

STATE OF MINNESOTA

EIGHTY-EIGHTH SESSION — 2013

 FIFTY-THIRD DAY

SAINT PAUL, MINNESOTA, THURSDAY, MAY 9, 2013

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

Prayer was offered by the Reverend Paul Rogers, Minneapolis, Minnesota.

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

The roll was called and the following members were present:

Abeler	Dettmer	Hausman	Lien	Newton	Simon
Albright	Dill	Hertaus	Lillie	Nornes	Simonson
Allen	Dorholt	Hilstrom	Loeffler	Norton	Slocum
Anderson, M.	Drazkowski	Holberg	Lohmer	O'Driscoll	Sundin
Anderson, P.	Erhardt	Hoppe	Loon	O'Neill	Swedzinski
Anderson, S.	Erickson, R.	Hornstein	Mack	Paymar	Theis
Anzelc	Erickson, S.	Hortman	Mahoney	Pelowski	Torkelson
Atkins	Fabian	Howe	Mariani	Peppin	Uglen
Barrett	Falk	Huntley	Marquart	Persell	Urdahl
Beard	Faust	Isaacson	Masin	Petersburg	Wagenius
Benson, J.	Fischer	Johnson, B.	McDonald	Poppe	Ward, J.A.
Benson, M.	FitzSimmons	Johnson, C.	McNamar	Pugh	Ward, J.E.
Bernardy	Franson	Johnson, S.	McNamara	Quam	Wills
Bly	Freiberg	Kahn	Melin	Radinovich	Winkler
Brynaert	Fritz	Kelly	Metsa	Rosenthal	Woodard
Carlson	Garofalo	Kieffer	Moran	Runbeck	Yarusso
Clark	Green	Kiel	Morgan	Sanders	Zellers
Cornish	Gruenhagen	Kresha	Mullery	Savick	Zerwas
Daudt	Gunther	Laine	Murphy, E.	Sawatzky	Spk. Thissen
Davids	Hackbarth	Leidiger	Murphy, M.	Schoen	
Davnie	Halverson	Lenczewski	Myhra	Schomacker	
Dean, M.	Hamilton	Lesch	Nelson	Scott	
Dehn, R.	Hansen	Liebling	Newberger	Selcer	

A quorum was present.

The Chief Clerk proceeded to read the Journal of the preceding day. There being no objection, further reading of the Journal was dispensed with and the Journal was approved as corrected by the Chief Clerk.

REPORTS OF CHIEF CLERK

S. F. No. 1006 and H. F. No. 1060, which had been referred to the Chief Clerk for comparison, were examined and found to be identical with certain exceptions.

SUSPENSION OF RULES

Atkins moved that the rules be so far suspended that S. F. No. 1006 be substituted for H. F. No. 1060 and that the House File be indefinitely postponed. The motion prevailed.

REPORTS OF STANDING COMMITTEES AND DIVISIONS

Johnson, S., from the Committee on Labor, Workplace and Regulated Industries to which was referred:

H. F. No. 1801, A bill for an act relating to state government; ratifying labor agreements and compensation plans.

Reported the same back with the following amendments:

Page 1, line 6, delete "submitted to" and insert "recommended for approval by"

Page 1, line 7, delete "....." and insert "May 1"

Page 1, line 10, delete "submitted to" and insert "recommended for approval by"

Page 1, line 11, delete "...." and insert "May 1"

Page 1, line 14, delete "submitted to" and insert "recommended for approval by"

Page 1, line 15, delete "...." and insert "May 1"

With the recommendation that when so amended the bill pass and be re-referred to the Committee on Rules and Legislative Administration.

The report was adopted.

SECOND READING OF SENATE BILLS

S. F. No. 1006 was read for the second time.

INTRODUCTION AND FIRST READING OF HOUSE BILLS

The following House Files were introduced:

Johnson, C.; Hamilton; Poppe; Faust; Anderson, P.; Hansen; Kresha; Savick; FitzSimmons; Erickson, R.; Sawatzky and Gunther introduced:

H. F. No. 1829, A bill for an act relating to civil liability; creating immunity for agritourism activities; proposing coding for new law in Minnesota Statutes, chapter 604A.

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

Fritz, Dorholt and Abeler introduced:

H. F. No. 1830, A bill for an act relating to human services; increasing the medical assistance reimbursement rate for critical access mental health services; amending Minnesota Statutes 2012, section 256B.763.

