

**SENATE
STATE OF MINNESOTA
NINETY-THIRD SESSION**

S.F. No. 3060

(SENATE AUTHORS: MOHAMED, Oumou Verbeten, Mann, Champion and Seeberger)

DATE
03/22/2023

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Introduction and first reading
Referred to Judiciary and Public Safety

OFFICIAL STATUS

1.1 A bill for an act
1.2 relating to public safety; expanding membership of the Sentencing Guidelines
1.3 Commission; providing for staggered terms for members of the Sentencing
1.4 Guidelines Commission; amending Minnesota Statutes 2022, section 244.09,
1.5 subdivisions 2, 3.

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

1.7 Section 1. Minnesota Statutes 2022, section 244.09, subdivision 2, is amended to read:

1.8 Subd. 2. **Members.** The Sentencing Guidelines Commission shall consist of the
1.9 following:

1.10 (1) the chief justice of the supreme court or a designee;

1.11 (2) one judge of the court of appeals, appointed by the chief justice of the supreme court
1.12 judge of the appellate court;

1.13 (3) one district court judge appointed by the ~~chief justice of the supreme court~~ Judicial
1.14 Council upon recommendation of the Minnesota District Judges Association;

1.15 (4) one public defender appointed by the governor upon recommendation of the state
1.16 public defender;

1.17 (5) one county attorney appointed by the governor upon recommendation of the board
1.18 of directors of the Minnesota County Attorneys Association;

1.19 (6) the commissioner of corrections or a designee;

1.20 (7) one peace officer as defined in section 626.84 appointed by the governor;

2.1 (8) one probation officer or ~~parole~~ supervised release officer appointed by the governor;
2.2 ~~and~~

2.3 (9) one person who works for an organization that provides treatment or rehabilitative
2.4 services for individuals convicted of felony offenses appointed by the governor;

2.5 (10) one person who is an academic with a background in criminal justice or corrections
2.6 appointed by the governor; and

2.7 (11) three public members appointed by the governor, one of whom shall be a person
2.8 who has been the victim of a crime defined as a felony or a victims' advocate, and one of
2.9 whom shall be a person who has been formerly convicted of and discharged from a
2.10 felony-level sentence.

2.11 When an appointing authority selects individuals for membership on the commission,
2.12 the authority shall make reasonable efforts to appoint qualified members of protected groups,
2.13 as defined in section 43A.02, subdivision 33.

2.14 One of the members shall be designated by the governor as chair of the commission.

2.15 Sec. 2. Minnesota Statutes 2022, section 244.09, subdivision 3, is amended to read:

2.16 Subd. 3. **Appointment terms.** Each appointed member shall be appointed for four years
2.17 and shall continue to serve during that time as long as the member occupies the position
2.18 which made the member eligible for the appointment. Each member shall continue in office
2.19 until a successor is duly appointed. Members shall be eligible for reappointment, ~~and~~
2.20 Appointment may be made to fill an unexpired term. ~~The term of any member appointed~~
2.21 ~~or reappointed by the governor before the first Monday in January 1991 expires on that~~
2.22 ~~date. The term of any member appointed or reappointed by the governor after the first~~
2.23 ~~Monday in January 1991 is coterminous with the governor. The terms of members appointed~~
2.24 by the governor on January 1, 2027, shall be staggered so that five members shall be
2.25 appointed for four years and four members shall be appointed for two years. Members
2.26 appointed by the chief justice of the supreme court shall be appointed to four-year terms.
2.27 The members of the commission shall elect any additional officers necessary for the efficient
2.28 discharge of their duties.