



MN Legislative History Research

Sarah Larsen, Outreach Librarian

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Minn. Stat. § 645.16

Legislative Intent Controls.

The object of all interpretation and construction of laws is to ascertain and effectuate the intention of the legislature. Every law shall be construed, if possible, to give effect to all its provisions.

When the words of a law in their application to an existing situation are clear and free from all ambiguity, the letter of the law shall not be disregarded under the pretext of pursuing the spirit.

When the words of a law are not explicit, **the intention of the legislature may be ascertained by considering**, among other matters:

- (1) the occasion and necessity for the law;
- (2) the circumstances under which it was enacted;
- (3) the mischief to be remedied;
- (4) the object to be attained;
- (5) the former law, if any, including other laws upon the same or similar subjects;
- (6) the consequences of a particular interpretation;
- (7) the contemporaneous legislative history; and
- (8) legislative and administrative interpretations of the statute.

Legislative Rules

Permanent Rules of the Senate

→ 50.9 The Senate intends that testimony and discussion preserved under this rule **not be admissible** in any court or administrative proceeding on an issue of legislative intent.

Permanent Rules of the House

2.15 RECORDED FLOOR PROCEEDINGS. Proceedings on the floor of the House must be recorded on an appropriate audio recording medium under the direction of the Chief Clerk. The Chief Clerk must transmit a copy of the recordings to the Director of the Legislative Reference Library. The Legislative Reference Library must keep the recordings available for public use under its rules during the legislative biennium when the recordings were created and for eight years thereafter. The Library may then preserve or dispose of the recordings as the Library sees fit.

A person may obtain a copy of a recording while it is kept in the Library by paying a fee determined by the House Controller to cover the cost of preparing the copy.

→ Discussion preserved under this Rule is **not intended to be admissible** in a court or administrative proceeding on an issue of legislative intent.

Case Law

“Although the rules of both houses state that the testimony and discussion preserved by the tapes are not to be admissible in any court on an issue of legislative intent, we do not believe this statement countermands our consideration of the tapes as authorized by Minn. Stat. § 645.16(7). We should not turn a blind eye to what may be helpful and to what is before us.”

Handle With Care, Inc. v. Dep't of Human Servs., 406 N.W.2d 518, 522 (Minn. 1987).

“While the motives of a legislative body in enacting any particular legislation may not be a proper subject for judicial inquiry, yet this court may in determining legislative intent consider the legislative history of the act under consideration, the subject matter as a whole, the purpose of the legislation, and objects intended to be secured thereby; and where the construction of a statute is doubtful, this court may, in addition to considering the purpose of the act, consider events leading up to it, the history of its passage, and any modifications made during its course.”

Sevcik v. Commissioner of Taxation, 257 Minn. 92, 103, 100 N.W.2d 678, 687 (1959).

Case Law

“We resort to the former law and legislative history to ascertain the legislative intent behind an ambiguous statute.” *Auto Owners Ins. Co. v. Perry*, 749 N.W.2d 324, 328 (Minn. 2008).

“Legislative history is relevant only if the statute is ambiguous.” *State v. Kirby*, 899 N.W.2d 485, 492 (Minn. 2017).

“Our goal in interpreting statutes is to determine and effectuate the Legislature's intent.” *State v. Smith*, 899 N.W.2d 120, 127 (Minn. 2017) (Gildea, J. concurring).

“But if a statute is susceptible to more than one reasonable interpretation, the statute is ambiguous, and we will consider other factors to ascertain the Legislature's intent.” *Staab v. Diocese of St. Cloud*, 853 N.W.2d 713, 717 (Minn. 2014).

Getting Started – bill # is the key

START  Minnesota Statutes citation

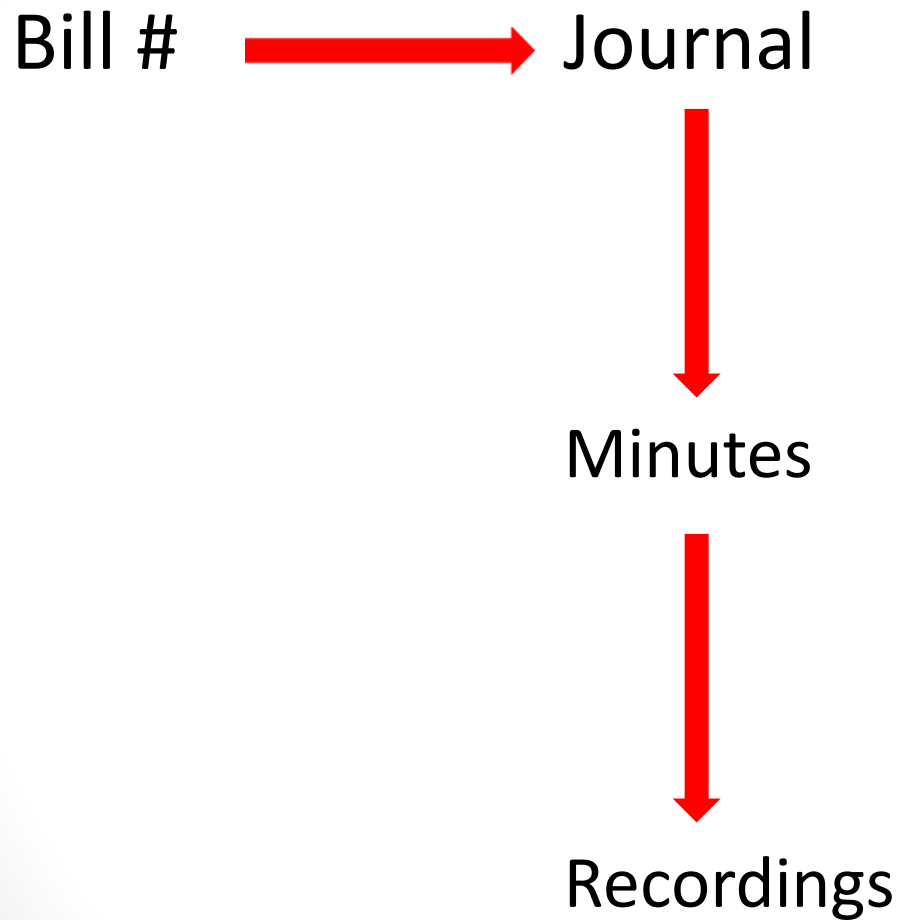


Session Law



Bill number

Next



Primary Sources

The primary sources of information for Minnesota legislative history research:

- Minutes of legislative committees
- Audio and video recordings of House and Senate committee hearings and floor sessions

Other Helpful Resources

- Floor Logs
- Bill Versions
- Session Notebooks
- Secondary Sources

Committee Minutes

When recordings do not exist, the House and Senate committee minutes are a primary source of information for legislative intent research.

- Minutes often lack much detail.
- The [attachments](#) to the minutes may be helpful. Sometimes there are letters, reports, brochures, handouts, bill summaries, newspaper articles, or copies of individuals' testimonies.

Online

- House - online since 2005 (selected)
- Senate - online since 2007 (very selected)

Legislative Reference Library

- Committee minute books from 1999 to the present

Minnesota Historical Society Library

- House committee minutes for 1919-1998
- Senate committee minutes for 1911-1998
- Judiciary Committee – 1883-1910

Audio/Video

Audio/Video of committee and floor sessions

- House and Senate **Audio** Files, 1991-2003
<https://www.leg.state.mn.us/lrl/media/>
- **Audio** files from 2004 to the present
<http://www.leg.state.mn.us/leg/multimedia>
- **Video** files for the House
 - Select coverage - 1998-2003
 - Complete floor sessions, select house committees – 2004-present
- **Video** files for the Senate
 - Select video coverage - 2001-present
- Audio/video recordings *do not exist* prior to 1991.

Audio/Video

A note about retention:

The legislature, LRL, and MHS agreed to destruction of the tapes 16 years after transfer from the originating body (eight years at the LRL and eight years at the MHS). A variety of paper records, including committee minutes, will be retained as the permanent, official records of the legislature.

Floor Logs

Floor logs are helpful if you are listening to floor debate as part of your legislative history work because they indicate the order of bills and general length of time for discussion.

House:

[online](#): 1999-2004, 2006-2016

print: 1991-1998 at LRL

Senate:

[online](#): 1999-present

print: 1991-1998 at LRL

DATE	5-19-18	Time of Convening	1:10 PM
Session	1 st 90 th	Time of Adjournment	
Session Day	101 ST		
Presiding	Senator Fischbach		
TIME	ACTION	LOG	
1:10 PM		Prayer	
		Roll Call	
		2nd order	
		Mess from House	
		2nd Reading SB	
		Motions and Res.	
1:15 PM		Recess	
5:20 PM		Reconven	
		Motions + Resolutions	
		Spec. Orders	
	HF 3202	Benson	
	AI	Benson, Laurey, Abeler,	
	✓	Dziedziej, Hoffman, (Passed)	
	HF 3202	Laurey, Benson, Hayden, Hoffman	
	✓	Klein, Benson, Franzon, Haug	
		Passed 61-5	
6:15 PM	SF 3310	Weber, Kiffmeyer, Wicklund,	
		Clauson, Passed 63-1	
6:26 PM	HF 3963	Eickhorn Passed 65-0	
6:30 PM		Recess	
10:25 PM		Reconven	
	SF 3656	Rosen	
	SF 3656	Laurey Reject cc Report	
		Marty, Olsen, Bakk, Hagelka	
		fail 33-34	
9:55 PM	SF 3656	Bakk, Rosen, Abeler, Kiffmeyer	
		Osmeck, Hoggins, Miller	
		Ingebrigtsen, Fischbach,	
		Neuman, Westrom, Zimmerman	

Bill Versions

See how a bill has changed to show intended meaning.

House Files (HF)

- [1995-present](#): Online
- Current biennium bills are also available from the [Office of the Chief Clerk](#)
- 1957-2008: Microfilm at LRL
- Prior to 1957: Print at MHS Library

Senate Files (SF)

- [1995-present](#): Online
- Current biennium bills are also available from the [Secretary of the Senate](#)
- 1957-2010: Microfilm at LRL
- Prior to 1957: Print at MHS Library

1 A bill for an act
2 relating to insurance; prohibiting insurers from
3 maintaining subrogation actions against insureds;
4 proposing coding for new law in Minnesota Statutes,
5 chapter 60A.

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

7 Section 1. [60A.41] [SUBROGATION AGAINST INSURED

8 PROHIBITED.]

9 An insurer may not proceed against its own insured in a
10 subrogation action where the loss was caused by the negligence
11 of the insured.

12 An insurer may not subrogate itself to the rights of one of
13 its insureds to proceed against another insured to recover a
14 loss caused by the negligence of that insured.

As Introduced

1st Engrossment

1 A bill for an act

2 relating to insurance; prohibiting insurers from
3 maintaining subrogation actions against insureds;
4 proposing coding for new law in Minnesota Statutes,
5 chapter 60A.

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

7 Section 1. [60A.41] [SUBROGATION AGAINST INSURED

8 PROHIBITED.]

9 (a) An insurance company or a company providing reinsurance
10 for the coverage may not proceed against its insured in a
11 subrogation action where the loss was caused by the
12 nonintentional acts of the insured.

13 (b) An insurance company or a company providing reinsurance
14 for the coverage may not subrogate itself to the rights of its
15 insured to proceed against another person insured by the same
16 company to recover a loss caused by the nonintentional acts of
17 that insured.

First example:

Online

- Minn. Stat. 609.117
 - 2010 amendments

2018 Minnesota Statutes

Authenticate  PDF

609.117 DNA ANALYSIS OF CERTAIN OFFENDERS REQUIRED.

Subdivision 1. **Upon sentencing.** If an offender has not already done so, the court shall order an offender to provide a biological specimen for the purpose of DNA analysis as defined in section [299C.155](#) when:

(1) the court sentences a person charged with committing or attempting to commit a felony offense and the person is convicted of that offense or of any offense arising out of the same set of circumstances; or

(2) the juvenile court adjudicates a person a delinquent child who is petitioned for committing or attempting to commit a felony offense and is adjudicated delinquent for that offense or any offense arising out of the same set of circumstances.

The biological specimen or the results of the analysis shall be maintained by the Bureau of Criminal Apprehension as provided in section [299C.155](#).

Subd. 2. **Before release.** The commissioner of corrections or local corrections authority shall order a person to provide a biological specimen for the purpose of DNA analysis before completion of the person's term of imprisonment when the person has not provided a biological specimen for the purpose of DNA analysis and the person:

(1) was initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances, or the person has a past felony conviction in this or any other state; or

(2) is serving a term of imprisonment in this state under a reciprocal agreement although convicted in another state of committing or attempting to commit a felony offense or of any offense arising out of the same set of circumstances if the person was initially charged with committing or attempting to commit a felony offense. The commissioner of corrections or local corrections authority shall forward the sample to the Bureau of Criminal Apprehension.

Subd. 3. **Offenders from other states.** When the state accepts an offender from another state under the interstate compact authorized by section [243.1605](#), the acceptance is conditional on the offender providing a biological specimen for the purposes of DNA analysis as defined in section [299C.155](#), if the offender was initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances. The specimen must be provided under supervision of staff from the Department of Corrections or a Community Corrections Act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision.

Subd. 4. **After supervision expires.** (a) Upon motion of a prosecuting authority, a court shall issue an order to show cause why an offender who should have been ordered or required to provide a biological specimen under this section but did not, should not now be ordered to provide one for the purposes of DNA analysis. This subdivision applies if the offender's sentence or supervision has expired. The prosecuting authority shall provide the court with an affidavit that:

(1) identifies the offender by name and date of birth;

(2) identifies the offender's last known address;

(3) identifies the offender's charged offense, offense of conviction, and date of conviction; and

(4) indicates that the Bureau of Criminal Apprehension database of biological specimens has been searched and the offender has not previously provided a biological specimen for DNA analysis under this chapter.