The bill was read for the first time and referred to the Committee on Health and Human Services Finance.

Fritz, Dorholt and Abeler introduced:

H. F. No. 1831, A bill for an act relating to human services; modifying medical assistance coverage to include consultations with licensed independent clinical social workers; amending Minnesota Statutes 2012, section 256B.0625, subdivision 48.

The bill was read for the first time and referred to the Committee on Health and Human Services Policy.

MESSAGES FROM THE SENATE

The following message was received from the Senate:

Mr. Speaker:

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

H. F. No. 92, A bill for an act relating to employment; regulating the minimum wage; modifying overtime and parental leave provisions; amending Minnesota Statutes 2012, sections 177.24, subdivision 1, by adding a subdivision; 177.25, subdivisions 1, 3, 5, by adding a subdivision; 181.941, subdivision 1; 181.943; repealing Minnesota Rules, part 5200.0080, subpart 7.

JOANNE M. ZOFF, Secretary of the Senate

Winkler moved that the House refuse to concur in the Senate amendments to H. F. No. 92, that the Speaker appoint a Conference Committee of 3 members of the House, and that the House requests that a like committee be appointed by the Senate to confer on the disagreeing votes of the two houses. The motion prevailed.

ANNOUNCEMENTS BY THE SPEAKER

The Speaker announced the appointment of the following members of the House to a Conference Committee on H. F. No. 92:

Winkler, Metsa and Poppe.

The Speaker announced the following change in membership of the Conference Committee on S. F. No. 1589:

Delete the name of Bernardy and add the name of Persell.

CALENDAR FOR THE DAY

H. F. No. 1054 was reported to the House.

Clark moved to amend H. F. No. 1054, the first engrossment, as follows:

Page 4, line 9, after "parents" insert "in a civil marriage between persons of the same sex"

Renumber the sections in sequence and correct the internal references

Amend the title accordingly

The motion prevailed and the amendment was adopted.

FitzSimmons moved to amend H. F. No. 1054, the first engrossment, as amended, as follows:

Page 1, line 21, before "marriage" insert "civil"

Page 2, line 2, strike "MARRIAGE A CIVIL" and insert "CIVIL MARRIAGE"

Page 2, line 3, before "Marriage" insert "A civil"

Page 2, line 5, strike "Lawful" and insert "A lawful civil"

Page 2, line 7, before "marriage" insert "civil"

Page 2, line 26, before "marriage" insert "civil"

Page 3, line 2, before "address" insert "the" and strike "marriage" and insert "civil marriage is entered into"

Page 3, lines 3, 9, 18, and 21, before "marriage" insert "civil"

Page 3, line 4, strike "marriage" and insert "the civil marriage is entered into"

Page 3, line 6, before "marriage" insert "civil" in both places

Page 3, line 14, before "marriage" insert "a civil"

Page 3, line 20, before "marriages" insert "civil"

Page 3, lines 27 and 28, before "marriage" insert "civil"

Page 3, after line 28, insert:

Subd. 3. Refusal to participate or support solemnization; protection of religious belief. No religious organization, association, or society shall be required to provide goods or services at the solemnization or celebration of any civil marriage or be subject to civil liability or any action by the state that penalizes, fines, or withholds any benefit to the religious organization, association, or society under the laws of this state, including, but not limited to, laws regarding tax exempt status, for failing or refusing to provide goods or services at the solemnization or celebration of any civil marriage, if providing such goods or services would cause the religious organization, association, or society to violate their sincerely held religious beliefs.

Page 4, line 10, before "marriage" insert "a civil"

Page 4, after line 12, insert:

"Sec. 7. **[517.23] MEANING OF CIVIL MARRIAGE.**

Wherever the term "marriage," "marital," "marry," or "married" is used in Minnesota statute in reference to the rights, obligations, or privileges of a couple under law, the term includes civil marriage, or individuals subject to civil marriage, as established by this chapter. A term subject to this definition must also be interpreted in reference to the context in which it appears, but may not be interpreted to limit or exclude any individual who has entered into a valid civil marriage contract under this chapter.

Page 4, lines 23, 25, 26, and 29, before "marriage" insert "civil"

Page 4, after line 31, insert:

"Sec. 9. **REVISOR'S INSTRUCTION.**

The revisor of statutes shall change the terms "marriage" and "marriages" to either "civil marriage" or "civil marriages" wherever they appear in Minnesota Statutes, chapter 517, unless the context or any provision of this act indicates otherwise. The revisor shall also make grammatical changes related to the changes in terms.

