

## MPPOA Report June 6, 2024

The 2024 legislative session ended in a messy and disorderly fashion. Both bodies were in and out of their respective chambers throughout the weekend of May 17, running the clock to the stroke of midnight on Sunday. In a last-minute “Hail Mary” at 10 p.m., the Tax Conference Committee, chaired by Representative Aisha Gomez (DFL-Minneapolis) and Senator Ann Rest (DFL-New Hope), loaded up a variety of conference committee reports that had not reached final passage, including the tax bill itself (HF5247), the omnibus bills on health and human services, medical scope of practice, energy and agriculture, transportation, housing and labor, as well as a bill **banning straw purchases of guns** and paid family leave.

The House took up the 1,430-page bill at 11:15 pm, passing it on a vote of 70-50. The Senate followed suit at 11:45 pm passing it on a vote of 34-14 (note many GOP members refused to vote in protest; the Senate President did not leave the board open for long). The bill was signed by Governor Walz on May 24 as [Chapter 127](#).

For the fourth year in a row, MPPOA was on the defense regarding a number of proposals. In addition, because 2023 was not a budget year, little money was put into public safety initiatives.

### MPPOA PRIORITIES

**School Resource Officers (SROs):** HF3489 (Frazier; DFL-New Hope)/SF3534 (Westlin; DFL-Plymouth): The Legislature passed a law last year banning school resource officers and other adults from certain restraints, which resulted in two different standards: one for SROs and one for all other law enforcement officers. Law enforcement objected, and many school resource officers were pulled from schools as a result. A priority for the MPPOA, we successfully lobbied members on both sides of the aisle. This year’s bipartisan legislation clarifies that prone restraints can be used on a limited basis. The bill was signed into law by Governor Walz on March 14, 2024, as [Chapter 78](#).

**Omnibus Pension Bill:** HF5040 (Her; DFL-St. Paul)/(Frentz; DFL-North Mankato): The bill was signed into law by Governor Walz on May 15, 2024, as [Chapter 102](#):

- **State Patrol Plan Reemployment Plan:** Article 5, section 11, adds a new section to chapter 352B, which governs the State Patrol Plan, to permit a member of the State Patrol Plan to:
  - separate from service;
  - begin to receive a retirement annuity;
  - return to covered employment after a break in service of at least one day if at least age 55 or at least a month if at least age 50;
  - make employee contributions and have employer contributions made on behalf of the member; and
  - following the next separation from service, receive a refund of the employee contributions made during the period of reemployment, plus interest.

Following the separation from service, the employer contributions are not refunded to the employer. The ability to return to reemployment and continue to receive a full retirement annuity does not extend or affect the application of the age 60 mandatory retirement.

- **PERA Correctional Plan:** Article 4, sections 14-15, increase the employee contribution rate for the PERA Correctional Plan by 1% of pay, from 5.83% to 6.83%, and the employer contribution rate by 1.5% of pay, from 8.75% to 10.25%. These increases are intended to fully fund the increase in the multiplier in section 15. Section 15 increases the multiplier used to calculate the annuity amount for members of the PERA Local Government Correctional Plan from 1.9% to 2.2% for service earned after June 30, 2025. The current multiplier of 1.9% will continue to apply to years of service earned prior to the effective date. With these changes, the benefit formula will be:

Annual benefit = (years of service earned prior to July 1, 2024, x 1.9%)  
+ (years of service earned after June 30, 2024, x 2.2%) x high-five average annual salary

**NOT included in the Pension bill:**

- **Reemployment:** [HF5137](#) (Wolgamott; DFL-St. Cloud): MPPOA/LELS worked with the Chiefs on the bill – which ultimately was not included due to the generation of a high fiscal note.
- **911 Telecommunicators Enhanced Retirement Benefits** [HF4796](#) (Wolgamott)/SF4958 (Seeberger; DFL-Afton) would have enhanced retirement benefits for this class of employees that are currently members of PERA-General. Employees and stakeholders advocating for an enhanced benefit set note the critical role 911 telecommunicators play in public safety and saving lives, the heightened stresses of the work, and the challenges recruiting and retaining employees for these roles.