(b) The order to show cause shall direct the offender to appear before the court within 30 days after the order is

Resources

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Chapter 609

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Section 609.117

[Version List](#)

Topics

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Recent History

[2010 Subd. 4 New 2010 c 256 s 1](#)[2008 Subd. 3 Amended 2008 c 299 s 19](#)[2005 609.117 Amended 2005 c 136 art 12 s 9](#)[2001 609.117 Amended 2001 c 8 art 9 s 6](#)

attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances. The specimen must be provided under supervision of staff from the Department of Corrections or a Community Corrections Act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision.

Subd. 4. After supervision expires. (a) Upon motion of a prosecuting authority, a court shall issue an order to show cause why an offender who should have been ordered or required to provide a biological specimen under this section but did not, should not now be ordered to provide one for the purposes of DNA analysis. This subdivision applies if the offender's sentence or supervision has expired. The prosecuting authority shall provide the court with an affidavit that:

- (1) identifies the offender by name and date of birth;
- (2) identifies the offender's last known address;
- (3) identifies the offender's charged offense, offense of conviction, and date of conviction; and

(4) indicates that the Bureau of Criminal Apprehension database of biological specimens has been searched and the offender has not previously provided a biological specimen for DNA analysis under this chapter.

(b) The order to show cause shall direct the offender to appear before the court within 30 days after the order is served. The prosecutor shall serve the order to show cause upon the offender in the same manner as a civil summons. The offender shall appear at the court by appearing at a place and time designated in the order and voluntarily

Links to session laws

(Laws of Minnesota v.
Minnesota Statutes)

Which year's language
are you interested in?
(Check MSA if possible.)

2010 c 256 s 1

History: [1989 c 290 art 4 s 16](#); [1991 c 232 s 2](#); [1991 c 285 s 11](#); [1993 c 326 art 10 s 15](#); [art 13 s 32](#); [1998 c 367 art 3 s 12, 13](#); [art 6 s 15](#); [1999 c 216 art 3 s 7-9](#); [1Sp2001 c 8 art 9 s 6](#); [2005 c 136 art 12 s 9](#); [2008 c 299 s 19](#); [2010 c 256 s 1](#)

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[2008 Subd. 3 Amended 2008 c 299 s 19](#)

[2005 609.117 Amended 2005 c 136 art 12 s 9](#)

[2001 609.117 Amended 2001 c 8 art 9 s 6](#)

609.117. DNA analysis of certain offenders required

MN ST § 609.117 | Minnesota Statutes Annotated | Crimes; Expungement; Victims (Ch. 609-624) | Effective: August 1, 2010 (Approx. 3 pages)

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Crimes; Expungement; Victims (Ch. 609-624)

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M.S.A. § 609.117

609.117. DNA analysis of certain offenders required[Currentness](#)

Subdivision 1. Upon sentencing. If an offender has not already done so, the court shall order an offender to provide a biological specimen for the purpose of DNA analysis as defined in [section 299C.155](#) when:

- (1) the court sentences a person charged with committing or attempting to commit a felony offense and the person is convicted of that offense or of any offense arising out of the same set of circumstances; or
- (2) the juvenile court adjudicates a person a delinquent child who is petitioned for committing or attempting to commit a felony offense and is adjudicated delinquent for that offense or any offense arising out of the same set of circumstances.

The biological specimen or the results of the analysis shall be maintained by the Bureau of Criminal Apprehension as provided in [section 299C.155](#).

Subd. 2. Before release. The commissioner of corrections or local corrections authority shall order a person to provide a biological specimen for the purpose of DNA analysis before completion of the person's term of imprisonment when the person has not provided a biological specimen for the purpose of DNA analysis and the person:

- (1) was initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances, or the person has a past felony conviction in this or any other state; or
- (2) is serving a term of imprisonment in this state under a reciprocal agreement although convicted in another state of committing or attempting to commit a felony offense or of any offense arising out of the same set of circumstances if the person was initially charged with committing or attempting to commit a felony offense. The commissioner of corrections or local corrections authority shall forward the sample

**609.117. DNA analysis of certain offenders required**

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(e) If the offender has failed to provide the specimen or appear before the court and the prosecuting authority makes a statement showing that the offender was properly served with the order to show cause, the court may issue an order:

- (1) requiring the offender to submit the specimen within 30 days from the date of the order at a designated location;
 - (2) including the designated location's address, telephone number, and regular hours of operation; and
 - (3) authorizing, if the offender fails or refuses to comply with the order to provide a specimen, a peace officer to detain and bring the offender before the court as soon as practicable to show cause why the specimen should not be obtained.
- (e) The local corrections authority shall mail the order in paragraph (d) to the offender's last known address.

Credits

Amended by Laws 2001, 1st Sp., c. 8, art. 9, § 6, eff. July 1, 2001; Laws 2005, c. 136, art. 12, § 9; Laws 2008, c. 299, § 19, eff. July 1, 2008; Laws 2010, c. 256, § 1, eff. Aug. 1, 2010.

Sections 609.001 to 609.22 appear in this volume

Editors' Notes**RULES OF CRIMINAL PROCEDURE**

<Section 480.059, subd. 7, provides in part that statutes which relate to substantive criminal law found in chapter 609, except for sections 609.115 and 609.145, remain in full force and effect notwithstanding the Rules of Criminal Procedure.>

Notes of Decisions (30)

M. S. A. § 609.117, MN ST § 609.117

Current with legislation effective through July 1, 2019 from the 2019 Regular and First Special Sessions. Some statute sections may be more current, see credits for details. The statutes are subject to change as determined by the Minnesota Revisor of Statutes. (These changes will be incorporated later this year.)

End of Document

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609.117. DNA analysis of certain offenders required

MN ST § 609.117 | Minnesota Statutes Annotated | Crimes, Expungement, Victims (Ch. 609-624) | Effective: August 1, 2010 (Approx. 3 pages)

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KeyCite History

**Graphical Statute**

The graphical statute map includes references to prior texts, presidential messages, congressional records, reports and proposed legislation you may want to review.

**Validity (0)**

Investigate the validity of a statute section by viewing cases, session laws and public laws (enacted legislation), and proposed legislation that may negatively impact the statute.

**Versions (3)**

Read the text as it appeared on a particular effective date.

**Editor's and Revisor's Notes (70)**

Review legislative changes affecting a statute section as detailed by West attorney editors or state revisors' offices.

**Bill Drafts (5)**

Determine legislative intent by reviewing drafts of former bills introduced before a statute section was enacted into law.

**Legislative History Materials (69)**

Access legislative history materials relevant to a statute section such as committee reports, floor testimony, and executive messages.

609.117. DNA analysis of certain offenders required

MN ST § 609.117 | Minnesota Statutes Annotated | Crimes: Expungement: Victims (Ch. 609-624) | Effective: August 1, 2010 (Approx. 3 pages)

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Editor's and Revisor's Notes (70)**HISTORICAL AND STATUTORY NOTES****Derivation:**

St.1999 Supp., § 609.3461.

Laws 1999, c. 216, art. 3, §§ 7, 8 .

Laws 1998, c. 367, art. 6, § 15 .

Laws 1998, c. 367, art. 3, §§ 12, 13 .

Laws 1993, c. 326, art. 13, § 32 .

Laws 1993, c. 326, art. 10, § 15 .

Laws 1991, c. 285, § 11 .

Laws 1991, c. 232, § 2 .

Laws 1989, c. 290, art. 4, § 16 .

Laws 1999, c. 216, art. 3, § 9, directed the revisor of statutes to renumber § 609.3461 as this section.

Laws 1999, c. 216, art. 3, § 11, provides in part that §§ 7 to 9, amending subds. 1 and 2 and renumbering § 609.3461 as § 609.117, respectively, are effective July 1, 2000, and apply to offenders sentenced or released on or after that date.

Laws 2001, 1st Sp., c. 8, art. 9, § 6, in subd. 1, corrected citations; and rewrote subd. 2, which formerly read:

"Subd. 2. Before release. The commissioner of corrections or local corrections authority shall order a person to provide a biological specimen for the purpose of DNA analysis before completion of the person's term of imprisonment when the person has not provided a biological specimen for the purpose of DNA analysis and the person:

"(1) was convicted of violating or attempting to violate any of the following or initially charged with violating one of the following sections and convicted of another offense arising out of the same set of circumstances:

"(i) murder under section 609.185, 609.19, or 609.195;

609.117. DNA analysis of certain offenders required

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"(v) kidnapping under section 609.25;

"(vi) false imprisonment under section 609.255;

"(vii) criminal sexual conduct under section 609.342, 609.343, 609.344, 609.345, or 609.3451, subdivision 3;

"(viii) incest under section 609.365;

"(ix) burglary under section 609.582, subdivision 1; or

"(x) indecent exposure under section 617.23, subdivision 3; or

"(2) was sentenced as a patterned sex offender under section 609.108, and committed to the custody of the commissioner of corrections; or

"(3) is serving a term of imprisonment in this state under a reciprocal agreement although convicted in another state of an offense described in this subdivision or a similar law of the United States or any other state. The commissioner of corrections or local corrections authority shall forward the sample to the bureau of criminal apprehension.

"Subd. 3. Offenders from other states. When the state accepts an offender from another state under the interstate compact authorized by section 243.16, the acceptance is conditional on the offender providing a biological specimen for the purposes of DNA analysis as defined in section 299C.155, if the offender was convicted of an offense described in subdivision 1 or a similar law of the United States or any other state. The specimen must be provided under supervision of staff from the department of corrections or a community corrections act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision."

Laws 2005, c. 136, art. 12, § 9, amending this section, also provided that the amendment was effective July 1, 2005, and applies to offenders sentenced, released from supervision, or accepted for supervision on or after that date.

Laws 2008, c. 299, § 19, in subd. 3, substituted a reference to § 243.1605 for a reference to § 243.16.

2010 Legislation

Laws 2010, c. 256, § 1, added subd. 4, relating to obtaining specimens after supervision expires.

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2019 Minnesota Statutes

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Minnesota Statutes Affected by Session Laws

Statute Actions during the 2019 Regular and 1st Special Sessions

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1 to 500 of 2818 Records for during the [2019 Regular and 1st Special Sessions](#) [GO](#)

Statute Chapters and/or Statute Cites, blank for all, dash for range (e.g. 301-303), comma for list (e.g. 301.01,303.01,305.01)

New indicates coding of a new section or subdivision. **Amended** indicates an amendment to an existing section or subdivision, or a newly enacted section or subdivision. **Repealed** indicates a repeal. **Revisor Instruction** indicates changes to a section of Minnesota Statutes resulting from a legislatively enacted revisor instruction. Legislative action not fitting the categories "Amended," "Repeal," "New," and "Revisor Instruction" is designated "Other". Also, the actual Statute text is available both before (when applicable) and after the legislative action for each Statute.

Show

Text	Text	Statute ▲	Subd	Action	Session	Chapter	Article	Section
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2018	2019	2.722	1	Amended	2019 1st Special Session	5	2	1
	2019	3.199		New	2019 1st Special Session	10	5	1
2018	2019	3.85	2	Amended	2019 1st Special Session	8	8	1
	2019	3.855	5	New	2019 1st Special Session	10	2	1
	2019	3.8845		New	2019 1st Special Session	10	2	2
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2018	2019	3.971	9	Amended	2019 1st Special Session	10	2	4
	2019	3.972	2c	New	2019 1st Special Session	3	3	1
	2019	3.972	2d	New	2019 1st Special Session	3	3	2
2018	2019	3.972	4	Repealed	2019 1st Special Session	3	3	140
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2018	2019	3A.01	1a	Revisor	2019 1st Special Session	8	8	23

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Minnesota Statutes Affected by Session Laws

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4 Records Found for 609.117 during the All Legislative Sessions 1994 to present



GO

Statute Chapters and/or Statute Cites, blank for all, dash for range (e.g. 301-303), comma for list (e.g. 301.01,303.01,305.01)

New indicates coding of a new section or subdivision. **Amended** indicates an amendment to an existing section or subdivision, or a newly enacted section or subdivision. **Repealed** indicates a repeal. **Revisor Instruction** indicates changes to a section of Minnesota Statutes resulting from a legislatively enacted revisor instruction. Legislative action not fitting the categories "Amended," "Repeal," "New," and "Revisor Instruction" is designated **"Other"**. Also, the actual Statute text is available both before (when applicable) and after the legislative action for each Statute.

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Text	Text	Statute ▲	Subd	Action	Session	Chapter	Article	Section
2004	2005	609.117		Amended	2005 Regular Session	136	12	9
2000	2001	609.117		Amended	2001 1st Special Session	8	9	6
2007	2008	609.117	3	Amended	2008 Regular Session	299		19
	2010	609.117	4	New	2010 Regular Session	256		1

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attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances. The specimen must be provided under supervision of staff from the Department of Corrections or a Community Corrections Act county within 15 business days after the offender reports to the supervising agent. The cost of obtaining the biological specimen is the responsibility of the agency providing supervision.

Subd. 4. After supervision expires. (a) Upon motion of a prosecuting authority, a court shall issue an order to show cause why an offender who should have been ordered or required to provide a biological specimen under this section but did not, should not now be ordered to provide one for the purposes of DNA analysis. This subdivision applies if the offender's sentence or supervision has expired. The prosecuting authority shall provide the court with an affidavit that:

- (1) identifies the offender by name and date of birth;
- (2) identifies the offender's last known address;
- (3) identifies the offender's charged offense, offense of conviction, and date of conviction; and

(4) indicates that the Bureau of Criminal Apprehension database of biological specimens has been searched and the offender has not previously provided a biological specimen for DNA analysis under this chapter.

