A bill for an act

relating to state government; appropriating money for public safety and corrections initiatives, courts, public defenders, Board on Judicial Standards, and Uniform Laws Commission; creating grant programs; adding new judgeships; correcting an unintentional repeal and resuming the payment of certain bail proceeds to the municipalities and subdivisions of government in Hennepin County; amending Minnesota Statutes 2006, sections 2.722, subdivision 1; 297I.06, subdivision 3; 363A.06, subdivision 1; 403.11, subdivision 1; 403.31, subdivision 1; 609.3457, subdivision 4; 609.52, subdivision 3; 609.535, subdivision 2a; 609.595, subdivisions 1, 2; proposing coding for new law in Minnesota Statutes, chapters 241; 484; 626; repealing Minnesota Statutes 2006, section 403.31, subdivision 6.

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

ARTICLE 1
PUBLIC SAFETY APPROPRIATIONS

Section 1. **SUMMARY OF APPROPRIATIONS.**

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

		2008		2009		Total
General	$	546,816,000	$	561,921,000	$	1,108,737,000
State Government Special Revenue		55,688,000		50,392,000		106,080,000
Environmental Fund		69,000		71,000		140,000
Special Revenue Fund		12,288,000		15,474,000		27,762,000
Trunk Highway		367,000		374,000		741,000
911 Revenue Bond Proceeds		0		186,000,000		186,000,000
Total	**$**	**615,228,000**	**$**	**814,232,000**	**$**	**1,429,460,000**

Sec. 2. **PUBLIC SAFETY APPROPRIATIONS.**

(a) **General.** 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 appropriations listed under them are available for the fiscal year ending June 30, 2008, or June 30, 2009, respectively. "The first year" is fiscal year 2008. "The second year" is fiscal year 2009. "The biennium" is fiscal years 2008 and 2009. Appropriations for the fiscal year ending June 30, 2007, are effective the day following final enactment.

(b) **Compensation.** These appropriations, and any statutory appropriations from which state employee compensation is paid from any fund, include an amount sufficient to fund compensation increases of at least 3.25 percent of the 2007 compensation base for the first year, compounded at the rate of 3.25 percent for the second year. This amount must be used for that purpose and no other.

		APPROPRIATIONS Available for the Year Ending June 30	
		2008	**2009**
Sec. 3. **PUBLIC SAFETY**			
Subdivision 1. **Total Appropriation**	**$**	**147,356,000 $**	**333,443,000**

Appropriations by Fund	2008	2009
General	84,407,000	86,638,000
Special Revenue	6,825,000	9,968,000
State Government Special Revenue	55,688,000	50,392,000
Environmental	69,000	71,000
Trunk Highway	367,000	374,000
911 Revenue Bonds	0	186,000,000

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

	2008	2009
Subd. 2. **Emergency Management**	2,614,000	2,626,000

Appropriations by Fund		
General	2,545,000	2,555,000
Environmental	69,000	71,000

	2008	2009
Subd. 3. **Criminal Apprehension**	42,625,000	44,481,000

Appropriations by Fund		
General	41,806,000	43,639,000
Special Revenue	445,000	461,000
State Government Special Revenue	7,000	7,000
Trunk Highway	367,000	374,000

Cooperative Investigation of Cross-Jurisdictional Criminal Activity. $93,000 each year is appropriated from the Bureau of Criminal Apprehension account in the special revenue fund for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity. Any unencumbered balance remaining in the first year does not cancel but is available for the second year.

Laboratory Activities. $352,000 the first year and $368,000 the second year are appropriated from the Bureau of Criminal Apprehension account in the special revenue fund for laboratory activities.

DWI Lab Analysis. Notwithstanding Minnesota Statutes, section 161.20, subdivision 3, $367,000 the first year and $374,000 the second year are appropriated from the trunk highway fund for laboratory analysis related to driving-while-impaired cases.

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

Subd. 4. **Fire Marshal**	6,230,000	9,354,000

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

Of this amount, $3,330,000 the first year and $6,300,000 the second year are for activities under Minnesota Statutes, section 299F.012.

Subd. 5. **Alcohol and Gambling Enforcement**			1,795,000	1,845,000
Appropriations by Fund				
General	1,645,000	1,692,000		
Special Revenue	150,000	153,000		
Subd. 6. **Office of Justice Programs**			38,411,000	38,752,000

Gang and Drug Task Force. $600,000 the first year and $1,900,000 the second year are for grants to the Gang and Drug Task Force.

Victim Notification System. $225,000 each year is for the continuation of the victim information and notification everyday (VINE) service.

Squad Car Cameras. $1,000,000 the first year is for grants to enable local law enforcement agencies to make squad car camera technology upgrades or acquisitions. Of this amount, $500,000 is for a onetime grant to the city of Minneapolis.

To be eligible for an acquisition grant, law enforcement agencies shall provide a 25 percent match.

The base budget for these grants is $500,000 in fiscal year 2010 and $500,000 in fiscal year 2011.

Peace Officer Overtime. $1,250,000 each year is for grants for peace officer overtime pay under Minnesota Statutes, section 299A.62, subdivision 1, paragraph (b), clause (2).

The commissioner shall award these grants as provided in Minnesota Statutes, section 299A.62. However, the commissioner shall prioritize by awarding grants to assist law enforcement agencies with the greatest needs in terms of personnel demands and crime rates. This is a onetime appropriation.

