

A bill for an act relating to public safety; appropriating money for the courts, public defenders, public safety, corrections, and other criminal justice agencies; modifying fees; amending Minnesota Statutes 2006, sections 363A.06, subdivision 1; 403.11, subdivision 1; 403.31, subdivision 1; 609.3457, subdivision 4; repealing Minnesota Statutes 2006, section 403.31, subdivision 6.

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

ARTICLE 1
APPROPRIATION

Section 1. SUMMARY OF APPROPRIATIONS.

The amounts shown in this section summarize direct appropriations, by fund, made in this article.

		<u>2008</u>		<u>2009</u>		<u>Total</u>
<u>General</u>	\$	<u>914,319,000</u>	\$	<u>951,677,000</u>	\$	<u>1,865,996,000</u>
<u>State Government Special Revenue</u>		<u>55,688,000</u>		<u>50,392,000</u>		<u>106,080,000</u>
<u>Environmental Fund</u>		<u>69,000</u>		<u>71,000</u>		<u>140,000</u>
<u>Special Revenue Fund</u>		<u>8,588,000</u>		<u>13,207,000</u>		<u>21,795,000</u>
<u>Trunk Highway</u>		<u>367,000</u>		<u>374,000</u>		<u>741,000</u>
<u>Total</u>	\$	<u>979,031,000</u>	\$	<u>1,015,721,000</u>	\$	<u>1,994,752,000</u>

Sec. 2. PUBLIC SAFETY APPROPRIATIONS.

The sums shown in the columns marked "Appropriations" are appropriated to the agencies and for the purposes specified in this article. The appropriations are from the general fund, or another named fund, and are available for the fiscal years indicated for each purpose. The figures "2008" and "2009" used in this article mean that the

2.1 appropriations listed under them are available for the fiscal year ending June 30, 2008, or
2.2 June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal
2.3 year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal
2.4 year ending June 30, 2007, are effective the day following final enactment.

2.5		<u>APPROPRIATIONS</u>	
2.6		<u>Available for the Year</u>	
2.7		<u>Ending June 30</u>	
2.8		<u>2008</u>	<u>2009</u>

2.9 Sec. 3. **SUPREME COURT**

2.10	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>43,858,000</u>	<u>\$</u>	<u>45,612,000</u>
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2.11 The amounts that may be spent for each
2.12 purpose are specified in the following
2.13 subdivisions.

2.14	<u>Subd. 2. Judicial Branch Increase</u>		<u>1,687,000</u>		<u>3,441,000</u>
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2.15 This amount may be transferred to either or
2.16 both appropriations in subdivisions 3 and 4.

2.17	<u>Subd. 3. Supreme Court Operations</u>		<u>29,851,000</u>		<u>29,851,000</u>
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2.18	<u>Subd. 4. Civil Legal Services</u>		<u>12,320,000</u>		<u>12,320,000</u>
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2.19	Sec. 4. <u>COURT OF APPEALS</u>	<u>\$</u>	<u>8,517,000</u>	<u>\$</u>	<u>8,857,000</u>
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2.20	Sec. 5. <u>TRIAL COURTS</u>	<u>\$</u>	<u>240,503,000</u>	<u>\$</u>	<u>250,123,000</u>
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2.21	Sec. 6. <u>TAX COURT</u>	<u>\$</u>	<u>788,000</u>	<u>\$</u>	<u>812,000</u>
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2.22	Sec. 7. <u>UNIFORM LAWS COMMISSION</u>	<u>\$</u>	<u>58,000</u>	<u>\$</u>	<u>52,000</u>
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2.23	Sec. 8. <u>BOARD ON JUDICIAL STANDARDS</u>	<u>\$</u>	<u>448,000</u>	<u>\$</u>	<u>455,000</u>
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2.24 \$125,000 each year is for special
2.25 investigative and hearing costs for major
2.26 disciplinary actions undertaken by the
2.27 board. This appropriation does not cancel.
2.28 Any encumbered and unspent balances
2.29 remain available for these expenditures in
2.30 subsequent fiscal years.