ReNUMBER the sections in sequence

Amend the title as follows:

Page 1, line 2, before the second "marriage" insert "civil"

Page 1, line 3, after "exemptions" insert "and protections"

FitzSimmons moved to amend his amendment to H. F. No. 1054, the first engrossment, as amended, as follows:

Page 1, delete lines 17 to 25 and insert:

"Subd. 3. **Refusal to participate or support solemnization; protection of religious belief.** (a) Except for secular business activities engaged in by a religious association, religious corporation, or religious society, the conduct of which is unrelated to the religious and educational purposes for which it is organized, no religious association, religious corporation, or religious society shall be required to provide goods or services at the solemnization or celebration of any civil marriage or be subject to civil liability or any action by the state that penalizes, fines, or withholds any benefit to the religious association, religious corporation, or religious society under the laws of this state, including, but not limited to, laws regarding tax exempt status, for failing or refusing to provide goods or services at the solemnization or celebration of any civil marriage, if providing such goods or services would cause the religious association, religious corporation, or religious society to violate their sincerely held religious beliefs.

(b) The exception in paragraph (a) applies to employees, agents, and volunteers acting within the capacity of their employment or responsibilities with a religious association, religious corporation, or religious society."

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

The question recurred on the FitzSimmons amendment, as amended, to H. F. No. 1054, the first engrossment, as amended. The motion prevailed and the amendment, as amended, was adopted.

Kelly and Kieffer moved to amend H. F. No. 1054, the first engrossment, as amended, as follows:

Delete everything after the enacting clause and insert:

"Section 1. Minnesota Statutes 2012, section 363A.27, is amended to read:

363A.27 CONSTRUCTION OF LAW.

Nothing in this chapter shall be construed to:

- (1) mean the state of Minnesota condones homosexuality or bisexuality or any equivalent lifestyle;
- (2) authorize or permit the promotion of homosexuality or bisexuality in education institutions or require the teaching in education institutions of homosexuality or bisexuality as an acceptable lifestyle; or
- (3) authorize or permit the use of numerical goals or quotas, or other types of affirmative action programs, with respect to homosexuality or bisexuality in the administration or enforcement of the provisions of this chapter; ~~or.~~
- (4) ~~authorize the recognition of or the right of marriage between persons of the same sex.~~

Sec. 2. Minnesota Statutes 2012, section 517.01, is amended to read:

517.01 ~~MARRIAGE A CIVIL UNION~~ CONTRACT.

Marriage A civil union, so far as its validity in law is concerned, is a civil contract between ~~a man and a woman~~ two individuals, recognized by the state of Minnesota, to which the consent of the ~~parties~~ individuals, capable in law of contracting, is essential. ~~Lawful marriage may be contracted only between persons of the opposite sex and only~~

A civil union contract is only valid when a license has been obtained as provided by law and when the ~~marriage~~ civil union is contracted in the presence of two witnesses ~~and solemnized by one authorized, or whom one or both of the parties in good faith believe to be authorized, so to do.~~ ~~Marriages subsequent to April 26, 1941, not so contracted shall be null and void.~~

Sec. 3. Minnesota Statutes 2012, section 517.02, is amended to read:

517.02 PERSONS CAPABLE OF CONTRACTING.

Every person who has attained the full age of 18 years is capable in law of contracting ~~marriage~~ a civil union, if otherwise competent. A person of the full age of 16 years may, with the consent of the person's legal custodial parents, guardian, or the court, as provided in section 517.08, receive a civil union license ~~to marry~~, when, after a careful inquiry into the facts and the surrounding circumstances, the person's application for a license and consent for ~~marriage~~ a civil union of a minor form is approved by the judge of the district court of the county in which the person resides. If the judge of the district court of the county in which the person resides is absent from the county and has not by order assigned another judge or a retired judge to act in the judge's stead, then the court commissioner or any judge of district court of the county may approve the application for a license.

The consent for ~~marriage~~ civil union license of a minor must be in the following form:

STATE OF MINNESOTA, COUNTY OF (insert county name)

I/We (insert legal custodial parent or guardian names) under oath or affirmation say:

That I/we are the legal custodial parent(s) or guardian of (insert name of minor), who was born at (insert place of birth) on..... (insert date of birth) who is presently the age of (insert age).

