

CHAPTER 299E

CAPITOL COMPLEX SECURITY

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299E.01 CAPITOL COMPLEX SECURITY DIVISION.

Subdivision 1. **Created; director.** A division in the Department of Public Safety to be known as the Capitol Complex Security Division is under the supervision and control of the director of Capitol complex security, who must be a member of the State Patrol and to whom are assigned the duties and responsibilities described in this section. The commissioner may place the director's position in the unclassified service if the position meets the criteria of section 43A.08, subdivision 1a.

Subd. 2. **Responsibilities.** (a) The division shall be responsible and shall utilize state employees for security and public information services in state-owned buildings and state leased-to-own buildings in the Capitol area, as described in section 15B.02. It shall provide personnel as are required by the circumstances to insure the orderly conduct of state business and the convenience of the public.

(b) As part of the division permanent staff, the director must establish the position of emergency manager that includes, at a minimum, the following duties:

(1) oversight of the consolidation, development, and maintenance of plans and procedures that provide continuity of security operations;

(2) the development and implementation of tenant training that addresses threats and emergency procedures; and

(3) the development and implementation of threat and emergency exercises.

(c) The director must provide a minimum of one state trooper assigned to the Capitol complex at all times.

(d) The director, in consultation with the advisory committee under section 299E.04, shall, at least annually, hold a meeting or meetings to discuss, among other issues, Capitol complex security, emergency planning, public safety, and public access to the Capitol complex. The meetings must include, at a minimum:

(1) Capitol complex tenants and state employees;

(2) nongovernmental entities, such as lobbyists, vendors, and the media; and

(3) the public and public advocacy groups.

Subd. 3. **Powers and duties transferred.** All powers, duties and responsibilities heretofore assigned by law to the commissioner of administration relating to the general function of security in Capitol complex state-owned buildings are hereby transferred to the commissioner of public safety. The commissioner of public safety shall have the final authority regarding public safety and security in the Capitol complex. The commissioner of administration shall have the powers, duties, and responsibilities relating to the Capitol complex of state-owned buildings as provided under chapter 16B.

Subd. 4. MS 1969 [Repealed, Ex1971 c 48 s 8 subd 3]

Subd. 4. **Capitol complex.** For purposes of this section, the Capitol complex of state-owned buildings shall be as defined in chapter 15B, and acts amendatory thereof and such other state-owned or state-leased buildings and property within the Twin Cities metropolitan area as the governor from time to time may designate.

Subd. 5. **Legislative intent.** Nothing in this section shall be construed to conflict with the power of the legislature to appoint and assign such personnel and equipment as it deems necessary for the conduct of its business.

Subd. 6. **Vehicle towing.** Towing policy and practice for vehicles in public parking spaces within the Capitol complex must conform to provisions of section 168B.035.

History: 1969 c 1129 art 1 s 19; Ex1971 c 48 s 8 subd 1; 1982 c 560 s 54; 1992 c 513 art 3 s 52; 2003 c 17 s 2; 1Sp2003 c 19 art 2 s 54; 2006 c 260 art 3 s 18; 2012 c 287 art 3 s 64; 2013 c 117 art 3 s 30,31

299E.02 INTERAGENCY AGREEMENT; APPROPRIATION.

The commissioner of public safety shall execute interagency agreements with agency tenants in the Capitol complex whereby fees for the provision of security services are charged. Fees charged for security services provided by the Capitol Complex Security Division of the Department of Public Safety must be deposited in an account in the special revenue fund and are annually appropriated to the commissioner of public safety to provide these services.

History: 1989 c 311 s 3; 1Sp2010 c 1 art 14 s 13; 2013 c 117 art 3 s 32

299E.03 MS 2003 Supp [Expired, 1Sp2003 c 19 art 2 s 55]

299E.04 ADVISORY COMMITTEE ON CAPITOL AREA SECURITY.

Subdivision 1. **Membership and terms.** The advisory committee on Capitol Area Security shall consist of six members, appointed as follows:

- (1) the lieutenant governor;
- (2) two senators, including one member from the majority party, appointed by the senate majority leader, and one member from the minority party, appointed by the senate minority leader;
- (3) two members of the house of representatives, including one member appointed by the speaker of the house and one member appointed by the minority leader; and
- (4) the chief justice of the Minnesota Supreme Court or the designee of the chief justice.

A member may be removed by the appointing authority at any time at the pleasure of the appointing authority.

Subd. 2. **Duties.** (a) The advisory committee shall meet at least quarterly to assess current safety and security risks in the Capitol Area, as defined by section 15B.02, and discuss developments that might affect those risks in the future. The committee shall provide advice and recommendations to the governor and legislature regarding security priorities, strategies for addressing these priorities, and recommendations for funding to implement the strategies. In performing its duties under this section, the committee shall consult with the commissioners of administration and public safety, the Capitol Area Architectural and Planning Board, the director of the Minnesota Historical Society, and the sergeants-at-arms of the senate and house of representatives.

(b) The committee shall report to the governor, the chairs and ranking minority members of the legislative committees with jurisdiction over the Capitol Area Architectural and Planning Board and the Department of Public Safety, and chief justice of the Supreme Court by January 15 of each year. This report shall provide a general assessment of the status of security in the Capitol Area, describe improvements implemented, and recommend future improvements. As appropriate, the committee shall offer recommendations for capital or operating expenditures, statutory changes, or other changes in security-related policies or practices. The report shall include draft legislation to implement any recommended changes in law. Spending recommendations shall be made in a timely manner to ensure that they can be considered as part of the state's capital and operating budget processes.

Subd. 3. **Administrative provisions.** (a) The lieutenant governor shall serve as the chair of the committee. The committee may elect a vice-chair to convene and conduct meetings when the lieutenant governor is not available.

(b) Meetings of the committee shall be subject to chapter 13D.

(c) Administrative support for the committee shall be provided by the commissioners of administration and public safety and the sergeants-at-arms of the senate and house of representatives.

(d) The committee shall seek advice from at least one person with experience designating and implementing security for a public college or university campus, at least one person with experience designating and implementing security for courts, and at least one person with experience designating and implementing security for a private Minnesota company.

Subd. 4. **Data practices.** (a) The committee is subject to the Minnesota Government Data Practices Act, chapter 13. The committee may request access to nonpublic data, as defined in section 13.02, subdivision 9, as necessary to fulfill its responsibilities under this section. A government entity receiving a request under this subdivision must provide nonpublic data requested by the committee if the government entity reasonably determines that the data requested are relevant to the committee's responsibilities under this section.

(b) Paragraph (a) must not be construed to give the committee access to data classified under section 13.87, subdivision 2, or data on persons who provide the notice described in section 609.66, subdivision 1g, paragraph (b), clause (2).

Subd. 5. **Expiration.** Notwithstanding section 15.059, subdivision 5, the advisory committee on Capitol Area Security expires June 30, 2022.

History: 2012 c 258 s 2