

1 Senator moves to amend SC4098 as follows:

2 Page 7, after line 47, insert:

3 "Sec. 8. BOARD OF PEACE OFFICER		
4 STANDARDS AND TRAINING	211,000	108,000

5 [TECHNOLOGICAL UPDATES.] \$140,000 the
6 first year is for technological updates.

7 [OPERATION OF THE BOARD.] \$71,000 the
8 first year and \$108,000 the second year
9 are for the board's continued
10 operation."

11 Page 8, delete lines 20 to 22 and insert:

12 "[CHEMICAL DEPENDENCY TREATMENT.]
13 \$4,181,000 the first year and
14 \$4,500,000 the second year are for
15 chemical dependency treatment programs."

16 Renumber the sections in sequence and correct the internal
17 references

18 Amend the title accordingly

19 Correct the subdivision and section totals and the
20 summaries by fund

1 Senator moves to amend SC4098 as follows:

2 Page 7, after line 47, insert:

3 "Sec. 8. BOARD OF PEACE OFFICER		
4 STANDARDS AND TRAINING	300,000	300,000

5 [OPERATION OF BOARD.] \$100,000 each
6 year is for the board's continued
7 operation.

8 [TRAINING REIMBURSEMENTS.] \$200,000
9 each year is for peace officer training
10 reimbursements to local units of
11 government."

12 Page 9, after line 60, insert:

13 "[INTENSIVE SUPERVISION AND AFTERCARE
14 FOR CONTROLLED SUBSTANCES OFFENDERS.]
15 \$325,000 each year is for intensive
16 supervision and aftercare services for
17 controlled substances offenders
18 released from prison under Minnesota
19 Statutes, section 244.055. By January
20 15, 2008, the commissioner shall report
21 to the chairs and ranking minority
22 members of the senate and house
23 committees and divisions having
24 jurisdiction over criminal justice
25 policy and funding on how this
26 appropriation was spent, including an
27 assessment on the offenders' transition
28 from prison into the community and
29 recidivism data."

30 Page 10, after line 11, insert:

31 "Sec. 12. HUMAN SERVICES	300,000	300,000
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32 For deposit into the chemical
33 dependency treatment fund for Tier II
34 chemical dependency treatment of
35 persons with low incomes."

36 Page 106, delete lines 9 and 10 and insert:

37 "[EFFECTIVE DATE.] This section is effective July 1, 2005,
38 and applies to persons in prison on or after that date."

39 Renumber the sections in sequence and correct the internal
40 references

41 Amend the title accordingly

42 Correct the subdivision and section totals and the
43 summaries by fund

1 Senator moves to amend SC4098 as follows:

2 Page 9, after line 60, insert:

3 "[REPORT ON ELECTRONIC MONITORING OF
4 SEX OFFENDERS.] By January 15, 2006,
5 the commissioner of corrections shall
6 report to the chairs and ranking
7 minority members of the senate and
8 house committees and divisions having
9 jurisdiction over criminal justice
10 policy and funding on implementing an
11 electronic monitoring system for sex
12 offenders who are under community
13 supervision. The report must address
14 the following:

15 (1) the advantages and disadvantages in
16 implementing this, including the impact
17 on public safety;

18 (2) the types of sex offenders who
19 should be subject to the monitoring;

20 (3) the time period that offenders
21 should be subject to the monitoring;

22 (4) the financial costs associated with
23 the monitoring; and

24 (5) the technology available for the
25 monitoring."

- 1 Senator moves to amend SC4098 as follows:
- 2 Pages 166 and 167, delete section 1
- 3 Renumber the sections in sequence and correct the internal
- 4 references
- 5 Amend the title accordingly

1 Senator moves to amend SC4098 as follows:

2 Page 198, after line 34, insert:

3 "Sec. 34. Minnesota Statutes 2004, section 604.15,
4 subdivision 2, is amended to read:

5 Subd. 2. [ACTS CONSTITUTING.] (a) The owner of a vehicle
6 that receives motor fuel that was not paid for is liable to the
7 retailer for the price of the motor fuel received and a service
8 charge of ~~up to \$20, or the actual costs of collection not to~~
9 ~~exceed~~ \$30. This charge may be imposed immediately upon the
10 mailing of the notice under subdivision 3, if notice of the
11 service charge was conspicuously displayed on the premises from
12 which the motor fuel was received. The notice must include a
13 statement that additional civil penalties will be imposed if
14 payment is not received within 30 days. Only one service charge
15 may be imposed under this paragraph for each incident. If a law
16 enforcement agency obtains payment for the motor fuel on behalf
17 of the retailer, the service charge may be retained by the law
18 enforcement agency for its expenses.

