

**SENATE
STATE OF MINNESOTA
NINETIETH SESSION**

S.F. No. 803

(SENATE AUTHORS: LIMMER)

DATE	D-PG	OFFICIAL STATUS
02/09/2017	555	Introduction and first reading
		Referred to Judiciary and Public Safety Finance and Policy
03/23/2017	1672a	Comm report: To pass as amended and re-refer to Finance
03/27/2017		Comm report: To pass as amended
		Second reading

1.1 A bill for an act

1.2 relating to public safety; appropriating money for public safety, courts, corrections,

1.3 Guardian Ad Litem Board, Uniform Laws Commission, Board on Judicial

1.4 Standards, Board of Public Defense, Sentencing Guidelines, Peace Officer

1.5 Standards and Training (POST) Board, Private Detective Board, and Human Rights;

1.6 lowering certain court-related fees; amending Minnesota Statutes 2016, sections

1.7 13.69, subdivision 1; 271.21, subdivision 2; 357.021, subdivision 2; 357.022;

1.8 609.748, subdivision 3a.

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

1.10 **ARTICLE 1**

1.11 **APPROPRIATIONS**

1.12 Section 1. **APPROPRIATIONS.**

1.13 The sums shown in the columns marked "Appropriations" are appropriated to the agencies

1.14 and for the purposes specified in this article. The appropriations are from the general fund,

1.15 or another named fund, and are available for the fiscal years indicated for each purpose.

1.16 The figures "2018" and "2019" used in this article mean that the appropriations listed under

1.17 them are available for the fiscal year ending June 30, 2018, or June 30, 2019, respectively.

1.18 "The first year" is fiscal year 2018. "The second year" is fiscal year 2019. "The biennium"

1.19 is fiscal years 2018 and 2019. Appropriations for the fiscal year ending June 30, 2017, are

1.20 effective the day following final enactment.

	<u>APPROPRIATIONS</u>		
	<u>Available for the Year</u>		
	<u>Ending June 30</u>		
	<u>2017</u>	<u>2018</u>	<u>2019</u>
1.21			
1.22			
1.23			
1.24			

1.25 Sec. 2. **SUPREME COURT**

2.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>48,855,000</u>	<u>\$</u>	<u>49,269,000</u>
2.2	<u>The amounts that may be spent for each</u>				
2.3	<u>purpose are specified in the following</u>				
2.4	<u>subdivisions.</u>				
2.5	<u>Subd. 2. Supreme Court Operations</u>		<u>35,385,000</u>		<u>35,799,000</u>
2.6	<u>Contingent Account. \$5,000 each year is for</u>				
2.7	<u>a contingent account for expenses necessary</u>				
2.8	<u>for the normal operation of the court for which</u>				
2.9	<u>no other reimbursement is provided.</u>				
2.10	<u>Subd. 3. Civil Legal Services</u>		<u>13,470,000</u>		<u>13,470,000</u>
2.11	<u>Legal Services to Low-Income Clients in</u>				
2.12	<u>Family Law Matters. \$948,000 each year is</u>				
2.13	<u>to improve the access of low-income clients</u>				
2.14	<u>to legal representation in family law matters.</u>				
2.15	<u>This appropriation must be distributed under</u>				
2.16	<u>Minnesota Statutes, section 480.242, to the</u>				
2.17	<u>qualified legal services program described in</u>				
2.18	<u>Minnesota Statutes, section 480.242,</u>				
2.19	<u>subdivision 2, paragraph (a). Any</u>				
2.20	<u>unencumbered balance remaining in the first</u>				
2.21	<u>year does not cancel and is available in the</u>				
2.22	<u>second year.</u>				
2.23	<u>Sec. 3. COURT OF APPEALS</u>	<u>\$</u>	<u>12,082,000</u>	<u>\$</u>	<u>12,163,000</u>
2.24	<u>Sec. 4. DISTRICT COURTS</u>	<u>\$</u>	<u>283,395,000</u>	<u>\$</u>	<u>285,974,000</u>
2.25	<u>New Trial Judges. \$884,000 the first year</u>				
2.26	<u>and \$818,000 the second year are for two new</u>				
2.27	<u>trial court judge units.</u>				
2.28	<u>Mandated Services. \$503,000 the first year</u>				
2.29	<u>and \$504,000 the second year are for</u>				
2.30	<u>mandated court services.</u>				
2.31	<u>Sec. 5. GUARDIAN AD LITEM BOARD</u>	<u>\$</u>	<u>15,547,000</u>	<u>\$</u>	<u>15,675,000</u>

