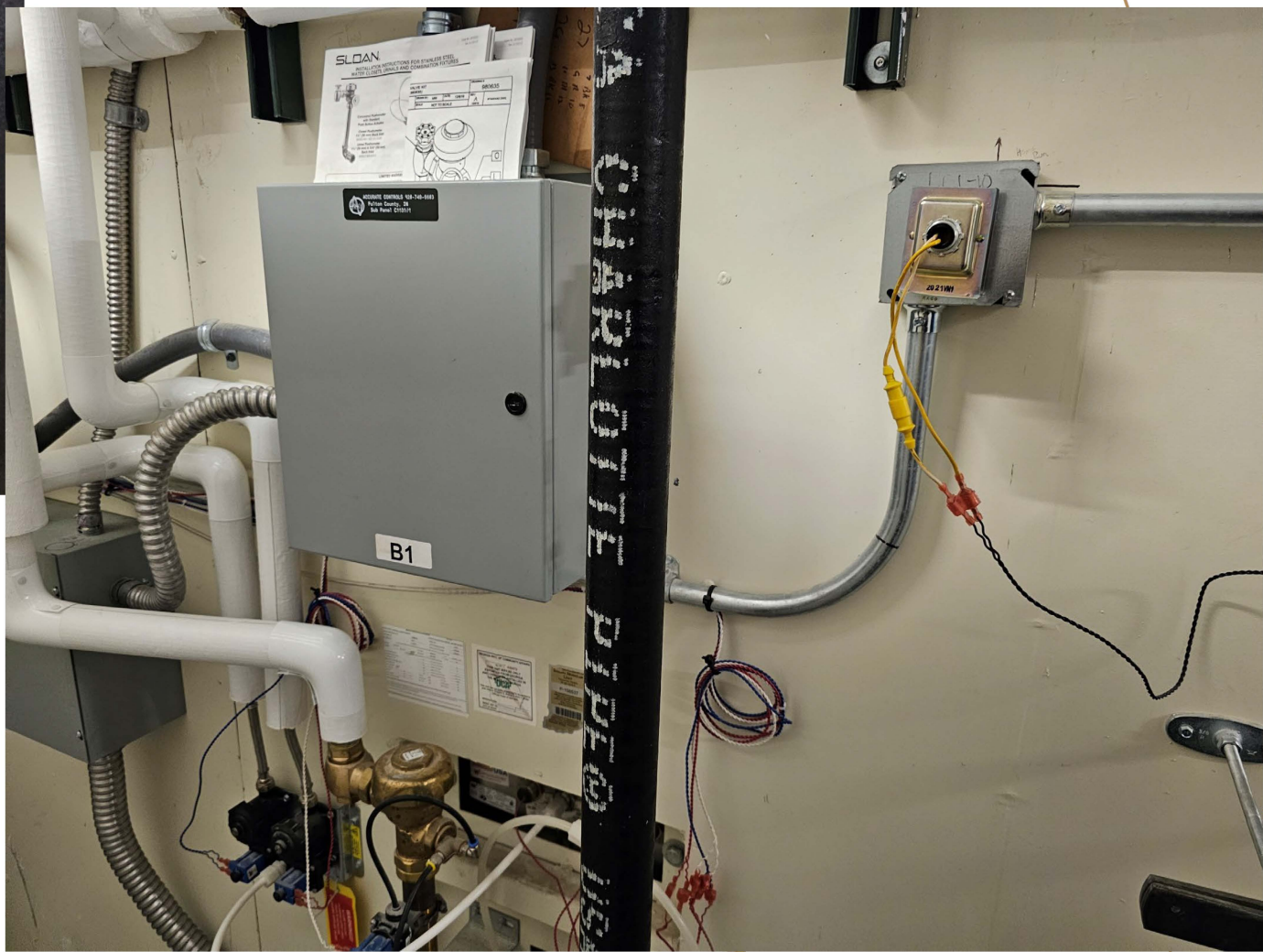


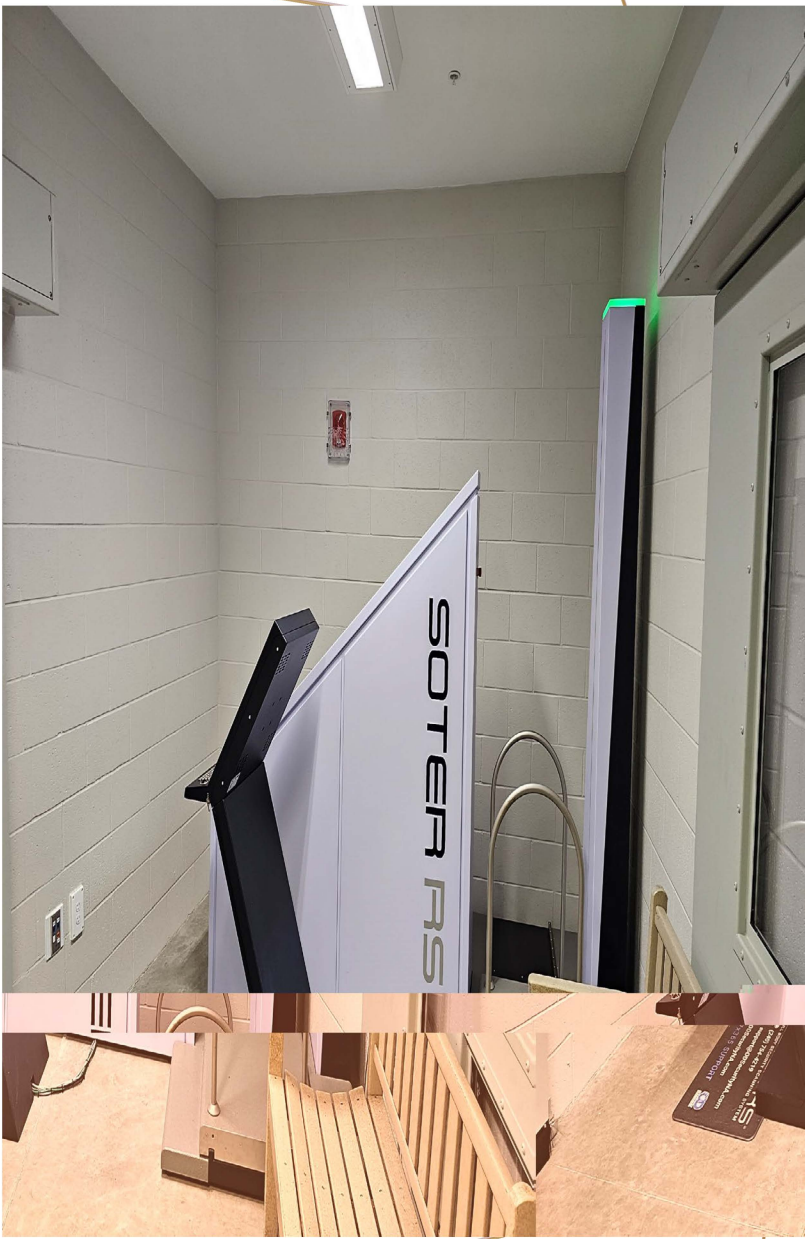




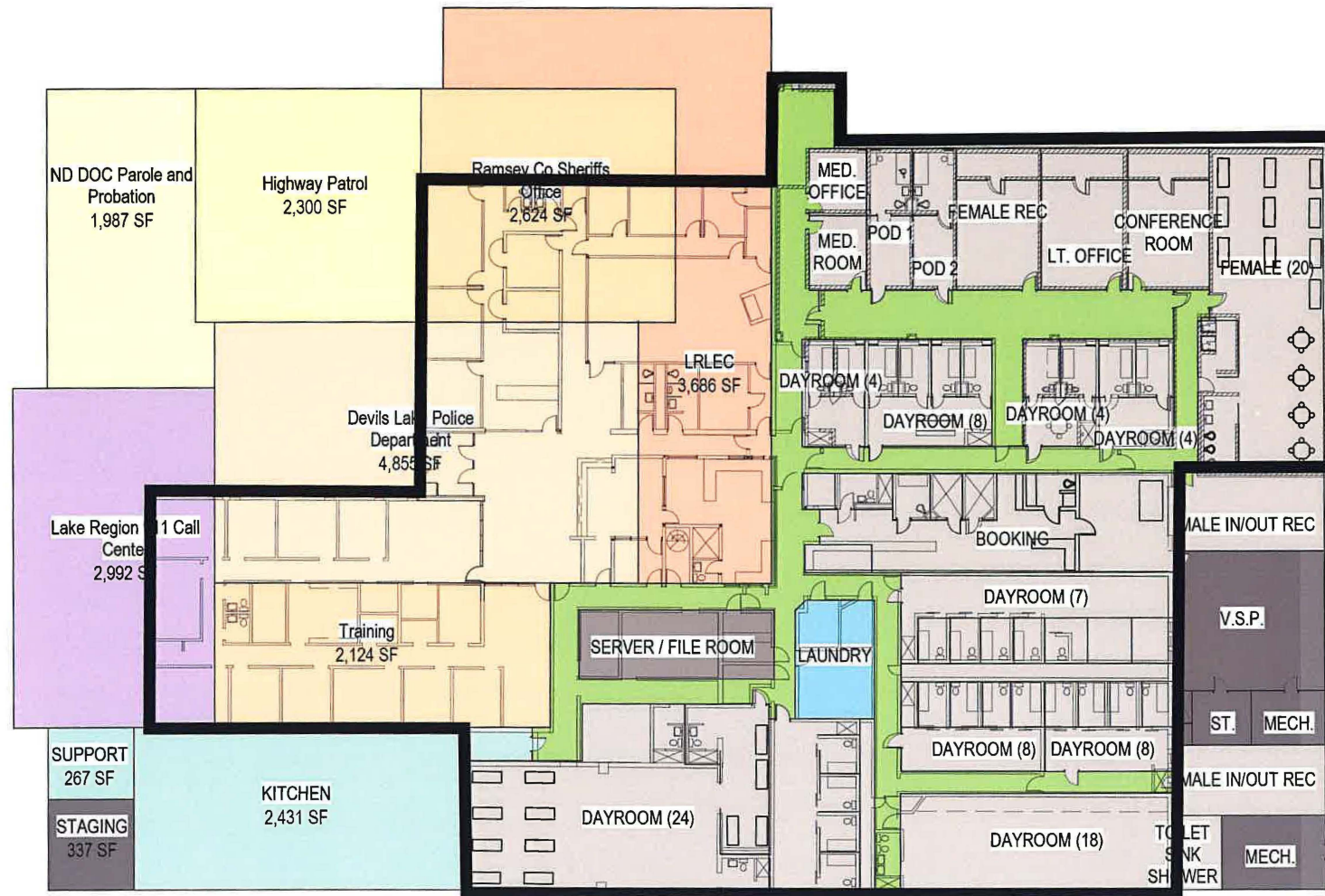








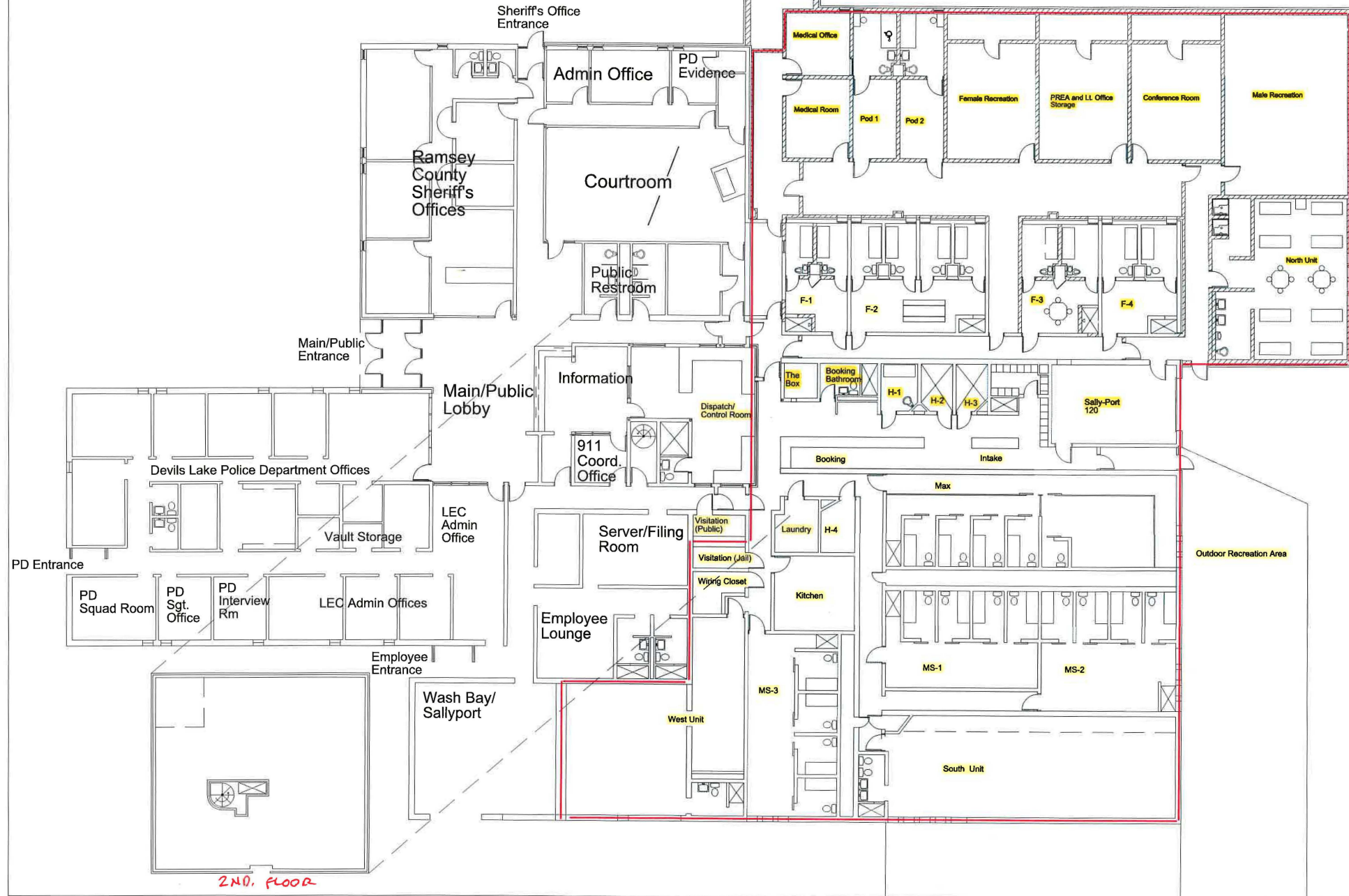




Existing Jail

1" = 30'-0"

<---Walnut Street--->



2ND FLOOR





Lake Region LEC - Devils Lake, ND
Cost Study
Program - New Greenfield Site

5/13/2024

Greenfield Site Option	Qty	Unit	Low Price	High Price	Low Range	High Range
New Jail	40,015	GSF	\$ 787	\$ 827	\$ 31,498,608	\$ 33,073,538
New Courts	28,743	GSF	\$ 748	\$ 786	\$ 21,504,478	\$ 22,579,702
New Law Enforcement Center	22,387	GSF	\$ 566	\$ 594	\$ 12,672,475	\$ 13,306,099
Shared Services - Public Lobby	9,791	GSF	\$ 694	\$ 729	\$ 6,796,560	\$ 7,136,388
Shared Services - Central Utility / Support	2,161	GSF	\$ 454	\$ 477	\$ 981,448	\$ 1,030,521
Total Greenfield Site Option	103,097	GSF	\$ 712	\$ 748	\$ 73,453,568	\$ 77,126,247
Owner Direct Soft Costs - Typically 20% of Construction Value					\$ 14,690,714	\$ 15,425,249
Total Project Costs	103,097	GSF	\$ 855	\$ 898	\$ 88,144,282	\$ 92,551,496

Owner Direct Soft Costs - Included in the line item above

Architectural / Engineering Fees & Reimbursables
Private Utility Company Charges
Third Party Commissioning
Dispatch Equipment
Communications Tower
Portable Radio System
Security Screening Equipment / Metal Detectors
Computers / Phones / Televisions
