

# HOUSE RESEARCH

## Bill Summary

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**Subject:** Natural Resources Department Enforcement Authority

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### Section

- 1 Allow the Commissioner of Natural Resources to designate individuals under section 6 of this bill to enforce laws on various department areas and projects
- 2 See section 0.
- 3 See section 0.
- 4 See section 0.
- 5 See section 0
- 6 Allows peace officers defined in section 626.84, subdivision 1, paragraph (c), to enforce laws governing state parks, monuments, recreation areas, and waysides.

(c) "Peace officer" means:

(1) an employee or an elected or appointed official of a political subdivision or law enforcement agency who is licensed by the board, charged with the prevention and detection of crime and the enforcement of the general criminal laws of the state and who has the full power of arrest, and shall also include the Minnesota state patrol, agents of the division of alcohol and gambling enforcement, state conservation officers, metropolitan transit police officers, and department of corrections' fugitive apprehension unit officers; and

(2) a peace officer who is employed by a law enforcement agency of a federally recognized tribe, as defined in United States Code, title 25, section 450b(e), and who is licensed by the board.

Allows other designated employees for the same above state areas, and state forest subareas,

**Section**

to have statutorily defined citizen arrest powers, to issue petty misdemeanor and misdemeanor warning citations, and to issue violation reports to be turned over to a conservation or peace officer.

**Minn. Stat. § 629.37 WHEN A PRIVATE PERSON MAY MAKE AN ARREST.**

A private person may arrest another:

- (1) for a public offense committed or attempted in the arresting person's presence;
- (2) when the person arrested has committed a felony, although not in the arresting person's presence; or
- (3) when a felony has in fact been committed, and the arresting person has reasonable cause for believing the person arrested to have committed it.

**Minn. Stat. § 629.38 REQUIRING A PRIVATE PERSON TO DISCLOSE CAUSE OF ARREST.**

Before making an arrest a private person shall inform the person to be arrested of the cause of the arrest and require the person to submit. The warning required by this section need not be given if the person is arrested while committing the offense or when the person is arrested on pursuit immediately after committing the offense. If a person has committed a felony, a private person may break open an outer or inner door or window of a dwelling house to make the arrest if, before entering, the private person informs the person to be arrested of the intent to make the arrest and the private person is then refused admittance.

**Minn. Stat. § 629.39 REQUIRING PRIVATE PERSON MAKING ARREST TO DELIVER ARRESTEE TO JUDGE OR PEACE OFFICER.**

A private person who arrests another for a public offense shall take the arrested person before a judge or to a peace officer without unnecessary delay. If a person arrested escapes, the person from whose custody the person has escaped may immediately pursue and retake the escapee, at any time and in any place in the state. For that purpose, the pursuer may break open any door or window of a dwelling house if the pursuer informs the escapee of the intent to arrest the escapee and the pursuer is refused admittance.