

**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
03/23/2017		Referred to Judiciary and Public Safety Finance and Policy Comm report: To pass as amended and re-refer to Finance

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

1.7 271.21, subdivision 2; 357.021, subdivision 2; 357.022; 609.748, subdivision 3a.

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

1.9 **ARTICLE 1**

1.10 **APPROPRIATIONS**

1.11 Section 1. APPROPRIATIONS.

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

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

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

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

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

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

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

1.19 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>

1.24 Sec. 2. SUPREME COURT

2.1	<u>Subdivision 1. Total Appropriation</u>	<u>\$</u>	<u>48,530,000</u>	<u>\$</u>	<u>48,944,000</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>13,145,000</u>		<u>13,145,000</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>282,892,000</u>	<u>\$</u>	<u>285,470,000</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>Sec. 5. GUARDIAN AD LITEM BOARD</u>	<u>\$</u>	<u>15,547,000</u>	<u>\$</u>	<u>15,675,000</u>
2.29	<u>Sec. 6. TAX COURT</u>	<u>\$</u>	<u>1,397,000</u>	<u>\$</u>	<u>1,401,000</u>
2.30	<u>Sec. 7. UNIFORM LAWS COMMISSION</u>	<u>\$</u>	<u>93,000</u>	<u>\$</u>	<u>93,000</u>

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

4.1 \$850,000 each year is from the fire safety
4.2 account in the special revenue fund. These
4.3 amounts must be used to fund the hazardous
4.4 materials and chemical assessment teams. Of
4.5 this amount, \$100,000 the first year is for
4.6 cases for which there is no identified
4.7 responsible party.

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

4.9 \$150,000 the first year from the general fund
4.10 is for supplemental nonprofit security grants
4.11 under this paragraph.

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

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

5.1 amount of the grants awarded under the federal
 5.2 nonprofit security grant program.

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

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

5.9	<u>Appropriations by Fund</u>	
5.10	<u>General</u>	<u>51,596,000</u> <u>51,817,000</u>
5.11	<u>State Government</u>	
5.12	<u>Special Revenue</u>	<u>7,000</u> <u>7,000</u>
5.13	<u>Trunk Highway</u>	<u>2,341,000</u> <u>2,356,000</u>

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

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

5.21	<u>Appropriations by Fund</u>	
5.22	<u>Special Revenue</u>	<u>6,123,000</u> <u>6,167,000</u>

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

5.27 **Inspections.** \$300,000 each year is for
 5.28 inspection of senior health care facilities.

5.29 **Subd. 5. Firefighter Training and Education**
 5.30 **Board** 5,987,000 5,943,000

5.31	<u>Appropriations by Fund</u>	
5.32	<u>Special Revenue</u>	<u>5,987,000</u> <u>5,943,000</u>

5.33 The special revenue fund appropriation is from
 5.34 the fire safety account in the special revenue

6.1 fund and is for activities under Minnesota
 6.2 Statutes, section 299F.012.

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

6.4 \$1,634,000 the first year and \$1,590,000 the
 6.5 second year are for increased firefighter
 6.6 training and education.

6.7 **(b) Task Force 1**

6.8 \$500,000 each year is for an increase to
 6.9 Minnesota Task Force 1.

6.10 **(c) Air Rescue**

6.11 \$250,000 each year is to fund the Minnesota
 6.12 Air Rescue Team.

6.13 **(d) Unappropriated Revenue**

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

6.21	<u>Subd. 6. Alcohol and Gambling Enforcement</u>	<u>2,416,000</u>	<u>2,431,000</u>
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6.22 Appropriations by Fund

6.23	<u>General</u>	<u>1,669,000</u>	<u>1,682,000</u>
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6.24	<u>Special Revenue</u>	<u>747,000</u>	<u>749,000</u>
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6.25 \$677,000 the first year and \$679,000 the
 6.26 second year are from the alcohol enforcement
 6.27 account in the special revenue fund. Of this
 6.28 appropriation, \$500,000 each year shall be
 6.29 transferred to the general fund.

6.30 \$70,000 each year is from the lawful gambling
 6.31 regulation account in the special revenue fund.

6.32	<u>Subd. 7. Office of Justice Programs</u>	<u>39,038,000</u>	<u>39,053,000</u>
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6.33 Appropriations by Fund

7.1	<u>General</u>	<u>38,942,000</u>	<u>38,957,000</u>
7.2	<u>State Government</u>		
7.3	<u>Special Revenue</u>	<u>96,000</u>	<u>96,000</u>

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

7.8	<u>Subd. 8. Emergency Communication Networks</u>	<u>77,119,000</u>	<u>77,131,000</u>
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7.9 This appropriation is from the state
 7.10 government special revenue fund for 911
 7.11 emergency telecommunications services.

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

7.13 \$13,664,000 each year is to be distributed as
 7.14 provided in Minnesota Statutes, section
 7.15 403.113, subdivision 2.

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

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

7.23 **(c) ARMER Debt Service**

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

7.28 Any portion of this appropriation not needed
 7.29 to pay debt service in a fiscal year may be used
 7.30 by the commissioner of public safety to pay
 7.31 cash for any of the capital improvements for
 7.32 which bond proceeds were appropriated by
 7.33 Laws 2005, chapter 136, article 1, section 9,

9.1 **Subd. 2. Excess Amounts Transferred**

9.2 The special revenue fund appropriation is from
 9.3 the peace officer training account. Any new
 9.4 receipts credited to that account in the first
 9.5 year in excess of \$4,034,000 must be
 9.6 transferred and credited to the general fund.
 9.7 Any new receipts credited to that account in
 9.8 the second year in excess of \$4,038,000 must
 9.9 be transferred and credited to the general fund.