Residential Appliances
Fingerprint Machine
Medical Equipment
Fitness Equipment
Office Furnishings
Movable Jail Furnishings
Owner's Project Contingency
Land Acquisition
Bond/Financing Costs
Upgrades if Required to Service Utilities, i.e. Sewer, Water, Storm, Electrical, Telecom

Anticipated Construction Schedule: 24 Months

QUESTIONS?





THANK YOU

Jason P. Pierce

701-230-2051

jasonp@dvlnd.com

Lake Region Law Enforcement Center

Deficiencies of the Existing Jail after renovations and additions.

1. Pod 1: Cell is properly sized if inmates are housed in their cells less than 10 hours per day; if they are housed in their cell more than 10 hours, it is 7 unencumbered SF short.
2. Pod 2: Cell is properly sized if inmates are housed in their cells less than 10 hours per day; if they are housed in their cell more than 10 hours, it is 7 unencumbered SF short.
3. Female Recreation space only contains 374 SF. 500 SF is required. (126 SF short)
4. F-1: Each cell is 15 unencumbered SF short of standards if inmates are housed in their cell less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 35 unencumbered SF short each.
5. F-1: Dayroom is 40 SF short of standards.
6. F-2: Each cell is 15 unencumbered SF short of standards if inmates are housed in their cell less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 35 unencumbered SF short each.
7. F-2: Dayroom is 40 SF short of standards.
8. F-3: Each cell is properly sized if inmates are housed in their cells less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 20 unencumbered SF short each.
9. F-3: Dayroom is 10 SF short of standards.
10. F-4: Each cell is properly sized if inmates are housed in their cells less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 20 unencumbered SF short each.
11. F-4: Dayroom is 10 SF short of standards.
12. MAX: If the cells hold one inmate, and they are housed less than 10 hours per day, they are adequately sized. If they are housed more than 10 hours per day, they are 16 SF short each.
13. MS-1: Each cell is 15 unencumbered SF short of standards if inmates are housed in their cell less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 35 unencumbered SF short each.
14. MS-1: Dayroom is 30 SF short of standards.
15. MS-2: Each cell is 15 unencumbered SF short of standards if inmates are housed in their cell less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 35 unencumbered SF short each.
16. MS-2: Dayroom is 60 SF short of standards.
17. MS-3: Each cell is 15 unencumbered SF short of standards if inmates are housed in their cell less than 10 hours per day; if they are housed in their cell more than 10 hours, they are 35 unencumbered SF short each.