<b>OMNIBUS TAX/MEGA BILL (<a href="#">CHAPTER 127</a>)</b>
--

**Public Safety/Transportation-Related Sections:**

- **Firearms** (Article 36): The penalty for making a **straw firearm purchase** (buying a firearm for someone ineligible to purchase or possess them) will be raised from a gross misdemeanor to a felony. Legislators also passed a measure that **will ban binary trigger devices** that enable a semiautomatic gun to fire more than one shot with a single pull and release of a trigger.
- **State Patrol Headquarters Funding** (Transportation Article 1, section 6, subdivision 4): **\$22.5 million for a new State Patrol headquarters is paid for with cash out of the trunk highway fund** that is fed by gas tax money. The money can be used to acquire the land, construct the building and demolish any existing structures on the purchased site. **Funding for the State Patrol headquarters was originally included in a bonding bill that the Legislature did not pass.** Funding for the State Patrol headquarters will be disbursed in July.
- **Traffic light cameras** (Transportation Article 3, sections 1-2, 42-44, 46-52): Traffic cameras will be coming to the cities of Minneapolis and Mendota Heights under a four-year pilot program. The program also calls for the Department of Transportation (MNDOT) to install traffic cameras in highway work zones. Two types of cameras will be permitted during the pilot program: red-light cameras and speed safety cameras. Drivers who are photographed running a red light or speeding will receive a warning on the first offense and a ticket the second time, although they could avoid the fine by taking

a traffic safety course. The pilot program allows for camera-based traffic enforcement in the designated areas from August 1, 2025, through July 31, 2029.

- **Motorcyclists can pass within lanes** (Transportation Article 3, section 61): Starting July 1, 2025, motorcyclists will be allowed to pass vehicles within the same traffic lane as long as they are driving no faster than 25 miles per hour, and they must not exceed 15 miles per hour over the speed of other traffic as they pass. The Commissioner of Public Safety (DPS) must implement a statewide education campaign to tell drivers about the new rules allowing motorcycles to pass within the same lane or between parallel lanes.
- **Lights-On Grant Program:** (Transportation Appropriations Article 1, section 4, subdivision 3); Transportation Article 3, section 60): \$1.2 million in FY25 to provide assistance for replacing rear taillights in lieu of a ticket – up to \$250 voucher.

#### Other Employer/Employee Issues:

- Article 11 makes changes to the **2023 Earned Sick and Safe Time Law**.
- Article 73 makes changes to the **2023 Paid Family and Medical Leave Adjustments**.

<b>OMNIBUS JUDICIARY AND PUBLIC SAFETY BILL (<a href="#">CHAPTER 123</a>)</b>
---

Authored by Chairs Kelly Moller (DFL-Shoreview), Jamie Becker-Finn (DFL-Roseville) and Senator Ron Latz (DFL-St. Louis Park), HF5216 represents the \$53.9 million public safety and judiciary supplemental budget; it includes several big-ticket items, including \$9.5 million for organizations and programs providing services to crime victims. Another \$7.9 million will go to hire more staff at the state's 11 prisons and boost their salaries, and \$7 million from the 911 emergency telecommunications services account will create a digital geographic information system mapping data of school facilities. The bill was signed into law by Governor Walz on May 24 as Chapter 123.

#### [Spreadsheet](#)

#### Key Provisions:

- **Corrections Funding** (Article 1, section 5): appropriates \$5.9 million in FY24 and \$2 million in FY25 to the Department of Corrections for the operation of correctional facilities.
- **Swatting** (Article 6, section 17): increases criminal penalties for swatting (making a fictitious emergency call that a serious crime is underway).
- **Cannabis Odor** (Article 3, section 5): prohibits a peace officer from using the perception of the odor of cannabis as the sole basis to search a motor vehicle.
- **Child Abuse** (Article 4, section 6): makes it a misdemeanor to interfere with a mandatory reporter making a report on child abuse.
- **Confessions by Juveniles** (Article 4, section 16): makes inadmissible in court any confession by a juvenile obtained using deception.
- **Reasons for Traffic Stops** (Article 3, section 1): prevents a peace officer making a traffic stop for a secondary offense of the motor vehicle code from asking if the driver can identify the reason for the stop. Instead, an officer must first inform the driver of the reason for the stop before engaging in questioning related to the suspected violation.
- **Motor Vehicle Registration Compliance Working Group** (Article 1, section 4, subdivision 3; Article 5, section 16): **Includes MPPOA**, Sheriffs and Chiefs of Police appointees. Originally introduced as [HF1832](#) (Frazier)/SF2232 (Mohamed; DFL-Minneapolis), would have limited the

authority for peace officers to stop or detain drivers for certain motor vehicle equipment violations. On March 20, it was amended in the House Public Safety Committee to create a Working Group – at which point MPPOA became neutral. Report is due by February 15, 2025.