That the minor has not ~~been~~ previously ~~married~~ entered a civil union.

That I/we consent to the ~~marriage~~ civil union of this minor to (insert name of the person minor intends to ~~marry~~ join in civil union) who is of the age of (insert age).

That affidavit is being made for the purpose of requesting the judge's consent to allow this minor to ~~marry~~ enter a civil union and make this ~~marriage~~ civil union legal.

Date:

.....
.....

(Signature of legal custodial parents or guardian)

Sworn to or affirmed and acknowledged before me on this day of

.....

NOTARY PUBLIC

STATE OF MINNESOTA, COUNTY OF (insert county name).

The undersigned is the judge of the district court where the minor resides and grants the request for the minor to ~~marry~~ enter into a civil union contract.

..... (judge of district court)

..... (date).

Sec. 4. Minnesota Statutes 2012, section 517.03, is amended to read:

517.03 PROHIBITED MARRIAGES AND CIVIL UNION CONTRACTS.

Subdivision 1. **General.** ~~(a)~~ The following marriages and civil union contracts are prohibited:

(1) a marriage or civil union entered into before the dissolution of an earlier marriage or civil union contract of one of the ~~parties~~ individuals becomes final, as provided in section 518.145 or by the law of the jurisdiction where the dissolution was granted;

(2) a marriage or civil union between an ancestor and a descendant, or between a brother and a sister, whether the relationship is by the half or the whole blood or by adoption; and

(3) a marriage or civil union between an uncle and a niece, between an aunt and a nephew, or between first cousins, whether the relationship is by the half or the whole blood, except as to marriages permitted by the established customs of aboriginal cultures; ~~and.~~

~~(4) a marriage between persons of the same sex.~~

~~(b) A marriage entered into by persons of the same sex, either under common law or statute, that is recognized by another state or foreign jurisdiction is void in this state and contractual rights granted by virtue of the marriage or its termination are unenforceable in this state.~~

Subd. 2. **Developmentally disabled persons; consent by commissioner of human services.** Developmentally disabled persons committed to the guardianship of the commissioner of human services and developmentally disabled persons committed to the conservatorship of the commissioner of human services in which the terms of the conservatorship limit the right to ~~marry~~ enter a civil union, may ~~marry~~ enter a civil union on receipt of written consent of the commissioner. The commissioner shall grant consent unless it appears from the commissioner's investigation that the ~~marriage~~ civil union is not in the best interest of the ward or conservatee and the public. The local registrar in the county where the application for a license is made by the ward or conservatee shall not issue the license unless the local registrar has received a signed copy of the consent of the commissioner of human services.

Sec. 5. Minnesota Statutes 2012, section 517.07, is amended to read:

517.07 LICENSE.

Before any persons are joined in ~~marriage~~ a civil union in Minnesota, a license shall be obtained from the local registrar of any county within Minnesota. The ~~marriage~~ civil union need not ~~take place~~ be formally entered in the county where the license is obtained but must take place within the geographical borders of Minnesota.

Sec. 6. Minnesota Statutes 2012, section 517.08, is amended to read:

517.08 APPLICATION FOR LICENSE.

Subd. 1a. **Form.** Application for a marriage civil union license shall be made by both of the ~~parties~~ individuals upon a form provided for the purpose and shall contain the following information:

