

1.1 A bill for an act
 1.2 relating to public safety; providing financing changes for public safety, the
 1.3 judiciary, uniform laws commission, Private Detective Board, human rights,
 1.4 corrections, and sentencing guidelines; modifying fire safety account, uses of
 1.5 emergency telecommunications fee, grants for emergency shelters, and in-service
 1.6 training for peace officers; authorizing county sentence to service programs
 1.7 to charge fees; appropriating money; amending Minnesota Statutes 2008,
 1.8 sections 2971.06, subdivision 3; 403.11, subdivision 1; 611A.32, subdivisions
 1.9 1, 2; 626.8458, subdivision 5; Laws 2009, chapter 83, article 1, sections 10,
 1.10 subdivisions 4, 6, 7; 11; 14, subdivision 2; proposing coding for new law in
 1.11 Minnesota Statutes, chapter 631.

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

1.13 Section 1. SUMMARY OF APPROPRIATIONS.

1.14 The amounts shown in this section summarize direct appropriations, by fund, made
 1.15 in this act.

	<u>2010</u>	<u>2011</u>	<u>Total</u>
1.16 <u>General</u>	\$ (7,397,000)	\$ (15,279,000)	\$ (22,676,000)
1.17 <u>Special Revenue</u>	\$ (60,000)	\$ 879,000	\$ 819,000
1.18 <u>Total</u>	\$ (7,457,000)	\$ (14,400,000)	\$ (21,857,000)

1.20 Sec. 2. APPROPRIATIONS.

1.21 The sums shown in the columns marked "Appropriations" are added to or, if shown
 1.22 in parentheses, subtracted from the appropriations in Laws 2009, chapter 83, article 1, to
 1.23 the agencies and for the purposes specified in this act. The appropriations are from the
 1.24 general fund, or another named fund, and are available for the fiscal years indicated for
 1.25 each purpose. The figures "2010" and "2011" used in this act mean that the addition to
 1.26 or subtraction from the appropriation listed under them is available for the fiscal year
 1.27 ending June 30, 2010, or June 30, 2011, respectively. Supplemental appropriations and

2.1 reductions to appropriations for the fiscal year ending June 30, 2010, are effective the
 2.2 day following final enactment.

2.3				
2.4				
2.5				
2.6				

APPROPRIATIONS
Available for the Year
Ending June 30
2010 2011

2.7 Sec. 3. SUPREME COURT

2.8	<u>Subdivision 1. Total Appropriation</u>	\$	<u>(455,000)</u>	\$	<u>(889,000)</u>
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2.9 The amounts that may be spent for each

2.10 purpose are specified in the following

2.11 subdivisions.

2.12	<u>Subd. 2. Supreme Court Operations</u>		<u>(366,000)</u>		<u>(604,000)</u>
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2.13	<u>Subd. 3. Civil Legal Services</u>		<u>(89,000)</u>		<u>(285,000)</u>
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2.14	<u>Sec. 4. COURT OF APPEALS</u>	\$	<u>(57,000)</u>	\$	<u>(253,000)</u>
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2.15	<u>Sec. 5. TRIAL COURTS</u>	\$	<u>(2,574,000)</u>	\$	<u>(5,328,000)</u>
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2.16 Existing drug courts shall be maintained at

2.17 their current levels.

2.18	<u>Sec. 6. TAX COURT</u>	\$	<u>(12,000)</u>	\$	<u>(25,000)</u>
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2.19	<u>Sec. 7. UNIFORM LAWS COMMISSION</u>	\$	<u>-0-</u>	\$	<u>(2,000)</u>
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2.20	<u>Sec. 8. BOARD ON JUDICIAL STANDARDS</u>	\$	<u>(10,000)</u>	\$	<u>(14,000)</u>
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2.21	<u>Sec. 9. BOARD OF PUBLIC DEFENSE</u>	\$	<u>(325,000)</u>	\$	<u>(1,493,000)</u>
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2.22 Sec. 10. DEPARTMENT OF PUBLIC

2.23 SAFETY

2.24	<u>Subdivision 1. Total Appropriation</u>	\$	<u>(907,000)</u>	\$	<u>(114,000)</u>
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2.25 Appropriations by Fund