Youth Intervention Programs. $500,000 each year is for youth intervention programs under Minnesota Statutes, section 299A.73. The commissioner shall use this money to make grants to help existing programs serve unmet needs in their communities and to fund new programs in underserved areas of the state.

Crime Victim Support Grant. $175,000 each year is for a grant to a nonprofit organization dedicated to providing immediate and long-term emotional support and practical help for the families and friends of individuals who have died by homicide, suicide, or accident.

Sexual Violence. $192,000 the first year and $195,000 the second year are to increase funding for crime victim services grants to victims of sexual violence.

Domestic Violence. $193,000 the first year and $195,000 the second year are to increase funding for crime victim services grants for victims of domestic violence.

Administration Costs. Up to 2.5 percent of the grant funds appropriated in this subdivision may be used to administer the grant program.

Subd. 7. **911 Emergency Services/ARMER**	55,681,000	50,385,000

This appropriation is from the state government special revenue fund for 911 emergency telecommunications services.

Public Safety Answering Points. $13,664,000 each year is to be distributed as provided in Minnesota Statutes, section 403.113, subdivision 2.

Medical Resource Communication Centers. $683,000 each year is for grants to the Minnesota Emergency Medical Services Regulatory Board for the Metro East and Metro West Medical Resource Communication Centers that were in operation before January 1, 2000.

ARMER Debt Service. $6,149,000 the first year and $11,853,000 the second year are to the commissioner of finance to pay debt service on revenue bonds issued under Minnesota Statutes, section 403.275.

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

The base for this appropriation is $17,557,000 in fiscal year 2010 and $23,261,000 in fiscal year 2011.

Metropolitan Council Debt Service. $1,410,000 each year is to the commissioner of finance for payment to the Metropolitan Council for debt service on bonds issued under Minnesota Statutes, section 403.27.

ARMER Improvements. $1,000,000 each year is for the Statewide Radio Board for costs of design, construction, maintenance of, and improvements to those elements of the statewide public safety radio and communication system that support mutual aid communications and emergency medical services or provide interim enhancement of public safety communication interoperability in those areas of the state where the statewide public safety radio and communication system is not yet implemented.

ARMER Interoperability Planning. $323,000 each year is to provide funding to coordinate and plan for communication interoperability between public safety entities.

ARMER State Backbone Operating Costs. $3,110,000 each year is to the commissioner of transportation for costs of maintaining and operating the first and third phases of the statewide radio system backbone. The base for this appropriation is $5,060,000 in fiscal year 2010 and $5,060,000 in fiscal year 2011 to provide funding to operate one additional phase of the system.

Zone Controller. $5,400,000 the first year is a onetime appropriation to upgrade zone controllers and network elements in phases one and two of the statewide radio system.

Advance Project Development. $3,750,000 the first year is a onetime appropriation for site acquisition and site development work for the remaining phases of the statewide radio system. This appropriation is available until June 30, 2010. This appropriation is to the commissioner of public safety for transfer to the commissioner of transportation.

System Design. $1,850,000 the first year is a onetime appropriation to complete detailed design and planning of the remaining phases of the statewide radio system. The commissioner of public safety and the commissioner of transportation shall determine the scope of the study, after consulting with the Statewide Radio Board, the commissioner of administration, and the state chief information officer. The study must address the system design for the state backbone and implications for local coverage, how data can be integrated, and whether other public safety communication networks can be integrated with the state backbone. The study must estimate the full cost of completing the state backbone to specified standards, the cost of local subsystems, and the potential advantages of using a request for proposal approach to solicit private sector participation in the project. The study must include a financial analysis of whether the estimated revenue from increasing the 911 fee by up to 30 cents will cover the estimated debt service of revenue bonds issued to finance the cost of completing the statewide radio system and a portion of the cost up to 50 percent for local subsystems. The study must also review the project organizational structure and governance.

Subd. 8. **ARMER Public Safety** 186,000,000

Radio and Communication System. The appropriations in this subdivision are from the 911 revenue bond proceeds account for the purposes indicated, to be available until the project is completed or abandoned, subject to Minnesota Statutes, section 16A.642.

The appropriations are to the commissioner of public safety for transfer to the commissioner of transportation to construct the system backbone of the public safety radio and communication system plan under Minnesota Statutes, section 403.36.

$62,000,000 of this appropriation is for the second year. $62,000,000 of this appropriation is available on or after July 1, 2009. $62,000,000 of this appropriation is available on or after July 1, 2010.

The commissioner of public safety and the commissioner of transportation shall certify to the chairs of the house Public Safety Finance Division of the Finance Committee and the senate Public Safety Budget Division of the Finance Committee that the detailed design has been completed and that the financial analysis finds that sufficient revenue will be generated by proposed changes in the 911 fee to cover all estimated debt service on revenue bonds proposed to be issued to complete the system before the appropriation is made available. The commissioner of finance shall not approve any fee increase under Minnesota Statutes, section 403.11, subdivision 1, paragraph (c), until this certification is made.

Bond Sale Authorization. To provide the money appropriated in this subdivision, the commissioner of finance shall sell and issue bonds of the state in an amount up to $186,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, section 403.275.

Sec. 4. **PEACE OFFICER STANDARDS AND TRAINING (POST) BOARD**	**$**	**4,573,000**	**$**	**4,616,000**

Excess Amounts Transferred. This appropriation is from the peace officer training account in the special revenue fund. Any new receipts credited to that account in the first year in excess of $4,573,000 must be transferred and credited to the general fund. Any new receipts credited to that account in the second year in excess of $4,616,000 must be transferred and credited to the general fund.