3.1	Sec. 6. <u>TAX COURT</u>	\$	<u>1,397,000</u>	\$	<u>1,401,000</u>
3.2	Sec. 7. <u>UNIFORM LAWS COMMISSION</u>	\$	<u>93,000</u>	\$	<u>93,000</u>
3.3	Sec. 8. <u>BOARD ON JUDICIAL STANDARDS</u>	\$	<u>486,000</u>	\$	<u>486,000</u>
3.4	<u>Major Disciplinary Actions.</u> \$125,000 each				
3.5	<u>year is for special investigative and hearing</u>				
3.6	<u>costs for major disciplinary actions undertaken</u>				
3.7	<u>by the board. This appropriation does not</u>				
3.8	<u>cancel. Any unencumbered and unspent</u>				
3.9	<u>balances remain available for these</u>				
3.10	<u>expenditures until June 30, 2021.</u>				
3.11	Sec. 9. <u>BOARD OF PUBLIC DEFENSE</u>	\$	<u>84,083,000</u>	\$	<u>84,853,000</u>
3.12	Sec. 10. <u>SENTENCING GUIDELINES</u>	\$	<u>647,000</u>	\$	<u>651,000</u>
3.13	Sec. 11. <u>PUBLIC SAFETY</u>				
3.14	<u>Subdivision 1. Total Appropriation</u>	\$	<u>188,106,000</u>	\$	<u>188,248,000</u>
3.15	<u>Appropriations by Fund</u>				
3.16		<u>2018</u>	<u>2019</u>		
3.17	<u>General</u>	<u>94,763,000</u>	<u>94,876,000</u>		
3.18	<u>Special Revenue</u>	<u>13,707,000</u>	<u>13,709,000</u>		
3.19	<u>State Government</u>				
3.20	<u>Special Revenue</u>	<u>103,000</u>	<u>103,000</u>		
3.21	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>		
3.22	<u>Trunk Highway</u>	<u>2,341,000</u>	<u>2,356,000</u>		
3.23	<u>911 Fund</u>	<u>77,119,000</u>	<u>77,131,000</u>		
3.24	<u>The amounts that may be spent for each</u>				
3.25	<u>purpose are specified in the following</u>				
3.26	<u>subdivisions.</u>				
3.27	<u>Subd. 2. Emergency Management</u>		<u>3,479,000</u>		<u>3,343,000</u>
3.28	<u>Appropriations by Fund</u>				
3.29	<u>General</u>	<u>2,556,000</u>	<u>2,420,000</u>		
3.30	<u>Environmental</u>	<u>73,000</u>	<u>73,000</u>		
3.31	<u>Special Revenue</u>				
3.32	<u>Fund</u>	<u>850,000</u>	<u>850,000</u>		

4.1 **(a) Hazmat and Chemical Assessment**

4.2 **Teams**

4.3 \$850,000 each year is from the fire safety
4.4 account in the special revenue fund. These
4.5 amounts must be used to fund the hazardous
4.6 materials and chemical assessment teams. Of
4.7 this amount, \$100,000 the first year is for
4.8 cases for which there is no identified
4.9 responsible party.

4.10 **(b) Supplemental Nonprofit Security Grants**

4.11 \$150,000 the first year from the general fund
4.12 is for supplemental nonprofit security grants
4.13 under this paragraph.

4.14 Nonprofit organizations whose applications
4.15 for funding through the Federal Emergency
4.16 Management Agency's nonprofit security grant
4.17 program have been approved by the Division
4.18 of Homeland Security and Emergency
4.19 Management are eligible for grants under this
4.20 paragraph. No additional application shall be
4.21 required for grants under this paragraph, and
4.22 an application for a grant from the federal
4.23 program is also an application for funding
4.24 from the state supplemental program.

4.25 Eligible organizations may receive grants of
4.26 up to \$75,000, except that the total received
4.27 by any individual from both the federal
4.28 nonprofit security grant program and the state
4.29 supplemental nonprofit security grant program
4.30 shall not exceed \$75,000. Grants shall be
4.31 awarded in an order consistent with the
4.32 ranking given to applicants for the federal
4.33 nonprofit security grant program. No grants
4.34 under the state supplemental nonprofit security

5.1 grant program shall be awarded until the
 5.2 announcement of the recipients and the
 5.3 amount of the grants awarded under the federal
 5.4 nonprofit security grant program.