2.26	<u>General</u>	<u>(907,000)</u>	<u>(1,114,000)</u>
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2.27	<u>Special Revenue</u>	<u>-0-</u>	<u>1,000,000</u>
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3.1	<u>The amounts that may be spent for each</u>			
3.2	<u>purpose are specified in the following</u>			
3.3	<u>subdivisions.</u>			
3.4	<u>Subd. 2. Emergency Management</u>		<u>(29,000)</u>	<u>1,543,000</u>
3.5	<u>This appropriation is to provide a match for</u>			
3.6	<u>Federal Emergency Management Agency</u>			
3.7	<u>(FEMA) disaster assistance payments under</u>			
3.8	<u>Minnesota Statutes, section 12.221. This is a</u>			
3.9	<u>onetime appropriation.</u>			
3.10	<u>Subd. 3. Criminal Apprehension</u>		<u>(621,000)</u>	<u>(1,243,000)</u>
3.11	<u>Forensic Scientists</u>			
3.12	<u>The commissioner may not eliminate or leave</u>			
3.13	<u>open positions for forensic lab scientists in</u>			
3.14	<u>order to balance the department's budget.</u>			
3.15	<u>Subd. 4. Fire Marshal</u>		<u>-0-</u>	<u>1,000,000</u>
3.16	<u>\$1,000,000 is a onetime appropriation for</u>			
3.17	<u>fire safety purposes as recommended by the</u>			
3.18	<u>Fire Service Advisory Committee.</u>			
3.19	<u>Subd. 5. Gambling and Alcohol Enforcement</u>		<u>(25,000)</u>	<u>(49,000)</u>
3.20	<u>Subd. 6. Office of Justice Programs</u>		<u>(232,000)</u>	<u>(1,365,000)</u>
3.21	<u>Sec. 11. PRIVATE DETECTIVE BOARD</u>	<u>\$</u>	<u>(2,000)</u>	<u>(3,000)</u>
3.22	<u>Sec. 12. HUMAN RIGHTS</u>	<u>\$</u>	<u>(59,000)</u>	<u>(103,000)</u>
3.23	<u>Sec. 13. CORRECTIONS</u>			
3.24	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>(2,985,000)</u>	<u>(6,037,000)</u>
3.25	<u>The amounts that may be spent for each</u>			
3.26	<u>purpose are specified in the following</u>			
3.27	<u>subdivisions.</u>			
3.28	<u>Subd. 2. Correctional Institutions</u>		<u>(2,139,000)</u>	<u>(4,345,000)</u>
3.29	<u>This reduction may be applied agencywide.</u>			

- 4.1 The commissioner must not eliminate
- 4.2 correctional officer positions, treatment,
- 4.3 education, or reentry programs to achieve the
- 4.4 mandated cost savings.
- 4.5 Subd. 3. Community Services (846,000) (1,692,000)
- 4.6 (a) Community Corrections
- 4.7 If the commissioner of corrections
- 4.8 determines reductions should be made to
- 4.9 the Community Corrections Act formula,
- 4.10 Department of Corrections contract counties,
- 4.11 or county probation officers, the legislative
- 4.12 intent of this reduction is that counties
- 4.13 should reduce administrative expenses and
- 4.14 executive salaries before direct services, such
- 4.15 as probation services, are reduced.
- 4.16 (b) Sentence to Service
- 4.17 The commissioner must fund the equivalent
- 4.18 of 25 percent of county sentence to service
- 4.19 programs. The 25 percent must be calculated
- 4.20 based on fiscal year 2010 sentence to service
- 4.21 expenditures by counties.
- 4.22 Subd. 4. Transfers
- 4.23 Notwithstanding Minnesota Statutes, section
- 4.24 241.27, the commissioner shall transfer
- 4.25 \$574,000 by June 30, 2010, and \$989,000
- 4.26 by June 30, 2011, from the Minnesota
- 4.27 correctional industries revolving fund to the
- 4.28 general fund. These transfers are onetime.
- 4.29 These transfers are in addition to those in
- 4.30 Laws 2009, chapter 83, article 1, section 14,
- 4.31 subdivision 2, paragraph (g).
- 4.32 The commissioner shall transfer \$201,000
- 4.33 by June 30, 2010, and \$402,000 by June 30,

5.1 2011, from the special revenue fund to the
5.2 general fund. These transfers are onetime.