Peace Officer Training Reimbursements. $3,234,000 the first year and $3,242,000 the second year are for reimbursements to local governments for peace officer training costs. Of these amounts, the board may use up to $50,000 the first year to comply with Minnesota Statutes, section 626.8444.

Sec. 5. **BOARD OF PRIVATE DETECTIVES AND PROTECTIVE AGENT SERVICES**	**$**	**129,000**	**$**	**133,000**
Sec. 6. **HUMAN RIGHTS**	**$**	**4,993,000**	**$**	**3,749,000**

Management Information System. $1,403,000 the first year and $55,000 the second year are for the replacement of the department's tracking and compliance databases with a management information system.

Sec. 7. **DEPARTMENT OF CORRECTIONS**

Subdivision 1. **Total Appropriation**	**$**	**457,472,000**	**$**	**471,680,000**

Appropriations by Fund

	2008	2009
General	456,582,000	470,790,000
Special Revenue	890,000	890,000

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

Subd. 2. **Correctional Institutions**	321,881,000	334,406,000

Appropriations by Fund

General	321,301,000	333,826,000
Special Revenue	580,000	580,000

Contracts for Beds at Rush City. If the commissioner contracts with other states, local units of government, or the federal government to rent beds in the Rush City Correctional Facility, the commissioner shall charge a per diem under the contract, to the extent possible, that is equal to or greater than the per diem cost of housing Minnesota inmates in the facility.

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

Offender Reentry Services. $400,000 each year is for increased funding for expansion of offender reentry services in the institutions and staffing for the Department of Corrections MCORP program.

Subd. 3. **Community Services**	118,046,000	119,287,000

Appropriations by Fund		
General	117,946,000	119,187,000
Special Revenue	100,000	100,000

ISR Agents, Challenge Incarceration Program. $600,000 the first year and $1,000,000 the second year are for intensive supervised release agents for the challenge incarceration program.

ISR Agents, Conditional Release Program. $300,000 each year is for intensive supervised release agents for the conditional release program. This is a onetime appropriation.

Sex Offenders, Civil Commitment and Tracking. $200,000 each year is to fund a legal representative for civil commitments and to manage and track sex offenders.

Probation Supervision, CCA System. $2,800,000 each year is added to the Community Corrections Act subsidy, Minnesota Statutes, section 401.14.

Probation Supervision, CPO System. $600,000 each year is added to the county probation officers reimbursement base.

Probation Supervision, DOC System. $600,000 each year is for the Department of Corrections probation and supervised release unit.

Sex Offender Management and Treatment. $1,000,000 each year is for adult felon and juvenile sex offender management to be distributed statewide by the Community Corrections Act formula under Minnesota Statutes, section 401.10, and to increase funding for providing treatment for sex offenders on community supervision.

Sex Offender Assessments. $75,000 each year is to increase funding to reimburse counties or their designees, or courts, for sex offender assessments under Minnesota Statutes, section 609.3457.

Sentencing to Service. $300,000 each year is to increase funding for sentencing to service activities such as highway litter cleanup.

Short-term Offenders. $2,500,000 each year is to increase funding for the costs associated with the housing and care of short-term offenders. The commissioner may use up to 20 percent of the total amount of the appropriation for inpatient medical care for short-term offenders. All funds remaining at the end of the fiscal year not expended for inpatient medical care must be added to and distributed with the housing funds. These funds must be distributed proportionately based on the total number of days short-term offenders are placed locally, not to exceed $70 per day.

The department is exempt from the state contracting process for the purposes of paying short-term offender costs relating to Minnesota Statutes, section 609.105.

Offender Reentry Service. $950,000 each year is for offender job-seeking services, evidence-based research, expansion of reentry services specific to juveniles, and funding to local units of government participating in MCORP to provide reentry programming to offenders.

Offender Reentry Grants. $650,000 each year is for grants to nonprofit organizations to provide reentry services to offenders being released from incarceration.

Employment Services for Ex-offenders. $238,000 the first year and $237,000 the second year are for grants to a nonprofit organization to establish a pilot project to provide employment services to ex-criminal offenders living in the North Minneapolis community. The pilot project must provide the ex-offender participants with a continuum of employment services that identifies their needs; intervenes with them through case management if they are struggling; and provides them with work readiness, skill training, chemical and mental health referrals, housing support, job placement, work experience, and job retention support. The pilot project shall work with community corrections officials, faith-based organizations, and businesses to create an array of support opportunities for the participants.

By January 15, 2010, the commissioner shall report to the chairs and ranking minority members of the senate and house of representatives committees and divisions having jurisdiction over criminal justice policy and funding on the activities conducted by the grant recipient and the effectiveness of the pilot project.

Mentoring Grants. $500,000 each year is for mentoring grants under Minnesota Statutes, section 241.90. The grant recipient shall collaborate with the parks and recreation departments of the cities of St. Paul and Minneapolis and may reimburse the departments for the use of their facilities by the grant recipient.

Subd. 4. **Operations Support**			17,545,000	17,987,000

Appropriations by Fund		
General	17,335,000	17,777,000
Special Revenue	210,000	210,000

Sec. 8. **SENTENCING GUIDELINES**	**$**	**705,000**	**$**	**611,000**

Collateral Sanctions Committee. $100,000 the first year is for the Collateral Sanctions Committee described in article 2, section 13. This money must be used for staffing, conducting research, conducting public hearings, reimbursing committee members for reasonable expenses, and for the required report.