5.5 The commissioner may use up to one percent
 5.6 of the appropriation received under this
 5.7 paragraph to pay costs incurred by the
 5.8 department in administering the supplemental
 5.9 nonprofit security grant program.

5.10 **Subd. 3. Criminal Apprehension** 53,944,000 54,180,000

5.11 Appropriations by Fund
 5.12 General 51,596,000 51,817,000
 5.13 State Government
 5.14 Special Revenue 7,000 7,000
 5.15 Trunk Highway 2,341,000 2,356,000

5.16 **DWI Lab Analysis; Trunk Highway Fund.**
 5.17 Notwithstanding Minnesota Statutes, section
 5.18 161.20, subdivision 3, \$2,341,000 the first
 5.19 year and \$2,356,000 the second year are from
 5.20 the trunk highway fund for laboratory analysis
 5.21 related to driving-while-impaired cases.

5.22 **Subd. 4. Fire Marshal** 6,123,000 6,167,000

5.23 Appropriations by Fund
 5.24 Special Revenue 6,123,000 6,167,000

5.25 The special revenue fund appropriation is from
 5.26 the fire safety account in the special revenue
 5.27 fund and is for activities under Minnesota
 5.28 Statutes, section 299F.012.

5.29 **Inspections.** \$300,000 each year is for
 5.30 inspection of nursing homes and boarding care
 5.31 facilities.

5.32 **Subd. 5. Firefighter Training and Education**
 5.33 **Board** 5,013,000 5,013,000

5.34 Appropriations by Fund
 5.35 Special Revenue 5,013,000 5,013,000

6.1 The special revenue fund appropriation is from
 6.2 the fire safety account in the special revenue
 6.3 fund and is for activities under Minnesota
 6.4 Statutes, section 299F.012.

6.5 **(a) Firefighter Training and Education**

6.6 \$1,350,000 each year is for increased
 6.7 firefighter training and education.

6.8 **(b) Air Rescue**

6.9 \$60,000 each year is for the Minnesota Air
 6.10 Rescue Team.

6.11 **(c) Unappropriated Revenue**

6.12 Any additional unappropriated money
 6.13 collected in fiscal year 2017 is appropriated
 6.14 to the commissioner of public safety for the
 6.15 purposes of Minnesota Statutes, section
 6.16 299F.012. The commissioner may transfer
 6.17 appropriations and base amounts between
 6.18 activities in this subdivision.

6.19 **Subd. 6. Alcohol and Gambling Enforcement** 2,416,000 2,431,000

6.20 Appropriations by Fund

6.21 General 1,669,000 1,682,000

6.22 Special Revenue 747,000 749,000

6.23 \$677,000 the first year and \$679,000 the
 6.24 second year are from the alcohol enforcement
 6.25 account in the special revenue fund. Of this
 6.26 appropriation, \$500,000 each year shall be
 6.27 transferred to the general fund.

6.28 \$70,000 each year is from the lawful gambling
 6.29 regulation account in the special revenue fund.

6.30 **Subd. 7. Office of Justice Programs** 39,038,000 39,053,000

6.31 Appropriations by Fund

6.32 General 38,942,000 38,957,000

6.33 State Government

6.34 Special Revenue 96,000 96,000

7.1 **OJP Administration Costs.** Up to 2.5 percent
 7.2 of the grant funds appropriated in this
 7.3 subdivision may be used by the commissioner
 7.4 to administer the grant program.

7.5 **Subd. 8. Emergency Communication Networks** 77,119,000 77,131,000

7.6 This appropriation is from the state
 7.7 government special revenue fund for 911
 7.8 emergency telecommunications services.

7.9 **(a) Public Safety Answering Points**

7.10 \$13,664,000 each year is to be distributed as
 7.11 provided in Minnesota Statutes, section
 7.12 403.113, subdivision 2.

7.13 **(b) Medical Resource Communication Centers**

7.14 \$683,000 each year is for grants to the
 7.15 Minnesota Emergency Medical Services
 7.16 Regulatory Board for the Metro East and
 7.17 Metro West Medical Resource
 7.18 Communication Centers that were in operation
 7.19 before January 1, 2000.

