

SENATE
STATE OF MINNESOTA
NINETY-SECOND SESSION

S.F. No. 592

(SENATE AUTHORS: INGEBRIGTSEN, Dahms, Howe, Clausen and Bigham)

| DATE | D-PG | OFFICIAL STATUS |
|------------|-------|---|
| 02/04/2021 | 239 | Introduction and first reading Referred to Judiciary and Public Safety Finance and Policy |
| 02/08/2021 | 289 | Author added Howe |
| 02/11/2021 | 345 | Authors added Clausen; Bigham |
| 03/01/2021 | 595 | Comm report: To pass and re-referred to Environment and Natural Resources Finance |
| 03/04/2021 | 662a | Comm report: To pass as amended and re-refer to Commerce and Consumer Protection Finance and Policy |
| 03/08/2021 | 754a | Comm report: To pass as amended and re-refer to State Government Finance and Policy and Elections |
| 03/10/2021 | 767 | Comm report: To pass and re-referred to Finance |
| 05/03/2021 | 4072a | Comm report: To pass as amended |
| | 4076 | Second reading |
| 05/13/2021 | 4208a | Special Order: Amended |
| | 4211 | Third reading Passed See First Special Session 2021, SF20, Art. 4 See First Special Session 2021, HF10, Art. 3 See First Special Session 2021, HF63, Art. 8, Sec. 1-2 See First Special Session 2021, HF6, Art. 9, Sec. 1-5 |

1.1 A bill for an act

1.2 relating to public safety; providing salary increases for certain law enforcement

1.3 personnel; appropriating money; amending Minnesota Statutes 2020, section

1.4 43A.17, by adding a subdivision; repealing Laws 2020, Fifth Special Session

1.5 chapter 3, article 9, section 6.

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

1.7 Section 1. Minnesota Statutes 2020, section 43A.17, is amended by adding a subdivision

1.8 to read:

1.9 Subd. 13. Compensation for law enforcement officers. (a) For purposes of this

1.10 subdivision, the term "law enforcement officers" means Minnesota State Patrol troopers,

1.11 Bureau of Criminal Apprehension agents, special agents in the gambling enforcement

1.12 division of the Department of Public Safety, conservation officers, Department of Corrections

1.13 fugitive specialists, and Department of Commerce insurance fraud specialists.

1.14 (b) When the commissioner of management and budget negotiates a collective bargaining

1.15 agreement establishing compensation for law enforcement officers, the commissioner must

1.16 consider compensation based on compensation data from the most recent salary and benefits

1.17 survey conducted pursuant to section 299D.03, subdivision 2a. Use of pattern bargaining

1.18 or suggesting compensation based on internal equity data constitutes bad faith in negotiations.

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

1.20 expires January 1, 2032. This section applies to contracts entered into on or after the effective

1.21 date, but before January 1, 2032.

2.1 **Sec. 2. LAW ENFORCEMENT SALARY INCREASES.**

2.2 (a) Notwithstanding any law to the contrary, salary increases shall apply to the following
 2.3 employees whose exclusive representative is the Minnesota Law Enforcement Association:

2.4 (1) the commissioner of public safety must increase the salary paid to state patrol troopers,
 2.5 Bureau of Criminal Apprehension agents, and special agents in the gambling enforcement
 2.6 division by 13.2 percent, and must increase the salary paid to state patrol troopers, Bureau
 2.7 of Criminal Apprehension agents, and special agents in the gambling enforcement division
 2.8 that are compensated at the maximum base wage level by an additional two percent;

2.9 (2) the commissioner of natural resources must increase the salary paid to conservation
 2.10 officers positions by 13.2 percent, and must increase the salary paid to conservation officers
 2.11 that are compensated at the maximum base wage level by an additional two percent;

2.12 (3) the commissioner of corrections must increase the salary paid to fugitive specialists
 2.13 positions by 13.2 percent, and must increase the salary paid to fugitive specialists that are
 2.14 compensated at the maximum base wage level by an additional two percent; and

2.15 (4) the commissioner of commerce must increase the salary paid to commerce insurance
 2.16 fraud specialists positions by 13.2 percent, and must increase the salary paid to commerce
 2.17 insurance fraud specialists that are compensated at the maximum base wage level by an
 2.18 additional two percent.