3.1	Sec. 9. <u>BOARD OF PUBLIC DEFENSE</u>	<u>\$</u>	<u>64,273,000</u>	<u>\$</u>	<u>66,844,000</u>
3.2	Sec. 10. <u>PUBLIC SAFETY</u>				
3.3	Subdivision 1. <u>Total Appropriation</u>	<u>\$</u>	<u>149,210,000</u>	<u>\$</u>	<u>152,956,000</u>
3.4	<u>Appropriations by Fund</u>				
3.5		<u>2008</u>	<u>2009</u>		
3.6	<u>General</u>	<u>89,625,000</u>	<u>94,062,000</u>		
3.7	<u>Special Revenue</u>	<u>3,461,000</u>	<u>8,057,000</u>		
3.8	<u>State Government</u>				
3.9	<u>Special Revenue</u>	<u>55,688,000</u>	<u>50,392,000</u>		
3.10	<u>Environmental</u>	<u>69,000</u>	<u>71,000</u>		
3.11	<u>Trunk Highway</u>	<u>367,000</u>	<u>374,000</u>		
3.12	<u>The amounts that may be spent for each</u>				
3.13	<u>purpose are specified in the following</u>				
3.14	<u>subdivisions.</u>				
3.15	Subd. 2. <u>Emergency Management</u>		<u>3,964,000</u>		<u>3,972,000</u>
3.16	<u>Appropriations by Fund</u>				
3.17	<u>General</u>	<u>3,895,000</u>	<u>3,901,000</u>		
3.18	<u>Environmental</u>	<u>69,000</u>	<u>71,000</u>		
3.19	<u>\$250,000 each year is additional funding</u>				
3.20	<u>to provide state match for federal disaster</u>				
3.21	<u>assistance.</u>				
3.22	<u>\$1,100,000 each year is for state coordination</u>				
3.23	<u>and local assistance to increase readiness for</u>				
3.24	<u>a pandemic event.</u>				
3.25	Subd. 3. <u>Criminal Apprehension</u>		<u>48,325,000</u>		<u>51,405,000</u>
3.26	<u>Appropriations by Fund</u>				
3.27	<u>General</u>	<u>48,325,000</u>	<u>51,405,000</u>		
3.28	<u>Special Revenue</u>	<u>445,000</u>	<u>461,000</u>		
3.29	<u>State Government</u>				
3.30	<u>Special Revenue</u>	<u>7,000</u>	<u>7,000</u>		
3.31	<u>Trunk Highway</u>	<u>367,000</u>	<u>374,000</u>		
3.32	<u>(a) Cooperative Investigation of</u>				
3.33	<u>Cross-Jurisdictional Criminal Activity</u>				
3.34	<u>\$93,000 the first year and \$93,000 the second</u>				
3.35	<u>year are appropriated from the Bureau</u>				

4.1 of Criminal Apprehension account in the
4.2 special revenue fund for grants to local
4.3 officials for the cooperative investigation of
4.4 cross-jurisdictional criminal activity. Any
4.5 unencumbered balance remaining in the first
4.6 year does not cancel but is available for the
4.7 second year.

4.8 **(b) Laboratory Activities**

4.9 \$352,000 the first year and \$368,000 the
4.10 second year are appropriated from the Bureau
4.11 of Criminal Apprehension account in the
4.12 special revenue fund for laboratory activities.

4.13 **(c) DWI Lab Analysis; Trunk Highway Fund**

4.14 Notwithstanding Minnesota Statutes,
4.15 section 161.20, subdivision 3, \$367,000
4.16 the first year and \$374,000 the second year
4.17 are appropriated from the trunk highway
4.18 fund for laboratory analysis related to
4.19 driving-while-impaired cases.

4.20 **(d) CriMNet Justice Information Integration**

4.21 \$6,955,000 the first year and \$8,584,000 the
4.22 second year are for statewide information
4.23 integration priorities. The base for this
4.24 appropriation in fiscal year 2010 shall be
4.25 \$2,032,000.

4.26 **(e) Forensic Scientists**

4.27 \$1,018,000 the first year and \$1,871,000 the
4.28 second year are for 20 new forensic scientists
4.29 in the Bureau of Criminal Apprehension
4.30 Forensic Science Laboratory.

4.31 <u>Subd. 4. Fire Marshal</u>	<u>2,866,000</u>	<u>7,443,000</u>
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4.32 This appropriation is from the fire safety
4.33 account in the special revenue fund.

