

CHAPTER 107 — S.F.No. 1047

An act relating to negligent fires; altering minimum sentences for negligent fires; amending Minnesota Statutes 1980, Section 609.576.

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

Section 1. Minnesota Statutes 1980, Section 609.576, is amended to read:

609.576 NEGLIGENT FIRES.

Whoever is culpably negligent in causing a fire to burn or get out of control thereby causing damage or injury to another, and as a result thereof:

(a) A human being is injured and great bodily harm incurred, is guilty of a crime and may be sentenced to imprisonment of not more than three years or to a fine of not more than \$3,000, or both; or

(b) Property of another is injured, thereby, is guilty of a crime and may be sentenced as follows: .

(1) To imprisonment for not more than 90 days or to payment of a fine of not more than ~~\$300~~ \$750, or both, if the value of the property damage is under \$300;

(2) To imprisonment for not ~~less than 90 days, nor~~ more than one year, or to a fine of \$1,000 or both, if the value of the property damaged is at least \$300 and under \$2,500;

(3) To imprisonment for not less than 90 days nor more than one year, or to a fine of \$1,000, or both, if the value of the property damaged is at least \$2,500 and under \$10,000;

(4) To imprisonment for not less than 90 days nor more than three years or to a fine of \$3,000 or both, if value of property damaged is at least \$10,000 or greater.

Approved May 7, 1981

CHAPTER 108 — H.F.No. 13

An act relating to criminal procedure; providing officers of the United States customs service and the immigration and naturalization service with the arrest powers of peace officers; amending Minnesota Statutes 1980, Sections 629.30; and 629.34.

Changes or additions are indicated by underline, deletions by ~~strikeout~~.

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

Section 1. Minnesota Statutes 1980, Section 629.30, is amended to read:

629.30 ARRESTS; BY WHOM MADE; AIDING OFFICER.

Arrest is the taking of a person into custody that he may be held to answer for a public offense, and may be made:

(1) By a peace officer under a warrant;

(2) By a peace officer without a warrant;

(3) By an officer in the United States customs service or the immigration and naturalization service without a warrant;

~~(3)~~ (4) By a private person.

Every person shall aid an officer in the execution of a warrant when requested to do by such officer, who is himself present and acting in its execution.

Sec. 2. Minnesota Statutes 1980, Section 629.34, is amended to read:

629.34 ARREST WITHOUT WARRANT.

Subdivision 1. PEACE OFFICER. A peace officer may, without warrant, arrest a person:

(1) For a public offense committed or attempted in his presence;

(2) When the person arrested has committed a felony, although not in his presence;

(3) When a felony has in fact been committed, and he has reasonable cause for believing the person arrested to have committed it; or

(4) Upon a charge made upon reasonable cause of the commission of a felony by the person arrested.

To make such arrest the officer may break open an outer or inner door or window of a dwelling house if, after notice of his office and purpose, he shall be refused admittance.

Subd. 2. CUSTOMS SERVICE, IMMIGRATION AND NATURALIZATION SERVICE OFFICER. An officer in the United States customs service or the immigration and naturalization service, without a warrant, may arrest a person if the following circumstances exist:

(a) The officer is on duty within the scope of assignment and one or more of the following situations exist:

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(i) The person commits an assault in the fourth degree, as defined in section 609.224, against the officer.

(ii) The person commits an assault in the fourth degree, as defined in section 609.224, on any other person in the presence of the officer, or commits any felony.

(iii) The officer has reasonable cause to believe that a felony has been committed and reasonable cause to believe that the person committed it.

(iv) The officer has received positive information by written, teletypic, telephonic, radio, or other authoritative source that a peace officer holds a warrant for the person's arrest; or

(b) When the assistance of the officer has been requested by another Minnesota law enforcement agency.

Approved May 7, 1981

CHAPTER 109 — H.F.No. 90

An act relating to administrative rules; clarifying which rules have the force of law; amending Minnesota Statutes 1980, Section 15.0413, Subdivision 1, and by adding subdivisions.

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

Section 1. Minnesota Statutes 1980, Section 15.0413, Subdivision 1, is amended to read:

Subdivision 1. Every rule, regardless of whether it might be known as a substantive, procedural, or interpretive rule, which is approved by the attorney general and filed in the office of the secretary of state as provided in section 15.0412 shall have the force and effect of law five working days after its publication in the state register unless a later date is required by statute or specified in the rule. The secretary of state shall keep a permanent record of rules filed with that office open to public inspection.

Sec. 2. Minnesota Statutes 1980, Section 15.0413, is amended by adding a subdivision to read:

Subd. 1a. RETROACTIVE APPLICATION. Every existing rule, regardless of whether it might be known as a substantive, procedural, or interpretive rule, shall have the force and effect of law retroactive to the date on which the rule became effective if:

(a) the rule was adopted in compliance with the provisions of the administrative procedure act in effect at the time the rule was adopted;

Changes or additions are indicated by underline, deletions by ~~strikeout~~.