

MINNESOTA STATUTES 1977 SUPPLEMENT

299C.48 BUREAU OF CRIMINAL APPREHENSION

299C.48 Connections by municipalities.

Any criminal justice agency may connect with and participate in the criminal justice datacommunications network upon approval of the commissioner of public safety; provided, that the agency shall first agree to pay installation charges as may be necessary for connection and monthly operational charges as may be established by the commissioner of public safety. Before participation by a criminal justice agency may be approved, the agency must have executed an agreement with the commissioner providing for security of network facilities and restrictions on access to data supplied to and received through the network.

[1977 c 424 s 2]

299C.49 Grant review.

The commissioner of public safety, after consultation with representatives of criminal justice agencies, shall review all grant requests for federal and state funds from the governor's commission on crime prevention and control or its successor for criminal justice information systems and recommend action to the commission.

[1977 c 424 s 3]

299C.50 Transfer of functions.

The commissioner of public safety shall perform all duties in respect to the state's criminal justice information system which were transferred from the commissioner of finance and the governor's commission on crime prevention and control by executive order of the governor; provided, that a transfer shall not occur if the state is informed by a federal agency that the transfer will result in the loss of federal moneys to which the state would otherwise be entitled pursuant to the Omnibus Crime Control and Safe Streets Act of 1968, Public Law 90-351, as amended by the Juvenile Justice and Delinquency Prevention Act of 1974, Public Law 93-415, and the Crime Control Act of 1976, Public Law 94-503.

[1977 c 424 s 4]

CHAPTER 299D. DIVISION OF HIGHWAY PATROL

Sec.
299D.03 Highway patrol.

299D.03 Highway patrol.

Subdivision 1. **Members.** The commissioner is hereby authorized to employ and designate a chief supervisor, a chief assistant supervisor, and such assistant supervisors, sergeants and officers as are provided by law, who shall comprise the Minnesota highway patrol. The members of the Minnesota highway patrol shall have the power and authority:

(1) As peace officers to enforce the provisions of the law relating to the protection of and use of trunk highways.

(2) At all times to direct all traffic on trunk highways in conformance with law, and in the event of a fire or other emergency, or to expedite traffic or to insure safety, to direct traffic on other roads as conditions may require notwithstanding the provisions of law.

(3) To serve warrants and legal documents anywhere in the state.

(4) To serve orders of the commissioner of public safety or his duly authorized agents issued under the provisions of the Drivers License Law, the Safety Responsibility Act, or relating to authorized brake and light testing stations, anywhere in the state and to take possession of any license, permit or certificate ordered to be surrendered.

(5) To inspect official brake and light adjusting stations.

(6) To make appearances anywhere within the state for the purpose of conducting traffic safety educational programs and school bus clinics.

(7) To exercise upon all trunk highways the same powers with respect to the enforcement of laws relating to crimes, as sheriffs, constables and police officers.

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(8) To cooperate, under instructions and regulations of the commissioner of public safety, with all sheriffs and other police officers anywhere in the state, provided that said employees shall have no power or authority in connection with strikes or industrial disputes.

(9) To assist and aid any peace officer whose life or safety is in jeopardy.

(10) As peace officers to provide security and protection to the governor, governor elect, either or both houses of the houses of the legislature, and state buildings or property in the manner and to the extent determined to be necessary after consultation with the governor, or his designee. Pursuant to this clause, members of the highway patrol, acting as peace officers have the same powers with respect to the enforcement of laws relating to crimes, as sheriffs, constables and police officers have within their respective jurisdictions.

(11) To inspect school busses anywhere in the state for the purposes of determining compliance with vehicle equipment, pollution control, and registration requirements.

(12) As peace officers to make arrests for public offenses committed in their presence anywhere within the state. Persons arrested for violations other than traffic violations shall be referred forthwith to the appropriate local law enforcement agency for further investigation or disposition.

Notwithstanding any provision of law to the contrary, the state may contract for highway patrol members to render services in excess of their regularly scheduled duty hours to a governmental unit pursuant to section 471.59, and patrol members rendering such services shall be compensated in such amounts, manner and under such conditions as the agreement provides.

Employees thus employed and designated shall subscribe an oath and furnish a bond running to the state of Minnesota, said bond to be approved and filed in the office of the secretary of state.

[For text of subd 1a, see M.S.1976]

Subd. 2. Salaries. (1) Each employee other than the chief supervisor, lieutenant colonel, majors, captains, corporals and sergeants hereinafter designated shall be known as patrol troopers.

(2) There may be appointed one lieutenant colonel; and such majors, captains, corporals, sergeants and troopers as the commissioner deems necessary to carry out the duties and functions of the highway patrol. Persons in above named positions shall be appointed by law and have such duties as the commissioner may direct and, except for troopers, shall be selected from the patrol troopers, corporals, sergeants, captains, and majors who shall have had at least five years' experience as either patrol troopers, corporals, sergeants, or supervisors.