5.1	<u>Of this amount, \$4,500,000 in the second</u>		
5.2	<u>year is for activities under Minnesota</u>		
5.3	<u>Statutes, section 299F.012.</u>		
5.4	<u>Subd. 5. Alcohol and Gambling Enforcement</u>	<u>1,785,000</u>	<u>1,817,000</u>
5.5	<u>Appropriations by Fund</u>		
5.6	<u>General</u>	<u>1,635,000</u>	<u>1,664,000</u>
5.7	<u>Special Revenue</u>	<u>150,000</u>	<u>153,000</u>
5.8	<u>Subd. 6. Office of Justice Programs</u>	<u>35,770,000</u>	<u>37,092,000</u>
5.9	<u>(a) Gang and Drug Task Force</u>		
5.10	<u>\$600,000 the first year and \$1,900,000 the</u>		
5.11	<u>second year are for grants to the Gang and</u>		
5.12	<u>Drug Task Force.</u>		
5.13	<u>(b) Crime Victim Reparations</u>		
5.14	<u>\$250,000 each year is to increase the amount</u>		
5.15	<u>of funding for crime victim reparations.</u>		
5.16	<u>(c) School Safety Centers</u>		
5.17	<u>\$200,000 each year is to create an interagency</u>		
5.18	<u>school safety center.</u>		
5.19	<u>(d) Victim Notification System</u>		
5.20	<u>\$455,000 each year is for the continuation</u>		
5.21	<u>of the victim information and notification</u>		
5.22	<u>everyday (VINE) service.</u>		
5.23	<u>(e) Administration Costs</u>		
5.24	<u>Up to 2.5 percent of the grant funds</u>		
5.25	<u>appropriated in this subdivision may be used</u>		
5.26	<u>to administer the grant program.</u>		
5.27	<u>Subd. 7. 911 Emergency Services/ARMER</u>	<u>55,681,000</u>	<u>50,385,000</u>
5.28	<u>This appropriation is from the state</u>		
5.29	<u>government special revenue fund for 911</u>		
5.30	<u>emergency telecommunications services.</u>		
5.31	<u>(a) Public Safety Answering Points</u>		

6.1 \$13,664,000 the first year and \$13,664,000
6.2 the second year are to be distributed as
6.3 provided in Minnesota Statutes, section
6.4 403.113, subdivision 2.

6.5 **(b) Medical Resource Communication Centers**

6.6 \$683,000 the first year and \$683,000 the
6.7 second year are for grants to the Minnesota
6.8 Emergency Medical Services Regulatory
6.9 Board for the Metro East and Metro West
6.10 Medical Resource Communication Centers
6.11 that were in operation before January 1,
6.12 2000.

6.13 **(c) ARMER Debt Service**

6.14 \$6,149,000 the first year and \$11,853,000
6.15 the second year are to the commissioner of
6.16 finance to pay debt service on revenue bonds
6.17 issued under Minnesota Statutes, section
6.18 403.275 and authorized by Laws 2005,
6.19 chapter 136, article 1, section 9, subdivision
6.20 8; or in subdivision 8.

6.21 Any portion of this appropriation not needed
6.22 to pay debt service in a fiscal year may be
6.23 used by the commissioner of public safety to
6.24 pay cash for any of the capital improvements
6.25 for which bond proceeds were appropriated
6.26 by Laws 2005, chapter 136, article 1, section
6.27 9, subdivision 8; or in subdivision 8.

6.28 The base for this appropriation is \$18,002,000
6.29 in fiscal year 2010 and \$23,261,000 in fiscal
6.30 year 2011.

6.31 **(d) Metropolitan Council Debt Service**

6.32 \$1,410,000 the first year and \$1,410,000
6.33 the second year are to the commissioner
6.34 of finance for payment to the Metropolitan

7.1 Council for debt service on bonds issued
7.2 under Minnesota Statutes, section 403.27.

7.3 **(e) ARMER Improvements**

7.4 \$1,000,000 each year is for the Statewide
7.5 Radio Board for costs of design, construction,
7.6 maintenance of, and improvements to those
7.7 elements of the statewide public safety
7.8 radio and communication system that
7.9 support mutual aid communications and
7.10 emergency medical services or provide
7.11 interim enhancement of public safety
7.12 communication interoperability in those
7.13 areas of the state where the statewide public
7.14 safety radio and communication system is
7.15 not yet implemented.