(b) The order to show cause shall be served on the offender. If the offender is not located, the order may be served on the offender's last known address. The order is served. The prosecutor shall serve the order on the offender. The offender may avoid appearing before the court and voluntarily providing the specimen.

deciphering 2010 c 256 s 1

(c) Upon the offender's appearance before the court, and after an opportunity to be heard, the court may issue an order directing the offender to provide the specimen.

(d) If the offender has failed to provide the specimen or appear before the court and the prosecuting authority makes a sufficient showing that the offender was properly served with the order to show cause, the court may issue an order:

- (1) requiring the offender to submit the specimen within 30 days from the date of the order at a designated location;
- (2) including the designated location's address, telephone number, and regular hours of operation; and
- (3) authorizing, if the offender fails or refuses to comply with the order to provide a specimen, a peace officer to detain and bring the offender before the court as soon as practicable to show cause why the specimen should not be obtained.

(e) The local corrections authority shall mail the order in paragraph (d) to the offender's last known address.

History: [1989 c 290 art 4 s 16](#); [1991 c 232 s 2](#); [1991 c 285 s 11](#); [1993 c 326 art 10 s 15](#); [art 13 s 32](#); [1998 c 367 art 3 s 12, 13](#); [art 6 s 15](#); [1999 c 216 art 3 s 7-9](#); [1Sp2001 c 8 art 9 s 6](#); [2005 c 136 art 12 s 9](#); [2008 c 299 s 19](#); [2010 c 256 s 1](#)

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Criminal sexual conduct

Dna analysis

Felonies

Foreign states

Juvenile offenders

Recent History

2010 Subd. 4 New 2010 c 256 s 1

2008 Subd. 3 Amended 2008 c 299 s 19

2005 609.117 Amended 2005 c 136 art 12 s 9

2001 609.117 Amended 2001 c 8 art 9 s 6

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Bill #

Minnesota Session Laws - 2010, Regular Session

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Key: (1) ~~language to be deleted~~ (2) new language

Chap. 256

CHAPTER 256--S.F.No. 3116

to public safety; authorizing the collection of DNA from offenders; amending Minnesota Statutes 2008, section 609.117, by adding a subdivision.

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

Section 1. Minnesota Statutes 2008, section 609.117, is amended by adding a subdivision to read:

Sec. 1

Subd. 4. **After supervision expires.** (a) Upon motion of a prosecuting authority, a court shall issue an order to show cause why an offender who should have been ordered or required to provide a biological specimen under this section but did not, should not now be ordered to provide one for the purposes of DNA analysis. This subdivision applies if the offender's sentence or supervision has expired. The prosecuting authority shall provide the court with an affidavit that:

(1) identifies the offender by name and date of birth;

(2) identifies the offender's last known address;

(3) identifies the offender's charged offense, offense of conviction, and date of conviction; and

(4) indicates that the Bureau of Criminal Apprehension database of biological specimens has been searched and the offender has not previously provided a biological specimen for DNA analysis under this chapter.

(b) The order to show cause shall direct the offender to appear before the court within 30 days after the order is served. The prosecutor shall serve the order to show cause upon the offender in the same manner as a civil summons. The offender may avoid appearing before the court by appearing at a place and time designated in the order and voluntarily providing the specimen.

(c) Upon the offender's appearance before the court, and after an opportunity to be heard, the court may issue an order directing the offender to provide the specimen.

(d) If the offender has failed to provide the specimen or appear before the court and the prosecuting authority makes a sufficient showing that the offender was properly served with the order to show cause, the court may issue an order:

(1) requiring the offender to submit the specimen within 30 days from the date of the order at a designated location;

(2) including the designated location's address, telephone number, and regular hours of operation; and

(3) authorizing, if the offender fails or refuses to comply with the order to provide a specimen, a peace officer to

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SF 3116

Status in the **Senate** for the 86th Legislature (2009 - 2010)

Current bill text: 1st Engrossment
Version List

Companion: HF3447
Companion Text
House Search

Revisor number: 10-5864
Session Law Chapter: 256

Long Description

Committee Hearings and Actions

Senate Counsel & Research Summary

Description

Felony offenders DNA collection requirements expansion

Authors

[Scheid](#)

House Authors

[Bigham](#); [Smith](#); [Olin](#); [Holberg](#); [Cornish](#); [Hilstrom](#); [Slocum](#)

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04/28/2010	Governor's action Approval 04/22/10	pg. 10052
04/28/2010	Secretary of State Chapter 256 04/22/10	pg. 10060
	Effective date 08/01/10	

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03/29/2010	Received from Senate	pg. 9762
03/29/2010	Senate file first reading, referred to Finance	pg. 9767
04/12/2010	Committee report, to pass	pg. 10053
04/12/2010	Second reading	pg. 10054
04/12/2010	House rule 1.22, notice of intent to place on Fiscal Calendar	pg. 10070
04/13/2010	Third reading	pg. 10104
04/13/2010	Bill was passed	pg. 10104 vote: 132-0
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Research Report

S.F. No. 3116 - Offender DNA Collection Authorization (First Engrossment)

Author: Senator Linda Scheid
Prepared by: Chris Turner, Senate Research (651/296-4350)
Date: March 24, 2010

The bill authorizes the court, upon motion by the prosecution, to issue an order to show cause why an offender who should have been ordered to submit a DNA sample under Minnesota Statutes, section 609.117, but did not, should be ordered to provide one, even if the offender's sentence has expired. The prosecutor must provide the court with an affidavit that:

- identifies the offender by name and date of birth;
- identifies the offender's last known address;
- identifies the offender's charged offense, offense of conviction, and date of conviction; and
- indicates that the Bureau of Criminal Apprehension database has been searched and the offender has not previously provided a biological specimen for DNA analysis.

The order to show cause shall direct the offender to appear before the court within 30 days unless a specimen is provided.

Upon the offender's appearance in court, the court may issue an order directing the offender to provide the specimen.

If the offender fails to either provide a specimen or appear before the court, the court may issue an order requiring the offender to submit a specimen within 30 days at a designated location, and authorize a peace officer, upon noncompliance, to detain and bring the offender before the court to show cause why the specimen should not be detained.

The local corrections authority shall mail the order to the offender's last known address.

CT:rer

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requirements for appointment as a dealer"

Page 12, after line 25, insert:

"Sec. 8. **EFFECTIVE DATE.**

Sections 1 to 7 are effective the day following final enactment."

Renummer the sections in sequence

Amend the title numbers accordingly

And when so amended the bill do pass. Amendments adopted. Report adopted.

Senator Moua from the Committee on Judiciary, to which was referred

Committee Report

S.F. No. 3116: A bill for an act relating to public safety; authorizing the collection of DNA from offenders; amending Minnesota Statutes 2008, section 609.117, by adding a subdivision.

Reports the same back with the recommendation that the bill be amended as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2008, section 609.117, is amended by adding a subdivision to read:

Subd. 4. **After supervision expires.** (a) Upon motion of a prosecuting authority, a court shall issue an order to show cause why an offender who should have been ordered or required to provide a biological specimen under this section but did not, should not now be ordered to provide one for the purposes of DNA analysis. This subdivision applies if the offender's sentence or supervision has expired. The prosecuting authority shall provide the court with an affidavit that:

(1) identifies the offender by name and date of birth;

(2) identifies the offender's last known address;

(3) identifies the offender's charged offense, offense of conviction, and date of conviction; and

(4) indicates that the Bureau of Criminal Apprehension database of biological specimens has been searched and the offender has not previously provided a biological specimen for DNA analysis under this chapter.

(b) The order to show cause shall direct the offender to appear before the court within 30 days after the order is served. The prosecutor shall serve the order to show cause upon the offender in the same manner as a civil summons. The offender may avoid appearing before the court by appearing at a place and time designated in the order and voluntarily providing the specimen.

(c) Upon the offender's appearance before the court, and after an opportunity to be heard, the court may issue an order directing the offender to provide the specimen.

(d) If the offender has failed to provide the specimen or appear before the court and the prosecuting authority makes a sufficient showing that the offender was properly served with the order to show cause, the court may issue an order:

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04/28/2010	Governor's action Approval 04/22/10	pg. 10060



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Senate Information

Committee Hearings and Actions for S.F. 3116

Date	Committee Hearing or Action
Committee on Judiciary	
03/18/2010	Meeting scheduled for 03:00 PM in Room 15 Capitol
	Meeting Minutes
	Play Audio Download Audio (04:30:15)
03/18/2010	Laid on the table
03/19/2010	Meeting scheduled for 09:00 AM in Room 107 Capitol
	Meeting Minutes
	Play Audio Download Audio (01:47:15)
03/19/2010	Amended and recommended to pass

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Committee on Judiciary
Thursday, March 18, 2010
3:00 PM, Room 15, Capitol

Minutes

Present: Senator Mee Moua - Chair, Senator Mary A. Olson Vice Chair, Senator Don Betzold, Senator Leo T. Foley, Senator Linda Higgins, Senator Warren Limmer, Senator Julianne E. Ortman, Senator Pat Pariseau, Senator Linda Scheid

Absent: No Members Absent

Senator Mee Moua called the meeting to order at 3:12pm.

S.F. 2519: Senator Anderson: Interim public utility rate approval process and standard for approval modification.

Senator Betzold moved that S.F. 2519, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Anderson offered up testimony on SF 2519 (5:10pm) Senator Betzold moves the A6 Amendment - Chris Clark, Attorney, Excel Energy, offered up testimony on A6 Amendment (5:16pm) Senator Betzold renews his motion to move the A6 Amendment Motion Prevails (5:18pm)

S.F. 2866: Senator Sheran: Statewide trauma system modifications and repeal.

Senator Betzold moved that S.F. 2866, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Sheran offered up testimony on SF 2866 (3:46pm) Counsel Kathy Pontius offered up testimony on A2 Amendment Senator Olson moves the A2 Amendment Motion Prevails (3:49pm) Testifiers: - Jim Golden, Director of Public Policy, Minnesota Department of Health (3:50pm) - Tim Held, Director of Statewide Trauma System, Minnesota Department of Health (3:57pm) Committee questions ensued (3:58pm) Senator Betzold moves Oral Amendment on SF 2866, Page 3, Line 1, strike □All□ and insert □Data on patients in□, on Page 3, Line 2, strike □shall be□, on Page 3, Line 3, strike □classified as□ and insert □are□, on Page 3, Line 3, strike □, and□ and insert □.□, and on Page 3 strike Line 4 Motion Prevails (4:02pm)

S.F. 2945: Senator Murphy: Child pornography definition modification.

Senator Betzold moved that S.F. 2945, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Murphy offered up testimony on SF 2945 (4:03pm) Senator Murphy offered up the A1 Amendment Senator Murphy offered up testimony on A1 Amendment (4:04pm) Senator Betzold moves the A1 Amendment Motion Prevails (4:05pm) Testifiers: - Tom Gort, Assistant Winona County Attorney (4:06pm) - Travis Volkman, Goodview Police Officer (4:08pm) Committee questions ensued (4:09pm)

S.F. 3251: Senator Berglin: Sexual psychopathic personalities treatment provisions modifications.

MOTION PREVAILED.

Senator Betzold offered up testimony on SF 2328 (6:36pm)

S.F. 2186: Senator Betzold: Civil commitment county financial responsibility and prepetition clarification.

Senator Betzold moved that S.F. 2186, as amended, recommended to pass and re-referred to the Committee on Finance.

MOTION PREVAILED.

Senator Betzold offered up testimony on SF 2186 (6:40pm) Senator Betzold moves Oral Amendment that on SF 2186, Page 1, Line 12, strike "Minnesota Statutes," Motion Prevails (6:43pm)

S.F. 3116: Senator Scheid: Offender DNA collection authorization.

Senator Ortman moved that S.F. 3116, be laid on the table.

MOTION PREVAILED.

Senator Scheid offered up testimony on SF 3116 (6:44pm) Testifiers: - David Brown, Assistant Hennepin County Attorney (6:44pm) - Steve Redding, Senior Assistant Hennepin County Attorney (6:47pm) Senator Scheid moves Oral Amendment on SF 3116, Page 1, Line 7, after "offender" insert "who is initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances" Motion Prevails (6:52pm) Committee questions ensued (6:53pm) Con: - Yefim Estrin (7:17pm) Senator Scheid moves to reconsider her earlier motion to move Oral Amendment on SF 3116, Page 1, Line 7, after "offender" insert "who is initially charged with committing or attempting to commit a felony offense and was convicted of that offense or of any offense arising out of the same set of circumstances" Motion Prevails Senator Scheid moves to remove her Oral Amendment Motion Prevails Senator Scheid moves Oral Amendment on SF 3116, Page 1, Line 7, after "offender" insert "who was required to provide a biological specimen under this section but did not" Motion Prevails (7:25pm) Committee questions ensued (7:25pm) Senator Ortman moves to lay SF 3116 on the Table (7:35pm)

S.F. 2869: Senator Higgins: Human rights act provisions modifications.

Senator Higgins moved that S.F. 2869, be recommended to pass.

MOTION PREVAILED.

Senator Higgins offered up testimony on SF 2869 (7:36pm) Testifier: - Mario Hernandez, Legislative and Community Affairs Liaison, Minnesota Department of Human Rights (7:37pm) Committee questions ensued (7:39pm)

S.F. 2880: Senator Moua: State Guardian Ad Litem board establishment.