2.19 (b) Notwithstanding any law to the contrary, in addition to the salary increases required
 2.20 under paragraph (a), each agency described in paragraph (a) shall increase by 8.4 percent
 2.21 the salary paid to supervisors and managers, and must increase the salary paid to supervisors
 2.22 and managers who are compensated at the maximum base wage level by an additional two
 2.23 percent. For purposes of this paragraph, "supervisors and managers" means employees who
 2.24 are employed in positions that require them to be licensed as peace officers, as defined in
 2.25 Minnesota Statutes, section 626.84, subdivision 1, who supervise or manage employees
 2.26 described in paragraph (a).

2.27 **EFFECTIVE DATE.** This section is effective retroactively from October 22, 2020.

2.28 **Sec. 3. LAW ENFORCEMENT SALARY SUPPLEMENT FOR FISCAL YEAR**
 2.29 **2020.**

2.30 Notwithstanding any law to the contrary, an eligible state employee employed at any
 2.31 time during fiscal year 2020 in a position for which the Minnesota Law Enforcement
 2.32 Association was the exclusive representative shall receive a salary supplement payment
 2.33 that is equal to the salary the employee earned in that position in fiscal year 2020, multiplied

3.1 by 2.25 percent. For purposes of this section, "eligible state employee" means a person who
 3.2 is employed by the state on the effective date of this section and who was employed in fiscal
 3.3 year 2020 in one of the following positions:

3.4 (1) state patrol trooper, employed by the Department of Public Safety;

3.5 (2) Bureau of Criminal Apprehension agent, employed by the Department of Public
 3.6 Safety;

3.7 (3) special agent in the gambling enforcement division of the Department of Public
 3.8 Safety;

3.9 (4) conservation officer, employed by the Department of Natural Resources;

3.10 (5) fugitive specialists employed by the Department of Corrections; or

3.11 (6) commerce insurance fraud specialist, employed by the Department of Commerce.

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

3.13 Sec. 4. **LAW ENFORCEMENT SALARY SUPPLEMENT FOR A PORTION OF**
 3.14 **FISCAL YEAR 2021.**

3.15 Notwithstanding any law to the contrary, an eligible state employee employed at any
 3.16 time from July 1, 2020, to October 21, 2020, in a position for which the Minnesota Law
 3.17 Enforcement Association was the exclusive representative shall receive a salary supplement
 3.18 payment that is equal to the salary the employee earned in that position from July 1, 2020,
 3.19 to October 21, 2020, multiplied by 4.8 percent. For purposes of this section, "eligible state
 3.20 employee" means a person who is employed by the state on the effective date of this section
 3.21 and who was employed at any time from July 1, 2020, to October 21, 2020, in one of the
 3.22 following positions:

3.23 (1) state patrol trooper, employed by the Department of Public Safety;

3.24 (2) Bureau of Criminal Apprehension agent, employed by the Department of Public
 3.25 Safety;

3.26 (3) special agent in the gambling enforcement division of the Department of Public
 3.27 Safety;

3.28 (4) conservation officer, employed by the Department of Natural Resources;

3.29 (5) fugitive specialists employed by the Department of Corrections; or

3.30 (6) commerce insurance fraud specialist, employed by the Department of Commerce.

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

4.2 Sec. 5. **TREATMENT OF SUPPLEMENTS FOR PURPOSES OF PENSIONS AND**
4.3 **OTHER PURPOSES.**

4.4 Notwithstanding any law to the contrary, salary supplements under sections 2 and 3 are
4.5 not salary for purposes of pension contributions or benefits. Specifically, employee
4.6 contributions under Minnesota Statutes, sections 352.04, subdivision 2; 352.92, subdivision
4.7 1; 352B.02, subdivision 1a; and 352D.04, subdivision 2, shall not be deducted and employer
4.8 contributions under Minnesota Statutes, sections 352.04, subdivision 3; 352.92, subdivision
4.9 2; 352B.02, subdivision 1c; and 352D.04, subdivision 2, shall not be made to the Minnesota
4.10 State Retirement System for the salary supplements paid in sections 2 and 3. In calculating
4.11 a member's pension benefit under Minnesota Statutes, chapter 352 or 352B, average salary
4.12 and average monthly salary does not include salary supplements under sections 2 and 3.
4.13 These amounts are subject to deductions required by law and authorized withholdings
4.14 applicable to salary.