SHORTCOMINGS OF THE PLAN TO ADD ONTO THE EXISTING JAIL

- Would have to move numerous, if not all inmates, out of the jail for a long duration of time, possibly 1.5 years or more. The reasons are as follows:
 1. Must add skylights to several dayrooms to meet the natural light requirement.
 2. Major renovation of Intake area.
 3. Major renovations to the following housing units:
 - West Unit
 - South Unit
 - MS2
 - Max
 - North Unit
- The cost to transport the inmates and house them in other county jails for a long period of time.
- The majority of offices would have no windows.
- Only gain 13 beds with this expensive renovation/addition.
- There are no further expansion opportunities on this site unless adjacent property is purchased and roads and underground utilities under those roads are vacated.
- The layout of multiple (13) housing units remains an organizational mess and is still difficult to surveil and manage for the staff.
- Even with these additions and renovations, there are areas of the jail that still do NOT meet ACA Standards or the North Dakota Correctional Facility Standards.
- It would be a poor use of taxpayer money for a solution that does not work.
- This plan adds 14,142 square feet to the existing building. In addition, it involves some major renovations to the existing structure, both in the administration area and in the detention area.
 1. You could safely assume the new office construction would be in the range of \$400 - \$450 per square foot. That equates to \$4.9M - \$5.5M for 12,140 SF. Include in the new addition is 2000 SF of new kitchen, which would cost in the range of \$700 per square foot, or \$1.4M. Renovations to the detention portion of the jail would be much higher per square foot. We would work with a contractor to develop that cost, and the overall construction cost.

To: North Dakota Legislators

Re: Assistance for county jails

January 22, 2025

I know you are considering several bills regarding helping counties deal with the shortage of jail space. I thank you for that and encourage you to find a path to making it happen.

Our current jail was designed in the early 1970's and with the changes in requirements and increase in criminal activity it has become difficult and costly to maintain and operate an outdated facility that is full nearly every day. (Hotel and apartment owners would be envious of our occupancy rate!) This is why Richland County began researching a new jail in 2024. We are working with Elevatus, a respected firm that has built numerous facilities, including one in Rochester Indiana. We recently toured the Rochester facility, which is relevant as Fulton County Indiana bears a striking resemblance to Richland County in population and demographics, with a population difference of only 3,000. Fulton County, like Richland, had an outdated 32-bed jail and they recently replaced it with a 210-bed facility. It may sound big, but it has worked out well for them as it provides for future growth while creating a safer environment for both staff and inmates, with minimal increases in staffing costs due to efficiencies in the new system. It saddens me to say we must plan for future growth in our prisons, but it's a reality. Crime is not decreasing.

Our estimates indicate a price tag for a 210-bed facility at \$58-60 million, plus land and other costs, so we're estimating a total cost near \$70 million. The proposal includes a section to deal with those in mental health crisis who do not belong in the jail portion. As you know, mental health is a major issue for our communities, and our law enforcement staff typically ends up dealing with these individuals.

Richland County takes a very conservative approach to our budget, lowering mills to compensate for the increase in valuations. We hold every department responsible for keeping costs in line or reducing them. We currently levy a total of 92.5 county mills for a total of \$10,112,650. Constructing a new facility on our own would be very challenging. We need help! Any excess county mills to build a new facility would be taken to a public vote as it will be a very large request of our residents. I feel most people recognize this is a very serious issue, and at some point, something must be done.

This is a Public Safety issue!

You will be hearing from our Chief Jailer Steve Gjerdevig who will discuss our situation further and answer any of your questions.

Again, I thank you for considering any legislation that would help solve this issue and for your service to the people of North Dakota.

Perry Miller
Richland County Commissioner

**Testimony To the
House Political Subdivisions Committee On HB 1197**

Good afternoon, Chairman Longmuir and members of the committee. My name is Amy Suda, and I am a member of the Walsh County Commission.

I strongly support HB1197 that will provide a funding source to allow us to proceed with building/maintaining a 48 bed jail in Walsh County, specifically Grafton, ND.

Our jail is 50 years old as of 2025 and as with 24 hour care facilities similar to a nursing home, the average life expectancy is more in line with 20-25 years; thus the deterioration of the building is becoming more and more apparent. The DOCR is only allowing our current jail to remain open due to the fact that we are proceeding with plans to build a new jail. If we have to close our current the jail, the costs to transport prisoners out of the county will not only cost us ridiculous amounts of taxpayer money but also safety with our deputies spending their time driving across the state versus protecting the citizens of Walsh County.

As a nurse & business owner in the community, as well as a long standing citizen of Walsh County; law, order, and safety is of the utmost importance to myself, my family, and in our communities. As an elected official, I feel strongly about the responsibility to ensure we have law and order as a top priority.

I strongly urge the committee to support HB1197 and recommend its passage. This bill is a meaningful step toward improving safety to our communities and a more sustainable justice system for Walsh County and other Counties/Cities in ND facing the same problems!

If you need any further information or have questions, please do not hesitate to reach out to me at my contact information listed below.
Thank you for your time and consideration!

