



OFFICE OF THE REVISOR OF STATUTES

Minnesota Legislature

To: Elizabeth Lincoln

From: Karen Lenertz

Date: January 14, 2015

Subject: Draft legislation showing technical and other changes resulting from repealers in Laws 2014, chapter 212, art. 5, sec. 1

Minnesota Laws 2014, chapter 212, article 5, section 1, requires “the revisor of statutes, in consultation with the Department of Public Safety, to prepare draft legislation showing technical and other necessary changes to Minnesota Statutes resulting from the repealers in articles 1, 2, 3, and 4, and submit it to the chairs and ranking minority members of the house of representatives and senate committees and divisions with jurisdiction over public safety and criminal justice by January 1, 2015.” The draft legislation was sent to the legislature on December 18, 2014.

1.1 A bill for an act

1.2 relating to public safety; making technical and other necessary changes to
 1.3 Minnesota Statutes resulting from repeal of outdated and redundant statutes
 1.4 relating to public safety; amending Minnesota Statutes 2014, sections 299C.35;
 1.5 299C.38; 299C.46, subdivisions 2, 2a; 352B.011, subdivision 10; 611A.31,
 1.6 subdivision 1; 611A.33; 611A.35; repealing Minnesota Statutes 2014, section
 1.7 299C.36.

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

1.9 Section 1. Minnesota Statutes 2014, section 299C.35, is amended to read:

1.10 **299C.35 BUREAU TO BROADCAST CRIMINAL INFORMATION.**

1.11 It shall be the duty of the bureau to broadcast all police dispatches and reports
 1.12 submitted which, in the opinion of the superintendent, shall have a reasonable relation
 1.13 to or connection with the apprehension of criminals, the prevention of crime, and the
 1.14 maintenance of peace and order throughout the state. Every sheriff, peace officer, or
 1.15 other person ~~employing a radio receiving set under the provisions of sections 299C.30~~
 1.16 ~~to 299C.38~~ shall make report reports to the bureau at such times and containing such
 1.17 information as the superintendent shall direct.

1.18 Sec. 2. Minnesota Statutes 2014, section 299C.38, is amended to read:

1.19 **299C.38 PRIORITY OF POLICE COMMUNICATIONS; MISDEMEANOR.**

1.20 ~~Any telegraph or telephone operator who shall fail to give priority to police~~
 1.21 ~~messages or calls as provided in sections 299C.30 to 299C.38, and~~ Any person who
 1.22 willfully makes any false, misleading, or unfounded report to any ~~broadcasting station~~
 1.23 ~~established thereunder~~ public safety answering point for the purpose of interfering with

2.1 the operation thereof, or with the intention of misleading any officer of this state, shall be
2.2 guilty of a misdemeanor.

2.3 Sec. 3. Minnesota Statutes 2014, section 299C.46, subdivision 2, is amended to read:

2.4 Subd. 2. **Criminal justice agency defined.** For the purposes of sections 299C.46
2.5 ~~to 299C.49~~ and 299C.48, "criminal justice agency" means an agency of the state or a
2.6 political subdivision or the federal government charged with detection, enforcement,
2.7 prosecution, adjudication or incarceration in respect to the criminal or traffic laws of this
2.8 state. This definition also includes all sites identified and licensed as a detention facility
2.9 by the commissioner of corrections under section 241.021 and those federal agencies that
2.10 serve part or all of the state from an office located outside the state.

2.11 Sec. 4. Minnesota Statutes 2014, section 299C.46, subdivision 2a, is amended to read:

2.12 Subd. 2a. **Noncriminal justice agency defined.** For the purposes of sections
2.13 299C.46 ~~to 299C.49~~ and 299C.48, "noncriminal justice agency" means an agency of the
2.14 state or a political subdivision of the state charged with the responsibility of performing
2.15 checks of state databases connected to the criminal justice data communications network.