Changes to Grid for Controlled Substance Offenses. The commission shall propose changes to the sentencing guidelines grid for controlled substance offenses. The proposal must make presumptive sentences for controlled substance offenses proportional with similarly severe offenses in Minnesota and proportional with similar controlled substance offenses from the federal government and other states in the Upper Midwest, including Iowa, North Dakota, South Dakota, and Wisconsin. The commission shall include the proposed changes in its 2008 report to the legislature.

ARTICLE 2
GENERAL PROVISIONS

Section 1. **[241.90] MENTORING GRANT FOR CHILDREN OF INCARCERATED PARENTS.**

Subdivision 1. **Mentoring grant.** The commissioner of corrections may award a grant to a nonprofit organization that is located in the greater Twin Cities area and provides one-to-one mentoring relationships to youth enrolled between the ages of seven to 13 whose parent or other significant family member is incarcerated in a county workhouse, county jail, state prison, or other type of correctional facility or is subject to correctional supervision. The intent of the grant is to provide children with adult mentors to strengthen developmental outcomes, including enhanced self-confidence and esteem; improved academic performance; and improved relationships with peers, family, and other adults that may prevent them from entering the juvenile justice system.

Subd. 2. **Grant criteria.** As a condition of receiving the grant, the grant recipient shall do the following:

(1) collaborate with other organizations that have a demonstrated history of providing services to youth and families in disadvantaged situations;

(2) implement procedures to ensure that 100 percent of the mentors pose no safety risk to the child and have the skills to participate in a mentoring relationship;

(3) provide enhanced training to mentors focusing on asset building and family dynamics when a parent is incarcerated; and

(4) provide an individual family plan and aftercare.

Subd. 3. **Program evaluation.** The grant recipient shall submit an evaluation plan to the commissioner delineating the program and student outcome goals and activities implemented to achieve the stated outcomes. The goals must be clearly stated and measurable. The grant recipient shall collect, analyze, and report on participation and outcome data that enable the department to verify that the program goals were met.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 2. Minnesota Statutes 2006, section 297I.06, subdivision 3, is amended to read:

Subd. 3. **Fire safety account, annual transfers, allocation.** A special account, to be known as the fire safety account, is created in the state treasury. The account consists of the proceeds under subdivisions 1 and 2. $468,000 in fiscal year 2008 and $2,268,000 in each year thereafter is transferred from the fire safety account in the special revenue fund to the general fund to offset the loss of revenue caused by the repeal of the one-half of one percent tax on fire insurance premiums. ~~The general fund base appropriation for the fire marshal program is reduced by $2,832,000 in fiscal year 2008 and each year thereafter. The base funding for the fire marshal program from the fire safety account in the special revenue fund shall be $2,832,000 in fiscal year 2008 and each year thereafter.~~

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 3. 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 do the following:

(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;

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

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

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

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

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

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

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

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

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

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

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

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

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

(17) provide staff services to such advisory committees as may be created in aid of 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.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 4. 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 <u>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,</u> 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.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 5. 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 system shall be allocated among and paid by the following users, all in accordance with the statewide public safety radio communication system plan under section 403.36:

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

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

(3) other eligible users of the system.

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

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 6. Minnesota Statutes 2006, section 609.3457, subdivision 4, is amended to read:

Subd. 4. **Definition.** As used in this section, "sex offense" means a violation of section 609.294; 609.322, subdivision 1; 609.324, subdivision 1; 609.342; 609.343; 609.344; 609.345; 609.3451; 609.3453; 609.3455; 609.352; 609.365; 609.746, subdivision

1; 609.79; ~~or~~ 617.23; <u>617.246; or 617.247;</u> or another offense arising out of a charge based on one or more of those sections.

<u>**EFFECTIVE DATE.** This section is effective July 1, 2007, and applies to crimes committed on or after that date.</u>

Sec. 7. Minnesota Statutes 2006, section 609.52, subdivision 3, is amended to read:

Subd. 3. **Sentence.** Whoever commits theft may be sentenced as follows:

(1) to imprisonment for not more than 20 years or to payment of a fine of not more than $100,000, or both, if the property is a firearm, or the value of the property or services stolen is more than $35,000 and the conviction is for a violation of subdivision 2, clause (3), (4), (15), or (16); or

(2) to imprisonment for not more than ten years or to payment of a fine of not more than $20,000, or both, if the value of the property or services stolen exceeds ~~$2,500~~ <u>$5,000</u>, or if the property stolen was an article representing a trade secret, an explosive or incendiary device, or a controlled substance listed in schedule I or II pursuant to section 152.02 with the exception of marijuana; or

(3) to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both, if <u>any of the following circumstances exist</u>:

(a) the value of the property or services stolen is more than ~~$500~~ <u>$1,000</u> but not more than ~~$2,500~~ <u>$5,000</u>; or

(b) the property stolen was a controlled substance listed in schedule III, IV, or V pursuant to section 152.02; or

(c) the value of the property or services stolen is more than ~~$250~~ <u>$500</u> but not more than ~~$500~~ <u>$1,000</u> and the person has been convicted within the preceding five years for an offense under this section, section 256.98; 268.182; 609.24; 609.245; 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state, the United States, or a foreign jurisdiction, in conformity with any of those sections, and the person received a felony or gross misdemeanor sentence for the offense, or a sentence that was stayed under section 609.135 if the offense to which a plea was entered would allow imposition of a felony or gross misdemeanor sentence; or

(d) the value of the property or services stolen is not more than ~~$500~~ <u>$1,000</u>, and any of the following circumstances exist:

(i) the property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(ii) the property is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(iii) the property is taken from a burning, abandoned, or vacant building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(iv) the property consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(v) the property stolen is a motor vehicle; or

(4) to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both, if the value of the property or services stolen is more than ~~$250~~ $500 but not more than ~~$500~~ $1,000; or

(5) in all other cases where the value of the property or services stolen is ~~$250~~ $500 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than $1,000, or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3), (4), and (13), the value of the money or property or services received by the defendant in violation of any one or more of the above provisions within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to crimes committed on or after that date.