- (1) the full ~~names~~ name of ~~the parties and the sex of each party~~ each individual;
- (2) their post office addresses and county and state of residence;
- (3) their full ages;
- (4) if either ~~party individual~~ party individual has previously been married, the ~~party's individual's~~ individual's married name, and the date, place and court in which the marriage was dissolved or annulled or the date and place of death of the former spouse;
- (5) if either individual has previously been a party to a civil union, the date of the civil union, and the place and court in which the civil union was dissolved;
- (6) if either ~~party individual~~ party individual is a minor, the name and address of the minor's parents or guardian;
- (~~6~~) (7) whether the ~~parties individuals~~ individuals are related to each other, and, if so, their relationship;
- (~~7~~) (8) the address of the bride and groom individuals after the marriage civil union is entered to which the local registrar shall send a certified copy of the marriage certificate civil union contract;
- (~~8~~) (9) the full ~~names the parties~~ name each individual will have after ~~marriage~~ the civil union contract is entered and the ~~parties' each individual's~~ individual's Social Security ~~numbers~~ number. The Social Security numbers must be collected for the application but must not appear on the ~~marriage~~ civil union application license. If ~~a party an individual~~ an individual listed on a ~~marriage application~~ civil union application does not have a Social Security number, the ~~party individual~~ party individual must certify on the application, or a supplement to the application, that the ~~party individual~~ party individual does not have a Social Security number;
- (~~9~~) (10) if one or both of the ~~parties to the marriage license~~ individuals has a felony conviction under Minnesota law or the law of another state or federal jurisdiction, the ~~parties individuals~~ individuals shall provide to the county proof of service upon the prosecuting authority and, if applicable, the attorney general, as required by section 259.13; and
- (~~10~~) (11) notice that ~~a party an individual~~ an individual who has a felony conviction under Minnesota law or the law of another state or federal jurisdiction may not use a different name after ~~marriage~~ the civil union is entered except as authorized by section 259.13, and that doing so is a gross misdemeanor.

Subd. 1b. **Term of license; fee; premarital education.** (a) The local registrar shall examine upon oath the ~~parties individuals~~ individuals applying for a license relative to the legality of the contemplated ~~marriage~~ civil union. If one ~~party individual~~ party individual is unable to appear in person, the ~~party individual~~ party individual appearing may complete the absent applicant's information. The local registrar shall provide a copy of the ~~marriage~~ civil union application to the ~~party individual~~ party individual who is unable to appear, who must verify the accuracy of the appearing ~~party's individual's~~ individual's information in a notarized statement. The ~~marriage~~ civil union license must not be released until the verification statement has been received by the local registrar. If at the expiration of a five-day period, on being satisfied that there is no legal impediment to it, including the restriction contained in section 259.13, the local registrar shall issue the license, containing the full names of the ~~parties individuals~~ individuals before and after ~~marriage~~ the civil union is entered, and county and state of residence, with the county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. Except as provided in paragraph (c), the local registrar shall collect from the applicant a fee of \$115 for administering the oath, issuing, recording, and filing all papers required, and preparing and transmitting to the state registrar of vital statistics the reports of ~~marriage a civil union~~ civil union required by this section. If the license should not be used within the period of six months due to illness or other extenuating circumstances, it may be surrendered to the local registrar for cancellation, and in that case a new license shall issue upon request of the ~~parties individuals~~ individuals of the original license without fee. A local registrar who knowingly issues or signs a ~~marriage~~ civil union license in any manner other than as provided in this section shall pay to the ~~parties individuals~~ individuals aggrieved an amount not to exceed \$1,000.

(b) In case of emergency or extraordinary circumstances, a judge of the district court of the county in which the application is made may authorize the license to be issued at any time before expiration of the five-day period required under paragraph (a). A waiver of the five-day waiting period must be in the following form:

STATE OF MINNESOTA, COUNTY OF (insert county name)

APPLICATION FOR WAIVER OF ~~MARRIAGE~~ CIVIL UNION LICENSE WAITING PERIOD:

..... (legal names of the applicants)

Represent and state as follows:

That on (date of application) the applicants applied to the local registrar of the above-named county for a license ~~to marry~~ for a civil union.

That it is necessary that the license be issued before the expiration of five days from the date of the application by reason of the following: (insert reason for requesting waiver of waiting period)

.....
.....
.....

WHEREAS, the applicants request that the judge waive the required five-day waiting period and the local registrar be authorized and directed to ~~issue the marriage~~ grant the civil union license immediately.

Date:

.....
.....

(Signatures of applicants)

Acknowledged before me on this day of

.....

NOTARY PUBLIC

COURT ORDER AND AUTHORIZATION:

STATE OF MINNESOTA, COUNTY OF (insert county name)

After reviewing the above application, I am satisfied that an emergency or extraordinary circumstance exists that justifies the issuance of the ~~marriage~~ civil union license before the expiration of five days from the date of the application. IT IS HEREBY ORDERED that the local registrar is authorized and directed to issue the license forthwith.

.....
..... (judge of district court)
..... (date).