2.16 Sec. 5. Minnesota Statutes 2014, section 352B.011, subdivision 10, is amended to read:

2.17 Subd. 10. **Member.** "Member" means:

2.18 (1) a State Patrol member currently employed under section 299D.03 by the state,
2.19 who is a peace officer under section 626.84, and whose salary or compensation is paid
2.20 out of state funds;

2.21 (2) a conservation officer employed under section 97A.201, currently employed by
2.22 the state, whose salary or compensation is paid out of state funds;

2.23 (3) a crime bureau officer who was employed by the crime bureau and was a member
2.24 of the Highway Patrolmen's retirement fund on July 1, 1978, whether or not that person
2.25 has the power of arrest by warrant after that date, or who is employed as police personnel,
2.26 with powers of arrest by warrant under Minnesota Statutes 2009, section 299C.04, and
2.27 who is currently employed by the state, and whose salary or compensation is paid out
2.28 of state funds;

2.29 (4) a person who is employed by the state in the Department of Public Safety in a
2.30 data processing management position with salary or compensation paid from state funds,
2.31 who was a crime bureau officer covered by the State Patrol retirement plan on August
2.32 15, 1987, and who was initially hired in the data processing management position within
2.33 the department during September 1987, or January 1988, with membership continuing

3.1 for the duration of the person's employment in that position, whether or not the person
3.2 has the power of arrest by warrant after August 15, 1987;

3.3 (5) a public safety employee who is a peace officer under section 626.84, subdivision
3.4 1, paragraph (c), and who is employed by the Division of Alcohol and Gambling
3.5 Enforcement under section 299L.01;

3.6 (6) a Fugitive Apprehension Unit officer after October 31, 2000, who is employed
3.7 by the Office of Special Investigations of the Department of Corrections and who is a
3.8 peace officer under section 626.84;

3.9 (7) an employee of the Department of Commerce defined as a peace officer in section
3.10 626.84, subdivision 1, paragraph (c), who is employed by the Commerce Fraud Bureau
3.11 under section 45.0135 after January 1, 2005, and who has not attained the mandatory
3.12 retirement age specified in section 43A.34, subdivision 4; and

3.13 (8) an employee of the Department of Public Safety, who is a licensed peace officer
3.14 under section 626.84, subdivision 1, paragraph (c), and is employed as the statewide
3.15 coordinator of the Violent Crime Coordinating Council.

3.16 Sec. 6. Minnesota Statutes 2014, section 611A.31, subdivision 1, is amended to read:

3.17 Subdivision 1. **Scope.** For the purposes of sections 611A.31 to ~~611A.36~~ 611A.35,
3.18 the following terms have the meanings given.

3.19 Sec. 7. Minnesota Statutes 2014, section 611A.33, is amended to read:

3.20 **611A.33 DUTIES OF COMMISSIONER.**

3.21 The commissioner shall:

3.22 (1) review applications for and award grants to a program pursuant to section
3.23 611A.32, subdivision 1;

3.24 (2) appoint a program director to perform the duties set forth in section 611A.35;

3.25 (3) design and implement a uniform method of collecting data on domestic abuse
3.26 victims to be used to evaluate the programs funded under section 611A.32;

3.27 (4) provide technical aid to applicants in the development of grant requests and
3.28 provide technical aid to programs in meeting the data collection requirements established
3.29 by the commissioner; and

3.30 (5) adopt, under chapter 14, all rules necessary to implement the provisions of
3.31 sections 611A.31 to ~~611A.36~~ 611A.35.

3.32 Sec. 8. Minnesota Statutes 2014, section 611A.35, is amended to read:

3.33 **611A.35 DOMESTIC ABUSE PROGRAM DIRECTOR.**

4.1 The commissioner shall appoint a program director. The program director shall
4.2 administer the funds appropriated for sections 611A.31 to ~~611A.36~~ 611A.35 and perform
4.3 other duties related to battered women's and domestic abuse programs as the commissioner
4.4 may assign. The program director shall serve at the pleasure of the commissioner in
4.5 the unclassified service.

4.6 Sec. 9. **REPEALER.**

4.7 Minnesota Statutes 2014, section 299C.36, is repealed.

APPENDIX
Repealed Minnesota Statutes: 15-0827

299C.36 PRIORITY FOR STATION CALLS AND MESSAGES.

Every telegraph and telephone company operating in the state shall give priority to all messages or calls directed to the broadcasting station or stations established under sections 299C.30 to 299C.38.