

STATE OF MINNESOTA
SEVENTY-EIGHTH SESSION — 1994

NINETIETH DAY

SAINT PAUL, MINNESOTA, THURSDAY, APRIL 14, 1994

The House of Representatives convened at 12:00 noon and was called to order by Irv Anderson, Speaker of the House.

Prayer was offered by the Reverend Stephen Sveom, Faith Lutheran Church, Staples, Minnesota.

The roll was called and the following members were present:

Abrams	Dawkins	Hausman	Koppendrayer	Morrison	Pelowski	Swenson
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Perlt	Tomassoni
Asch	Delmont	Hugoson	Krueger	Munger	Peterson	Tompkins
Battaglia	Dempsey	Huntley	Lasley	Murphy	Pugh	Trimble
Bauerly	Dorn	Jacobs	Leppik	Neary	Reding	Tunheim
Beard	Erhardt	Jaros	Lieder	Nelson	Rest	Van Dellen
Bergson	Evans	Jefferson	Limmer	Ness	Rhodes	Van Engen
Bertram	Farrell	Jennings	Lindner	Olson, E.	Rice	Vellenga
Bettermann	Finseth	Johnson, A.	Long	Olson, K.	Rodosovich	Vickerman
Bishop	Frerichs	Johnson, R.	Lourey	Olson, M.	Rukavina	Wagenius
Brown, C.	Garcia	Johnson, V.	Luther	Onnen	Sarna	Waltman
Brown, K.	Girard	Kahn	Lynch	Opatz	Seagren	Weaver
Carlson	Goodno	Kalis	Macklin	Orenstein	Sekhon	Wejzman
Carruthers	Greenfield	Kelley	Mahon	Orfield	Skoglund	Wenzel
Clark	Greiling	Kelso	Mariani	Osthoff	Smith	Winter
Commers	Gruenes	Kinkel	McCollum	Ostrom	Solberg	Wolf
Cooper	Gutknecht	Klinzing	McGuire	Ozment	Stanius	Worke
Dauner	Hasskamp	Knickerbocker	Milbert	Pauly	Steensma	Workman
Davids	Haukoos	Knight	Molnau	Pawlenty	Svigum	Spk. Anderson, I.

A quorum was present.

Simoneau was excused until 3:35 p.m.

The Chief Clerk proceeded to read the Journal of the preceding day. Krueger moved that further reading of the Journal be dispensed with and that the Journal be approved as corrected by the Chief Clerk. The motion prevailed.

REPORTS OF CHIEF CLERK

S. F. No. 1872 and H. F. No. 2170, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Farrell moved that S. F. No. 1872 be substituted for H. F. No. 2170 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2104 and H. F. No. 2380, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Wejcman moved that the rules be so far suspended that S. F. No. 2104 be substituted for H. F. No. 2380 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2171 and H. F. No. 2402, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Johnson, R., moved that the rules be so far suspended that S. F. No. 2171 be substituted for H. F. No. 2402 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2393 and H. F. No. 2636, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Jefferson moved that the rules be so far suspended that S. F. No. 2393 be substituted for H. F. No. 2636 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2642 and H. F. No. 2946, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Dawkins moved that the rules be so far suspended that S. F. No. 2642 be substituted for H. F. No. 2946 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2709 and H. F. No. 2892, which had been referred to the Chief Clerk for comparison, were examined and found to be identical.

Hugoson moved that S. F. No. 2709 be substituted for H. F. No. 2892 and that the House File be indefinitely postponed. The motion prevailed.

S. F. No. 2913 and H. F. No. 3215, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Solberg moved that the rules be so far suspended that S. F. No. 2913 be substituted for H. F. No. 3215 and that the House File be indefinitely postponed. The motion prevailed.

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

I have the honor to inform you that the following enrolled Acts of the 1994 Session of the State Legislature have been received from the Office of the Governor and are deposited in the Office of the Secretary of State for preservation, pursuant to the State Constitution, Article IV, Section 23:

S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1994	Date Filed 1994
2040		386	11:20 a.m. April 7	April 7
1691		388	11:02 a.m. April 7	April 7
2522		394	11:23 a.m. April 7	April 7
1752		395	11:22 a.m. April 7	April 7
1968		396	11:25 a.m. April 7	April 7
1983		397	11:26 a.m. April 7	April 7
1967		398	11:26 a.m. April 7	April 7
2415		399	11:30 a.m. April 7	April 7

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

April 11, 1994

The Honorable Irv Anderson
Speaker of the House of Representatives
The State of Minnesota

Dear Speaker Anderson:

It is my honor to inform you that I have received, approved, signed and deposited in the Office of the Secretary of State the following House Files:

- H. F. No. 2210, relating to data practices; regulating the classification and release of certain department of commerce data.
- H. F. No. 2435, relating to animals; changing procedures concerning certain abandoned animals.
- H. F. No. 2679, relating to boilers and engines; modifying provisions relating to hobby boilers and show engines.
- H. F. No. 2178, relating to state lands; authorizing private sale of certain tax-forfeited land that borders public water in Meeker county.
- H. F. No. 2035, relating to commerce; residential building contractors and remodelers; clarifying legislative intent to require maintenance of bonds until license renewal; requiring recovery fund fee proration in certain circumstances.
- H. F. No. 2622, relating to state lands; authorizing the department of natural resources to sell certain state land in the counties of Itasca and St. Louis.
- H. F. No. 2309, relating to highways; changing highway description.

H. F. No. 1913, relating to retirement; St. Paul police consolidation account; authorizing the payment of refunds to the estates of certain deceased police officers.

H. F. No. 1881, relating to the city of Red Wing; authorizing certain police officers to elect retirement coverage by the public employees police and fire fund.

H. F. No. 2314, relating to waste reduction; amending various statutes to be consistent with recent law relating to distribution of reports and materials to legislators.

H. F. No. 1186, relating to the environment; adding cross references for existing civil penalties for littering.

H. F. No. 2330, relating to Anoka county; authorizing county to sell tax-forfeited land by sealed bid.

H. F. No. 2086, relating to local government; abandoning judicial ditch number 37 in Redwood and Lyon counties.

H. F. No. 2692, relating to state lands; authorizing private sale of certain state land in Crow Wing county to resolve an encroachment situation.

Warmest regards,

ARNE H. CARLSON
Governor

STATE OF MINNESOTA
OFFICE OF THE SECRETARY OF STATE
ST. PAUL 55155

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
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S.F. No.	H.F. No.	Session Laws Chapter No.	Time and Date Approved 1994	Date Filed 1994
	2210	400	2:30 p.m. April 11	April 11
	2435	401	2:32 p.m. April 11	April 11
	2679	402	2:28 p.m. April 11	April 11
	2178	403	2:29 p.m. April 11	April 11
	2035	404	2:34 p.m. April 11	April 11
2425		405	2:50 p.m. April 11	April 11
2199		406	2:52 p.m. April 11	April 11
	2622	407	2:26 p.m. April 11	April 11
	2309	408	2:36 p.m. April 11	April 11
	1913	409	2:37 p.m. April 11	April 11
	1881	410	2:40 p.m. April 11	April 11
	2314	411	2:42 p.m. April 11	April 11
	1186	412	2:22 p.m. April 11	April 11
	2330	413	2:44 p.m. April 11	April 11
	2086	414	2:47 p.m. April 11	April 11
	2692	415	2:49 p.m. April 11	April 11

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

REPORTS OF STANDING COMMITTEES

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1911, A bill for an act relating to criminal procedure; proposing an amendment to the Minnesota Constitution, article I, section 7, to permit courts to deny a defendant's release on bail when necessary to protect the orderly processes of the criminal justice system or when the defendant is accused of a violent crime and has engaged in a pattern or history of violent crime; enacting the Minnesota bail reform act; providing procedures governing pretrial and postconviction release and detention decisions; providing for appellate review of release and detention orders; imposing penalties for failure to appear in court as required and for commission of a crime while on release; providing for training of judges and prosecutors to ensure they make racially and culturally neutral bail recommendations and decisions; amending Minnesota Statutes 1992, sections 589.16; 629.53; and 629.63; Minnesota Statutes 1993 Supplement, sections 480.30; and 629.72, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 609; proposing coding for new law as Minnesota Statutes, chapter 629A; repealing Minnesota Statutes 1992, sections 609.49; 629.44; 629.45; 629.47; 629.48; 629.49; 629.54; 629.55; 629.58; 629.59; 629.60; 629.61; 629.62; and 629.64.

Reported the same back with the recommendation that the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 1985, A bill for an act relating to partnerships; providing for the registration and operation of limited liability partnerships; appropriating money; amending Minnesota Statutes 1992, sections 319A.02, subdivision 5; 319A.05; 319A.06, subdivision 2; 319A.07; 319A.12, subdivisions 1, 1a, and 2; 323.02, subdivision 8, and by adding a subdivision; 323.06; 323.14; 323.17; 323.35; and 323.39; Minnesota Statutes 1993 Supplement, section 319A.02, subdivision 7; proposing coding for new law in Minnesota Statutes, chapter 323.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2158, A bill for an act relating to pollution; requiring that certain towns, cities, and counties have ordinances complying with pollution control agency rules regarding individual sewage treatment systems; requiring the agency to license sewage treatment professionals; requiring rulemaking; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 115.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2183, A bill for an act relating to transportation; regulating the transportation of hazardous material and hazardous waste; making technical changes; specifying that certain federal regulations do not apply to cargo tanks under 3,000 gallons used in the intrastate transportation of gasoline; establishing a uniform registration and permitting program for transporters of hazardous material and hazardous waste; defining terms; establishing requirements for applications; describing methods for calculating fees; specifying treatment of application data; establishing enforcement authority and administrative penalties; providing for suspension or revocation of registration and permits; providing for base state agreements; preempting and suspending conflicting programs; providing for the deposit and use of fees

and grants; establishing exemptions; amending Minnesota Statutes 1992, sections 13.99, by adding a subdivision; and 221.033, subdivisions 1 and 2b; Minnesota Statutes 1993 Supplement, section 221.036, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 221; repealing Minnesota Statutes 1992, section 221.033, subdivision 4.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2485, A bill for an act relating to water; providing for duties of the legislative water commission; providing for a sustainable agriculture advisory committee; requiring plans relating to sustainable agriculture and integrated pest management; changing disclosures and fees related to dewatering wells; establishing groundwater policy and education; changing water well permit requirements; requiring reports to the legislature; amending Minnesota Statutes 1992, sections 3.887, subdivisions 5, 6, and 8; 17.114, subdivisions 1, 3, 4, and by adding a subdivision; 18B.045, subdivision 1; 103A.43; 103B.151, subdivision 1; 103G.271, subdivision 5; 103H.175, by adding a subdivision; 103H.201, subdivisions 1 and 4; 103I.101, subdivision 5; 103I.205, subdivision 1; 103I.208; and 103I.331, subdivision 6; Minnesota Statutes 1993 Supplement, sections 18E.06; and 115B.20, subdivision 6; proposing coding for new law in Minnesota Statutes, chapters 103A; and 103F; repealing Minnesota Statutes 1992, section 103F.460.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Rice from the Committee on Economic Development, Infrastructure and Regulation Finance to which was referred:

H. F. No. 2503, A bill for an act relating to energy; reestablishing electric energy policy; establishing a hierarchy of preferred electric energy sources; establishing a legislative task force to oversee implementation of energy policy; establishing intervenor compensation account with revenues from utility assessments; clarifying the availability of intervenor compensation in proceedings before the public utilities commission; authorizing the public utilities commission to set discounted rates for low-income customers; establishing specific guidelines for payment to small power producers and cogenerators under certain circumstances; requiring compliance by a utility with a conservation improvement and resource planning requirements prior to the utility seeking a certificate of need for new or expanded facilities and rate increases; amending various statutes to conform with the reestablished energy policy; providing funding for the building energy research center and the energy center at the Red Wing/Winona technical college; providing demonstration grants for wind energy conversion facilities at public post-secondary institutions; providing for state bonding; appropriating money; amending Minnesota Statutes 1992, sections 216A.07, subdivision 3; 216A.085, subdivision 1; 216B.01; 216B.02, by adding subdivisions; 216B.03; 216B.11; 216B.16, subdivision 6, and by adding a subdivision; 216B.162, subdivisions 2, 4, and 8; 216B.164, subdivisions 1, 3, 6, and 7; 216B.17, subdivisions 1, 6, and 6a; 216B.243, subdivisions 3, 3a, and 4; 216C.01, subdivision 1; 216C.05; 216C.09; 216C.10; 216C.14, subdivision 2; 216C.17, subdivision 5; 216C.18, subdivisions 1 and 1a; 216C.315; 216C.38, by adding a subdivision; and 216C.381, subdivision 1; Minnesota Statutes 1993 Supplement, sections 216B.16, subdivision 1; 216B.162, subdivision 7; 216B.164, subdivision 4; and 216B.2422, subdivisions 1, 2, 4, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapters 216B; and 216C; repealing Minnesota Statutes 1992, sections 216B.16, subdivision 10; Minnesota Statutes 1993 Supplement, section 216B.242.

Reported the same back with the following amendments:

Delete everything after the enacting clause and insert:•

"Section 1. [EDUCATIONAL DEMONSTRATION GRANTS; WIND ENERGY.]

(a) The commissioner of the department of public service shall make four demonstration grants, not to exceed \$250,000 per grant, for constructing advanced wind energy conversion facilities in areas of the state with average wind speeds of 11.5 miles per hour or greater.

(b) An applicant for a grant must be a public post-secondary institution that has in place or will have in place a program to train persons in the design, construction, and operation of preferred energy technologies. The institution shall commit to indefinitely continuing the preferred energy technologies program required for purposes of receiving the grant.

(c) A wind energy conversion facility constructed under this section must receive payment from an interconnecting utility under Minnesota Statutes, section 216B.164, subdivision 4, paragraph (d). Payment received by an institution from a utility must be used for operating and maintaining the wind energy conversion facility and for providing instruction to increase the availability of persons trained and skilled in design, construction, and operation of preferred energy source generation facilities.

(d) For the purposes of this section, "preferred energy sources" means the energy sources described in Minnesota Statutes, section 216C.051, subdivision 3, paragraph (b), clauses (1) and (2).

Sec. 2. [REPEALER.]

Minnesota Statutes 1992, section 216B.16, subdivision 10, is repealed.

Sec. 3. [APPROPRIATION.]

\$1,000,000 is appropriated to the commissioner of the department of public service from the bond proceeds fund for the purpose of making the grants authorized under section 1.

Sec. 4. [BOND SALE.]

To provide the money appropriated in section 3 from the bond proceeds fund, the commissioner of finance upon request of the governor shall sell and issue bonds of the state in an amount up to \$1,000,000 in the manner, upon the terms, and with the effect prescribed by Minnesota Statutes, sections 16A.631 to 16A.675, and by the Minnesota Constitution, article XI, sections 4 to 7."

Delete the title and insert:

"A bill for an act relating to capital improvements; authorizing bonds and appropriating money for wind energy conversion facilities; repealing Minnesota Statutes 1992, section 216B.16, subdivision 10."

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Capital Investment.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 2894, A bill for an act relating to the environment; providing for evaluation of motor vehicle salvage facilities by the pollution control agency; providing for a report to the legislature; reallocating money; proposing coding for new law in Minnesota Statutes, chapter 116.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

H. F. No. 3032, A bill for an act relating to game and fish; clarifying the purposes for which various game and fish revenues may be spent; requiring establishment of citizen oversight committees to review expenditures of game and fish revenues; abolishing the angling license refund for senior citizens; amending Minnesota Statutes 1992, sections 97A.055, by adding a subdivision; 97A.071, subdivision 3; 97A.075, subdivisions 2, 3, and 4; 97A.475, subdivisions 6,

7, 8, and 13; and 97A.485, subdivision 7; Minnesota Statutes 1993 Supplement, sections 97A.055, subdivision 4; 97A.475, subdivision 12; and 97A.485, subdivision 6; repealing Minnesota Statutes 1992, sections 97A.065, subdivision 3; and 97A.475, subdivision 9.

Reported the same back with the following amendments:

Pages 2 and 3, delete section 2

Page 5, line 15, after "costs" insert "except for costs of workers in the field"

Page 8, line 17, delete "7 to 13" and insert "6 to 12"

Page 8, line 33, delete "7 to 13 and 16" and insert "6 to 12 and 15"

Renumber the sections in sequence

Amend the title as follows:

Page 1, delete lines 4 and 5

Page 1, line 6, delete "revenues;"

Page 1, line 8, delete "97A.055, by adding a subdivision;"

With the recommendation that when so amended the bill pass.

The report was adopted.

Rest from the Committee on Taxes to which was referred:

H. F. No. 3122, A bill for an act relating to public finance; changing procedures for allocating bonding authority; amending Minnesota Statutes 1992, sections 474A.02, subdivisions 8a, 13a, and 23a; 474A.03, subdivision 1; 474A.04, subdivision 1a; 474A.061, subdivision 4; 474A.091, subdivisions 3 and 5; and 474A.131, subdivision 3, and by adding a subdivision; Minnesota Statutes 1993 Supplement, sections 474A.047, subdivision 1; and 474A.061, subdivision 2a.

Reported the same back with the following amendments:

Page 5, line 24, strike "median"

Page 5, line 25, strike "purchase" and insert "federal" and strike "in the city for which the bonds are to be sold" and insert "limits for housing"

Page 6, line 15, after "'city'" insert "means county and"

Page 12, delete line 26 and insert "date of the filing of the election not to issue bonds as provided under section 25, paragraph (c), of the Internal Revenue Code"

Page 12, delete lines 31 and 32 and insert "days of the date of the filing of the election not to issue bonds is considered not to"

With the recommendation that when so amended the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 1712, A bill for an act relating to towns; providing for financial audits in certain circumstances; amending Minnesota Statutes 1992, section 367.36, subdivision 1.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

Solberg from the Committee on Ways and Means to which was referred:

S. F. No. 1903, A bill for an act relating to agricultural economy; increasing extent of authorized state participation in rural finance authority loan restructuring program; repealing authorization for the commissioner of finance to issue obligations to assist agricultural-industrial facilities in Detroit Lakes; amending Minnesota Statutes 1992, section 41B.04, subdivision 8; repealing Laws 1992, chapter 543.

Reported the same back with the recommendation that the bill pass.

The report was adopted.

SECOND READING OF HOUSE BILLS

H. F. Nos. 1985, 2158, 2183, 2485, 2894, 3032 and 3122 were read for the second time.

SECOND READING OF SENATE BILLS

S. F. Nos. 1872, 2104, 2171, 2393, 2642, 2709, 2913, 1712 and 1903 were read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Orenstein introduced:

H. F. No. 3216, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Orenstein introduced:

H. F. No. 3217, A bill for an act proposing an amendment to the Minnesota Constitution, article I, adding a section to provide that the right to keep and bear arms shall not be abridged.

The bill was read for the first time and referred to the Committee on Rules and Legislative Administration.

Beard introduced:

H. F. No. 3218, A bill for an act relating to education; preventing the prevailing wage law from applying to school district construction and debt service equalization; amending Minnesota Statutes 1992, section 124.95, subdivision 5.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

Beard introduced:

H. F. No. 3219, A bill for an act relating to education; preventing the prevailing wage law from applying to school district construction and debt service equalization; amending Minnesota Statutes 1992, section 124.95, subdivision 5.

The bill was read for the first time and referred to the Committee on Labor-Management Relations.

MESSAGES FROM THE SENATE

The following messages were received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned:

H. F. No. 2212, A bill for an act relating to the environment; genetically engineered organisms; authorizing the department of agriculture to exempt certain federally monitored releases; authorizing the environmental quality board to adopt rules relating to certain releases; providing for certain exemptions; amending Minnesota Statutes 1992, sections 18F.01; 18F.02, subdivisions 1, 5, and by adding a subdivision; 18F.04; 18F.07; 18F.12; 116C.91, subdivision 1; 116C.94; and 116C.96; proposing coding for new law in Minnesota Statutes, chapters 18F; and 116C; repealing Minnesota Statutes 1992, section 18F.02, subdivision 7.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2362, A bill for an act relating to animals; changing the definition of a potentially dangerous dog; changing the identification tag requirements for a dangerous dog; amending Minnesota Statutes 1992, sections 347.50, subdivision 3; and 347.51, subdivision 7.

The Senate has appointed as such committee:

Ms. Reichgott Junge, Mr. Metzen and Ms. Lesewski.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce that the Senate accedes to the request of the House for the appointment of a Conference Committee on the amendments adopted by the Senate to the following House File:

H. F. No. 2675, A bill for an act relating to state lands; authorizing public sale of certain tax-forfeited land that borders public waters in Aitkin county.

The Senate has appointed as such committee:

Messrs. Lessard, Chmielewski and Merriam.

Said House File is herewith returned to the House.

PATRICK E. FLAHAVEN, Secretary of the Senate

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 2189, A bill for an act relating to education; prekindergarten through grade 12; providing for general education revenue; transportation; special programs; community education; facilities; organization and cooperation; commitment to excellence; other programs; miscellaneous provisions; libraries; state agencies; school bus safety; conforming amendments; providing for appointments; appropriating money; amending Minnesota Statutes 1992, sections 13.04, by adding a subdivision; 120.101, by adding a subdivision; 120.17, subdivision 1; 121.612, subdivision 7; 121.912, subdivision 5; 121.935, subdivision 6; 122.23, subdivisions 6, 8, 10, 13, and by adding a subdivision; 122.531, subdivision 9; 122.533; 122.91, subdivision 3; 122.937, subdivision 4; 123.35, subdivision 19a, and by adding subdivisions; 123.3514, subdivision 4; 123.39, subdivision 1; 123.58, subdivisions 2 and 4; 124.195, subdivisions 3, 6, and by adding a subdivision; 124.223, subdivision 1; 124.244, subdivision 4; 124.26, subdivision 1b; 124.2601, subdivisions 3, 5, and 7; 124.2711, by adding a subdivision; 124.2713, by adding a subdivision; 124.2721, subdivisions 1 and 5; 124.2725, subdivision 16; 124.278, subdivision 1; 124.6472, subdivision 1; 124.84, by adding a subdivision; 124.85; 124.90, by adding a subdivision; 124.912, by adding a subdivision; 124.95, subdivision 4; 124A.02, by adding subdivisions; 124A.03, subdivision 2a; 124A.22, subdivision 2a; 124A.26, by adding a subdivision; 124C.49; 125.09, subdivision 1; 125.188, subdivision 1; 126.02, subdivision 1; 126.15, subdivision 4; 126.23; 126.69, subdivisions 1 and 3; 126.77, subdivision 1; 126.78; 127.27, subdivision 5; 127.30, by adding a subdivision; 127.31, by adding a subdivision; 127.38; 129C.15, by adding a subdivision; 134.195, subdivision 10; 136D.22, by adding subdivisions; 136D.72, by adding subdivisions; 136D.82, by adding subdivisions; 169.01, subdivision 6; 169.21, subdivision 2; 169.442, subdivision 1; 169.443, subdivision 8, and by adding a subdivision; 169.445, subdivisions 1 and 2; 169.446, subdivision 3; 169.447, subdivision 6; 169.45, subdivision 1; 169.64, subdivision 8; 171.01, subdivision 22; 171.321, subdivision 3; 171.3215; 179A.07, subdivision 6; 260.181, subdivision 2; 272.02, subdivision 8; 475.61, subdivision 4; and 631.40, subdivision 1a; Minnesota Statutes 1993 Supplement, sections 120.062, subdivision 5; 120.064, subdivision 16; 120.17, subdivisions 11b, 12, and 17; 121.11, subdivisions 7c and 7d; 121.702, subdivisions 2 and 9; 121.703; 121.705; 121.706; 121.707; 121.708; 121.709; 121.710; 121.831, subdivision 9; 121.885, subdivisions 1, 2, and 4; 123.3514, subdivisions 6 and 6b; 123.58, subdivisions 6, 7, 8, and 9; 123.951; 124.155, subdivisions 1 and 2; 124.17, subdivisions 1 and 2f; 124.225, subdivisions 1 and 7e; 124.226, subdivisions 3a and 9; 124.2455; 124.26, subdivisions 1c and 2; 124.2711, subdivision 1; 124.2713, subdivision 5; 124.2714; 124.2727, subdivisions 6 and 6a; 124.573, subdivision 2b; 124.6469, subdivision 3; 124.91, subdivisions 3 and 5; 124.914, subdivision 4; 124.95, subdivision 1; 124A.029, subdivision 4; 124A.03, subdivisions 1c, 2, and 3b; 124A.22, subdivisions 5, 6, 8, and 9; 124A.225, subdivisions 1, 3, 4, and 5; 124A.29, subdivision 1; 124A.292, subdivision 3; 125.05, subdivision 1a; 125.138, subdivision 9; 125.185, subdivision 4; 125.230, subdivisions 3, 4, and 6; 125.231, subdivisions 1 and 4; 125.623, subdivision 3; 125.706; 126.239, subdivision 3; 126.70, subdivisions 1 and 2a; 127.46; 171.321, subdivision 2; 275.48; Laws 1992, chapter 499, articles 6, section 34; and 11, section 9; Laws 1993, chapter 224, articles 2, section 15, subdivision 2, as amended; 3, sections 36, subdivision 2; 38, subdivision 22; 5, sections 43; 46, subdivisions 2, 3, and 4; 6, section 30, subdivisions 2 and 6; 7, section 28, subdivisions 3, 4, 9, and 11; 8, sections 20, subdivision 2; 22, subdivisions 6, 7, and 12; 12, sections 39 and 41; and 15, section 2; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 123; 124; 124A; 125; 126; 127; 134; and 169; 473; repealing Minnesota Statutes 1992, sections 121.935, subdivision 7; 122.23, subdivision 13a; 122.91, subdivisions 5 and 7; 122.93, subdivision 7; 122.937; 122.94, subdivisions 2, 3, and 6; 122.945; 136D.22, subdivisions 1 and 3; 136D.71, subdivision 2; 136D.72, subdivisions 1, 2, and 5; 136D.82, subdivisions 1 and 3; 169.441, subdivisions 2 and 3; 169.442, subdivisions 2 and 3; 169.445, subdivision 3; 169.447, subdivision 3; Minnesota Statutes 1993 Supplement, sections 121.935, subdivision 5; 123.80; 124.2727, subdivision 8; 124A.225, subdivision 2; Laws 1992, chapter 499, article 6, section 39, subdivision 3; Law 1993, chapter 224, articles 1, section 37; 8, section 14; Minnesota Rules, parts 3520.3600; 3520.3700; 8700.6410; 8700.9000; 8700.9010; 8700.9020; and 8700.9030.

PATRICK E. FLAHAVEN, Secretary of the Senate

Vellenga moved that the House refuse to concur in the Senate amendments to H. F. No. 2189, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce that the Senate refuses to concur in the House amendments to the following Senate File:

S. F. No. 2900, A bill for an act relating to education; appropriating money for education and related purposes to the state board of technical colleges, higher education board, state university board, and board of regents of the

University of Minnesota, with certain conditions; modifying the award of grants for faculty exchange and temporary assignment programs; designating community colleges; establishing the mission of Fond du Lac campus; changing certain financial aid grants; modifying the child care grant program; clarifying an exemption to private, business, trade, and correspondence school licensing; providing for appointments; permitting rulemaking; adopting a post-secondary funding formula; permitting the higher education board to establish tuition rates for the 1995-1996 academic year; postponing mandated planning; amending Minnesota Statutes 1992, sections 135A.01; 135A.03, subdivisions 1a, and by adding subdivisions; 135A.04; 136.60, subdivisions 1 and 3; 136A.101, subdivision 5; 136A.121, subdivisions 5, 17, and by adding subdivisions; 136A.125, subdivisions 2, 4, and by adding a subdivision; 136A.15, subdivision 6; and 141.35; Minnesota Statutes 1993 Supplement, sections 125.138, subdivisions 1, 6, and 8; and 135A.05; 136A.121, subdivision 6; Laws 1993, First Special Session chapter 2, article 5, section 2; proposing coding for new law in Minnesota Statutes, chapters 135A; and 136; repealing Minnesota Statutes 1992, sections 135A.02; 135A.03, subdivisions 1, 2, 3, 4, 5, and 6; 136.60, subdivision 4; and 136C.36.

The Senate respectfully requests that a Conference Committee be appointed thereon. The Senate has appointed as such committee:

Messrs. Stumpf, Price, Solon, Ms. Wiener and Mrs. Benson, J. E.

Said Senate File is herewith transmitted to the House with the request that the House appoint a like committee.

