

CHAPTER 299A

DEPARTMENT OF PUBLIC SAFETY

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299A.01 DEPARTMENT OF PUBLIC SAFETY; CREATION AND ORGANIZATION.

[For text of subd 1, see M.S.1994]

Subd. 1a. **Mission; efficiency.** It is part of the department's mission that within the department's resources the commissioner shall endeavor to:

- (1) prevent the waste or unnecessary spending of public money;
- (2) use innovative fiscal and human resource practices to manage the state's resources and operate the department as efficiently as possible;
- (3) coordinate the department's activities wherever appropriate with the activities of other governmental agencies;
- (4) use technology where appropriate to increase agency productivity, improve customer service, increase public access to information about government, and increase public participation in the business of government;
- (5) utilize constructive and cooperative labor-management practices to the extent otherwise required by chapters 43A and 179A;
- (6) include specific objectives in the performance report required under section 15.91 to increase the efficiency of agency operations, when appropriate; and
- (7) recommend to the legislature, in the performance report of the department required under section 15.91, appropriate changes in law necessary to carry out the mission of the department.

[For text of subs 2 to 6, see M.S.1994]

History: 1995 c 248 art 11 s 21

299A.31 CHEMICAL ABUSE AND VIOLENCE PREVENTION COUNCIL.

Subdivision 1. **Establishment; membership.** A chemical abuse and violence prevention council consisting of 19 members is established. The commissioners of public safety, children, families, and learning, health, corrections, and human services, the director of the office of strategic and long-range planning, and the attorney general shall each appoint one member from among their employees. The speaker of the house of representatives and the subcommittee on committees of the senate shall each appoint a legislative member. The governor shall appoint an additional ten members who shall represent the demographic and geographic composition of the state and, to the extent possible, shall represent the following: public health; education including preschool, elementary, and higher education; social services; financial aid services; chemical dependency treatment; law enforcement; prosecution; defense; the judiciary; corrections; treatment research professionals; drug abuse prevention professionals; the business sector; religious leaders; representatives of racial and ethnic minority communities; and other community representatives. The members shall designate one of the governor's appointees as chair of the council. Compensation and removal of members are governed by section 15.059.

[For text of subd 2, see M.S.1994]

History: 1Sp1995 c 3 art 16 s 13

299A.326 YOUTH NEIGHBORHOOD CENTERS; PILOT PROJECTS ESTABLISHED.

Subdivision 1. **Establishment; requirements.** The commissioner of public safety may establish up to three pilot projects at neighborhood centers serving youths between the ages of 11 to 21. The centers may offer recreational activities, social services, meals, job skills and career services, and provide referrals for youths to other available services outside the centers. The commissioner may consult with other appropriate agencies and, to the extent possible, use existing resources and staff in creating the programs. The commissioner shall ensure that the programs, if offered, are adequately staffed by specially trained personnel and outreach street workers. Each center may integrate community volunteers into the program's activities and services and cooperate with local law enforcement agencies. The centers must be open during hours convenient to youths including evenings, weekends, and extended summer hours. However, there may not be any conflicts with truancy laws. Each center must have a plan for evaluation designed to measure the program's effectiveness in aiding youths.

Subd. 2. **Advisory board.** The commissioner shall establish an advisory board to help develop plans and programs for the youth centers established in subdivision 1. The commissioner shall encourage both youths and their families to participate on the board.

History: 1995 c 226 art 3 s 44

299A.331 DARE ADVISORY COUNCIL.

Subdivision 1. **Membership.** The advisory council on drug abuse resistance education consists of:

- (1) the attorney general who shall serve as chair;
- (2) the commissioner of public safety;
- (3) the commissioner of children, families, and learning;
- (4) three representatives of law enforcement appointed by the commissioner of public safety;
- (5) three representatives of education appointed by the commissioner of children, families, and learning;
- (6) a representative of the DARE officers association appointed by the peace officer standards and training board from among recommendations of the association; and
- (7) seven citizens appointed by the attorney general.

[For text of subd 2, see M.S.1994]

History: 1Sp1995 c 3 art 16 s 13

299A.35 COMMUNITY CRIME REDUCTION PROGRAMS; GRANTS.

Subdivision 1. **Programs.** The commissioner shall, in consultation with the chemical abuse and violence prevention council, administer a grant program to fund community-based programs that are designed to enhance the community's sense of personal security and to assist the community in its crime control efforts. Examples of qualifying programs include, but are not limited to, the following:

- (1) programs to provide security systems for residential buildings serving low-income persons, elderly persons, and persons who have physical or mental disabilities;
- (2) community-based programs designed to discourage young people from involvement in unlawful drug or street gang activities;
- (3) neighborhood block clubs and innovative community-based crime watch programs;
- (4) community-based programs designed to enrich the educational, cultural, or recreational opportunities of at-risk elementary or secondary school age youth, including programs designed to keep at-risk youth from dropping out of school and encourage school dropouts to return to school;
- (5) support services for a municipal curfew enforcement program including, but not limited to, rent for drop-off centers, staff, supplies, equipment, and the referral of children who may be abused or neglected;

(6) community-based programs designed to intervene with juvenile offenders who are identified as likely to engage in repeated criminal activity in the future unless intervention is undertaken;

(7) community-based collaboratives that coordinate five or more programs designed to enrich the educational, cultural, or recreational opportunities of at-risk elementary or secondary school age youth, including programs designed to keep at-risk youth from dropping out of school and to encourage school dropouts to return to school;

(8) programs that are proven successful at increasing the rate of graduation from secondary school and the rate of post-secondary education attendance for high-risk students;

(9) community-based programs that provide services to homeless youth; and

(10) other community-based crime prevention programs that are innovative and encourage substantial involvement by members of the community served by the program.