Sincerely,
Amy Suda, MSN, FNP-C, DCNP
Walsh County Commissioner

Chairman Longmuir and esteemed members of the Political Subdivisions Committee, my name is Jeff Frith, and I have the honor of serving as a Ramsey County Commissioner, as well as the chairman of the Lake Region Law Enforcement Center board of directors.

I am submitting my testimony today to express my strong support for House Bill 1197.

Permit me to share some insights about the Lake Region Law Enforcement Center (LRLEC). This facility, established in 1973, serves not only as a correctional institution but also as a crucial component of our community's safety and well-being. Located in Devils Lake, the LRLEC is a multi-jurisdictional adult correctional facility, with our current building reflecting our long-standing commitment to public safety since its construction in 1974. It represents a collaborative effort among Ramsey, Benson, Nelson, Eddy Counties, and the City of Devils Lake, highlighting the importance of unity in ensuring public safety.

As representatives of smaller communities, we are acutely aware of the challenges we face in securing funding for essential projects like the LRLEC. We would not be seeking your support if we had the resources to fully finance this endeavor on our own. We are committed to exploring all avenues, including cost reductions, potential downsizing, and even the possibility of raising taxes. However, we recognize that these measures may not suffice, which is why we are respectfully requesting the state's support to help us maintain the safety and security of our residents.

With that in mind, I kindly urge you to vote in favor of House Bill 1197.

Thank you for your consideration.

Testimony
To the
House Political Subdivisions Committee
On
HB 1197

Good morning, Chairman Longmuir and members of the committee. My name is Kristi Brintnell, and I am the Chair of the Walsh County Commission.

I am here today to testify on behalf of the Walsh County Commissioners in strong support of HB1197.

Our county needs to build a new jail. The DOCR is only allowing our current jail to remain open for now due to the fact we are proceeding with plans to build a new jail. The burden of this massive expense will be on the shoulders of our taxpayers. At a time when the trend is to reduce property taxes, Walsh County Commissioners will have to ask our taxpayers to vote for an increase to property taxes to pay for a jail.

One of the main barriers to constructing a new jail is to obtain a solid source of funding. I am a member of the Walsh County Jail Finance Committee, and it is a challenge to even find necessary funding sources. One source of y we can utilize is the Infrastructure Loan Fund established by the legislature. However, the maximum amount that can be borrowed through this fund is \$20 Million. Unfortunately, that is only on the basis that those funds are still available at the time the funding is requested. Our finance committee was informed that the funds in this infrastructure loan pool of money is on a 'first come, first serve' basis.

The cost of our 48 bed jail is \$42 Million. The cost to build is nearly inconceivable but the more important question is, what is the cost to NOT build? Law and Order and Safety is of the utmost importance in our communities. As elected officials, it is our responsibility to ensure we have the infrastructure to make sure we can provide this to our citizens. Without a solid funding source, it is nearly impossible to strategically put together the necessary funding to build a jail since the cost is so high.

As I stated earlier, reducing property taxes is the trend. But, how does a county build a jail without increasing property taxes? One way to assist counties with funding support is for the legislature to provide grant funding. That is why we strongly support HB 1197. Providing grants to counties for jail infrastructure needs would assist in reducing a property tax increase.

Investing in jails is not only a necessity, but also simply the right thing to do. It will provide safe and secure confinement for inmates, and it will restore safety to our communities at a time when our current jails have exceeded their lifespan and space requirements. This is an investment in our communities and in a more sustainable justice system.

On behalf of the Walsh County Commission, I urge you to support HP 1197 and ensure counties have the resources they need to fund jail infrastructure needs and provide safety to

Testimony prepared for:
House Political Subdivisions
Donnell Preskey, NDACo
January 23, 2025



Re: HB 1197 – Jail Facilities Improvement Grant Fund

Chair Longmuir and committee members, I'm Donnell Preskey with the ND Association of Counties, one of my roles at NDACo is serving as the Executive Director of the ND Sheriff's & Deputies Association. Both NDACo and NDSDA are supportive of HB 1197 and brought this bill concept forward.

We are in a crisis situation when it comes to jail space in North Dakota. This is being seen at the state prison level and at the local level and to compound the situation, the lack of space in the state prison system is causing extra pressure on our local facilities. The prison system has been over capacity since July 2023. On any given week there are between 200 – 250 state sentenced inmates in county facilities.

HB 1197 provides a possible solution. There are five county or regional jail facilities looking at expanding or building new jail facilities in our state. They are: Lake Region Correctional Center in Ramsey County, Walsh County, Grand Forks County, Cass County, and Richland County.

This bill establishes a jail facilities improvement committee. This is modeled after the court facilities improvement committee. The committee will designate grants up to \$10 million for jail facilities improvements, remodeling or replacement. To qualify, counties will need local funding of at least 25% of the cost. The \$50 million will come from the Strategic Investment & Improvement fund, a perfect use of the SIIF fund.

As you can imagine, the cost to expand or build a jail is significant and property taxes is the only source for most counties to rely on to fund a jail. This bill would help reduce some of the local taxpayer burden. The other funding option some counties have utilized is a sales tax increase – which only works in counties that have an economy that makes sales tax a viable revenue option.

Looking at the five county / regional facility plans – the cost estimate for all five is a little more than \$250 million and will allow for 434 new jail beds in the state.

The last round of major jail expansions occurred in 2015-17. Eight jails in the western and central part of the state completed expansions or new builds adding 800 beds. The jail capacity statewide is currently 2,588.

Mr. Chairman and committee we ask for your support of HB 1197.



Kathy Frelich

Representative District 15

701-351-0719

kfrelich@ndlegis.gov

Devils Lake, ND 58301

Chairman Longmuir and members of the House Political Subs Committee,

My name is Kathy Frelich, and I have the honor of representing District 15 which includes Devils Lake and also encompasses the area north to the Canadian border.