4.15 Sec. 6. **APPROPRIATIONS; SALARY INCREASES.**

4.16 Subdivision 1. **Department of Natural Resources.** (a) \$366,000 in fiscal year 2021 is
4.17 appropriated from the general fund to the commissioner of natural resources for salary
4.18 increases under section 2 of this act. In each of fiscal years 2022 and 2023, \$555,000 is
4.19 appropriated from the general fund to the commissioner of natural resources for this purpose.
4.20 This amount is in addition to the base appropriation for this purpose.

4.21 (b) \$416,000 in fiscal year 2021 is appropriated from the natural resources fund to the
4.22 commissioner of natural resources for salary increases under section 2 of this act. In each
4.23 of fiscal years 2022 and 2023, \$631,000 is appropriated from the natural resources fund to
4.24 the commissioner of natural resources for this purpose. This amount is in addition to the
4.25 base appropriation for this purpose.

4.26 (c) \$1,249,000 in fiscal year 2021 is appropriated from the game and fish fund to the
4.27 commissioner of natural resources for salary increases under section 2 of this act. In each
4.28 of fiscal years 2022 and 2023, \$1,893,000 is appropriated from the game and fish fund to
4.29 the commissioner of natural resources for this purpose. This amount is in addition to the
4.30 base appropriation for this purpose.

4.31 (d) \$4,000 in fiscal year 2021 is appropriated from the remediation fund to the
4.32 commissioner of natural resources for salary increases under section 2 of this act. In each
4.33 of fiscal years 2022 and 2023, \$6,000 is appropriated from the remediation fund to the

5.1 commissioner of natural resources for this purpose. This amount is in addition to the base
5.2 appropriation for this purpose.

5.3 Subd. 2. **Department of Corrections.** \$142,000 in fiscal year 2021 is appropriated from
5.4 the general fund to the commissioner of corrections for salary increases under section 2 of
5.5 this act. In each of fiscal years 2022 and 2023, \$209,000 is appropriated from the general
5.6 fund to the commissioner of corrections for this purpose. This amount is in addition to the
5.7 base appropriation for this purpose.

5.8 Subd. 3. **Department of Public Safety.** (a) \$1,047,000 in fiscal year 2021 is appropriated
5.9 from the general fund to the commissioner of public safety for Bureau of Criminal
5.10 Apprehension salary increases under section 2 of this act. In each of fiscal years 2022 and
5.11 2023, \$1,808,000 is appropriated from the general fund to the commissioner of public safety
5.12 for this purpose. This amount is in addition to the base appropriation for this purpose.

5.13 (b) \$99,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
5.14 of public safety for Alcohol and Gambling Enforcement Division salary increases under
5.15 section 2 of this act. In each of fiscal years 2022 and 2023, \$148,000 is appropriated from
5.16 the general fund to the commissioner of public safety for this purpose. This amount is in
5.17 addition to the base appropriation for this purpose.

5.18 (c) \$125,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
5.19 of public safety for state patrol salary increases under section 2 of this act. In each of fiscal
5.20 years 2022 and 2023, \$464,000 is appropriated from the general fund to the commissioner
5.21 of public safety for this purpose. This amount is in addition to the base appropriation for
5.22 this purpose.

5.23 (d) \$3,182,000 in fiscal year 2021 is appropriated from the trunk highway fund to the
5.24 commissioner of public safety for state patrol salary increases under section 2 of this act.
5.25 In each of fiscal years 2022 and 2023, \$10,363,000 is appropriated from the trunk highway
5.26 fund to the commissioner of public safety for this purpose. This amount is in addition to
5.27 the base appropriation for this purpose.