(3) Commencing July 6, 1977, the salaries for all members of the highway patrol, except for the chief supervisor shall be as shown in the following table:

		TOTAL YEARS OF SERVICE			
		Base	6	1	2
		Salary	Months	Year	Years
Trooper		\$1075	1117	1163	1209
		4 thru 6	7 thru 11	12 thru 20	After
Trooper		Years	Years	Years	20 Years
		\$1308	1359	1413	1470
Trooper I			5 thru 11	12 thru 20	After
			Years	Years	20 Years
Trooper I		\$1359		1413	1470
				10 thru 20	After
Corporal				Years	20 Years
				\$1413	1470

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Staff Sergeant			Years					
7	8	9	10	11	12	thru 20	After 20	
\$1442	1471	1500	1531	1561	1590		1648	
TIME IN RANK								
Base			1	2	After 12		After 20	
Salary			Year	Years	Years total		Years total	
Captain			\$1720	1778	1835	1892	1945	
Major			1979	2035		2093	2150	
Lt.Col.			2179	2236		2294	2350	

Employees designated as station sergeants shall receive an additional three percent above the current rate rounded to the nearest dollar for the duration of the appointment. Employees permanently assigned exclusively to Twin City metropolitan freeway duty shall be designated freeway troopers and shall be compensated \$25 per month above their current salary when so assigned. Salary increases in accordance with the above schedule shall become effective for the payroll period nearest the employee's anniversary date of employment.

In addition to the rates of pay provided above, all employees compensated according to the above salary table shall be paid a cost of living allowance to be determined and redetermined in the following manner:

For each full four-tenths point increase in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, Minnesota (new series index 1967=100) as published for the months January, 1977, and October, 1977, by the Bureau of Labor Statistics of the United States Department of Labor all hourly rates of pay shall be increased by one cent per hour. The increase, if any, in salaries generated by this formula shall become effective January 4, 1978, and shall continue in effect until July 5, 1978. A redetermination of the cost of living allowance shall be made for April, 1978. For each full four-tenths point increase in the consumer price index for urban wage earners and clerical workers for Minneapolis-St. Paul, (new series index 1967=100) as published for the months of January, 1977, and April, 1978, by the Bureau of Labor Statistics, all hourly rates of pay shall be increased by one cent per hour. The increase, if any, in salaries generated by this redetermination shall be effective July 5, 1978. For the purpose of this clause, the term "hourly rate of pay" means the monthly salary of a rank set forth herein divided by 174.

During periods when such cost of living allowance is in effect, it shall be added to the applicable monthly rates of pay for highway patrol trooper, corporal, sergeant, captain, major and lieutenant colonel, and treated as a part thereof in all calculations involving employees' pay. Cost of living adjustments are not cumulative and allowances paid under an earlier determination shall cease when a redetermination takes effect.

The commissioner of finance shall transfer to the department of public safety the necessary amount to finance the increased cost of the cost of living provisions of this clause. This amount is appropriated from the trunk highway fund to the department of public safety for this purpose.

(4) Upon promotion, the person will be paid at the base salary rate of pay in effect for that rank, and shall subsequently be eligible for the time in rank increases calculated from the effective date of promotion.

(5) Any time in rank increases in salary provided for in the tables in clause (3), shall be effective for the payroll period nearest the employee's anniversary date of employment.

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STATE FIRE MARSHAL 299F.362

The salary rates for all highway patrol troopers, corporals and sergeants as cited in clause (3) shall be deemed to include reimbursement for shift differential, meal and business expenses incurred by highway patrol troopers, corporals and sergeants in the performance of their assigned duties in their patrol areas; business expenses include, but are not limited to: uniform costs, home garaging of squad cars and maintenance of home office.

Subd. 3. Air patrol; salary adjustment. The commissioner of public safety shall increase the salary of any member of the Minnesota highway patrol in an amount not to exceed \$140 per month for operation of fixed wing aircraft and \$175 per month for operation of helicopter during the period in which such member of the patrol is assigned air patrol duty. The commissioner of public safety may appoint, from among the members of the patrol assigned to air patrol duty, a chief pilot who shall receive \$125 per month in addition to the air patrol duty salary differential permitted by this subdivision, during the period of his assignment as chief pilot.

Subd. 3a. [Repealed, 1977 c 452 s 36]

Subd. 4. [Repealed, 1977 c 455 s 95]

Subd. 5. Fines and forfeited bail money. All fines and forfeited bail money, from traffic and motor vehicle law violations, collected from persons apprehended or arrested by such employees, shall be paid by the justice of the peace, or such other person or officer collecting such fines, forfeited bail money or installments thereof, on or before the tenth day after the last day of the month in which such moneys were collected, to the county treasurer of the county where the violation occurred. Three-eighths of such receipts shall be credited to the general revenue fund of the county. The other five-eighths of such receipts shall be transmitted by that officer to the state treasurer and shall be credited to the trunk highway fund. If, however, the violation occurs within a municipality and the city attorney prosecutes the offense, and a plea of not guilty is entered, one-third of the receipts shall be credited to the general revenue fund of the county, one-third of the receipts shall be paid to the municipality prosecuting the offense, and one-third shall be transmitted to the state treasurer as provided in this subdivision. All costs of participation in a nation-wide police communication system chargeable to the state of Minnesota shall be paid from appropriations for that purpose.

[For text of subds 6 to 12, see M.S.1976]

[1977 c 403 s 8; 1977 c 452 s 32,33; 1977 c 454 s 28]

CHAPTER 299F. STATE FIRE MARSHAL

Sec. 299F.362	Smoke detection devices; installation; penalty. [New]	Sec. 299F.40	Liquefied petroleum and industrial gas containers.
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299F.362 Smoke detection devices; installation; penalty.

Subdivision 1. Definitions. For the purposes of this section, the following definitions shall apply:

(a) "Apartment house" is any building, or portion thereof, which is designed, built, rented, leased, let, or hired out to be occupied, or which is occupied as the home or residence of three or more families living independently of each other and doing their own cooking in the building, and shall include buildings containing three or more flats or apartments.

(b) "Dwelling" is any building constructed, remodeled, rented, or offered for rent after January 1, 1980, or any portion thereof which is not an apartment house, lodging house or a hotel and which contains one or two "dwelling units" which are, or are intended or designed to be, occupied for living purposes.