

CHAPTER 244

CRIMINAL SENTENCES, CONDITIONS, DURATION,
APPEALS

244.09 Minnesota sentencing guidelines
commission.

244.09 MINNESOTA SENTENCING GUIDELINES COMMISSION.

[For text of subd 1, see M.S.1986]

Subd. 2. The sentencing guidelines commission shall consist of the following:

- (1) The chief justice of the supreme court or a designee;
- (2) One judge of the court of appeals, appointed by the chief justice of the supreme court;
- (3) Two district court judges appointed by the chief justice of the supreme court;
- (4) One public defender appointed by the governor upon recommendation of the state public defender;
- (5) One county attorney appointed by the governor upon recommendation of the board of governors of the county attorneys council;
- (6) The commissioner of corrections or a designee;
- (7) One peace officer as defined in section 626.84 appointed by the governor;
- (8) One probation officer or parole officer appointed by the governor; and
- (9) Two public members appointed by the governor, one of whom shall be a victim of a crime defined as a felony.

One of the members shall be designated by the governor as chair of the commission.

Subd. 3. Each appointed member shall be appointed for four years and shall continue to serve during that time as long as the member occupies the position which made the member eligible for the appointment. Each member shall continue in office until a successor is duly appointed. Members shall be eligible for reappointment, and appointment may be made to fill an unexpired term. The term of any member appointed or reappointed by the governor before the first Monday in January 1991 expires on that date. The term of any member appointed or reappointed by the governor after the first Monday in January 1991 is coterminous with the governor. The members of the commission shall elect any additional officers necessary for the efficient discharge of their duties.

[For text of subds 4 to 10, see M.S.1986]

Subd. 11. **Modification.** The commission shall meet as necessary for the purpose of modifying and improving the guidelines. Any modification which amends the sentencing guidelines grid, including severity levels and criminal history scores, or which would result in the reduction of any sentence or in the early release of any inmate, with the exception of a modification mandated or authorized by the legislature or relating to a crime created or amended by the legislature in the preceding session, shall be submitted to the legislature by January 1 of any year in which the commission wishes to make the change and shall be effective on August 1 of that year, unless the legislature by law provides otherwise. All other modifications shall take effect according to the procedural rules of the commission. On or before January 1 of each year, the commission shall submit a written report to the judiciary committees of the senate and the house of representatives that identifies and explains all modifications made during the preceding 12 months and all proposed modifications that are being submitted to the legislature that year.

[For text of subds 11a to 13, see M.S.1986]

History: 1987 c 377 s 1-3