

STATE OF MINNESOTA
SPECIAL SESSION — 1994

FIRST DAY

SAINT PAUL, MINNESOTA, WEDNESDAY, AUGUST 31, 1994

In obedience to the Proclamation of the Honorable Arne H. Carlson, Governor of the State of Minnesota, summoning the two Houses of the Legislature to meet in Special Session, the members of the House of Representatives assembled in the Chamber of the House of Representatives at the Capitol in Saint Paul on Wednesday, the thirty-first day of August 1994, at 1:00 p.m.

PROCLAMATION FOR SPECIAL SESSION 1994

Whereas, Recent Minnesota Supreme Court rulings have led to a reexamination of Minnesota's Sexual Predator laws; and

Whereas, The Legislative Task Force on Sexual Predators and other legislative committees have held hearings and developed recommendations for legislation; and

Whereas, An informal working group consisting of the Attorney General's office and officials from the Departments of Corrections and Human Services have reviewed the current law and developed recommendations for legislation along with the Legislative Task Force and the Governor's office; and

Whereas, Legislation has been agreed to by legislative leaders which will provide prosecutors with some additional tools to deal with sexual predators in the civil commitment process; and

Whereas, Article IV, Section 12 of the Constitution of the State of Minnesota provides that a special session of the Legislature may be called by the Governor on extraordinary occasions; and

Whereas, The elected leaders have agreed on an agenda and procedures to limit this special session to the consideration and passage of this single item;

Now, Therefore, I, Arne H. Carlson, Governor of the State of Minnesota, do hereby summon you, members of the Legislature, to convene in Special Session on Wednesday, August 31, 1994 at 1:00 p.m. at the Capitol in Saint Paul, Minnesota.

In Witness Whereof, I have hereunto set my hand and caused the Great Seal of the State of Minnesota to be affixed at the State Capitol this twenty-ninth day of August in the year of our Lord one thousand nine hundred and ninety-four, and of the State the one hundred thirty-sixth.

JOAN ANDERSON GROWE
Secretary of State

ARNE H. CARLSON
Governor

At the hour of 1:00 p.m. and pursuant to the Proclamation of the Governor and pursuant to Minnesota Statutes 1992, Section 3.073, the Honorable Irv Anderson, Speaker of the House, called the House of Representatives to order.

Prayer was offered by Monsignor James D. Habiger, House Chaplain.

The members of the House gave the pledge of allegiance to the flag of the United States of America.

The members of the House paused for a moment of silence in honor of the two St. Paul police officers Timothy Jones and Ron Ryan, Jr., who were killed in the line of duty.

The roll was called and the following members were present:

Abrams	Dawkins	Hausman	Koppendrayner	Morrison	Perlt	Swenson
Anderson, R.	Dehler	Holsten	Krinkie	Mosel	Peterson	Tornassoni
Asch	Delmont	Hugoson	Krueger	Munger	Pugh	Tompkins
Battaglia	Dempsey	Huntley	Lasley	Murphy	Reding	Trimble
Bauerly	Dorn	Jacobs	Leppik	Neary	Rest	Tunheim
Beard	Erhardt	Jaros	Lieder	Nelson	Rhodes	Van Dellen
Bergson	Evans	Jefferson	Limmer	Ness	Rice	Van Engen
Bertram	Farrell	Jennings	Lindner	Olson, E.	Rodosovich	Vellenga
Bettermann	Finseth	Johnson, A.	Long	Olson, K.	Rukavina	Vickerman
Bishop	Frerichs	Johnson, R.	Lourey	Olson, M.	Sarna	Wagenius
Brown, C.	Garcia	Johnson, V.	Luther	Onnen	Seagren	Waltman
Brown, K.	Girard	Kahn	Lynch	Opatz	Sekhon	Weaver
Carlson	Goodno	Kalis	Macklin	Orenstein	Simoneau	Wejcman
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	Pawlenty	Steensma	Workman
Davids	Haukoos	Knight	Molnau	Pelowski	Svigum	Spk. Anderson, I.

A quorum was present.

Pauly was excused.

Pursuant to Minnesota Statutes 1992, Section 3.073, the Speaker declared the House of Representatives organized for the 1994 Special Session.