[For text of subs 2 and 3, see M.S.1994]

History: 1995 c 226 art 4 s 4

299A.38 SOFT BODY ARMOR REIMBURSEMENT.

[For text of subd 1, see M.S.1994]

Subd. 2. State and local reimbursement. Peace officers and heads of local law enforcement agencies who buy vests for the use of peace officer employees may apply to the commissioner for reimbursement of funds spent to buy vests. On approving an application for reimbursement, the commissioner shall pay the applicant an amount equal to the lesser of one-half of the vest's purchase price or \$300. The political subdivision that employs the peace officer shall pay at least the lesser of one-half of the vest's purchase price or \$300. The political subdivision may not deduct or pay its share of the vest's cost from any clothing, maintenance, or similar allowance otherwise provided to the peace officer by the law enforcement agency.

[For text of subs 3 to 6, see M.S.1994]

History: 1995 c 226 art 2 s 3; 1995 c 265 art 2 s 25

299A.44 DEATH BENEFIT.

Subdivision 1. Payment required. (a) On certification to the governor by the commissioner of public safety that a public safety officer employed within this state has been killed in the line of duty, leaving a spouse or one or more eligible dependents, the commissioner of finance shall pay \$100,000 from the public safety officer's benefit account, as follows:

(1) if there is no dependent child, to the spouse;

(2) if there is no spouse, to the dependent child or children in equal shares;

(3) if there are both a spouse and one or more dependent children, one-half to the spouse and one-half to the child or children, in equal shares;

(4) if there is no surviving spouse or dependent child or children, to the parent or parents dependent for support on the decedent, in equal shares; or

(5) if there is no surviving spouse, dependent child, or dependent parent, then no payment may be made from the public safety officer's benefit fund.

(b) If there are both a spouse and one or more dependent children under age 18, the spouse, at the spouse's discretion, may spend a maximum of one-third of a child's share on medical or dental treatment for the child or the child's education. Expenditures under this paragraph on behalf of a child do not diminish the shares of any other children. In addition, a spouse, at the spouse's discretion, may expend money from a child's share to pay state and federal taxes on any interest accrued on the share.

Subd. 2. Adjustment of benefit. On October 1 of each year beginning after July 1, 1995, the commissioner of public safety shall adjust the level of the benefit payable immediately before October 1 under subdivision 1, to reflect the annual percentage change in the

Consumer Price Index for all urban consumers, published by the federal Bureau of Labor Statistics, occurring in the one-year period ending on June 1 immediately preceding such October 1.

History: 1995 c 133 s 1; 1995 c 226 art 2 s 4; 1995 c 265 art 2 s 26

299A.45 EDUCATION BENEFIT.

Subdivision 1. **Eligibility.** Following certification under section 299A.44 and compliance with this section and rules of the commissioner of public safety and the higher education services office, dependent children less than 23 years of age and the surviving spouse of a public safety officer killed in the line of duty on or after January 1, 1973, are eligible to receive educational benefits under this section. To qualify for an award, they must be enrolled in undergraduate degree or certificate programs after June 30, 1990, at an eligible Minnesota institution as provided in section 136A.101, subdivision 4. Persons who have received a baccalaureate degree or have been enrolled full time or the equivalent of eight semesters or 12 quarters, whichever occurs first, are no longer eligible.

[For text of subd 2, see M.S.1994]

Subd. 3. **Payment.** On proof of eligibility for this program, an eligible institution, on behalf of the student, shall request payment of the award from the higher education services office. An institution must not request payment unless the student is enrolled in or has completed the term for which the payment is intended.

[For text of subd 4, see M.S.1994]

History: 1995 c 212 art 3 s 59

299A.46 RULES.

The commissioner of public safety may adopt rules under chapter 14 to implement, coordinate, and administer sections 299A.41 to 299A.44. The higher education services office may adopt rules to implement, coordinate, and administer section 299A.45.

History: 1995 c 212 art 3 s 59; 1995 c 233 art 2 s 56

299A.51 LIABILITY AND WORKERS' COMPENSATION.

[For text of subd 1, see M.S.1994]

Subd. 2. **Workers' compensation.** During operations authorized under section 299A.50, members of a regional hazardous materials response team operating outside their geographic jurisdiction are considered employees of the department of public safety for purposes of chapter 176.

[For text of subd 3, see M.S.1994]

History: 1995 c 226 art 4 s 5

299A.61 CRIMINAL ALERT NETWORK.

The commissioner of public safety, in cooperation with the commissioner of administration, shall develop and maintain an integrated criminal alert network to facilitate the communication of crime prevention information by electronic means among state agencies, law enforcement officials, and the private sector. The network shall disseminate data regarding the commission of crimes, including information on missing and endangered children, and attempt to reduce theft and other crime by the use of electronic transmission of information.

History: 1995 c 226 art 4 s 6; 1995 c 244 s 6