5.3 Sec. 14. SENTENCING GUIDELINES \$ (11,000) \$ (18,000)

5.4 Sec. 15. Minnesota Statutes 2008, section 2971.06, subdivision 3, is amended to read:
5.5 Subd. 3. **Fire safety account, annual transfers, allocation.** A special account, to
5.6 be known as the fire safety account, is created in the state treasury. The account consists
5.7 of the proceeds under subdivisions 1 and 2. \$468,000 in fiscal year 2008, \$4,268,000
5.8 in fiscal year 2009, \$9,268,000 in fiscal year 2010, \$6,368,000 in fiscal year 2011, and
5.9 ~~\$2,268,000~~ \$2,368,000 in each year thereafter is transferred from the fire safety account in
5.10 the special revenue fund to the general fund to offset the loss of revenue caused by the
5.11 repeal of the one-half of one percent tax on fire insurance premiums.

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

5.13 Sec. 16. Minnesota Statutes 2008, section 403.11, subdivision 1, is amended to read:
5.14 Subdivision 1. **Emergency telecommunications Public safety service fee;**
5.15 **account.** (a) Each customer of a wireless or wire-line switched or packet-based
5.16 telecommunications service provider connected to the public switched telephone network
5.17 that furnishes service capable of originating a 911 emergency telephone call is assessed a
5.18 fee based upon the number of wired or wireless telephone lines, or their equivalent, to
5.19 cover the costs of ongoing maintenance and related improvements for trunking and central
5.20 office switching equipment for 911 emergency telecommunications service; to ~~offset~~
5.21 pay administrative and staffing costs of the commissioner related to managing the 911
5.22 emergency telecommunications service program, including the salaries and benefits of
5.23 department employees who support the program such as deputy commissioners, directors,
5.24 and legislative liaisons; to make distributions provided for in section 403.113; and, to
5.25 offset the costs, including administrative and staffing costs, incurred by the State Patrol
5.26 Division of the Department of Public Safety in handling 911 emergency calls made from
5.27 wireless phones; to fund law enforcement emergency response training reimbursement
5.28 grants; to fund the collection, analysis, and maintenance of criminal evidence, records,
5.29 and data; and for any other public safety purpose that relies upon, uses, or involves the
5.30 efficient operation of the emergency telecommunications system in the state.
5.31 (b) Money remaining in the 911 emergency telecommunications service account
5.32 after all other obligations are paid must not cancel and is carried forward to subsequent
5.33 years and may be appropriated from time to time to the commissioner to provide financial

- 6.1 assistance to counties for the improvement of local emergency telecommunications services.
- 6.2 The improvements may include providing access to 911 service for telecommunications service subscribers currently without access and upgrading existing
- 6.3 911 service to include automatic number identification, local location identification, automatic location identification, and other improvements specified in revised county
- 6.4 911 plans approved by the commissioner.
- 6.5 (c) The fee may not be less than eight cents nor more than 65 cents a month until
- 6.6 June 30, 2008, not less than eight cents nor more than 75 cents a month until June 30, 2009,
- 6.7 not less than eight cents nor more than 85 cents a month until June 30, 2010, and not less
- 6.8 than eight cents nor more than 95 cents a month on or after July 1, 2010, for each customer
- 6.9 access line or other basic access service, including trunk equivalents as designated by
- 6.10 the Public Utilities Commission for access charge purposes and including wireless telecommunications services. With the approval of the commissioner of management and
- 6.11 budget, the commissioner of public safety shall establish the amount of the fee within the
- 6.12 limits specified and inform the companies and carriers of the amount to be collected. When
- 6.13 the revenue bonds authorized under section 403.27, subdivision 1, have been fully paid or
- 6.14 defeased, the commissioner shall reduce the fee to reflect that debt service on the bonds is
- 6.15 no longer needed. The commissioner shall provide companies and carriers a minimum of
- 6.16 45 days' notice of each fee change. The fee must be the same for all customers.
- 6.17 (d) The fee must be collected by each wireless or wire-line telecommunications
- 6.18 service provider subject to the fee. Fees are payable to and must be submitted to the
- 6.19 commissioner monthly before the 25th of each month following the month of collection,
- 6.20 except that fees may be submitted quarterly if less than \$250 a month is due, or annually if
- 6.21 less than \$25 a month is due. Receipts must be deposited in the state treasury and credited
- 6.22 to a 911 emergency telecommunications service account in the special revenue fund. The
- 6.23 money in the account may only be used for 911 telecommunications services.
- 6.24 (e) This subdivision does not apply to customers of interexchange carriers.
- 6.25 (f) The installation and recurring charges for integrating wireless 911 calls into
- 6.26 enhanced 911 systems are eligible for payment by the commissioner if the 911 service
- 6.27 provider is included in the statewide design plan and the charges are made pursuant to
- 6.28 contract.
- 6.29 (g) Competitive local exchanges carriers holding certificates of authority from the
- 6.30 Public Utilities Commission are eligible to receive payment for recurring 911 services.
- 6.31 (h) The revisions made to paragraph (a) in 2010 expire on June 30, 2011.