9.10 **Subd. 3. Peace Officer Training Reimbursements**

9.11 (a) \$2,859,000 each year from the peace
 9.12 officer training account in the special revenue
 9.13 fund is for reimbursements to local
 9.14 governments for peace officer training costs.

9.15 (b) \$360,000 each year from the general fund
 9.16 is for reimbursements to local governments
 9.17 for peace officer training costs.

9.18 **Sec. 13. PRIVATE DETECTIVE BOARD** **\$ 190,000 \$ 190,000**

9.19 **Sec. 14. HUMAN RIGHTS** **\$ 4,197,000 \$ 4,212,000**

9.20 **Sec. 15. CORRECTIONS**

9.21 **Subdivision 1. Total**
 9.22 **Appropriation** **\$ 9,200,000 \$ 564,557,000 \$ 555,395,000**

9.23 The amounts that may be spent for each
 9.24 purpose are specified in the following
 9.25 subdivisions.

9.26 **Subd. 2. Correctional**
 9.27 **Institutions** **9,200,000 412,449,000 403,088,000**

9.28 **Offender Health Care.** \$9,200,000 in fiscal
 9.29 year 2017 is to fund a deficiency in the base
 9.30 budget for the offender health care contract.

9.31 \$11,400,000 the first year is for the fiscal year
 9.32 2018 offender health care contract. The base

10.1 for this item is \$11,400,000 in each of fiscal
 10.2 years 2020 and 2021.

10.3	<u>Subd. 3. Community Services</u>	<u>124,885,000</u>	<u>125,026,000</u>
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10.4	<u>Subd. 4. Operations Support</u>	<u>27,223,000</u>	<u>27,281,000</u>
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10.5 **Critical Technology Needs.** \$1,500,000 each
 10.6 year is to support critical technology needs.

10.7 **ARTICLE 2**

10.8 **COURT-RELATED FEE DECREASES**

10.9 Section 1. Minnesota Statutes 2016, section 271.21, subdivision 2, is amended to read:

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

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

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

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

10.17 (iii) the entire property is classified as agricultural homestead class 2a or 1b under section
 10.18 273.13; or

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

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

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

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

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

10.28 (1) In every civil action or proceeding in said court, including any case arising under
 10.29 the tax laws of the state that could be transferred or appealed to the Tax Court, the plaintiff,

11.1 petitioner, or other moving party shall pay, when the first paper is filed for that party in said
11.2 action, a fee of ~~\$310~~ \$280, except in marriage dissolution actions the fee is ~~\$340~~ \$310.

11.3 The defendant or other adverse or intervening party, or any one or more of several
11.4 defendants or other adverse or intervening parties appearing separately from the others,
11.5 shall pay, when the first paper is filed for that party in said action, a fee of ~~\$310~~ \$280, except
11.6 in marriage dissolution actions the fee is ~~\$340~~ \$310. This subdivision does not apply to the
11.7 filing of an Application for Discharge of Judgment. Section 548.181 applies to an Application
11.8 for Discharge of Judgment.

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

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

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

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

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

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

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

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

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

11.29 (9) Filing and indexing trade name; or recording basic science certificate; or recording
11.30 certificate of physicians, osteopathic physicians, chiropractors, veterinarians, or optometrists,
11.31 \$5.

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

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

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

12.3 (13) Filing a motion or response to a motion for modification of child support, a fee of
12.4 ~~\$100~~ \$50.

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

12.7 (15) In addition to any other filing fees under this chapter, a surcharge in the amount of
12.8 \$75 must be assessed in accordance with section 259.52, subdivision 14, for each adoption
12.9 petition filed in district court to fund the fathers' adoption registry under section 259.52.

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

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

12.13 Sec. 3. Minnesota Statutes 2016, section 357.022, is amended to read:

12.14 **357.022 CONCILIATION COURT FEE.**

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

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

12.21 Sec. 4. Minnesota Statutes 2016, section 609.748, subdivision 3a, is amended to read:

12.22 Subd. 3a. **Filing fee; cost of service.** The filing fees for a restraining order under this
12.23 section are waived for the petitioner and the respondent if the petition alleges acts that would
12.24 constitute a violation of section 609.749, subdivision 2, 3, 4, or 5, or sections 609.342 to
12.25 609.3451. The court administrator and the sheriff of any county in this state shall perform
12.26 their duties relating to service of process without charge to the petitioner. The court shall
12.27 direct payment of the reasonable costs of service of process if served by a private process
12.28 server when the sheriff is unavailable or if service is made by publication. ~~The court may~~
12.29 ~~direct a respondent to pay to the court administrator the petitioner's filing fees and reasonable~~
12.30 ~~costs of service of process if the court determines that the respondent has the ability to pay~~
12.31 ~~the petitioner's fees and costs.~~

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

APPENDIX
Article locations in S0803-1

ARTICLE 1 APPROPRIATIONS Page.Ln 1.9
ARTICLE 2 COURT-RELATED FEE DECREASES Page.Ln 10.7