Carruthers moved that the Chief Clerk be and is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is now duly organized pursuant to law for this Special Session. The motion prevailed.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

This is to notify you that the Senate is now duly organized for the 1994 Special Session pursuant to the Minnesota Constitution and Minnesota Statutes.

JANINE MATTSON, First Assistant Secretary of the Senate

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House File was introduced:

Skoglund, Bishop, Evans, Murphy and Holsten introduced:

H. F. No. 1, A bill for an act relating to civil commitment of sexually dangerous persons and persons with a sexual psychopathic personality; establishing standards and procedures for the commitment of sexually dangerous persons; recodifying the existing psychopathic personality law in the civil commitment chapter; codifying judicial interpretations of the psychopathic personality law; expanding the sex offender registration law to require convicted sex offenders who are sexually dangerous persons or persons with sexual psychopathic personalities to register for ten years after discharge from commitment; amending Minnesota Statutes 1992, sections 8.01; 147.091, subdivisions 1 and 2; 147.111, subdivision 6; 148.10, subdivision 6; 148.102, subdivision 4; 148.262, subdivision 2; 148.263, subdivision 5; 148.32; 148.75; 148B.07, subdivision 6; 148B.175, subdivision 8; 148B.63, subdivision 6; 148B.68, subdivision 1; 148B.69, subdivision 5; 153.19, subdivision 1; 153.22, subdivision 4; 153.24, subdivision 5; 243.55, subdivision 3; 244.05, subdivision 7; 246.014; 253B.02, subdivision 17, and by adding subdivisions; 609.1351; and 626.557, subdivision 2, as amended; Minnesota Statutes 1993 Supplement, sections 8.15, subdivision 1, as amended; 201.15, subdivision 1; 243.166, subdivisions 3 and 6; 246.02, subdivision 2; 246B.01; 246B.02; 246B.03; 246B.04, as amended; 253B.23, subdivision 1a; 254.05; and 611A.06, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1992, sections 526.09; 526.10; 526.11; and 526.115.

The bill was read for the first time.

SUSPENSION OF RULES

Pursuant to Article IV, Section 19, of the Constitution of the state of Minnesota, Skoglund moved that the rule therein be suspended and an urgency be declared so that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

Skoglund moved that the Rules of the House be so far suspended that H. F. No. 1 be given its second and third readings and be placed upon its final passage. The motion prevailed.

H. F. No. 1 was read for the second time.

H. F. No. 1, A bill for an act relating to civil commitment of sexually dangerous persons and persons with a sexual psychopathic personality; establishing standards and procedures for the commitment of sexually dangerous persons; recodifying the existing psychopathic personality law in the civil commitment chapter; codifying judicial interpretations of the psychopathic personality law; expanding the sex offender registration law to require convicted sex offenders who are sexually dangerous persons or persons with sexual psychopathic personalities to register for ten years after discharge from commitment; amending Minnesota Statutes 1992, sections 8.01; 147.091, subdivisions 1 and 2; 147.111, subdivision 6; 148.10, subdivision 6; 148.102, subdivision 4; 148.262, subdivision 2; 148.263, subdivision 5; 148.32; 148.75; 148B.07, subdivision 6; 148B.175, subdivision 8; 148B.63, subdivision 6; 148B.68, subdivision 1; 148B.69, subdivision 5; 153.19, subdivision 1; 153.22, subdivision 4; 153.24, subdivision 5; 243.55, subdivision 3; 244.05, subdivision 7; 246.014; 253B.02, subdivision 17, and by adding subdivisions; 609.1351; and 626.557, subdivision 2, as amended; Minnesota Statutes 1993 Supplement, sections 8.15, subdivision 1, as amended; 201.15, subdivision 1; 243.166, subdivisions 3 and 6; 246.02, subdivision 2; 246B.01; 246B.02; 246B.03; 246B.04, as amended; 253B.23, subdivision 1a; 254.05; and 611A.06, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1992, sections 526.09; 526.10; 526.11; and 526.115.

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 133 yeas and 0 nays as follows:

Abrams	Battaglia	Bergson	Bishop	Carlson	Commers	Davids
Anderson, R.	Bauerly	Bertram	Brown, C.	Carruthers	Cooper	Dawkins
Asch	Beard	Bettermann	Brown, K.	Clark	Dauner	Dehler

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

The bill was passed and its title agreed to.