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

- 7.1 Sec. 17. Minnesota Statutes 2008, section 611A.32, subdivision 1, is amended to read:
- 7.2 Subdivision 1. **Grants awarded.** The commissioner shall award grants to programs
- 7.3 which provide emergency shelter services to battered women and support services to
- 7.4 battered women and domestic abuse victims and their children. The commissioner
- 7.5 shall also award grants for training, technical assistance, and for the development and
- 7.6 implementation of education programs to increase public awareness of the causes of
- 7.7 battering, the solutions to preventing and ending domestic violence, and the problems
- 7.8 faced by battered women and domestic abuse victims. Grants shall be awarded in a
- 7.9 manner that ensures ~~that they are equitably distributed to programs serving metropolitan~~
- 7.10 ~~and nonmetropolitan populations~~ emergency shelter services and support services are
- 7.11 available statewide. By July 1, 1995, community-based domestic abuse advocacy and
- 7.12 support services programs must be established in every judicial assignment district.
- 7.13 Sec. 18. Minnesota Statutes 2008, section 611A.32, subdivision 2, is amended to read:
- 7.14 Subd. 2. **Applications.** Any public or private nonprofit agency may apply to the
- 7.15 commissioner for a grant to provide emergency shelter services to battered women,
- 7.16 support services to domestic abuse victims, or both, to battered women and their children.
- 7.17 The application shall be submitted in a form approved by the commissioner by rule
- 7.18 adopted under chapter 14, after consultation with the advisory council, and shall include:
- 7.19 (1) a proposal for the provision of emergency shelter services for battered women,
- 7.20 support services for domestic abuse victims, or both, for battered women and their
- 7.21 children;
- 7.22 (2) a proposed budget;
- 7.23 (3) evidence of financial need, including documentation on the retention of financial
- 7.24 reserves and availability of additional funding sources;
- 7.25 ~~(4)~~ (4) evidence of an ability to integrate into the proposed program the uniform
- 7.26 method of data collection and program evaluation established under sections 611A.33
- 7.27 and 611A.34;
- 7.28 ~~(4)~~ (5) evidence of an ability to represent the interests of battered women and
- 7.29 domestic abuse victims and their children to local law enforcement agencies and courts,
- 7.30 county welfare agencies, and local boards or departments of health;
- 7.31 ~~(5)~~ (6) evidence of an ability to do outreach to unserved and underserved populations
- 7.32 and to provide culturally and linguistically appropriate services; and
- 7.33 ~~(6)~~ (7) any other content the commissioner may require by rule adopted under
- 7.34 chapter 14, after considering the recommendations of the advisory council.

8.1 Programs which have been approved for grants in prior years may submit materials
8.2 which indicate changes in items listed in clauses (1) to ~~(7)~~ (7), in order to qualify for
8.3 renewal funding. Nothing in this subdivision may be construed to require programs to
8.4 submit complete applications for each year of renewal funding.

8.5 Sec. 19. Minnesota Statutes 2008, section 626.8458, subdivision 5, is amended to read:

8.6 Subd. 5. **In-service training in police pursuits required.** The chief law
8.7 enforcement officer of every state and local law enforcement agency shall provide
8.8 in-service training in emergency vehicle operations and in the conduct of police pursuits
8.9 to every peace officer and part-time peace officer employed by the agency who the
8.10 chief law enforcement officer determines may be involved in a police pursuit given the
8.11 officer's responsibilities. The training shall comply with learning objectives developed
8.12 and approved by the board and shall consist of at least eight hours of classroom and
8.13 skills-based training every three four years.