19 (b) If the price of the motor fuel received is not paid
20 within 30 days after the retailer has mailed notice under
21 subdivision 3, the owner is liable to the retailer for the price
22 of the motor fuel received, the service charge as provided in
23 paragraph (a), plus a civil penalty not to exceed \$100 or the
24 price of the motor fuel, whichever is greater. In determining
25 the amount of the penalty, the court shall consider the amount
26 of the fuel taken and the reason for the nonpayment. The
27 retailer shall also be entitled to:

28 (1) interest at the legal rate for judgments under section
29 549.09 from the date of nonpayment; and

30 (2) reasonable attorney fees, but not to exceed \$500.

31 The civil penalty may not be imposed until 30 days after
32 the mailing of the notice under subdivision 3.

33 [EFFECTIVE DATE.] This section is effective July 1, 2005,
34 and applies to acts committed on or after that date.

35 Sec. 35. Minnesota Statutes 2004, section 604.15, is
36 amended by adding a subdivision to read:

1 Subd. 5. [NOT A BAR TO CRIMINAL LIABILITY.] Civil
2 liability under this section does not preclude criminal
3 liability under applicable law.

4 [EFFECTIVE DATE.] This section is effective the day
5 following final enactment."

6 Renumber the sections in sequence and correct the internal
7 references

8 Amend the title accordingly

1 Senator moves to amend S.F. No. 4098 as follows:

2 Page 8, after line 22, insert:

3 "The commissioner shall ensure that any
4 part of this appropriation spent on
5 medical assistance-eligible individuals
6 earns the maximum medical assistance
7 match available from the federal
8 government."

9 Page 9, after line 60, insert:

10 "The commissioner shall ensure that any
11 part of this appropriation spent on
12 medical assistance-eligible individuals
13 earns the maximum medical assistance
14 match available from the federal
15 government."

1 Senator moves to amend SC4098 as follows:

2 Page 5, delete lines 17 to 51

3 Page 174, after line 1, insert:

4 "Sec. 15. [299A.641] [GANG AND DRUG OVERSIGHT COUNCIL.]

5 Subdivision 1. [OVERSIGHT COUNCIL ESTABLISHED.] The Gang
6 and Drug Oversight Council is established to provide guidance
7 related to the investigation and prosecution of gang and drug
8 crime.

9 Subd. 2. [MEMBERSHIP.] The oversight council shall consist
10 of the following individuals or their designees:

11 (1) the director of the office of special investigations,
12 as the representative of the commissioner of corrections;

13 (2) the superintendent of the Bureau of Criminal
14 Apprehension as the representative of the commissioner of public
15 safety;

16 (3) the attorney general;

17 (4) eight chiefs of police, selected by the Minnesota
18 Chiefs of Police Association, two of which must be selected from
19 cities with populations greater than 200,000;

20 (5) eight sheriffs, selected by the Minnesota Sheriffs
21 Association to represent each district, two sheriffs from
22 counties with populations greater than 500,000;

23 (6) the United States attorney for the district of
24 Minnesota;

25 (7) two county attorneys, selected by the Minnesota County
26 Attorneys Association;

27 (8) a command-level representative of a gang strike force;

28 (9) a representative from a drug task force, selected by
29 the Minnesota State Association of Narcotics Investigators;

30 (10) a representative from the United States Drug
31 Enforcement Administration;

32 (11) a representative from the United States Bureau of
33 Alcohol, Tobacco, and Firearms;

34 (12) a representative from the Federal Bureau of
35 Investigation;

36 (13) a tribal peace officer, selected by the Minnesota

1 Tribal Law Enforcement Association; and

2 (14) two additional members who may be selected by the
3 oversight council.

4 The oversight council may adopt procedures to govern its conduct
5 as necessary and may select a chair from among its members.