House Bill 1197 is a Bill to allow for grants relating to jail improvements. Section 1 describes the funding avenue, seeking an appropriation for a Jail improvement fund which will be placed in the State treasury. The funds are appropriated on a continuing basis for the purpose of jail facility improvements. Section 2 describes how a committee is formed to determine the grant recipients. The Committee consists of members of both the House and Senate, the Association of Counties, the Sheriff's Association, the Chiefs of Police Association, and one member from DOCR. Section 3 describes the grant criteria which includes the need for facility improvement, remodeling and replacement projects. A grant may be awarded to a county if the county agrees to provide local funding of at least twenty-five percent of the project costs, and the last line ensures that at least 25% of these funds are geared to counties with populations less than 15,000. Section 4 indicates the funds are to be derived from the Strategic Investment and Improvement Fund. The total appropriation is for \$50,000,000.

Mr. Chairman and members of the committee, I know this is a big ask, but there is also a big need. Earlier this month we learned during the Governor's address that North Dakota has had an influx of people, and this means a need for increased infrastructure. Yes, there are a lot of needs, and we are looking at increased housing, mental health services, workforce development and childcare, but unfortunately our local communities are also in need of jail space.

If you will recall back to the last Session, you might remember there was a Tough on Crime Bill introduced. And like many of you, we heard back from our communities that the infrastructure was not in place to manage an increased number of incarcerated individuals. This Bill will head us in the right direction.

Also, you are aware this legislature is trying to figure out a way to lessen the burden of property tax. I consider this grant proposal to be a burden taken off the back of the taxpayer. It is difficult enough to ask citizens to increase their property tax for the building of schools, but it is nearly impossible to ask them to prioritize jails. And yet, they are an essential need for our communities to improve safety. Not only will this infrastructure grant improve the safety of our communities, it will also improve the safety of those working in the jail. This improved safety will likely increase the workforce in these facilities. We must keep our jails safe for both our inmates and those working alongside them.

I know you will hear more testimony after me, but I will stand for questions.

Kathy Frelich

District 15

Good afternoon, Chairman Longmuir and members of the Political Subdivisions committee. My name is Ron Jurgens, and I am the Walsh County Sheriff.

I am here today to testify in support of HB 1197.

I have been the Sheriff for the last 10 years. I have worked for the Walsh County Sheriff's Office since February of 1991. During this time, I have worked in various capacities with the Sheriff's Office. I was a Patrol Deputy, a Sergeant, and the Chief Deputy before I was elected the Sheriff of Walsh County.

Once elected as Sheriff, my duties encompassed the jail administrator for the Walsh County Correctional Facility. In that capacity I have seen various things that are problematic inside the jail.

A little bit about the Law Enforcement/ Jail building: The building was built and then dedicated on November 25, 1975. That was 50 years ago. According to jail experts the life span of a jail is no more than 40 years.

The condition of the facility is poor and failing. Over the last 15 years, the plumbing has become an almost daily concern. The pipes in the building are literally crumbling and most of the floor drains have collapsed. The plumbing was poured into the concrete floor, making it impossible to replace without removing the concrete floors. We have been forced to replace multiple sinks and toilets in the jail over the last 10 years due to serious malfunctions.

The basement of the Law Enforcement Center has had mold issues which required us to hire a company to come and treat the mold issues. Along with that, walls needed to be removed and then rebuilt after the mold was treated.

There is also a serious problem with the lack of space in the jail. According to Department of Corrections standards we are allowed to house only 16 inmates in our facility and because of that we chose to only house males because of our space limitations. There have been many times when we did not have enough room for all our Walsh County inmates, and do not have space for the many programs we would like to offer to our inmates.

When we do not have room for the inmates, we have no choice but to transport them to other jails throughout North Dakota. We have gone as far away as Williston ND because of the lack of space in any of the local County Jails. We do not know from day to day which facility will have room to house our inmates as most of the other county jails are also at maximum capacity.

When our Deputies are transporting, they are out of the county and are not here to keep us safe.

Over the last few years, it has become painfully apparent that the current Walsh County Jail and Law Enforcement Center has served its purpose and now needs to be replaced.

This bill would help us with accomplishing our goal in Walsh County to build a new jail to provide our citizens the criminal justice they expect.

I urge you to support HB 1197. Thank you for your time and consideration, and I would be happy to stand for any questions.

Ronald Jurgens

Walsh County Sheriff

2025 HOUSE STANDING COMMITTEE MINUTES

Political Subdivisions Committee Room JW327B, State Capitol

HB 1197
2/7/2025

A BILL for an Act to create and enact three new sections to chapter 12-44.1 of the North Dakota Century Code, relating to jail improvement grants; and to provide for a transfer.

9:09 a.m. Chairman Longmuir called the meeting to order.

Members Present: Chairman Longmuir, Vice-Chairman Fegley, Vice-Chairman Jonas, Representatives Bolinske, Davis, Hager, Hatlestad, Heilman, Motschenbacher, Ostlie, Toman, Warrey

Members Absent: Representative Klemin

Discussion Topics:

- North Dakota jail Improvement
- Committee Action

9:10 a.m. Representative Motschenbacher moved to Amend LC:25.0627.02001, testimony #38018.

9:10 a.m. Representative Bolinske seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	A
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	A
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

9:11 a.m. Motion passed 11-0-2

9:12 a.m. Representative Motschenbacher moved a Do Pass as Amended.

9:13 a.m. Representative Ostlie seconded the motion.

Representatives	Vote
Representative Donald W. Longmuir	Y
Representative Clayton Fegley	Y
Representative Jim Jonas	Y
Representative Macy Bolinske	Y
Representative Jayme Davis	Y
Representative LaurieBeth Hager	Y
Representative Patrick R. Hatlestad	Y
Representative Matthew Heilman	Y
Representative Lawrence R. Klemin	A
Representative Mike Motschenbacher	Y
Representative Mitch Ostlie	Y
Representative Nathan Toman	Y
Representative Jonathan Warrey	Y

9:14 a.m. Motion passed 12-0-1

9:15 a.m. Representative Motschenbacher will carry the Bill.

Additional written testimony:

Representative Kathy Frelich, North Dakota Representative for District 15, submitted testimony in favor #38018

9:15 a.m. Chairman Longmuir closed the hearing.

