

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

Section 1. [604A.34] REPORTS OR ASSISTANCE REQUESTS TO LAW ENFORCEMENT.

An individual who in good faith seeks assistance from, or reports apparent unlawful conduct to, law enforcement is not liable for civil damages as a result of that action. If an individual prevails in a civil action from which the individual has been granted immunity by this section, the court shall award the individual reasonable attorney fees and costs. This section does not exempt individuals from their professional obligations of confidentiality.

Presented to the governor May 8, 2003

Signed by the governor May 12, 2003, 12:17 p.m.

CHAPTER 36—S.F.No. 515

An act relating to criminal justice; modifying structure of financial crimes task force and modifying related policies; repealing sunset provision; amending Minnesota Statutes 2002, section 299A.68.

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

Section 1. Minnesota Statutes 2002, section 299A.68, is amended to read:

299A.68 MINNESOTA FINANCIAL CRIMES INVESTIGATION TASK FORCE.

Subdivision 1. **INVESTIGATION TASK FORCE ESTABLISHED.** ~~A group of two or more local governmental units may enter into an agreement to establish a major~~ The Minnesota financial crimes investigation task force is established to investigate major financial crimes. Local law enforcement agencies, federal law enforcement agencies, and state and federal prosecutor's offices may join the Minnesota financial crimes task force, subject to the provisions of this section.

Subd. 2. **INVESTIGATION TASK FORCE'S DUTIES.** (a) ~~The investigation task force shall investigate consumer identity theft cases and reported financial crimes from individuals and businesses who that are victims of such crimes.~~

(b) ~~The investigation task force shall focus on financial crimes including, but not limited to, statewide crimes such as: theft, fraud, and forgery crimes, including identity theft, check forgery, fraud in obtaining credit, financial transaction card fraud, theft from merchants, possession or sale of stolen or counterfeit checks, issuance of dishonored checks, creation or use of counterfeit state identification, obtaining counterfeit state identification, fraudulent Internet transactions, fraudulent merchandise returns, investment fraud, insurance fraud, vehicle insurance fraud, financial institution~~

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fraud, fraud related to state or federal programs, tax fraud, mail and wire fraud, and other related financial crimes.

(c) In particular, the investigation task force shall investigate individuals and organizations, based on their criminal activity, who that:

- (1) commit multiple, cross-jurisdictional, financial crimes;
- (2) employ computers and other sophisticated technology to counterfeit documents or commit fraud; or
- (3) illegally obtain consumer information for identity theft.

Subd. 3. **ROLE OF PARTICIPATING LOCAL GOVERNMENTAL UNITS AGENCIES.** (a) The local governmental units agencies that agree to form and participate in a single, centralized, the statewide financial crimes investigation task force shall oversee the investigation task force's operation by establishing procedures and guidelines in their an agreement. The agreement must be addressed in a memorandum of understanding and signed by the person in charge of each participating local unit agency of government. The memorandum of understanding shall must address the following:

- (1) the command structure of the investigation task force;
- (2) acquisition and liquidation of equipment, office space, and transportation;
- (3) procedures for contracting for necessary administrative support;
- (4) selection and assignment of members;
- (5) transfer of investigation task force members;
- (6) resolution of disputes between participating local governmental units agencies;
- (7) requirements and procedures for all workers' compensation and other liability to remain the responsibility of each member's employing agency; and
- (8) disposition of assets and debts if the task force is disbanded; and
- (9) all other issues deemed pertinent by the participating local governmental units agencies.

(b) Federal law enforcement agencies participating in the task force must be signatories to the memorandum of understanding. Federal law enforcement agencies and officers participating in the task force may not participate in the selection of the statewide commander or receive any funding for agents' salaries, benefits, or overtime.

Subd. 4. **STATEWIDE COMMANDER.** The participating local governmental units agencies shall select a commander to direct the investigation task force. The commander shall make tactical decisions regarding the commencement, continuation, and conclusion of investigations of crimes within the investigation task force's jurisdiction in consultation with agencies participating in the task force. The commander shall also report annually to the bureau of criminal apprehension commissioner of public safety as required in subdivision 10.

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Subd. 5. **MEMBERS; EMPLOYMENT STATUS.** The investigation task force may include law enforcement officers, prosecutors, federal law enforcement officers, and investigators from local governmental units who are selected by their supervisors to participate in the investigation task force. All law enforcement officers selected to join the investigation task force must be licensed peace officers under section 626.84, subdivision 1, or qualified federal law enforcement officers as defined in section 626.8453. Members shall remain employees of the same entity that employed them before joining the investigation task force. Compensation, personnel evaluations, grievances, merit increases, and liability insurance coverage, such as general, personal, vehicle, and professional liability insurance, shall must be covered by each member's employing agency. Members of the financial crimes task force are not employees of the state.

Subd. 6. **JURISDICTION AND POWERS.** Law enforcement officers who are members of the investigation task force shall have statewide jurisdiction to conduct criminal investigations into financial crimes as described in subdivision 2 and possess the same powers of arrest as those possessed by a sheriff.

Officers assigned to the financial crimes task force shall follow their county arrest procedures, booking processes, reporting processes, county attorney charging requirements, and appropriate notification protocols to local and county sheriff agencies where arrests are made and search warrants executed. The commander of the task force is responsible for ensuring compliance with applicable local practices and procedures.