Sec. 8. Minnesota Statutes 2006, section 609.535, subdivision 2a, is amended to read:

Subd. 2a. **Penalties.** (a) A person who is convicted of issuing a dishonored check under subdivision 2 may be sentenced as follows:

(1) to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both, if the value of the dishonored check, or checks aggregated under paragraph (b), is more than ~~$500~~ $1,000;

(2) to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both, if the value of the dishonored check, or checks aggregated under paragraph (b), is more than ~~$250~~ $500 but not more than ~~$500~~ $1,000; or

(3) to imprisonment for not more than 90 days or to payment of a fine of not more than $1,000, or both, if the value of the dishonored check, or checks aggregated under paragraph (b), is not more than ~~$250~~ $500.

(b) In a prosecution under this subdivision, the value of dishonored checks issued by the defendant in violation of this subdivision within any six-month period may be aggregated and the defendant charged accordingly in applying this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the dishonored checks was issued for all of the offenses aggregated under this paragraph.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to crimes committed on or after that date.

Sec. 9. Minnesota Statutes 2006, section 609.595, subdivision 1, is amended to read:

Subdivision 1. **Criminal damage to property in the first degree.** Whoever intentionally causes damage to physical property of another without the latter's consent may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than $10,000, or both, if any of the following circumstances exist:

(1) the damage to the property caused a reasonably foreseeable risk of bodily harm; or

(2) the property damaged belongs to a common carrier and the damage impairs the service to the public rendered by the carrier; or

(3) the damage reduces the value of the property by more than ~~$500~~ $1,000 measured by the cost of repair and replacement; or

(4) the damage reduces the value of the property by more than ~~$250~~ $500 measured by the cost of repair and replacement and the defendant has been convicted within the preceding three years of an offense under this subdivision or subdivision 2.

In any prosecution under clause (3), the value of any property damaged by the defendant in violation of that clause within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this section; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to crimes committed on or after that date.

Sec. 10. Minnesota Statutes 2006, section 609.595, subdivision 2, is amended to read:

Subd. 2. **Criminal damage to property in the third degree.** (a) Except as otherwise provided in subdivision 1a, whoever intentionally causes damage to another person's physical property without the other person's consent may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both, if the damage reduces the value of the property by more than ~~$250~~ $500 but not more than ~~$500~~ $1,000 as measured by the cost of repair and replacement.

(b) Whoever intentionally causes damage to another person's physical property without the other person's consent because of the property owner's or another's actual or perceived race, color, religion, sex, sexual orientation, disability as defined in section 363A.03, age, or national origin may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than $3,000, or both, if the damage reduces the value of the property by not more than ~~$250~~ $500.

(c) In any prosecution under paragraph (a), the value of property damaged by the defendant in violation of that paragraph within any six-month period may be aggregated and the defendant charged accordingly in applying this section. When two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph.

EFFECTIVE DATE. This section is effective August 1, 2007, and applies to crimes committed on or after that date.

Sec. 11. **[626.8444] DOMESTIC ABUSE IN-SERVICE TRAINING; MINIMUM REQUIREMENTS.**

(a) The board shall analyze the issuance and enforcement of domestic abuse no contact orders between July 1, 2006, and June 30, 2007. Taking into account this analysis, the board shall determine the items that, at a minimum, must be addressed in in-service training courses that instruct peace officers in issues relating to domestic abuse. At a minimum, the courses must provide instruction in the laws relating to domestic abuse no contact orders and address how best to coordinate law enforcement resources relating to them.

(b) Beginning on January 1, 2008, the board may not approve an in-service training course relating to domestic abuse that does not comply with this section.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 12. **STUDY ON AUTOMATICALLY SEALING ARREST RECORDS.**

Subdivision 1. **Study.** The Criminal and Juvenile Justice Information Policy Group described in Minnesota Statutes, section 299C.65, subdivision 1, shall study the issues involved with the automatic sealing of arrest records for persons who are not subsequently convicted of an offense related to the arrest and expungement of conviction records. The policy group shall use the following framework. The policy group shall assume that arrest records of individuals who are not subsequently convicted of an offense relating to the arrest should be automatically sealed. The policy group shall address issues related to implementing this concept under the framework below:

(1) arrest data not leading to a referral for prosecution shall be sealed by the arresting law enforcement agency on the expiration of 180 days from the date of the arrest. The arresting agency shall also notify all other criminal justice agencies to which it has transmitted the data that the data in their possession shall be sealed;

(2) upon a declination of charges or upon successful completion of a precharge diversion program, arrest and prosecution data shall thereafter be sealed. It shall be the responsibility of the prosecuting agency to seal the prosecution data pertaining to the action and to notify the superintendent of the Bureau of Criminal Apprehension, and the heads of all appropriate law enforcement agencies that the records related to the action shall be sealed;

(3)(i) upon a favorable resolution as defined below all criminal justice agency and court records pertaining to the action shall thereafter be sealed. A favorable resolution means the following:

(A) charges against a person were dismissed without a plea of guilt;