- **Task Force on Holistic and Effective Responses to Illicit Drug Use** (Article 5, section 17): **Includes one member appointed by the MPPOA** and one appointed by the Sheriffs.
- **Task Force on Domestic Violence and Firearms** (Article 5, section 18): Includes one member appointed by the Chiefs and one member appointed by the Sheriffs.
- **Law Enforcement and Fire Department Therapy Dog Grant Program** (Article 1, section 4, subdivision 1c): \$100,000 (FY25) for eligible law enforcement agencies and fire departments; grants up to \$10,000.
- **Railroad Peace Officers** (Article 3, section 3): grants railroad peace officers all powers and privileges of a licensed peace officer in connection with the prevention, investigation, arrest, or prosecution of an offense occurring on railroad property and involving injury to passengers or employees of a railroad or involving an offense against property owned by or in the care, custody, or control of a railroad.
- **POST Board; Receipt of Complaint** (Article 3, section 2): When the Peace Officer Standards and Training Board receives a complaint alleging a violation of statute or rule, the board's executive director may order an appropriate law enforcement agency to conduct an inquiry and require such an agency to submit a written report. Previously, the executive director must have designated a law enforcement agency to investigate the complaint.
- **Use of Force Reporting; Independent Investigations Required** (Article 3, section 6): The Use of Force Investigations Unit within the Bureau of Criminal Apprehension (BCA) must investigate any officer-involved death as defined in section 299C.80, subdivision 1, paragraph (c), unless the subject of the investigation is a peace officer employed by the BCA (section 299C.80, subdivision 4). Originally introduced as [HF3852](#) (Frazier)/SF3982 (Oumou Verbeten; DFL-St. Paul).
- **Prohibits POST Board Training in Excited Delirium** (Article 3, section 9): "Excited delirium" means a description of a person's state of agitation, excitability, paranoia, extreme aggression, physical violence, and apparent immunity to pain that is not listed in the most current version of the Diagnostic and Statistical Manual of Mental Disorders, or for which there is insufficient scientific evidence or diagnostic criteria to be recognized as a medical condition. Representative Paul Novotny (R-Elk River) added language that states that **"this does not prohibit peace officer training in responding to and the proper care of a person in crisis."**
- **DNA Collection; Parental Consent, Court Order, Or Warrant Required** (Article 4, section 4).
- **Digital Geographic Information Mapping System** (Article 1, section 7, subdivision 5, and section 18): \$7 million in FY24 for grants to regional emergency communications boards to map school facilities for law enforcement to access during emergencies.

#### OMNIBUS ENVIRONMENT AND NATURAL RESOURCES BUDGET BILL ([CHAPTER 116](#))

Authored by Chairs Rick Hansen (DFL-South St. Paul and Senator Foug Hawj (DFL-St. Paul), HF3911 provides \$300,000 in FY25 for compensation for conservation officers to maintain current law enforcement service levels. Increases base funding beginning in FY26. The bill was signed into law by Governor Walz on May 21, as Chapter 116:

- **Compensation for Conservation Officers** (Article 1, section 3, subdivision 6): \$300,000 the second year is to maintain current law enforcement service levels. Of this amount, \$30,000 is

from the water recreation account; \$15,000 is from the all-terrain vehicle account; and \$255,000 is from the game and fish fund. The increase to the base for FY26 and thereafter is \$1,080,000, and of this amount, \$108,000 is from the water recreation account; \$54,000 is from the all-terrain vehicle account; and \$918,000 is from the game and fish fund.

- **Unsafe Ice Search and Rescue Reimbursement** (Article 1, section 3; Article 3, section 15): \$200,000 (FY25) to reimburse county sheriffs and other local law enforcement agencies for search and rescue operations related to recreational activities on unsafe ice. Reimbursement may include reimbursements made by the Commissioner of Natural Resources with available appropriations or other available federal, state, and local funds. Reimbursement under this section is limited to 50 percent of the reimbursable costs subject to a maximum state payment of \$5,000 per agency for each search and rescue operation. This is a onetime appropriation and is available until June 30, 2027.