Senator Moua offered up testimony on SF 2880 (3:12pm) Senator Moua moves the A1 Amendment Motion Prevails (3:13pm) Testifier: Pro: - Sue Dorsal, State Court Administrator (3:14pm) Committee questions ensued (3:19pm) Senator Moua moves that SF 2880 as amended be recommended to pass and be referred to the Committee on State and Local Government Operations and Oversight - Mike Harrison, Editor/Publisher, Judicial Common Sense (3:28pm) Con: - Regina Rudloff, Executive Director, Court Appointed Special Advocates Minnesota (3:33pm) Committee questions ensued (3:36pm)

S.F. 2427: Senator Betzold: Trust and guardianship provisions modifications; distribution status clarifications; relationship and inheritance provisions modifications; emergency and temporary conservator appointment authority.

Committee on Judiciary
Friday, March 19, 2010
9:00 AM, Room 107, Capitol

Minutes

Present: Senator Mee Moua - Chair, Senator Mary A. Olson Vice Chair, Senator Don Betzold, Senator Leo T. Foley, Senator Linda Higgins, Senator Warren Limmer, Senator Julianne E. Ortman, Senator Pat Pariseau, Senator Linda Scheid

Absent: No Members Absent

Senator Mee Moua called the meeting to order at 9:17am.

S.F. 3145: Senator Pappas: Controlled substance offenses mixture definition modification and weight measurement mandate.

Senator Betzold moved that S.F. 3145, be recommended to pass.

MOTION PREVAILED.

Senator Pappas moves the A1 Amendment (10:05am) Senator Olson moves the A1 Amendment Motion Prevails (10:05am) Senator Pappas offered up testimony on SF 3145 (10:05am)
Testifier: - Ted Sampsell-Jones, Assistant Professor, William Mitchell (10:06am)

S.F. 2663: Senator Scheid: Motor vehicle sales and distribution costs responsibility and regulation.

Senator Scheid moved that S.F. 2663, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Scheid offered up testimony on SF 3116 (9:20am) Testifier: - Ms. Schlander, Minnesota Auto Dealers Association (9:20am) Senator Betzold moves Oral Amendment on SF 2663, on Page 1, strike Lines 7-17 (Sec. 1) Motion Prevails (9:20am) Senator Scheid offered up testimony on SF 3116 (9:21am) - Ms. Schlander, Minnesota Auto Dealers Association (9:22am) Senator Scheid moves the A2 Amendment Motion Prevails (9:24am) - Sandy Nelan, Automobile Alliance (9:25am)

S.F. 2704: Senator Scheid: Minnesota Nonrecourse Civil Litigation Funding Act.

Senator Scheid moved that S.F. 2704, be recommended to pass.

MOTION FAILED.

Senator Scheid offered up testimony on SF 2704 (9:27am) Testifier: - Eric Schuller, American Legal Finance Association (9:29am) Committee questions ensued (9:34am) - Bob Johnson, Insurance Federation of Minnesota, Minnesotans for Lawsuit Reform (9:50am) Senator Scheid offered up testimony on SF 2704 (9:58am) - Joe Carlson, Association for Justice (9:58am) Committee questions ensued (10:00am) Senator Scheid moves that SF 2704 be recommended to Pass Motion Prevails Division For: 4 Against: 4 Motion Fails (10:04am)

S.F. 2354: Senator Betzold: Data practices violations administrative remedies and civil penalties.

Committee questions ensued (10:27am) - Laurie Beyer-Kropeunski, Information Policy Analysis Division (10:32am) Committee questions ensued (10:35am) - John Melyck, Department of Education, offered up testimony on A4 Amendment (10:39am) Senator Betzold offered up testimony on A4 Amendment Senator Betzold moves the A4 Amendment Motion Prevails (10:40am)

S.F. 2517: Senator Moua: Electronic court documents access authorization.

Senator Moua moved that S.F. 2517, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Moua offered up testimony on SF 2517 (10:51am) Senator Moua offered up the A1 Amendment Senator Moua moves the A1 Amendment Motion Prevails (10:52am) Committee discussion ensued (10:52am) Senator Moua moves Oral Amendment that on the A1 Amendment, Page 1, Line 2, strike "cd rom" and insert "CD Rom", and on Page 1, Line 3, strike "dvd rom" and insert "DVD Rom" Motion Prevails Testifier: - Robert Sycora (10:54am)

S.F. 1126: Senator Moua: Tax-forfeited property uses and conveyances procedures modifications.

Senator Moua moved that S.F. 1126, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Moua offered up testimony on SF 1126 (10:56am) Testifier: - Jason Nord, Minnesota Department of Revenue, offered up testimony on A5 Amendment (10:58am) Senator Moua moves the A5 Amendment Committee questions ensued (11:01am) Senator Moua renews her motion to move the A5 Amendment Motion Prevails (11:02am)

S.F. 2437: Senator Moua: Domestic abuse ex parte court orders for protection expansion.

Senator Moua moved that S.F. 2437, as amended, be recommended to pass.

MOTION PREVAILED.

Senator Moua offered up testimony on SF 2437 (11:03am) Senator Moua moves the A1 Amendment Motion Prevails (11:03am)

S.F. 3028: Senator Stumpf: Pre-kindergarten through grade 12 education appropriations and appropriation reductions.

Not heard.

S.F. 3116: Senator Scheid: Offender DNA collection authorization.

Testifiers: - David Brown, Assistant Hennepin County Attorney (10:43am) Committee questions ensued (10:48am) Senator Scheid moves that A3 Amendment Motion Prevails (10:50am)

The meeting was adjourned at 11:04am.

[Get bill info](#)

Senate Information

Committee Hearings and Actions for S.F. 3116

Date	Committee Hearing or Action
------	-----------------------------

Committee on Judiciary

03/18/2010 Meeting scheduled for 03:00 PM in Room 15 Capitol

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(04:30:15)

3:31:35

03/18/2010 Laid on the table

03/19/2010 Meeting scheduled for 09:00 AM in Room 107 Capitol

MEETING MINUTES

[Play Audio](#)[Download Audio](#)

(01:47:15)

03/13/2010 Amended and recommended to pass

http://www.leg.state.mn.us/senatemedial/audio/2010/cmte_jud_031810.MP3

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What to listen for?

- ✓ Bill's sponsor
 - Why?
- ✓ Controversy/Support
 - Testimony



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SF 3116

Status in the **Senate** for the 86th Legislature (2009 - 2010)

Current bill text: 1st Engrossment
Version List

Companion: HF3447
Companion Text
House Search

Revisor number: 10-5864
Session Law Chapter: 256

Long Description

Committee Hearings and Actions

Senate Counsel & Research Summary

Description

Felony offenders DNA collection requirements expansion

Authors

[Scheid](#)

What about the companion bill?

House Authors

[Bigham](#); [Smith](#); [Olin](#); [Holberg](#); [Cornish](#); [Hilstrom](#); [Slocum](#)

Actions

Separated

Chronological

Senate

03/09/2010	Introduction and first reading	pg. 7444 Intro
03/09/2010	Referred to Judiciary	
03/23/2010	Comm report: To pass as amended	pg. 8899a 1
03/23/2010	Second reading	pg. 8924
03/25/2010	General Orders: To pass	pg. 9003
03/29/2010	Calendar: Third reading Passed	pg. 9249 vote: 54-8
04/15/2010	Returned from House	pg. 9580
	Presentment date 04/19/10	
04/28/2010	Governor's action Approval 04/22/10	pg. 10060

Minnesota House of Representatives

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THE HOUSE WILL CONVENE AT NOON TUESDAY FEBRUARY 11, 2020



House committee hearing information for HF3447

Short Description

DNA collection from offenders authorized.

Companion bill hearings

House Committee Hearings

Thursday, March 11, 2010 [Public Safety Policy and Oversight - Posted meeting schedule.](#)

Wednesday, March 10, 2010 [Crime Victims/Criminal Records Division - Posted meeting schedule.](#)

House Committee Minutes

3/10/2010 [Crime Victims/Criminal Records Division - Meeting minutes & audio.](#)

3/11/2010 [Public Safety Policy and Oversight - Meeting minutes & audio.](#)

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 - *Minnesota Statutes*
 - Paper at State Law Library, Legislative Reference Library
 - Online via the Revisor's website
 - *Minnesota Statutes Annotated*
 - Paper at the State Law Library
 - Online via Westlaw
- Look up the session law to get the bill number.
 - *Laws of Minnesota*
 - Paper at the State Law Library & Legislative Reference Library
 - Online via the Revisor's website
 - Includes statutes and session laws back to territorial days
 - Westlaw
- Next, use House and Senate Journals to see what happened to the bill

2018 Minnesota Statutes

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465.79 ESTABLISHMENT OF BOUNDARY COMMISSION.

Subdivision 1. **City council, town or county board.** By resolution, the city council of a statutory or home rule charter city, town board, or county board may create a boundary commission. Members of the commission shall be residents of the county or counties in which the city or town is located who are familiar with real property.

Subd. 2. **Duties of boundary commission.** Upon initiation by resolution of the governing body or upon petition of an adjoining or affected property owner, the boundary commission shall review property descriptions of the disputed areas in the respective jurisdiction. Upon mailed notice to all known parties in interest, the commission shall attempt to establish agreements between adjoining landowners as to the location of common boundaries as delineated by a certified land survey. If agreement cannot be reached, the commission shall make a recommendation as to the location of the common boundaries within the disputed area. The commission shall prepare a plan designating all agreed and recommended boundary lines and report to the city council, town board, or county board.

Subd. 3. **Hearing.** Upon receipt of the plan and a report from the commission, the city council, town board, or county board shall hold a public hearing. The council, town board, or county board shall give mailed notice to all known parties in interest and published notice 20 days prior to the hearing. The council, town board, or county board shall hear all interested parties and may make adjustments to the proposed plan that it deems just and necessary.

Subd. 4. **Judicial review.** Following the public hearing, the council or board may petition the district court for judicial approval of the proposed plan. If any affected parcel is land registered under chapter 508, the petition must be referred to the examiner of titles for a report. The council or board shall provide sufficient information to identify all parties in interest and shall give notice to parties in interest as the court may order. The court shall determine the location of any contested, disputed, or unagreed boundary and shall determine adverse claims to each parcel as provided in chapter 559. After hearing and determining the location of the boundary, the court shall enter its judgment in the form of a plat complying with chapter 505 and an order designating the boundary lines. Real property taxes need not be paid or interest on the taxes for the period of section 505.04.

Subd. 5. **Special assessments.** The commission may assess the cost of the plan or all of the cost incurred by it against the benefited properties on a per parcel basis as provided in chapter 429.

History: [1990 c 386 s 1](#); [1992 c 493 s 9, 10](#); [1997 c 78 s 1](#)

Resources

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Chapter 465

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Section 465.79

[Version List](#)

Topics

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Recent History

1997 465.79 Amended 1997 c 78 s 1

Session Law
1990 c. 386 s 1

Chap. 386

S.F. 2383

Sec. 1

of Minnesota 1990

CHAPTER 386-S.F.No. 2383

an act relating to cities; permitting the establishment of boundary commissions; proposing pending for new law in Minnesota Statutes, chapter 465.

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

Section 1. [465.79] [ESTABLISHMENT OF BOUNDARY COMMISSION.]

Subdivision 1. [CITY COUNCIL.] By resolution, the city council of a statutory or home rule charter city may create a boundary commission. Members of the commission shall be residents of the county or counties in which the city is located who are familiar with real property.

Subd. 2. [DUTIES OF BOUNDARY COMMISSION.] The boundary commission shall review metes and bounds descriptions within the city. Upon notice to all known parties in interest, the commission shall attempt to establish agreements between adjoining landowners as to the location of common boundaries. If agreement cannot be reached, the commission shall make a recommendation as to the location of the common boundary. The commission shall prepare a plan designating all agreed and recommended boundary lines and report to the city council.

Subd. 3. [HEARING.] Upon receipt of the plan and a report from the commission, the city council shall hold a public hearing. The council shall give mailed notice to all known parties in interest and published notice 20 days prior to the hearing. The council shall hear all interested parties and may make adjustments to the proposed plan that it deems just and necessary.