PATRICK E. FLAHAVEN, Secretary of the Senate

Pelowski moved that the House accede to the request of the Senate and that the Speaker appoint a Conference Committee of 5 members of the House to meet with a like committee appointed by the Senate on the disagreeing votes of the two houses on S. F. No. 2900. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 3209, A bill for an act relating to the financing and operation of state and local government; conforming with changes in the federal income tax law; changing tax brackets, rates, bases, exemptions, withholding, payments, and refunds; allowing tax credits; providing aids to local governments; changing the calculation of property tax refunds; modifying property tax provisions relating to petitions, procedures, valuation, levies, classifications, homesteads, credits, and exemptions; abolishing limited market value; changing certain tax return or report requirements; changing operation of the local government trust fund; authorizing special assessments; authorizing local taxes; enacting provisions relating to certain cities, counties, special taxing districts, and towns; changing certain redemption provisions; reforming state budget procedures; changing the deposit of certain revenues; changing certain bonding provisions and authorizing bonding; modifying tax increment financing requirements; requiring certain permits and permit fees; requiring certain disclosures; requiring studies; transferring and appropriating money and limiting appropriations; amending Minnesota Statutes 1992, sections 16A.711, subdivisions 4 and 5; 60A.15, by adding a subdivision; 124.196; 271.06, subdivision 7; 272.121, subdivision 1; 273.111, subdivision 11; 273.1398, by adding a subdivision; 273.1399, by adding a subdivision; 273.165, subdivision 1; 278.05, subdivision 6; 289A.02, by adding a subdivision; 289A.25, subdivision 5; 290.01, subdivision 19d, and by adding a subdivision; 290.05, subdivision 3, and by adding a subdivision; 290.06, subdivisions 2c and 2d; 290.067, subdivision 1; 290.068, subdivision 2; 290.0802, subdivisions 1 and 2; 290.0921, subdivision 2; 290.35, by adding a subdivision; 290A.04, subdivisions 2 and 2a; 296.16, subdivision 1; 297.01, by adding a subdivision; 297A.01, by adding a subdivision; 297A.02, subdivision 2, and by adding a subdivision; 297A.021, by adding a subdivision; 297A.135, subdivision 1; 297A.15, subdivision 5; 297A.25, subdivision 9, and by adding subdivisions; 297A.256; 297A.44, subdivision 4; 297C.03, subdivision 6; 297C.13, subdivision 1; 298.017, subdivision 2; 298.26; 340A.311; 360.036, subdivisions 2 and 3; 360.037, subdivision 2; 360.042, subdivision 10; 469.004, subdivision 1a; 469.175, subdivisions 3, 4, and by adding a subdivision; 469.1761, subdivisions 1, 2, and 3; 469.177, subdivision 1a; 473.341; 473H.05, by adding a subdivision; 473H.18; and 580.23, as amended; Minnesota Statutes 1993 Supplement, sections 16A.712; 84.794, subdivision 1; 84.803, subdivision 1; 270.78; 273.11, subdivisions 5, 16, and by adding a subdivision; 273.121; 273.124, subdivision 1; 273.13, subdivisions 23 and 24; 275.065, subdivision 3; 276.04, subdivision 2; 278.01, subdivision 1; 289A.11, subdivision 1; 289A.26, subdivision 7; 289A.60, subdivision 21; 290.01, subdivision 19; 290.091, subdivision 2; 290A.03, subdivision 3; 290A.04, subdivisions 2h, as amended, and 6; 290A.23, subdivision 1; 296.02, subdivision 1a; 296.025, subdivision 1a; 297A.01, subdivision

16; 297B.03; 469.176, subdivisions 1b and 4c; and 477A.03, subdivision 1; Laws 1969, chapter 499, section 2; Laws 1993, chapter 375, article 9, section 51; proposing coding for new law in Minnesota Statutes, chapters 16A; 275; 296; 297A; 297B; 462C; 469; and 473; repealing Minnesota Statutes 1992, sections 290.05, subdivision 6; and 290.067, subdivision 6; Minnesota Statutes 1993 Supplement, sections 82.19, subdivision 9; 273.11, subdivision 1a; and 289A.25, subdivision 5a.

PATRICK E. FLAHAVEN, Secretary of the Senate

Carruthers moved that the House refuse to concur in the Senate amendments to H. F. No. 3209, that the Speaker appoint a Conference Committee of 5 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

Mr. Speaker:

I hereby announce the passage by the Senate of the following Senate Files, herewith transmitted:

S. F. Nos. 2004 and 2031.

PATRICK E. FLAHAVEN, Secretary of the Senate

FIRST READING OF SENATE BILLS

S. F. No. 2004, A bill for an act relating to the city of Two Harbors; permitting an additional lodging tax.

The bill was read for the first time and referred to the Committee on Taxes.

S. F. No. 2031, A bill for an act relating to civil actions; authorizing enforcement of commitments for debts related to lawful gambling activities; amending Minnesota Statutes 1992, section 541.21.

The bill was read for the first time and referred to the Committee on Judiciary.

Osthoff was excused between the hours of 12:25 p.m. and 1:10 p.m.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 2248

A bill for an act relating to agriculture; changing certain pesticide posting requirements; amending Minnesota Statutes 1992, section 18B.07, subdivision 3.

April 12, 1994

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 2248, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request adoption of this report and repassage of the bill.

House Conferees: GIL GUTKNECHT, MARVIN DAUNER AND GREGORY M. DAVIDS.

Senate Conferees: DUANE D. BENSON, JIM VICKERMAN AND STEVE DILLE.

Gutknecht moved that the report of the Conference Committee on H. F. No. 2248 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 2248, A bill for an act relating to agriculture; changing certain pesticide posting requirements; amending Minnesota Statutes 1992, section 18B.07, subdivision 3.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Krueger	Munger	Reding	Van Dellen
Anderson, R.	Delmont	Hugoson	Lasley	Murphy	Rhodes	Van Engen
Asch	Dempsey	Huntley	Leppik	Neary	Rice	Vellenga
Battaglia	Dorn	Jacobs	Lieder	Nelson	Rodosovich	Vickerman
Bauerly	Erhardt	Jaros	Limner	Ness	Rukavina	Wagenius
Beard	Evans	Jefferson	Lindner	Olson, E.	Sarna	Waltman
Bergson	Farrell	Jennings	Long	Olson, M.	Seagren	Weaver
Bertram	Finseth	Johnson, A.	Lourey	Onnen	Sekhon	Wejcman
Bettermann	Frerichs	Johnson, R.	Luther	Opatz	Skoglund	Wenzel
Brown, C.	Garcia	Johnson, V.	Lynch	Orenstein	Smith	Winter
Brown, K.	Girard	Kahn	Macklin	Orfield	Solberg	Wolf
Carlson	Goodno	Kalis	Mahon	Ostrom	Stanis	Worke
Carruthers	Greenfield	Kelley	Mariani	Ozment	Steensma	Workman
Clark	Greiling	Kelso	McCollum	Pauly	Sviggum	Spk. Anderson, I.
Commers	Gruenes	Kinkel	McGuire	Pawlenty	Swenson	
Cooper	Gutknecht	Klinzing	Milbert	Pelowski	Tomassoni	
Dauner	Hasskamp	Knight	Molnau	Perlt	Tompkins	
Dauids	Haukoos	Koppendrayner	Morrison	Peterson	Trimble	
Dawkins	Hausman	Krinkie	Mosel	Pugh	Tunheim	

The bill was repassed, as amended by Conference, and its title agreed to.

SPECIAL ORDERS

S. F. No. 1662 was reported to the House.

Wejcman moved to amend S. F. No. 1662 as follows:

Delete everything after the enacting clause and insert:

"UNIFORM INTERSTATE FAMILY SUPPORT ACT

ARTICLE 1

GENERAL PROVISIONS

Section 1. [518C.101] [DEFINITIONS.]

In this chapter:

(a) "Child" means an individual, whether over or under the age of majority, who is or is alleged to be owed a duty of support by the individual's parent or who is or is alleged to be the beneficiary of a support order directed to the parent.

(b) "Child support order" means a support order for a child, including a child who has attained the age of majority under the law of the issuing state.

(c) "Duty of support" means an obligation imposed or imposable by law to provide support for a child, spouse, or former spouse, including an unsatisfied obligation to provide support.

(d) "Home state" means the state in which a child lived with a parent or a person acting as parent for at least six consecutive months immediately preceding the time of filing of a petition or comparable pleading for support and, if a child is less than six months old, the state in which the child lived from birth with any of them. A period of temporary absence of any of them is counted as part of the six-month or other period.

(e) "Income" includes earnings or other periodic entitlements to money from any source and any other property subject to withholding for support under the law of this state.

(f) "Income-withholding order" means an order or other legal process directed to an obligor's employer or other debtor under section 518.611 or 518.613, to withhold support from the income of the obligor.

(g) "Initiating state" means a state in which a proceeding under this chapter or a law substantially similar to this chapter, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act is filed for forwarding to a responding state.

(h) "Initiating tribunal" means the authorized tribunal in an initiating state.

(i) "Issuing state" means the state in which a tribunal issues a support order or renders a judgment determining parentage.

(j) "Issuing tribunal" means the tribunal that issues a support order or renders a judgment determining parentage.

(k) "Law" includes decisional and statutory law and rules and regulations having the force of law.

(l) "Obligee" means:

(1) an individual to whom a duty of support is or is alleged to be owed or in whose favor a support order has been issued or a judgment determining parentage has been rendered;

(2) a state or political subdivision to which the rights under a duty of support or support order have been assigned or which has independent claims based on financial assistance provided to an individual obligee; or

(3) an individual seeking a judgment determining parentage of the individual's child.

(m) "Obligor" means an individual, or the estate of a decedent:

(1) who owes or is alleged to owe a duty of support;

(2) who is alleged but has not been adjudicated to be a parent of a child; or

(3) who is liable under a support order.

(n) "Register" means to file a support order or judgment determining parentage in the office of the court administrator.

(o) "Registering tribunal" means a tribunal in which a support order is registered.

(p) "Responding state" means a state to which a proceeding is forwarded under this chapter or a law substantially similar to this chapter, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act.

(q) "Responding tribunal" means the authorized tribunal in a responding state.

(r) "Spousal support order" means a support order for a spouse or former spouse of the obligor.

(s) "State" means a state of the United States, the District of Columbia, the Commonwealth of Puerto Rico, or any territory or insular possession subject to the jurisdiction of the United States. "State" includes an Indian tribe and a foreign jurisdiction that has established procedures for issuance and enforcement of support orders that are substantially similar to the procedures under this chapter.

(t) "Support enforcement agency" means a public official or agency authorized to:

(1) seek enforcement of support orders or laws relating to the duty of support;

(2) seek establishment or modification of child support;

(3) seek determination of parentage; or

(4) locate obligors or their assets.

(u) "Support order" means a judgment, decree, or order, whether temporary, final, or subject to modification, for the benefit of a child, spouse, or former spouse, which provides for monetary support, health care, arrearages, or reimbursement, and may include related costs and fees, interest, income withholding, attorney's fees, and other relief.

(v) "Tribunal" means a court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage.

(w) "Petition" means a petition or comparable pleading used pursuant to section 518.551, subdivision 10.

Sec. 2. [518C.102] [TRIBUNAL OF THIS STATE.]

A court, administrative agency, or quasi-judicial entity authorized to establish, enforce, or modify support orders or to determine parentage are tribunals of this state.

Sec. 3. [518C.103] [REMEDIES CUMULATIVE.]

Remedies provided by this chapter are cumulative and do not affect the availability of remedies under other law.

ARTICLE 2

JURISDICTION

PART A. EXTENDED PERSONAL JURISDICTION

Sec. 4. [518C.201] [BASES FOR JURISDICTION OVER NONRESIDENT.]

In a proceeding to establish, enforce, or modify a support order or to determine parentage, a tribunal of this state may exercise personal jurisdiction over a nonresident individual or the individual's guardian or conservator if:

(1) the individual is personally served with a summons within this state, or comparable document;

(2) the individual submits to the jurisdiction of this state by consent, by entering a general appearance, or by filing a responsive document having the effect of waiving any contest to personal jurisdiction;

(3) the individual resided with the child in this state;

(4) the individual resided in this state and provided prenatal expenses or support for the child;

(5) the child resides in this state as a result of the acts or directives of the individual;

(6) the individual engaged in sexual intercourse in this state and the child may have been conceived by that act of intercourse;

(7) the individual asserted parentage under sections 257.51 to 257.75; or

(8) there is any other basis consistent with the constitutions of this state and the United States for the exercise of personal jurisdiction.

Sec. 5. [518C.202] [PROCEDURE WHEN EXERCISING JURISDICTION OVER NONRESIDENT.]

A tribunal of this state exercising personal jurisdiction over a nonresident under section 518C.201 may apply section 518C.316 to receive evidence from another state, and section 518C.318 to obtain discovery through a tribunal of another state. In all other respects, articles 3 to 7 do not apply and the tribunal shall apply the procedural and substantive law of this state, including the rules on choice of law other than those established by this chapter.

PART B. PROCEEDINGS INVOLVING TWO OR MORE STATES

Sec. 6. [518C.203] [INITIATING AND RESPONDING TRIBUNAL OF THIS STATE.]

Under this chapter, a tribunal of this state may serve as an initiating tribunal to forward proceedings to another state and as a responding tribunal for proceedings initiated in another state.

Sec. 7. [518C.204] [SIMULTANEOUS PROCEEDINGS IN ANOTHER STATE.]

(a) A tribunal of this state may exercise jurisdiction to establish a support order if the petition or comparable pleading is filed after a petition or comparable pleading is filed in another state only if:

(1) the petition or comparable pleading in this state is filed before the expiration of the time allowed in the other state for filing a responsive pleading challenging the exercise of jurisdiction by the other state;

(2) the contesting party timely challenges the exercise of jurisdiction in the other state; and

(3) if relevant, this state is the home state of the child.

(b) A tribunal of this state may not exercise jurisdiction to establish a support order if the petition or comparable pleading is filed before a petition or comparable pleading is filed in another state if:

(1) the petition or comparable pleading in the other state is filed before the expiration of the time allowed in this state for filing a responsive pleading challenging the exercise of jurisdiction by this state;

(2) the contesting party timely challenges the exercise of jurisdiction in this state; and

(3) if relevant, the other state is the home state of the child.

Sec. 8. [518C.205] [CONTINUING, EXCLUSIVE JURISDICTION.]

(a) A tribunal of this state issuing a support order consistent with the law of this state has continuing, exclusive jurisdiction over a child support order:

(1) as long as this state remains the residence of the obligor, the individual obligee, or the child for whose benefit the support order is issued; or

(2) until each individual party has filed written consent with the tribunal of this state for a tribunal of another state to modify the order and assume continuing, exclusive jurisdiction.

(b) A tribunal of this state issuing a child support order consistent with the law of this state may not exercise its continuing jurisdiction to modify the order if the order has been modified by a tribunal of another state pursuant to a law substantially similar to this chapter.

(c) If a child support order of this state is modified by a tribunal of another state pursuant to a law substantially similar to this chapter, a tribunal of this state loses its continuing, exclusive jurisdiction with regard to prospective enforcement of the order issued in this state, and may only:

(1) enforce the order that was modified as to amounts accruing before the modification;

(2) enforce nonmodifiable aspects of that order; and

(3) provide other appropriate relief for violations of that order which occurred before the effective date of the modification.

(d) A tribunal of this state shall recognize the continuing, exclusive jurisdiction of a tribunal of another state which has issued a child support order pursuant to a law substantially similar to this chapter.

(e) A temporary support order issued ex parte or pending resolution of a jurisdictional conflict does not create continuing, exclusive jurisdiction in the issuing tribunal.

(f) A tribunal of this state issuing a support order consistent with the law of this state has continuing, exclusive jurisdiction over a spousal support order throughout the existence of the support obligation. A tribunal of this state may not modify a spousal support order issued by a tribunal of another state having continuing, exclusive jurisdiction over that order under the law of that state.

Sec. 9. [518C.206] [ENFORCEMENT AND MODIFICATION OF SUPPORT ORDER BY TRIBUNAL HAVING CONTINUING JURISDICTION.]

(a) A tribunal of this state may serve as an initiating tribunal to request a tribunal of another state to enforce or modify a support order issued in that state.

(b) A tribunal of this state having continuing, exclusive jurisdiction over a support order may act as a responding tribunal to enforce or modify the order. If a party subject to the continuing, exclusive jurisdiction of the tribunal no longer resides in the issuing state, in subsequent proceedings the tribunal may apply section 518C.316 to receive evidence from another state and section 518C.318 to obtain discovery through a tribunal of another state.

(c) A tribunal of this state which lacks continuing, exclusive jurisdiction over a spousal support order may not serve as a responding tribunal to modify a spousal support order of another state.

PART C. RECONCILIATION WITH ORDERS OF OTHER STATES

Sec. 10. [518C.207] [RECOGNITION OF CHILD SUPPORT ORDERS.]

(a) If a proceeding is brought under this chapter, and one or more child support orders have been issued in this or another state with regard to an obligor and a child, a tribunal of this state shall apply the following rules in determining which order to recognize for purposes of continuing, exclusive jurisdiction:

(1) If only one tribunal has issued a child support order, the order of that tribunal must be recognized.

(2) If two or more tribunals have issued child support orders for the same obligor and child, and only one of the tribunals would have continuing, exclusive jurisdiction under this chapter, the order of that tribunal must be recognized.

(3) If two or more tribunals have issued child support orders for the same obligor and child, and more than one of the tribunals would have continuing, exclusive jurisdiction under this chapter, an order issued by a tribunal in the current home state of the child must be recognized, but if an order has not been issued in the current home state of the child, the order most recently issued must be recognized.

(4) If two or more tribunals have issued child support orders for the same obligor and child, and none of the tribunals would have continuing, exclusive jurisdiction under this chapter, the tribunal of this state may issue a child support order, which must be recognized.

(b) The tribunal that has issued an order recognized under paragraph (a) is the tribunal having continuing, exclusive jurisdiction.

Sec. 11. [518C.208] [MULTIPLE CHILD SUPPORT ORDERS FOR TWO OR MORE OBLIGEEES.]

In responding to multiple registrations or petitions for enforcement of two or more child support orders in effect at the same time with regard to the same obligor and different individual obligees, at least one of which was issued by a tribunal of another state, a tribunal of this state shall enforce those orders in the same manner as if the multiple orders had been issued by a tribunal of this state.

Sec. 12. [518C.209] [CREDIT FOR PAYMENTS.]

Amounts collected and credited for a particular period pursuant to a support order issued by a tribunal of another state must be credited against the amounts accruing or accrued for the same period under a support order issued by the tribunal of this state.

ARTICLE 3

CIVIL PROVISIONS OF GENERAL APPLICATION

Sec. 13. [518C.301] [PROCEEDINGS UNDER THIS CHAPTER.]

(a) Except as otherwise provided in this chapter, this article applies to all proceedings under this chapter.

(b) This chapter provides for the following proceedings:

(1) establishment of an order for spousal support or child support pursuant to article 4;

(2) enforcement of a support order and income-withholding order of another state without registration pursuant to article 5;

(3) registration of an order for spousal support or child support of another state for enforcement pursuant to article 6;

(4) modification of an order for child support or spousal support issued by a tribunal of this state pursuant to article 2, part B;

(5) registration of an order for child support of another state for modification pursuant to article 6;

(6) determination of parentage pursuant to article 7; and

(7) assertion of jurisdiction over nonresidents pursuant to article 2, part A.

(c) An individual petitioner or a support enforcement agency may commence a proceeding authorized under this chapter by filing a petition in an initiating tribunal for forwarding to a responding tribunal or by filing a petition or a comparable pleading directly in a tribunal of another state which has or can obtain personal jurisdiction over the respondent.

Sec. 14. [518C.302] [ACTION BY MINOR PARENT.]

A minor parent, or a guardian or other legal representative of a minor parent, may maintain a proceeding on behalf of or for the benefit of the minor's child.

Sec. 15. [518C.303] [APPLICATION OF LAW OF THIS STATE.]

Except as otherwise provided by this chapter, a responding tribunal of this state:

(1) shall apply the procedural and substantive law, including the rules on choice of law, generally applicable to similar proceedings originating in this state and may exercise all powers and provide all remedies available in those proceedings; and

(2) shall determine the duty of support and the amount payable in accordance with the law and support guidelines of this state.

Sec. 16. [518C.304] [DUTIES OF INITIATING TRIBUNAL.]

Upon the filing of a petition authorized by this chapter, an initiating tribunal of this state shall forward three copies of the petition and its accompanying documents:

(1) to the responding tribunal or appropriate support enforcement agency in the responding state; or

(2) if the identity of the responding tribunal is unknown, to the state information agency of the responding state with a request that they be forwarded to the appropriate tribunal and that receipt be acknowledged.

Sec. 17. [518C.305] [DUTIES AND POWERS OF RESPONDING TRIBUNAL.]

(a) When a responding tribunal of this state receives a petition or comparable pleading from an initiating tribunal or directly pursuant to section 518C.301, paragraph (c), it shall cause the petition or pleading to be filed and notify the petitioner by first class mail where and when it was filed.

(b) A responding tribunal of this state, to the extent otherwise authorized by law, may do one or more of the following:

- (1) issue or enforce a support order, modify a child support order, or render a judgment to determine parentage;
- (2) order an obligor to comply with a support order, specifying the amount and the manner of compliance;
- (3) order income withholding;
- (4) determine the amount of any arrearages, and specify a method of payment;
- (5) enforce orders by civil or criminal contempt, or both;
- (6) set aside property for satisfaction of the support order;
- (7) place liens and order execution on the obligor's property;
- (8) order an obligor to keep the tribunal informed of the obligor's current residential address, telephone number, employer, address of employment, and telephone number at the place of employment;
- (9) issue a bench warrant for an obligor who has failed after proper notice to appear at a hearing ordered by the tribunal and enter the bench warrant in any local and state computer systems for criminal warrants;
- (10) order the obligor to seek appropriate employment by specified methods;
- (11) award reasonable attorney's fees and other fees and costs; and
- (12) grant any other available remedy.

(c) A responding tribunal of this state shall include in a support order issued under this chapter, or in the documents accompanying the order, the calculations on which the support order is based.

(d) A responding tribunal of this state may not condition the payment of a support order issued under this chapter upon compliance by a party with provisions for visitation.

(e) If a responding tribunal of this state issues an order under this chapter, the tribunal shall send a copy of the order by first class mail to the petitioner and the respondent and to the initiating tribunal, if any.

Sec. 18. [518C.306] [INAPPROPRIATE TRIBUNAL.]

If a petition or comparable pleading is received by an inappropriate tribunal of this state, it shall forward the pleading and accompanying documents to an appropriate tribunal in this state or another state and notify the petitioner by first class mail where and when the pleading was sent.

Sec. 19. [518C.307] [DUTIES OF SUPPORT ENFORCEMENT AGENCY.]

(a) A support enforcement agency of this state, upon request, shall provide services to a petitioner in a proceeding under this chapter.

(b) A support enforcement agency that is providing services to the petitioner as appropriate shall:

- (1) take all steps necessary to enable an appropriate tribunal in this state or another state to obtain jurisdiction over the respondent;
- (2) request an appropriate tribunal to set a date, time, and place for a hearing;

(3) make a reasonable effort to obtain all relevant information, including information as to income and property of the parties;

(4) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written notice from an initiating, responding, or registering tribunal, send a copy of the notice by first class mail to the petitioner;

(5) within two days, exclusive of Saturdays, Sundays, and legal holidays, after receipt of a written communication from the respondent or the respondent's attorney, send a copy of the communication by first class mail to the petitioner; and

(6) notify the petitioner if jurisdiction over the respondent cannot be obtained.

(c) This chapter does not create or negate a relationship of attorney and client or other fiduciary relationship between a support enforcement agency or the attorney for the agency and the individual being assisted by the agency.

Sec. 20. [518C.308] [DUTY OF ATTORNEY GENERAL.]

If the attorney general determines that the support enforcement agency is neglecting or refusing to provide services to an individual, the attorney general may order the agency to perform its duties under this chapter or may provide those services directly to the individual.

Sec. 21. [518C.309] [PRIVATE COUNSEL.]

An individual may employ private counsel to represent the individual in proceedings authorized by this chapter.

Sec. 22. [518C.310] [DUTIES OF STATE INFORMATION AGENCY.]

(a) The unit within the department of human services that receives and disseminates incoming interstate actions under title IV-D of the Social Security Act from section 518C.02, subdivision 1a, is the state information agency under this chapter.

(b) The state information agency shall:

(1) compile and maintain a current list, including addresses, of the tribunals in this state which have jurisdiction under this chapter and any support enforcement agencies in this state and transmit a copy to the state information agency of every other state;

(2) maintain a register of tribunals and support enforcement agencies received from other states;

(3) forward to the appropriate tribunal in the place in this state in which the individual obligee or the obligor resides, or in which the obligor's property is believed to be located, all documents concerning a proceeding under this chapter received from an initiating tribunal or the state information agency of the initiating state; and

(4) obtain information concerning the location of the obligor and the obligor's property within this state not exempt from execution, by such means as postal verification and federal or state locator services, examination of telephone directories, requests for the obligor's address from employers, and examination of governmental records, including, to the extent not prohibited by other law, those relating to real property, vital statistics, law enforcement, taxation, motor vehicles, driver's licenses, and social security.

Sec. 23. [518C.311] [PLEADINGS AND ACCOMPANYING DOCUMENTS.]

(a) A petitioner seeking to establish or modify a support order or to determine parentage in a proceeding under this chapter must verify the petition. Unless otherwise ordered under section 518C.312, the petition or accompanying documents must provide, so far as known, the name, residential address, and social security numbers of the obligor and the obligee, and the name, sex, residential address, social security number, and date of birth of each child for whom support is sought. The petition must be accompanied by a certified copy of any support order in effect. The petition may include any other information that may assist in locating or identifying the respondent.

(b) The petition must specify the relief sought. The petition and accompanying documents must conform substantially with the requirements imposed by the forms mandated by federal law for use in cases filed by a support enforcement agency.

Sec. 24. [518C.312] [NONDISCLOSURE OF INFORMATION IN EXCEPTIONAL CIRCUMSTANCES.]

Upon a finding, which may be made ex parte, that the health, safety, or liberty of a party or child would be unreasonably put at risk by the disclosure of identifying information, or if an existing order so provides, a tribunal shall order that the address of the child or party or other identifying information not be disclosed in a pleading or other document filed in a proceeding under this chapter.

Sec. 25. [518C.313] [COSTS AND FEES.]

(a) The petitioner may not be required to pay a filing fee or other costs.

(b) If an obligee prevails, a responding tribunal may assess against an obligor filing fees, reasonable attorney's fees, other costs, and necessary travel and other reasonable expenses incurred by the obligee and the obligee's witnesses. The tribunal may not assess fees, costs, or expenses against the obligee or the support enforcement agency of either the initiating or the responding state, except as provided by other law. Attorney's fees may be taxed as costs, and may be ordered paid directly to the attorney, who may enforce the order in the attorney's own name. Payment of support owed to the obligee has priority over fees, costs, and expenses.

(c) The tribunal shall order the payment of costs and reasonable attorney's fees if it determines that a hearing was requested primarily for delay. In a proceeding under article 6, a hearing is presumed to have been requested primarily for delay if a registered support order is confirmed or enforced without change.

Sec. 26. [518C.314] [LIMITED IMMUNITY OF PETITIONER.]

(a) Participation by a petitioner in a proceeding before a responding tribunal, whether in person, by private attorney, or through services provided by the support enforcement agency, does not confer personal jurisdiction over the petitioner in another proceeding.

(b) A petitioner is not amenable to service of civil process while physically present in this state to participate in a proceeding under this chapter.

(c) The immunity granted by this section does not extend to civil litigation based on acts unrelated to a proceeding under this chapter committed by a party while present in this state to participate in the proceeding.

Sec. 27. [518C.315] [NONPARENTAGE AS DEFENSE.]

A party whose parentage of a child has been previously determined by or pursuant to law may not plead nonparentage as a defense to a proceeding under this chapter.

Sec. 28. [518C.316] [SPECIAL RULES OF EVIDENCE AND PROCEDURE.]

(a) The physical presence of the petitioner in a responding tribunal of this state is not required for the establishment, enforcement, or modification of a support order or the rendition of a judgment determining parentage.

(b) A verified petition, affidavit, document substantially complying with federally mandated forms, and a document incorporated by reference in any of them, not excluded under the hearsay rule if given in person, is admissible in evidence if given under oath by a party or witness residing in another state.

(c) A copy of the record of child support payments certified as a true copy of the original by the custodian of the record may be forwarded to a responding tribunal. The copy is evidence of facts asserted in it, and is admissible to show whether payments were made.

(d) Copies of bills for testing for parentage, and for prenatal and postnatal health care of the mother and child, furnished to the adverse party at least ten days before trial, are admissible in evidence to prove the amount of the charges billed and that the charges were reasonable, necessary, and customary.

(e) Documentary evidence transmitted from another state to a tribunal of this state by telephone, telecopier, or other means that do not provide an original writing may not be excluded from evidence on an objection based on the means of transmission.

(f) In a proceeding under this chapter, a tribunal of this state may permit a party or witness residing in another state to be deposed or to testify by telephone, audiovisual means, or other electronic means at a designated tribunal or other location in that state. A tribunal of this state shall cooperate with tribunals of other states in designating an appropriate location for the deposition or testimony.

(g) If a party called to testify at a civil hearing refuses to answer on the ground that the testimony may be self-incriminating, the trier of fact may draw an adverse inference from the refusal.

(h) A privilege against disclosure of communications between spouses does not apply in a proceeding under this chapter.

(i) The defense of immunity based on the relationship of husband and wife or parent and child does not apply in a proceeding under this chapter.

Sec. 29. [518C.317] [COMMUNICATIONS BETWEEN TRIBUNALS.]

A tribunal of this state may communicate with a tribunal of another state in writing, or by telephone or other means, to obtain information concerning the laws of that state, the legal effect of a judgment, decree, or order of that tribunal, and the status of a proceeding in the other state. A tribunal of this state may furnish similar information by similar means to a tribunal of another state.

Sec. 30. [518C.318] [ASSISTANCE WITH DISCOVERY.]

A tribunal of this state may:

(1) request a tribunal of another state to assist in obtaining discovery; and

(2) upon request, compel a person over whom it has jurisdiction to respond to a discovery order issued by a tribunal of another state.

Sec. 31. [518C.319] [RECEIPT AND DISBURSEMENT OF PAYMENTS.]

A support enforcement agency or tribunal of this state shall disburse promptly any amounts received pursuant to a support order, as directed by the order. The agency or tribunal shall furnish to a requesting party or tribunal of another state a certified statement by the custodian of the record of the amounts and dates of all payments received.

ARTICLE 4

ESTABLISHMENT OF SUPPORT ORDER

Sec. 32. [518C.401] [PETITION TO ESTABLISH SUPPORT ORDER.]

(a) If a support order entitled to recognition under this chapter has not been issued, a responding tribunal of this state may issue a support order if:

(1) the individual seeking the order resides in another state; or

(2) the support enforcement agency seeking the order is located in another state.

(b) The tribunal may issue a temporary child support order if:

(1) the respondent has signed a verified statement acknowledging parentage;

(2) the respondent has been determined by or pursuant to law to be the parent; or

(3) there is other clear and convincing evidence that the respondent is the child's parent.

(c) Upon finding, after notice and opportunity to be heard, that an obligor owes a duty of support, the tribunal shall issue a support order directed to the obligor and may issue other orders pursuant to section 518C.305.

ARTICLE 5

DIRECT ENFORCEMENT OF ORDER
OF ANOTHER STATE WITHOUT REGISTRATION

Sec. 33. [518C.501] [RECOGNITION OF INCOME-WITHHOLDING ORDER OF ANOTHER STATE.]

(a) An income-withholding order issued in another state may be sent by first class mail to the person or entity defined as the obligor's employer under section 518.611 or 518.613 without first filing a petition or comparable pleading or registering the order with a tribunal of this state. Upon receipt of the order, the employer shall:

(1) treat an income-withholding order issued in another state which appears regular on its face as if it had been issued by a tribunal of this state;

(2) immediately provide a copy of the order to the obligor; and

(3) distribute the funds as directed in the withholding order.

