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State of Minnesota  
HOUSE OF REPRESENTATIVES

EIGHTY-SIXTH  
SESSION

HOUSE FILE No. 1280

March 2, 2009

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The bill was read for the first time and referred to the Committee on Public Safety Policy and Oversight

1.1 A bill for an act  
1.2 relating to public safety; transferring control of the Minnesota correctional  
1.3 facility - Moose Lake from the commissioner of corrections to the commissioner  
1.4 of human services; requiring the commissioner of human services to use the  
1.5 Moose Lake facility to house civilly committed sex offenders; requiring the  
1.6 commissioner of corrections to house offenders in private prisons; establishing  
1.7 standards to compare private and state-funded prisons; requiring third-party  
1.8 evaluation of public and private persons.

1.9 BE IT ENACTED BY THE LEGISLATURE OF THE STATE OF MINNESOTA:

1.10 Section 1. **MINNESOTA CORRECTIONAL FACILITY - MOOSE LAKE.**

1.11 **Subdivision 1. Facility transfer.** By January 1, 2010, the commissioner of  
1.12 corrections shall transfer custody and control of the Minnesota correctional facility -  
1.13 Moose Lake to the commissioner of human services. The commissioner of human services  
1.14 shall use the facility to house persons participating in the Minnesota sex offender program.

1.15 **Subd. 2. Inmate transfer.** No later than December 31, 2009, the commissioner of  
1.16 corrections shall transfer offenders housed at the Minnesota correctional facility - Moose  
1.17 Lake to a privately owned and operated medium security facility within the state.

1.18 **EFFECTIVE DATE.** This section is effective July 1, 2009.

1.19 Sec. 2. **DEPARTMENT OF CORRECTIONS EVALUATION STANDARDS;**  
1.20 **PRIVATE PRISONS.**

1.21 No later than November 30, 2009, the commissioner of corrections shall promulgate  
1.22 standards by which the cost-effectiveness and correctional effectiveness of publicly  
1.23 owned and operated medium security correctional facilities can be compared to privately  
1.24 owned and operated facilities. The commissioner's standards must address per diem,

2.1 facility programming options, facility programming effectiveness, and recidivism.  
2.2 The commissioner shall submit the proposed standards to the chairs of the house of  
2.3 representatives and senate committees with jurisdiction over public safety policy and  
2.4 finance by January 15, 2010.

2.5 **EFFECTIVE DATE.** This section is effective July 1, 2009.

2.6 **Sec. 3. PERIODIC REVIEWS OF STANDARDS FOR COMPARING PUBLIC**  
2.7 **AND PRIVATE PRISONS.**

2.8 By May 1, 2010, the commissioner of corrections and the chief executives of  
2.9 medium security private prisons in the state that house state inmates shall select a third  
2.10 party to conduct an independent evaluation of medium security public and private prisons  
2.11 based on the standards promulgated under section 2 and approved by the legislature. If the  
2.12 parties are unable to reach agreement on a third party, each party shall hire a third party to  
2.13 perform the evaluations required by this section. The third party or parties must conduct  
2.14 an evaluation of medium security public and private prisons that house state inmates by  
2.15 January 15, 2011, and at least once every two years thereafter.

2.16 **EFFECTIVE DATE.** This section is effective July 1, 2009.