(B) the person was acquitted;

(C) charges against the person were dismissed pursuant to a continuance for dismissal or a stay of adjudication;

(D) charges against the person were dismissed upon successful completion of a pretrial diversion program with or without a plea of guilt; and

(E) upon the dismissal and discharge of proceedings against a person under Minnesota Statutes, section 152.18; and

(ii) it shall be the responsibility of the clerk of courts to seal the judicial records pertaining to the action, and to notify the superintendent of the Bureau of Criminal Apprehension, the Department of Corrections, the prosecuting attorney, and the heads of all appropriate law enforcement agencies that the criminal justice agency records related to the action shall be sealed;

(4) automatically sealed data shall be transmittable between criminal justice agencies and the courts. Sealed records shall be available to evaluate a prospective employee in a criminal justice agency;

(5) data relating to arrests, charges, or convictions for the following crimes shall not be automatically sealed:

(i) domestic abuse data, as defined in Minnesota Statutes, section 13.82, subdivision 5, and to court and prosecution data related to a domestic abuse charge;

(ii) data for crime victims as defined in Minnesota Statutes, section 13.82, subdivision 13; and

(iii) arrests or charges for crimes listed in Minnesota Statutes, section 364.09, paragraph (a), clauses (1) to (3); and

(6) the provisions of an automatic sealing statute shall not affect or repeal Minnesota Statutes, chapter 609A, or Minnesota Statutes, section 299C.11.

The policy group shall review how other states address the sealing of arrest records and determine best practices in this area. The policy group may make recommendations on changes to the policy framework set out above that are deemed advisable, including compromise proposals. The policy group shall specifically address technical and institutional roadblocks, if any, to implement the framework set out above and propose solutions to these roadblocks. In addition, the policy group shall estimate the state and local fiscal costs, if any, of automatically sealing these records.

Subd. 2. **Consultation.** The policy group shall consult with and seek advice from the individuals associated with the background checks and expungements delivery team, the Collateral Consequences Committee, and the Council on Crime and Justice.

Subd. 3. **Definition.** As used in this section, "arrest records" include all records relating to an arrest, including law enforcement, court, Bureau of Criminal Apprehension, and prosecution records.

Subd. 4. **Report.** By January 15, 2008, the policy group shall report its findings and recommendations to the chairs and ranking minority members of the senate and house of representatives committees having jurisdiction over criminal justice policy. The report must include recommended statutory language to best implement the intent of the policy framework set out above, a summary of the practices of other states on the sealing of arrest records, and a finding on best practices in this area.

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

Sec. 13. **COLLATERAL SANCTIONS COMMITTEE.**

Subdivision 1. **Establishment; duties.** The Collateral Sanctions Committee shall study issues related to collateral sanctions. Specifically, the committee shall study how collateral sanctions are addressed in other states and determine best practices on this. In addition, the committee shall study issues relating to how criminal convictions and adjudications affect an individual's employment and professional licensing opportunities in Minnesota. The committee shall consider the policy implications of providing a process to allow individuals currently prohibited from certain types of employment or professional licensing because of a criminal record to seek a waiver. The committee shall make recommendations on changes in law and policy it deems appropriate in this area. By January 15, 2008, the committee shall report its findings and recommendations to the chairs and ranking minority members of the committees having jurisdiction over criminal justice policy in the senate and house of representatives.

Subd. 2. **Resources.** The Sentencing Guidelines Commission shall provide technical and research assistance to the committee, with the assistance of the commissioner of public safety and the commissioner of corrections.

Subd. 3. **Membership.** The committee consists of the following:

(1) the executive director of the Sentencing Guidelines Commission, who shall serve as the committee's chair and convening authority;

(2) the commissioner of public safety, or designee;

(3) the commissioner of corrections, or designee;

(4) the attorney general, or designee;

(5) the state public defender, or designee;

(6) a crime victim's advocate, appointed by the commissioner of public safety;

(7) a county attorney, appointed by the Minnesota County Attorneys Association;

(8) a city attorney, appointed by the League of Minnesota Cities;

(9) a district court judge, appointed by the Judicial Council;

(10) a private criminal defense attorney, appointed by the Minnesota Association of Criminal Defense Lawyers;

(11) a probation officer, appointed by the Minnesota Association of County Probation Officers;

(12) two peace officers, one appointed by the Minnesota Sheriffs' Association and the other appointed by the Minnesota Chiefs of Police Association;

(13) two members with knowledge of housing issues, one of whom is a landlord and the other a tenant, appointed by the commissioner of public safety;

(14) a member from the employment industry, appointed by the commissioner of public safety;

(15) a member from a community crime prevention organization, appointed by the commissioner of public safety;

(16) a member from a community of color, appointed by the commissioner of public safety;

(17) a member who is an ex-criminal offender, appointed by the commissioner of public safety; and

(18) a member from an agency that provides reentry services to offenders being released from incarceration, appointed by the commissioner of public safety.

Subd. 4. **Expenses; expiration.** The provisions of Minnesota Statutes, section 15.059, apply to the committee. The committee expires on January 15, 2008.

Subd. 5. **Definition.** As used in this section, "collateral sanctions" has the meaning given in Minnesota Statutes, section 609B.050, subdivision 1.

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

Sec. 14. **REPEALER.**

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

EFFECTIVE DATE. This section is effective July 1, 2007.