~~(c) The marriage license fee for parties who have completed at least 12 hours of premarital education is \$40. In order to qualify for the reduced license fee, the parties must submit at the time of applying for the marriage license a statement that is signed, dated, and notarized or marked with a church seal from the person who provided the premarital education on their letterhead confirming that it was received. The premarital education must be provided by a licensed or ordained minister or the minister's designee, a person authorized to solemnize marriages under section 517.18, or a person authorized to practice marriage and family therapy under section 148B.33. The education must include the use of a premarital inventory and the teaching of communication and conflict management skills.~~

~~(d) The statement from the person who provided the premarital education under paragraph (c) must be in the following form:~~

~~"I, (name of educator), confirm that (names of both parties) received at least 12 hours of premarital education that included the use of a premarital inventory and the teaching of communication and conflict management skills. I am a licensed or ordained minister, a person authorized to solemnize marriages under Minnesota Statutes, section 517.18, or a person licensed to practice marriage and family therapy under Minnesota Statutes, section 148B.33."~~

~~The names of the parties in the educator's statement must be identical to the legal names of the parties as they appear in the marriage license application. Notwithstanding section 138.17, the educator's statement must be retained for seven years, after which time it may be destroyed.~~

~~(e) (c) If section 259.13 applies to the request for a marriage civil union license, the local registrar shall grant the marriage civil union license without the requested name change. Alternatively, the local registrar may delay the granting of the marriage civil union license until the party individual with the conviction:~~

~~(1) certifies under oath that 30 days have passed since service of the notice for a name change upon the prosecuting authority and, if applicable, the attorney general and no objection has been filed under section 259.13; or~~

~~(2) provides a certified copy of the court order granting it. The parties individuals seeking the marriage license shall have the right to choose to have the license granted without the name change or to delay its granting pending further action on the name change request.~~

~~Subd. 1c. **Disposition of license fee.** (a) Of the marriage civil union contract license fee collected pursuant to subdivision 1b, paragraph (a), \$25 must be retained by the county. The local registrar must pay \$90 to the commissioner of management and budget to be deposited as follows:~~

~~(1) \$55 in the general fund;~~

~~(2) \$3 in the state government special revenue fund to be appropriated to the commissioner of public safety for parenting time centers under section 119A.37;~~

~~(3) \$2 in the special revenue fund to be appropriated to the commissioner of health for developing and implementing the MN ENABL program under section 145.9255;~~

~~(4) \$25 in the special revenue fund is appropriated to the commissioner of employment and economic development for the displaced homemaker program under section 116L.96; and~~

~~(5) \$5 in the special revenue fund, which is appropriated to the Board of Regents of the University of Minnesota for the Minnesota couples on the brink project under section 137.32.~~

(b) Of the \$40 fee under subdivision 1b, paragraph (b), \$25 must be retained by the county. The local registrar must pay \$15 to the commissioner of management and budget to be deposited as follows:

(1) \$5 as provided in paragraph (a), clauses (2) and (3); and

(2) \$10 in the special revenue fund is appropriated to the commissioner of employment and economic development for the displaced homemaker program under section 116L.96.

Subd. 4. **Report.** The local registrar of each county shall annually report to the Department of Health the number of ~~marriage~~ licenses issued in the county for which the fee in subdivision 1b, paragraph (a), was paid and the number for which the fee in subdivision 1b, paragraph (b), was paid.

Sec. 7. Minnesota Statutes 2012, section 517.10, is amended to read:

517.10 CERTIFICATE; WITNESSES.

The ~~person solemnizing a marriage~~ local registrar of each county shall prepare and sign a certificate. The certificate shall contain the full names of the ~~parties~~ individuals before and after ~~marriage~~ the civil union contract, the birth dates of the ~~parties~~ individuals, and county and state of residences of the ~~parties~~ individuals and the date and place of the ~~marriage~~ civil union. The certificate shall also contain the signatures of at least two of the witnesses present at the ~~marriage~~ time the civil union contract was signed, who shall be at least 16 years of age. The ~~person solemnizing the marriage~~ registrar shall immediately make a record of such ~~marriage~~ civil union contract, and file such certificate with the local registrar of the county in which the license was issued within five days after the ~~ceremony~~ civil union contract was signed. The local registrar shall record such certificate in the county ~~marriage~~ civil union records.

Sec. 8. Minnesota Statutes 2012, section 517.101, is amended to read:

517.101 CERTIFIED COPIES OF MARRIAGE CERTIFICATE.

Within ten days of receipt of the certificate and after recording the certificate the local registrar shall prepare a certified copy of the certificate to be mailed to the ~~married parties~~ individuals subject to the civil union contract.