Subd. 4. [JUDICIAL REVIEW.] Following hearing, the council may petition the district court for judicial approval of the proposed plan. The council shall provide sufficient information

Resources

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Chapter 386

[Version List](#)

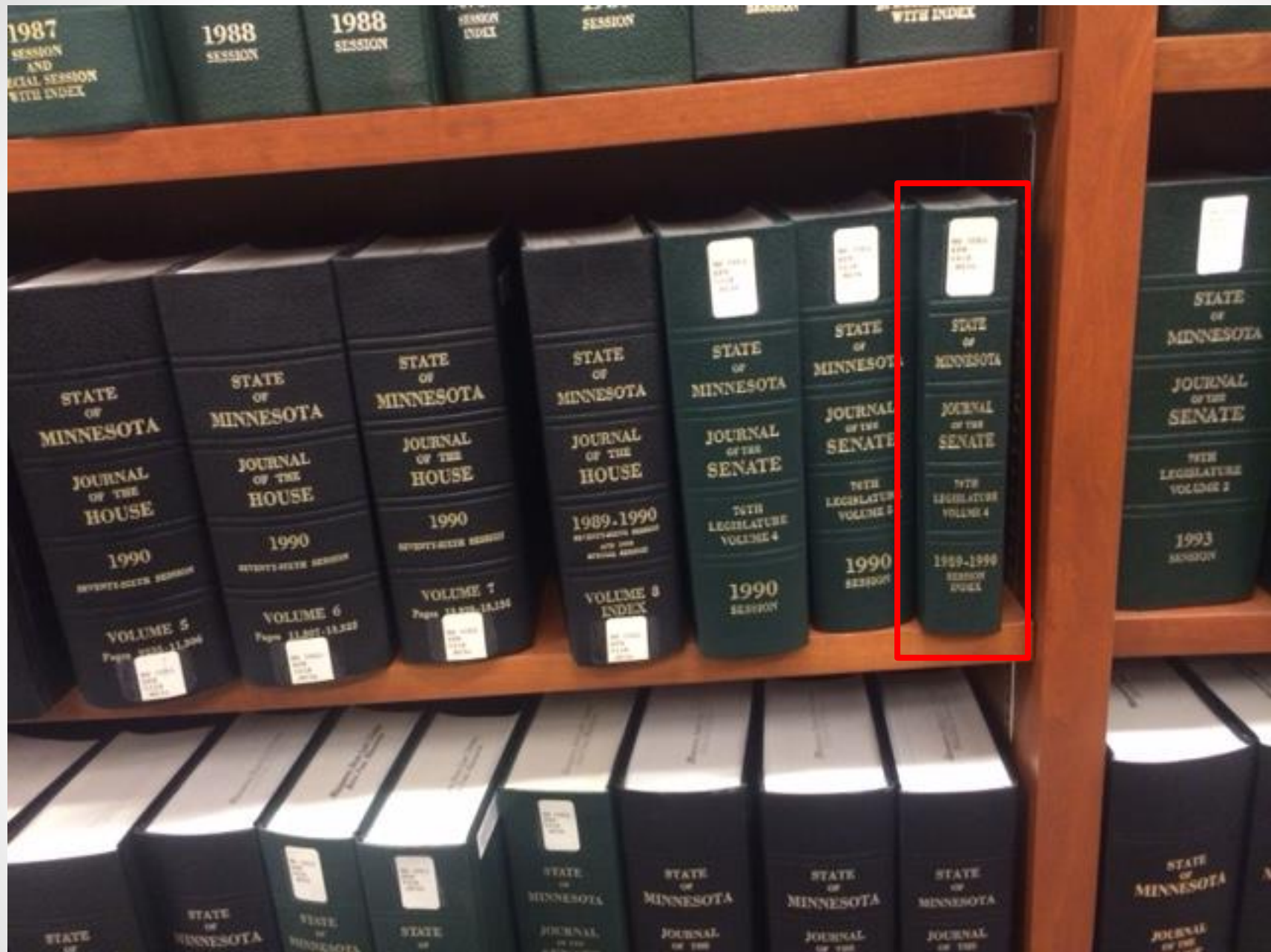
House & Senate Journals

In Print:

Minnesota State Law Library

Minnesota Legislative Reference Library

- ✓ Look up your bill (and companion) in the Index
- ✓ Look up each page listed for the bill.
- ✓ First Reading and Reference – what committee?
- ✓ All dates of committee referrals and committee reports
- ✓ Session debates/votes and conference committee actions
- ✓ Date the conference committee was created and date of the conference committee report



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BILLS OF THE SENATE—Continued

S. E. No.	TITLE	First Reading and Reference	Second Reading	Other Proceedings	Third Reading	Subsequent Proceedings	Returned from House	Approved	Chapter
2383	A bill for an act relating to cities; permitting the establishment of boundary commissions; proposing coding for new law in Minnesota Statutes, chapter 465. (Bertram)	6286	6564	6449 6778a	6862	7754	7376	7753	386
2384	A bill for an act relating to insurance; making changes in policy conversions to conform to federal law; regulating coverages under Medicare supplement plans; clarifying regulatory authority requiring insurers to submit claims experience and earned premiums data; amending Minnesota Statutes 1988, sections 62A...	6286	6772	6736a (H1983)	6977				

First Reading and Referral

6286

JOURNAL OF THE SENATE

[66TH DAY

Mr. Anderson introduced—

S.F. No. 2378: A bill for an act relating to transportation; directing commissioner of transportation to erect sign.

Referred to the Committee on Transportation.

Messrs. Solon, Metzen and Purfeerst introduced—

S.F. No. 2379: A bill for an act relating to retirement; establishing a maximum monthly benefit for the surviving spouse and dependent children of basic pension plan members; amending Minnesota Statutes 1988, section 353.31, subdivision 1.

Referred to the Committee on Governmental Operations.

Messrs. Frederickson, D.R.; Knaak; Decker; Mrs. Pariseau and Mr. Piepho introduced—

S.F. No. 2380: A bill for an act relating to environment and natural resources; authorizing the issuance of state bonds and expenditure of their proceeds for wastewater treatment grants and the reinvest in Minnesota program; and appropriating money.

Referred to the Committee on Environment and Natural Resources.

Mr. Purfeerst introduced—

S.F. No. 2381: A bill for an act relating to highways; substituting new Legislative Route No. 298 in the trunk highway system.

Referred to the Committee on Transportation.

Messrs. Dicklich, Merriam, Marty, Storm and Samuelson introduced—

S.F. No. 2382: A bill for an act relating to energy conservation; appropriating oil overcharge money for energy conservation projects that directly serve low-income Minnesotans; amending Minnesota Statutes 1988, section 4.071; and Laws 1989, chapter 338, section 11; repealing Laws 1989, chapter 338, section 11, subdivisions 1 and 3.

Referred to the Committee on Finance.

Mr. Bertram introduced—

S.F. No. 2383: A bill for an act relating to the city of Upsala; permitting the establishment of a boundary commission.

Referred to the Committee on Local and Urban Government.

Mrs. Flynn, Messrs. Vickers, Solon, Morse and Frederickson, D.R. introduced—

S.F. No. 2384: A bill for an act relating to insurance; regulating coverages under Medicare supplement plans; requiring insurers to submit claims experience and earned premiums data; amending Minnesota Statutes 1988, 62A.36, by adding a subdivision; Minnesota Statutes 1989 Supplement, 62A.31, subdivision 2; 62A.315; and 62A.316.

March 6, 1990

Which committee
and on what date?

Page 6778a

March 19, 1990

The motion prevailed. So the amendment was adopted.
S.F. No. 1104 was then progressed.

S.F. No. 772, which the committee recommends to pass with the following amendment offered by Mrs. Pariseau:

Page 2, after line 1, insert:

"Sec. 2. [EFFECTIVE DATE.]

Section 1 is effective November 15, 1990."

The motion prevailed. So the amendment was adopted.

S.F. No. 2383, which the committee recommends to pass with the following amendment offered by Mr. Knaak:

Page 1, delete sections 1 and 2

Page 1, delete line 23 and insert:

"Section 1. [465.79] [ESTABLISHMENT OF BOUNDARY COMMISSION.]"

Page 2, line 1, delete "the city of Upsala" and insert "a statutory or home rule charter city"

Page 2, line 2, delete "Morrison" and insert "the" and after "county" insert "or counties in which the city is located"

Page 2, line 14, delete "Upsala"

Page 2, line 21, delete "in Morrison county"

Page 2, line 32, delete "of Upsala"

Pages 2 and 3, delete section 4

Amend the title as follows:

[2ND DAY]

MONDAY, MARCH 19, 1990

6779

Page 1, line 2, delete "the city of Upsala" and insert "cities"

Page 1, line 3, delete "a" and delete "commission" and insert "commissions; proposing coding for new law in Minnesota Statutes, chapter 465"

The motion prevailed. So the amendment was adopted.

S.F. No. 2267, which the committee recommends to pass with the following amendment offered by Mr. Benson:

Page 1, line 7, after "mandate," insert "or" and after "require" delete the comma

Page 1, line 8, delete "or suggest to" and delete "that the peace officer" and insert "to"

The motion prevailed. So the amendment was adopted.

H.F. No. 951, which the committee recommends to pass with the following amendment offered by Mr. Dicklich:

Amend H.F. No. 951, the unofficial engrossment, as follows:

Page 4, after line 2, insert:

"Recovery of costs under clause (4) may be made only from the class of customers to which the rate is offered and not from residential customers."

Page 4, line 30, delete "any other provision of this chapter" and insert "section 216B.03, 216B.05, 216B.06, 216B.07, or 216B.16"

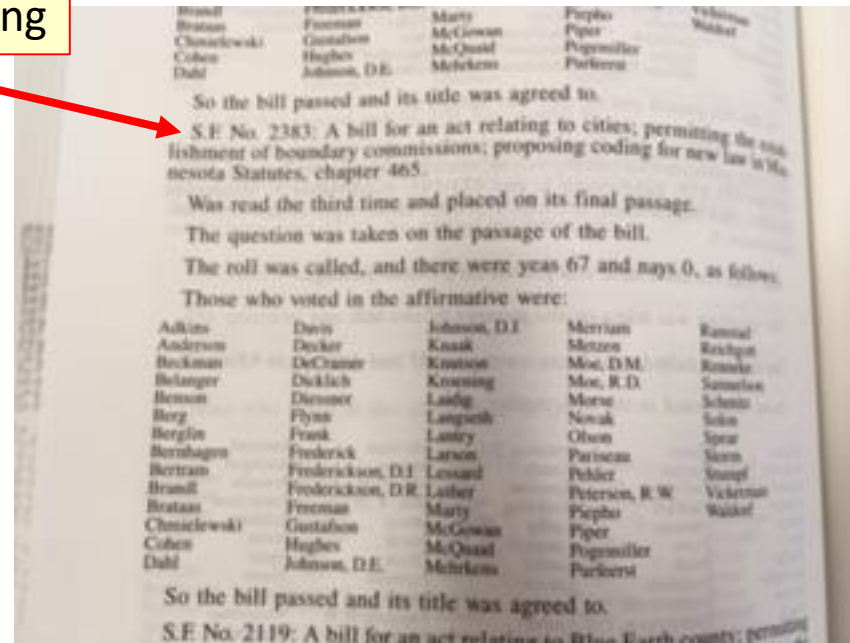
Page 7, line 31, delete "commission's" and insert "department's"

The motion prevailed. So the amendment was adopted.

S.F. No. 1670, which the committee recommends to pass with the following amendment offered by Mr. McGowan:

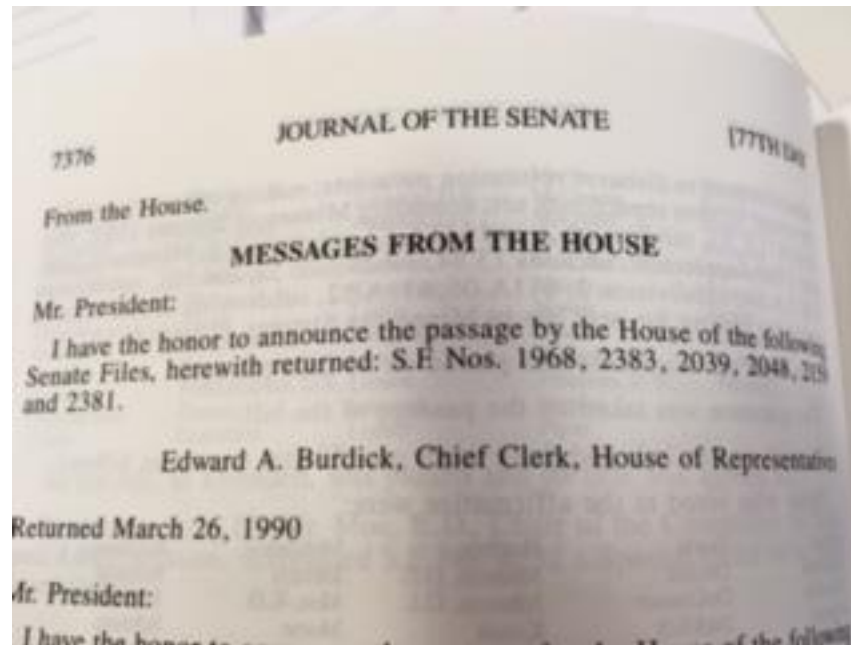
March 20, 1990

Third reading



Returned from House

March 26, 1990



Dates to Note

- March 6, 1990 – went into committee on Local & Urban Govt
- March 20, 1990 – 3rd reading and approval vote
- March 26, 1990 – out of committee

House Journal – look for
table of companion bills

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COMPANION NUMBERS FOR BOTH HOUSE AND SENATE BILLS SEVENTY-SIXTH SESSION—1989-1990

DIRECTIONS: The following table lists all companion numbers for both House and Senate Files. To find either a House or a Senate companion number, read down the Bill Number Column to find the number you want, either a House or a Senate number, and the corresponding companion number will be found in the proper column adjoining.

Example:	Bill Number	House Companion	Senate Companion
	1	380	26

In the above example, House File No. 1 has Senate File No. 26 as its companion and Senate File No. 1 has House File No. 380 as its companion.

Senate Number	Bill Number	House Companion	Senate Companion
------------------	----------------	--------------------	---------------------

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Example 2 - you've got your dates, now what?

Obtain meeting minutes

- Minnesota Historical Society Library
 - House committee minutes for 1919-1998
 - Senate committee minutes for 1911-1998
 - Judiciary committee – 1883-1910
- Minnesota Legislative Reference Library
 - Committee minute books from 1999 to present

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▼ 1993-1994

Location

103.E.3.2F

Agriculture Committee and Subcommittees for Agriculture Finance, Dairy and Livestock, Soil and Water. Volume 1. 1993-1994.

Capital Investment Committee. Volume 1. 1993-1994.

Commerce and Economic Development Committee.

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Consumer Protection, Economic Equality, International Trade Subcommittees. Volume 1. 1993-1994.

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103.E.3.3B

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Economic Development, Infrastructure and Regulation Finance Committee.

Index; Volume 1. January-February 15, 1993.

Location

103.E.3.4F

Volume 2. February 16-March 11, 1993.

Volume 3. March 15-April 21, 1993.

Volume 4. April 22, 1993-March 23, 1994.