Sierra Schartz Committee Clerk for Wyatt Armstrong, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1197

Introduced by

Representatives Frelich, Mitskog, Monson, K. Anderson, Schreiber-Beck, Wagner

Senators Luick, Myrdal, Davison, Mathern, Meyer, Sorvaag

1 A BILL ~~for an Act to create and enact three new sections to chapter 12-44.1 of the North Dakota~~
2 ~~Century Code, relating to jail improvement grants; and to provide for a transfer.~~ for an Act to
3 provide for a legislative management study of correctional facilities.

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

5 ~~SECTION 1. A new section to chapter 12-44.1 of the North Dakota Century Code is created~~
6 ~~and enacted as follows:~~

7 ~~Jail improvement fund - Continuing appropriation.~~

8 ~~The jail improvement fund is a special fund in the state treasury consisting of moneys~~
9 ~~transferred to the fund and interest earned on moneys in the fund. All moneys in the fund are~~
10 ~~appropriated on a continuing basis to be used as provided in sections 2 and 3 of this Act.~~

11 ~~SECTION 2. A new section to chapter 12-44.1 of the North Dakota Century Code is created~~
12 ~~and enacted as follows:~~

13 ~~Jail facilities improvement committee - Members and duties.~~

14 ~~1. The jail facilities improvement committee consists of:~~

15 ~~a. Three members of the house of representatives selected by the majority leader of~~
16 ~~the house of representatives, two of whom must represent the majority faction of~~
17 ~~the house of representatives and one of whom must represent the minority~~
18 ~~faction of the house of representatives;~~

July 2013

- 1 ~~b. Three members of the senate selected by the majority leader of the senate, two~~
2 ~~of whom must represent the majority faction of the senate and one of whom must~~
3 ~~represent the minority faction of the senate;~~
- 4 ~~c. One member appointed by the North Dakota association of counties to represent~~
5 ~~counties with a population fewer than seven thousand five hundred;~~
- 6 ~~d. One member appointed by the North Dakota association of counties to represent~~
7 ~~counties with a population of seven thousand five hundred or more;~~
- 8 ~~e. One member appointed by the North Dakota sheriff's and deputies association;~~
- 9 ~~f. One member appointed by the chiefs of police association of North Dakota; and~~
- 10 ~~g. The director of the department of corrections and rehabilitation.~~
- 11 ~~2. The term of each legislative member is two years at the discretion of the appointing~~
12 ~~authority. A vacancy must be filled by the appointing authority for the remainder of the~~
13 ~~term.~~
- 14 ~~3. The term of each nonlegislative member is three years at the discretion of the~~
15 ~~appointing authority. Initially, as determined by lot, one nonlegislative member shall~~
16 ~~serve for one year, two nonlegislative members shall serve for two years, and two~~
17 ~~nonlegislative members shall serve for three years. At the end of the nonlegislative~~
18 ~~member's term, the appointing authority shall appoint a successor for a full three-year~~
19 ~~term. Except for the director of the department of corrections and rehabilitation, a~~
20 ~~nonlegislative member may not serve more than two three-year terms. A vacancy must~~
21 ~~be filled by the appointing authority for the remainder of the term.~~
- 22 ~~4. At the initial meeting of the committee, the committee shall adopt rules of operation~~
23 ~~and procedure for the committee.~~
- 24 ~~5. The nonlegislative members of the committee are entitled to reimbursement for travel~~
25 ~~and expenses as provided by law for other state officers. Travel and expense costs~~
26 ~~must be paid from the jail improvement fund.~~
- 27 ~~6. Legislative members of the committee are entitled to compensation pursuant to~~
28 ~~section 54-35-10 and reimbursement of necessary expenses incurred in performing~~
29 ~~their duties at the rates provided in sections 44-08-04 and 54-06-09. Travel and~~
30 ~~expense costs must be paid from the jail improvement fund.~~

AB 303

~~7. The legislative management chairman shall designate the committee chairman and vice chairman and the department of corrections and rehabilitation shall provide staff services for the committee.~~

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

~~Jail improvement fund grant applications and awards - Criteria.~~

~~Moneys in the jail improvement fund may be used for awarding grants to counties for jail facilities improvement, remodeling, and replacement projects as approved by the jail facilities improvement committee. The committee shall review applications and may approve a grant application only if the proposed project is consistent with the purposes of the grant program and is a necessary improvement to jail facilities or an essential remodel or replacement to maintain existing jail facilities. A grant award may not exceed ten million dollars. A grant may be awarded to a county only if the county agrees to provide local funding of at least twenty five percent of the project costs. The committee shall ensure that at least twenty five percent of funds granted during a biennium are for projects in counties with a population of less than fifteen thousand.~~

~~SECTION 4. TRANSFER - STRATEGIC INVESTMENT AND IMPROVEMENTS FUND -~~

~~JAIL IMPROVEMENT FUND. The office of management and budget shall transfer \$50,000,000 from the strategic investment and improvements fund to the jail improvement fund during the biennium beginning July 1, 2025, and ending June 30, 2027.~~

SECTION 1. LEGISLATIVE MANAGEMENT STUDY - CORRECTIONAL FACILITIES.

During the 2025-26 interim, the legislative management shall study jails and regional correctional centers, including their current and projected infrastructure needs, the costs and benefits of regional correctional facilities, the impacts of deferred admission, and the prioritization of inmates sentenced to the department of corrections and rehabilitation. The study must include input from representatives of counties with a population of seven thousand five hundred or more, representatives of counties with a population of fewer than seven thousand five hundred, local law enforcement officials, representatives of the department of corrections and rehabilitation, representatives of the office of management and budget, and the attorney general. The legislative management shall report its findings and recommendations, together with any legislation required to implement the recommendations, to the seventieth legislative assembly.

**REPORT OF STANDING COMMITTEE
HB 1197**

Political Subdivisions Committee (Rep. Longmuir, Chairman) recommends **AMENDMENTS** ([25.0627.02001](#)) and when so amended, recommends **DO PASS** (12 YEAS, 0 NAYS, 1 ABSENT OR EXCUSED AND NOT VOTING). HB 1197 was placed on the Sixth order on the calendar.