Carruthers moved that the House recess subject to the call of the Chair. The motion prevailed.

RECESS

RECONVENED

The House reconvened and was called to order by the Speaker.

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

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 transmitted:

H. F. No. 1, A bill for an act relating to civil commitment of sexually dangerous persons and persons with a sexual psychopathic personality; establishing standards and procedures for the commitment of sexually dangerous persons; recodifying the existing psychopathic personality law in the civil commitment chapter; codifying judicial interpretations of the psychopathic personality law; expanding the sex offender registration law to require convicted sex offenders who are sexually dangerous persons or persons with sexual psychopathic personalities to register for ten years after discharge from commitment; amending Minnesota Statutes 1992, sections 8.01; 147.091, subdivisions 1 and 2; 147.111, subdivision 6; 148.10, subdivision 6; 148.102, subdivision 4; 148.262, subdivision 2; 148.263, subdivision 5; 148.32; 148.75; 148B.07, subdivision 6; 148B.175, subdivision 8; 148B.63, subdivision 6; 148B.68, subdivision 1; 148B.69, subdivision 5; 153.19, subdivision 1; 153.22, subdivision 4; 153.24, subdivision 5; 243.55, subdivision 3; 244.05, subdivision 7; 246.014; 253B.02, subdivision 17, and by adding subdivisions; 609.1351; and 626.557, subdivision 2, as amended; Minnesota Statutes 1993 Supplement, sections 8.15, subdivision 1, as amended; 201.15, subdivision 1; 243.166, subdivisions 3 and 6; 246.02, subdivision 2; 246B.01; 246B.02; 246B.03; 246B.04, as amended; 253B.23, subdivision 1a; 254.05; and 611A.06, subdivision 1, as amended; proposing coding for new law in Minnesota Statutes, chapter 253B; repealing Minnesota Statutes 1992, sections 526.09; 526.10; 526.11; and 526.115.

JANINE MATTSON, First Assistant Secretary of the Senate

Mr. Speaker:

This is to notify you that the Senate is about to adjourn the 1994 Special Session sine die.

JANINE MATTSON, First Assistant Secretary of the Senate

MOTIONS AND RESOLUTIONS

Carruthers moved that the Chief Clerk be and he is hereby instructed to inform the Senate and the Governor by message that the House of Representatives is about to adjourn this 1994 Special Session sine die. The motion prevailed.

Carruthers moved that the Chief Clerk be and he is hereby authorized to correct and approve the Journal of the House, 1994 Special Session, for today, Wednesday, August 31, 1994, and that he be authorized to include in the Journal for today any subsequent proceedings. The motion prevailed.

MOTION TO ADJOURN SPECIAL SESSION SINE DIE

Carruthers moved that the House adjourn sine die for the 1994 Special Session. The motion prevailed and the Speaker declared the House stands adjourned sine die for the 1994 Special Session.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

COMMUNICATIONS AND ANNOUNCEMENTS RECEIVED
SUBSEQUENT TO ADJOURNMENT OF THE 1994 SPECIAL SESSION

PETITIONS AND COMMUNICATIONS

The following communications were received:

STATE OF MINNESOTA
OFFICE OF THE GOVERNOR
SAINT PAUL 55155

August 31, 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 File:

H. F. No. 1, relating to civil commitment of sexually dangerous persons and persons with a sexual psychopathic personality; establishing standards and procedures for the commitment of sexually dangerous persons; recodifying the existing psychopathic personality law in the civil commitment chapter; codifying judicial interpretations of the psychopathic personality law; expanding the sex offender registration law to require convicted sex offenders who are sexually dangerous persons or persons with sexual psychopathic personalities to register for ten years after discharge from commitment.

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
President of the Senate

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

<i>S.F. No.</i>	<i>H.F. No.</i>	<i>Special Session Laws Chapter No.</i>	<i>Time and Date Approved 1994</i>	<i>Date Filed 1994</i>
	1	1	4:32 p.m. August 31	August 31

Sincerely,

JOAN ANDERSON GROWE
Secretary of State

CERTIFICATE

I certify that the 1994 Special Session Journal of the House for Wednesday, August 31, 1994, including subsequent proceedings, has been corrected and is hereby approved.

EDWARD A. BURDICK, Chief Clerk, House of Representatives