ARTICLE 3
JUDICIARY APPROPRIATIONS

Section 1. **SUMMARY OF APPROPRIATIONS**

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

		2008		2009		Total
General	$	372,821,000	$	389,073,000	$	761,894,000

Sec. 2. **JUDICIARY APPROPRIATIONS.**

(a) **General**

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

(b) **Compensation**

These appropriations, and any statutory appropriations from which state employee compensation is paid from any fund, include an amount sufficient to fund compensation increases of at least 3.25 percent of the 2007 compensation base for the first year, compounded at the rate of 3.25 percent for the second year. This amount must be used for that purpose and no other. As used in this paragraph, "state employee" includes Supreme Court justices and Court of Appeals and district court judges.

		APPROPRIATIONS Available for the Year Ending June 30	
		2008	**2009**
Sec. 3. **SUPREME COURT**			
Subdivision 1. **Total Appropriation**	**$**	**44,494,000**	**$ 45,584,000**
The amounts that may be spent for each purpose are specified in the following subdivisions.			
Subd. 2. **Supreme Court operations**		30,924,000	32,014,000
Contingent account. $5,000 each year is for a contingent account for expenses necessary for the normal operation of the court for which no other reimbursement is provided.			
Maintain core justice operations. $467,000 the first year and $932,000 the second year are to maintain core justice functions.			
Subd. 3. **Civil legal services**		13,570,000	13,570,000
Legal services to low-income clients in family law matters. Of this appropriation, $877,000 each year is to improve the access of low-income clients to legal representation in family law matters. This appropriation must be distributed under Minnesota Statutes, section 480.242, to			

the qualified legal services programs described in Minnesota Statutes, section 480.242, subdivision 2, paragraph (a). Any unencumbered balance remaining in the first year does not cancel and is available in the second year.

Sec. 4. **COURT OF APPEALS** **$ 9,706,000** **$ 10,537,000**

Transfer authority. Notwithstanding Minnesota Statutes, section 16A.285, the Judicial Council may transfer amounts relating to maintaining core justice operations from the Supreme Court under section 3 and the trial courts under section 5 as necessary to pay for salary increases for judges of the Court of Appeals under this section.

Caseload increase. $1,285,000 the first year and $1,876,000 the second year are for caseload increases. This money must be used for three additional judge units, an additional staff attorney, 2.67 additional full-time equivalent law clerk positions, and for retired judges.

Sec. 5. **TRIAL COURTS** **$ 247,499,000** **$ 258,368,000**

Transfer authority. Notwithstanding Minnesota Statutes, section 16A.285, the Judicial Council may transfer amounts relating to the expansion of problem-solving courts and expanded resources for pro se litigants into the other items in this section.

Guardian ad litem services. $1,260,000 the first year and $1,629,000 the second year are for guardian ad litem services.

Interpreter services. $606,000 the first year and $777,000 the second year are for interpreter services.

Psychological services. $1,531,000 the first year and $2,151,000 the second year are for psychological services.

In forma pauperis services. $178,000 each year is for in forma pauperis services.

New judge units. $1,792,000 the first year and $3,241,000 the second year are for an increase in judge units, including one trial court judge unit in the First Judicial District, one trial court judge unit in the Third Judicial District, one trial court judge unit in the Seventh Judicial District, two trial court judge units in the Ninth Judicial District, and two trial court judge units in the Tenth Judicial District. These new judge units begin on January 1, 2008. Each judge unit consists of a judge, law clerk, and court reporter.

Maintain existing problem-solving courts. $1,948,000 each year is to maintain existing problem-solving courts. Of this amount, $654,000 each year is for local justice partner grants.

Expansion of problem-solving courts. $648,000 the first year and $649,000 the second year are to establish new problem-solving courts. Of this amount, $388,000 each year is for local justice partner grants.

Expanded resources for pro se litigants. $311,000 each year is to expand resources for pro se litigants by providing a virtual self-help center on the state court Web site, public workstations in each courthouse for accessing the site, interactive software for completing forms, and telephone access to self-help staff.

Maintain core justice operations. $1,471,000 the first year and $2,987,000 the second year are to maintain core justice functions.

Sec. 6. **TAX COURT**	**$**	**796,000**	**$**	**828,000**
Sec. 7. **UNIFORM LAWS COMMISSION**	**$**	**58,000**	**$**	**52,000**
Sec. 8. **BOARD ON JUDICIAL STANDARDS**	**$**	**451,000**	**$**	**461,000**

Investigative and hearing costs. $125,000 each year is for special investigative and hearing costs for major disciplinary actions undertaken by the board. This appropriation does not cancel. Any encumbered and unspent balances remain available for these expenditures in subsequent fiscal years.

Sec. 9. **BOARD OF PUBLIC DEFENSE**	**$**	**69,817,000**	**$**	**73,243,000**

Appellate office caseload increase. $588,000 the first year and $572,000 the second year are for continuing operations of the appellate office. This money must be used for four attorney positions and one secretarial position. Of this amount, $200,000 each year is for transcript costs.

Shortfall. $1,884,000 the first year and $3,803,000 the second year are to address the board's district public defense shortfall. This money must be used for past personnel cost increases, filling vacation positions, mandated increases in the employer retirement contribution, and increased costs for rent, mileage, and overhead expenses for part-time public defenders.

District public defense caseload increase. $3,391,000 the first year and $3,384,000 the second year are for 34 new full-time equivalent attorneys and 11 new full-time equivalent support staff positions to address caseload increases.

Part-time public defenders; data entry. $531,000 the first year and $522,000 the second year are for 11 data entry clerks for multicounty districts to assist part-time public defenders with opening and closing case files and entering time and case data into the board's record-keeping system.