7.20 **(c) ARMER Debt Service**

7.21 \$23,261,000 each year is to the commissioner
 7.22 of management and budget to pay debt service
 7.23 on revenue bonds issued under Minnesota
 7.24 Statutes, section 403.275.

7.25 Any portion of this appropriation not needed
 7.26 to pay debt service in a fiscal year may be used
 7.27 by the commissioner of public safety to pay
 7.28 cash for any of the capital improvements for
 7.29 which bond proceeds were appropriated by
 7.30 Laws 2005, chapter 136, article 1, section 9,
 7.31 subdivision 8; or Laws 2007, chapter 54,
 7.32 article 1, section 10, subdivision 8.

7.33 **(d) ARMER State Backbone Operating**

7.34 **Costs**

10.1 **Critical Technology Needs. \$1,500,000 each**
10.2 year is to support critical technology needs.

10.3 **ARTICLE 2**

10.4 **FISCAL-RELATED STATUTORY CHANGES**

10.5 Section 1. Minnesota Statutes 2016, section 13.69, subdivision 1, is amended to read:

10.6 Subdivision 1. **Classifications.** (a) The following government data of the Department
10.7 of Public Safety are private data:

10.8 (1) medical data on driving instructors, licensed drivers, and applicants for parking
10.9 certificates and special license plates issued to physically disabled persons;

10.10 (2) other data on holders of a disability certificate under section 169.345, except that (i)
10.11 data that are not medical data may be released to law enforcement agencies, and (ii) data
10.12 necessary for enforcement of sections 169.345 and 169.346 may be released to parking
10.13 enforcement employees or parking enforcement agents of statutory or home rule charter
10.14 cities and towns;

10.15 (3) Social Security numbers in driver's license and motor vehicle registration records,
10.16 except that Social Security numbers must be provided to the Department of Revenue for
10.17 purposes of tax administration, the Department of Labor and Industry for purposes of
10.18 workers' compensation administration and enforcement, the judicial branch for purposes of
10.19 debt collection, and the Department of Natural Resources for purposes of license application
10.20 administration; and

10.21 (4) data on persons listed as standby or temporary custodians under section 171.07,
10.22 subdivision 11, except that the data must be released to:

10.23 (i) law enforcement agencies for the purpose of verifying that an individual is a designated
10.24 caregiver; or

10.25 (ii) law enforcement agencies who state that the license holder is unable to communicate
10.26 at that time and that the information is necessary for notifying the designated caregiver of
10.27 the need to care for a child of the license holder.

10.28 The department may release the Social Security number only as provided in clause (3)
10.29 and must not sell or otherwise provide individual Social Security numbers or lists of Social
10.30 Security numbers for any other purpose.

11.1 (b) The following government data of the Department of Public Safety are confidential
 11.2 data: data concerning an individual's driving ability when that data is received from a member
 11.3 of the individual's family.

11.4 Sec. 2. Minnesota Statutes 2016, section 271.21, subdivision 2, is amended to read:

11.5 Subd. 2. **Jurisdiction.** At the election of the taxpayer, the Small Claims Division shall
 11.6 have jurisdiction only in the following matters:

11.7 (a) cases involving valuation, assessment, or taxation of real or personal property, if:

11.8 (i) the issue is a denial of a current year application for the homestead classification for
 11.9 the taxpayer's property;

11.10 (ii) only one parcel is included in the petition, the entire parcel is classified as homestead
 11.11 class 1a or 1b under section 273.13, and the parcel contains no more than one dwelling unit;

11.12 (iii) the entire property is classified as agricultural homestead class 2a or 1b under section
 11.13 273.13; or

11.14 (iv) the assessor's estimated market value of the property included in the petition is less
 11.15 than \$300,000; or

11.16 (b) any case not involving valuation, assessment, or taxation of real and personal property
 11.17 in which the amount in controversy does not exceed ~~\$5,000~~ \$15,000, including penalty and
 11.18 interest.

11.19 **EFFECTIVE DATE.** This section is effective the day following final enactment.

11.20 Sec. 3. Minnesota Statutes 2016, section 357.021, subdivision 2, is amended to read:

11.21 Subd. 2. **Fee amounts.** The fees to be charged and collected by the court administrator
 11.22 shall be as follows:

11.23 (1) In every civil action or proceeding in said court, including any case arising under
 11.24 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,
 11.25 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
 11.26 action, a fee of ~~\$340~~ \$280, except in marriage dissolution actions the fee is ~~\$340~~ \$310.