7.16 **(f) ARMER Interoperability Planning**

7.17 \$323,000 each year is to provide funding
7.18 to coordinate and plan for communication
7.19 interoperability between public safety
7.20 entities.

7.21 **(g) ARMER State Backbone Operating Costs**

7.22 \$3,110,000 each year is to the commissioner
7.23 of transportation for costs of maintaining and
7.24 operating the first and third phases of the
7.25 statewide radio system backbone. The base
7.26 for this appropriation will be \$5,060,000
7.27 in fiscal year 2010 and \$5,060,000 in fiscal
7.28 year 2011 to provide funding to operate one
7.29 additional phase of the system.

7.30 **(h) Zone Controller**

7.31 \$5,400,000 in the first year is a onetime
7.32 appropriation to upgrade zone controllers
7.33 and network elements in phase one and two
7.34 of the statewide radio system.

8.1 **(i) Advance Project Development**

8.2 \$3,750,000 the first year is a onetime

8.3 appropriation for site acquisition and

8.4 site development work for the remaining

8.5 phases of the statewide radio system. This

8.6 appropriation is available until June 30, 2010.

8.7 This appropriation is to the commissioner of

8.8 public safety for transfer to the Department

8.9 of Transportation.

8.10 **(j) System Design**

8.11 \$1,850,000 the first year is a onetime

8.12 appropriation to complete detailed design

8.13 and planning of the remaining phases of the

8.14 statewide radio system. The commissioner

8.15 of public safety and the commissioner of

8.16 transportation shall determine the scope

8.17 of the study, after consulting with the

8.18 Statewide Radio Board, the commissioner

8.19 of administration, and the state chief

8.20 information officer. The study shall address

8.21 the system design for the state backbone

8.22 and implications for local coverage, how

8.23 data can be integrated, and whether other

8.24 public safety communication networks

8.25 can be integrated with the state backbone.

8.26 The study shall estimate the full cost of

8.27 completing the state backbone to specified

8.28 standards, the cost of local subsystems, and

8.29 the potential advantages of using a request

8.30 for proposal approach to solicit private sector

8.31 participation in the project. The study shall

8.32 include a financial analysis of whether the

8.33 estimated revenue from increasing the 911

8.34 fee by up to 30 cents will cover the estimated

8.35 debt service of revenue bonds issued to

9.1 finance the cost of completing the statewide
9.2 radio system and a portion of the cost up to
9.3 50 percent for local subsystems. The study
9.4 shall also review the project organizational
9.5 structure and governance.

9.6 Subd. 8. **ARMER Public Safety**

9.7 (a) **Radio and Communication System** 186,000,000

9.8 The appropriations in this subdivision are
9.9 from the 911 revenue bond proceeds account
9.10 for the purposes indicated, to be available
9.11 until the project is completed or abandoned,
9.12 subject to Minnesota Statutes, section
9.13 16A.642.

9.14 To the commissioner of public safety for
9.15 transfer to the Department of Transportation
9.16 to construct the system backbone of the
9.17 public safety radio and communication
9.18 system plan under Minnesota Statutes,
9.19 section 403.36.

9.20 \$62,000,000 of this appropriation is for
9.21 the second year. \$62,000,000 of this
9.22 appropriation is available on or after July 1,
9.23 2009. \$62,000,000 of this appropriation is
9.24 available on or after July 1, 2010.

9.25 The commissioner of public safety and the
9.26 commissioner of transportation shall certify
9.27 to the chairs of the House Public Safety
9.28 Finance Division of the Finance Committee
9.29 and the Senate Public Safety Budget Division
9.30 of the Finance Committee that the detailed
9.31 design has been completed and that the
9.32 financial analysis finds that sufficient revenue
9.33 will be generated by proposed changes in the
9.34 911 fee to cover all estimated debt service
9.35 on revenue bonds proposed to be issued to

10.1 complete the system before the appropriation
10.2 is made available. The commissioner of
10.3 finance shall not approve any fee increase
10.4 under Minnesota Statutes, section 403.11,
10.5 subdivision 1, paragraph (c), until this
10.6 certification is made.