Public defense corporations. $176,000 the first year and $223,000 the second year are for the public defense corporations.

Sec. 10. Minnesota Statutes 2006, section 2.722, subdivision 1, is amended to read:

Subdivision 1. **Description.** Effective July 1, 1959, the state is divided into ten judicial districts composed of the following named counties, respectively, in each of which districts judges shall be chosen as hereinafter specified:

1. Goodhue, Dakota, Carver, Le Sueur, McLeod, Scott, and Sibley; ~~33~~ 34 judges; and four permanent chambers shall be maintained in Red Wing, Hastings, Shakopee, and Glencoe and one other shall be maintained at the place designated by the chief judge of the district;

2. Ramsey; 26 judges;

3. Wabasha, Winona, Houston, Rice, Olmsted, Dodge, Steele, Waseca, Freeborn, Mower, and Fillmore; ~~23~~ 24 judges; and permanent chambers shall be maintained in Faribault, Albert Lea, Austin, Rochester, and Winona;

4. Hennepin; 60 judges;

5. Blue Earth, Watonwan, Lyon, Redwood, Brown, Nicollet, Lincoln, Cottonwood, Murray, Nobles, Pipestone, Rock, Faribault, Martin, and Jackson; 16 judges; and permanent chambers shall be maintained in Marshall, Windom, Fairmont, New Ulm, and Mankato;

6. Carlton, St. Louis, Lake, and Cook; 15 judges;

7. Benton, Douglas, Mille Lacs, Morrison, Otter Tail, Stearns, Todd, Clay, Becker, and Wadena; ~~27~~ 28 judges; and permanent chambers shall be maintained in Moorhead, Fergus Falls, Little Falls, and St. Cloud;

8. Chippewa, Kandiyohi, Lac qui Parle, Meeker, Renville, Swift, Yellow Medicine, Big Stone, Grant, Pope, Stevens, Traverse, and Wilkin; 11 judges; and permanent chambers shall be maintained in Morris, Montevideo, and Willmar;

9. Norman, Polk, Marshall, Kittson, Red Lake, Roseau, Mahnomen, Pennington, Aitkin, Itasca, Crow Wing, Hubbard, Beltrami, Lake of the Woods, Clearwater, Cass and Koochiching; ~~22~~ 24 judges; and permanent chambers shall be maintained in Crookston, Thief River Falls, Bemidji, Brainerd, Grand Rapids, and International Falls; and

10. Anoka, Isanti, Wright, Sherburne, Kanabec, Pine, Chisago, and Washington; ~~43~~ 45 judges; and permanent chambers shall be maintained in Anoka, Stillwater, and other places designated by the chief judge of the district.

EFFECTIVE DATE. This section is effective January 1, 2008.

Sec. 11. **[484.843] ABANDONMENT OF NONFELONY BAIL; DISPOSITION OF FORFEITED SUMS; FOURTH JUDICIAL DISTRICT.**

Subdivision 1. **Abandonment of deposits and bail.** (a) Any bail deposited with the court administrator of the Fourth Judicial District on a nonfelony case and not forfeited by court order shall be deemed abandoned and forfeited if the person entitled to refund does not file a written demand for refund with the court administrator within six months from the date when the person became entitled to the refund.

(b) Any judge may order any sums so forfeited under paragraph (a) to be reinstated for cause and the court administrator shall then refund accordingly. The receipting municipality or subdivision of government shall reimburse the court administrator if the court administrator refunds the deposit upon such an order and obtains a receipt to be used as a voucher.

Subd. 2. **Disposition of forfeited sums.** All sums collected on any bail, bond, or recognizance forfeited by court order or under subdivision 1, paragraph (a), for the Fourth Judicial District on a nonfelony case shall be paid to Hennepin County to be applied to the support of the law library of the county. The receipt of the county treasurer to the court administrator shall be a sufficient voucher. When the sums so forfeited, minus refunds, during any calendar year equal $2,500, all sums in excess of that amount shall be paid to the municipality or subdivision of government in which the violation occurred. The payments shall be made periodically but not before six months from the date of the order for forfeiture. During that six-month period, but not thereafter, any judge may set aside the forfeiture order upon proper showing of cause. No obligation to pay sums so ordered forfeited exists unless the forfeiture is not set aside within the six-month period. For the purpose of determining when the $2,500 shall have accrued to the county law library, the final forfeiture shall be deemed to occur at the end of the six-month period.

EFFECTIVE DATE. This section is effective July 1, 2007.

Sec. 12. **JUDGES' SALARIES.**

(a) Effective July 1, 2007, and July 1, 2008, the salaries of justices of the Supreme Court, and judges of the Court of Appeals and district court are increased by five percent.

(b) Effective July 1, 2009, and July 1, 2010, the salaries of justices of the Supreme Court, and judges of the Court of Appeals and district court are increased by the average of the percentage increase in total compensation for state employees provided in negotiated collective bargaining agreements, arbitration awards, or other pay plans for fiscal year 2010 and fiscal year 2011 approved by the Legislative Coordinating Commission before the 2009 regular legislative session. The commissioner of employee relations shall calculate the new salaries, which shall be based on all compensation increases, including general salary adjustments, merit-based increases, and any other benefit increase provided to state employees, except insurance.

The commissioner shall calculate the new salaries, which must be expressed as percentages rounded to the nearest one-tenth of one percent, and shall report them to the governor and the chief justice of the Supreme Court.

APPENDIX
Article locations in UEH0829-1