8.14 Sec. 20. **[631.426] SENTENCE TO SERVICE.**

8.15 Subdivision 1. Programs. A county or counties may establish and operate a
8.16 sentence to service program to which judges, as an intermediate sanction pursuant to
8.17 section 609.153, subdivision 1, may direct nondangerous offenders to work on community
8.18 improvement projects under the close supervision of a crew leader.

8.19 Subd. 2. Fees. A sheriff supervising a sentence to service program may charge
8.20 participants a fee to offset the cost of operating the program. Fees collected under this
8.21 authority must be expended on the sentence to service program.

8.22 Subd. 3. Reimbursement. A county may bill entities that receive benefit from the
8.23 sentence to service program a fee. Fees collected under this authority must be expended
8.24 on the sentence to service program.

8.25 Subd. 4. Financial responsibility. The state shall reimburse counties the equivalent
8.26 of 25 percent of the cost of operating a sentence to service program to the extent that funds
8.27 are specifically appropriated for this purpose.

8.28 Sec. 21. Laws 2009, chapter 83, article 1, section 10, subdivision 4, is amended to read:

8.29		<u>8,125,000</u>	<u>8,125,000</u>
8.30	Subd. 4. Fire Marshal	<u>15,025,000</u>	<u>13,125,000</u>

8.31 This appropriation is from the fire safety
8.32 account in the special revenue fund.

- 9.1 Of this amount, ~~\$5,857,000 each~~ \$5,757,000
- 9.2 the first year and \$6,757,000 the second year
- 9.3 ts are for activities under Minnesota Statutes,
- 9.4 section 299F.012, and ~~\$2,268,000 each~~
- 9.5 \$9,268,000 the first year and \$6,368,000 the
- 9.6 second year ~~is~~ are for transfer to the general
- 9.7 fund under Minnesota Statutes, section
- 9.8 2971.06, subdivision 3.

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

9.10 Sec. 22. Laws 2009, chapter 83, article 1, section 10, subdivision 6, is amended to read:

9.11 Subd. 6. **Office of Justice Programs** 35,594,000 35,594,000

9.12	Appropriations by Fund	
9.13	General	35,498,000 35,498,000
9.14	State Government	
9.15	Special Revenue	96,000 96,000

- 9.16 (a) **Federal Stimulus Money.** The Office
- 9.17 of Justice programs shall give priority to
- 9.18 awarding grants for federal stimulus money
- 9.19 to the following activities and programs:
- 9.20 (1) organizations that provide mentoring
- 9.21 grants for children of incarcerated parents;
- 9.22 (2) youth intervention programs, as defined
- 9.23 under Minnesota Statutes, section 299A.73,
- 9.24 with an emphasis on those programs that
- 9.25 provide early intervention youth services to
- 9.26 children in their communities;
- 9.27 (3) re-entry programs for offenders, with a
- 9.28 priority on continuing to fund the nonprofit
- 9.29 organization selected to administer the
- 9.30 demonstration project for high risk adults
- 9.31 under Laws 2007, chapter 54, article 1,
- 9.32 section 19;
- 9.33 (4) trafficking victim programs, including
- 9.34 legal advocacy clinics, training programs,