10.7 **(b) Bond Sale Authorization**

10.8 To provide the money appropriated in this
10.9 subdivision, the commissioner of finance
10.10 shall sell and issue bonds of the state in an
10.11 amount up to \$186,000,000 in the manner,
10.12 upon the terms, and with the effect prescribed
10.13 by Minnesota Statutes, section 403.275.

10.14	Sec. 11. <u>PEACE OFFICER STANDARDS</u>			
10.15	<u>AND TRAINING BOARD (POST)</u>	<u>\$</u>	<u>4,237,000</u>	<u>\$ 4,260,000</u>

10.16 This appropriation is from the peace officer
10.17 training account in the special revenue fund.
10.18 Any new receipts credited to that account in
10.19 the first year in excess of \$4,237,000 must be
10.20 transferred and credited to the general fund.
10.21 Any new receipts credited to that account in
10.22 the second year in excess of \$4,260,000 must
10.23 be transferred and credited to the general
10.24 fund.

10.25 \$2,909,000 the first year and \$2,909,000 the
10.26 second year are for reimbursements to local
10.27 governments for peace officer training costs.

10.28	Sec. 12. <u>PRIVATE DETECTIVE BOARD</u>	<u>\$</u>	<u>128,000</u>	<u>\$ 130,000</u>
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10.29	Sec. 13. <u>HUMAN RIGHTS</u>	<u>\$</u>	<u>4,955,000</u>	<u>\$ 3,670,000</u>
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10.30 \$1,403,000 the first year and \$55,000 the
10.31 second year are for the replacement of
10.32 the department's tracking and compliance

11.1 databases with a management information
11.2 system.

11.3 Sec. 14. **DEPARTMENT OF CORRECTIONS**

11.4	<u>Subdivision 1. Total Appropriation</u>	<u>\$ 461,456,000</u>	<u>\$ 481,350,000</u>
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11.5 Appropriations by Fund

11.6		<u>2008</u>	<u>2009</u>
11.7	<u>General</u>	<u>460,566,000</u>	<u>480,460,000</u>
11.8	<u>Special Revenue</u>	<u>890,000</u>	<u>890,000</u>

11.9 The amounts that may be spent for each
11.10 purpose are specified in the following
11.11 subdivisions.

11.12	<u>Subd. 2. Correctional Institutions</u>	<u>323,974,000</u>	<u>339,021,000</u>
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11.13 Appropriations by Fund

11.14	<u>General</u>	<u>323,394,000</u>	<u>338,441,000</u>
11.15	Special Revenue	580,000	580,000

11.16 (a) Contracts for beds at Rush City

11.17 If the commissioner contracts with other
11.18 states, local units of government, or the
11.19 federal government to rent beds in the Rush
11.20 City Correctional Facility, the commissioner
11.21 shall charge a per diem under the contract, to
11.22 the extent possible, that is equal to or greater
11.23 than the per diem cost of housing Minnesota
11.24 inmates in the facility.

11.25 Notwithstanding any law to the contrary, the
11.26 commissioner may use per diems collected
11.27 under contracts for beds at MCF-Rush City
11.28 to operate the state correctional system.

11.29 (b) Retirement insurance costs

11.30 \$500,000 each year is for increased funding
11.31 for retiree insurance costs for employees
11.32 from the correctional early retirement plan.