6 Subd. 3. [OVERSIGHT COUNCIL'S DUTIES.] The oversight
7 council shall develop an overall strategy to ameliorate the harm
8 caused to the public by gang and drug crime within the state of
9 Minnesota. This strategy may include the development of
10 protocols and procedures to investigate gang and drug crime and
11 a structure for best addressing these issues in a
12 multijurisdictional manner. Additionally, the oversight council
13 shall:

14 (1) identify and recommend a candidate or candidates for
15 statewide coordinator to the commissioner of public safety;

16 (2) establish multijurisdictional task forces and strike
17 forces to combat gang and drug crime, to include a metro gang
18 strike force;

19 (3) assist the Department of Public Safety in developing an
20 objective grant review application process that is free from
21 conflicts of interests;

22 (4) make funding recommendations to the commissioner of
23 public safety on grants to support efforts to combat gang and
24 drug crime;

25 (5) assist in developing a process to collect and share
26 information to improve the investigation and prosecution of drug
27 offenses;

28 (6) develop and approve an operational budget for the
29 office of the statewide coordinator and the oversight council;
30 and

31 (7) adopt the criteria specified in section 299C.091 for
32 use in determining whether individuals are or may be members of
33 gangs involved in criminal activity.

34 Subd. 4. [STATEWIDE COORDINATOR.] The current gang strike
35 force commander shall serve as a transition coordinator until
36 July 1, 2006, at which time the commissioner of public safety

1 shall appoint a statewide coordinator as recommended by the
2 oversight council. The coordinator serving in the unclassified
3 service shall:

4 (1) coordinate and monitor all multijurisdictional gang and
5 drug enforcement activities;

6 (2) facilitate local efforts and ensure statewide
7 coordination with efforts to combat gang and drug crime;

8 (3) facilitate training for personnel;

9 (4) monitor compliance with investigative protocols; and

10 (5) implement an outcome evaluation and data quality
11 control process.

12 Subd. 5. [PARTICIPATING OFFICERS; EMPLOYMENT STATUS.] All
13 participating law enforcement officers must be licensed peace
14 officers as defined by section 626.84, subdivision 1, or
15 qualified federal law enforcement officers as defined in section
16 626.8453. Participating officers remain employees of the same
17 entity that employed them before joining any multijurisdictional
18 entity established under this section. Participating officers
19 are not employees of the state.

20 Subd. 6. [JURISDICTION AND POWERS.] Law enforcement
21 officers participating in any multijurisdictional entity
22 established under this section have statewide jurisdiction to
23 conduct criminal investigations and have the same powers of
24 arrest as those possessed by a sheriff.

25 Subd. 7. [GRANTS AUTHORIZED.] The commissioner of public
26 safety, upon recommendation of the council, may make grants to
27 state and local units of government to combat gang and drug
28 crime.

29 Subd. 8. [OVERSIGHT COUNCIL IS PERMANENT.] Notwithstanding
30 section 15.059, this section does not expire.

31 Subd. 9. [FUNDING.] Participating agencies may accept
32 lawful grants or contributions from any federal source or legal
33 business or entity.

34 Subd. 10. [ROLE OF THE ATTORNEY GENERAL.] The attorney
35 general or a designee shall generally advise on any matters that
36 the oversight council deems appropriate.

1 Subd. 11. [ATTORNEY GENERAL; COMMUNITY LIAISON.] (a) The
2 attorney general or a designee shall serve as a liaison between
3 the oversight council and the councils created in sections
4 3.922, 3.9223, 3.9225, and 3.9226. The attorney general or
5 designee will be responsible for:

6 (1) informing the councils of the plans, activities, and
7 decisions and hearing their reactions to those plans,
8 activities, and decisions; and

9 (2) providing the oversight council with the council's
10 position on the oversight council's plan, activities, and
11 decisions.

12 (b) In no event is the oversight council required to
13 disclose the names of individuals identified by it to the
14 councils referenced in this subdivision.

15 (c) Nothing in this subdivision changes the data
16 classification of any data held by the oversight council.

17 Subd. 12. [REQUIRED REPORT.] By February 1 of each year,
18 the council shall report to the chairs of the senate and house
19 of representatives committees and divisions having jurisdiction
20 over criminal justice policy and funding on the activities of
21 the council and any strike or task forces. This annual report
22 shall include:

23 (1) a description of the council's goals for the previous
24 year and for the coming year;

25 (2) a description of the outcomes the council achieved or
26 did not achieve during the preceding year and a description of
27 the outcomes the council will seek to achieve during the coming
28 year; and

29 (3) any legislative recommendations the council has
30 including, where necessary, a description of the specific
31 legislation needed to implement the recommendations."