Sec. 9. Minnesota Statutes 2012, section 517.20, is amended to read:

517.20 APPLICATION.

~~Except as provided in section 517.03, subdivision 1, paragraph (b),~~ (a) All marriages and civil unions contracted within this state ~~prior to March 1, 1979~~ or outside this state that were valid at the time of the contract or subsequently validated by the laws of the place in which they were contracted or by the domicile of the ~~parties~~ individuals are valid in this state.

(b) Marriages that are valid under paragraph (a) are treated as civil union contracts under this chapter and the laws of the state of Minnesota.

Sec. 10. **[517.22] MARRIAGE BY RELIGIOUS INSTITUTION NOT PROHIBITED.**

(a) Nothing in this chapter prohibits a religious institution or cultural group from performing a ceremony of marriage according to any applicable rules or customs of the institution or group. A licensed or ordained minister may be a witness to the signing of a civil union contract as required by section 517.10.

(b) Notwithstanding a marriage ceremony performed by a religious institution or cultural group, the individuals participating in that ceremony are not entitled to the rights, benefits, or privileges of Minnesota law resulting from a civil union contract until such civil union contract is lawfully signed and entered as provided in this chapter.

(c) This chapter does not alter or affect the protections or exemptions provided in chapter 363A for a religious association, educational institution, business, labor union, place of public accommodation, employer, or other person. This chapter does not affect the exemptions provided in section 363A.26.

Sec. 11. **[517.23] MEANING OF CIVIL UNION CONTRACT.**

Wherever the term "marriage," "marital," "marry," or "married" is used in Minnesota statute in reference to the rights, obligations, or privileges of a couple under law, the term shall include a civil union contract, or individuals subject to a civil union contract, as established by this chapter. A term subject to this definition must also be interpreted in reference to the context in which it appears, but may not be interpreted to limit or exclude any individual who has entered a valid civil union contract under this chapter.

Sec. 12. **[517.24] EFFECT ON FEDERAL LAW AND IN OTHER JURISDICTIONS.**

To the extent that the term "marriage" is given legal effect in federal law or the law of another jurisdiction, a Minnesota civil union is the equivalent of a marriage and individuals who have entered into a civil union contract shall be treated as "spouses" or shall be treated as "husband" and "wife" for purposes of application to those laws.

Sec. 13. **REPEALER.**

Minnesota Statutes 2012, sections 517.04; 517.041; 517.05; 517.06; 517.09; 517.13; 517.14; 517.15; 517.16; and 517.18, are repealed.

Sec. 14. **EFFECTIVE DATE.**

Sections 1 to 13 are effective August 1, 2013, and apply to civil union contracts applied for on or after that date. After August 1, 2013, the local registrar of each county is prohibited from accepting or processing an application for a marriage license that is inconsistent with the requirements of this act."

Amend the title accordingly

A roll call was requested and properly seconded.

The question was taken on the Kelly and Kieffer amendment and the roll was called. There were 22 yeas and 111 nays as follows:

Those who voted in the affirmative were:

Anderson, M.	Garofalo	Hoppe	Leidiger	O'Neill	Uglen
Dill	Gunther	Howe	Loon	Pugh	Ward, J.E.
Erickson, R.	Hamilton	Kelly	McNamara	Theis	
FitzSimmons	Hertaus	Kieffer	Norton	Torkelson	

Those who voted in the negative were:

Abeler	Davnie	Hausman	Loeffler	Newton	Selcer
Albright	Dean, M.	Hilstrom	Lohmer	Nornes	Simon
Allen	Dehn, R.	Holberg	Mack	O'Driscoll	Simonson
Anderson, P.	Dettmer	Hornstein	Mahoney	Paymar	Slocum
Anderson, S.	Dorholt	Hortman	Mariani	Pelowski	Sundin
Anzelc	Drazkowski	Huntley	Marquart	Peppin	Swedzinski
Atkins	Erhardt	Isaacson	Masin	Persell	Urdahl
Barrett	Fabian	Johnson, B.	McDonald	Petersburg	Wagenius
Beard	Falk	Johnson, C.	McNamar	Poppe	Ward, J.A.
Benson, J.	Faust	Johnson, S.	Melin	Quam	Wills
Benson, M.	Fischer	Kahn	Metsa	Radinovich	Winkler
Bernardy	Franson	Kiel	Moran	Rosenthal	Woodard
Bly	Freiberg	Kresha	Morgan	Runbeck	Yarusso
Brynaert	Fritz	Laine	Mullery	Sanders	Zellers
Carlson	Green	Lenczewski	Murphy, E.	Savick	Zerwas
Clark	Gruenhagen	Lesch	Murphy, M.	Sawatzky	Spk. Thissen
Cornish	Hackbarth	Liebling	Myhra	Schoen	
Daudt	Halverson	Lien	Nelson	Schomacker	
Davids	Hansen	Lillie	Newberger	Scott	