#### OMNIBUS TRANSPORTATION POLICY BILL ([CHAPTER 104](#))

Authored by Chairs Frank Hornstein (DFL-Minneapolis) and Senator Scott Dibble (DFL-Minneapolis), HF3436 makes various changes related to transportation policy. The bill was signed into law by Governor Walz on May 15, 2024, as Chapter 104:

#### [Summary](#)

- **Pattern Bargaining/Compensation for Law Enforcement Officers:** Directs Minnesota Management and Budget to consider compensation data from the most recent salary and benefits survey in negotiating increases to compensation **for law enforcement officers employed by the state during the collective bargaining process**. Includes Troopers, BCA agents, Alcohol and Gambling Enforcement agents in DPS, DNR conservation agents, Department of Corrections Fugitive Apprehension Unit members, and Commerce Fraud Bureau agents in the Department of Commerce. Expires January 1, 2032.
- **Article 1 (relating to accident reports):**
  - **Section 30: Notify owner of damaged property.** Directs the operator of a vehicle involved in a collision that only results in property damage to report it to a peace officer. Eliminates reporting to DPS.
  - **Section 31: Officer to report accident to commissioner.** Specifies the situations in which peace officer reporting on a collision is required, including location, fatality or injury, and extent of damage.
  - **Section 32: Suspension of license for failure to report accident.** Limits DPS to suspend a driver's license or person's operating privilege for failure to report on a traffic accident.
  - **Section 33: Terminology.** Defines "disabling damage" related to crash reporting.

#### OMNIBUS CANNABIS AND COMMERCE BILL ([CHAPTER 121](#))

Authored by Chairs Zack Stephenson (DFL-Coon Rapids) and Senator Matt Klein (DFL-Mendota Heights), HF4757 started off as a cannabis bill that later picked up various sections of the Omnibus Commerce Budget bill. The bill was signed into law by Governor Walz on May 24, 2024, as Chapter 121:

- **Cannabis Training** (Article 1, section 7, subdivision 4): Modifies 2023 legislation which appropriated \$10 million (FY24) and \$5 million (FY25)/per year; ongoing. The money is to be used for the drug evaluation and classification program for drug recognition evaluator training; additional phlebotomists; drug recognition training for peace officers, and required continuing education training for drug recognition experts, program administration, **grants to local law enforcement divisions, and making grants to eligible employers for drug evaluation and classification training costs of their staff.** This appropriation is available until June 30, 2027.
- **License Required for Scrap Metal Copper Sale** (Article 4, sections 4-6): Beginning January 1, 2025, prohibits individuals from engaging in the sale of scrap metal copper unless the person has a valid license issued by the Commissioner of Commerce under this subdivision.
  - **Scrap Metal Working Group** (Article 4, section 9): The commissioner of public safety **MAY** convene a working group of representatives designated by the Minnesota Sheriffs Association, the Minnesota Chiefs of Police Association, and the trade association representing scrap metal recyclers. Meetings **MAY** occur monthly to discuss metal theft and share nonproprietary and nonprivileged information related to prevention, investigation, and prosecution of metal theft crimes.

#### GUN BILLS THAT DID NOT PASS

- **Lost/Stolen Gun Reporting Requirements:** [HF601](#) (Her; DFL-St. Paul)/SF606 (Westlin) would have required reporting of the loss or theft of the firearm to a law enforcement agency in the jurisdiction as soon as practicable but not later than within 48 hours of the time the person knew or reasonably should have known of the loss or theft.
- **Safe Gun Storage:** [HF4300](#)/(Becker-Finn)/SF4312 (Gustafson; DFL-Vadnais Heights) would have required gun owners to lock and unload their firearms to safely store them.
- **Firearms; Mandatory Minimum Sentences Eliminated:** [HF4277](#) (Frazier)/SF4324 (Mohamed) would have eliminated mandatory minimum sentences for offenses involving possession or use of firearm or other dangerous weapon; would have established felony offense of firearm trafficking; would have eliminated requirements that certain victims report crimes within 30 days and cooperate with law enforcement to receive reimbursement; would have created a Task Force on Mandatory Minimum Sentences; would have established grants for emergency needs of victims of gun violence; would have authorized grants to county attorneys to develop and implement focused deterrence models to reduce group-related homicide and gun violence and interrupt cycles of community violence; would have created an additional position with the Violent Crime Coordinating Council.

#### BILLS OPPOSED BY MPPOA THAT DID NOT PASS

- **Disclosure of Personnel Data on Peace Officers (Moriarity Bill):** [HF4424](#) (Frazier)/SF4411 (Latz) was heard in the Senate Judiciary and Public Safety Committee on April 12. The bill failed on a vote of 4-5. The bill was not heard in the House.
- **Immunity for Government Employee Torts Prohibition:** [SF4476](#) (Oumou Verbeten)/HF4824 (Finke; DFL-St. Paul) would have prohibited immunity for government employee torts.
- **Prohibition of Immunity for Peace Officers:** [SF2260](#) (Oumou Verbeten) would have prohibited immunity for peace officers.

