

A bill for an act

relating to corrections; making technical corrections and amendments to certain youth correction, county jail, adult offender supervision, and fingerprinting provisions; changing date for annual report of Advisory Council on Interstate Adult Offender Supervision; amending Minnesota Statutes 2006, sections 241.301; 243.1606, subdivision 3; 609.117, subdivision 3; 641.09; 641.18; repealing Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39; 260B.241; 260C.207.

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

Section 1. Minnesota Statutes 2006, section 241.301, is amended to read:

241.301 FINGERPRINTS OF INMATES, PAROLEES, AND PROBATIONERS FROM OTHER STATES.

The commissioner of corrections shall establish procedures so that whenever this state receives an inmate, parolee, or probationer from another state under sections 241.28 to 241.30 or ~~243.16~~ 243.1605, fingerprints and thumbprints of the inmate, parolee, or probationer are obtained and forwarded to the bureau of criminal apprehension.

Sec. 2. Minnesota Statutes 2006, section 243.1606, subdivision 3, is amended to read:

Subd. 3. **Annual report.** By ~~January 15~~ March 1 of each year, the council shall report to the governor and the legislature on its activities and the activities of the interstate commission and executive committee as described in section 243.1605 for the preceding year. The report also must include an assessment of how the interstate compact is functioning both within and without the state.

Sec. 3. Minnesota Statutes 2006, section 609.117, subdivision 3, is amended to read:

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Subd. 3. **Offenders from other states.** When the state accepts an offender from another state under the interstate compact authorized by section ~~243.16~~ 243.1605, the acceptance is conditional on the offender providing a biological specimen for the purposes of DNA analysis as defined in section 299C.155, if the offender was initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances. The specimen must be provided under supervision of staff from the Department of Corrections or a Community Corrections Act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision.

Sec. 4. Minnesota Statutes 2006, section 641.09, is amended to read:

641.09 POWER OF OFFICERS.

The officer in charge of prisoners so sentenced to labor may use all reasonable means necessary to prevent escape or enforce obedience. For refusal to labor or obey necessary orders in reference thereto, a prisoner may be kept in ~~solitary confinement but shall not be so confined more than ten days for any one offense, nor more than 90 days in~~ all secure confinement for a period of time as defined in a facility's discipline policy.

Sec. 5. Minnesota Statutes 2006, section 641.18, is amended to read:

641.18 ~~SOLITARY~~ SECURE CONFINEMENT.

When any prisoner is unruly or disobeys any regulation for the management of jails, the prisoner may be kept in ~~solitary~~ secure confinement as provided in section 641.09.

Sec. 6. **REPEALER.**

Minnesota Statutes 2006, sections 242.193, subdivision 1; 242.39; 260B.241; and 260C.207, are repealed.

242.193 JUVENILE RESIDENTIAL TREATMENT GRANTS.

Subdivision 1. **Grants.** Within the limits of available appropriations, the commissioner of corrections shall make juvenile residential treatment grants to counties to defray the cost of juvenile residential treatment. The commissioner shall distribute 80 percent of the money appropriated for these purposes to noncommunity corrections counties and 20 percent to Community Corrections Act counties. The commissioner shall distribute the money according to the formula contained in section 401.10.

242.39 JUVENILE RESTITUTION GRANT PROGRAM.

Subdivision 1. **Grant program.** A juvenile restitution grant program is established under the commissioner of corrections to provide and finance work for eligible juveniles. Juveniles eligible to participate in the program are juveniles who have monetary restitution obligations to victims.

Subd. 2. **Administering program.** The Department of Corrections shall administer the grant program. The commissioner shall award grants to community correction agencies, other state and local agencies, and nonprofit agencies that meet the criteria developed by the commissioner relating to juvenile restitution grant programs. The criteria developed by the commissioner may include a requirement that the agency provide a match to the grant amount consisting of in-kind services, money, or both.

Subd. 3. **Cooperation; types of programs.** The commissioner of corrections shall work with the commissioner of natural resources, the commissioner of public safety, local government and nonprofit agencies, educational institutions, and the courts to design and develop suitable juvenile restitution grant programs. Programs must provide services to communities, including but not necessarily limited to, park maintenance, recycling, and other related work. Eligible juveniles may earn monetary restitution on behalf of a victim or perform a service for the victim. Work performed by eligible juveniles must not result in the displacement of currently employed full- or part-time workers or workers on seasonal layoff or layoff from a substantially equivalent position, including partial displacement such as reduction in hours of nonovertime work, wages, or other employment benefits. Any monetary restitution earned by an eligible juvenile must either be forwarded to the victim or held in an account for the benefit of the victim.

Subd. 4. **Referral to program.** The grant program must provide that eligible juveniles may be referred to the program by a community diversion agency, a correctional or human service agency, or by a court order of monetary restitution.

260B.241 REPORTS ON ACHIEVEMENT OF GOALS OF COURT-ORDERED OUT-OF-HOME PLACEMENTS.

By January 15, 2002, and each January 15 after that, the commissioners of corrections and human services shall report to the legislature on the extent to which the goals of court-ordered out-of-home placements required under section 260B.193, subdivision 4, are being met.

260C.207 REPORTS ON ACHIEVEMENT OF GOALS OF COURT-ORDERED OUT-OF-HOME PLACEMENTS.

By January 15, 2002, and each January 15 after that, the commissioners of corrections and human services shall report to the legislature on the extent to which the goals of court-ordered out-of-home placements required under section 260C.193, subdivision 5, are being met.