5.28 (e) \$27,000 in fiscal year 2021 is appropriated from the highway user tax distribution
5.29 fund to the commissioner of public safety for state patrol salary increases under section 2
5.30 of this act. In each of fiscal years 2022 and 2023, \$110,000 is appropriated from the highway
5.31 user tax distribution fund to the commissioner of public safety for this purpose. This amount
5.32 is in addition to the base appropriation for this purpose.

5.33 Subd. 4. **Department of Commerce.** \$214,000 in fiscal year 2021 is appropriated from
5.34 the general fund to the commissioner of commerce for salary increases under section 2 of

6.1 this act. In each of fiscal years 2022 and 2023, \$283,000 is appropriated from the general
6.2 fund to the commissioner of commerce for this purpose. This amount is in addition to the
6.3 base appropriation for this purpose.

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

6.5 Sec. 7. **APPROPRIATIONS; SALARY SUPPLEMENTS FROM JULY 1, 2019, TO**
6.6 **OCTOBER 21, 2020.**

6.7 Subdivision 1. **Department of Natural Resources.** (a) \$91,000 in fiscal year 2021 is
6.8 appropriated from the general fund to the commissioner of natural resources for salary
6.9 supplements under sections 2 and 3 of this act. This is a onetime appropriation.

6.10 (b) \$108,000 in fiscal year 2021 is appropriated from the natural resources fund to the
6.11 commissioner of natural resources for salary supplements under sections 2 and 3 of this act.
6.12 This is a onetime appropriation.

6.13 (c) \$329,000 in fiscal year 2021 is appropriated from the game and fish fund to the
6.14 commissioner of natural resources for salary supplements under sections 2 and 3 of this act.
6.15 This is a onetime appropriation.

6.16 (d) \$1,000 in fiscal year 2021 is appropriated from the remediation fund to the
6.17 commissioner of natural resources for salary supplements under sections 2 and 3 of this act.
6.18 This is a onetime appropriation.

6.19 Subd. 2. **Department of Corrections.** \$33,000 in fiscal year 2021 is appropriated from
6.20 the general fund to the commissioner of corrections for salary supplements under sections
6.21 2 and 3 of this act. This is a onetime appropriation.

6.22 Subd. 3. **Department of Public Safety.** (a) \$185,000 in fiscal year 2021 is appropriated
6.23 from the general fund to the commissioner of public safety for Bureau of Criminal
6.24 Apprehension salary supplements under sections 2 and 3 of this act. This is a onetime
6.25 appropriation.

6.26 (b) \$19,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
6.27 of public safety for Alcohol and Gambling Enforcement Division salary supplements under
6.28 sections 2 and 3 of this act. This is a onetime appropriation.

6.29 (c) \$85,000 in fiscal year 2021 is appropriated from the general fund to the commissioner
6.30 of public safety for state patrol salary supplements under sections 2 and 3 of this act. This
6.31 is a onetime appropriation.

7.1 (d) \$2,020,000 in fiscal year 2021 is appropriated from the trunk highway fund to the
7.2 commissioner of public safety for state patrol salary supplements under sections 2 and 3 of
7.3 this act. This is a onetime appropriation.

7.4 (e) \$21,000 in fiscal year 2021 is appropriated from the highway user tax distribution
7.5 fund to the commissioner of public safety for state patrol salary supplements under sections
7.6 2 and 3 of this act. This is a onetime appropriation.

7.7 Subd. 4. **Department of Commerce.** \$45,000 in fiscal year 2021 is appropriated from
7.8 the general fund to the commissioner of commerce for salary supplements under sections
7.9 2 and 3 of this act. This is a onetime appropriation.

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

7.11 Sec. 8. **REPEALER.**

7.12 Laws 2020, Fifth Special Session chapter 3, article 9, section 6, is repealed.

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

APPENDIX
Repealed Minnesota Session Laws: S0592-4

Laws 2020, Fifth Special Session chapter 3, article 9, section 6 by Laws 2021, First Special Session chapter 5, article 3, section 6

Sec. 6. **STATE PATROL TROOPER SALARY INCREASE.**

The commissioner of public safety must increase the salary paid to state patrol troopers by 8.4 percent.

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