11.33 (c) Offender reentry services

12.1	<u>\$400,000 each year is for increased</u>		
12.2	<u>funding for expansion of offender reentry</u>		
12.3	<u>services in the institutions and staffing for</u>		
12.4	<u>the Department of Corrections MCORP</u>		
12.5	<u>program.</u>		
12.6	Subd. 3. <u>Community services</u>	<u>119,958,000</u>	<u>124,575,000</u>
12.7	<u>Appropriations by Fund</u>		
12.8	<u>General</u>	<u>119,858,000</u>	<u>124,475,000</u>
12.9	<u>Special Revenue</u>	<u>100,000</u>	<u>100,000</u>
12.10	<u>\$600,000 the first year and \$1,000,000 the</u>		
12.11	<u>second year are for intensive supervised</u>		
12.12	<u>release agents for the challenge incarceration</u>		
12.13	<u>program.</u>		
12.14	<u>\$600,000 each year is for intensive</u>		
12.15	<u>supervised release agents for the conditional</u>		
12.16	<u>release program.</u>		
12.17	<u>\$225,000 each year is for increased costs</u>		
12.18	<u>based on changes made to the Interstate</u>		
12.19	<u>Compact for Adult Offender Supervision,</u>		
12.20	<u>Minnesota Statutes, section 243.1605.</u>		
12.21	<u>\$350,000 each year is to fund a legal</u>		
12.22	<u>representative for civil commitments and to</u>		
12.23	<u>manage and track sex offenders.</u>		
12.24	<u>\$2,800,000 each year is added to the</u>		
12.25	<u>Community Corrections Act subsidy,</u>		
12.26	<u>Minnesota Statutes, section 401.14.</u>		
12.27	<u>\$600,000 each year is added to the county</u>		
12.28	<u>probation officers reimbursement.</u>		
12.29	<u>\$600,000 each year is for the Department of</u>		
12.30	<u>Corrections probation and supervised release</u>		
12.31	<u>unit.</u>		
12.32	<u>\$1,800,000 the first year and \$3,600,000 the</u>		
12.33	<u>second year are for adult felon sex offender</u>		

13.1 management to be distributed statewide by
13.2 the Community Corrections Act formula.
13.3 \$200,000 the first year and \$400,000 the
13.4 second year are for juvenile sex offender
13.5 management to be distributed statewide by
13.6 the Community Corrections Act formula.
13.7 \$500,000 the first year and \$1,000,000 the
13.8 second year are to increase funding for
13.9 providing treatment for sex offenders on
13.10 community supervision.
13.11 \$500,000 the first year and \$1,000,000
13.12 the second year are for research and
13.13 evaluation of sex offender management
13.14 (supervision, treatment, and polygraphs) and
13.15 for developing and monitoring standards of
13.16 supervision and treatment.
13.17 \$75,000 each year is to increase funding to
13.18 reimburse counties or their designees, or
13.19 courts, for sex offender assessments under
13.20 Minnesota Statutes, section 609.3457.
13.21 \$600,000 each year is to increase funding
13.22 for sentencing to service activities such as
13.23 highway litter cleanup.
13.24 \$2,190,000 each year is to increase funding
13.25 for the costs associated with the housing
13.26 and care of short-term offenders. The
13.27 commissioner may use up to 20 percent
13.28 of the total amount of the appropriation
13.29 for inpatient medical care for short-term
13.30 offenders. All funds remaining at the end
13.31 of the fiscal year not expended for inpatient
13.32 medical care shall be added to and distributed
13.33 with the housing funds. These funds shall
13.34 be distributed proportionately based on the

14.1	<u>total number of days short-term offenders are</u>		
14.2	<u>placed locally, not to exceed \$70 per day.</u>		
14.3	<u>The Department of Corrections is exempt</u>		
14.4	<u>from the state contracting process for the</u>		
14.5	<u>purposes of paying short-term offender</u>		
14.6	<u>costs relating to Minnesota Statutes, section</u>		
14.7	<u>609.105.</u>		
14.8	<u>\$1,100,000 each year is for offender</u>		
14.9	<u>job seeking services, the development</u>		
14.10	<u>of a training academy for mentors,</u>		
14.11	<u>evidence-based research, expansion of</u>		
14.12	<u>reentry services specific to juveniles,</u>		
14.13	<u>and funding to local units of government</u>		
14.14	<u>participating in MCORP to provide reentry</u>		
14.15	<u>programming to offenders.</u>		
14.16	<u>Subd. 4. Operations Support</u>	<u>17,524,000</u>	<u>17,754,000</u>
14.17	<u>Appropriations by Fund</u>		
14.18	<u>General</u>	<u>17,314,000</u>	<u>17,544,000</u>
14.19	<u>Special Revenue</u>	<u>210,000</u>	<u>210,000</u>
14.20	Sec. 15. <u>SENTENCING GUIDELINES</u>	<u>\$ 600,000</u>	<u>\$ 600,000</u>