Subd. 6a. **REGIONAL OFFICES.** The commander, as funding permits, may establish seven regional offices of the task force to investigate financial crimes throughout the state and the regional areas. The regional offices must originally be established based on current state judicial districts, with one regional office covering the first, second, fourth, and tenth judicial districts. The commander must establish a separate regional office in each of the third, fifth, sixth, seventh, eighth, and ninth judicial districts. The regional offices must be composed of participating agencies from each of the designated geographic areas. In consultation with the commander, the participating agencies of each regional office must select a supervisor to direct the office. The regional office supervisors must report to the commander. If necessary, the advisory committee established in subdivision 8 may modify the geographic boundary of a regional office.

Subd. 7. **COLLABORATION WITH OTHER PROSECUTORIAL AND LAW ENFORCEMENT OFFICES.** To the greatest degree possible, the investigation task force shall cooperate and collaborate with existing prosecutorial offices and law enforcement agencies.

Subd. 8. **PROSECUTOR BUDGET; ADVISORY COMMITTEE; FUND ALLOCATION AND USE.** (a) The statewide commander shall establish an operational budget and present it to an advisory committee for approval. Grants awarded to participating local agencies must be approved by the advisory committee. The advisory committee must be composed of the statewide commander, a county attorney from the

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metro area, a county attorney from greater Minnesota, and the three chiefs of police or sheriffs from the local law enforcement agencies that have the longest continuous participation in the task force. The committee shall appoint a chair from among its members. The statewide commander must not be the chair of the committee. The committee may adopt procedures to govern its conduct if necessary. A committee member may appoint a designee to take the member's place. The advisory committee shall oversee and select a fiscal agent qualified to handle financial accounting of task force funding. The task force shall be assigned an originating reporting number for case tracking and reporting purposes.

(b) A participating local governmental unit agency may seek a grant for reimbursement for the time and resources that a peace officer, investigator, detective, prosecutor, and the prosecutor's administrative staff dedicate to the investigation task force, or for any other task force-related purposes as described in paragraph (d). In order to receive a grant under this subdivision, a participating local governmental unit agency must provide a 25 to 20 percent match in nonstate funds or in-kind contributions either directly from its budget or from businesses directly donating support. A participating prosecutor employee shall remain an employee of the contributing county agency.

(c) For purposes of this subdivision, an "in-kind contribution" means any asset contribution or personnel costs not funded by this section, including office supplies, furniture, office space, computers, software, equipment, surveillance tools, and personnel benefits. It also includes contributions from federal agencies, businesses, nonprofit organizations, individuals, or legal entities used for general operations support and not directed toward the case of a particular victim or business.

(d) Task force funds may be used for any task force-related purpose including salaries, overtime, administration, office costs, law enforcement equipment, computers, software, vehicle expenses, travel, and training.

(e) The commissioner shall transfer all funds to the task force from financial contributions and grants designated to the task force for the purposes described in this section.

Subd. 9. **FORFEITURE.** Property seized by the investigation task force is subject to forfeiture pursuant to sections 609.531, 609.5312, 609.5313, and 609.5315 if ownership cannot be established. The investigation task force shall receive the proceeds from the sale of all property that it properly seizes and that is forfeited.

Subd. 10. **REQUIRED REPORTS.** (a) ~~Beginning June 30, 2002~~ Beginning July 1, 2003, the commander of the investigation task force shall report annually to the commissioner on the activities of the investigation task force and the use of grants awarded under ~~Laws 2001, First Special Session chapter 8, article 4, section 10, subdivision 7.~~

(b) By March 1, 2003, the commissioner of public safety shall report to the chairs and ranking minority members of the house of representatives and senate committees and divisions having jurisdiction over criminal justice policy and funding on the activities of the investigation task force and the use of grants awarded under Laws 2001, First Special Session chapter 8, article 4, section 10, subdivision 7.

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Subd. 11. **EXPIRATION TASK FORCE IS PERMANENT.** This section expires on June 30, 2003. Notwithstanding section 15.059, this section does not expire.

Subd. 12. **MATCHING FEDERAL DOLLARS.** The task force may accept grants or contributions from any federal source or legal business or entity.

EFFECTIVE DATE. This section is effective July 1, 2003.

Presented to the governor May 8, 2003

Signed by the governor May 12, 2003, 12:18 p.m.

CHAPTER 37—S.F.No. 433

An act relating to human services; requiring specialized Alzheimer's disease training in certain facilities and services; providing for consumer disclosure; amending Minnesota Statutes 2002, sections 144A.45, by adding a subdivision; 245A.04, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 144; 144D.

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

Section 1. [144.6503] **NURSING FACILITIES THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.**

(a) If a nursing facility markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, whether in a segregated or general unit, the facility's direct care staff and their supervisors must be trained in dementia care.

(b) Areas of required training include:

- (1) an explanation of Alzheimer's disease and related disorders;
- (2) assistance with activities of daily living;
- (3) problem solving with challenging behaviors; and
- (4) communication skills.

(c) The facility shall provide to consumers in written or electronic form a description of the training program, the categories of employees trained, the frequency of training, and the basic topics covered.

Sec. 2. Minnesota Statutes 2002, section 144A.45, is amended by adding a subdivision to read:

Subd. 5. **HOME CARE PROVIDERS THAT SERVE PERSONS WITH ALZHEIMER'S DISEASE OR RELATED DISORDERS.** (a) If a home care provider licensed under section 144A.46 or 144A.4605 markets or otherwise promotes services for persons with Alzheimer's disease or related disorders, the facility's direct

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