25.0627.02001
Title.03000

Prepared by the Legislative Council
staff for Representative Frelich
February 3, 2025

Sixty-ninth
Legislative Assembly
of North Dakota

PROPOSED AMENDMENTS TO

HOUSE BILL NO. 1197

Introduced by

Representatives Frelich, Mitskog, Monson, K. Anderson, Schreiber-Beck, Wagner

Senators Luick, Myrdal, Davison, Mathern, Meyer, Sorvaag

1 A BILL ~~for an Act to create and enact three new sections to chapter 12-44.1 of the North Dakota-~~
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- ~~c. One member appointed by the North Dakota association of counties to represent counties with a population fewer than seven thousand five hundred;~~
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2025 SENATE WORKFORCE DEVELOPMENT

HB 1197

2025 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1197
3/13/2025

A BILL for an Act to provide for a legislative management study of correctional facilities.

10:54 a.m. Chairman Wobbema opened the hearing.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

Discussion Topics:

- Budget Allocation
- Construction and Expansion

10:55 a.m. Representative Kathy Frelich, District 15, testified in favor and submitted testimony #41315.

10:59 Donnell Preskey, Executive Director of ND Association of Counties and ND Sheriff's Association, testified in favor and answered committee questions.

11:09 a.m. Chairman Wobbema closed the hearing.

Andrew Ficek, Committee Clerk



North Dakota House of Representatives

STATE CAPITOL
600 EAST BOULEVARD
BISMARCK, ND 58505-0360



Representative Kathy Frelich

District 15
8827 54th St. NE
Devils Lake, ND 58301
kfrelich@ndlegis.gov

COMMITTEES:

Vice Chair Human Services
Transportation

Senator Wobbema and members of the Senate Workforce Committee,

For the record, my name is Kathy Frelich, and I have the honor of representing District 15, which includes Devils Lake, and the area to the North, up to the Canadian border.

HB 1197 started off as a request for grant funding for jails. It also provided for a committee to determine appropriate criteria, review proposals and award grants for the building or remodeling of jails. Yes, I realize it was a big ask but there is a great need. You may recall the Governor's address at the beginning of the Session which described the influx of population to our state. This influx means an increased need for infrastructure in our communities. This Assembly is looking at the need for increased housing, mental health services, workforce and childcare, but unfortunately, our communities also need jails.

This legislature is also looking at property tax relief for the citizens of North Dakota and there is likely to be some kind of cap on spending for political subdivisions. Our rural communities are already struggling to improve school infrastructure with property tax increases, but it is next to impossible to ask citizens to prioritize jails. And yet, jails are an essential need in our communities. Not only will new jails improve the safety in our communities, they will also improve the safety of those who work in these facilities. We must keep our jails safe for both our inmates and those working alongside them.

I couldn't let this hearing go without first explaining the need for the initial intention, however the Bill before you looks very different. There was no appetite for grant funding in the House committee, so the Bill before you is a study. I believe the study continues to be important given the great needs in our state.

This study was created to include all the pertinent parties; including representatives from small and large counties, local law enforcement, DOCR, OMB and the Attorney General's office. The study directs Legislative Management to look at the feasibility of county jails, regional correction centers, and the impacts of deferred admission.

I would encourage you to look through the testimony on-line. We are in a crisis. I urge you to give this study a favorable recommendation so we can look at the problem and find some solutions.

Thank you,

2025 SENATE STANDING COMMITTEE MINUTES

Workforce Development Committee Fort Lincoln Room, State Capitol

HB 1197
3/27/2025

A BILL for an Act to provide for a legislative management study of correctional facilities.

11:07 a.m. Chairman Wobbema opened the hearing.

Members Present: Chairman Wobbema, Vice-Chairman Axtman, Senator Boschee, Senator Larson, Senator Powers.

Discussion Topics:

- Committee Action

11:10 a.m. Senator Axtman moved amendment LC#25.0627.03001.

11:11 a.m. Senator Boschee seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

11:13 a.m. Senator Axtman moved Do Pass as Amended.

11:13 a.m. Senator Larson seconded the motion.

Senators	Vote
Senator Mike Wobbema	Y
Senator Michelle Axtman	Y
Senator Josh Boschee	Y
Senator Diane Larson	Y
Senator Michelle Powers	Y

Motion passed 5-0-0.

Senator Larson will carry the bill.

11:15 a.m. Chairman Wobbema closed the hearing.

Andrew Ficek, Committee Clerk

Sixty-ninth
Legislative Assembly
of North Dakota

**PROPOSED AMENDMENTS TO
FIRST ENGROSSMENT**

3/27/25 VC
1 of 1

ENGROSSED HOUSE BILL NO. 1197

Introduced by

Representatives Frelich, Mitskog, Monson, K. Anderson, Schreiber-Beck, Wagner

Senators Luick, Myrdal, Davison, Mathern, Meyer, Sorvaag

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5 correctional centers, including their current and projected infrastructure needs, the costs and
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7 prioritization of inmates sentenced to the department of corrections and rehabilitation. The study
8 must include input from representatives of counties with a population of seven thousand five
9 hundred or more, representatives of counties with a population of fewer than seven thousand
10 five hundred, representatives of local law enforcement officials, representatives of the
11 department of corrections and rehabilitation, representatives of the office of management and
12 budget, and representatives of the attorney general. The legislative management shall report its
13 findings and recommendations, together with any legislation required to implement the
14 recommendations, to the seventieth legislative assembly.

**REPORT OF STANDING COMMITTEE
ENGROSSED HB 1197**

Workforce Development Committee (Sen. Wobbema, Chairman) recommends **AMENDMENTS** ([25.0627.03001](#)) and when so amended, recommends **DO PASS** (5 YEAS, 0 NAYS, 0 ABSENT OR EXCUSED AND NOT VOTING). HB 1197 was placed on the Sixth order on the calendar. This bill does not affect workforce development.