Location

103.E.3.5B

Volume 5. March 24-April 15, 1994.

Education Committee.

Volume 1. 1994.

Volume 2/Education Standards and Higher Education Policy Subcommittees. 1994.

Higher Education Finance Division Subcommittee. Volume 1. 1993-1994.

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103.E.3.6F

K-12 Education Finance Division Subcommittee.

Volume 1. 1993.

Volume 2. 1994.

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103.E.3.7B

Environment and Natural Resources Policy Committee.

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Volume 2. March 1993.

Location

103.E.3.8F

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Volume 3. April 1993-February 9, 1994.

Volume 4. February 10-April 15, 1994.

Environmental and Natural Resources Finance Committee. Volume 1. 1993-1994.

Ethics Committee. Volume 1. 1993-1994.

Location

103.E.3.9B

Financial Institutions and Insurance Committee and Subcommittee for Banking and Insurance. Volume 1. 1993-1994.

General Legislation, Veterans Affairs and Elections Committee,

Look for year,
then committee

Identify the
location of the
dates you need.

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1993-1994.

Taxes and Tax Laws Committee.

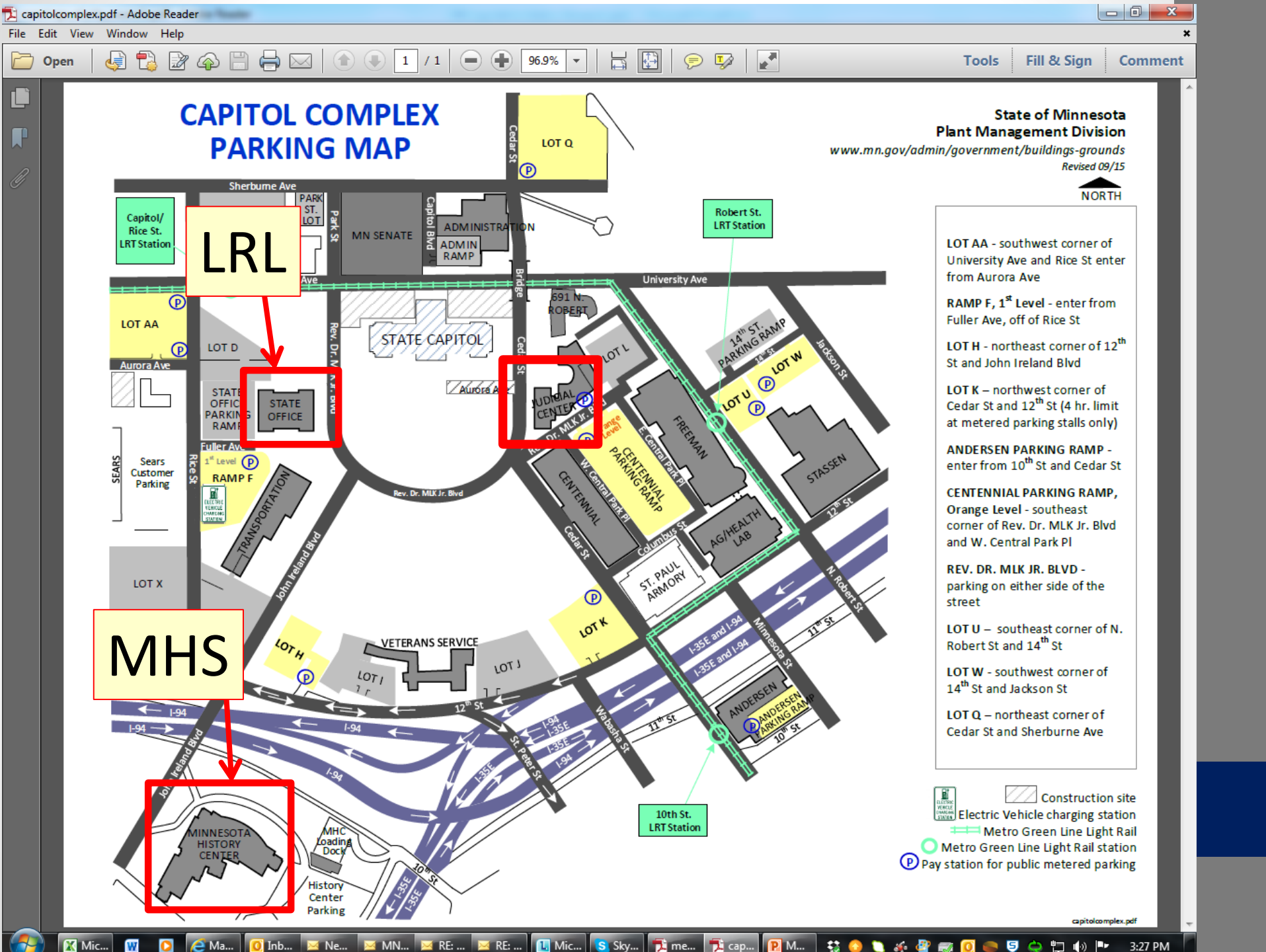
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Volume 4. March-April 5, 1994.
Volume 5. April 8-19, 1994.

Income and Sales Tax Subcommittee. Volume 1. 1993-
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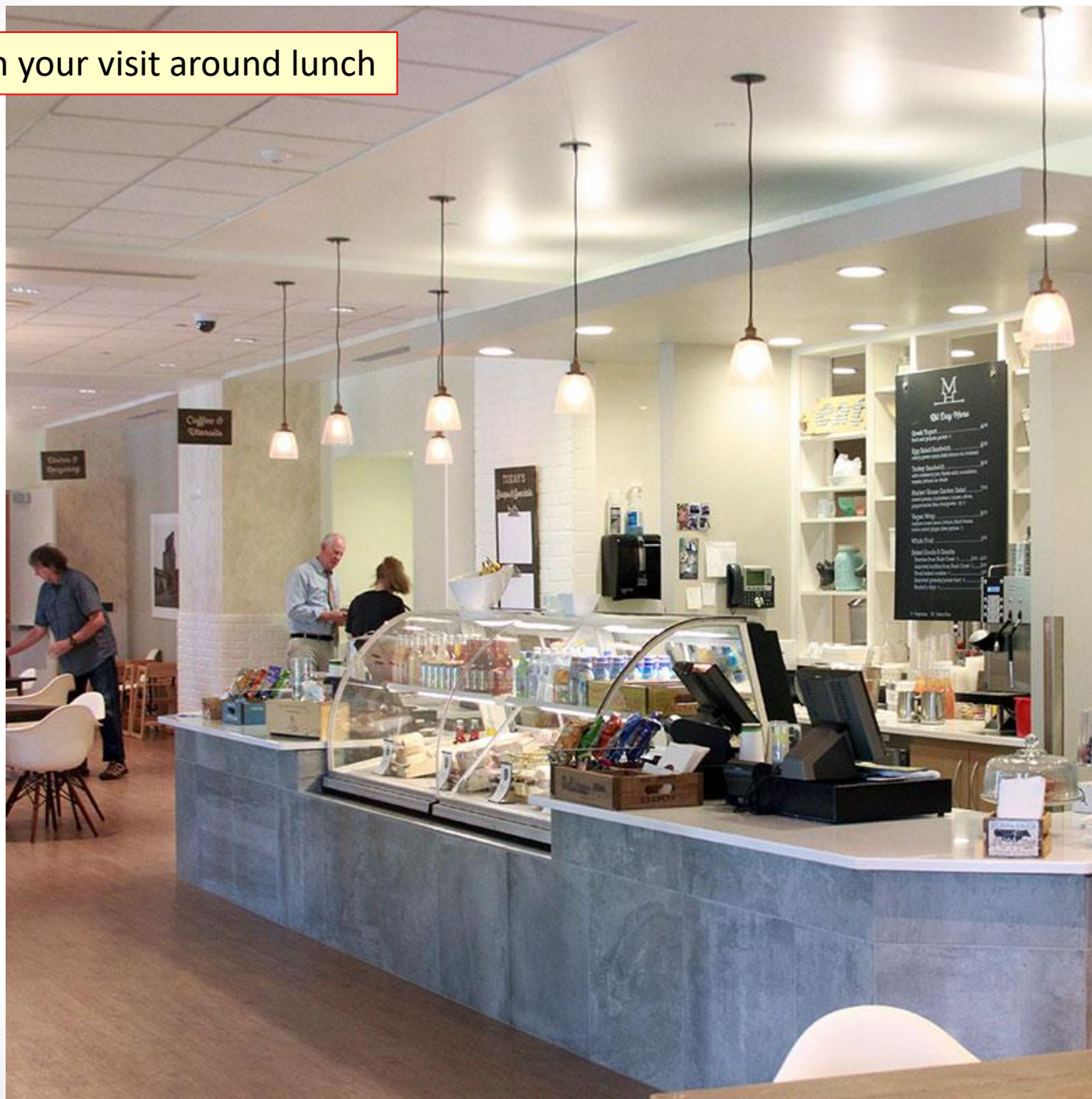
Example 2 - you've got your dates, now what?

Visiting the Minnesota Historical Society Library

- On the Capitol Complex
- Check the hours (not same as other MN departments)
- Give yourself several hours
- Bring:
 - Relevant dates of committee action
 - Copies of Journal pages
 - ID – you must register
 - Pencil and paper
- Leave in the car or put in locker:
 - Pens and markers
 - Bags, purses, briefcases
 - Coats
- Be aware - you cannot make copies yourself
 - Camera



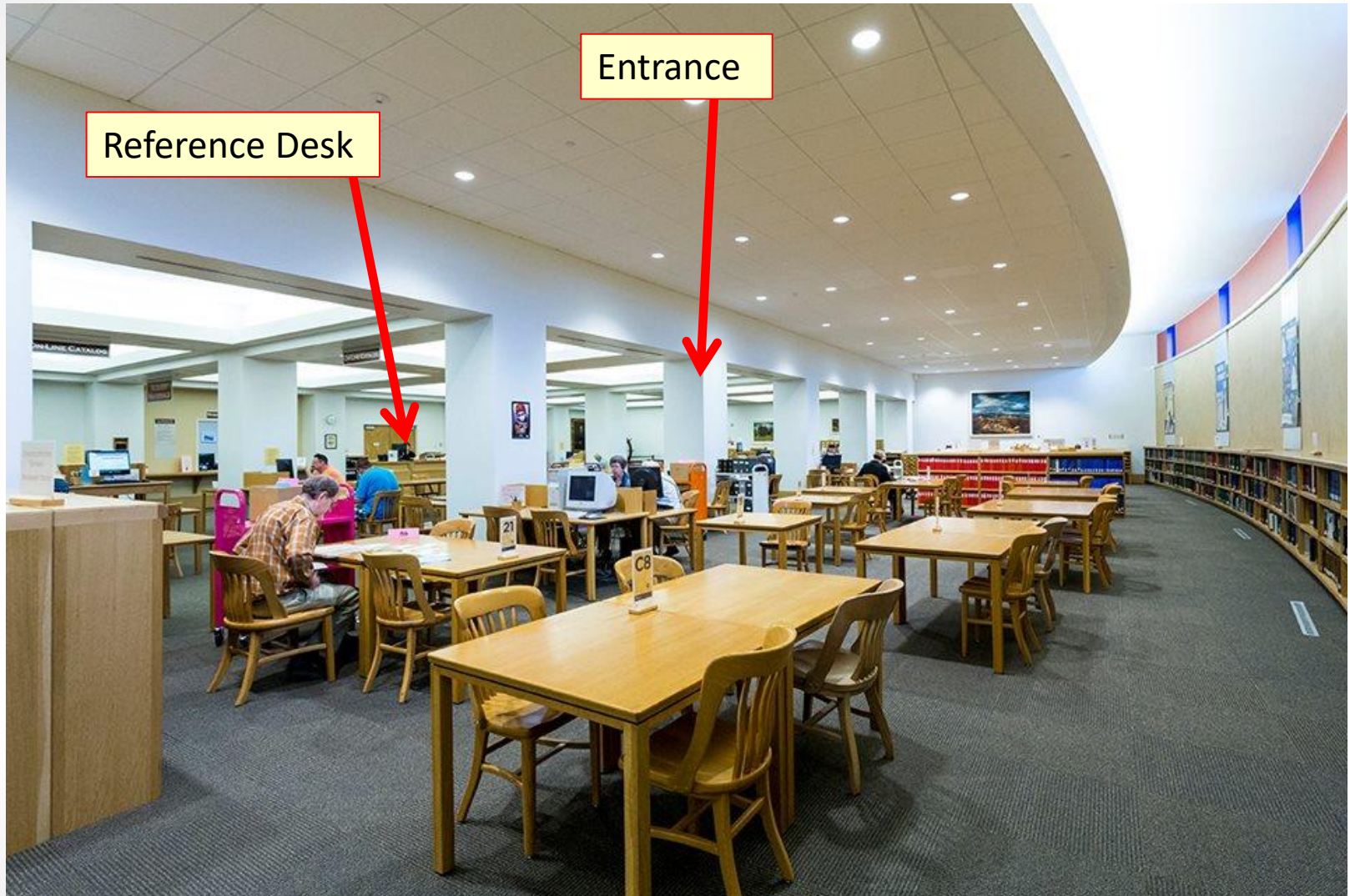
Plan your visit around lunch





Entrance

Reference Desk



Fill out the
request slip



MINNESOTA HISTORICAL SOCIETY Request Slip

(Your Name)

(Table Number)

(Date)

Title (one per slip)

LOCATION #

Box # / Volume # / Date

out

in

hold



Materials must be used in Weyerhaeuser Room only

Society Staff Use Only

Reference Staff Use Only

Dept. _____

Restricted _____

Phone _____

Item not on shelf _____

Time _____

STATE ARCHIVES
NOTEBOOKS
COUNTY & LOCAL
GOVERNMENT

HEAVY

103.E.4.5B

MINNESOTA STATE ARCHIVES

LEGISLATURE.
House.
Committee books.