32 Page 201, line 3, after "sections" insert "299A.64;
33 299A.65; 299A.66;"

34 Renumber the sections in sequence and correct the internal
35 references

36 Amend the title accordingly

1 Senator moves to amend SC4098 as follows:

2 Page 8, after line 25, insert:

3 "[TASK FORCE ON INMATE LABOR.] The
4 commissioner of corrections and the
5 commissioner of the Minnesota Housing
6 Finance Agency shall convene a task
7 force to study the feasibility of using
8 inmate labor to build low-income
9 housing at MCF-Faribault. The task
10 force consists of: two senators, one
11 from the majority party and the other
12 from the minority party, selected by
13 the senate Subcommittee on Committees
14 of the Committee on Rules and
15 Administration; two members of the
16 house of representatives, one from the
17 majority party and the other from the
18 minority party, selected by the house
19 speaker; the chief executive officer of
20 MINNCOR Industries; representatives
21 from the Builders Association of
22 America, Minnesota AFL-CIO, Association
23 of Minnesota Counties, Minnesota
24 Manufactured Housing Association,
25 Habitat for Humanity, and Minnesota
26 Housing Partnership, selected by those
27 organizations; and any other
28 individuals deemed appropriate by the
29 commissioners.

30 By January 15, 2006, the task force
31 shall report its findings and
32 recommendations to the chairs and
33 ranking minority members of the senate
34 and house of representatives committees
35 and divisions having jurisdiction over
36 criminal justice policy and funding and
37 jobs, housing, and community
38 development policy and funding."

39 Page 201, after line 1, insert:

40 "Sec. 36. [MCF-FARIBAULT DEDICATION OF SPACE.]

41 While planning, designing, and constructing new facilities
42 on the campus of the Minnesota correctional facility in
43 Faribault, the commissioner of corrections shall designate a
44 space on the campus sufficient in size to build one additional
45 prison building. This space must be preserved and designated
46 for the benefit of Rice County for the future construction of a
47 county correctional facility.

48 [EFFECTIVE DATE.] This section is effective the day
49 following final enactment."

50 Renumber the sections in sequence and correct the internal
51 references

52 Amend the title accordingly

- 1 Senator moves to amend SC4098 as follows:
- 2 Page 105, line 6, delete "or one-half"
- 3 Page 105, line 7, delete ", whichever is less"

- 1 Senator moves to amend SC4098 as follows:
- 2 Pages 112 and 113, delete section 17
- 3 Renumber the sections in sequence and correct the internal
- 4 references
- 5 Amend the title accordingly

1 Senator moves to amend SC4098 as follows:

2 Page 132, line 35, delete "253B.15" and insert "253B.18"

1 Senator moves to amend SC4098 as follows:

2 Page 8, delete lines 6 to 8 and insert:

3 "[LEVEL III OFFENDER TRACKING AND
4 APPREHENSION.] \$70,000 each year is to
5 track and apprehend level III predatory
6 offenders."

7 Page 155, delete section 9

8 Page 157, lines 22, 29, and 33, delete the new language and
9 reinstate the stricken language

10 Page 159, line 32, reinstate the stricken language

11 Page 159, line 33, delete the new language

12 Page 166, line 17, before the period, insert "or to support
13 other appropriations"

1 Senator moves to amend SC4098 as follows:

2 Page 83, after line 32, insert:

3 "Sec. 6. Minnesota Statutes 2004, section 609.115, is
4 amended by adding a subdivision to read:

5 Subd. 2b. . [INDETERMINATE AND MANDATORY LIFE SENTENCES;
6 SENTENCING WORKSHEET.] If the defendant has been convicted of a
7 felony crime for which any type of indeterminate sentence or
8 mandatory life sentence is provided by law, the court shall
9 cause a sentencing worksheet as provided in subdivision 1,
10 paragraph (e), to be completed and forwarded to the Minnesota
11 Sentencing Guidelines Commission."

12 Renumber the sections in sequence and correct the internal
13 references

14 Amend the title accordingly

- 1 Senator moves to amend SC4098 as follows:
- 2 Pages 170 to 172, delete sections 8 to 11
- 3 Renumber the sections in sequence and correct the internal
- 4 references
- 5 Amend the title accordingly