- 10.1 public awareness initiatives, and victim
- 10.2 services hotlines;
- 10.3 (5) nonprofit organizations dedicated
- 10.4 to providing immediate and long-term
- 10.5 emotional support and practical help for
- 10.6 families and friends of persons who have
- 10.7 died traumatically;
- 10.8 (6) programs that seek to develop and
- 10.9 increase juvenile detention alternatives;
- 10.10 (7) restorative justice programs, as defined
- 10.11 in Minnesota Statutes, section 611A.775,
- 10.12 except that a program that receives federal
- 10.13 funds shall not use the funds for cases
- 10.14 involving domestic assault; and
- 10.15 (8) judicial branch efficiency programs,
- 10.16 including e-citation and fine management
- 10.17 and collection program improvements.
- 10.18 For purposes of this subdivision, "federal
- 10.19 stimulus money" means money provided to
- 10.20 the state under the American Recovery and
- 10.21 Reinvestment Act of 2009.
- 10.22 ~~(b) Crime Victim and Youth Intervention~~
- 10.23 ~~Programs. For the biennium ending June~~
- 10.24 ~~30, 2011, funding for the following programs~~
- 10.25 ~~must not be reduced by more than three~~
- 10.26 ~~percent from the level of state base funding~~
- 10.27 ~~provided for the biennium ending June 30,~~
- 10.28 ~~2009: (1) crime victim reparations; (2)~~
- 10.29 ~~battered women's shelters and domestic~~
- 10.30 ~~violence programs; (3) general crime victim~~
- 10.31 ~~programs; (4) sexual assault victim programs;~~
- 10.32 ~~and (5) youth intervention programs.~~
- 10.33 (c) (b) Administration Costs. Up to 2.5
- 10.34 percent of the grant money appropriated in

- 11.1 this subdivision may be used to administer
- 11.2 the grant program.
- 11.3 Sec. 23. Laws 2009, chapter 83, article 1, section 10, subdivision 7, is amended to read:
- 11.4 Subd. 7. **Emergency Communication Networks** 66,470,000 70,233,000
- 11.5 This appropriation is from the state
- 11.6 government special revenue fund for 911
- 11.7 emergency telecommunications services.
- 11.8 (a) **Public Safety Answering Points.**
- 11.9 \$13,664,000 each year is to be distributed
- 11.10 as provided in Minnesota Statutes, section
- 11.11 403.113, subdivision 2.
- 11.12 (b) **Medical Resource Communication**
- 11.13 **Centers.** \$683,000 each year is for grants
- 11.14 to the Minnesota Emergency Medical
- 11.15 Services Regulatory Board for the Metro
- 11.16 East and Metro West Medical Resource
- 11.17 Communication Centers that were in
- 11.18 operation before January 1, 2000.
- 11.19 (c) **ARMER Debt Service.** \$17,557,000 the
- 11.20 first year and \$23,261,000 the second year
- 11.21 are to the commissioner of finance to pay
- 11.22 debt service on revenue bonds issued under
- 11.23 Minnesota Statutes, section 403.275.
- 11.24 Any portion of this appropriation not needed
- 11.25 to pay debt service in a fiscal year may be
- 11.26 used by the commissioner of public safety to
- 11.27 pay cash for any of the capital improvements
- 11.28 for which bond proceeds were appropriated
- 11.29 by Laws 2005, chapter 136, article 1, section
- 11.30 9, subdivision 8, or Laws 2007, chapter 54,
- 11.31 article 1, section 10, subdivision 8.
- 11.32 (d) **Metropolitan Council Debt Service.**
- 11.33 \$1,410,000 each year is to the commissioner

- 12.1 of finance for payment to the Metropolitan
- 12.2 Council for debt service on bonds issued
- 12.3 under Minnesota Statutes, section 403.27.
- 12.4 **(e) ARMER State Backbone Operating**
- 12.5 **Costs.** \$5,060,000 each year is to the
- 12.6 commissioner of transportation for costs
- 12.7 of maintaining and operating the statewide
- 12.8 radio system backbone.
- 12.9 **(f) ARMER Improvements.** \$1,000,000
- 12.10 each year is for the Statewide Radio Board for
- 12.11 costs of design, construction, maintenance
- 12.12 of, and improvements to those elements
- 12.13 of the statewide public safety radio and
- 12.14 communication system that support mutual
- 12.15 aid communications and emergency medical
- 12.16 services or provide enhancement of public
- 12.17 safety communication interoperability.
- 12.18 **(g) Next Generation 911.** \$3,431,000 the
- 12.19 first year and \$6,490,000 the second year
- 12.20 are to replace the current system with the
- 12.21 Next Generation Internet Protocol (IP) based
- 12.22 network. The base level of funding for fiscal
- 12.23 year 2012 shall be \$2,965,000.
- 12.24 **(h) Grants to Local Government.**
- 12.25 \$5,000,000 the first year is for grants to
- 12.26 local units of government to assist with
- 12.27 the transition to the ARMER system. This
- 12.28 appropriation is available until June 30, 2012.
- 12.29 Any portion of this appropriation that is not
- 12.30 spent before the date of final enactment may
- 12.31 be expended for any purpose authorized in
- 12.32 section 403.11, subdivision 1, paragraph (a).

