



May 10, 2016

LEGISLATIVE UPDATE/TRACKER REPORT #4

I have delayed sending out this update while awaiting further information from the House, specifically, their budget bill and the bonding bill. These are essential to compare their final priorities with those of the Senate and of course, the Governor. As of this time they still have not released either, and seem determined to hold everything in abeyance for as long as they can. There is now serious "talk" in some governmental groups that there may not be a bonding proposal at all this Session, or even a determined effort to work on a balance budget on the part of Republicans with a feeling among many of them that this will enhance their positions in the Fall elections.

As previously reported, the Committee Omnibus bills have been written and have been combined with several other Committees, which is why the budget agreement on spending becomes so crucial. On the other hand, these bills do not contain a lot of policy proposals as we previously reported.

A couple of things did take place in this last week. HF 2652 set aside by the House in favor of SF 2227, which was the bill making modifications to 4th degree assault against a peace officer; peace officer was specifically defined as a person who is licensed under MSA 626.845. This offense was made a felony with a potential sentence of up to three years and/or a fine of up to \$ 6,000. This bill was passed and was signed by Governor Dayton on May 6, 2016. The new law is effective August 1, 2016.

I still believe HF 2690, the Kelly bill which would require an Ignition Interlock program for repeat offenders will see further action and will probably reach the Governor's desk in the remaining Session. *(Update 5/12/16: Representative Kelly intends to withdraw this bill)*

Other than that, there is only one more surprise by use of a parliamentary maneuver under a special legislative rule, bills were introduced just this last week (well past Committee deadlines) with language making significant changes to the Sentencing Guidelines on drug sentencing. A bipartisan compromise was reached which will significantly change drug sentencing laws. Companion bills, SF 3983 (Latz) and HF 3481 (Cornish) have been introduced in their respective chambers and once acted upon by each, will be forwarded to Governor Dayton. There is a fair amount of printed material floating around about the changes so I'll just make a short comment on the compromise. Weight thresholds for first-degree sale of a controlled substance were reduced from the 25 grams approved by the MSG, to 17 grams (current law is 10 grams). And if a firearm is used in connection with the crime, the weight threshold goes back down to 10 grams. The new compromise results an individual charged with a second-degree possession with a presumptive probationary sentence. The elimination of mandatory minimum sentences for lower-level offenses will help reduce prison overcrowding. Almost every organization in the Public Safety/ Criminal Justice system were involved in one way or another in working together to reach the compromise language.

So as of today, that is where we're at, watching, waiting, and still wondering how our elected representatives in the Legislature will act to close out this year's Session, which most still call the "do-nothing-session." More reports will follow as the closing days result in action.

Feel free to contact me with your questions or comments. Thanks for your support!

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