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

H. F. No. 1054, A bill for an act relating to marriage; providing for civil marriage between two persons; providing for exemptions and protections based on religious association; amending Minnesota Statutes 2012, sections 363A.26; 517.01; 517.03, subdivision 1; 517.08, subdivision 1a; 517.09; 518.07; proposing coding for new law in Minnesota Statutes, chapter 517.

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

The question was taken on the passage of the bill and the roll was called. There were 75 yeas and 59 nays as follows:

Those who voted in the affirmative were:

Allen	Erhardt	Hortman	Loeffler	Murphy, M.	Simon
Anzelc	Erickson, R.	Huntley	Loon	Nelson	Simonson
Atkins	Falk	Isaacson	Mahoney	Newton	Slocum
Benson, J.	Faust	Johnson, C.	Mariani	Norton	Sundin
Bernardy	Fischer	Johnson, S.	Marquart	Paymar	Wagenius
Bly	FitzSimmons	Kahn	Masin	Pelowski	Ward, J.A.
Brynaert	Freiberg	Kieffer	McNamar	Persell	Ward, J.E.
Carlson	Garofalo	Laine	Melin	Poppe	Winkler
Clark	Halverson	Lenczewski	Metsa	Radinovich	Yarusso
Davnie	Hansen	Lesch	Moran	Rosenthal	Spk. Thissen
Dehn, R.	Hausman	Liebling	Morgan	Savick	
Dill	Hilstrom	Lien	Mullery	Schoen	
Dorholt	Hornstein	Lillie	Murphy, E.	Selcer	

Those who voted in the negative were:

Abeler	Anderson, P.	Beard	Daudt	Dettmer	Fabian
Albright	Anderson, S.	Benson, M.	Davids	Drazkowski	Franson
Anderson, M.	Barrett	Cornish	Dean, M.	Erickson, S.	Fritz

Green	Hoppe	Lohmer	O'Driscoll	Sanders	Uglen
Gruenhagen	Howe	Mack	O'Neill	Sawatzky	Urdahl
Gunther	Johnson, B.	McDonald	Peppin	Schomacker	Wills
Hackbarth	Kelly	McNamara	Petersburg	Scott	Woodard
Hamilton	Kiel	Myhra	Pugh	Swedzinski	Zellers
Hertaus	Kresha	Newberger	Quam	Theis	Zerwas
Holberg	Leidiger	Nornes	Runbeck	Torkelson	

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

REPORT FROM THE COMMITTEE ON RULES AND LEGISLATIVE ADMINISTRATION

Murphy, E., from the Committee on Rules and Legislative Administration, pursuant to rules 1.21 and 3.33, designated the following bills to be placed on the Calendar for the Day for Monday, May 13, 2013 and established a prefiling requirement for amendments offered to the following bills:

H. F. No. 335; S. F. No. 1307; and H. F. Nos. 1604 and 1067.

MOTIONS AND RESOLUTIONS

Quam moved that the name of Kahn be added as an author on H. F. No. 653. The motion prevailed.

Bly moved that his name be stricken as an author on H. F. No. 799. The motion prevailed.

Clark moved that the name of Falk be added as an author on H. F. No. 1054. The motion prevailed.

Clark moved that the name of Loeffler be added as an author on H. F. No. 1191. The motion prevailed.

ADJOURNMENT

Murphy, E., moved that when the House adjourns today it adjourn until 10:00 a.m., Friday, May 10, 2013. The motion prevailed.

Murphy, E., moved that the House adjourn. The motion prevailed, and the Speaker declared the House stands adjourned until 10:00 a.m., Friday, May 10, 2013.

ALBIN A. MATHIOWETZ, Chief Clerk, House of Representatives