(b) An obligor may contest the validity or enforcement of an income-withholding order issued in another state in the same manner as if the order had been issued by a tribunal of this state. Section 518C.604 applies to the contest. The obligor shall give notice of the contest to any support enforcement agency providing services to the obligee and to:

(1) the person or agency designated to receive payments in the income-withholding order; or

(2) if no person or agency is designated, the obligee.

Sec. 34. [518C.502] [ADMINISTRATIVE ENFORCEMENT OF ORDERS.]

(a) A party seeking to enforce a support order or an income-withholding order, or both, issued by a tribunal of another state may send the documents required for registering the order to a support enforcement agency of this state.

(b) Upon receipt of the documents, the support enforcement agency, without initially seeking to register the order, shall consider and, if appropriate, use any administrative procedure authorized by the law of this state to enforce a support order or an income-withholding order, or both. If the obligor does not contest administrative enforcement, the order need not be registered. If the obligor contests the validity or administrative enforcement of the order, the support enforcement agency shall register the order pursuant to this chapter.

ARTICLE 6

ENFORCEMENT AND MODIFICATION
OF SUPPORT ORDER AFTER REGISTRATION

PART A. REGISTRATION AND ENFORCEMENT OF SUPPORT ORDER

Sec. 35. [518C.601] [REGISTRATION OF ORDER FOR ENFORCEMENT.]

A support order or an income-withholding order issued by a tribunal of another state may be registered in this state for enforcement.

Sec. 36. [518C.602] [PROCEDURE TO REGISTER ORDER FOR ENFORCEMENT.]

(a) A support order or income-withholding order of another state may be registered in this state by sending the following documents and information to the registering tribunal in this state:

(1) a letter of transmittal to the tribunal requesting registration and enforcement;

(2) two copies, including one certified copy, of all orders to be registered, including any modification of an order;

(3) a sworn statement by the party seeking registration or a certified statement by the custodian of the records showing the amount of any arrearage;

(4) the name of the obligor and, if known:

(i) the obligor's address and social security number;

(ii) the name and address of the obligor's employer and any other source of income of the obligor; and

(iii) a description and the location of property of the obligor in this state not exempt from execution; and

(5) the name and address of the obligee and, if applicable, the agency or person to whom support payments are to be remitted.

(b) On receipt of a request for registration, the registering tribunal shall cause the order to be filed as a foreign judgment, together with one copy of the documents and information, regardless of their form.

(c) A petition or comparable pleading seeking a remedy that must be affirmatively sought under other law of this state may be filed at the same time as the request for registration or later. The pleading must specify the grounds for the remedy sought.

Sec. 37. [518C.603] [EFFECT OF REGISTRATION FOR ENFORCEMENT.]

(a) A support order or income-withholding order issued in another state is registered when the order is filed in the registering tribunal of this state.

(b) A registered order issued in another state is enforceable in the same manner and is subject to the same procedures as an order issued by a tribunal of this state.

(c) Except as otherwise provided in this article, a tribunal of this state shall recognize and enforce, but may not modify, a registered order if the issuing tribunal had jurisdiction.

Sec. 38. [518C.604] [CHOICE OF LAW.]

(a) The law of the issuing state governs the nature, extent, amount, and duration of current payments and other obligations of support and the payment of arrearages under the order.

(b) In a proceeding for arrearages, the statute of limitation under the laws of this state or of the issuing state, whichever is longer, applies.

PART B. CONTEST OF VALIDITY OR ENFORCEMENT

Sec. 39. [518C.605] [NOTICE OF REGISTRATION OF ORDER.]

(a) When a support order or income-withholding order issued in another state is registered, the registering tribunal shall notify the nonregistering party. Notice must be given by first class, certified, or registered mail or by any means of personal service authorized by the law of this state. The notice must be accompanied by a copy of the registered order and the documents and relevant information accompanying the order.

(b) The notice must inform the nonregistering party:

(1) that a registered order is enforceable as of the date of registration in the same manner as an order issued by a tribunal of this state;

(2) that a hearing to contest the validity or enforcement of the registered order must be requested within 20 days after the date of mailing or personal service of the notice;

(3) that failure to contest the validity or enforcement of the registered order in a timely manner will result in confirmation of the order and enforcement of the order and the alleged arrearages and precludes further contest of that order with respect to any matter that could have been asserted; and

(4) of the amount of any alleged arrearages.

(c) Upon registration of an income-withholding order for enforcement, the registering tribunal shall notify the obligor's employer pursuant to section 518.611 or 518.613.

Sec. 40. [518C.606] [PROCEDURE TO CONTEST VALIDITY OR ENFORCEMENT OF REGISTERED ORDER.]

(a) A nonregistering party seeking to contest the validity or enforcement of a registered order in this state shall request a hearing within 20 days after the date of mailing or personal service of notice of the registration. The nonregistering party may seek to vacate the registration, to assert any defense to an allegation of noncompliance with the registered order, or to contest the remedies being sought or the amount of any alleged arrearages pursuant to section 518C.607.

(b) If the nonregistering party fails to contest the validity or enforcement of the registered order in a timely manner, the order is confirmed by operation of law.

(c) If a nonregistering party requests a hearing to contest the validity or enforcement of the registered order, the registering tribunal shall schedule the matter for hearing and give notice to the parties by first class mail of the date, time, and place of the hearing.

Sec. 41. [518C.607] [CONTEST OF REGISTRATION OR ENFORCEMENT.]

(a) A party contesting the validity or enforcement of a registered order or seeking to vacate the registration has the burden of proving one or more of the following defenses:

(1) the issuing tribunal lacked personal jurisdiction over the contesting party;

(2) the order was obtained by fraud;

(3) the order has been vacated, suspended, or modified by a later order;

(4) the issuing tribunal has stayed the order pending appeal;

(5) there is a defense under the law of this state to the remedy sought;

(6) full or partial payment has been made; or

(7) the statute of limitation under section 518C.604 precludes enforcement of some or all of the arrearages.

(b) If a party presents evidence establishing a full or partial defense under paragraph (a), a tribunal may stay enforcement of the registered order, continue the proceeding to permit production of additional relevant evidence, and issue other appropriate orders. An uncontested portion of the registered order may be enforced by all remedies available under the law of this state.

(c) If the contesting party does not establish a defense under paragraph (a) to the validity or enforcement of the order, the registering tribunal shall issue an order confirming the order.

Sec. 42. [518C.608] [CONFIRMED ORDER.]

Confirmation of a registered order, whether by operation of law or after notice and hearing, precludes further contest of the order with respect to any matter that could have been asserted at the time of registration.

PART C. REGISTRATION AND MODIFICATION OF CHILD SUPPORT ORDER

Sec. 43. [518C.609] [PROCEDURE TO REGISTER CHILD SUPPORT ORDER OF ANOTHER STATE FOR MODIFICATION.]

A party or support enforcement agency seeking to modify, or to modify and enforce, a child support order issued in another state shall register that order in this state in the same manner provided in part A of this article if the order has not been registered. A petition for modification may be filed at the same time as a request for registration, or later. The pleading must specify the grounds for modification.

Sec. 44. [518C.610] [EFFECT OF REGISTRATION FOR MODIFICATION.]

A tribunal of this state may enforce a child support order of another state registered for purposes of modification, in the same manner as if the order had been issued by a tribunal of this state, but the registered order may be modified only if the requirements of section 518C.611 have been met.

Sec. 45. [518C.611] [MODIFICATION OF CHILD SUPPORT ORDER OF ANOTHER STATE.]

(a) After a child support order issued in another state has been registered in this state, the responding tribunal of this state may modify that order only if, after notice and hearing, it finds that:

(1) the following requirements are met:

(i) the child, the individual obligee, and the obligor do not reside in the issuing state;

(ii) a petitioner who is a nonresident of this state seeks modification; and

(iii) the respondent is subject to the personal jurisdiction of the tribunal of this state; or

(2) an individual party or the child is subject to the personal jurisdiction of the tribunal and all of the individual parties have filed a written consent in the issuing tribunal providing that a tribunal of this state may modify the support order and assume continuing, exclusive jurisdiction over the order.

(b) Modification of a registered child support order is subject to the same requirements, procedures, and defenses that apply to the modification of an order issued by a tribunal of this state and the order may be enforced and satisfied in the same manner.

(c) A tribunal of this state may not modify any aspect of a child support order that may not be modified under the law of the issuing state.

(d) On issuance of an order modifying a child support order issued in another state, a tribunal of this state becomes the tribunal of continuing, exclusive jurisdiction.

(e) Within 30 days after issuance of a modified child support order, the party obtaining the modification shall file a certified copy of the order with the issuing tribunal which had continuing, exclusive jurisdiction over the earlier order, and in each tribunal in which the party knows that earlier order has been registered.

Sec. 46. [518C.612] [RECOGNITION OF ORDER MODIFIED IN ANOTHER STATE.]

A tribunal of this state shall recognize a modification of its earlier child support order by a tribunal of another state which assumed jurisdiction pursuant to a law substantially similar to this chapter and, upon request, except as otherwise provided in this chapter, shall:

(1) enforce the order that was modified only as to amounts accruing before the modification;

(2) enforce only nonmodifiable aspects of that order;

(3) provide other appropriate relief only for violations of that order which occurred before the effective date of the modification; and

(4) recognize the modifying order of the other state, upon registration, for the purpose of enforcement.

ARTICLE 7

DETERMINATION OF PARENTAGE

Sec. 47. [518C.701] [PROCEEDING TO DETERMINE PARENTAGE.]

(a) A tribunal of this state may serve as an initiating or responding tribunal in a proceeding brought under this chapter or a law substantially similar to this chapter, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act to determine that the petitioner is a parent of a particular child or to determine that a respondent is a parent of that child.

(b) In a proceeding to determine parentage, a responding tribunal of this state shall apply the parentage act, sections 257.51 to 257.74, and the rules of this state on choice of law.

ARTICLE 8

INTERSTATE RENDITION

Section 48. [518C.801] [GROUNDS FOR RENDITION.]

(a) For purposes of this article, "governor" includes an individual performing the functions of governor or the executive authority of a state covered by this chapter.

(b) The governor of this state may:

(1) demand that the governor of another state surrender an individual found in the other state who is charged criminally in this state with having failed to provide for the support of an obligee; or

(2) on the demand by the governor of another state, surrender an individual found in this state who is charged criminally in the other state with having failed to provide for the support of an obligee.

(c) A provision for extradition of individuals not inconsistent with this chapter applies to the demand even if the individual whose surrender is demanded was not in the demanding state when the crime was allegedly committed and has not fled therefrom.

Sec. 49. [518C.802] [CONDITIONS OF RENDITION.]

(a) Before making demand that the governor of another state surrender an individual charged criminally in this state with having failed to provide for the support of an obligee, the governor of this state may require a prosecutor of this state to demonstrate that at least 60 days previously the obligee had initiated proceedings for support pursuant to this chapter or that the proceeding would be of no avail.

(b) If, under this chapter or a law substantially similar to this chapter, the uniform reciprocal enforcement of support act, or the revised uniform reciprocal enforcement of support act, the governor of another state makes a demand that the governor of this state surrender an individual charged criminally in that state with having failed to provide for the support of a child or other individual to whom a duty of support is owed, the governor may require a prosecutor to investigate the demand and report whether a proceeding for support has been initiated or would be effective. If it appears that a proceeding would be effective but has not been initiated, the governor may delay honoring the demand for a reasonable time to permit the initiation of a proceeding.

(c) If a proceeding for support has been initiated and the individual whose rendition is demanded prevails, the governor may decline to honor the demand. If the petitioner prevails and the individual whose rendition is demanded is subject to a support order, the governor may decline to honor the demand if the individual is complying with the support order.

ARTICLE 9

MISCELLANEOUS PROVISIONS

Sec. 50. [518C.901] [UNIFORMITY OF APPLICATION AND CONSTRUCTION.]

This chapter shall be applied and construed to effectuate its general purpose to make uniform the law with respect to the subject of this chapter among states enacting it.

Sec. 51. [518C.9011] [EXISTING REVISED UNIFORM RECIPROCAL ENFORCEMENT OF SUPPORT ACT ACTIONS.]

Any action or proceeding under the Revised Uniform Reciprocal Enforcement of Support Act (RURESA) pending on the effective date of this section shall continue under the provisions of RURESA until the court makes a decision on the action or proceeding.

Sec. 52. [518C.902] [SHORT TITLE.]

This chapter may be cited as the "uniform interstate family support act."

Sec. 53. [REPEALER.]

Minnesota Statutes 1992, sections 518C.01; 518C.02; 518C.03; 518C.04; 518C.05; 518C.06; 518C.07; 518C.08; 518C.09; 518C.10; 518C.11; 518C.12; 518C.13; 518C.14; 518C.15; 518C.16; 518C.17; 518C.18; 518C.19; 518C.20; 518C.21; 518C.22; 518C.23; 518C.24; 518C.25; 518C.26; 518C.27; 518C.28; 518C.29; 518C.30; 518C.31; 518C.32; 518C.33; 518C.34; 518C.35; and 518C.36, are repealed.

Sec. 54. [EFFECTIVE DATE.]

This act is effective January 1, 1995.

The motion prevailed and the amendment was adopted.

Farrell, Wejman, Swenson and Bishop moved to amend S. F. No. 1662, as amended, as follows:

Page 27, after line 13, insert:

"ARTICLE 10

CHILD SUPPORT ENFORCEMENT

Section 1. Minnesota Statutes 1992, section 214.101, as amended by Laws 1993, chapters 322, sections 1 and 2, and 340, section 2, is amended to read:

214.101 [CHILD SUPPORT; SUSPENSION OF LICENSE.]

Subdivision 1. [COURT ORDER; HEARING ON SUSPENSION.] (a) For purposes of this section, "licensing board" means a licensing board or other state agency that issues an occupational license.

(b) If a licensing board receives an order from a court or a notice from a public child support enforcement agency under section 518.551, subdivision 12, dealing with suspension of a license of a person found by the court or the public agency to be in arrears in child support or maintenance payments, or both, the board shall, within 30 days of receipt of the court order or public agency notice, provide notice to the licensee and hold a hearing. If the board finds that the person is licensed by the board and evidence of full payment of arrearages found to be due by the court or the public agency is not presented at the hearing, the board shall suspend the license unless it determines that probation is appropriate under subdivision 2. The only issues to be determined by the board are whether the person named in the court order or public agency notice is a licensee, whether the arrearages have been paid, and whether suspension or probation is appropriate. The board may not consider evidence with respect to the appropriateness of the court underlying child support order or the ability of the person to comply with the order. The board may not lift the suspension until the licensee files with the board proof showing that the licensee is current in child support payments and maintenance.

Subd. 2. [PROBATION.] If the board determines that the suspension of the license would create an extreme hardship to either the licensee or to persons whom the licensee serves, the board may, in lieu of suspension, allow the licensee to continue to practice the occupation on probation. Probation must be conditioned upon full compliance with the court order or public agency notice that referred the matter to the board. The probation period may not exceed two years, and the terms of probation must provide for automatic suspension of the license if the licensee does not provide monthly proof to the board of full compliance with the court order or public agency notice that referred the matter to the board or a further court order or public agency notice if the original order is modified by the court or the public agency.

Subd. 3. [REVOCATION OR REINSTATEMENT OF PROBATION.] If the licensee has a modification petition pending before the court or the public agency, the board may, without a hearing, defer a revocation of probation and institution of suspension until receipt of the court's ruling on the modification order. A licensee who was placed on probation and then automatically suspended may be automatically reinstated upon providing proof to the board that the licensee is currently in compliance with the court order or public agency notice.

Subd. 4. [VERIFICATION OF PAYMENTS.] Before a board may terminate probation, remove a suspension, issue, or renew a license of a person who has been suspended or placed on probation under this section, it shall contact the court or public agency that referred the matter to the board to determine that the applicant is not in arrears for child

support or maintenance or both. The board may not issue or renew a license until the applicant proves to the board's satisfaction that the applicant is current in support payments and maintenance.

Subd. 5. [APPLICATION.] This section applies to support obligations ordered by any state, territory, or district of the United States.

Sec. 2. Minnesota Statutes 1993 Supplement, section 256.87, subdivision 5, is amended to read:

Subd. 5. [CHILD NOT RECEIVING ASSISTANCE.] A person or entity having physical ~~and legal~~ custody of a dependent child not receiving assistance under sections 256.72 to 256.87 has a cause of action for child support against the child's absent parents. Upon an order to show cause and a motion served on the absent parent, the court shall order child support payments from the absent parent under chapter 518. This subdivision applies only if the person has custody with the consent of the absent parent or approval of the court.

Sec. 3. Minnesota Statutes 1993 Supplement, section 518.171, subdivision 1, is amended to read:

Subdivision 1. [ORDER.] (a) Every child support order must expressly assign or reserve the responsibility for maintaining medical insurance for the minor children and the division of uninsured medical and dental costs. The court shall order the party with the better group dependent health and dental insurance coverage to name the minor child as beneficiary on any health and dental insurance plan that is comparable to or better than a number two qualified plan and available to the party on a group basis or through an employer or union. "Health insurance coverage" as used in this section does not include medical assistance provided under chapter 256, 256B, or 256D. "Insurer" means an insurance company licensed under chapter 60A to offer, sell, or issue a policy of accident and sickness insurance as defined in section 62A.01; a nonprofit health service plan corporation operating under chapter 62C; a health maintenance organization operating under chapter 62D; a fraternal benefit society operating under chapter 64B; a joint self-insurance employee health plan operating under chapter 62H; or any other person providing health or dental insurance. "Number two qualified plan" means a plan described in section 62E.06, subdivision 2.

(b) If the court finds that dependent health or dental insurance is not available to the obligor or obligee on a group basis or through an employer or union, or that the group insurer is not accessible to the obligee, the court may require the obligor (1) to obtain other dependent health or dental insurance, (2) to be liable for reasonable and necessary medical or dental expenses of the child, or (3) to pay no less than \$50 per month to be applied to the medical and dental expenses of the children or to the cost of health insurance dependent coverage.

(c) If the court finds that the available dependent health or dental insurance does not pay all the reasonable and necessary medical or dental expenses of the child, including any existing or anticipated extraordinary medical expenses, and the court finds that the obligor has the financial ability to contribute to the payment of these medical or dental expenses, the court shall require the obligor to be liable for all or a portion of the medical or dental expenses of the child not covered by the required health or dental plan. Medical and dental expenses include, but are not limited to, necessary orthodontia and eye care, including prescription lenses.

(d) If the obligor is employed by a self-insured employer subject only to the federal Employee Retirement Income Security Act (ERISA) of 1974, and the insurance benefit plan meets the above requirements, the court shall order the obligor to enroll the dependents within 30 days of the court order effective date or be liable for all medical and dental expenses occurring while coverage is not in effect. If enrollment in the ERISA plan is precluded by exclusionary clauses, the court shall order the obligor to obtain other coverage or make payments as provided in paragraph (b) or (c).

(e) Unless otherwise agreed by the parties and approved by the court, if the court finds that the obligee is not receiving public assistance for the child and has the financial ability to contribute to the cost of medical and dental expenses for the child, including the cost of insurance, the court shall order the obligee and obligor to each assume a portion of these expenses based on their proportionate share of their total net income as defined in section 518.54, subdivision 6.

(f) Payments ordered under this section are subject to section 518.611. An obligee who fails to apply payments received to the medical expenses of the dependents may be found in contempt of this order.

Sec. 4. Minnesota Statutes 1993 Supplement, section 518.551, subdivision 5, is amended to read:

Subd. 5. [NOTICE TO PUBLIC AUTHORITY; GUIDELINES.] (a) The petitioner shall notify the public authority of all proceedings for dissolution, legal separation, determination of parentage or for the custody of a child, if either party is receiving aid to families with dependent children or applies for it, subsequent to the commencement of the proceeding. The notice must contain the full names of the parties to the proceeding, their social security account

numbers, and their birth dates. After receipt of the notice, the court shall set child support as provided in this subdivision. The court may order either or both parents owing a duty of support to a child of the marriage to pay an amount reasonable or necessary for the child's support, without regard to marital misconduct. The court shall approve a child support stipulation of the parties if each party is represented by independent counsel, unless the stipulation does not meet the conditions of paragraph (i). In other cases the court shall determine and order child support in a specific dollar amount in accordance with the guidelines and the other factors set forth in paragraph (b) and any departure therefrom. The court may also order the obligor to pay child support in the form of a percentage share of the obligor's net bonuses, commissions, or other forms of compensation, in addition to, or if the obligor receives no base pay, in lieu of, an order for a specific dollar amount.

(b) The court shall derive a specific dollar amount for child support by multiplying the obligor's net income by the percentage indicated by the following guidelines:

Net Income Per Month of Obligor	Number of Children						
	1	2	3	4	5	6	7 or more
\$550 and Below	Order based on the ability of the obligor to provide support at these income levels, or at higher levels, if the obligor has the earning ability.						
\$551 - 600	16%	19%	22%	25%	28%	30%	32%
\$601 - 650	17%	21%	24%	27%	29%	32%	34%
\$651 - 700	18%	22%	25%	28%	31%	34%	36%
\$701 - 750	19%	23%	27%	30%	33%	36%	38%
\$751 - 800	20%	24%	28%	31%	35%	38%	40%
\$801 - 850	21%	25%	29%	33%	36%	40%	42%
\$851 - 900	22%	27%	31%	34%	38%	41%	44%
\$901 - 950	23%	28%	32%	36%	40%	43%	46%
\$951 - 1000	24%	29%	34%	38%	41%	45%	48%
\$1001- 5000	25%	30%	35%	39%	43%	47%	50%
or the amount in effect under paragraph (k)							

Guidelines for support for an obligor with a monthly income in excess of the income limit currently in effect under paragraph (k) shall be the same dollar amounts as provided for in the guidelines for an obligor with a monthly income equal to the limit in effect.

Net Income defined as:

Total monthly
income less

- *(i) Federal Income Tax
- *(ii) State Income Tax
- (iii) Social Security Deductions
- (iv) Reasonable Pension Deductions
- (v) Union Dues
- (vi) Cost of Dependent Health Insurance Coverage
- (vii) Cost of Individual or Group Health/Hospitalization Coverage or an Amount for Actual Medical Expenses
- (viii) A Child Support or Maintenance Order that is Currently Being Paid.

*Standard
Deductions apply-
use of tax tables
recommended

"Net income" does not include:

(1) the income of the obligor's spouse, but does include in-kind payments received by the obligor in the course of employment, self-employment, or operation of a business if the payments reduce the obligor's living expenses; or

(2) compensation received by a party for employment in excess of a 40-hour work week, provided that:

(i) support is nonetheless ordered in an amount at least equal to the guidelines amount based on income not excluded under this clause; and

(ii) the party demonstrates, and the court finds, that:

(A) the excess employment began after the filing of the petition for dissolution;

(B) the excess employment reflects an increase in the work schedule or hours worked over that of the two years immediately preceding the filing of the petition;

(C) the excess employment is voluntary and not a condition of employment;

(D) the excess employment is in the nature of additional, part-time or overtime employment compensable by the hour or fraction of an hour; and

(E) the party's compensation structure has not been changed for the purpose of affecting a support or maintenance obligation.

(c) The court shall review the work-related and education-related child care costs of paid by the custodial parent and shall allocate the costs to each parent in proportion to each parent's income after the transfer of child support and spousal maintenance, unless the allocation would be substantially unfair to either parent. ~~The cost of child care for purposes of this section is determined by subtracting the amount of any federal and state income tax credits available to a parent from the actual cost paid for child care.~~

For purposes of this paragraph, "child care" has the meaning given it in section 256H.01. "Child care costs" is the amount remaining after the calculations required in clauses (1) and (2).

(1) From the amount which the custodial parent paid for child care, deduct any federal, state, or county child care subsidy received by the custodial parent, to determine net child care costs.

(2) From the net child care costs, deduct the approximate value of state and federal tax credits available to the custodial parent.

For purposes of this paragraph, a custodial parent's "income" has the meaning given it in section 290.067, subdivision 2a.

For purposes of this paragraph, the approximate value of state and federal tax credits is determined as follows: For custodial parents with incomes of less than \$12,000, the approximate value of state and federal tax credits equals the lesser of (i) 30 percent of the net child care costs paid by the custodial parent; or (ii) \$720 for the child care costs incurred on behalf of one child or \$1,440 for the child care costs incurred on behalf of two or more children.

For custodial parents with incomes of at least \$12,000 but less than \$20,000, the approximate value of state and federal tax credits equals the lesser of (i) 20 percent of the net child care costs paid by the custodial parent; or (ii) \$1,080 for the child care costs incurred on behalf of one child or \$2,160 for the child care costs incurred on behalf of two or more children.

For custodial parents with incomes of at least \$20,000 but less than \$25,000, the approximate value of state and federal tax credits equals the lesser of (i) 20 percent of the net child care costs paid by the custodial parent; or (ii) \$720 for the child care costs incurred on behalf of one child or \$1,440 for the child care costs incurred on behalf of two or more children.

For custodial parents with incomes of \$25,000 or more, the approximate value of state and federal tax credits equals the lesser of (i) 20 percent of the net child care costs paid by the custodial parent; or (ii) \$480 for the child care costs incurred on behalf of one child or \$960 for the child care costs incurred on behalf of two or more children. The amount allocated for child care expenses costs is considered child support, but is not subject to a cost-of-living adjustment under section 518.641.

(e) (d) In addition to the child support guidelines, the court shall take into consideration the following factors in setting or modifying child support or in determining whether to deviate from the guidelines:

(1) all earnings, income, and resources of the parents, including real and personal property, but excluding income from excess employment of the obligor or obligee that meets the criteria of paragraph (b), clause (2)(ii);

(2) the financial needs and resources, physical and emotional condition, and educational needs of the child or children to be supported;

(3) the standards of living the child would have enjoyed had the marriage not been dissolved, but recognizing that the parents now have separate households;

(4) which parent receives the income taxation dependency exemption and what financial benefit the parent receives from it;

(5) the parents' debts as provided in paragraph (d); and

(6) the obligor's receipt of assistance under sections 256.72 to 256.87 or 256B.01 to 256B.40.

(d) (e) In establishing or modifying a support obligation, the court may consider debts owed to private creditors, but only if:

(1) the right to support has not been assigned under section 256.74;

(2) the court determines that the debt was reasonably incurred for necessary support of the child or parent or for the necessary generation of income. If the debt was incurred for the necessary generation of income, the court shall consider only the amount of debt that is essential to the continuing generation of income; and

(3) the party requesting a departure produces a sworn schedule of the debts, with supporting documentation, showing goods or services purchased, the recipient of them, the amount of the original debt, the outstanding balance, the monthly payment, and the number of months until the debt will be fully paid.

(e) (f) Any schedule prepared under paragraph (d), clause (3), shall contain a statement that the debt will be fully paid after the number of months shown in the schedule, barring emergencies beyond the party's control.

(f) (g) Any further departure below the guidelines that is based on a consideration of debts owed to private creditors shall not exceed 18 months in duration, after which the support shall increase automatically to the level ordered by the court. Nothing in this section shall be construed to prohibit one or more step increases in support to reflect debt retirement during the 18-month period.

(g) (h) If payment of debt is ordered pursuant to this section, the payment shall be ordered to be in the nature of child support.

(h) (i) Nothing shall preclude the court from receiving evidence on the above factors to determine if the guidelines should be exceeded or modified in a particular case.

(i) (j) The guidelines in this subdivision are a rebuttable presumption and shall be used in all cases when establishing or modifying child support. If the court does not deviate from the guidelines, the court shall make written findings concerning the amount of the obligor's income used as the basis for the guidelines calculation and any other significant evidentiary factors affecting the determination of child support. If the court deviates from the guidelines, the court shall make written findings giving the amount of support calculated under the guidelines, the reasons for the deviation, and shall specifically address the criteria in paragraph (b) and how the deviation serves the best interest of the child. The provisions of this paragraph apply whether or not the parties are each represented by independent counsel and have entered into a written agreement. The court shall review stipulations presented to it for conformity to the guidelines and the court is not required to conduct a hearing, but the parties shall provide the documentation of earnings required under subdivision 5b.

(j) (k) If the child support payments are assigned to the public agency under section 256.74, the court may not deviate downward from the child support guidelines unless the court specifically finds that the failure to deviate downward would impose an extreme hardship on the obligor.

(*) (1) The dollar amount of the income limit for application of the guidelines must be adjusted on July 1 of every even-numbered year to reflect cost-of-living changes. The supreme court shall select the index for the adjustment from the indices listed in section 518.641. The state court administrator shall make the changes in the dollar amount required by this paragraph available to courts and the public on or before April 30 of the year in which the amount is to change.

Sec. 5. Minnesota Statutes 1993 Supplement, section 518.551, subdivision 10, is amended to read:

Subd. 10. [ADMINISTRATIVE PROCESS FOR CHILD AND MEDICAL SUPPORT ORDERS.] (a) An administrative process is established to obtain, modify, and enforce child and medical support orders and maintenance.

Effective July 1, 1994, all counties shall participate in the administrative process established by paragraph (i) of this section in accordance with a statewide implementation plan to be set forth by the commissioner of human services. The implementation plan shall include provisions for training the counties by region and for training Hennepin and Ramsey counties after the other counties have been trained but no later than July of 1995. All proceedings for obtaining, modifying, or enforcing child and medical support orders and modification of maintenance and adjudicating uncontested parentage proceedings, orders if combined with contested child support proceedings are required to be conducted in counties designated by the commissioner of human services in which the administrative process when the county human services agency public authority is a party or provides services to a party or parties to the action proceeding. Nothing contained herein shall prevent a party, upon timely notice to the public authority, from bringing a motion for the establishment, modification or enforcement of child support or maintenance orders in the district court, if additional issues involving domestic abuse, establishment or modification of custody or visitation, or property issues, or other issues outside the jurisdiction of the administrative process, are part of the motion or action. If the public authority is a party, or provides services to a party or parties, to a district court proceeding in which a motion for child support is pending, the motion may be decided by the district court. A party may petition the chief administrative law judge, the chief district court judge, or the chief family court referee to proceed immediately to a contested hearing upon good cause shown. The commissioner is authorized to designate counties to use the contested administrative hearing process based upon federal guidelines for county performance or upon request of the county. These actions contested administrative proceedings must be conducted by an administrative law judge from the office of administrative hearings, except for the following proceedings:

- (1) adjudication of contested parentage;
- (2) motions to set aside a paternity adjudication or declaration or recognition of parentage;
- (3) evidentiary hearing on contempt motions; and
- (4) motions to sentence or to revoke the stay of a jail sentence in contempt proceedings.

