

A bill for an act
relating to the University of Minnesota; authorizing enacting of ordinances;
providing criminal penalties; amending Minnesota Statutes 2008, section 626.84,
subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 137.

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

Section 1. **[137.115] ORDINANCES; CRIMINAL PENALTY.**

Subdivision 1. **Authority; penalties.** The Board of Regents of the University of Minnesota may enact ordinances pursuant to the authority granted under the University Charter and consistent with state law which it considers necessary or proper for the government of the university and the protection, health, safety, and comfort of the public on property owned, leased, or occupied by the University of Minnesota. The violation of such ordinances is a misdemeanor.

Subd. 2. **Prosecution.** The prosecution must be before a district court having jurisdiction over the place where the violation occurs.

Subd. 3. **Enforcement.** Every sheriff, police officer, or other peace officer shall see that all rules, regulations, and ordinances are obeyed and shall arrest and prosecute offenders.

Subd. 4. **Judicial notice.** All persons shall take notice of such rules, regulations, and ordinances without pleading and proof of the same.

Subd. 5. **Notice, hearing, filing, and effect.** (a) The regents of the University of Minnesota shall:

(1) fix a date for a public hearing on the adoption of any proposed rule, regulation, or ordinance; and

(2) publish notice of the hearing in a legal newspaper in the county in which the property affected by the rule, regulation, or ordinance is located, at least 15 days and not more than 45 days before the date of the hearing.

(b) If, after the hearing, the proposed rule, regulation, or ordinance is adopted by a majority of the members of the Board of Regents of the University of Minnesota, the rule, regulation, or ordinance is considered enacted by the Board of Regents of the University of Minnesota. A copy must be signed by the president, attested by the secretary, and filed with the secretary of state of the state of Minnesota, together with proof of publication. Upon filing, the rule, regulation, or ordinance is in full force and effect.

Subd. 6. **Allocation of fines.** The fines collected in Hennepin, St. Louis, and Stevens Counties shall be paid into the treasury of the University of Minnesota, except that the portion of the fines necessary to cover all costs and disbursements incurred in processing and prosecuting the violations in court shall be retained by the court administrator in Hennepin and St. Louis Counties and by the city of Morris in Stevens County.

Sec. 2. Minnesota Statutes 2008, section 626.84, subdivision 1, is amended to read:

Subdivision 1. **Definitions.** For purposes of sections 626.84 to 626.863, the following terms have the meanings given them:

(a) "Board" means the Board of Peace Officer Standards and Training.

(b) "Director" means the executive director of the board.

(c) "Peace officer" means:

(1) an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota State Patrol, agents of the Division of Alcohol and Gambling Enforcement, state conservation officers, Metropolitan Transit police officers, Department of Corrections Fugitive Apprehension Unit officers, ~~and, University of Minnesota police officers,~~ Department of Commerce Insurance Fraud Unit officers, and the statewide coordinator of the Gang and Drug Oversight Council; and

(2) a peace officer who is employed by a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is licensed by the board.

(d) "Part-time peace officer" means an individual licensed by the board whose services are utilized by law enforcement agencies no more than an average of 20 hours per week, not including time spent on call when no call to active duty is received, calculated on an annual basis, who has either full powers of arrest or authorization to carry a

firearm while on active duty. The term shall apply even though the individual receives no compensation for time spent on active duty, and shall apply irrespective of the title conferred upon the individual by any law enforcement agency.

(e) "Reserve officer" means an individual whose services are utilized by a law enforcement agency to provide supplementary assistance at special events, traffic or crowd control, and administrative or clerical assistance. A reserve officer's duties do not include enforcement of the general criminal laws of the state, and the officer does not have full powers of arrest or authorization to carry a firearm on duty.

(f) "Law enforcement agency" means:

(1) a unit of state or local government that is authorized by law to grant full powers of arrest and to charge a person with the duties of preventing and detecting crime and enforcing the general criminal laws of the state; and

(2) subject to the limitations in section 626.93, a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e).

(g) "Professional peace officer education" means a postsecondary degree program, or a nondegree program for persons who already have a college degree, that is offered by a college or university in Minnesota, designed for persons seeking licensure as a peace officer, and approved by the board.