

an adoption decree is entered. A hearing must be held every 90 days following termination of parental rights for the court to review progress toward an adoptive placement and the specific recruitment efforts the agency has taken to find an adoptive family or other placement living arrangement for the child and to finalize the adoption or other permanency plan.

(c) When adoption is not the intended disposition, and if the child continues in out-of-home placement for 12 months after the court has issued the order terminating parental rights and at least every 12 months thereafter as long as the child continues in out-of-home placement, the court shall conduct a permanency review hearing to determine the future status of the child, including, but not limited to, whether the child should be continued in out-of-home placement, should be placed for adoption, or should, because of the child's special needs and for compelling reasons, be ordered into long-term out-of-home placement.

(d) The court shall retain jurisdiction in a case where long-term foster care is the permanent disposition whether under paragraph (c) or section 260C.201, subdivision 11. All of the review requirements under section 260C.201, subdivision 11, paragraph (g), apply.

Presented to the governor March 25, 2002

Signed by the governor March 26, 2002, 2:32 p.m.

CHAPTER 291—S.F.No. 3055

An act relating to the metropolitan council; clarifying the jurisdiction of the metropolitan transit police; authorizing metropolitan transit police officers to apply for and execute search warrants; amending Minnesota Statutes 2000, sections 473.407, subdivisions 1, 2, 3; 626.05, subdivision 2; Minnesota Statutes 2001 Supplement, sections 626.11; 626.13; repealing Minnesota Statutes 2000, section 473.407, subdivision 4a.

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

Section 1. Minnesota Statutes 2000, section 473.407, subdivision 1, is amended to read:

Subdivision 1. **AUTHORIZATION.** The council may appoint peace officers, as defined in section 626.84, subdivision 1, paragraph (c), and establish a law enforcement agency, as defined in section 626.84, subdivision 1, paragraph (h), known as the metropolitan transit police, to police its transit property and routes, to carry out investigations, and to make arrests under sections 629.30 and 629.34. The jurisdiction of the law enforcement agency is limited to offenses relating to council transit property, equipment, employees, and passengers.

Sec. 2. Minnesota Statutes 2000, section 473.407, subdivision 2, is amended to read:

New language is indicated by underline, deletions by ~~strikeout~~.

Subd. 2. **LIMITATIONS ARRESTS AND SUBSEQUENT INVESTIGATIONS.** The initial processing of a person arrested by the transit police for an offense within the agency's jurisdiction is the responsibility of the transit police unless otherwise directed by the law enforcement agency with primary jurisdiction. A subsequent investigation is the responsibility of the law enforcement agency of the jurisdiction in which the crime was committed unless the law enforcement agency authorizes the transit police to assume the subsequent investigation. The transit police are not authorized to apply for a search warrant as prescribed in section 626.05. At the request of the primary jurisdiction, the transit police may assist in a subsequent investigation being carried out by the primary jurisdiction. Persons arrested for violations which the transit police determine are not within the agency's jurisdiction must be referred to the appropriate local law enforcement agency for further investigation or disposition.

Sec. 3. Minnesota Statutes 2000, section 473.407, subdivision 3, is amended to read:

Subd. 3. **POLICIES POLICY FOR NOTICE OF INVESTIGATIONS.** ~~Before the council begins to operate its law enforcement agency within a city or county with an existing law enforcement agency, the transit police shall develop, in conjunction with the law enforcement agencies, written policies that describe how the issues of joint jurisdiction will be resolved. The policies must also address the operation of emergency vehicles by transit police responding to transit emergencies. These policies must be filed with the board of peace officer standards and training by August 1, 1993. Revisions of any of these policies must be filed with the board within ten days of the effective date of the revision. The transit police must develop a policy for notifying the law enforcement agency with primary jurisdiction when it has initiated surveillance or investigation of any person within the jurisdiction of that agency. The council shall train all of its peace officers regarding the application of these policies this policy.~~

Sec. 4. Minnesota Statutes 2000, section 626.05, subdivision 2, is amended to read:

Subd. 2. **PEACE OFFICER.** The term "peace officer," as used in sections 626.04 to 626.17, means a person who is licensed as a peace officer in accordance with section 626.84, subdivision 1, and who serves as a sheriff, deputy sheriff, police officer, constable, conservation officer, agent of the bureau of criminal apprehension, agent of the division of alcohol and gambling enforcement, University of Minnesota peace officer, metropolitan transit police officer, or state patrol trooper as authorized by section 299D.03.

Sec. 5. Minnesota Statutes 2001 Supplement, section 626.11, is amended to read:

626.11 ISSUANCE OF WARRANT.

If the judge is satisfied of the existence of the grounds of the application, or that there is probable cause to believe their existence, the judge must issue a signed search warrant, naming the judge's judicial office, to a peace officer having jurisdiction in the area where the place to be searched is located, to an agent of the bureau of criminal

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apprehension, to an officer of the metropolitan transit police, or to an agent of the division of alcohol and gambling enforcement who is a licensed peace officer as defined in section 626.84, subdivision 1, paragraph (c). The warrant shall direct the officer or agent to search the person or place named for the property or things specified, and to retain the property or things in the officer's or agent's custody subject to order of the court issuing the warrant.

Sec. 6. Minnesota Statutes 2001 Supplement, section 626.13, is amended to read:

626.13 SERVICE; PERSONS MAKING.

A search warrant may in all cases be served anywhere within the issuing judge's jurisdiction by any of the officers mentioned in its directions, but by no other person, except in aid of the officer on the officer's requiring it, the officer being present and acting in its execution. If the warrant is to be served by an agent of the bureau of criminal apprehension, an agent of the division of alcohol and gambling enforcement, a state patrol trooper, a metropolitan transit police officer, or a conservation officer, the agent, state patrol trooper, police officer, or conservation officer shall notify the chief of police of an organized full-time police department of the municipality or, if there is no such local chief of police, the sheriff or a deputy sheriff of the county in which service is to be made prior to execution.

Sec. 7. REPEALER.

Minnesota Statutes 2000, section 473.407, subdivision 4a, is repealed.

Sec. 8. EFFECTIVE DATE.

Sections 1 to 7 are effective on the day following final enactment.

Presented to the governor March 25, 2002

Signed by the governor March 26, 2002, 2:28 p.m.

CHAPTER 292—S.F.No. 2692

An act relating to human services; modifying requirements for background studies; requiring a review and report to the legislature on these requirements; limiting authority of commissioner of human services to set aside a disqualification; modifying list of disqualifying crimes; requesting a study and recommendations regarding methods for tracking civil actions involving sexual abuse; amending Minnesota Statutes 2001 Supplement, section 245A.04, subdivisions 3b, 3d.

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

Section 1. Minnesota Statutes 2001 Supplement, section 245A.04, subdivision 3b, is amended to read:

Subd. 3b. **RECONSIDERATION OF DISQUALIFICATION.** (a) The individual who is the subject of the disqualification may request a reconsideration of the disqualification.

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