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

12.34 Sec. 24. Laws 2009, chapter 83, article 1, section 11, is amended to read:

13.1 Sec. 11. PEACE OFFICER STANDARDS ~~4,012,000~~ 4,012,000
 13.2 AND TRAINING BOARD (POST) \$ 3,952,000 \$ 3,891,000

- 13.3 (a) Excess Amounts Transferred. This
- 13.4 appropriation is from the peace officer
- 13.5 training account in the special revenue fund.
- 13.6 Any new receipts credited to that account
- 13.7 in the first year in excess of ~~\$4,012,000~~
- 13.8 \$3,952,000 must be transferred and credited
- 13.9 to the general fund. Any new receipts
- 13.10 credited to that account in the second year
- 13.11 in excess of ~~\$4,012,000~~ \$3,891,000 must be
- 13.12 transferred and credited to the general fund.
- 13.13 (b) Peace Officer Training
- 13.14 Reimbursements. ~~\$2,859,000 each year is~~
- 13.15 \$2,816,000 the first year and \$2,773,000 the
- 13.16 second year are for reimbursements to local
- 13.17 governments for peace officer training costs.
- 13.18 (c) Prohibition on Use of Appropriation.
- 13.19 No portion of this appropriation may be
- 13.20 used for the purchase of motor vehicles
- 13.21 or out-of-state travel that is not directly
- 13.22 connected with and necessary to carry out
- 13.23 the core functions of the board.

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

13.25 Sec. 25. Laws 2009, chapter 83, article 1, section 14, subdivision 2, is amended to read:

13.26 Subd. 2. Correctional Institutions 334,341,000 338,199,000

13.27	Appropriations by Fund	
13.28	General	295,761,000 337,619,000
13.29	Special Revenue	580,000 580,000
13.30	Federal	38,000,000 0

13.31 \$38,000,000 the first year is from the fiscal

13.32 stabilization account in the federal fund. This

13.33 is a onetime appropriation.

14.1 The general fund base for this program shall
14.2 be \$326,085,000 in fiscal year 2012 and
14.3 \$330,430,000 in fiscal year 2013.

14.4 **(a) Treatment Alternatives; Report.** By

14.5 December 15, 2009, the commissioner
14.6 must submit an electronic report to the
14.7 chairs and ranking minority members of
14.8 the house of representatives and senate
14.9 committees with jurisdiction over public
14.10 safety policy and finance concerning
14.11 alternative chemical dependency treatment
14.12 opportunities. The report must identify
14.13 alternatives that represent best practices in
14.14 chemical dependency treatment of offenders.
14.15 The report must contain suggestions for
14.16 reducing the length of time between
14.17 offender commitment to the custody of the
14.18 commissioner and graduation from chemical
14.19 dependency treatment. To the extent
14.20 possible, the report shall identify options
14.21 that will (1) reduce the cost of treatment;
14.22 (2) expand the number of treatment beds;
14.23 (3) improve treatment outcomes; and (4)
14.24 lower the rate of substance abuse relapse and
14.25 criminal recidivism.

14.26 **(b) Challenge Incarceration; Maximum**

14.27 **Occupancy.** The commissioner shall work to
14.28 fill all available challenge incarceration beds
14.29 for both male and female offenders. If the
14.30 commissioner fails to fill at least 90 percent
14.31 of the available challenge incarceration beds
14.32 by December 1, 2009, the commissioner
14.33 must submit a report to the chairs and
14.34 ranking minority members of the house of
14.35 representatives and senate committees with
14.36 jurisdiction over public safety policy and

