

1.1 moves to amend H.F. No. 894, the first engrossment, as follows:

1.2 Page 45, delete section 5 and insert

1.3 "Sec. 5. Minnesota Statutes 2012, section 201.275, is amended to read:

1.4 **201.275 INVESTIGATIONS; PROSECUTIONS.**

1.5 A ~~county attorney who~~ law enforcement agency that is notified by affidavit of an
1.6 alleged violation of this chapter shall promptly investigate. Upon receiving an affidavit
1.7 alleging a violation of this chapter, a county attorney shall promptly forward it to a law
1.8 enforcement agency with jurisdiction for investigation. If there is probable cause for
1.9 instituting a prosecution, the county attorney shall proceed ~~by complaint or present~~
1.10 ~~the charge, with whatever evidence has been found, to the grand jury~~ according to the
1.11 generally applicable standards regarding the prosecutorial functions and duties of a
1.12 county attorney, provided that the county attorney is not required to proceed with the
1.13 prosecution if the complainant withdraws the allegation. A county attorney who refuses or
1.14 intentionally fails to faithfully perform this or any other duty imposed by this chapter is
1.15 guilty of a misdemeanor and upon conviction shall forfeit office. ~~The county attorney,~~
1.16 ~~under the penalty of forfeiture of office, shall prosecute all violations of this chapter~~
1.17 ~~except violations of this section; if, however, a complainant withdraws an allegation under~~
1.18 ~~this chapter, the county attorney is not required to proceed with the prosecution.~~ Willful
1.19 violation of this chapter by any public employee constitutes just cause for suspension
1.20 without pay or dismissal of the public employee."