Box 207

MINNESOTA HISTORICAL SOCIETY

FEBRUARY 23, 1994

FEBRUARY 22, 1994

FEBRUARY 17, 1994

JANUARY 24, 1994

FEBRUARY 28, 1994

MARCH 2, 1994

MARCH 4, 1994

MARCH 10, 1994

MARCH 14, 1994

HSE JUDICIARY COMMITTEE
JANUARY - MARCH 16, 1994
VOLUME #4

Write down
dates of
hearings you
want to listen to

HOUSE OF REPRESENTATIVES
STATE OF MINNESOTA

THIRTY-FOURTH MEETING
March 7, 1994

Representative Pugh renewed his motion that H.F. 2099 be recommended to pass and sent to the floor. The MOTION PREVAILED.

H.F. 2351

Representative Skoglund moved that H.F. 2351 be recommended to pass and included in the Judiciary Committee's Omnibus Crime Bill.

→ Don Peterson from the Bureau of Criminal Apprehension testified.

Representative Skoglund renewed his motion that H.F. 2351 be recommended to pass and included in the Judiciary Committee's Omnibus Crime Bill. The MOTION PREVAILED.

H.F. 1966

Representative Brown moved that H.F. 1966 be recommended to pass.

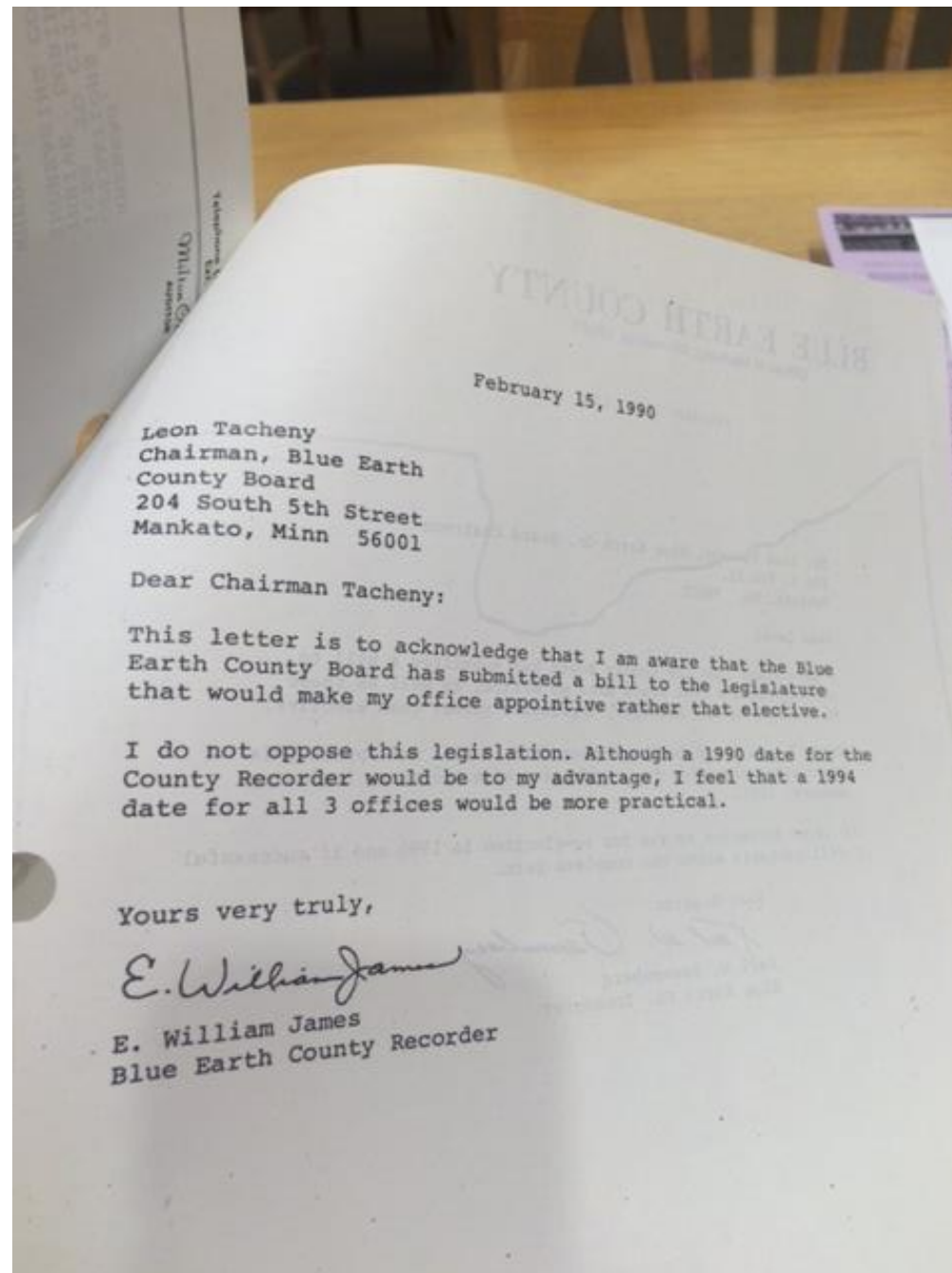
→ Representative Doug Peterson explained the bill.

→ Testifying were:

Patrick Joyce, Conservation Officer, State of Minnesota
Mark Shields, Office of the Attorney General

Other examples

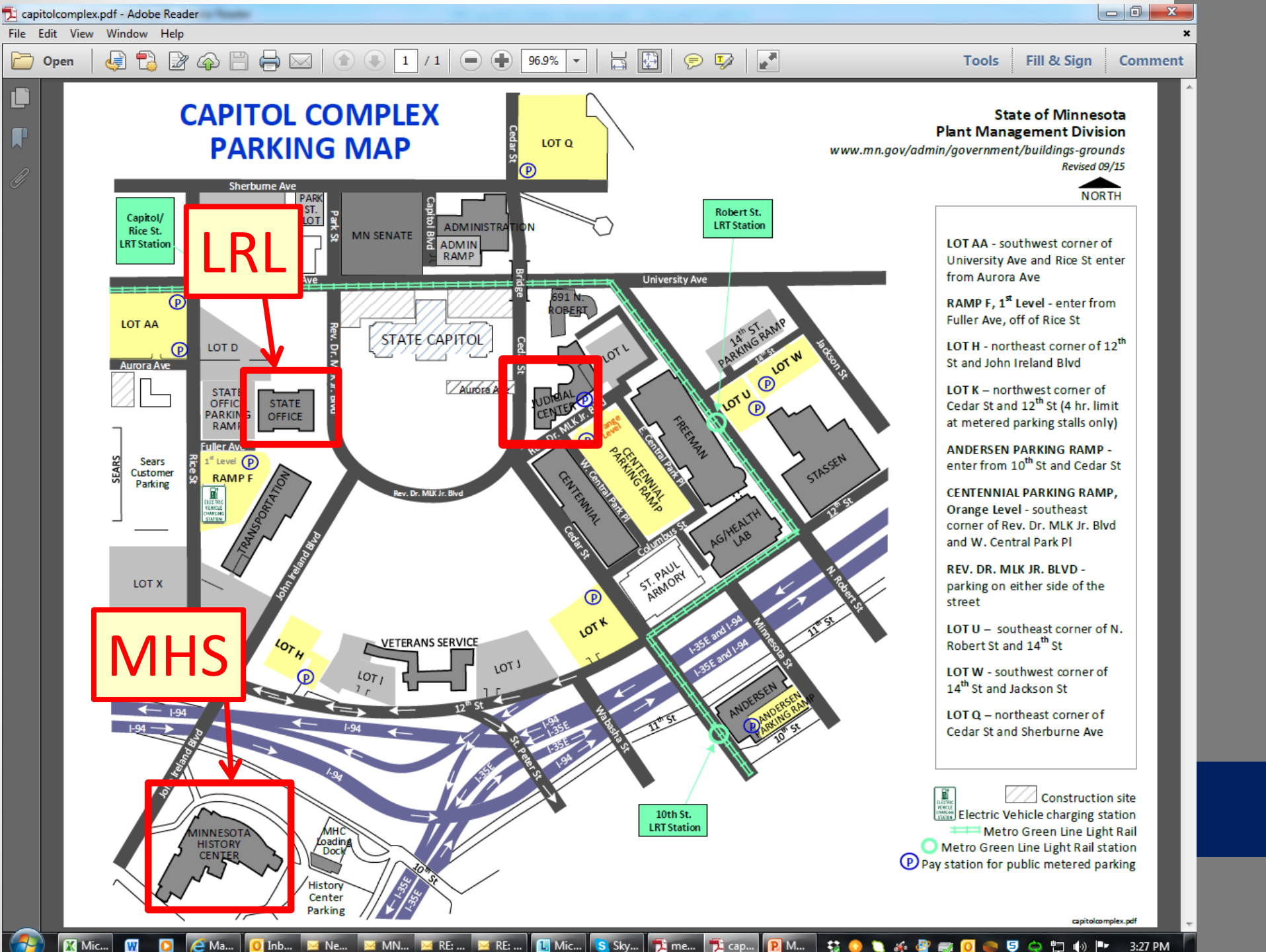
Example:
Attachment
to minutes



Example 2

Visiting the Minnesota Legislative Reference Library

- On the Capitol Complex
- Give yourself adequate time
- Bring:
 - Relevant dates of committee action





Minutes binders

ENVIRONMENT,
ECONOMIC DEVELOPMENT
& AGRICULTURE BUDGET DIVISION
OF THE COMMITTEE ON FINANCE
2015
LEGISLATIVE SESSION
BOOK III of III

Health &
Human Services
Budget
Division
2015
Book 1 of 7

Health &
Human
Services
Budget
Division
2015
Book 2 of 7

Health &
Human
Services
Budget
Division
2015
Book 3 of 7

What if the law is too old?

It's pre-1991 and there are no recordings!

- Old CLEs
 - State Law Library keeps all old MN CLEs
- Newspaper coverage
 - Star Tribune 1986-current (via eLibrary Minnesota)
 - MHS Newspaper Collection
 - Largest single collection of Minnesota newspapers with dates ranging from 1849 to the present day
 - Historical Minneapolis Tribune 1867-1922 on the internet via MHS website
- Law review or bar journal articles
 - Westlaw (not comprehensive for all publications and dates)
 - MN Legal Periodical Index (index of MN legal articles 1984-present)
 - Paper copies of articles available at State Law Library
 - Google Scholar (indexes some HeinOnline content)

What if the law is too old?

It's pre-1991 and there are no recordings!

- *Session Daily* – archived [back to 2004](#)
- *Session Weekly & Senate Briefly*
 - Issues from 1985 to the present are available at the Legislative Reference Library, with some online (SW - [1995-2012](#)) and SB- [1995-2009](#))
 - Both publications summarize their respective committees' discussions and floor actions on a weekly basis during Session.
- Session Notebooks at LRL
- Legislative Time Capsule - back to territorial legislature
<https://www.leg.state.mn.us/lrl/timecapsule/>

Minnesota Legislative Reference Library

[Books & Reports](#) [Magazines](#) [Newspapers](#) [Historical](#) [Guides](#) [Links](#) [Legislative History](#) [Library Info](#)[Legislature](#) > [LRL Home](#) > [Historical Information](#) > [Legislature](#) > [Legislative Time Capsule](#) > [Session](#)

Legislative Time Capsule - 80th Legislature (1997-1998)

80th Legislature (1997-1998) ▾

Go

[Session Dates](#)[Legislation](#)[Vetoes](#)[Legislators](#)[Party Control](#)[Governor](#)

Session Dates ([All Sessions](#))

	Convened	Adjourned	Calendar Days	Legislative Days - House	Legislative Days - Senate
1997	1/7/1997	5/19/1997	133	63	63
1997 1st Special Session K-12 education appropriations, DWI (also considered government data practices).	6/26/1997	6/26/1997	1	1	1
1997 2nd Special Session Flood relief (also considered commissioners' pay, minimum wage).	8/19/1997	8/19/1997	1	1	1
1997 3rd Special Session Funding for baseball stadium. House adjourned 11/13/1997.	10/23/1997	11/14/1997	23	3	4
1998	1/20/1998	4/9/1998	80	46	46
1998 1st Special Session Clarify intent to allow recovery for fraud pursuant to Minn. Stat. 604.10; issues relating to economic development and Early Childhood and Family Education. Senate adjourned on 4/20/1998.	4/20/1998	4/22/1998	3	3	1

Legislation ([All Sessions](#))

	House - Bills Introduced	Senate - Bills Introduced	Laws	Resolutions
1997	2255 Search	2003 Search	235 Search	4
1997 1st Special Session	1 Search	9 Search	5 Search	0
1997 2nd Special Session	5 Search	9 Search	3 Search	0
1997 3rd Special Session	36 Search	26 Search	3 Search	1
1998	1629 Search	1422 Search	145 Search	4
1998 1st Special Session	6 Search	8 Search	3 Search	0

Schedules

Agenda: HF725 (Wagenius) Early childhood technology grant program established, and money appropriated.

HF1676 (Pawlenty) Infant development pilot project established, and money appropriated.
HF99 (Clark) Emergency human services grant program established, and money appropriated.

GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

300N State Office Building

Chr. Rep. Bob Milbert

Agenda: HF1793 (Kinkel) Park Rapids veterans memorial provided, and money appropriated.

HF1463 (Mahon) Local office candidate campaign contribution limit provisions clarified.