(b) An administrative law judge may hear a stipulation reached on a contempt motion, but any stipulation that involves a finding of contempt and a jail sentence, whether stayed or imposed, shall require the review and signature of a district judge.

(c) For the purpose of this process, all powers, duties, and responsibilities conferred on judges of the district court to obtain and enforce child and medical support and maintenance obligations, subject to the limitation set forth herein, are conferred on the administrative law judge conducting the proceedings, including the power to issue subpoenas for the production of documents, to issue orders to show cause and to issue bench warrants for failure to appear.

(d) Before implementing the process in a county, the chief administrative law judge, the commissioner of human services, the director of the county human services agency, the county attorney, the county court administrator, and the county sheriff shall jointly establish procedures, and the county shall provide hearing facilities for implementing this process in a county. In a contested administrative hearing, the hearing facilities shall be a courtroom, if one is available, or a conference or meeting room with at least two exits and of sufficient size to permit adequate physical separation of the parties. A bailiff shall either be present during the administrative hearings, or be available to respond to a request for emergency assistance.

(e) Nonattorney employees of the public agency authority responsible for child support in the counties designated by the commissioner may prepare, sign, serve, and file complaints and motions, notices, summary orders, proposed orders, default orders and consent orders for obtaining, modifying, or enforcing child and medical support orders and, maintenance and the establishment of parentage, and related documents, appear at conduct prehearing conferences,

and participate in proceedings before an administrative law judge. A default order or a consent order signed by a nonattorney employee must be counter-signed by a district judge or an administrative law judge, and is effective upon the signature of the nonattorney employee. This activity shall not be considered to be the unauthorized practice of law. After the commencement of the administrative process, the public authority and the administrative law judge shall each have the authority to issue subpoenas for the production of documents. The subpoena shall be enforceable in a contempt proceeding initiated by the public authority. At all stages of the administrative process prior to the contested hearing, the county attorney, or other attorney under contract, shall act as the legal advisor for the public authority, but shall not play an active role in the review of information and the preparation of default and consent orders.

(f) The contested administrative hearings shall be conducted under the rules of the office of administrative hearings, Minnesota Rules, parts 1400.7100 to 1400.7500, 1400.7700, and 1400.7800, as adopted by the chief administrative law judge. All Except as provided in paragraph (i), all other aspects of the case, including, but not limited to, pleadings, discovery, and motions, shall be conducted under the rules of family court, the rules of civil procedure, and chapter 518. Pursuant to a contested administrative hearing, the administrative law judge shall make findings of fact, conclusions, and a final decision and issue an order. Orders issued by an administrative law judge entered pursuant to this subdivision are enforceable by the contempt powers of the county and district courts.

(g) The decision and order of the administrative law judge is appealable to the court of appeals in the same manner as a decision of the district court.

(h) The commissioner of human services shall distribute money for this purpose to counties to cover the costs of the administrative process, including the salaries of administrative law judges. If available appropriations are insufficient to cover the costs, the commissioner shall prorate the amount among the counties.

(i)(1) Notwithstanding any law or rule to the contrary, the administrative process established by this subdivision shall be implemented, in accordance with the provisions of this paragraph, effective July 1, 1994 and in accordance with the statewide implementation plan set forth by the commissioner of human services under paragraph (a). At county option, the administrative process established by this subdivision may include contempt motions or actions to establish parentage.

(2) The public authority shall give the parties written notice requesting the submission of information necessary to prepare a proposed order. The written notice shall be sent by first class mail to the parties' last known addresses. The written notice shall describe the information requested, state the purpose of the request, state the date by which the information must be postmarked or received, which must be at least 30 days from the date of the mailing of the written notice, and state that if the information is not postmarked or received by that date, the public authority will prepare a proposed order on the basis of the information available.

(3) A party may request in writing that the public authority begin the administrative process. If the public authority determines that the request is unfounded, a summary order denying the request for relief shall be issued. The denial shall not preclude a party from bringing an action in district court. If the action in district court results in a modification of a child support order, the modification may be made retroactive only from the date of the written request for public authority action, provided that the motion in district court is brought within 14 days of the issuance of the summary order denying the request. A denial of public authority action shall not prejudice an action on the matter in district court.

(4) Following the date for submission of information, the public authority shall, on the basis of all information available, prepare and sign a proposed order and notice. In preparing the proposed order, the public authority shall establish child support in the highest amount permitted under section 518.551, subdivision 5. The notice shall state that the proposed order will be entered as a final and binding default order unless one of the parties requests a conference within 14 days following the date of service of the proposed order. The method for requesting the conference shall be stated in the notice. The notice and proposed order shall be served under the rules of civil procedure. Service of the notice and proposed order commence the administrative process. An affidavit of service shall be retained in the public authority file.

(5) If a conference is not timely requested by a party, the public authority shall have the option to enter the proposed order as the default order, or to prepare and serve a new notice and proposed order pursuant to clause (4). The default order shall be a final order, shall be served under the rules of civil procedure, and shall be filed in district court, along with an affidavit of service.

(6) If a party timely requests a conference, the public authority shall schedule a conference, and shall serve written notice of the date, time, and place of the conference on the parties. The purpose of the conference is to review all available information and seek agreement to the entry of a consent order. The notice shall state the purpose of the conference, and that if the requesting party fails to appear at the conference, the proposed order may be entered as a final and binding default order. The notice shall be served on the parties by first-class mail at their last known address, and the service shall be documented in the public authority file. A party alleging domestic abuse by the other party shall not be required to participate in a conference. In such a case, the public authority shall meet separately with the parties in order to determine whether an agreement can be reached.

(7) If the party requesting the conference does not appear, the public authority shall proceed in accordance with the provisions of clause (4).

(8) If the party requesting the conference appears, the public authority shall seek agreement of the parties to the entry of a consent order which establishes child support in accordance with applicable law. The public authority shall advise the parties that if the consent order is not entered, the matter will be scheduled for a hearing, and the public authority will seek the establishment of child support at the hearing in accordance with the highest amount permitted under section 518.551, subdivision 5. If an agreement of the parties is reached at the conference, a consent order shall be prepared by the public authority, and shall be signed by the parties. The consent order shall be a final order, shall be served on the parties under the rules of civil procedure, and shall be filed in district court, along with an affidavit of service.

(9) If an agreement to the entry of a consent order is not reached at the conference, the public authority shall schedule the matter for a contested hearing pursuant to the provisions of paragraph (j). For the purposes of the contested hearing, and notwithstanding any rule to the contrary, the service of the proposed order pursuant to paragraph (i)(4) shall be deemed to have commenced a civil action and the judge, including an administrative law judge or referee, shall have jurisdiction over a contested hearing that is scheduled in accordance with this subdivision.

(j) In counties designated by the commissioner of human services pursuant to paragraph (a), contested hearings required under paragraph (i) shall be scheduled before administrative law judges, and shall be conducted in accordance with the provisions of paragraph (f). In counties not designated by the commissioner of human services pursuant to paragraph (a), contested hearings required under paragraph (i) shall be conducted in district court in accordance with the rules of civil procedure and the rules of family court.

(k) The commissioner of human services shall provide training to child support officers and other employees of the public authority involved in the administrative process. The commissioner of human services shall prepare simple and easy to understand forms for all notices and orders prescribed in paragraph (i), and the public authority shall use them. The commissioner of human services, in consultation with the commissioner's advisory committee for child support enforcement, shall continue to develop and implement a plan to restructure the administrative process which shall include contested hearings.

Sec. 6. Minnesota Statutes 1993 Supplement, section 518.551, subdivision 12, is amended to read:

Subd. 12. [OCCUPATIONAL LICENSE SUSPENSION.] (a) Upon petition of an obligee or public agency responsible for child support enforcement, if the court finds that the obligor is or may be licensed by a licensing board listed in section 214.01 or other state agency or board that issues an occupational license and the obligor is in arrears in court-ordered child support or maintenance payments or both, the court may direct the licensing board or other licensing agency to conduct a hearing under section 214.101 concerning suspension of the obligor's license. If the obligor is a licensed attorney, the court may report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the court.

(b) If a public agency responsible for child support enforcement finds that the obligor is or may be licensed by a licensing board listed in section 214.01 or other state agency or board that issues an occupational license and the obligor is in arrears in court-ordered child support or maintenance payments or both, the public agency may direct the licensing board or other licensing agency to conduct a hearing under section 214.101 concerning suspension of the obligor's license. If the obligor is a licensed attorney, the public agency may report the matter to the lawyers professional responsibility board for appropriate action in accordance with the rules of professional conduct. The remedy under this subdivision is in addition to any other enforcement remedy available to the public agency.

Sec. 7. Minnesota Statutes 1993 Supplement, section 609.375, subdivision 2, is amended to read:

Subd. 2. If the violation of subdivision 1 continues for a period in excess of 90 days but not more than 180 days, the person is guilty of a gross misdemeanor and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

Sec. 8. Minnesota Statutes 1992, section 609.375, is amended by adding a subdivision to read:

Subd. 2a. If the violation of subdivision 1 continues for a period in excess of 180 days, the person is guilty of a felony and upon conviction may be sentenced to imprisonment for not more than two years or to payment of a fine of not more than \$5,000, or both.

Sec. 9. Minnesota Statutes 1992, section 609.375, is amended by adding a subdivision to read:

Subd. 5. [VENUE.] A person who violates this section may be prosecuted and tried in the county in which the support obligor resides or in the county in which the obligee or the child resides.

Sec. 10. Minnesota Statutes 1992, section 609.375, is amended by adding a subdivision to read:

Subd. 6. [DISMISSAL OF CHARGE.] A felony charge brought under subdivision 2a of this section shall be dismissed if:

(1) the support obligor provides the county child support enforcement agency with an affidavit attesting the obligor's present address, occupation, employer, and current income, and consents to service of an order for automatic income withholding; or

(2) the support obligor makes satisfactory arrangements for payment with the county child support enforcement agency of all accumulated arrearages and any ongoing support obligations. For purposes of this section, satisfactory arrangements shall be reasonably consistent with the obligor's ability to pay.

In any case for which dismissal is sought under this subdivision, the felony charge shall be continued for dismissal for a period of six months. If the obligor meets all requirements of the payment plan within that six-month period, the felony charge shall be dismissed.

Sec. 11. [EFFECTIVE DATE.]

Section 2 is effective July 1, 1994. Sections 7 to 10 are effective the day following final enactment and apply to crimes committed on and after that date."

Amend the title as follows:

Page 1, line 4, after the semicolon, insert "modifying provisions dealing with the administration and enforcement of child support; amending Minnesota Statutes 1992, sections 214.101, as amended; and 609.375, by adding subdivisions; Minnesota Statutes 1993 Supplement, sections 256.87, subdivision 5; 518.171, subdivision 1; 518.551, subdivisions 5, 10, and 12; and 609.375, subdivision 2;"

Rukavina, Farrell and Lourey moved to amend the Farrell et al amendment to S. F. No. 1662, as amended, as follows:

Page 20, after line 19, insert:

"ARTICLE 11

INCOME SHARES MODEL CHILD SUPPORT GUIDELINE

Section 1. [MODEL GUIDELINE.]

The department of human services, in consultation with the commissioner's advisory committee for child support enforcement, shall develop an income shares model child support guideline and present it and the plan for including contested hearings in the simple, statewide administrative process to the legislature no later than February 1, 1995."

Amend the title as follows:

Page 20, line 24, after the semicolon, insert "providing for development of an income shares model child support guideline;"

The motion prevailed and the amendment to the amendment was adopted.

The Speaker called Bauerly to the Chair.

Wejcman moved that S. F. No. 1662, as amended, be temporarily laid over on Special Orders. The motion prevailed.

The Speaker resumed the Chair.

Vellenga was excused between the hours of 1:25 p.m. and 2:00 p.m.

H. F. No. 2005 was reported to the House.

Frerichs offered an amendment to H. F. No. 2005.

POINT OF ORDER

Pugh raised a point of order pursuant to rule 3.09 that the Frerichs amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Olson, M., offered an amendment to H. F. No. 2005.

POINT OF ORDER

Greenfield raised a point of order pursuant to rule 3.09 that the Olson, M., amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Olson, M., offered an amendment to H. F. No. 2005.

POINT OF ORDER

Greenfield raised a point of order pursuant to rule 3.09 that the Olson, M., amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

H. F. No. 2005, A bill for an act relating to traffic regulations; authorizing peace officers to stop drivers and issue citations for seat belt violations without first observing a moving violation; amending Minnesota Statutes 1993 Supplement, section 169.686, subdivision 1.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 46 yeas and 83 nays as follows:

Those who voted in the affirmative were:

Asch	Dauner	Gruenes	Kahn	Long	Morrison	Ness
Battaglia	Dempsey	Hausman	Kalis	Lourey	Mosel	Orenstein
Brown, C.	Garcia	Huntley	Kelley	Mariani	Munger	Orfield
Carruthers	Greenfield	Jaros	Kinkel	McCollum	Murphy	Osthoff
Clark	Greiling	Johnson, A.	Lieder	McGuire	Neary	Ostrom

Pauly	Pugh	Skoglund	Wagenius
Pawlenty	Rodosovich	Swenson	Wejcman
Peterson	Sekhon	Trimble	

Those who voted in the negative were:

Abrams	Dawkins	Haukoos	Koppendrayner	Nelson	Rice	Van Dellen
Anderson, R.	Dehler	Holsten	Krinkie	Olson, E.	Rukavina	Van Engen
Beard	Dorn	Hugoson	Krueger	Olson, K.	Sarna	Vickerman
Bergson	Erhardt	Jacobs	Lasley	Olson, M.	Seagren	Waltman
Bertram	Evans	Jefferson	Leppik	Onnen	Smith	Weaver
Bettermann	Farrell	Jennings	Limmer	Opatz	Solberg	Wenzel
Bishop	Finseth	Johnson, R.	Lindner	Ozment	Stanis	Winter
Brown, K.	Frerichs	Johnson, V.	Lynch	Pelowski	Steensma	Wolf
Carlson	Girard	Kelso	Macklin	Perlt	Sviggum	Worke
Commers	Goodno	Klinzing	Mahon	Reding	Tomassoni	Workman
Cooper	Gutknecht	Knickerbocker	Milbert	Rest	Tompkins	Spk. Anderson, I.
Dauids	Hasskamp	Knight	Molnau	Rhodes	Tunheim	

The bill was not passed.

S. F. No. 1662, as amended, which was temporarily laid over earlier today was again reported to the House.

The Farrell et al amendment which was amended earlier today by the Rukavina et al amendment was again reported to the House.

The question was taken on the Farrell et al amendment, as amended. The motion prevailed and the amendment, as amended, was adopted.

S. F. No. 1662, A bill for an act relating to family; adopting the uniform interstate family support act; repealing the revised uniform reciprocal enforcement of support act; proposing coding for new law in Minnesota Statutes, chapter 518C; repealing Minnesota Statutes 1992, sections 518C.01 to 518C.36.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Lasley	Murphy	Reding	Tunheim
Anderson, R.	Delmont	Huntley	Leppik	Neary	Rest	Van Dellen
Asch	Dempsey	Jacobs	Lieder	Nelson	Rhodes	Van Engen
Battaglia	Dorn	Jaros	Limmer	Ness	Rice	Vickerman
Bauerly	Erhardt	Jefferson	Lindner	Olson, K.	Rodosovich	Wagenius
Beard	Evans	Jennings	Long	Olson, M.	Rukavina	Waltman
Bergson	Farrell	Johnson, A.	Lourey	Onnen	Sarna	Weaver
Bertram	Finseth	Johnson, R.	Luther	Opatz	Seagren	Wejcman
Bettermann	Garcia	Johnson, V.	Lynch	Orenstein	Sekhon	Wenzel
Bishop	Girard	Kahn	Macklin	Orfield	Skoglund	Winter
Brown, K.	Goodno	Kalis	Mahon	Osthoff	Smith	Wolf
Carlson	Greenfield	Kelley	Mariani	Ostrom	Solberg	Worke
Carruthers	Greiling	Kinkel	McCollum	Ozment	Stanis	Workman
Clark	Gruenes	Klinzing	McGuire	Pauly	Steensma	Spk. Anderson, I.
Commers	Gutknecht	Knickerbocker	Milbert	Pawlenty	Sviggum	
Cooper	Hasskamp	Knight	Molnau	Pelowski	Swenson	
Dauner	Haukoos	Koppendrayner	Morrison	Perlt	Tomassoni	
Dauids	Hausman	Krinkie	Mosel	Peterson	Tompkins	
Dawkins	Holsten	Krueger	Munger	Pugh	Trimble	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1794, A bill for an act relating to insurance; prohibiting insurers from obtaining or using HIV antibody test results arising out of exposure and testing for emergency medical service personnel; amending Minnesota Statutes 1992, section 72A.20, subdivision 29.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 128 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Lasley	Murphy	Pugh	Tunheim
Anderson, R.	Delmont	Huntley	Leppik	Neary	Reding	Van Dellen
Asch	Dempsey	Jacobs	Lieder	Nelson	Rest	Van Engen
Battaglia	Dorn	Jaros	Limmer	Ness	Rhodes	Vickerman
Bauerly	Erhardt	Jefferson	Lindner	Olson, E.	Rodosovich	Wagenius
Beard	Evans	Jennings	Long	Olson, K.	Rukavina	Waltman
Bergson	Farrell	Johnson, A.	Lourey	Olson, M.	Sarna	Weaver
Bertram	Finseth	Johnson, R.	Luther	Onnen	Seagren	Wejcman
Bishop	Frerichs	Johnson, V.	Lynch	Opatz	Sekhon	Wenzel
Brown, C.	Garcia	Kahn	Macklin	Orenstein	Skoglund	Winter
Brown, K.	Girard	Kalis	Mahon	Orfield	Smith	Wolf
Carlson	Goodno	Kelley	Mariani	Osthoff	Solberg	Worke
Carruthers	Greenfield	Kinkel	McCollum	Ostrom	Stanius	Workman
Clark	Greiling	Klinzing	McGuire	Ozment	Steensma	Spk. Anderson, I.
Commers	Gruenes	Knickerbocker	Milbert	Pauly	Sviggum	
Cooper	Hasskamp	Knight	Molnau	Pawlenty	Swenson	
Dauner	Haukoos	Koppendrayner	Morrison	Pelowski	Tomassoni	
Dauids	Hausman	Krinkie	Mosel	Perlt	Tompkins	
Dawkins	Holsten	Krueger	Munger	Peterson	Trimble	

The bill was passed and its title agreed to.

S. F. No. 2255, A bill for an act relating to insurance; requiring the commissioner of commerce to conduct a study of pollution coverage in Minnesota farm liability policies and report to the legislature.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Lasley	Neary	Rest	Vickerman
Anderson, R.	Delmont	Huntley	Leppik	Nelson	Rhodes	Wagenius
Asch	Dempsey	Jacobs	Lieder	Ness	Rodosovich	Waltman
Battaglia	Dorn	Jaros	Limmer	Olson, E.	Rukavina	Weaver
Bauerly	Erhardt	Jefferson	Lindner	Olson, K.	Sarna	Wejcman
Beard	Evans	Jennings	Long	Olson, M.	Seagren	Wenzel
Bergson	Farrell	Johnson, A.	Lourey	Onnen	Sekhon	Winter
Bertram	Finseth	Johnson, R.	Luther	Opatz	Skoglund	Wolf
Bettermann	Frerichs	Johnson, V.	Lynch	Orenstein	Smith	Worke
Bishop	Garcia	Kahn	Macklin	Orfield	Solberg	Workman
Brown, C.	Girard	Kalis	Mahon	Osthoff	Stanius	Spk. Anderson, I.
Brown, K.	Goodno	Kelley	Mariani	Ostom	Steensma	
Carlson	Greenfield	Kelso	McCollum	Ozment	Sviggum	
Carruthers	Greiling	Kinkel	McGuire	Pauly	Swenson	
Clark	Gruenes	Klinzing	Milbert	Pawlenty	Tomassoni	
Commers	Gutknecht	Knickerbocker	Molnau	Pelowski	Tompkins	
Cooper	Hasskamp	Knight	Morrison	Perlt	Trimble	
Dauner	Haukoos	Koppendrayner	Mosel	Peterson	Tunheim	
Dauids	Hausman	Krinkie	Munger	Pugh	Van Dellen	
Dawkins	Holsten	Krueger	Murphy	Reding	Van Engen	

The bill was passed and its title agreed to.

H. F. No. 3022 was reported to the House.

Trimble moved that H. F. No. 3022 be continued on Special Orders. The motion prevailed.

H. F. No. 2410 was reported to the House.

Trimble moved to amend H. F. No. 2410, the first engrossment, as follows:

Page 2, line 9, after the period, insert "The commissioner may also sell native trees and shrubs in lots of ten or more to nonprofit groups and local units of government."

The motion prevailed and the amendment was adopted.

Rukavina moved that H. F. No. 2410, as amended, be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 2579, A bill for an act relating to commerce; restraint of trade; providing a civil remedy for injury to business reputation or dilution of quality of a mark; providing grounds for injunctive relief; proposing coding for new law in Minnesota Statutes, chapter 325D.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 108 yeas and 23 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Hausman	Knickerbocker	Mosel	Pugh	Tomassoni
Anderson, R.	Davids	Holsten	Knight	Munger	Reding	Trimble
Asch	Dawkins	Hugoson	Koppendrayer	Murphy	Rest	Tunheim
Battaglia	Delmont	Huntley	Krueger	Neary	Rhodes	Van Dellen
Bauerly	Dempsey	Jacobs	Lasley	Nelson	Rodosovich	Vellenga
Beard	Dorn	Jaros	Leppik	Olson, E.	Rukavina	Wagenius
Bergson	Erhardt	Jefferson	Lieder	Olson, K.	Sarna	Weaver
Bertram	Evans	Jennings	Long	Opatz	Seagren	Wejcman
Bettermann	Farrell	Johnson, A.	Lourey	Orenstein	Sekhon	Wenzel
Bishop	Finseth	Johnson, R.	Luther	Orfield	Skoglund	Winter
Brown, C.	Garcia	Johnson, V.	Lynch	Ostrom	Smith	Wolf
Brown, K.	Goodno	Kahn	Mahon	Ozment	Solberg	Spk. Anderson, I.
Carlson	Greenfield	Kalis	Mariani	Pauly	Stanis	
Carruthers	Greiling	Kelley	McCollum	Pawlenty	Steensma	
Clark	Gutknecht	Kinkel	McGuire	Perlt	Sviggum	
Commers	Hasskamp	Klinzing	Milbert	Peterson	Swenson	

Those who voted in the negative were:

Dauner	Gruenes	Lindner	Ness	Rice	Waltman
Dehler	Haukoos	Macklin	Olson, M.	Tompkins	Worke
Frerichs	Krinkie	Molnau	Onnen	Van Engen	Workman
Girard	Limmer	Morrison	Pelowski	Vickerman	

The bill was passed and its title agreed to.

S. F. No. 2081, A bill for an act relating to state agencies; providing that the open appointments act applies to certain appointments made by the governor and by legislators; authorizing the secretary of state to collect data regarding appointments to multimember agencies by electronic means; requiring multimember agencies to register with the secretary of state; requiring the secretary of state to publish information collected through registration; requiring the secretary of state to furnish copies of registration data to the legislative reference library; extending the expiration date of certain advisory councils; eliminating the family and group family day care task force; amending Minnesota Statutes 1992, sections 15.0597, subdivisions 1 and 5; 115A.072, subdivision 1; and 115A.12; Minnesota

Statutes 1993 Supplement, sections 15.0597, subdivisions 2 and 4; and 16B.61, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 15; repealing Minnesota Statutes 1992, section 256.9751, subdivision 2.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Lasley	Murphy	Pugh	Trimble
Anderson, R.	Dehler	Hugoson	Leppik	Neary	Reding	Tunheim
Asch	Delmont	Huntley	Lieder	Nelson	Rest	Van Dellen
Battaglia	Dempsey	Jacobs	Limmer	Ness	Rhodes	Van Engen
Bauerly	Dorn	Jaros	Lindner	Olson, E.	Rice	Vellenga
Beard	Erhardt	Jefferson	Long	Olson, K.	Rodosovich	Vickerman
Bergson	Evans	Johnson, A.	Lourey	Olson, M.	Rukavina	Wagenius
Bertram	Finseth	Johnson, R.	Luther	Onnen	Sarna	Waltman
Bettermann	Frerichs	Johnson, V.	Lynch	Opatz	Seagren	Weaver
Bishop	Garcia	Kahn	Macklin	Orenstein	Sekhon	Wejzman
Brown, C.	Girard	Kalis	Mahon	Orfield	Skoglund	Wenzel
Brown, K.	Goodno	Kelley	Mariani	Osthoff	Smith	Winter
Carlson	Greenfield	Kinkel	McCollum	Ostrom	Solberg	Wolf
Carruthers	Greiling	Klinzing	McGuire	Ozment	Stanis	Worke
Clark	Gruenes	Knickerbocker	Milbert	Pauly	Steensma	Workman
Commers	Gutknecht	Knight	Molnau	Pawenty	Sviggum	Spk. Anderson, I.
Cooper	Hasskamp	Koppendrayner	Morrison	Pelowski	Swenson	
Dauner	Haukoos	Krinkie	Mosel	Perlt	Tomassoni	
Dauids	Hausman	Krueger	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

H. F. No. 2410, as amended, which was temporarily laid over earlier today on Special Orders was again reported to the House.

H. F. No. 2410, A bill for an act relating to natural resources; sale of native tree seed and tree planting stock; terms and conditions governing the leasing of state timber lands; amending Minnesota Statutes 1992, sections 89.36, subdivision 3; 89.37, by adding a subdivision; 90.101, subdivision 2; 90.151, subdivision 1; 90.161, subdivisions 1 and 2; 90.191, subdivision 2; and 90.193; Minnesota Statutes 1993 Supplement, sections 90.101, subdivision 1; and 90.121; repealing Minnesota Statutes 1992, section 90.151, subdivisions 13 and 14.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Clark	Frerichs	Jacobs	Koppendrayner	Mariani	Olson, M.
Anderson, R.	Commers	Garcia	Jaros	Krinkie	McCollum	Onnen
Asch	Cooper	Girard	Jefferson	Krueger	McGuire	Opatz
Battaglia	Dauner	Goodno	Jennings	Lasley	Milbert	Orenstein
Bauerly	Dauids	Greenfield	Johnson, A.	Leppik	Molnau	Osthoff
Beard	Dawkins	Greiling	Johnson, R.	Lieder	Morrison	Ostrom
Bergson	Dehler	Gruenes	Johnson, V.	Limmer	Mosel	Ozment
Bertram	Delmont	Gutknecht	Kahn	Lindner	Munger	Pauly
Bettermann	Dempsey	Hasskamp	Kalis	Long	Murphy	Pawenty
Bishop	Dorn	Haukoos	Kelley	Lourey	Neary	Pelowski
Brown, C.	Erhardt	Hausman	Kinkel	Luther	Nelson	Perlt
Brown, K.	Evans	Holsten	Klinzing	Lynch	Ness	Peterson
Carlson	Farrell	Hugoson	Knickerbocker	Macklin	Olson, E.	Pugh
Carruthers	Finseth	Huntley	Knight	Mahon	Olson, K.	Reding

Rest	Sarna	Solberg	Tomassoni	Van Engen	Weaver	Worke
Rhodes	Seagren	Stanius	Tompkins	Vellenga	Wejzman	Workman
Rice	Sekhon	Steensma	Trimble	Vickerman	Wenzel	Spk. Anderson, I.
Rodosovich	Skoglund	Sviggun	Tunheim	Wagenius	Winter	
Rukavina	Smith	Swenson	Van Dellen	Waltman	Wolf	

The bill was passed, as amended, and its title agreed to.

S. F. No. 1766 was reported to the House.

Bishop moved to amend S. F. No. 1766, the unofficial engrossment, as follows:

Page 1, line 16, after "by" insert "nonprofit"

The motion prevailed and the amendment was adopted.

S. F. No. 1766, A bill for an act relating to attorneys; expanding remedies for the unauthorized practice of law; amending Minnesota Statutes 1992, section 481.02, subdivision 8.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Krueger	Munger	Peterson	Tompkins
Anderson, R.	Delmont	Hugoson	Lasley	Murphy	Pugh	Trimble
Asch	Dempsey	Huntley	Leppik	Neary	Reding	Tunheim
Battaglia	Dorn	Jacobs	Lieder	Nelson	Rest	Van Dellen
Beard	Erhardt	Jaros	Limner	Ness	Rhodes	Van Engen
Bergson	Evans	Jefferson	Lindner	Olson, E.	Rice	Vellenga
Bertram	Farrell	Jennings	Long	Olson, K.	Rodosovich	Vickerman
Bettermann	Finseth	Johnson, A.	Lourey	Olson, M.	Rukavina	Wagenius
Bishop	Frerichs	Johnson, R.	Luther	Onnen	Sarna	Waltman
Brown, C.	Garcia	Johnson, V.	Lynch	Opatz	Seagren	Weaver
Brown, K.	Girard	Kahn	Macklin	Orenstein	Sekhon	Wejzman
Carlson	Goodno	Kalis	Mahon	Orfield	Skoglund	Wenzel
Carruthers	Greenfield	Kelley	Mariani	Osthoff	Smith	Winter
Clark	Greiling	Kinkel	McCollum	Ostrom	Solberg	Wolf
Commers	Gruenes	Klinzing	McGuire	Ozment	Stanius	Worke
Cooper	Gutknecht	Knickerbocker	Milbert	Pauly	Steensma	Workman
Dauner	Hasskamp	Knight	Molnau	Pawlenty	Sviggun	Spk. Anderson, I.
Davids	Haukoos	Koppendrayner	Morrison	Pelowski	Swenson	
Dawkins	Hausman	Krinkie	Mosel	Perlt	Tomassoni	

The bill was passed, as amended, and its title agreed to.