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14.22

ARTICLE 2

GENERAL PROVISIONS

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Section 1. Minnesota Statutes 2006, section 363A.06, subdivision 1, is amended to read:

Subdivision 1. **Formulation of policies.** (a) The commissioner shall formulate policies to effectuate the purposes of this chapter and shall:

(1) exercise leadership under the direction of the governor in the development of human rights policies and programs, and make recommendations to the governor and the legislature for their consideration and implementation;

(2) establish and maintain a principal office in St. Paul, and any other necessary branch offices at any location within the state;

(3) meet and function at any place within the state;

15.1 (4) employ attorneys, clerks, and other employees and agents as the commissioner
15.2 may deem necessary and prescribe their duties;

15.3 (5) to the extent permitted by federal law and regulation, utilize the records of the
15.4 Department of Employment and Economic Development of the state when necessary
15.5 to effectuate the purposes of this chapter;

15.6 (6) obtain upon request and utilize the services of all state governmental departments
15.7 and agencies;

15.8 (7) adopt suitable rules for effectuating the purposes of this chapter;

15.9 (8) issue complaints, receive and investigate charges alleging unfair discriminatory
15.10 practices, and determine whether or not probable cause exists for hearing;

15.11 (9) subpoena witnesses, administer oaths, take testimony, and require the production
15.12 for examination of any books or papers relative to any matter under investigation or in
15.13 question as the commissioner deems appropriate to carry out the purposes of this chapter;

15.14 (10) attempt, by means of education, conference, conciliation, and persuasion to
15.15 eliminate unfair discriminatory practices as being contrary to the public policy of the state;

15.16 (11) develop and conduct programs of formal and informal education designed to
15.17 eliminate discrimination and intergroup conflict by use of educational techniques and
15.18 programs the commissioner deems necessary;

15.19 (12) make a written report of the activities of the commissioner to the governor
15.20 each year;

15.21 (13) accept gifts, bequests, grants, or other payments public and private to help
15.22 finance the activities of the department;

15.23 (14) create such local and statewide advisory committees as will in the
15.24 commissioner's judgment aid in effectuating the purposes of the Department of Human
15.25 Rights;

15.26 (15) develop such programs as will aid in determining the compliance throughout
15.27 the state with the provisions of this chapter, and in the furtherance of such duties, conduct
15.28 research and study discriminatory practices based upon race, color, creed, religion,
15.29 national origin, sex, age, disability, marital status, status with regard to public assistance,
15.30 familial status, sexual orientation, or other factors and develop accurate data on the nature
15.31 and extent of discrimination and other matters as they may affect housing, employment,
15.32 public accommodations, schools, and other areas of public life;

15.33 (16) develop and disseminate technical assistance to persons subject to the provisions
15.34 of this chapter, and to agencies and officers of governmental and private agencies;

15.35 (17) provide staff services to such advisory committees as may be created in aid of
15.36 the functions of the Department of Human Rights;

(18) make grants in aid to the extent that appropriations are made available for that purpose in aid of carrying out duties and responsibilities; and

(19) cooperate and consult with the commissioner of labor and industry regarding the investigation of violations of, and resolution of complaints regarding section 363A.08, subdivision 7.

In performing these duties, the commissioner shall give priority to those duties in clauses (8), (9), and (10) and to the duties in section 363A.36.

(b) All gifts, bequests, grants, or other payments, public and private, accepted under paragraph (a), clause (13), must be deposited in the state treasury and credited to a special account. Money in the account is appropriated to the commissioner of human rights to help finance activities of the department.

Sec. 2. Minnesota Statutes 2006, section 403.11, subdivision 1, is amended to read:

Subdivision 1. **Emergency telecommunications service fee; account.** (a) Each customer of a wireless or wire-line switched or packet-based telecommunications service provider connected to the public switched telephone network that furnishes service capable of originating a 911 emergency telephone call is assessed a fee based upon the number of wired or wireless telephone lines, or their equivalent, to cover the costs of ongoing maintenance and related improvements for trunking and central office switching equipment for 911 emergency telecommunications service, to offset administrative and staffing costs of the commissioner related to managing the 911 emergency telecommunications service program, to make distributions provided for in section 403.113, and to offset the costs, including administrative and staffing costs, incurred by the State Patrol Division of the Department of Public Safety in handling 911 emergency calls made from wireless phones.

