

2.1 Correctional Facility-Stillwater or the Minnesota Correctional Facility-St. Cloud without
2.2 legislative approval. The commissioner may place juveniles and adults at the same
2.3 state minimum security correctional facilities, if there is total separation of and no
2.4 regular contact between juveniles and adults, except contact incidental to admission,
2.5 classification, and mental and physical health care.

2.6 (g) To organize the department and employ personnel the commissioner deems
2.7 necessary to discharge the functions of the department, including a chief executive officer
2.8 for each facility under the commissioner's control who shall serve in the unclassified civil
2.9 service and may, under the provisions of section 43A.33, be removed only for cause.

2.10 (h) To define the duties of these employees and to delegate to them any of the
2.11 commissioner's powers, duties and responsibilities, subject to the commissioner's control
2.12 and the conditions the commissioner prescribes.

2.13 (i) To annually develop a comprehensive set of goals and objectives designed to
2.14 clearly establish the priorities of the Department of Corrections. This report shall be
2.15 submitted to the governor commencing January 1, 1976. The commissioner may establish
2.16 ad hoc advisory committees.

2.17 **EFFECTIVE DATE.** This section is effective the day following final enactment.

2.18 Sec. 2. **ISSUANCE OF REQUEST FOR PROPOSALS; PRISON**
2.19 **PRIVATIZATION.**

2.20 Subdivision 1. Request for proposals. The commissioner of administration, in
2.21 consultation with the commissioner of corrections, must issue a request for proposals
2.22 within 30 days of the effective date of this act, and must authorize one or more vendors
2.23 by November 1, 2011, to provide correctional facilities, services, and supervision for
2.24 persons committed to the commissioner of corrections by the courts of this state. The
2.25 commissioner may consider proposals from vendors with facilities in Minnesota and from
2.26 vendors that propose building facilities in Minnesota. The commissioner may consider
2.27 proposals that involve multiple sites. The Department of Corrections may submit a
2.28 proposal. A proposal submitted by the department must be given the same consideration
2.29 as proposals from private vendors.

2.30 Subd. 2. Minimum requirements. To qualify for consideration, a vendor must:

2.31 (1) agree to house prisoners at a cost to the state that is at least five percent below the
2.32 Department of Correction's current per diem; and

2.33 (2) meet or exceed the prison standards promulgated by the American Correctional
2.34 Association.

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3.1 Subd. 3. Selection criteria. In establishing criteria and preferences for vendors, the
3.2 commissioner of administration must consult with the commissioner of corrections, the
3.3 executive director of the Sentencing Guidelines Commission, and the commissioner of
3.4 human services, as appropriate. The commissioner must consider the following factors in
3.5 issuing the request for proposals:

3.6 (1) the level or levels of security for which custodial care and services will be needed;

3.7 (2) the type and length of treatment, educational, and other programs and services
3.8 appropriate to offenders likely to be housed in a private correctional facility;

3.9 (3) the transport of offenders to and from any private facilities;

3.10 (4) the division of all costs associated with providing care, custody, and rehabilitation
3.11 for offenders committed to the commissioner of corrections; and

3.12 (5) other factors deemed appropriate for consideration by the commissioner of
3.13 administration, corrections, or human services, or by the executive director of the
3.14 Sentencing Guidelines Commission.

3.15 **EFFECTIVE DATE.** This section is effective the day following final enactment.