The following Conference Committee Report was received:

CONFERENCE COMMITTEE REPORT ON H. F. NO. 1914

A bill for an act relating to financial institutions; reciprocal interstate banking; reciprocal interstate savings and loan acquisitions and branching; removing the geographical limitation contained in the definition of reciprocating state; amending Minnesota Statutes 1992, sections 48.92, subdivision 7; 51A.58.

April 7, 1994

The Honorable Irv Anderson
Speaker of the House of Representatives

The Honorable Allan H. Spear
President of the Senate

We, the undersigned conferees for H. F. No. 1914, report that we have agreed upon the items in dispute and recommend as follows:

That the Senate recede from its amendment.

We request adoption of this report and repassage of the bill.

House Conferees: LOREN JENNINGS, LEO J. REDING AND RON ABRAMS.

Senate Conferees: JAMES P. METZEN, SAM G. SOLON AND WILLIAM V. BELANGER, JR.

Jennings moved that the report of the Conference Committee on H. F. No. 1914 be adopted and that the bill be repassed as amended by the Conference Committee. The motion prevailed.

H. F. No. 1914, A bill for an act relating to financial institutions; reciprocal interstate banking; reciprocal interstate savings and loan acquisitions and branching; removing the geographical limitation contained in the definition of reciprocating state; amending Minnesota Statutes 1992, sections 48.92, subdivision 7; 51A.58.

The bill was read for the third time, as amended by Conference, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 123 yeas and 8 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Hugoson	Krueger	Munger	Peterson	Trimble
Anderson, R.	Delmont	Huntley	Lasley	Murphy	Pugh	Tunheim
Asch	Dempsey	Jacobs	Leppik	Neary	Reding	Van Dellen
Battaglia	Dorn	Jaros	Lieder	Nelson	Rest	Van Engen
Bauerly	Erhardt	Jefferson	Limmer	Ness	Rhodes	Vellenga
Beard	Evans	Jennings	Lindner	Olson, E.	Rodosovich	Vickerman
Bergson	Farrell	Johnson, A.	Long	Olson, K.	Rukavina	Waltman
Bertram	Finseth	Johnson, R.	Lourey	Olson, M.	Sarna	Weaver
Bettermann	Frerichs	Johnson, V.	Luther	Opatz	Seagren	Wejcmann
Bishop	Garcia	Kahn	Lynch	Orenstein	Sekhon	Wenzel
Brown, C.	Girard	Kalis	Macklin	Orfield	Smith	Winter
Brown, K.	Goodno	Kelley	Mahon	Osthoff	Solberg	Wolf
Carlson	Greiling	Kinkel	McCollum	Ostrom	Stanius	Worke
Carruthers	Gruenes	Klinzing	McGuire	Ozment	Steensma	Workman
Commers	Gutknecht	Knickerbocker	Milbert	Pauly	Sviggum	Spk. Anderson, I.
Cooper	Hasskamp	Knight	Molnau	Pawlenty	Swenson	
Dauner	Haukoos	Koppendrayner	Morrison	Pelowski	Tomassoni	
Davids	Holsten	Krinkie	Mosel	Perlt	Tompkins	

Those who voted in the negative were:

Clark	Greenfield	Onnen	Skoglund
Dawkins	Mariani	Rice	Wagenius

The bill was repassed, as amended by Conference, and its title agreed to.

There being no objection, the order of business reverted to Messages from the Senate.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

I hereby announce the passage by the Senate of the following House File, herewith returned, as amended by the Senate, in which amendment the concurrence of the House is respectfully requested:

H. F. No. 1835, A bill for an act relating to game and fish; agreements on taking and possession of fish taken from Ontario boundary waters; amending Minnesota Statutes 1993 Supplement, section 97A.531, by adding a subdivision.

PATRICK E. FLAHAVEN, Secretary of the Senate

CONCURRENCE AND REPASSAGE

Tunheim moved that the House concur in the Senate amendments to H. F. No. 1835 and that the bill be repassed as amended by the Senate. The motion prevailed.

H. F. No. 1835, A bill for an act relating to game and fish; agreements on taking and possession of fish taken from Ontario boundary waters; amending Minnesota Statutes 1993 Supplement, section 97A.531, by adding a subdivision.

The bill was read for the third time, as amended by the Senate, and placed upon its repassage.

The question was taken on the repassage of the bill and the roll was called. There were 69 yeas and 62 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Dawkins	Huntley	Lieder	Murphy	Ostrom	Solberg
Bauerly	Dorn	Jaros	Lindner	Nelson	Perl	Tomassoni
Beard	Evans	Jefferson	Lourey	Ness	Peterson	Trimble
Brown, C.	Farrell	Johnson, A.	Luther	Olson, E.	Pugh	Tunheim
Brown, K.	Finseth	Kahn	Mahon	Olson, K.	Reding	Vellenga
Carlson	Garcia	Kalis	Mariani	Olson, M.	Rice	Wejcman
Carruthers	Greenfield	Kelley	McGuire	Opatz	Rodosovich	Wenzel
Clark	Hasskamp	Kinkel	Milbert	Orenstein	Rukavina	Winter
Cooper	Hausman	Klinzing	Mosel	Orfield	Sarna	Spk. Anderson, I.
Dauner	Holsten	Krueger	Munger	Osthoff	Skoglund	

Those who voted in the negative were:

Abrams	Dehler	Gutknecht	Koppendraye	Molnau	Seagren	Van Engen
Asch	Delmont	Haukoos	Krinkie	Morrison	Sekhon	Vickerman
Battaglia	Dempsey	Hugoson	Lasley	Neary	Smith	Wagenius
Bergson	Erhardt	Jacobs	Leppik	Onnen	Stanis	Waltman
Bertram	Frerichs	Jennings	Limmer	Ozment	Steensma	Weaver
Bettermann	Girard	Johnson, R.	Long	Pauly	Sviggum	Wolf
Bishop	Goodno	Johnson, V.	Lynch	Pawlenty	Swenson	Worke
Commers	Greiling	Knickerbocker	Macklin	Pelowski	Tompkins	Workman
Davids	Gruenes	Knight	McCollum	Rhodes	Van Dellen	

The bill was repassed, as amended by the Senate, and its title agreed to.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Carruthers, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately following printed Special Orders for today:

H. F. Nos. 3011, 2402 and 2892; S. F. No. 1694; H. F. No. 2519; and S. F. No. 1732.

REPORT FROM THE COMMITTEE ON RULES AND
LEGISLATIVE ADMINISTRATION

Carruthers, from the Committee on Rules and Legislative Administration, pursuant to rule 1.09, designated the following bills as Special Orders to be acted upon immediately following printed Special Orders for today:

S. F. No. 1774; and H. F. Nos. 2603, 2651, 3136, 2636 and 2920.

SPECIAL ORDERS

H. F. No. 3011 was reported to the House.

Osthoff moved that H. F. No. 3011 be continued on Special Orders until Tuesday, April 19, 1994. The motion prevailed.

S. F. No. 1694 was reported to the House.

Dawkins and Lourey moved to amend S. F. No. 1694 as follows:

Page 6, after line 23, insert:

"Sec. 4. Minnesota Statutes 1992, section 253B.05, subdivision 2, is amended to read:

Subd. 2. [PEACE OR HEALTH OFFICER HOLD.] (a) A peace or health officer may take a person into custody and transport the person to a licensed physician or treatment facility if the officer has reason to believe, or there is probable cause to believe based on the person's recent behavior and public knowledge of past psychiatric hospitalization, that the person is mentally ill or mentally retarded and in imminent danger of injuring self or others if not immediately restrained. A peace or health officer or a person working under such officer's supervision, may take a person who is believed to be chemically dependent or is intoxicated in public into custody and transport the person to a treatment facility. If the person is intoxicated in public or is believed to be chemically dependent and is not in danger of causing self-harm or harm to any person or property, the peace or health officer may transport the person home. Written application for admission of the person to a treatment facility shall be made by the peace or health officer. The application shall contain a statement given by the peace or health officer specifying the reasons for and circumstances under which the person was taken into custody. If imminent danger to specific individuals is a basis for the emergency hold, the statement must include identifying information on those individuals, to the extent practicable. A copy of the statement shall be made available to the person taken into custody.

(b) A person may be admitted to a treatment facility for emergency care and treatment under this subdivision with the consent of the head of the facility under the following circumstances: a written statement is made by the medical officer on duty at the facility that after preliminary examination the person has symptoms of mental illness or mental retardation and appears to be in imminent danger of harming self or others; or, a written statement is made by the institution program director or the director's designee on duty at the facility that after preliminary examination the person has symptoms of chemical dependency and appears to be in imminent danger of harming self or others or is intoxicated in public.

Sec. 5. Minnesota Statutes 1992, section 253B.05, subdivision 3, is amended to read:

Subd. 3. [DURATION OF HOLD.] (a) Any person held pursuant to this section may be held up to 72 hours, exclusive of Saturdays, Sundays, and legal holidays, after admission unless a petition for the commitment of the person has been filed in the probate court of the county of the person's residence or of the county in which the treatment facility is located and the court issues an order pursuant to section 253B.07, subdivision 6. If the head of

the treatment facility believes that commitment is required and no petition has been filed, the head of the treatment facility shall file a petition for the commitment of the person. The hospitalized person may move to have the venue of the petition changed to the probate court of the county of the person's residence, if the person is a resident of Minnesota.

(b) The head of the treatment facility shall immediately notify the agency which employs the peace or health officer who transported the person to the treatment facility under this section, if the head of the treatment facility releases the person during the 72-hour hold period.

(c) During the 72-hour hold period, a court may not release a person held under this section unless the court has received a written petition for release and held a summary hearing regarding the release. The petition must include the name of the person being held, the basis for and location of the hold, and a statement as to why the hold is improper. The petition also must include copies of any written documentation under subdivision 1 or 2 in support of the hold, unless the person holding the petitioner refuses to supply the documentation. The hearing must be held as soon as practicable and may be conducted by means of a telephone conference call or similar method by which the participants are able to simultaneously hear each other. If the court decides to release the person, the court shall issue written findings supporting the decision, but may not delay the release. Before deciding to release the person, the court shall make every reasonable effort to provide notice of the proposed release to: (1) any specific individuals identified in a statement under subdivision 1 or 2 or in the record as individuals who might be endangered if the person was not held; and (2) the examiner whose written statement was a basis for a hold under subdivision 1 or the peace or health officer who applied for a hold under subdivision 2."

Page 13, line 13, strike the third comma and insert a period

Page 13, line 14, delete the new language

Page 13, line 15, after "electroshock," insert "neuroleptic medication"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

S. F. No. 1694, A bill for an act relating to civil commitment; modifying procedures relating to administering intrusive mental health treatment to persons committed as mentally ill and dangerous under the civil commitment act; modifying petition and prepetition procedures; amending Minnesota Statutes 1992, sections 13.42, subdivision 3; 253B.03, subdivisions 6b and 6c; 253B.07, subdivisions 1, 2, and 4, and by adding a subdivision; 253B.09, subdivision 2; 253B.12, subdivision 1; 253B.17, subdivision 1; and 525.56, subdivision 3.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Greenfield	Johnson, V.	Long	Nelson	Peterson
Anderson, R.	Dauner	Greiling	Kahn	Lourey	Ness	Pugh
Asch	Davids	Gruenes	Kalis	Luther	Olson, E.	Reding
Battaglia	Dawkins	Gutknecht	Kelley	Lynch	Olson, K.	Rest
Bauerly	Dehler	Hasskamp	Kinkel	Macklin	Olson, M.	Rhodes
Beard	Delmont	Haukoos	Klinzing	Mahon	Onnen	Rodosovich
Bergson	Dempsey	Hausman	Knickerbocker	Mariani	Opatz	Rukavina
Bertram	Dorn	Holsten	Knight	McCollum	Orenstein	Sarna
Bettermann	Erhardt	Hugoson	Koppendrayer	McGuire	Orfield	Seagren
Bishop	Evans	Huntley	Krinkie	Milbert	Osthoft	Sekhon
Brown, C.	Farrell	Jacobs	Krueger	Molnau	Ostrom	Skoglund
Brown, K.	Finseth	Jaros	Lasley	Morrison	Ozment	Smith
Carlson	Frerichs	Jefferson	Leppik	Mosel	Pauly	Solberg
Carruthers	Garcia	Jennings	Lieder	Munger	Pawlenty	Stanisus
Clark	Girard	Johnson, A.	Limner	Murphy	Pelowski	Steensma
Commers	Goodno	Johnson, R.	Lindner	Neary	Perlt	Sviggum

Swenson	Trimble	Van Engen	Wagenius	Wejzman	Wolf	Spk. Anderson, I.
Tomassoni	Tunheim	Vellenga	Waltman	Wenzel	Worke	
Tompkins	Van Dellen	Vickerman	Weaver	Winter	Workman	

The bill was passed, as amended, and its title agreed to.

SUSPENSION OF RULES

Abrams moved that the rules be so far suspended that the House permit television cameras on the floor for ten minutes. The motion prevailed.

SPECIAL ORDERS, Continued

H. F. No. 2519, A bill for an act relating to prostitution; creating a civil cause of action for persons who are coerced into prostitution; proposing coding for new law in Minnesota Statutes, chapter 611A.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hausman	Krinkie	Mosel	Peterson	Trimble
Anderson, R.	Dehler	Holsten	Krueger	Murphy	Pugh	Tunheim
Asch	Delmont	Hugoson	Lasley	Neary	Reding	Van Dellen
Battaglia	Dempsey	Huntley	Leppik	Nelson	Rest	Van Engen
Bauerly	Dorn	Jacobs	Lieder	Ness	Rhodes	Vellenga
Beard	Erhardt	Jaros	Limmer	Olson, E.	Rodosovich	Vickerman
Bergson	Evans	Jefferson	Lindner	Olson, K.	Rukavina	Wagenius
Bertram	Farrell	Jennings	Long	Olson, M.	Sarna	Waltman
Bettermann	Finseth	Johnson, A.	Lourey	Onnen	Seagren	Weaver
Bishop	Frerichs	Johnson, V.	Luther	Opatz	Sekhon	Wejzman
Brown, C.	Garcia	Kahn	Lynch	Orenstein	Skoglund	Wenzel
Brown, K.	Girard	Kalis	Macklin	Orfield	Smith	Winter
Carlson	Goodno	Kelley	Mahon	Osthoff	Solberg	Wolf
Carruthers	Greenfield	Kelso	Mariani	Ostrom	Stanius	Worke
Clark	Greiling	Kinkel	McCollum	Ozment	Steensma	Workman
Commers	Gruenes	Klinzing	McGuire	Pauly	Sviggum	Spk. Anderson, I.
Cooper	Gutknecht	Knickerbocker	Milbert	Pawlenty	Swenson	
Dauner	Hasskamp	Knight	Molnau	Pelowski	Tomassoni	
Dauids	Haukoos	Koppendraye	Morrison	Perlt	Tompkins	

The bill was passed and its title agreed to.

S. F. No. 1732 was reported to the House.

Wejzman moved that S. F. No. 1732 be temporarily laid over on Special Orders. The motion prevailed.

S. F. No. 1774, A bill for an act relating to traffic regulations; permitting white strobe lights on rural mail carrier vehicles; amending Minnesota Statutes 1992, sections 169.01, by adding a subdivision; and 169.64, subdivision 8; Minnesota Statutes 1993 Supplement, section 169.64, subdivision 3.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Holsten	Krueger	Murphy	Pugh	Trimble
Anderson, R.	Delmont	Hugoson	Lasley	Neary	Reding	Tunheim
Asch	Dempsey	Huntley	Leppik	Nelson	Rest	Van Dellen
Battaglia	Dorn	Jacobs	Limmer	Ness	Rhodes	Van Engen
Bauerly	Erhardt	Jaros	Lindner	Olson, E.	Rice	Vellenga
Beard	Evans	Jefferson	Long	Olson, K.	Rodosovich	Vickerman
Bergson	Farrell	Johnson, A.	Lourey	Olson, M.	Rukavina	Wagenius
Bertram	Finseth	Johnson, R.	Luther	Onnen	Sarna	Waltman
Bettermann	Frerichs	Johnson, V.	Lynch	Opatz	Seagren	Weaver
Bishop	Garcia	Kahn	Macklin	Orenstein	Sekhon	Wejzman
Brown, C.	Girard	Kalis	Mahon	Orfield	Skoglund	Wenzel
Brown, K.	Goodno	Kelley	Mariani	Osthoff	Smith	Winter
Carlson	Greenfield	Kelso	McCollum	Ostrom	Solberg	Wolf
Carruthers	Greiling	Kinkel	McGuire	Ozment	Stanius	Worke
Clark	Gruenes	Klinzing	Milbert	Pauly	Steensma	Workman
Commers	Gutknecht	Knickerbocker	Molnau	Pawlenty	Sviggum	Spk. Anderson, I.
Dauner	Hasskamp	Knight	Morrison	Pelowski	Swenson	
Davids	Haukoos	Koppendrayner	Mosel	Perlt	Tomassoni	
Dawkins	Hausman	Krinkie	Munger	Peterson	Tompkins	

The bill was passed and its title agreed to.

S. F. No. 1732 which was temporarily laid over earlier today on Special Orders was again reported to the House.

There being no objection, S. F. No. 1732 was continued on Special Orders.

The Speaker called Bauerly to the Chair.

CONSIDERATION UNDER RULE 1.10

Pursuant to rule 1.10, Solberg requested immediate consideration of H. F. Nos. 2624, 2120 and 2351.

H. F. No. 2624, A bill for an act relating to employee relations; ratifying labor agreements; making certain positions unclassified; changing duties of the legislative commission on employee relations; revising a salary range for a certain position in the judicial branch; modifying duties of the commissioner of employee relations; amending Minnesota Statutes 1992, sections 3.855, subdivisions 2, 3, and by adding a subdivision; 15A.081, subdivisions 7 and 7b; 43A.05, subdivision 5; 43A.08, subdivisions 1 and 1a; 43A.18, subdivisions 2, 3, and 5; 179A.10, subdivision 3; 179A.18, subdivision 1; and 179A.22, subdivision 4; Minnesota Statutes 1993 Supplement, sections 15A.081, subdivision 1; 15A.083, subdivision 4; and 43A.18, subdivision 4.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 131 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Carlson	Erhardt	Hasskamp	Kahn	Leppik	Milbert
Anderson, R.	Carruthers	Evans	Haukoos	Kalis	Lieder	Molnau
Asch	Clark	Farrell	Hausman	Kelley	Limmer	Morrison
Battaglia	Commers	Finseth	Holsten	Kelso	Lindner	Mosel
Bauerly	Cooper	Frerichs	Hugoson	Kinkel	Long	Munger
Beard	Dauner	Garcia	Huntley	Klinzing	Lourey	Murphy
Bergson	Davids	Girard	Jacobs	Knickerbocker	Luther	Neary
Bertram	Dawkins	Goodno	Jefferson	Knight	Lynch	Nelson
Bettermann	Dehler	Greenfield	Jennings	Koppendrayner	Macklin	Ness
Bishop	Delmont	Greiling	Johnson, A.	Krinkie	Mahon	Olson, E.
Brown, C.	Dempsey	Gruenes	Johnson, R.	Krueger	McCollum	Olson, K.
Brown, K.	Dorn	Gutknecht	Johnson, V.	Lasley	McGuire	Olson, M.

Onnen	Pawlenty	Rhodes	Simoneau	Swenson	Vellenga	Winter
Opatz	Pelowski	Rice	Skoglund	Tomassoni	Vickerman	Wolf
Orenstein	Perl	Rodosovich	Smith	Tompkins	Wagenius	Worke
Osthoff	Peterson	Rukavina	Solberg	Trimble	Waltman	Workman
Ostrom	Pugh	Sarna	Stanis	Tunheim	Weaver	Spk. Anderson, I.
Ozment	Reding	Seagren	Steensma	Van Dellen	Wejman	
Pauly	Rest	Sekhon	Sviggum	Van Engen	Wenzel	

The bill was passed and its title agreed to.

H. F. No. 2120 was reported to the House.

Kelley and Greenfield offered an amendment to H. F. No. 2120, the third engrossment.

POINT OF ORDER

Sviggum raised a point of order pursuant to rule 3.09 that the Kelley and Greenfield amendment was not in order. Speaker pro tempore Bauerly ruled the point of order well taken and the amendment out of order.

Asch offered an amendment to H. F. No. 2120, the third engrossment.

POINT OF ORDER

Rice raised a point of order pursuant to rule 3.09 that the Asch amendment was not in order. Speaker pro tempore Bauerly ruled the point of order well taken and the amendment out of order.

Lynch moved to amend H. F. No. 2120, the third engrossment, as follows:

Page 3, delete lines 20 and 21

A roll call was requested and properly seconded.

The question was taken on the Lynch amendment and the roll was called. There were 49 yeas and 82 nays as follows:

Those who voted in the affirmative were:

Bettermann	Frerichs	Hugoson	Lindner	Olson, E.	Seagren	Vickerman
Commers	Girard	Huntley	Lynch	Olson, M.	Steensma	Waltman
Dauner	Goodno	Johnson, V.	Molnau	Onnen	Sviggum	Weaver
Davids	Gruenes	Klinzing	Morrison	Ostrom	Swenson	Wenzel
Dehler	Gutknecht	Knight	Mosel	Ozment	Tompkins	Wolf
Dempsey	Haukoos	Koppendrayner	Nelson	Pauly	Van Dellen	Worke
Finseth	Holsten	Krinkie	Ness	Pawlenty	Van Engen	Workman

Those who voted in the negative were:

Abrams	Carruthers	Hausman	Knickerbocker	McGuire	Pugh	Solberg
Anderson, R.	Clark	Jacobs	Krueger	Milbert	Reding	Stanis
Asch	Dawkins	Jaros	Lasley	Munger	Rest	Tomassoni
Battaglia	Delmont	Jefferson	Leppik	Murphy	Rhodes	Trimble
Bauerly	Dorn	Jennings	Lieder	Neary	Rice	Tunheim
Beard	Erhardt	Johnson, A.	Limmer	Opatz	Rodosovich	Vellenga
Bergson	Evans	Johnson, R.	Long	Orenstein	Rukavina	Wagenius
Bertram	Farrell	Kahn	Lourey	Orfield	Sarna	Wejman
Bishop	Garcia	Kalis	Luther	Osthoff	Sekhon	Winter
Brown, C.	Greenfield	Kelley	Macklin	Pelowski	Simoneau	Spk. Anderson, I.
Brown, K.	Greiling	Kelso	Mahon	Perl	Skoglund	
Carlson	Hasskamp	Kinkel	McCollum	Peterson	Smith	

The motion did not prevail and the amendment was not adopted.

H. F. No. 2120, A bill for an act relating to occupations and professions; providing that health-related licensing boards may establish a program to protect the public from impaired regulated persons; providing for appointments; providing for rulemaking; appropriating money; amending Minnesota Statutes 1993 Supplement, section 214.06, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 214.

The bill was read for the third time and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 112 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abrams	Delmont	Jacobs	Lasley	Mosel	Peterson	Tomassoni
Anderson, R.	Dempsey	Jefferson	Leppik	Munger	Pugh	Tompkins
Asch	Dorn	Jennings	Lieder	Murphy	Reding	Trimble
Battaglia	Erhardt	Johnson, A.	Limmer	Neary	Rest	Tunheim
Bauerly	Evans	Johnson, R.	Lindner	Nelson	Rhodes	Van Dellen
Beard	Farrell	Johnson, V.	Long	Olson, E.	Rodosovich	Van Engen
Bergson	Finseth	Kahn	Lourey	Olson, K.	Sarna	Vellenga
Bertram	Girard	Kalis	Luther	Opatz	Seagren	Vickerman
Bishop	Goodno	Kelley	Macklin	Orenstein	Sekhon	Wagenius
Brown, C.	Greenfield	Kelso	Mahon	Orfield	Simoneau	Weaver
Brown, K.	Greiling	Kinkel	Mariani	Osthoff	Skoglund	Wejcman
Carlson	Gruenes	Klinzing	McCollum	Ostrom	Smith	Wenzel
Carruthers	Hasskamp	Knickerbocker	McGuire	Ozment	Solberg	Winter
Clark	Hausman	Knight	Milbert	Pauly	Stanis	Wolf
Commers	Holsten	Koppendrayner	Molnau	Pawlenty	Steensma	Worke
Dawkins	Huntley	Krueger	Morrison	Pelowski	Swenson	Spk. Anderson, I.

Those who voted in the negative were:

Bettermann	Dehler	Haukoos	Lynch	Onnen	Waltman
Dauner	Frerichs	Hugoson	Ness	Perlt	Workman
Dauids	Gutknecht	Krinkie	Olson, M.	Sviggum	

The bill was passed and its title agreed to.

Erhardt was excused between the hours of 4:50 p.m. and 9:25 p.m.

H. F. No. 2351 was reported to the House.

Skoglund moved to amend H. F. No. 2351, the second engrossment, as follows:

Page 4, line 1, delete "28,854,000" and insert "25,854,000"

Page 6, line 54, delete "2,770,000" and insert "2,370,000"

Page 6, line 57, delete "2,160,000" and insert "1,760,000"

Page 7, delete lines 20 to 21

Page 8, after line 46, insert:

"Sec. 14. CRIME INFORMATION REWARD FUND

-0-

400,000"

Page 82, line 20, delete "\$....." and insert "\$10,000" and delete the second blank and insert "seven".

Page 82, line 24, after the period, insert "The board shall select only those criminal investigations for which no other reward offer has been extended and for which, in the board's judgment, no reward offer would have been made but for the board's action."

Page 99, lines 1 and 2, delete the new language

Page 99, delete lines 26 to 34

Page 100, lines 2 to 4, delete the new language

Page 100, lines 9 and 10, delete the new language and reinstate the stricken language

Page 100, lines 21 and 22, delete the new language and reinstate the stricken language

Page 100, lines 25 and 32, delete the new language

The motion prevailed and the amendment was adopted.

Skoglund moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 3, line 7, delete "42,433,000" and insert "42,427,000"

Page 3, line 7, delete "43,982,000" and insert "43,976,000"

Page 3, line 37, delete "4,414,000" and insert "4,408,000"

Page 3, line 38, delete "4,386,000" and insert "4,380,000"

The motion prevailed and the amendment was adopted.

The Speaker resumed the Chair.

Bishop, Skoglund, Dawkins and Swenson moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 153, line 5, before the period, insert "in a manner which has been demonstrated epidemiologically to transmit the HIV virus"

Page 153, line 8, after "professional" insert "who is trained to provide the counseling described in section 144.763,"

A roll call was requested and properly seconded.

The question was taken on the Bishop et al amendment and the roll was called. There were 90 yeas and 39 nays as follows:

Those who voted in the affirmative were:

Abrams	Bishop	Dauner	Garcia	Jefferson	Kinkel	Luther
Anderson, R.	Brown, C.	Dawkins	Greenfield	Jennings	Klinzing	Lynch
Battaglia	Brown, K.	Delmont	Greiling	Johnson, A.	Krueger	Mahon
Bauerly	Carlson	Dempsey	Hausman	Johnson, R.	Lasley	Mariani
Bergson	Carruthers	Dorn	Huntley	Kahn	Lieder	McCollum
Bertram	Clark	Evans	Jacobs	Kelley	Long	McGuire
Bettermann	Cooper	Farrell	Jaros	Kelso	Lourey	Milbert

Mosel	Olson, E.	Ostrom	Rest	Skoglund	Trimble	Wagenius
Munger	Olson, K.	Pelowski	Rhodes	Solberg	Tunheim	Weaver
Murphy	Opatz	Perlt	Rodosovich	Stanis	Van Dellen	Wejzman
Neary	Orenstein	Peterson	Rukavina	Steensma	Van Engen	Winter
Nelson	Orfield	Pugh	Sekhon	Swenson	Vellenga	Spk. Anderson, I.
Ness	Osthoff	Reding	Simoneau	Tomassoni	Vickerman	

Those who voted in the negative were:

Asch	Girard	Holsten	Krinkie	Morrison	Seagren	Wolf
Commers	Goodno	Hugoson	Leppik	Olson, M.	Smith	Worke
Davids	Gruenes	Johnson, V.	Limmer	Onnen	Swiggum	Workman
Dehler	Gutknecht	Kalis	Lindner	Ozment	Tompkins	
Finseth	Hasskamp	Knight	Macklin	Pauly	Waltman	
Frerichs	Haukoos	Koppendrayner	Molnau	Pawlenty	Wenzel	

The motion prevailed and the amendment was adopted.

Greiling, McGuire and Skoglund moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 18, line 17, after "(3)", insert "exclude the abusing party from the area surrounding the dwelling which the parties share or the residence of the petitioner, to a distance found necessary by the court to protect the safety of the petitioner and the family or household members;

(4)"

Pages 18 to 19, renumber the remaining clauses

Bettermann moved to amend the Greiling et al amendment as follows:

Page 1, line 7, before the semicolon, insert "not less than 300 feet, or one city block, whichever distance is greater"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Greiling et al amendment, as amended, to H. F. No. 2351, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Murphy moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 113, after line 35, insert:

"Sec. 42. Minnesota Statutes 1993 Supplement, section 626.861, subdivision 4, is amended to read:

Subd. 4. [PEACE OFFICERS TRAINING ACCOUNT.] (a) Receipts from penalty assessments must be credited to a peace officer training account in the special revenue fund. The peace officers standards and training board shall make the following allocations from appropriated funds, net of operating expenses:

(1) for fiscal year 1994:

(i) at least 25 percent for reimbursement to board-approved skills courses; and

(ii) at least 13.5 percent for the school of law enforcement;

(2) for fiscal year 1995:

(i) at least 17 percent to the community college system for one-time start-up costs associated with the transition to an integrated academic program;

- (ii) at least eight percent for reimbursement to board-approved skills courses in the technical college system; and
- (iii) at least 13.5 percent for the school of law enforcement.

The balance in each year may be used to pay each local unit of government an amount in proportion to the number of licensed peace officers and constables employed, at a rate to be determined by the board. The disbursed amount must be used exclusively for reimbursement of the cost of in-service training required under this chapter and chapter 214.