(b) Money remaining in the 911 emergency telecommunications service account after all other obligations are paid must not cancel and is carried forward to subsequent years and may be appropriated from time to time to the commissioner to provide financial assistance to counties for the improvement of local emergency telecommunications services. The improvements may include providing access to 911 service for telecommunications service subscribers currently without access and upgrading existing 911 service to include automatic number identification, local location identification, automatic location identification, and other improvements specified in revised county 911 plans approved by the commissioner.

(c) The fee may not be less than eight cents nor more than 65 cents a month until June 30, 2008, not less than eight cents nor more than 75 cents a month until June 30, 2009, not less than eight cents nor more than 85 cents a month until June 30, 2010, and

not less than eight cents nor more than 95 cents a month on or after July 1, 2010, for
each customer access line or other basic access service, including trunk equivalents as
designated by the Public Utilities Commission for access charge purposes and including
wireless telecommunications services. With the approval of the commissioner of finance,
the commissioner of public safety shall establish the amount of the fee within the limits
specified and inform the companies and carriers of the amount to be collected. When the
revenue bonds authorized under section 403.27, subdivision 1, have been fully paid or
defeased, the commissioner shall reduce the fee to reflect that debt service on the bonds is
no longer needed. The commissioner shall provide companies and carriers a minimum of
45 days' notice of each fee change. The fee must be the same for all customers.

(d) The fee must be collected by each wireless or wire-line telecommunications
service provider subject to the fee. Fees are payable to and must be submitted to the
commissioner monthly before the 25th of each month following the month of collection,
except that fees may be submitted quarterly if less than \$250 a month is due, or annually if
less than \$25 a month is due. Receipts must be deposited in the state treasury and credited
to a 911 emergency telecommunications service account in the special revenue fund. The
money in the account may only be used for 911 telecommunications services.

(e) This subdivision does not apply to customers of interexchange carriers.

(f) The installation and recurring charges for integrating wireless 911 calls into
enhanced 911 systems are eligible for payment by the commissioner if the 911 service
provider is included in the statewide design plan and the charges are made pursuant to
contract.

(g) Competitive local exchanges carriers holding certificates of authority from the
Public Utilities Commission are eligible to receive payment for recurring 911 services.

Sec. 3. Minnesota Statutes 2006, section 403.31, subdivision 1, is amended to read:

Subdivision 1. **Allocation of operating costs.** ~~The current costs of the board
in implementing the regionwide public safety radio communication plan system and
the first and second phase systems shall be allocated among and paid by the following
users, all in accordance with the regionwide public safety radio system communication
plan adopted by the board:~~

~~(1) the state of Minnesota for its operations using the system in the metropolitan
counties;~~

~~(2) all local government units using the system; and~~

~~(3) other eligible users of the system.~~ (a) The ongoing costs of the commissioner
not otherwise appropriated in operating the statewide public safety radio communication

18.1 system shall be allocated among and paid by the following users, all in accordance with
18.2 the statewide public safety radio communication system plan under section 403.36:

18.3 (1) the state of Minnesota for its operations using the system;

18.4 (2) all local government units using the system; and

18.5 (3) other eligible users of the system.

18.6 (b) Each local government and other eligible users of the system shall pay to
18.7 the commissioner all sums charged under this section, at the times and in the manner
18.8 determined by the commissioner. The governing body of each local government shall
18.9 take all action necessary to provide the funds required for these payments and to make
18.10 the payments when due.

18.11 Sec. 4. Minnesota Statutes 2006, section 609.3457, subdivision 4, is amended to read:

18.12 Subd. 4. **Definition.** As used in this section, "sex offense" means a violation
18.13 of section 609.294; 609.322; 609.324; 609.342; 609.343; 609.344; 609.345; 609.3451;
18.14 609.3453; 609.3455; 609.352; 609.365; 609.746, subdivision 1; 609.79; ~~or~~ 617.23;
18.15 617.246; or 617.247; or another offense arising out of a charge based on one or more of
18.16 those sections.

18.17 Sec. 5. **REPEALER.**

18.18 Minnesota Statutes 2006, section 403.31, subdivision 6, is repealed.