11.27 The defendant or other adverse or intervening party, or any one or more of several
 11.28 defendants or other adverse or intervening parties appearing separately from the others,
 11.29 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$340~~ \$280, except
 11.30 in marriage dissolution actions the fee is ~~\$340~~ \$310. This subdivision does not apply to the

12.1 filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application
12.2 for Discharge of Judgment.

12.3 The party requesting a trial by jury shall pay \$100.

12.4 The fees above stated shall be the full trial fee chargeable to said parties irrespective of
12.5 whether trial be to the court alone, to the court and jury, or disposed of without trial, and
12.6 shall include the entry of judgment in the action, but does not include copies or certified
12.7 copies of any papers so filed or proceedings under chapter 103E, except the provisions
12.8 therein as to appeals.

12.9 (2) Certified copy of any instrument from a civil or criminal proceeding, \$14, and \$8
12.10 for an uncertified copy.

12.11 (3) Issuing a subpoena, \$16 for each name.

12.12 (4) Filing a motion or response to a motion in civil, family, excluding child support, and
12.13 guardianship cases, ~~\$100~~ \$75.

12.14 (5) Issuing an execution and filing the return thereof; issuing a writ of attachment,
12.15 injunction, habeas corpus, mandamus, quo warranto, certiorari, or other writs not specifically
12.16 mentioned, \$55.

12.17 (6) Issuing a transcript of judgment, or for filing and docketing a transcript of judgment
12.18 from another court, \$40.

12.19 (7) Filing and entering a satisfaction of judgment, partial satisfaction, or assignment of
12.20 judgment, \$5.

12.21 (8) Certificate as to existence or nonexistence of judgments docketed, \$5 for each name
12.22 certified to.

12.23 (9) Filing and indexing trade name; or recording basic science certificate; or recording
12.24 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
12.25 \$5.

12.26 (10) For the filing of each partial, final, or annual account in all trusteeships, \$55.

12.27 (11) For the deposit of a will, \$27.

12.28 (12) For recording notary commission, \$20.

12.29 (13) Filing a motion or response to a motion for modification of child support, a fee of
12.30 ~~\$100~~ \$50.

13.1 (14) All other services required by law for which no fee is provided, such fee as compares
 13.2 favorably with those herein provided, or such as may be fixed by rule or order of the court.

13.3 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
 13.4 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
 13.5 petition filed in district court to fund the fathers' adoption registry under section 259.52.

13.6 The fees in clauses (3) and (5) need not be paid by a public authority or the party the
 13.7 public authority represents.

13.8 **EFFECTIVE DATE.** This section is effective July 1, 2017.

13.9 Sec. 4. Minnesota Statutes 2016, section 357.022, is amended to read:

13.10 **357.022 CONCILIATION COURT FEE.**

13.11 The court administrator in every county shall charge and collect a filing fee of ~~\$65~~ \$50
 13.12 from every plaintiff and from every defendant when the first paper for that party is filed in
 13.13 any conciliation court action. This section does not apply to conciliation court actions filed
 13.14 by the state. The court administrator shall transmit the fees monthly to the commissioner
 13.15 of management and budget for deposit in the state treasury and credit to the general fund.

13.16 **EFFECTIVE DATE.** This section is effective July 1, 2017.

13.17 Sec. 5. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

13.18 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this
 13.19 section are waived for the petitioner and the respondent if the petition alleges acts that would
 13.20 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to
 13.21 609.3451. The court administrator and the sheriff of any county in this state shall perform
 13.22 their duties relating to service of process without charge to the petitioner. The court shall
 13.23 direct payment of the reasonable costs of service of process if served by a private process
 13.24 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~
 13.25 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~
 13.26 ~~costs of service of process if the court determines that the respondent has the ability to pay~~
 13.27 ~~the petitioner's fees and costs.~~

13.28 **EFFECTIVE DATE.** This section is effective July 1, 2017.

APPENDIX
Article locations in S0803-2

ARTICLE 1 APPROPRIATIONS Page.Ln 1.10
ARTICLE 2 FISCAL-RELATED STATUTORY CHANGES Page.Ln 10.3