

Section 1. Minnesota Statutes 1998, section 447.36, is amended to read:

447.36 ANNEXATION OF TERRITORY.

After the creation or reorganization of a hospital district, a city or town whose territory is contiguous to the district or contiguous to a city or town that is contiguous to the district at any point may ask to be annexed to the district. The resolution is subject to referendum according to section 447.31, subdivision 3. Annexed territory is subject to taxation like other property in the district for the support of its facilities and for the payment of principal and interest becoming due after the annexation on bonds of the district, whether authorized or issued before or after the annexation. If the hospital district has outstanding bonds or has voted bonds that are not yet issued, the annexation must not be requested unless approved by a majority of the electors of the city or town voting on the question at a regular or special election. The hospital board may condition its approval of the annexation upon the contribution, by or on behalf of the city or town to be annexed, to the capital improvement fund or the bond sinking fund of the hospital district, of an amount agreed upon as a reasonable estimate of the proportionate share, properly applicable to the annexed territory, of capital costs previously paid by the district, having regard to contributions previously made by cities and towns in the district and their inhabitants, and principal and interest already paid on bonds of the district. A city or town asking to be annexed may appropriate money or may authorize, issue, and sell its bonds or may accept and spend contributions from private parties to pay the proportionate share agreed upon. Each annexation becomes effective upon the date of adoption of the hospital board's resolution approving the annexation, or on a later date as the resolution prescribes. A certified copy of the resolution must be filed as provided in section 447.31, subdivision 4, for resolutions creating the district.

Presented to the governor March 24, 2000

Signed by the governor March 28, 2000, 2:33 p.m.

CHAPTER 291—S.F.No. 3097

An act relating to corrections; authorizing creation of a fugitive apprehension unit in the department of corrections; prescribing duties for the unit; amending Minnesota Statutes 1999 Supplement, section 626.84, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 241.

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

**Section 1. [241.025] DEPARTMENT OF CORRECTIONS FUGITIVE AP-
PREHENSION UNIT.**

Subdivision 1. AUTHORIZATION. The commissioner of corrections may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), who shall serve in the classified service subject to the provisions of section 43A.01, subdivision 2, and establish a law enforcement agency, as defined in section 626.84,

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subdivision 1, paragraph (h), known as the department of corrections fugitive apprehension unit, to perform the duties necessary to make statewide arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is limited to the arrest of department of corrections' discretionary and statutory released violators and department of corrections' escapees.

Subd. 2. **LIMITATIONS.** The initial processing of a person arrested by the fugitive apprehension unit for an offense within the agency's jurisdiction is the responsibility of the fugitive apprehension unit unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction in which a new crime is committed. The fugitive apprehension unit members are not authorized to apply for a search warrant as prescribed in section 626.05.

Subd. 3. **POLICIES.** The fugitive apprehension unit must develop and file all policies required under state law for law enforcement agencies. The fugitive apprehension unit also must develop a policy for contacting law enforcement agencies in a city or county before initiating any fugitive surveillance, investigation, or apprehension within the city or county. These policies must be filed with the board of peace officers standards and training by November 1, 2000. Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The department of corrections shall train all of its peace officers regarding the application of these policies.

Subd. 4. **CHIEF LAW ENFORCEMENT OFFICER.** The commissioner of corrections shall appoint a full-time peace officer, who shall serve in the classified service subject to the provisions of section 43A.01, subdivision 2, to be the chief law enforcement officer and to be responsible for the management of the fugitive apprehension unit. The chief law enforcement officer shall possess the necessary police and management experience to manage a law enforcement agency. The chief law enforcement officer will have supervisory responsibility for all fugitive apprehension unit members as defined in section 179A.03, subdivision 17. Supervisory personnel must be available any time fugitive apprehension unit members are on duty. The chief law enforcement officer may not hire part-time peace officers as defined in section 626.84, subdivision 1, paragraph (f).

Subd. 5. **EMERGENCIES.** (a) The commissioner of corrections shall ensure that all emergency vehicles used by the fugitive apprehension unit are equipped with radios capable of receiving and transmitting on the same frequencies used by the law enforcement agencies that have primary jurisdiction.

(b) When the fugitive apprehension unit receives an emergency call, it shall notify the public safety agency with primary jurisdiction and coordinate the appropriate response.

(c) Fugitive apprehension unit officers shall notify the primary jurisdiction of their response to the emergency.

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Subd. 6. COMPLIANCE. Except as otherwise provided in this section, the fugitive apprehension unit shall comply with all other statutes to include all deadly force training requirements as defined in section 626.8452 and all administrative rules relating to the operation and management of a law enforcement agency.

Sec. 2. Minnesota Statutes 1999 Supplement, 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, and metropolitan transit police officers, and department of corrections' fugitive apprehension unit officers; 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) "Constable" has the meaning assigned to it in section 367.40.

(e) "Deputy constable" has the meaning assigned to it in section 367.40.

(f) "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. The limitation on the average number of hours in which the services of a part-time peace officer may be utilized shall not apply to a part-time peace officer who has formally notified the board pursuant to rules adopted by the board of the part-time peace officer's intention to pursue the specialized training for part-time peace officers who desire to become peace officers pursuant to sections 626.843, subdivision 1, clause (g), and 626.845, subdivision 1, clause (g).

(g) "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

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not have full powers of arrest or authorization to carry a firearm on duty.

(h) "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).

(i) "Professional peace officer education" means a post-secondary 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.

Presented to the governor March 24, 2000

Signed by the governor March 28, 2000, 2:34 p.m.

CHAPTER 292—H.F.No. 3421

An act relating to utilities; regulating an electric cooperative's election to be regulated; amending Minnesota Statutes 1998, section 216B.026, subdivisions 1 and 4.

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

Section 1. Minnesota Statutes 1998, section 216B.026, subdivision 1, is amended to read:

Subdivision 1. **ELECTION.** A cooperative electric association may elect to become subject to rate regulation by the commission pursuant to sections 216B.03 to 216B.23. The election shall be approved by a majority of members or stockholders voting by mail ballot initiated by petition of not less than five percent of the members or stockholders of the association, as determined by membership figures submitted by the association to the rural electric administration for the month in which the petition was submitted. For a cooperative electric association that is the product of a merger or consolidation of three or more associations between December 30, 1996, and January 1, 2001, the number of members or stockholders necessary to initiate the petition shall be no less than one percent of the members or stockholders of the association.

Sec. 2. Minnesota Statutes 1998, section 216B.026, subdivision 4, is amended to read:

Subd. 4. **ELECTION PROCEDURE; EFFECT.** If the department determines that the petition meets the five percent requirement of subdivision 1, a balloting of members on the question of regulation of electric rates by the commission shall be supervised by the department. The ballot to be used for the election shall be approved

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