

The Minnesota Anti-Terrorism Act of 2002

What anti-terrorism laws did the legislature enact during the 2002 legislative session?

During the 2002 legislative session, the Minnesota Legislature enacted the Minnesota Anti-Terrorism Act of 2002. The act:

- ▶ creates a Homeland Security Advisory Council;
- ▶ permits counties to issue bonds for the purchase of public safety radio equipment;
- ▶ increases the fee for 911 service in order to fund statutory obligations, public safety access points (PSAPS), and an interconnected state radio system;
- ▶ creates a governance structure for administering funds for the interconnected state radio system;
- ▶ requires collection of DNA samples from certain felons;
- ▶ amends the murder in the first degree statute to include causing death while furthering terrorism;
- ▶ amends the criminal damage to property statute by adding a specific offense for damage to critical public service facilities;
- ▶ creates the new crimes of trespass on critical public service facilities, weapons of mass destruction, and furthering terrorism; and
- ▶ appropriates money for anti-terrorism training and terrorism response-related purposes.

What are the major policy provisions in the act?

Homeland Security Advisory Council. The act establishes the Homeland Security Advisory Council to advise the Department of Public Safety on issues relating to homeland security, to review and recommend changes to all terrorism preparedness and anti-terrorism policies and procedures, and to ensure coordination of and accountability for all state and federal anti-terrorism and terrorism preparedness-related funding.

Public safety radio system planning committee. The act requires the Commissioner of Public Safety to convene and chair a public safety radio system planning committee. The committee must implement a project plan and establish a statewide, shared trunked radio system. The committee must submit a status report by November 15, 2002, and a project plan by January 15, 2003.

Murder in the first-degree. The act expands the murder in the first-degree crime to include causing the death of a person while committing, attempting to commit, or conspiring to commit a felony crime to further terrorism and the death occurs under circumstances manifesting an extreme indifference to human life.

New crimes. The act creates the crimes of:

- ▶ causing damage to property of critical public service facilities, utilities, and pipelines;
- ▶ trespassing on property of critical public service facilities, utilities, and pipelines;
- ▶ real and simulated weapons of mass destruction; and
- ▶ crimes committed in furtherance of terrorism.

What are the major funding provisions in the act?

The act appropriates \$13 million to the Commissioner of Public Safety. The major funding provisions cover:

Equipment. Allocates \$3,750,000 to purchase terrorism response-related equipment. The allocation is for grants to local and state response units for the purchase of personal protection equipment, chemical detection and measurement equipment, and decontamination equipment. Grant applicants must provide a 25 percent match.

Training. Allocates \$7,500,000 to terrorism response-related training.

Bomb disposal squads. Allocates \$250,000 for the reimbursement of bomb disposal units.

Hazardous materials emergency response teams. Allocates \$240,000 for the conversion of the Rochester, Moorhead, and Duluth chemical assessment teams to combination emergency response/chemical assessment teams.

Capitol security. Allocates \$600,000 to fund increased security of the Capitol Complex.

Minnesota Emergency Medical Services Regulatory Board. Allocates \$400,000 to medical resource control centers.

What major issues did the legislature consider but ultimately not enact?

As part of the anti-terrorism act debate, the legislature considered changes to the laws regulating wiretaps, drivers licenses for foreign visitors, open meetings, and the governor's emergency powers, but elected to leave the laws as they stand. The legislature also debated the merits of, but did not act upon, background checks for crop dusters, a biological agents registry, and registration of drivers of hazardous materials

Did the legislature enact any other legislation related to terrorism?

Yes. The legislature enacted the Minnesota Emergency Health Powers Act. The act specifies the powers and duties of the governor and the Commissioner of Health during public health emergencies. See the House Research publication, The Minnesota Emergency Health Powers Act, September 2002.

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