(b) The board must not reduce allocations to law enforcement agencies or higher education systems or institutions to fund legal costs or other board operating expenses not presented in the board's biennial legislative budget request."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Milbert and Skoglund moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 13, after line 36, insert:

"Sec. 9. Minnesota Statutes 1992, section 171.22, subdivision 2, is amended to read:

Subd. 2. [PENALTIES.] Any person who violates subdivision 1, clause (7) or (8) ~~or (9)~~, is guilty of a gross misdemeanor. Any person who violates any other provision of subdivision 1 is guilty of a misdemeanor."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Jefferson, Clark, Evans and Rice moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 43, after line 2, insert:

"Sec. 46. Minnesota Statutes 1992, section 609.52, subdivision 3, is amended to read:

Subd. 3. [SENTENCE.] Whoever commits theft may be sentenced as follows:

(1) to imprisonment for not more than 20 years or to payment of a fine of not more than \$100,000, or both, if the property is a firearm, or the value of the property or services stolen is more than \$35,000 and the conviction is for a violation of subdivision 2, clause (3), (4), (15), or (16); or

(2) to imprisonment for not more than ten years or to payment of a fine of not more than \$20,000, or both, if the value of the property or services stolen exceeds \$2,500, or if the property stolen was an article representing a trade secret, an explosive or incendiary device, or a controlled substance listed in schedule I or II pursuant to section 152.02 with the exception of marijuana; or

(3) to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both, if:

(a) the value of the property or services stolen is more than \$500 but not more than \$2,500; or

(b) the property stolen was a controlled substance listed in schedule III, IV, or V pursuant to section 152.02; or

(c) the value of the property or services stolen is more than \$200 but not more than \$500 and the person has been convicted within the preceding five years for an offense under this section, section 256.98; 268.18, subdivision 3; 609.24; 609.245; 609.53; 609.582, subdivision 1, 2, or 3; 609.625; 609.63; 609.631; or 609.821, or a statute from another state in conformity with any of those sections, and the person received a felony or gross misdemeanor sentence for the offense, or a sentence that was stayed under section 609.135 if the offense to which a plea was entered would allow imposition of a felony or gross misdemeanor sentence; or

(d) the value of the property or services stolen is not more than \$500, and any of the following circumstances exist:

(i) the property is taken from the person of another or from a corpse, or grave or coffin containing a corpse; or

(ii) the property is a record of a court or officer, or a writing, instrument or record kept, filed or deposited according to law with or in the keeping of any public officer or office; or

(iii) the property is taken from a burning, abandoned, or vacant building or upon its removal therefrom, or from an area of destruction caused by civil disaster, riot, bombing, or the proximity of battle; or

(iv) the property consists of public funds belonging to the state or to any political subdivision or agency thereof; or

(v) the property stolen is a motor vehicle; or

(4) to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both, if the value of the property or services stolen is more than \$200 but not more than \$500; or

(5) in all other cases where the value of the property or services stolen is \$200 or less, to imprisonment for not more than 90 days or to payment of a fine of not more than \$700, or both, provided, however, in any prosecution under subdivision 2, clauses (1), (2), (3), (4), and (13), the value of the money or property or services received by the defendant in violation of any one or more of the above provisions within any six-month period may be aggregated and the defendant charged accordingly in applying the provisions of this subdivision; provided that when two or more offenses are committed by the same person in two or more counties, the accused may be prosecuted in any county in which one of the offenses was committed for all of the offenses aggregated under this paragraph."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Hasskamp, Carruthers, Kalis, Garcia, Mahon, Bettermann, Dauner, Nelson, Bertram and Sviggum offered an amendment to H. F. No. 2351, the second engrossment, as amended.

POINT OF ORDER

Osthoff raised a point of order pursuant to rule 3.09 that the Hasskamp et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Dawkins, Skoglund and Carruthers moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 165, delete line 32, and insert "has an annual income not greater than 125 percent of the poverty line established under United States Code, title 42, section 9902(2)"

Page 165, line 33, delete "defender"

The motion prevailed and the amendment was adopted.

Smith moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 9, after line 48, insert:

"Sec. 2. Minnesota Statutes 1992, section 152.01, subdivision 19, is amended to read:

Subd. 19. [PUBLIC HOUSING ZONE.] "Public housing zone" means ~~any public~~:

(1) a housing project or development that receives the benefit of a direct, project-based federal housing subsidy and is administered by the Minnesota housing finance agency; or

(2) a public housing project or development that is administered by a local housing agency, ~~plus.~~

The public housing zone includes the area within 300 feet of the property's boundary, or one city block, whichever distance is greater."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Smith amendment and the roll was called. There were 57 yeas and 74 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Johnson, V.	Macklin	Pauly	Sviggum	Wolf
Bettermann	Girard	Knickerbocker	Mahon	Pawlenty	Swenson	Worke
Bishop	Goodno	Knight	Molnau	Peterson	Tomassoni	Workman
Brown, K.	Gruenes	Koppendrayner	Morrison	Pugh	Tompkins	
Commers	Gutknecht	Krinkie	Murphy	Rhodes	Van Dellen	
Davids	Hasskamp	Leppik	Olson, M.	Seagren	Van Engen	
Dehler	Haukoos	Limmer	Ornen	Smith	Vickerman	
Dempsey	Holsten	Lindner	Osthoff	Solberg	Waltman	
Finseth	Hugoson	Lynch	Ozment	Stanisus	Weaver	

Those who voted in the negative were:

Anderson, R.	Dauner	Jacobs	Klinzing	Mosel	Perlt	Trimble
Asch	Dawkins	Jaros	Krueger	Neary	Reding	Tunheim
Battaglia	Delmont	Jefferson	Lasley	Nelson	Rest	Vellenga
Bauerly	Dorn	Jennings	Lieder	Ness	Rice	Wagenius
Beard	Evans	Johnson, A.	Long	Olson, E.	Rodosovich	Wejzman
Bergson	Farrell	Johnson, R.	Lourey	Olson, K.	Rukavina	Wenzel
Brown, C.	Garcia	Kahn	Luther	Opatz	Sarna	Winter
Carlson	Greenfield	Kalis	Mariani	Orenstein	Sekhon	Spk. Anderson, I.
Carruthers	Greiling	Kelley	McCollum	Orfield	Simoneau	
Clark	Hausman	Kelso	McGuire	Ostrom	Skoglund	
Cooper	Huntley	Kinkel	Milbert	Pelowski	Steensma	

The motion did not prevail and the amendment was not adopted.

Kahn, Skoglund, Hasskamp, Murphy and Abrams moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 8, after line 14, insert:

"Subd. 4. Transfer of unexpended funds.

The commissioner may use unexpended funds appropriated under this section for the purchase of polymerase chain reaction DNA analysis kits."

The motion prevailed and the amendment was adopted.

Rhodes moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 170, delete lines 5 and 6 and insert:

"(a) The additional judgeship established in section 1 in the first judicial district and one judgeship in the fourth judicial district, one in the seventh judicial district, and one in the tenth judicial district are effective September 1, 1994.

(b) Two additional judgeships established in section 1 in the fourth judicial district, one judgeship in the seventh judicial district, and one in the tenth judicial district are effective July 1, 1995."

The question was taken on the Rhodes amendment and the roll was called. There were 51 yeas and 81 nays as follows:

Those who voted in the affirmative were:

Abrams	Finseth	Hugoson	Limmer	Onnen	Stanisus	Wolf
Bergson	Frerichs	Johnson, V.	Lindner	Opatz	Svigum	Worke
Bettermann	Girard	Klinzing	Lynch	Ozment	Swenson	Workman
Bishop	Goodno	Knickerbocker	Macklin	Pauly	Tompkins	
Commers	Gruenes	Knight	Molnau	Pawlenty	Van Engen	
Davids	Gutknecht	Koppendrayner	Morrison	Rhodes	Vickerman	
Dehler	Haukoos	Krinkie	Ness	Seagren	Waltman	
Dempsey	Holsten	Leppik	Olson, M.	Smith	Weaver	

Those who voted in the negative were:

Anderson, R.	Dauner	Jacobs	Lasley	Murphy	Pugh	Tomassoni
Asch	Dawkins	Jaros	Lieder	Neary	Reding	Trimble
Battaglia	Delmont	Jefferson	Long	Nelson	Rest	Tunheim
Bauerly	Dorn	Jennings	Lourey	Olson, E.	Rice	Vellenga
Beard	Evans	Johnson, A.	Luther	Olson, K.	Rodosovich	Wagenius
Bertram	Farrell	Johnson, R.	Mahon	Orenstein	Rukavina	Wejcmann
Brown, C.	Garcia	Kahn	Mariani	Orfield	Sarna	Wenzel
Brown, K.	Greenfield	Kalis	McCollum	Osthoff	Sekhon	Winter
Carlson	Greiling	Kelley	McGuire	Ostrom	Simoneau	Spk. Anderson, I.
Carruthers	Hasskamp	Kelso	Milbert	Pelowski	Skoglund	
Clark	Hausman	Kinkel	Mosel	Perlt	Solberg	
Cooper	Huntley	Krueger	Munger	Peterson	Steensma	

The motion did not prevail and the amendment was not adopted.

Vellenga moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 115, line 35, before the period, insert "of public safety"

Page 116, line 1, after "commissioner" insert "of public safety"

Page 116, line 13, delete "commissioner" and insert "commissioners of public safety and education"

Page 116, line 16, delete "committee" and insert "and education committees"

Page 116, line 17, delete "committee" and insert "and education committees"

The motion prevailed and the amendment was adopted.

Opatz moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 18, after line 8, insert:

"Sec. 15. Minnesota Statutes 1993 Supplement, section 518B.01, subdivision 2, is amended to read:

Subd. 2. [DEFINITIONS.] As used in this section, the following terms shall have the meanings given them:

(a) "Domestic abuse" means: (i) physical harm, bodily injury, assault, or the infliction of fear of imminent physical harm, bodily injury or assault, between family or household members; or (ii) harassment or stalking, within the meaning of section 609.749, terroristic threats, within the meaning of section 609.713, subdivision 1, or criminal sexual conduct, within the meaning of section 609.342, 609.343, 609.344, or 609.345, when any of these acts is committed against a family or household member by a family or household member.

(b) "Family or household members" means spouses, former spouses, parents and children, persons related by blood, and persons who are presently residing together or who have resided together in the past, and persons who have a child in common regardless of whether they have been married or have lived together at any time. "Family or household member" also includes a man and woman if the woman is pregnant and the man is alleged to be the father, regardless of whether they have been married or have lived together at any time. Issuance of an order for protection on this ground does not affect a determination of paternity under sections 257.51 to 257.74."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Carruthers; McGuire; Skoglund; Rest; Swenson; Bergson; Brown, C.; Lynch and Weaver moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 9, after line 48, insert:

"Sec. 2. Minnesota Statutes 1992, section 144.125, is amended to read:

144.125 [TESTS OF INFANTS FOR INBORN METABOLIC ERRORS.]

It is the duty of (1) the administrative officer or other person in charge of each institution caring for infants 28 days or less of age and (2) the person required in pursuance of the provisions of section 144.215, to register the birth of a child, to cause to have administered to every infant or child in its care tests for hemoglobinopathy, phenylketonuria, and other inborn errors of metabolism in accordance with rules prescribed by the state commissioner of health. In determining which tests must be administered, the commissioner shall take into consideration the adequacy of laboratory methods to detect the inborn metabolic error, the ability to treat or prevent medical conditions caused by the inborn metabolic error, and the severity of the medical conditions caused by the inborn metabolic error. Testing and the recording and reporting of the results of the tests shall be performed at the times and in the manner prescribed by the commissioner of health. ~~This section does not apply to an infant whose parents object on the grounds that the tests and treatment conflict with their religious tenets and practices.~~ The commissioner shall charge laboratory service fees for conducting the tests of infants for inborn metabolic errors so that the total of fees collected will approximate the costs of conducting the tests. Costs associated with capital expenditures and the development of new procedures may be prorated over a three-year period when calculating the amount of the fees."

Page 38, after line 32, insert:

"Sec. 41. Minnesota Statutes 1993 Supplement, section 609.378, subdivision 1, is amended to read:

Subdivision 1. [PERSONS GUILTY OF NEGLECT OR ENDANGERMENT.] (a) [NEGLECT.] (1) A parent, legal guardian, or caretaker who willfully deprives a child of necessary food, clothing, shelter, health care, or supervision appropriate to the child's age, when the parent, guardian, or caretaker is reasonably able to make the necessary provisions and the deprivation harms or is likely to substantially harm the child's physical, mental, or emotional health is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both. If the deprivation results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both. ~~If a parent, guardian, or caretaker responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, this treatment or care is "health care," for purposes of this clause.~~

(2) A parent, legal guardian, or caretaker who knowingly permits the continuing physical or sexual abuse of a child is guilty of neglect of a child and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

(b) [ENDANGERMENT.] A parent, legal guardian, or caretaker who endangers the child's person or health by:

(1) intentionally or recklessly causing or permitting a child to be placed in a situation likely to substantially harm the child's physical, mental, or emotional health or cause the child's death; or

(2) knowingly causing or permitting the child to be present where any person is selling or possessing a controlled substance, as defined in section 152.01, subdivision 4, in violation of section 152.021, 152.022, 152.023, or 152.024; is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

If the endangerment results in substantial harm to the child's physical, mental, or emotional health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

This paragraph does not prevent a parent, legal guardian, or caretaker from causing or permitting a child to engage in activities that are appropriate to the child's age, stage of development, and experience, ~~or from selecting health care as defined in subdivision 1, paragraph (a).~~

(c) [ENDANGERMENT BY FIREARM ACCESS.] A person who intentionally or recklessly causes a child under 14 years of age to be placed in a situation likely to substantially harm the child's physical health or cause the child's death as a result of the child's access to a loaded firearm is guilty of child endangerment and may be sentenced to imprisonment for not more than one year or to payment of a fine of not more than \$3,000, or both.

If the endangerment results in substantial harm to the child's physical health, the person may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both."

Page 54, strike the sentence beginning on line 33

Page 56, after line 13, insert:

"Sec. 63. Minnesota Statutes 1992, section 626.556, subdivision 10e, is amended to read:

Subd. 10e. [DETERMINATIONS.] Upon the conclusion of every assessment or investigation it conducts, the local welfare agency shall make two determinations: first, whether maltreatment has occurred; and second, whether child protective services are needed.

(a) For the purposes of this subdivision, "maltreatment" means any of the following acts or omissions committed by a person responsible for the child's care:

(1) physical abuse as defined in subdivision 2, paragraph (d);

(2) neglect as defined in subdivision 2, paragraph (c);

(3) sexual abuse as defined in subdivision 2, paragraph (a); or

(4) mental injury as defined in subdivision 2, paragraph (k).

(b) For the purposes of this subdivision, a determination that child protective services are needed means that the local welfare agency has documented conditions during the assessment or investigation sufficient to cause a child protection worker, as defined in section 626.559, subdivision 1, to conclude that a child is at significant risk of maltreatment if protective intervention is not provided and that the individuals responsible for the child's care have not taken or are not likely to take actions to protect the child from maltreatment or risk of maltreatment.

~~(c) This subdivision does not mean that maltreatment has occurred solely because the child's parent, guardian, or other person responsible for the child's care in good faith selects and depends upon spiritual means or prayer for treatment or care of disease or remedial care of the child, in lieu of medical care. However, if lack of medical care may result in imminent and serious danger to the child's health, the local welfare agency may ensure that necessary medical services are provided to the child.~~

Page 65, line 17, before "Sections" insert "Section 2 is effective August 1, 1994."

Page 65, line 17, delete "2 to 28 and 30 to 73" and insert "3 to 29, 31 to 40, and 42 to 75"

Page 65, line 18, after the period, insert "Section 41 is effective June 1, 1994 and applies to crimes committed on or after that date."

Page 65, line 19, delete "29" and insert "30"

A roll call was requested and properly seconded.

The question was taken on the Carruthers et al amendment and the roll was called. There were 65 yeas and 64 nays as follows:

Those who voted in the affirmative were:

Anderson, R.	Cooper	Jennings	Macklin	Ostrom	Seagren	Wagenius
Asch	Dauner	Johnson, R.	McCollum	Ozment	Simoneau	Weaver
Bauerly	Davids	Kahn	McGuire	Pawlenty	Skoglund	Wejcman
Beard	Dawkins	Kelso	Morrison	Pelowski	Swenson	Winter
Bergson	Delmont	Kinkel	Mosel	Perlt	Tomassoni	Spk. Anderson, I.
Bertram	Dempsey	Krueger	Munger	Reding	Trimble	
Brown, C.	Dorn	Lasley	Neary	Rest	Tunheim	
Carlson	Evans	Lindner	Olson, E.	Rhodes	Van Dellen	
Carruthers	Farrell	Luther	Onnen	Rukavina	Van Engen	
Commers	Finseth	Lynch	Opatz	Sarna	Vellenga	

Those who voted in the negative were:

Abrams	Goodno	Huntley	Koppendrayner	Molnau	Rodosovich	Wenzel
Battaglia	Greenfield	Jacobs	Krinkie	Murphy	Sekhon	Wolf
Bettermann	Greiling	Jefferson	Leppik	Nelson	Smith	Worke
Bishop	Gruenes	Johnson, A.	Lieder	Ness	Solberg	Workman
Brown, K.	Gutknecht	Johnson, V.	Limmer	Orenstein	Stanius	
Clark	Hasskamp	Kalis	Long	Orfield	Steensma	
Dehler	Haukoos	Kelley	Lourey	Osthoff	Sviggum	
Frerichs	Hausman	Klinzing	Mahon	Pauly	Tompkins	
Garcia	Holsten	Knickerbocker	Mariani	Peterson	Vickerman	
Girard	Hugoson	Knicht	Milbert	Pugh	Waltman	

The motion prevailed and the amendment was adopted.

Wejzman moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 5, line 50, after "of" insert "pupils age 21 or over participating in"

Page 5, line 51, delete "an" and insert "school districts and"

Page 5, line 52, delete "center" and insert "centers"

Page 170, after line 35, insert:

"Sec. 3. Minnesota Statutes 1992, section 123.3514, is amended by adding a subdivision to read:

Subd. 6d. [OIC PUPILS AGE 21 OR OVER.] For a pupil age 21 or over who is enrolled in a course at an opportunities industrialization center (OIC) according to this section, the department of education shall make payments according to subdivision 6b for courses taken to fulfill high school graduation requirements by pupils eligible for adult high school graduation aid, except that the payments shall be made from the appropriation for pupils age 21 or over attending an OIC under the post-secondary enrollment options program, not from the adult graduation aid appropriation.

The department shall make payments for a pupil age 21 or over attending an OIC only if the amount of appropriation remaining for the program is sufficient to make full payment to the school district and the OIC. The department shall develop and implement an application process for pupils age 21 or over who wish to attend an OIC under this section. A pupil must submit an application to the department before enrolling in an OIC. The department must determine specific dates by which applications must be received for each OIC term. If the department receives multiple applications for a term by the appropriate application deadline and the remaining appropriation is insufficient to make full payment to the school districts and OICs, pupils shall be selected by lot until the appropriation is gone. Within 10 days of receiving an application, the department must notify each pupil whether there is sufficient funding to pay for the pupil's enrollment in the OIC under this section. If the funding is not sufficient, the pupil may not enroll in the OIC under this section. The department must not make payments to a school district or OIC for a course taken for post-secondary credit only."

Renumber subsequent sections

Correct internal cross-references

The motion prevailed and the amendment was adopted.

Wenzel, Pugh, Hasskamp, Kinkel and Swenson moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 136, after line 18, insert:

"Sec. 6. Minnesota Statutes 1992, section 243.05, subdivision 1, is amended to read:

Subdivision 1. [CONDITIONAL RELEASE.] The commissioner of corrections may parole any person sentenced to confinement in any state correctional facility for adults under the control of the commissioner of corrections, provided that:

(a) no inmate serving a life sentence for committing murder before May 1, 1980, other than murder committed in violation of clause (1) of section 609.185 who has not been previously convicted of a felony shall be paroled without having served 20 years, less the diminution that would have been allowed for good conduct had the sentence been for 20 years;

(b) no inmate serving a life sentence for committing murder before May 1, 1980, who has been previously convicted of a felony or though not previously convicted of a felony is serving a life sentence for murder in the first degree committed in violation of clause (1) of section 609.185 shall be paroled without having served 25 years, less the diminution which would have been allowed for good conduct had the sentence been for 25 years;

(c) any inmate sentenced prior to September 1, 1963, who would be eligible for parole had the inmate been sentenced after September 1, 1963, shall be eligible for parole; and

(d) any new rule or policy or change of rule or policy adopted by the commissioner of corrections which has the effect of postponing eligibility for parole has prospective effect only and applies only with respect to persons committing offenses after the effective date of the new rule or policy or change. Upon being paroled and released, an inmate is and remains in the legal custody and under the control of the commissioner, subject at any time to be returned to a facility of the department of corrections established by law for the confinement or treatment of convicted persons and the parole rescinded by the commissioner. The written order of the commissioner of corrections, is sufficient authority for any peace officer or state parole and probation agent to retake and place in actual custody any person on parole or supervised release, but any state parole and probation agent may, without order of warrant, when it appears necessary in order to prevent escape or enforce discipline, take and detain a parolee or person on supervised release or work release to the commissioner for action. The written order of the commissioner of corrections is sufficient authority for any peace officer or state parole and probation agent to retake and place in actual custody any person on probation under the supervision of the commissioner pursuant to section 609.135, but any state parole and probation agent may, without an order, when it appears necessary in order to prevent escape or enforce discipline, retake and detain a probationer and bring the probationer before the court for further proceedings under section 609.14. Persons conditionally released, and those on probation under the supervision of the commissioner of corrections pursuant to section 609.135 may be placed within or outside the boundaries of the state at the discretion of the commissioner of corrections or the court, and the limits fixed for these persons may be enlarged or reduced according to their conduct.

Except as otherwise provided in subdivision 1b, in considering applications for conditional release or discharge, the commissioner is not required to hear oral argument from any attorney or other person not connected with an adult correctional facility of the department of corrections in favor of or against the parole or release of any inmates, but the commissioner may institute inquiries by correspondence, taking testimony or otherwise, as to the previous history, physical or mental condition, and character of the inmate, and to that end shall have authority to require the attendance of the chief executive officer of any state adult correctional facility and the production of the records of these facilities, and to compel the attendance of witnesses. The commissioner is authorized to administer oaths to witnesses for these purposes."

Page 136, after line 32, insert:

"Sec. 8. Minnesota Statutes 1992, section 243.05, is amended by adding a subdivision to read:

Subd. 1b. [VICTIM'S RIGHTS.] (a) This subdivision applies to parole decisions relating to inmates convicted of first degree murder who are described in subdivision 1, clauses (a) and (b). As used in this subdivision, "victim" means the murder victim's surviving spouse or next of kin.

(b) The commissioner shall make reasonable efforts to notify the victim, in advance, of the time and place of the inmate's parole review hearing. The victim has a right to submit an oral or written statement at the review hearing. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the inmate should be paroled at that time. The commissioner must consider the victim's statement when making the parole decision.

Sec. 9. Minnesota Statutes 1993 Supplement, section 244.05, subdivision 5, is amended to read:

Subd. 5. [SUPERVISED RELEASE, LIFE SENTENCE.] (a) The commissioner of corrections may, under rules promulgated by the commissioner, give supervised release to an inmate serving a mandatory life sentence under section 609.185, clause (1), (3), (5), or (6); 609.346, subdivision 2a; or 609.385 after the inmate has served the minimum term of imprisonment specified in subdivision 4.

(b) The commissioner shall require the preparation of a community investigation report and shall consider the findings of the report when making a supervised release decision under this subdivision. The report shall reflect the sentiment of the various elements of the community toward the inmate, both at the time of the offense and at the present time. The report shall include the views of the sentencing judge, the prosecutor, any law enforcement personnel who may have been involved in the case, and any successors to these individuals who may have information relevant to the supervised release decision. The report shall also include the views of the victim and the victim's family unless the victim or the victim's family chooses not to participate.

(c) The commissioner shall make reasonable efforts to notify the victim, in advance, of the time and place of the inmate's supervised release review hearing. The victim has a right to submit an oral or written statement at the review hearing. The statement may summarize the harm suffered by the victim as a result of the crime and give the victim's recommendation on whether the inmate should be given supervised release at this time. The commissioner must consider the victim's statement when making the supervised release decision.

(d) As used in this subdivision, "victim" means the individual who suffered harm as a result of the inmate's crime or, if the individual is deceased, the deceased's surviving spouse or next of kin."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Wenzel et al amendment and the roll was called. There were 127 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Hugoson	Krueger	Nelson	Rest	Van Engen
Anderson, R.	Dehler	Huntley	Lasley	Ness	Rhodes	Vellenga
Asch	Delmont	Jacobs	Leppik	Olson, E.	Rodosovich	Vickerman
Battaglia	Dempsey	Jaros	Lieder	Olson, K.	Rukavina	Wagenius
Bauerly	Dorn	Jefferson	Limmer	Olson, M.	Sarna	Waltman
Beard	Evans	Jennings	Lindner	Onnen	Seagren	Weaver
Bergson	Farrell	Johnson, A.	Long	Opatz	Sekhon	Wejzman
Bertram	Finseth	Johnson, R.	Lourey	Orenstein	Skoglund	Wenzel
Bettermann	Frerichs	Johnson, V.	Luther	Orfield	Smith	Winter
Bishop	Garcia	Kahn	Lynch	Osthoff	Solberg	Wolf
Brown, C.	Girard	Kalis	Macklin	Ostrom	Stanis	Worke
Brown, K.	Goodno	Kelley	Mahon	Ozment	Steensma	Workman
Carlson	Greiling	Kelso	McCollum	Pauly	Sviggum	Spk. Anderson, I.
Carruthers	Gruenes	Kinkel	Milbert	Pawlenty	Swenson	
Clark	Gutknecht	Klinzing	Molnau	Pelowski	Tomassoni	
Commers	Hasskamp	Knickerbocker	Morrison	Perlt	Tompkins	
Cooper	Haukoos	Knight	Mosel	Peterson	Trimble	
Dauner	Hausman	Koppendraye	Munger	Pugh	Tunheim	
Davids	Holsten	Krinkie	Neary	Reding	Van Dellen	

The motion prevailed and the amendment was adopted.

The Speaker called Bauerly to the Chair.

Dehler moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 165, line 4, after the period insert "The supreme court must abide by the minimum wage laws currently in effect at the time of required jury duty."

The question was taken on the Dehler amendment and the roll was called. There were 29 yeas and 101 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Gruenes	Koppendraye	Olson, M.	Rukavina
Asch	Dempsey	Haukoos	Mahon	Onnen	Seagren
Commers	Frerichs	Hugoson	McCollum	Osthoff	Smith
Dauner	Girard	Jaros	Molnau	Ozment	Vickerman
Davids	Goodno	Knickerbocker	Morrison	Pauly	

Those who voted in the negative were:

Anderson, R.	Delmont	Johnson, A.	Limmer	Olson, E.	Rodosovich	Van Engen
Battaglia	Dorn	Johnson, R.	Long	Olson, K.	Sarna	Vellenga
Bauerly	Evans	Johnson, V.	Lourey	Opatz	Sekhon	Wagenius
Beard	Farrell	Kahn	Luther	Orenstein	Simoneau	Waltman
Bergson	Finseth	Kalis	Lynch	Orfield	Skoglund	Weaver
Bertram	Garcia	Kelley	Macklin	Ostrom	Solberg	Wejzman
Bettermann	Greenfield	Kelso	Mariani	Pawlenty	Stanius	Wenzel
Bishop	Greiling	Kinkel	McGuire	Pelowski	Steensma	Winter
Brown, C.	Hasskamp	Klinzing	Milbert	Perlt	Sviggum	Wolf
Brown, K.	Hausman	Knight	Mosel	Peterson	Swenson	Workman
Carlson	Holsten	Krinkie	Munger	Pugh	Tomassoni	Spk. Anderson, I.
Carruthers	Huntley	Krueger	Murphy	Reding	Tompkins	
Clark	Jacobs	Lasley	Neary	Rest	Trimble	
Cooper	Jefferson	Leppik	Nelson	Rhodes	Tunheim	
Dawkins	Jennings	Lieder	Ness	Rice	Van Dellen	

The motion did not prevail and the amendment was not adopted.

Krueger moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 170, line 19, after the period insert "Expenditures for these purposes must only be made from moneys specifically appropriated for these purposes."

Page 176, line 31, after the period insert "Expenditures for these purposes must only be made from moneys specifically appropriated for these purposes."

Page 177, line 7, after the period, insert "Expenditures for these purposes must only be made from moneys specifically appropriated for these purposes."

Page 178, line 9, after the period insert "Expenditures for these purposes must only be made from moneys specifically appropriated for these purposes."

The motion prevailed and the amendment was adopted.

Asch moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 89, after line 20, insert:

"Sec. 8. Minnesota Statutes 1993 Supplement, section 144.765, is amended to read:

144.765 [PATIENT'S RIGHT TO REFUSE TESTING.]

Upon notification of a significant exposure, the facility shall ask the patient to consent to blood testing to determine the presence of the HIV virus or the hepatitis B virus. The patient shall be informed that the test results without personally identifying information will be reported to the emergency medical services personnel. The patient shall be informed of the right to refuse to be tested. If the patient refuses to be tested, the patient's refusal will be forwarded to the emergency medical services agency and to the emergency medical services personnel. The right to refuse a blood test under the circumstances described in this section does not apply to a prisoner who is in the custody or under the jurisdiction of the commissioner of corrections or a local correctional authority as a result of a criminal conviction."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion did not prevail and the amendment was not adopted.

The Speaker resumed the Chair.

Kahn offered an amendment to H. F. No. 2351, the second engrossment, as amended.

Krueger requested a division of the Kahn amendment to H. F. No. 2351, the second engrossment, as amended.

Asch requested a further division of the Kahn amendment to H. F. No. 2351, the second engrossment, as amended.

The first portion of the Kahn amendment, as divided by Krueger and Asch, reads as follows:

Page 3, after line 36, insert:

"Sec. 3. [DEPARTMENT OF ADMINISTRATION.]

.....-0-.....

1,500,000

This appropriation is from the special revenue fund for the purposes of implementing enhanced 911 telephone service as required by article 4."