HF423 (Orfield) Metropolitan Council made an elective body and provided public campaign financing, and penalties imposed.

HF104 (Sviggum) Legislative ethics committees and procedures established, former legislators prohibited from lobbying for one year after leaving office, and fair campaign practices advisory board established.

Referrals from other policy committees. Bills may be added.

LABOR-MANAGEMENT RELATIONS

200 State Office Building

Chr. Rep. Richard Jefferson

Agenda: HF1383 (Kinkel) Occupational safety and health notice service provisions modified.

HF1710 (Koskinen) Railroad employees provided counseling and leaves of absence following railroad accidents.

HF1512 (Bakk) Educational building construction, improvement, or remodeling designated a project.

HF216 (Mariani) Employment contract provisions

After Session

ENVIRONMENT & NATURAL RESOURCES

200 State Office Building

Chr. Rep. Willard Munger

Agenda: Continuation of 10 a.m. meeting agenda.

JUDICIARY

Basement Hearing Room

State Office Building

Chr. Rep. Wes Skoglund

Agenda: Continuation of 10 a.m. meeting agenda.

LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

300N State Office Building

Chr. Rep. Ann H. Rest

Agenda: HF1290 (Tomassoni) County tax nonpayment redemption period expiration provided.

HF1291 (Tomassoni) St. Louis County court bailiffs added to the unclassified service.

HF1301 (Slawik) St. Paul and Ramsey County joint public health department personnel provisions defined.

HF1338 (Molnau) Municipal consolidation authorized.

HF1372 (Biernat) St. Paul and Minneapolis school boards directed to develop a transportation plan using public transportation.

HF1379 (Huntley) Duluth Miller-Dwan Medical Center assets and liabilities transferred.

HF1390 (Solberg) Floodwood Joint Recreation Board tax levies regulated.

HF1470 (Rukavina) Virginia area ambulance district establishment authorized, levy authorized,

200 State Office Building

Chr. Rep. Stephen Wenzel

Agenda: Continuation of 10 a.m. meeting agenda.

TUESDAY, March 25

8 a.m.

EDUCATION

200 State Office Building

Chr. Rep. Lyndon Carlson

Agenda: HF1213 (Goodno) Moorhead land transfer authorized (division report).

HF747 (Kahn) State high school league governing board appointing authority provisions modified.

Judiciary Finance Division/ JUDICIARY

500N State Office Building

Chr. Rep. Mary Murphy

Agenda: Agency budget presentations: Department of Corrections - Employee Concerns, Rep. Thomas Pugh. County Issues, Reps. Sherry Broecker, Thomas Pugh.

Criminal justice education funding issues: Minnesota State Colleges and Universities (MnSCU); POST Board; and Department of Finance.

Review of technology requests for criminal justice information system: Supreme Court; and Department of Public Safety.

Sales and Income Tax Division/TAXES

300S State Office Building

Chr. Rep. Alice Johnson

Bill Summaries

portation and Transit Finance Division.

Yellow lights flashing

Last November, a person driving a pickup truck approached a school bus from behind, and although the yellow warning lights on the bus were flashing, the pickup driver slipped onto the road shoulder and passed the bus.

At the time, the bus was slowing to a halt near the home of Hampton-area resident Linda Homan, who was seeing her 5-year-old daughter off to kindergarten. Homan said she and her daughter were fortunate to escape without being hit when the pickup passed “right on our toes.”

Homan did not have such good luck when she tried to get police to do something about the incident.

“We are very concerned that these school bus violations are being taken far too lightly by our legal system,” Homan said during March 17 testimony before the House Transportation and Transit Committee.

Homan noticed the license plate number of the passing pickup and figured she had the driver dead to rights. She was disappointed

transit is a subject that seemingly has been studied from every conceivable angle. Now, as the Minnesota Department of Transportation (MnDOT) is preparing to study several new highway alternatives, another commuter transit proposal has emerged in the House.

Rep. Jean Wagenius (DFL-Mpls) is sponsoring HF738, directing MnDOT to study the feasibility of using existing metropolitan area freight railroad tracks for a commuter rail service. This study would be one among many to address the region’s commuter transportation needs between 2001 and 2020. The bill was approved by the House Local Government and Metropolitan Affairs Committee March 18. No appropriation was attached to the proposal.

Al Vogel of MnDOT told the panel that such commuter rail systems typically do not run all day but rather as peak-period commuter trips. “This is not light rail transit,” he said. “In other cities commuter rail most often uses existing tracks and operates in a way that is compatible

HF454, sponsored by Rep. Alice Johnson (DFL-Spring Lake Park), would allow collector car owners to preserve the “lines and design” of their vehicles, most of which were manufactured without a front license plate bracket.

Under the bill, certain vehicles from model years 1968 and earlier would be allowed to display only a rear license plate. The bill would cover automobiles registered as pioneer, classic, or collector cars and street rods.

All such registrations require that the vehicle be used as a collector’s item and not for general transportation.

Rep. Rich Stanek (R-Maple Grove), who is a Minneapolis police officer, was one of the two House members to vote against the bill. Allowing such vehicles to travel with only one license plate could hinder police investigations of hit-and-run accidents and other incidents.

“You’ve just cut your chances of identifying that vehicle by 50 percent,” Stanek said. The bill now moves the Senate.

Baby talk



Session Notebooks

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1971
SESSION

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18

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Summaries:
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previews/summaries about the session in general and clippings about notable bills

**A Review of Minnesota
Session Laws / Third Special Session
of 1981 / 1982 Regular Session / First
Special Session of 1982 / by Gary Park**

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Chapter 2)

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Payments Withheld	2
State Agency Reductions	2
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Omnibus Education Aids Act of 1982

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Omnibus Education Aids Act of 1982
Foundation Aid and Levies, Property Tax Shift
Transportation Aid
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 four-day week
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 administrator layoffs
 St. Paul borrowing limit
Vocational Education
Other Aids and Levies
 aid rates
 summer school levy
 summer community education
 job placement levy
 capital expenditures
 lunch appropriations
 regional libraries
CQE

New drunk-driver law praised for toughness

By Allen Short
Staff Writer

Minnesota's tough new drunk-driving law was lauded today by state law enforcement officials, who promptly tempered their praise by saying they may not have enough officers to enforce it properly.

"I'm pretty happy with it," said State Patrol Chief Roger Ledding of the new law. "It does away with a lot of obstacles that stood in the way of enforcement."

But Ledding and Forst Lowery, Alcohol Program Coordinator for the Public Safety Department, said the new measure won't affect the number of police officers available to make arrests of drunk drivers.

"I hope no one thinks the problem is going to go away with a good law," said Lowery. "Without massive increases in the number of drivers caught, we're not going to make any massive reduction in the drunk-driver problem in Minnesota."

Ledding predicted the bill passed unanimously Saturday by the Minnesota House and Senate will lead to an increase in DWI arrests by state patrol officers, who last year arrested a record 7,097 drivers, but only under one condition:

"We can expect a greater number only if we're able to

maintain the patrol at its present strength," he said.

The patrol could lose as many as 40 of its 496 positions through an early retirement program approved by the Legislature as a cost-cutting move.

"If we're not able to replace these people, we may not see any increase at all (in DWI enforcement)," Ledding said.

The new law — the political darling of the 1982 Minnesota Legislature — provides for speedier trials and harsher penalties for drunk drivers. It also creates a new "impaired-driving" category that allows a police officer to issue a warning to drivers who are near but not over the legal intoxication limit.

Gov. Al Quie has said he will sign the bill into law.

Here are some of the measure's highlights:

- A driver who refuses or fails an alcohol test will have his license to drive revoked within seven days. This provision eliminates court maneuvers under which some DWI suspects have delayed license revocation for more than a year.

- A police officer may now demand that a driver take an alcohol test after being stopped for any reason. If an officer stops a motorist for having a headlight out and smells alcohol on the driver's breath, for example, the officer can require the test. Until

now, an officer had to have other forms of "probable cause" for the breath test, such as witnessing erratic driving.

- Drivers whose blood alcohol levels are between .07 percent and .10 percent are now subject to a charge of "impaired driving." A warning will be issued to first-time offenders. An evaluation and possible treatment for alcohol abuse may be required for a second offense.

- Repeat offenders will face longer periods without their driver's licenses. A license could be revoked for a year upon the third conviction and for two years on additional convictions, compared to 90 days now.

Ledding saved his highest praise for the impaired-driving provision, saying it will "convince a lot of law-abiding folks not to take a chance" on being cited.

"They may show a little more restraint now when it comes to social drinking," the patrol chief said.

Under the new measure, a driver cited for impaired driving would be allowed to drive home, even if his or her blood alcohol level were close to the .10 percent limit for legal intoxication.

"It's a problem," said Ledding. Some drivers function better at .10 percent than other drivers do at .09 levels, he noted.

The 2013 session

Despite the DFL's control of state government, the MMA still had to fight for health and human services funding.

BY DAN HAUSER

With one party controlling the House, the Senate and the governor's office, some observers might have assumed that the 2013 legislative session would have gone smoothly.

"The world of politics isn't that simple or straightforward, however," notes Dave Renner, the MMA's director of state and federal legislation. "While it was a very successful session overall, it was not without its bumps and bruises."

The largest bump came in March when House and Senate leaders released their budget targets with \$150 million in cuts to Health and Human Services general fund spending. By the end of the session that number had changed to \$50 million thanks to budget maneuvers that brought in more federal money. "Getting that amount revised was a considerable improvement but still below what the MMA would have liked to have seen," Renner says.

Cutting the HHS budget is nothing new. "It has been a frequent target for lawmakers," Renner says. "Between 2009 and 2012, the state cut more than \$2 billion in HHS spending. Fortunately, we were able to convince House and Senate leaders that you can't cut your way to a healthier Minnesota."

Another bump was felt in April when Senate leaders proposed rescinding the provider tax repeal during budget discussions (the tax is scheduled to go away at the end of 2019). This move would have kept the tax indefinitely. The proposal quickly met resistance from the MMA, the Minnesota Dental Association and other health care provider organizations, and was soon withdrawn.

Ensuring the continued phase-out of the provider tax was among the MMA's six top priorities for the session. The others were:

- Establishing a Minnesota health insurance exchange
- Expanding Medicaid (Medical Assistance) in Minnesota
- Promoting collaborative care delivery, not independent practice for advanced practice registered nurses
- Investing in medical education
- Increasing the tobacco tax to reduce smoking rates.

The MMA also kept an eye on a number of other issues including legislation dealing with prescription opioid abuse, the state's newborn screening program, repackaging of medications at clinics, cuts to workers' compensation health care reimbursements and prohibiting tanning for minors.

Following, we examine the hits, the misses and the unresolved issues from the 2013 session.



THE HITS

Medical Assistance expansion

On February 19, just a little over a month into the session, Gov. Mark Dayton signed legislation that expanded Medical Assistance to include anyone earning up to 138 percent of the federal poverty level (approximately \$15,800 per year for an individual) as permitted by the Affordable Care Act.

The Legislature moved quickly on this bill because the governor wanted the federal funding it would generate to be included in the March budget forecast.

The expansion and associated changes are expected to save the state more than \$1 billion over the next two biennia. The federal government will pay 100 percent of the cost of the expansion for new enrollees for the first two years, then phase down to 90 percent after that. Currently, Minnesota and the federal government share costs for Medicaid 50/50.

The expansion is expected to provide coverage to 87,000 Minnesotans, according to the Department of Human Services. MinnesotaCare already covers 53,000 of those people; 34,000 are currently uninsured.

Although the MMA supported the expansion because it increases access to care, it expressed concern about physician reimbursement rates. "The long-term sustainability of the Medical Assistance program requires the state to adequately pay for physician services provided to Medical Assistance enrollees," MMA CEO Robert Meiches, M.D., told a House committee in January. "Minnesota physicians have had their fee-for-service rates frozen for 13 years," he continued, pointing out that Medical Assistance fee-for-service payment rates for physicians are among the lowest in the nation. Minnesota currently ranks 47th out of 50 states.

In the end, lawmakers increased the fee-for-service rate by 5 percent.



Gov. Mark Dayton

LRL subscribes to a variety of periodicals

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Effective Dates

Minn. Stat. 645.02 EFFECTIVE DATE AND TIME OF LAWS.

Each act, except one making appropriations, enacted finally at any session of the legislature **takes effect on August 1 next following its final enactment, unless a different date is specified in the act.**

An appropriation act or an act having appropriation items enacted finally at any session of the legislature takes effect at the beginning of the first day of July next following its final enactment, unless a different date is specified in the act.

Each act takes effect at 12:01 a.m. on the day it becomes effective, unless a different time is specified in the act.

Effective Dates

Example of different date in session law:

Sec. 11. [EFFECTIVE DATE.]

Sections 1 and 4 to 6 are effective August 1, 1999, and apply to crimes committed on or after that date.

Sections 7 to 9 are effective July 1, 2000, and apply to offenders sentenced or released on or after that date.

Section 10 is effective the day after final enactment.

Effective Dates

Minn. Stat. 645.01, Subd. 2. Final enactment or enacted finally.

Signed by Governor:

“Final enactment” or “enacted finally” for a bill passed by the legislature and signed by the governor means the **date and time of day the governor signed the bill.**

Pocket Veto:

For a bill passed by the legislature and allowed to become law without signature by the governor, it means the **end of the last day on which the governor could have returned the bill with a veto to the legislature.**

Vetoed:

For a bill passed by the legislature but vetoed and reconsidered and approved by the legislature after the veto, it means the date and time of day of the **final legislative vote approving the vetoed bill.**

Ask for Help!

Questions about this presentation?

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Questions for the State Law Library

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