- 15.1 finance by January 15, 2010, explaining what
- 15.2 steps the commissioner has taken to fill the
- 15.3 beds and why those steps failed to reach the
- 15.4 goal established by the legislature.
- 15.5 **(c) Institutional Efficiencies.** The
- 15.6 commissioner shall strive for institutional
- 15.7 efficiencies and must reduce the fiscal year
- 15.8 2008 average adult facility per diem of
- 15.9 \$89.77 by one percent. The base is cut by
- 15.10 \$2,850,000 in the first year and \$2,850,000
- 15.11 in the second year to reflect a one percent
- 15.12 reduction in the projected adult facility per
- 15.13 diem. In reducing the projected adult facility
- 15.14 per diem, the commissioner must consider
- 15.15 the following:
- 15.16 (1) cooperating with the state of Wisconsin
- 15.17 to obtain economies of scale;
- 15.18 (2) increasing the bed capacity of the
- 15.19 challenge incarceration program;
- 15.20 (3) increasing the number of nonviolent drug
- 15.21 offenders who are granted conditional release
- 15.22 under Minnesota Statutes, section 244.055;
- 15.23 (4) increasing the use of compassionate
- 15.24 release or less costly detention alternatives
- 15.25 for elderly and infirm offenders;
- 15.26 (5) discontinuing the department's practice
- 15.27 of annually assigning a warden to serve as
- 15.28 a legislative liaison during the legislative
- 15.29 session;
- 15.30 (6) consolidating staff from correctional
- 15.31 institutions in geographical proximity to each
- 15.32 other to achieve efficiencies and cost savings,
- 15.33 including wardens, deputy wardens, and

- 16.1 human resources, technology, and employee
16.2 development personnel;
- 16.3 (7) consolidating the department's human
16.4 resources, technology, and employee
16.5 development functions in a centralized
16.6 location;
- 16.7 (8) implementing corrections best practices;
16.8 and
16.9 (9) implementing cost-saving measures used
16.10 by other states and the federal government.
- 16.11 The commissioner must not eliminate
16.12 correctional officer positions or implement
16.13 any other measure that will jeopardize public
16.14 safety to achieve the mandated cost savings.
- 16.15 ~~The commissioner also must not eliminate~~
16.16 ~~treatment beds to achieve the mandated cost~~
16.17 ~~savings.~~
- 16.18 **(d) Per Diem Reduction.** If the
16.19 commissioner fails to reduce the per diem by
16.20 one percent, the commissioner must:
- 16.21 (1) reduce the funding for operations support
16.22 by the amount of unrealized savings; and
16.23 (2) submit a report by February 15,
16.24 2010, to the chairs and ranking minority
16.25 members of the house of representatives
16.26 and senate committees with jurisdiction
16.27 over public safety policy and finance that
16.28 contains descriptions of what efforts the
16.29 commissioner made to reduce the per diem,
16.30 explanations for why those steps failed to
16.31 reduce the per diem by one percent, proposed
16.32 legislative options that would assist the
16.33 commissioner in reducing the adult facility
16.34 per diem, and descriptions of the specific

- 17.1 actions the commissioner took to reduce
17.2 funding in operations support.
17.3 If the commissioner reduces the per diem
17.4 by more than one percent, the commissioner
17.5 must use the savings to provide treatment to
17.6 offenders.
17.7 ~~(e) Reductions to Certain Programming~~
17.8 ~~Prohibited. When allocating reductions~~
17.9 ~~in services and programming under this~~
17.10 ~~appropriation, the commissioner may not~~
17.11 ~~make reductions to inmate educational~~
17.12 ~~programs, chemical dependency programs,~~
17.13 ~~or reentry programs.~~
17.14 ~~(f) (e) Drug Court Bed Savings.~~ The
17.15 commissioner must consider the bed impact
17.16 savings of drug courts in formulating its
17.17 prison bed projections.
17.18 ~~(g) (d) Transfer.~~ Notwithstanding Minnesota
17.19 Statutes, section 241.27, the commissioner
17.20 of finance shall transfer \$1,000,000 the first
17.21 year and \$1,000,000 the second year from the
17.22 Minnesota Correctional Industries revolving
17.23 fund to the general fund.

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

17.25 Sec. 26. PROPOSED SENTENCING GUIDELINES' CHANGES DELAYED.

17.26 The proposed changes to the sentencing guidelines relating to the crimes of
17.27 solicitation, inducement, and promotion of prostitution and sex trafficking, and riot
17.28 described on pages 8 to 9 and Appendix E of the Minnesota Sentencing Guidelines
17.29 Commission's January 2010 report to the legislature take effect on August 1, 2011.

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