Correct the totals and summaries accordingly

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the first portion of the Kahn amendment, as divided by Krueger and Asch, and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Krinkie	Munger	Peterson	Tomassoni
Anderson, R.	Dehler	Hugoson	Krueger	Murphy	Pugh	Tompkins
Asch	Delmont	Huntley	Lasley	Neary	Reding	Trimble
Battaglia	Dempsey	Jacobs	Leppik	Nelson	Rest	Tunheim
Bauerly	Dorn	Jaros	Lieder	Ness	Rhodes	Van Dellen
Beard	Evans	Jefferson	Limmer	Olson, E.	Rice	Van Engen
Bergson	Farrell	Jennings	Lindner	Olson, K.	Rodosovich	Vellenga
Bertram	Finseth	Johnson, A.	Long	Olson, M.	Rukavina	Vickerman
Bettermann	Frerichs	Johnson, R.	Lourey	Onnen	Sarna	Wagenius
Bishop	Garcia	Johnson, V.	Luther	Opatz	Seagren	Waltman
Brown, C.	Girard	Kahn	Lynch	Orenstein	Sekhon	Weaver
Brown, K.	Goodno	Kalis	Macklin	Orfield	Simoneau	Wejcman
Carlson	Greenfield	Kelley	Mahon	Osthoff	Skoglund	Wenzel
Carruthers	Greiling	Kelso	Mariani	Ostrom	Smith	Winter
Clark	Gruenes	Kinkel	McCollum	Ozment	Solberg	Wolf
Commers	Gutknecht	Klinzing	McGuire	Pauly	Stanis	Worke
Cooper	Hasskamp	Knickerbocker	Molnau	Pawlenty	Steensma	Workman
Dauner	Haukoos	Knight	Morrison	Pelowski	Sviggum	Spk. Anderson, I.
Davids	Hausman	Koppendraye	Mosel	Perlt	Swenson	

The motion prevailed and the first portion of the Kahn amendment, as divided by Krueger and Asch, was adopted.

The second portion of the Kahn amendment, as divided by Krueger and Asch, reads as follows:

Page 108, line 16, delete everything after "service"

Page 108, line 17, delete "nonwire service"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second portion of the Kahn amendment, as divided by Krueger and Asch, and the roll was called. There were 51 yeas and 78 nays as follows:

Those who voted in the affirmative were:

Abrams	Greenfield	Kahn	Long	Munger	Pauly	Trimble
Anderson, R.	Greiling	Kelso	Lourey	Neary	Pugh	Wagenius
Beard	Haukoos	Knickerbocker	Mahon	Olson, E.	Reding	Wejzman
Carlson	Hausman	Koppendrayner	Mariani	Orenstein	Rukavina	
Clark	Hugoson	Krueger	McCollum	Orfield	Sarna	
Dawkins	Jaros	Lasley	McGuire	Osthoff	Sekhon	
Evans	Jefferson	Leppik	Milbert	Ostrom	Skoglund	
Farrell	Johnson, A.	Limmer	Morrison	Ozment	Solberg	

Those who voted in the negative were:

Asch	Dauner	Gutknecht	Knight	Opatz	Steensma	Wenzel
Battaglia	Davids	Hasskamp	Krinkie	Pawlenty	Sviggum	Winter
Bauerly	Dehler	Holsten	Lieder	Pelowski	Swenson	Wolf
Bergson	Delmont	Huntley	Lindner	Perlt	Tomassoni	Worke
Bertram	Dempsey	Jacobs	Luther	Peterson	Tompkins	Workman
Bettermann	Dorn	Jennings	Lynch	Rest	Tunheim	Spk. Anderson, I.
Bishop	Finseth	Johnson, R.	Molnau	Rhodes	Van Dellen	
Brown, C.	Frerichs	Johnson, V.	Mosel	Rodosovich	Van Engen	
Brown, K.	Garcia	Kalis	Nelson	Seagren	Vellenga	
Carruthers	Girard	Kelley	Ness	Simoneau	Vickerman	
Commers	Goodno	Kinkel	Olson, M.	Smith	Waltman	
Cooper	Gruenes	Klinzing	Onnen	Stanis	Weaver	

The motion did not prevail and the second portion of the Kahn amendment, as divided by Krueger and Asch, was not adopted.

Kahn requested a division of the third portion of the Kahn amendment, as divided by Krueger and Asch, to H. F. No. 2351, the second engrossment, as amended.

Kahn further requested that the second part of the third portion of the divided Kahn amendment be voted on first.

The second part of the third portion of the divided Kahn amendment reads as follows:

Page 109, line 24, delete "After December 31, 1998,"

Page 109, line 25, after "is" insert "not"

Page 109, line 27, after "has" insert "not"

Page 109, line 28, before the period, insert "before December 31, 1998"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the second part of the third portion of the divided Kahn amendment and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Krinkie	Mosel	Peterson	Tomassoni
Anderson, R.	Dehler	Hugoson	Krueger	Munger	Pugh	Tompkins
Asch	Delmont	Huntley	Lasley	Murphy	Reding	Trimble
Battaglia	Dempsey	Jacobs	Leppik	Neary	Rest	Tunheim
Bauerly	Dorn	Jaros	Lieder	Nelson	Rhodes	Van Dellen
Beard	Evans	Jefferson	Limmer	Ness	Rice	Van Engen
Bergson	Farrell	Jennings	Lindner	Olson, E.	Rodosovich	Vellenga
Bertram	Finseth	Johnson, A.	Long	Olson, K.	Rukavina	Vickerman
Bettermann	Frerichs	Johnson, R.	Lourey	Olson, M.	Sarna	Wagenius
Bishop	Garcia	Johnson, V.	Luther	Onnen	Seagren	Waltman
Brown, C.	Girard	Kahn	Lynch	Opatz	Sekhon	Weaver
Brown, K.	Goodno	Kalis	Macklin	Orenstein	Simoneau	Wejcman
Carlson	Greenfield	Kelley	Mahon	Orfield	Skoglund	Wenzel
Carruthers	Greiling	Kelso	Mariani	Ostrom	Smith	Winter
Clark	Gruenes	Kinkel	McCollum	Ozment	Solberg	Wolf
Commers	Gutknecht	Klinzing	McGuire	Pauly	Stanius	Worke
Cooper	Hasskamp	Knickerbocker	Milbert	Pawlenty	Steensma	Workman
Dauner	Haukoos	Knight	Molnau	Pelowski	Sviggum	Spk. Anderson, I.
Davids	Hausman	Koppendrayner	Morrison	Perl	Swenson	

The motion prevailed and the second part of the third portion of the divided Kahn amendment was adopted.

The first part of the third portion of the divided Kahn amendment reads as follows:

Page 109, line 23, delete "twice"

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the first part of the third portion of the divided Kahn amendment and the roll was called. There were 42 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Asch	Evans	Johnson, A.	Leppik	Morrison	Reding	Swenson
Bergson	Greenfield	Kahn	Long	Neary	Rice	Tompkins
Carlson	Greiling	Knickerbocker	Mahon	Orenstein	Sarna	Trimble
Clark	Haukoos	Knight	McCollum	Osthoff	Seagren	Vellenga
Dawkins	Hausman	Koppendrayner	McGuire	Pauly	Skoglund	Wagenius
Dempsey	Holsten	Krinkie	Milbert	Pugh	Stanius	Wejcman

Those who voted in the negative were:

Abrams	Dehler	Huntley	Lasley	Nelson	Peterson	Van Engen
Anderson, R.	Delmont	Jacobs	Lieder	Ness	Rest	Vickerman
Bauerly	Dorn	Jaros	Limner	Olson, E.	Rhodes	Waltman
Beard	Farrell	Jefferson	Lindner	Olson, K.	Rodosovich	Weaver
Bertram	Finseth	Jennings	Lourey	Olson, M.	Rukavina	Wenzel
Bettermann	Frerichs	Johnson, R.	Luther	Onnen	Simoneau	Winter
Brown, C.	Garcia	Johnson, V.	Lynch	Opatz	Smith	Wolf
Brown, K.	Girard	Kalis	Macklin	Orfield	Solberg	Worke
Carruthers	Goodno	Kelley	Mariani	Ostrom	Steensma	Workman
Commers	Gruenes	Kelso	Molnau	Ozment	Sviggum	Spk. Anderson, I.
Cooper	Gutknecht	Kinkel	Mosel	Pawlenty	Tomassoni	
Dauner	Hasskamp	Klinzing	Munger	Pelowski	Tunheim	
Davids	Hugoson	Krueger	Murphy	Perlt	Van Dellen	

The motion did not prevail and the first part of the third portion of the divided Kahn amendment was not adopted.

Knickerbocker, Kahn, Haukoos and Osthoff moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 110, after line 28, insert:

"Subd. 6. [APPLICATION.] This section applies only in those counties that have not, prior to the effective date of this section, funded and fully implemented enhanced 911 service. A county that has funded and implemented enhanced service that decides, by action of the county board, to upgrade the service to automatic location identification or to add selective routing is governed by this section beginning 30 days after notice to the commissioner of administration and to all affected local telephone companies and communications carriers. Distribution of money under subdivision 2 to a county that becomes subject to this section by county board action and notice must be prorated for the year in which the county becomes qualified for the program."

A roll call was requested and properly seconded.

The question was taken on the Knickerbocker et al amendment and the roll was called. There were 65 yeas and 65 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Johnson, A.	Lindner	Neary	Rhodes	Van Engen
Asch	Dempsey	Kahn	Long	Olson, M.	Sarna	Wagenius
Bauerly	Dorn	Kelso	Luther	Onnen	Seagren	Wejzman
Beard	Evans	Klinzing	Lynch	Opatz	Skoglund	Wolf
Bergson	Greenfield	Knickerbocker	Macklin	Orenstein	Smith	Workman
Bertram	Greiling	Knight	Mahon	Osthoff	Stanius	
Bishop	Gutknecht	Koppendraye	McGuire	Pauly	Sviggum	
Carlson	Haukoos	Krinkie	Milbert	Pawlenty	Tompkins	
Commers	Hausman	Leppik	Molnau	Pugh	Trimble	
Dawkins	Holsten	Limner	Morrison	Rest	Van Dellen	

Those who voted in the negative were:

Anderson, R.	Cooper	Frerichs	Hugoson	Johnson, R.	Lasley	Murphy
Battaglia	Dauner	Garcia	Huntley	Johnson, V.	Lieder	Nelson
Bettermann	Davids	Girard	Jacobs	Kalis	Lourey	Ness
Brown, C.	Delmont	Goodno	Jaros	Kelley	Mariani	Olson, E.
Brown, K.	Farrell	Gruenes	Jefferson	Kinkel	Mosel	Olson, K.
Carruthers	Finseth	Hasskamp	Jennings	Krueger	Munger	Orfield

Ostrom	Peterson	Sekhon	Swenson	Vickerman	Winter
Ozment	Reding	Simoneau	Tomassoni	Waltman	Worke
Pelowski	Rodosovich	Solberg	Tunheim	Weaver	Spk. Anderson, I.
Perlt	Rukavina	Steensma	Vellenga	Wenzel	

The motion did not prevail and the amendment was not adopted.

Farrell; Orenstein; Dawkins; Skoglund; Pugh; Bishop; Carruthers; Weaver; Swenson; Johnson, V., and Abrams moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 47, after line 20, insert:

"Sec. 52. Minnesota Statutes 1992, section 609.66, is amended by adding a subdivision to read:

Subd. 1f. [FELONY; POSSESSION IN A COURTHOUSE.] Whoever possesses a dangerous weapon within any courthouse without the express consent of the county sheriff is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of not more than \$10,000, or both.

Renumber the sections in sequence and correct internal references

Amend the title accordingly

Rhodes moved to amend the Farrell et al amendment to H. F. No. 2351, the second engrossment, as amended, as follows:

Page 1, line 8, after "sheriff" insert ", or in any state public building within the capitol area described in section 15.50, except the Veterans Affairs Building and the National Guard Armory, without the express consent of capitol security, except a licensed peace officer."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Farrell et al amendment, as amended, to H. F. No. 2351, the second engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Olson, M., moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 16, line 2, strike "609.184" and insert "609.185"

Page 16, line 4, strike everything after "section"

Page 16, line 5, strike everything before "609.346"

Page 16, line 17, strike everything after "section"

Page 16, line 18, strike "(5) or (6);"

Page 65, line 15, after the semicolon, insert "609.184."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Olson, M., amendment and the roll was called. There were 9 yeas and 118 nays as follows:

Those who voted in the affirmative were:

Dehler	Gutknecht	Knight	Lindner	Vickerman
Frerichs	Haukoos	Koppendrayer	Stanius	

Those who voted in the negative were:

Abrams	Davids	Hugoson	Krueger	Murphy	Reding	Tompkins
Anderson, R.	Dawkins	Huntley	Lasley	Neary	Rest	Trimble
Asch	Delmont	Jacobs	Leppik	Nelson	Rhodes	Tunheim
Battaglia	Dempsey	Jaros	Lieder	Ness	Rice	Van Dellen
Bauerly	Dorn	Jefferson	Long	Olson, E.	Rodosovich	Van Engen
Beard	Evans	Jennings	Lourey	Olson, K.	Rukavina	Vellenga
Bergson	Farrell	Johnson, A.	Luther	Onnen	Sarna	Wagenius
Bertram	Finseth	Johnson, R.	Lynch	Opatz	Seagren	Waltman
Bettermann	Garcia	Johnson, V.	Mahon	Orenstein	Sekhon	Weaver
Bishop	Girard	Kahn	Mariani	Orfield	Simoneau	Wejcmann
Brown, K.	Goodno	Kalis	McCollum	Ostrom	Skoglund	Wenzel
Carlson	Greenfield	Kelley	McGuire	Ozment	Smith	Winter
Carruthers	Greiling	Kelso	Milbert	Pauly	Solberg	Wolf
Clark	Gruenes	Kinkel	Molnau	Pelowski	Steensma	Worke
Commers	Hasskamp	Klinzing	Morrison	Perlt	Sviggum	Workman
Cooper	Hausman	Knickerbocker	Mosel	Peterson	Swenson	Spk. Anderson, I.
Dauner	Holsten	Krinkie	Munger	Pugh	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Gutknecht, Wenzel, Koppendrayer, Morrison, Molnau, Garcia, Ness, Knight, Commers, Seagren and Van Engen moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 69, after line 23, insert:

"Sec. 7. Minnesota Statutes 1993 Supplement, section 609.11, subdivision 7, is amended to read:

Subd. 7. [PROSECUTOR SHALL ESTABLISH.] Whenever reasonable grounds exist to believe that the defendant or an accomplice used a firearm or other dangerous weapon or had in possession a firearm, at the time of commission of an offense listed in subdivision 9, the prosecutor shall, at the time of trial or at the plea of guilty, present on the record all evidence tending to establish that fact unless it is otherwise admitted on the record. The question of whether the defendant or an accomplice, at the time of commission of an offense listed in subdivision 9, used a firearm or other dangerous weapon or had in possession a firearm shall be determined by the court on the record at the time of a verdict or finding of guilt at trial or the entry of a plea of guilty based upon the record of the trial or the plea of guilty. The court shall determine on the record at the time of sentencing whether the defendant has been convicted of a second or subsequent offense in which the defendant or an accomplice, at the time of commission of an offense listed in subdivision 9, used a firearm or other dangerous weapon or had in possession a firearm. The prosecutor may not enter into or agree to a plea or sentence negotiation under which the defendant agrees to plead guilty to an offense in exchange for the prosecutor's promise to: (1) reduce the charge to an offense that does not require proof of firearm use or possession; (2) forego presenting evidence tending to show that the defendant used or possessed a firearm during commission of the offense; or (3) make a motion to have the defendant sentenced without regard to the mandatory minimum sentences applicable to firearm use or possession under this section."

Page 81, after line 25, insert:

"Sec. 28. [EFFECTIVE DATE.]

Section 7 is effective August 1, 1994, and applies to crimes committed on or after that date."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Skoglund moved to amend the Gutknecht et al amendment to H. F. No. 2351, the second engrossment, as amended, as follows:

Page 2, line 8, after the period, insert "However, a prosecutor may enter into or agree to a plea or sentence negotiation if the negotiation is contingent on the defendant providing or agreeing to provide testimony necessary for the successful prosecution and conviction of another offender for an offense of equal or greater severity than the one with which the defendant was originally charged."

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Gutknecht et al amendment, as amended, and the roll was called. There were 78 yeas and 55 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Johnson, V.	Lindner	Olson, M.	Rhodes	Vickerman
Anderson, R.	Finseth	Kalis	Luther	Onnen	Rukavina	Waltman
Bauerly	Frerichs	Kelso	Lynch	Opatz	Sarna	Wenzel
Beard	Girard	Klinzing	Macklin	Osthoff	Seagren	Wolf
Bergson	Goodno	Knickerbocker	McCollum	Ozment	Smith	Worke
Bertram	Gruenes	Knight	Molnau	Pauly	Solberg	Workman
Bettermann	Gutknecht	Koppendrayner	Morrison	Pawlenty	Steensma	
Carlson	Hasskamp	Krinkie	Mosel	Pelowski	Sviggum	
Commers	Haukoos	Krueger	Munger	Peterson	Tompkins	
Cooper	Holsten	Leppik	Neary	Pugh	Tunheim	
Davids	Hugoson	Lieder	Nelson	Reding	Van Dellen	
Dehler	Jacobs	Limmer	Ness	Rest	Van Engen	

Those who voted in the negative were:

Asch	Dawkins	Hausman	Kelley	Milbert	Rice	Trimble
Battaglia	Delmont	Huntley	Kinkel	Murphy	Rodosovich	Vellenga
Bishop	Dorn	Jaros	Lasley	Olson, E.	Sekhon	Wagenius
Brown, C.	Evans	Jefferson	Long	Olson, K.	Simoneau	Weaver
Brown, K.	Farrell	Jennings	Lourey	Orenstein	Skoglund	Wejcman
Carruthers	Garcia	Johnson, A.	Mahon	Orfield	Stanis	Winter
Clark	Greenfield	Johnson, R.	Mariani	Ostrom	Swenson	Spk. Anderson, I.
Dauner	Greiling	Kahn	McGuire	Perlt	Tomassoni	

The motion prevailed and the amendment, as amended, was adopted.

Sviggum moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 6, line 48, delete "2,500,000" and insert "2,000,000"

Page 6, delete lines 51 to 53

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 37 yeas and 93 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Hugoson	Lynch	Pauly	Van Dellen	Workman
Bettermann	Girard	Knight	Macklin	Seagren	Van Engen	
Commers	Goodno	Koppendrayer	Molnau	Smith	Vickerman	
Davids	Gruenes	Krinkie	Ness	Stanisus	Waltman	
Dehler	Gutknecht	Limmer	Olson, M.	Sviggum	Wolf	
Finseth	Haukoos	Lindner	Onnen	Tompkins	Worke	

Those who voted in the negative were:

Anderson, R.	Dawkins	Jaros	Lasley	Neary	Reding	Trimble
Asch	Delmont	Jefferson	Leppik	Nelson	Rest	Tunheim
Battaglia	Dempsey	Jennings	Lieder	Olson, E.	Rhodes	Vellenga
Bauerly	Dorn	Johnson, A.	Long	Olson, K.	Rice	Wagenius
Beard	Evans	Johnson, R.	Lourey	Opatz	Rodosovich	Weaver
Bergson	Farrell	Johnson, V.	Luther	Orenstein	Rukavina	Wejzman
Bertram	Garcia	Kahn	Mahon	Orfield	Sarna	Wenzel
Brown, C.	Greenfield	Kalis	Mariani	Osthoff	Sekhon	Winter
Brown, K.	Greiling	Kelley	McCollum	Ostrom	Simoneau	Spk. Anderson, I.
Carlson	Hasskamp	Kelso	McGuire	Pawlenty	Skoglund	
Carruthers	Hausman	Kinkel	Milbert	Pelowski	Solberg	
Clark	Holsten	Klinzing	Mosel	Perlt	Steensma	
Cooper	Huntley	Knickerbocker	Munger	Peterson	Swenson	
Dauner	Jacobs	Krueger	Murphy	Pugh	Tomassoni	

The motion did not prevail and the amendment was not adopted.

Bishop moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 16, line 14, after "SENTENCE" insert "; INDETERMINATE SENTENCES"

Page 16, line 20, after the period, insert "The commissioner may, under rules promulgated by the commissioner, give supervised release to an inmate serving a prison sentence for violating section 609.342 or 609.343 when, in the commissioner's judgment, the inmate can be released back into the community safely."

Page 16, after line 20, insert:

"Sec. 12. Minnesota Statutes 1993 Supplement, section 244.101, is amended by adding a subdivision to read:

Subd. 5. [INDETERMINATE SENTENCES; SEX OFFENDERS.] Notwithstanding any other law to the contrary, this section and the sentencing guidelines do not apply to persons convicted of violating section 609.342 or 609.343. Persons who are sentenced to prison for violating section 609.342 or 609.343 shall serve an indeterminate sentence and shall be eligible for supervised release only after having served at least the minimum presumptive or court imposed sentence whichever is longer and in accordance with section 244.05, subdivision 5."

A roll call was requested and properly seconded.

The question was taken on the Bishop amendment and the roll was called. There were 130 yeas and 1 nay as follows:

Those who voted in the affirmative were:

Abrams	Battaglia	Bergson	Bishop	Carruthers	Cooper	Dawkins
Anderson, R.	Bauerly	Bertram	Brown, K.	Clark	Dauner	Dehler
Asch	Beard	Bettermann	Carlson	Commers	Davids	Delmont

Dempsey	Holsten	Knickerbocker	McCollum	Orenstein	Sarna	Van Engen
Dorn	Hugoson	Knight	McGuire	Orfield	Seagren	Vellenga
Erhardt	Huntley	Koppendrayner	Milbert	Osthoff	Sekhon	Vickerman
Evans	Jacobs	Krinkie	Molnau	Ostrom	Simoneau	Wagenius
Farrell	Jaros	Krueger	Morrison	Ozment	Skoglund	Waltman
Finseth	Jefferson	Lasley	Mosel	Pauly	Smith	Weaver
Frerichs	Jennings	Leppik	Munger	Pawlenty	Solberg	Wejzman
Garcia	Johnson, A.	Lieder	Murphy	Pelowski	Stanisus	Wenzel
Girard	Johnson, R.	Lindner	Neary	Perlt	Steensma	Winter
Goodno	Johnson, V.	Long	Nelson	Peterson	Sviggum	Wolf
Greiling	Kahn	Lourey	Ness	Pugh	Swenson	Worke
Gruenes	Kalis	Luther	Olson, E.	Reding	Tomassori	Workman
Gutknecht	Kelley	Lynch	Olson, K.	Rest	Tompkins	Spk. Anderson, I.
Hasskamp	Kelso	Macklin	Olson, M.	Rhodes	Trimble	
Haukoos	Kinkel	Mahon	Onnen	Rodosovich	Tunheim	
Hausman	Klinzing	Mariani	Opatz	Rukavina	Van Dellen	

Those who voted in the negative were:

Limmer

The motion prevailed and the amendment was adopted.

Workman, Limmer, Lynch, Knight, Wenzel, Hasskamp, Seagren, Morrison and Stanisus moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 32, after line 27, insert:

"Sec. 35. Minnesota Statutes 1992, section 609.342, subdivision 2, is amended to read:

Subd. 2. [PENALTY.] Except as otherwise provided in section 609.346, subdivision 2a or 2b, a person convicted under subdivision 1, clause (a), (b), or (g), may be sentenced to imprisonment for not more than 30 years or to a payment of a fine of not more than \$40,000, or both. Notwithstanding section 243.05, 244.04, 609.11, 609.135, or 609.346, a person convicted under subdivision 1, clause (c), (d), (e), (f), or (h), shall be committed to the commissioner of corrections for a term of imprisonment of at least 20 years but not more than 30 years, and may be sentenced to payment of a fine of not more than \$40,000."

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Workman et al amendment and the roll was called. There were 91 yeas and 42 nays as follows:

Those who voted in the affirmative were:

Abrams	Carlson	Erhardt	Gruenes	Jennings	Klinzing	Limmer
Anderson, R.	Commers	Evans	Gutknecht	Johnson, A.	Knickerbocker	Lindner
Bauerly	Cooper	Farrell	Hasskamp	Johnson, R.	Knight	Long
Beard	Davids	Finseth	Haukoos	Johnson, V.	Koppendrayner	Lynch
Bergson	Dehler	Frerichs	Holsten	Kalis	Krinkie	Macklin
Bertram	Delmont	Girard	Hugoson	Kelso	Krueger	Mahon
Bettermann	Dempsey	Goodno	Jacobs	Kinkel	Leppik	Milbert

Molnau	Ness	Ozment	Reding	Stanis	Tunheim	Wenzel
Morrison	Olson, K.	Pauly	Rest	Steensma	Van Dellen	Winter
Mosel	Olson, M.	Pawlenty	Rhodes	Svigum	Van Engen	Wolf
Munger	Onnen	Pelowski	Sarna	Swenson	Vickerman	Worke
Neary	Opatz	Peterson	Seagren	Tomassoni	Waltman	Workman
Nelson	Osthoff	Pugh	Smith	Tompkins	Weaver	Spk. Anderson, I.

Those who voted in the negative were:

Asch	Clark	Greiling	Lasley	McGuire	Perlt	Skoglund
Battaglia	Dauner	Hausman	Lieder	Murphy	Rice	Solberg
Bishop	Dawkins	Huntley	Lourey	Olson, E.	Rodosovich	Trimble
Brown, C.	Dorn	Jaros	Luther	Orenstein	Rukavina	Vellenga
Brown, K.	Garcia	Kahn	Mariani	Orfield	Sekhon	Wagenius
Carruthers	Greenfield	Kelley	McCollum	Ostrom	Simoneau	Wejzman

The motion prevailed and the amendment was adopted.

Olson, M., moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 5, after line 30, insert:

"Subd. 4. Recommendations

The commissioner shall make recommendations to the legislature by January 1, 1995, and January 1, 1996, on how the state can reduce prison operating costs by one-half of one percent each year after the recommendations."

A roll call was requested and properly seconded.

The question was taken on the Olson, M., amendment and the roll was called. There were 69 yeas and 61 nays as follows:

Those who voted in the affirmative were:

Abrams	Dehler	Haukoos	Koppendraye	Nelson	Reding	Tunheim
Asch	Dempsey	Holsten	Krinkie	Ness	Rhodes	Van Dellen
Beard	Dorn	Hugoson	Limmer	Olson, M.	Sarna	Van Engen
Bettermann	Erhardt	Jacobs	Lindner	Onnen	Seagren	Vickerman
Brown, C.	Finseth	Johnson, R.	Lynch	Osthoff	Smith	Waltman
Brown, K.	Frerichs	Johnson, V.	Mahon	Ostrom	Stanis	Weaver
Carlson	Girard	Kinkel	McCollum	Ozment	Steensma	Winter
Commers	Goodno	Klinzing	Molnau	Pauly	Svigum	Worke
Cooper	Gruenes	Krickerbocker	Morrison	Pawlenty	Swenson	Workman
Davids	Gutknecht	Knight	Mosel	Pelowski	Tompkins	

Those who voted in the negative were:

Anderson, R.	Delmont	Jefferson	Leppik	Neary	Rest	Trimble
Battaglia	Evans	Jennings	Long	Olson, E.	Rice	Vellenga
Bauerly	Farrell	Johnson, A.	Lourey	Olson, K.	Rodosovich	Wagenius
Bergson	Garcia	Kahn	Luther	Opatz	Rukavina	Wejzman
Bertram	Greenfield	Kalis	Mariani	Orenstein	Sekhon	Wenzel
Bishop	Greiling	Kelley	McGuire	Orfield	Simoneau	Wolf
Carruthers	Hausman	Kelso	Milbert	Perlt	Skoglund	Spk. Anderson, I.
Clark	Huntley	Krueger	Munger	Peterson	Solberg	
Dawkins	Jaros	Lasley	Murphy	Pugh	Tomassoni	

The motion prevailed and the amendment was adopted.

Van Engen; Finseth; Rukavina; Dauner; Stanius; Vickerman; Johnson, R., and Nelson moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 67, line 23, after "examiner" insert "or a law enforcement agency"

Page 67, lines 25 to 27, delete the new language

Pages 71 and 72, delete sections 10 to 12

Renumber the sections in sequence and correct internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

Sviggum moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 3, line 12, delete "230,000" and insert "-0-"

Page 3, delete lines 13 to 15

Adjust the totals and summaries accordingly

A roll call was requested and properly seconded.

The question was taken on the Sviggum amendment and the roll was called. There were 48 yeas and 86 nays as follows:

Those who voted in the affirmative were:

Abrams	Evans	Johnson, V.	Lynch	Onnen	Smith	Vickerman
Commers	Frerichs	Knickerbocker	Macklin	Osthoff	Stanius	Waltman
Davids	Gruenes	Knight	Mahon	Ozment	Steensma	Weaver
Dehler	Gutknecht	Koppendrayner	Molnau	Pauly	Sviggum	Wolf
Delmont	Haukoos	Krinkie	Mosel	Pawlenty	Swenson	Worke
Dempsey	Holsten	Limmer	Ness	Rhodes	Tompkins	Workman
Erhardt	Hugoson	Lindner	Olson, M.	Seagren	Van Dellen	

Those who voted in the negative were:

Anderson, R.	Clark	Hausman	Klinzing	Munger	Pugh	Tunheim
Asch	Cooper	Huntley	Krueger	Murphy	Reding	Van Engen
Battaglia	Dauner	Jacobs	Lasley	Neary	Rest	Vellenga
Bauerly	Dawkins	Jaros	Leppik	Nelson	Rice	Wagenius
Beard	Dorn	Jefferson	Lieder	Olson, E.	Rodosovich	Wejzman
Bergson	Farrell	Jennings	Long	Olson, K.	Rukavina	Wenzel
Bertram	Finseth	Johnson, A.	Lourey	Opatz	Sarna	Winter
Bettermann	Garcia	Johnson, R.	Luther	Orenstein	Sekhon	Spk. Anderson, I.
Bishop	Girard	Kahn	Mariani	Orfield	Simoneau	
Brown, C.	Goodno	Kalis	McCollum	Ostrom	Skoglund	
Brown, K.	Greenfield	Kelley	McGuire	Pelowski	Solberg	
Carlson	Greiling	Kelso	Milbert	Perlt	Tomassoni	
Carruthers	Hasskamp	Kinkel	Morrison	Peterson	Trimble	

The motion did not prevail and the amendment was not adopted.