- **Defining “Disciplinary Action” for Peace Officer Personnel Data** [SF3487](#) (Mohamed)/HF3274 (Sencer-Mura; DFL-Minneapolis) defined “disciplinary action” related to peace officer personnel data. Defined as any action intended to reprimand, punish, or remediate the peace officer, including but not limited to a warning, a written reprimand, coaching or other supplementary training requirements, suspension, demotion, or discharge from employment.
- **Law Enforcement Data Collection Requirement** [SF4245](#) (Oumou Verbeten/HF4156 (Feist; DFL-New Brighton) would have required law enforcement officers to collect certain data on traffic, pedestrian, and bicycle stops.
- **Public Safety Aid Reporting Requirement:** [HF4370](#) (Gomez)/SF4186 (Gustafson) would have required recipients of 2023 public safety aid to report on the use of that aid.
- **North Star Act/Civil Immigration** [HF3459](#) (Feist)/SF3516 (Fateh; DFL-Minneapolis) was aimed to protect immigrants lacking legal status. Law enforcement and other government agencies, like school districts and public health agencies, would not have been able to ask someone about their immigration status or help in civil immigration enforcement.

#### OTHER BILLS OF INTEREST THAT DID NOT PASS

- **Public Safety Telecommunicators:** [HF3966](#) (Wolgamott), as introduced, would have established a board to oversee the certification and education of emergency telecommunicators and appropriated money from the 911 emergency telecommunication fund for that purpose.
- **Brady-Giglio:** [SF3463](#) (Hoffman; DFL-Champlin)/HF3890 (Wolgamott) would have provided for a uniform Brady-Giglio designation for peace officers.
- **Brady-Giglio Task Force:** [HF4306](#) (Novotny)/SF4732 (Koran; R-North Branch; Limmer; R-Maple Grove) would have excluded peace officers from discipline for inclusion on Brady-Giglio lists; would have established a task force to examine Brady-Giglio lists. Also introduced by Senator Hoffman as [SF4732](#).
- **Local Correctional Officers Discipline Procedures Act:** [HF3725](#) (Wolgamott)/SF3465 (Hoffman) would have added correctional officers to the Peace Officer Discipline Procedures Act; would have had the same statutory due process rights as peace officers; would have repealed the separate Correctional Officer Discipline Procedures Act in Chapter 241.
- **Hometown Heroes Outdoors Grants:**
  - [HF3569](#) (Hill; DFL-Stillwater)/SF4377 (Seeberger); \$500,000 appropriation (FY24-25) would have gone through DPS.
  - [HF3746](#) (Hill)/SF4378 (Seeberger); \$500,000 appropriation (FY24-25) would have gone through Veterans Affairs.
- **Fleeing Peace Officers:** [SF5497](#) (Gustafson)/HF5480 (Wolgamott) would have modified the crime of fleeing a peace officer in a motor vehicle to add a heightened penalty for fleeing in a culpably negligent manner; would have established crime of fleeing in motor vehicle and failing to obey certain traffic laws; would have authorized the expanded use of tracking devices for fleeing motor vehicles. Introduced late in session.
- **Harm caused to certain persons who are injured while illegally blocking a roadway:** [SF5500](#) (Lucero; R-St. Michael) would have limited liability of motor vehicle operators for harm caused to certain persons who are injured while illegally blocking a roadway. Introduced late in session.

## CONCLUSION

The Senate adjourned Sine Die at midnight on Sunday, May 19; the House followed suit on Monday after a session devoted to remarks from retiring members.

The November election could change the makeup of the Legislature. The House GOP only needs to pick up four seats to take the majority. In addition, it is anticipated that there will be at least one special election for a Senate DFL suburban seat. Senator Kelly Morrison (DFL-Deephaven) is running for a congressional seat currently occupied by Congressman Dean Phillips. In addition, it is unknown how the court case against Senator Nicole Mitchell (DFL-Woodbury) will play out. The Senate DFL holds only a one-seat majority; expect a lot of GOP energy (and money) to be put into campaign(s) in an effort to flip at least one seat.

The 2025 legislative session will convene on Tuesday, January 14, 2025. It is a budget year; early signs indicate that we may be heading into a deficit situation. Cutting budgets is not something that many current members of the Legislature have had to face in the recent past.