Olson, M., moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 16, line 2, strike "609.184" and insert "609.185"

Page 16, line 4, strike "609.185, clause"

Page 16, line 5, strike "(1), (3), (5), or (6); or"

Page 16, line 17, strike "609.185, clause (1), (3),"

Page 16, line 18, strike everything before "609.25"

Page 24, after line 25, insert:

"Sec. 21. Minnesota Statutes 1993 Supplement, section 609.184, subdivision 2, is amended to read:

Subd. 2. [LIFE WITHOUT RELEASE.] The court shall sentence a person to life imprisonment without possibility of release ~~under the following circumstances:~~

(1) when the person is convicted of first degree murder under section 609.185, ~~clause (2) or (4); or~~

(2) ~~the person is convicted of first degree murder under section 609.185, clause (1), (3), (5), or (6), and the court determines on the record at the time of sentencing that the person has one or more previous convictions for a heinous crime."~~

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Olson, M., amendment and the roll was called. There were 45 yeas and 88 nays as follows:

Those who voted in the affirmative were:

Abrams	Frerichs	Holsten	Lindner	Osthoff	Steensma	Wenzel
Bettermann	Girard	Hugoson	Lynch	Ozment	Sviggum	Worke
Commers	Goodno	Johnson, V.	Macklin	Pawlenty	Van Dellen	Workman
Davids	Gruenes	Koppendrayner	Molnau	Peterson	Van Engen	
Dehler	Gutknecht	Krinkie	Ness	Seagren	Vickerman	
Dempsey	Hasskamp	Leppik	Olson, M.	Smith	Waltman	
Finseth	Haukoos	Limmer	Onnen	Stanis	Weaver	

Those who voted in the negative were:

Anderson, R.	Carlson	Evans	Jefferson	Klinzing	Mahon	Neary
Asch	Carruthers	Farrell	Jennings	Knickerbocker	Mariani	Nelson
Battaglia	Clark	Garcia	Johnson, A.	Knight	McCollum	Olson, E.
Bauerly	Cooper	Greenfield	Johnson, R.	Krueger	McGuire	Olson, K.
Beard	Dauner	Greiling	Kahn	Lasley	Milbert	Opatz
Bergson	Dawkins	Hausman	Kalis	Lieder	Morrison	Orenstein
Bertram	Delmont	Huntley	Kelley	Long	Mosel	Orfield
Brown, C.	Dorn	Jacobs	Kelso	Lourey	Munger	Ostrom
Brown, K.	Erhardt	Jaros	Kinkel	Luther	Murphy	Pauly

Pelowski	Rest	Rukavina	Skoglund	Tompkins	Wagenius	Spk. Anderson, I.
Perlt	Rhodes	Sarna	Solberg	Trimble	Wejzman	
Pugh	Rice	Sekhon	Swenson	Tunheim	Winter	
Reding	Rodosovich	Simoneau	Tomassoni	Vellenga	Wolf	

The motion did not prevail and the amendment was not adopted.

Stanius, Limmer, Molnau, Van Engen and Swenson moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 24, after line 25, insert:

"Sec. 21. Minnesota Statutes 1992, section 609.152, is amended by adding a subdivision to read:

Subd. 2a. [DANGEROUS REPEAT OFFENDERS; MANDATORY MINIMUM SENTENCE.] Unless a longer mandatory minimum sentence is otherwise required by law or a longer prison sentence is presumed under the sentencing guidelines, a person who is convicted of a violent crime must be committed to the commissioner of corrections for not less than 15 years, notwithstanding the statutory maximum sentence otherwise applicable to the offense, if the court determines on the record at the time of sentencing that the person has two or more prior convictions for violent crimes. Any person convicted and sentenced as required by this subdivision is not eligible for probation, parole, discharge, or work release, until that person has served the full term of imprisonment as provided by law, notwithstanding sections 241.26, 242.19, 243.05, 244.04, 609.12, and 609.135."

Page 65, line 17, delete "28 and 30 to 73" and insert "20, 22 to 29, and 31 to 74"

Page 65, line 18, after the period, insert "Section 21 is effective July 1, 1995."

Page 65, line 19, delete "29" and insert "30"

Page 65, line 22, delete "38" and insert "39"

Renumber the sections in sequence

Correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Skoglund moved to amend the Stanius et al amendment to H. F. No. 2351, the second engrossment, as amended, as follows:

Page 1, line 24, after the period, insert:

"Minnesota Statutes, section 609.152, subdivision 2a, is effective as long as the commissioner of corrections certifies to the governor and the legislature that the state prison system has adequate capacity to imprison the number of offenders estimated by the sentencing guidelines commission and the commissioner of corrections to be sentenced to a mandatory minimum sentence under its provisions and will not result in the early release of another prison inmate in the future due to a shortage of prison capacity."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 81 yeas and 53 nays as follows:

Those who voted in the affirmative were:

Asch	Cooper	Huntley	Krueger	Murphy	Pugh	Tomassoni
Battaglia	Dauner	Jacobs	Lasley	Neary	Reding	Trimble
Bauerly	Dawkins	Jaros	Lieder	Nelson	Rest	Tunheim
Beard	Delmont	Jefferson	Long	Olson, E.	Rice	Vellenga
Bergson	Dorn	Jennings	Lourey	Olson, K.	Rodosovich	Wagenius
Bertram	Evans	Johnson, A.	Luther	Opatz	Rukavina	Wejcman
Bishop	Farrell	Johnson, R.	Mahon	Orenstein	Sarna	Wenzel
Brown, C.	Garcia	Kahn	Mariani	Orfield	Sekhon	Winter
Brown, K.	Greenfield	Kelley	McCollum	Ostrom	Simoneau	Spk. Anderson, I.
Carlson	Greiling	Kelso	McGuire	Pelowski	Skoglund	
Carruthers	Hasskamp	Kinkel	Mosel	Perlt	Solberg	
Clark	Hausman	Klinzing	Munger	Peterson	Steensma	

Those who voted in the negative were:

Abrams	Finseth	Hugoson	Limmer	Olson, M.	Smith	Waltman
Anderson, R.	Frerichs	Johnson, V.	Lindner	Ommen	Stanius	Weaver
Bettermann	Girard	Kalis	Lynch	Osthoff	Sviggum	Wolf
Commers	Goodno	Knickerbocker	Macklin	Ozment	Swenson	Worke
Davids	Gruenes	Knight	Milbert	Pauly	Tompkins	Workman
Dehler	Gutknecht	Koppendrayer	Molnau	Pawlenty	Van Dellen	
Dempsey	Haukoos	Krinkie	Morrison	Rhodes	Van Engen	
Erhardt	Holsten	Leppik	Ness	Seagren	Vickerman	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Stanius et al amendment, as amended, and the roll was called. There were 119 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Haukoos	Koppendrayer	Morrison	Pawlenty	Sviggum
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Pelowski	Swenson
Asch	Delmont	Hugoson	Krueger	Munger	Peterson	Tomassoni
Battaglia	Dempsey	Huntley	Lasley	Murphy	Pugh	Tompkins
Bauerly	Dorn	Jacobs	Leppik	Neary	Reding	Tunheim
Beard	Erhardt	Jefferson	Lieder	Nelson	Rest	Van Dellen
Bergson	Evans	Jennings	Limmer	Ness	Rhodes	Van Engen
Bertram	Farrell	Johnson, A.	Lindner	Olson, E.	Rukavina	Vickerman
Bettermann	Finseth	Johnson, R.	Long	Olson, M.	Sarna	Wagenius
Bishop	Frerichs	Johnson, V.	Luther	Ommen	Seagren	Waltman
Brown, K.	Garcia	Kalis	Lynch	Opatz	Sekhon	Weaver
Carlson	Girard	Kelley	Macklin	Orenstein	Simoneau	Wenzel
Carruthers	Goodno	Kelso	Mahon	Orfield	Skoglund	Winter
Clark	Greiling	Kinkel	McCollum	Osthoff	Smith	Wolf
Commers	Gruenes	Klinzing	McGuire	Ostrom	Solberg	Worke
Cooper	Gutknecht	Knickerbocker	Milbert	Ozment	Stanius	Workman
Dauner	Hasskamp	Knight	Molnau	Pauly	Steensma	Spk. Anderson, I.

Those who voted in the negative were:

Brown, C.	Greenfield	Jaros	Lourey	Olson, K.	Rodosovich	Vellenga
Dawkins	Hausman	Kahn	Mariani	Rice	Trimble	Wejcman

The motion prevailed and the amendment, as amended, was adopted.

Svigum moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 26, after line 22, insert:

"Sec. 24. [609.2241] [KNOWING TRANSFER OF HIV VIRUS.]

Subdivision 1. [DEFINITIONS.] As used in this section:

(1) "bodily fluid" means blood, semen, saliva, and vaginal secretion;

(2) "HIV virus" means the human immunodeficiency virus; and

(3) "transfer" means to engage in sexual intercourse; to permit reuse of a hypodermic needle, syringe, or similar device without sterilization; or to give blood or semen to a person, blood bank, or other medical facility for the purpose of transfusion or insemination.

Subd. 2. [CRIME.] Any person who transfers bodily fluid to another person, knowing or having reason to know that the bodily fluid is infected with the HIV virus, is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 3. [AFFIRMATIVE DEFENSES.] If proven by a preponderance of the evidence, it is an affirmative defense to a prosecution under subdivision 2 that:

(1) the transfer involved consensual sexual intercourse between persons, after full disclosure of the risk of HIV virus infection;

(2) the transfer involved consensual sexual intercourse accompanied by the use of a condom, after full disclosure of the risk of HIV virus infection; or

(3) the transfer occurred after advice from a physician that the actor was noninfectious."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Skoglund moved to amend the Svigum amendment to H. F. No. 2351, the second engrossment, as amended, as follows:

Page 1, delete everything after line 2, and insert:

"Sec. 24. [609.2241] [HIV TRANSMISSION.]

Subdivision 1. [DEFINITIONS.] As used in this section:

(a) "HIV virus" means the human immunodeficiency virus.

(b) "Counseling" means that the person infected with HIV had (1) been advised by a physician or other health professional of their diagnosis; (2) received educational information about behavior which might transmit HIV from a licensed health professional or employee of a state-funded counseling and testing site; and, (3) had been advised of how to prevent such transmission from a licensed health professional or an employee of a state-funded counseling and testing site.

(c) "Transfer" means, for a person infected with HIV, to engage in a behavior that has been demonstrated epidemiologically to transmit HIV. Such behaviors generally mean sexually transmitted behaviors, such as direct genital-to-genital contact, or blood-borne behaviors, such as the sharing of nonsterile syringes for the purposes of injecting drugs.

Subd. 2. [CRIME.] Any person who engages in behavior that has been demonstrated epidemiologically to transmit HIV and knew or had reason to know that such behavior might result in transmission of HIV is guilty of a felony and may be sentenced to imprisonment for not more than five years or to payment of a fine of not more than \$10,000, or both.

Subd. 3. [AFFIRMATIVE DEFENSES.] If proven by a preponderance of the evidence, it is an affirmative defense to a prosecution under subdivision 2 that:

(1) the transfer involved a consensual sexual act between persons, wherein the person exposed knew that the infected person was infected with HIV, knew that the action could result in an infection with HIV, and consented to the action with that knowledge;

(2) the transfer involved a consensual sexual act accompanied by the use of a latex barrier (condom) or a sterile syringe;

(3) the person infected with HIV had received faulty medical advice that they were not infected with HIV or had not been adequately counseled about what constituted behavior that might result in HIV transmission;

(4) the person infected with HIV knowingly attempts to or does donate blood, sperm, organ, or tissue, except as deemed necessary for medical research, or disclosed HIV status on donor screening forms;

(5) the person infected with HIV is a licensed health care provider who was following all accepted infection control procedures as established by the department of health and OSHA (the Occupational Safety and Health Administration).

Subd. 4. [PROSECUTION.] The department of health must assist the prosecutor in determining if (1) the actor had been properly counseled about transmission risk, and, (2) the actor's behavior did meet the epidemiological standards of possible HIV transfer."

Delete the remaining pages

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the amendment to the amendment and the roll was called. There were 132 yeas and 0 nays as follows:

Those who voted in the affirmative were:

Abrams	Cooper	Greiling	Kahn	Long	Ness	Pugh
Anderson, R.	Dauner	Gruenes	Kalis	Lourey	Olson, E.	Reding
Asch	Davids	Gutknecht	Kelley	Luther	Olson, K.	Rest
Battaglia	Dehler	Hasskamp	Kelso	Lynch	Olson, M.	Rhodes
Bauerly	Delmont	Haukoos	Kinkel	Macklin	Onnen	Rice
Beard	Dempsey	Hausman	Klinzing	Mahon	Opatz	Rodosovich
Bergson	Dorn	Holsten	Knickerbocker	McCollum	Orenstein	Rukavina
Bertram	Erhardt	Hugoson	Knight	McGuire	Orfield	Sarna
Bettermann	Evans	Huntley	Koppendrayner	Milbert	Osthoff	Seagren
Bishop	Farrell	Jacobs	Krinkie	Molnau	Ostrom	Sekhon
Brown, C.	Finseth	Jaros	Krueger	Morrison	Ozment	Simoneau
Brown, K.	Frerichs	Jefferson	Lasley	Mosel	Pauly	Skoglund
Carlson	Garcia	Jennings	Leppik	Munger	Pawlenty	Smith
Carruthers	Girard	Johnson, A.	Lieder	Murphy	Pelowski	Solberg
Clark	Goodno	Johnson, R.	Limmer	Neary	Perlt	Stanislaus
Commers	Greenfield	Johnson, V.	Lindner	Nelson	Peterson	Steenasma

Sviggum	Tompkins	Van Dellen	Vickerman	Weaver	Winter	Workman
Swenson	Trimble	Van Engen	Wagenius	Wejcmán	Wolf	Spk. Anderson, I.
Tomassoni	Tunheim	Vellenga	Waltman	Wenzel	Worke	

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Sviggum amendment, as amended, and the roll was called. There were 119 yeas and 14 nays as follows:

Those who voted in the affirmative were:

Abrams	Davids	Hugoson	Krueger	Murphy	Perlt	Swenson
Anderson, R.	Dehler	Huntley	Lasley	Neary	Peterson	Tomassoni
Asch	Delmont	Jacobs	Leppik	Nelson	Pugh	Tompkins
Battaglia	Dempsey	Jefferson	Lieder	Ness	Reding	Trimble
Bauerly	Dorn	Jennings	Limmer	Olson, E.	Rest	Tunheim
Beard	Erhardt	Johnson, A.	Lindner	Olson, K.	Rhodes	Van Dellen
Bergson	Evans	Johnson, R.	Luther	Olson, M.	Rodosovich	Van Engen
Bertram	Farrell	Johnson, V.	Lynch	Onnen	Rukavina	Vickerman
Bettermann	Finseth	Kalis	Macklin	Opatz	Sarna	Wagenius
Bishop	Frerichs	Kelley	Mahon	Orenstein	Seagren	Waltman
Brown, C.	Girard	Kelso	McCollum	Orfield	Simoneau	Weaver
Brown, K.	Goodno	Kinkel	McGuire	Osthoff	Skoglund	Wenzel
Carlson	Gruenes	Klinzing	Milbert	Ostrom	Smith	Winter
Carruthers	Gutknecht	Knickerbocker	Molnau	Ozment	Solberg	Wolf
Commurs	Hasskamp	Knight	Morrison	Pauly	Stanis	Worke
Cooper	Haukoos	Koppendrayner	Mosel	Pawlenty	Steensma	Workman
Dauner	Holsten	Krinkie	Munger	Pelowski	Sviggum	Spk. Anderson, I.

Those who voted in the negative were:

Clark	Garcia	Greiling	Jaros	Lourey	Rice	Vellenga
Dawkins	Greenfield	Hausman	Kahn	Mariani	Sekhon	Wejcmán

The motion prevailed and the amendment, as amended, was adopted.

Sviggum moved to amend H. F. No. 2351, the second engrossment, as amended, as follows:

Page 138, after line 3, insert:

"Sec. 10. [243.235] [INMATE CONTRIBUTION TO COSTS OF CONFINEMENT.]

An inmate of a correctional facility under the commissioner's management and control who has assets exclusive of any child support and restitution obligations shall contribute to the cost of the inmate's confinement in an amount determined by the commissioner.

The commissioner must, to the extent authorized pursuant to this section, adopt rules to implement this section. The commissioner shall develop proposed rules and submit them to the 1995 legislature. In developing the rules, the commissioner shall consider the living costs for a spouse and dependents in the community. The commissioner is without authority to adopt the rules unless the legislature during the 1995 legislative session grants the commissioner the authority to adopt them."

Renumber the sections in sequence and correct internal references

Amend the title accordingly

A roll call was requested and properly seconded.

Bishop moved to amend the Sviggum amendment to H. F. No. 2351, the second engrossment, as amended, as follows:

Page 1, line 8 of the Sviggum amendment, after "obligations" insert "or victim's damages"

The motion prevailed and the amendment to the amendment was adopted.

The question recurred on the Sviggum amendment, as amended, and the roll was called. There were 116 yeas and 17 nays as follows:

Those who voted in the affirmative were:

Abrams	Dempsey	Jacobs	Lieder	Nelson	Pugh	Trimble
Anderson, R.	Dorn	Jefferson	Limmer	Ness	Reding	Tunheim
Asch	Erhardt	Jennings	Lindner	Olson, E.	Rest	Van Dellen
Battaglia	Evans	Johnson, A.	Long	Olson, K.	Rhodes	Van Engen
Bauerly	Finseth	Johnson, R.	Lourey	Olson, M.	Sarna	Vickerman
Beard	Frerichs	Johnson, V.	Luther	Onnen	Seagren	Wagenius
Bergson	Garcia	Kalis	Lynch	Opatz	Sekhon	Waltman
Bertram	Girard	Kelley	Macklin	Orenstein	Simoneau	Weaver
Bettermann	Goodno	Kelso	Mahon	Orfield	Skoglund	Wenzel
Bishop	Greiling	Kinkel	McCollum	Osthoff	Smith	Winter
Carlson	Gruenes	Klinzing	McGuire	Ostrom	Solberg	Wolf
Carruthers	Gutknecht	Knickerbocker	Molnau	Ozment	Stanius	Worke
Commers	Hasskamp	Knight	Morrison	Pauly	Steensma	Workman
Cooper	Haukoos	Koppendraye	Mosel	Pawlenty	Sviggum	Spk. Anderson, I.
Dauner	Holsten	Krinkie	Munger	Pelowski	Swenson	
Dauids	Hugoson	Krueger	Murphy	Perlt	Tomassoni	
Dehler	Huntley	Leppik	Neary	Peterson	Tompkins	

Those who voted in the negative were:

Brown, C.	Dawkins	Greenfield	Kahn	Milbert	Rukavina
Brown, K.	Delmont	Hausman	Lasley	Rice	Wejzman
Clark	Farrell	Jaros	Mariani	Rodosovich	

The motion prevailed and the amendment, as amended, was adopted.

Bettermann, Limmer, Koppendraye, Haukoos, Waltman and Van Engen offered an amendment to H. F. No. 2351, the second engrossment, as amended.

POINT OF ORDER

Skoglund raised a point of order pursuant to rule 3.09 that the Bettermann et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Finseth; Sviggum; Workman; Johnson, V.; Stanius; Lynch; Weaver and Olson, M., offered an amendment to H. F. No. 2351, the second engrossment, as amended.

POINT OF ORDER

Skoglund raised a point of order pursuant to rule 3.09 that the Finseth et al amendment was not in order. The Speaker ruled the point of order well taken and the amendment out of order.

Sviggunm appealed the decision of the Chair.

A roll call was requested and properly seconded.

The vote was taken on the question "Shall the decision of the Speaker stand as the judgment of the House?" and the roll was called. There were 83 yeas and 46 nays as follows:

Those who voted in the affirmative were:

Asch	Cooper	Jaros	Lasley	Munger	Perlt	Solberg
Battaglia	Dauner	Jefferson	Lieder	Murphy	Peterson	Steensma
Bauerly	Dawkins	Jennings	Long	Neary	Pugh	Tomassoni
Beard	Delmont	Johnson, A.	Lourey	Nelson	Reding	Trimble
Bergson	Dorn	Johnson, R.	Luther	Olson, E.	Rest	Tunheim
Bertram	Evans	Kahn	Mahon	Olson, K.	Rice	Vellenga
Bishop	Farrell	Kalis	Mariani	Opatz	Rodosovich	Wagenius
Brown, C.	Garcia	Kelley	McCollum	Orenstein	Rukavina	Wejzman
Brown, K.	Greenfield	Kelso	McGuire	Orfield	Sarna	Wenzel
Carlson	Greiling	Kinkel	Milbert	Osthoff	Sekhon	Winter
Carruthers	Hausman	Knickerbocker	Morrison	Ostrom	Simoneau	Spk. Anderson, I.
Clark	Huntley	Krueger	Mosel	Pelowski	Skoglund	

Those who voted in the negative were:

Anderson, R.	Finseth	Holsten	Lindner	Ozment	Sviggunm	Weaver
Bettermann	Frerichs	Hugoson	Lynch	Pauly	Swenson	Wolf
Commers	Girard	Johnson, V.	Macklin	Pawlenty	Tompkins	Worke
Davids	Goodno	Knight	Molnau	Rhodes	Van Dellen	Workman
Dehler	Gruenes	Koppendrayner	Ness	Seagren	Van Engen	
Dempsey	Gutknecht	Krinkie	Olson, M.	Smith	Vickerman	
Erhardt	Haukoos	Limmer	Ornen	Starius	Waltman	

So it was the judgment of the House that the decision of the Speaker should stand.

H. F. No. 2351, A bill for an act relating to crime and crime prevention; appropriating money for the attorney general, department of administration, public defense, courts, corrections, criminal justice, and crime prevention and education programs; increasing penalties for a variety of violent crimes; increasing regulation of and penalties for unlawful possession or use of firearms and other dangerous weapons; providing for access to and sharing of government data relating to criminal investigations; improving law enforcement investigations of reports of missing and endangered children; enhancing 911 telephone service; providing a number of new investigative tools for law enforcement agencies; regulating explosives and blasting agents; modifying programs in state and local correctional facilities; increasing crime victim rights and protections; increasing court witness fees; requiring a study of civil commitment laws; completing the state takeover of public defender services; authorizing a variety of crime prevention programs; making it a crime to engage in behavior that transmits the HIV virus; requiring dangerous repeat offenders to serve mandatory minimum terms; requiring inmates to contribute to costs of confinement; providing mandatory minimum sentences for certain criminal sexual conduct offenses; providing that certain sex offenders shall serve indeterminate sentences; making it a crime to possess a dangerous weapon in any courthouse and certain state public buildings; mandating that parents are responsible for providing health care to children; amending Minnesota Statutes 1992, sections 2.722, subdivision 1; 8.06; 13.99, subdivision 79; 84.9691; 123.3514, subdivision 3, and by adding a subdivision; 126.02, subdivision 1; 144.125; 145A.05, by adding a subdivision; 152.01, by adding a subdivision; 152.021, subdivision 1; 152.024, subdivision 1; 169.89, subdivision 2; 171.18, subdivision 1; 171.22, subdivision 2; 241.26, subdivision 7; 243.05, subdivision 1, and by adding subdivisions; 243.166, subdivision 5; 243.18, subdivision 1; 243.23, subdivision 2; 243.24, subdivision 1; 244.09, by adding a subdivision; 244.12, subdivisions 1 and 2; 244.15, subdivision 4; 253B.19, subdivision 2; 260.161, by adding a subdivision; 299A.31; 299A.32, subdivision 3; 299A.38, subdivision 3; 299C.065, as amended; 299C.11; 299C.14; 299C.52, subdivision 1; 299C.53, subdivision 1, and by adding a subdivision; 299D.07; 299F.71; 299F.72, subdivision 2, and by adding subdivisions; 299F.73; 299F.74; 299F.75; 299F.77; 299F.78, subdivision 1; 299F.79; 299F.80; 299F.82; 299F.83; 352.91, by adding subdivisions; 352.92, subdivision 2; 357.22; 357.241; 357.242; 383B.225, subdivision 6; 388.051, by adding a subdivision; 403.02, by adding a subdivision; 403.11,

subdivisions 1 and 4; 477A.012, by adding a subdivision; 480.09, by adding a subdivision; 485.06; 494.05; 508.11; 600.23, subdivision 1; 609.0331; 609.0332; 609.152, by adding a subdivision; 609.165, by adding a subdivision; 609.185; 609.2231, subdivision 2; 609.224, by adding a subdivision; 609.245; 609.25, subdivision 2; 609.321, subdivision 12; 609.3241; 609.325, subdivision 2; 609.341, subdivisions 11, 12, and by adding subdivisions; 609.342, subdivisions 1 and 2; 609.3451, subdivision 1; 609.377; 609.485, subdivisions 2 and 4; 609.497, subdivision 1, and by adding a subdivision; 609.506, by adding subdivisions; 609.52, subdivision 3; 609.5315, subdivision 3; 609.561, by adding a subdivision; 609.611; 609.66, subdivisions 1, 1b, 1c, and by adding a subdivision; 609.713, subdivision 3; 609.72, subdivision 1; 609.855; 609.87, by adding a subdivision; 609.88, subdivision 1; 609.89, subdivision 1; 611.21; 611.26, subdivisions 4 and 6; 611A.036; 611A.045, subdivision 3; 611A.19; 611A.53, subdivision 2; 617.23; 624.714, subdivision 3; 626.556, subdivisions 3a and 10e; 626.557, subdivisions 2, 10a, and 12; 626.76; 626.846, subdivision 6; 626A.05, subdivision 2; 629.471; 629.73; and 631.425, subdivision 6; Minnesota Statutes 1993 Supplement, sections 8.15; 13.46, subdivision 2; 13.82, subdivision 10; 144.651, subdivisions 2, 21, and 26; 152.022, subdivision 1; 152.023, subdivision 2; 171.24; 242.51; 243.166, subdivisions 1, 2, 3, 4, 6, and 9; 243.18, subdivision 2; 244.05, subdivisions 4 and 5; 244.101, by adding a subdivision; 244.14, subdivision 3; 253B.03, subdivisions 3 and 4; 260.161, subdivisions 1 and 3; 299C.10, subdivision 1; 299C.65, subdivision 1; 357.021, subdivision 2; 357.24; 388.23, subdivision 1; 401.13; 462A.202, by adding a subdivision; 473.407, subdivision 1; 480.30; 518B.01, subdivisions 2, 6, and 14; 593.48; 609.11, subdivisions 4, 5, 7, 8, and by adding a subdivision; 609.14, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.346, subdivision 2; 609.378, subdivision 1; 609.531, subdivision 1; 609.66, subdivision 1a; 609.685, subdivision 3; 609.713, subdivision 1; 609.748, subdivision 5; 609.902, subdivision 4; 611.17; 611.20, subdivision 2; 611.27, subdivision 4; 611A.04, subdivision 1; 611A.06, subdivision 1; 611A.52, subdivision 8; 624.712, subdivision 5; 624.713, subdivision 1; 624.7131, subdivision 1; 624.7132, subdivisions 1 and 12; 624.7181; 626.556, subdivision 2; and 626.861, subdivision 4; Laws 1993, chapter 146, article 2, section 32; proposing coding for new law in Minnesota Statutes, chapters 8; 16B; 116J; 126; 144; 241; 243; 245; 253B; 268; 299C; 299F; 403; 609; 611A; 626; and 629; repealing Minnesota Statutes 1992, sections 152.01, subdivision 17; 260.315; 299F.72, subdivisions 3 and 4; 299F.78, subdivision 2; 299F.815, as amended; 609.0332, subdivision 2; and 629.69; Minnesota Statutes 1993 Supplement, sections 243.18, subdivision 3; and 299F.811.

The bill was read for the third time, as amended, and placed upon its final passage.

The question was taken on the passage of the bill and the roll was called. There were 130 yeas and 4 nays as follows:

Those who voted in the affirmative were:

Abrams	Dawkins	Holsten	Krueger	Munger	Peterson	Trimble
Anderson, R.	Dehler	Hugoson	Lasley	Murphy	Pugh	Tunheim
Asch	Delmont	Huntley	Leppik	Neary	Reding	Van Dellen
Battaglia	Dempsey	Jacobs	Lieder	Nelson	Rest	Van Engen
Bauerly	Dorn	Jefferson	Limmer	Ness	Rhodes	Vellenga
Beard	Erhardt	Jennings	Lindner	Olson, E.	Rice	Vickerman
Bergson	Evans	Johnson, A.	Long	Olson, K.	Sarna	Wagenius
Bertram	Farrell	Johnson, R.	Lourey	Olson, M.	Seagren	Waltman
Bettermann	Finseth	Johnson, V.	Luther	Onnen	Sekhon	Weaver
Bishop	Frerichs	Kahn	Lynch	Opatz	Simoneau	Wejcman
Brown, C.	Garcia	Kalis	Macklin	Orenstein	Skoglund	Wenzel
Brown, K.	Girard	Kelley	Mahon	Orfield	Smith	Winter
Carlson	Goodno	Kelso	Mariani	Osthoff	Solberg	Wolf
Carruthers	Greenfield	Kinkel	McColium	Ostrom	Stanius	Worke
Clark	Greiling	Klinzing	McGuire	Ozment	Steensma	Workman
Commers	Gruenes	Knickerbocker	Milbert	Pauly	Sviggum	Spk. Anderson, I.
Cooper	Gutknecht	Knight	Molnau	Pawlenty	Swenson	
Dauner	Hasskamp	Koppendrayner	Morrison	Pelowski	Tomassoni	
Davids	Haukoos	Krinkie	Mosel	Perlt	Tompkins	

Those who voted in the negative were:

Hausman	Jaros	Rodosovich	Rukavina
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The bill was passed, as amended, and its title agreed to.

SPECIAL ORDERS

Carruthers moved that the remaining bills on Special Orders for today be continued. The motion prevailed.

GENERAL ORDERS

Carruthers moved that the bills on General Orders for today be continued. The motion prevailed.

ADJOURNMENT

Carruthers moved that when the House adjourns today it adjourn until 1:00 p.m., Friday, April 15, 1994. The motion prevailed.

Carruthers moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 1:00 p.m., Friday, April 15, 1994.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

