

Subd. 2. **NONLIABILITY OF STATE.** The state is not liable on bonds, loans, interest rate swaps, or other agreements or contracts of the authority issued or entered into under this chapter and those bonds the bonds, loans, interest rate swaps, or other agreements or contracts of the authority are not a debt of the state. The bonds, loans, interest rate swaps, or other agreements or contracts of the authority must contain on their face a statement to that effect.

Sec. 4. Minnesota Statutes 2002, section 446A.19, is amended to read:

446A.19 STATE PLEDGE AGAINST IMPAIRMENT OF CONTRACTS.

The state pledges and agrees with the holders of bonds issued under sections 446A.051, and 446A.12 to 446A.20 or other parties to any loans, interest rate swaps, or other agreements or contracts of the authority that the state will not limit or alter the rights vested in the authority to fulfill the terms of any agreements made with the bondholders or parties to any loans, interest rate swaps, or other agreements or contracts of the authority or in any way impair the rights and remedies of the holders until the bonds, together with interest on them, with interest on any unpaid installments of interest, and all costs and expenses in connection with any action or proceeding by or on behalf of the bondholders, are fully met and discharged or, with respect to any loans, interest rate swaps, or other agreements or contracts of the authority, the agreements have been fully performed by the authority or otherwise terminated or discharged. The authority may include this pledge and agreement of the state in any agreement with the holders of bonds issued under sections 446A.051, and 446A.12 to 446A.20 or in any loans, interest rate swaps, or other agreements or contracts of the authority.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 1:20 p.m.

CHAPTER 273—H.F.No. 2642

An act relating to family law; providing for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative; requiring certain parent education programs; requiring a notice; requiring a report; appropriating money; amending Minnesota Statutes 2002, sections 517.07; 517.08, by adding a subdivision; 517.10; 517.13; 517.18, subdivision 1; 518.091; 518.157, subdivision 3; Minnesota Statutes 2003 Supplement, sections 517.08, subdivisions 1b, 1c; proposing coding for new law in Minnesota Statutes, chapters 256; 517.

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

Section 1. [256.742] MINNESOTA HEALTHY MARRIAGE AND RESPONSIBLE FATHERHOOD INITIATIVE.

Subdivision 1. ESTABLISHMENT. Within the limits of available appropriations, the commissioner shall develop and implement a Minnesota Healthy Marriage

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and Responsible Fatherhood Initiative, as provided for in this section. The commissioner may administer the initiative with federal grants, state appropriations, and in-kind services received for this purpose.

Subd. 2. PURPOSE. The purpose of the Healthy Marriage and Responsible Fatherhood Initiative is to develop a community-based collaborative project that will test and evaluate a comprehensive strategy for promoting marriage and responsible fatherhood among unmarried urban parents who are expecting or have recently had a child. The initiative objectives are to:

(1) encourage stable family formation among unmarried new parents in urban communities;

(2) promote healthy marriages among unmarried new parents who want to be a couple and indicate that marriage is a goal for their relationship;

(3) increase paternity establishment and enhance related child support performance indicators;

(4) promote responsible fathering;

(5) enhance the well-being of children; and

(6) encourage and facilitate community support for marriage and family formation among unmarried parents.

Subd. 3. IMPLEMENTATION. The target population for the initiative is unmarried new parent couples whose babies are born in urban hospitals in Minneapolis and St. Paul. The initiative must not include couples with a history of domestic violence. In cases involving alcohol or substance abuse by either participant, the initiative must include the provision of resources and services to remedy those issues. The initiative may be implemented through the University of Minnesota and community-based programs and organizations. The commissioner shall:

(1) enter into contracts or manage a grant process for implementation of the initiative;

(2) provide technical assistance; and

(3) develop and implement an evaluation component for the initiative.

Sec. 2. [517.001] DEFINITION.

As used in this chapter, "local registrar" has the meaning given in section 144.212, subdivision 10.

Sec. 3. Minnesota Statutes 2002, section 517.07, is amended to read:

517.07 LICENSE.

Before any persons are joined in marriage, a license shall be obtained from the court administrator of the district court local registrar of any county. The marriage need not take place in the county where the license is obtained.

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Sec. 4. Minnesota Statutes 2003 Supplement, section 517.08, subdivision 1b, is amended to read:

Subd. 1b. **TERM OF LICENSE; FEE; PREMARITAL EDUCATION.** (a) ~~The court administrator~~ local registrar shall examine upon oath the party applying for a license relative to the legality of the contemplated marriage. 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 court administrator~~ local registrar shall issue the license, containing the full names of the parties before and after marriage, and county and state of residence, with the ~~district court~~ county seal attached, and make a record of the date of issuance. The license shall be valid for a period of six months. 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 the expiration of the five days. Except as provided in paragraph (b), ~~the court administrator~~ local registrar shall collect from the applicant a fee of ~~\$80~~ \$85 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 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 court administrator~~ local registrar for cancellation, and in that case a new license shall issue upon request of the parties of the original license without fee. ~~A court administrator~~ local registrar who knowingly issues or signs a marriage license in any manner other than as provided in this section shall pay to the parties aggrieved an amount not to exceed \$1,000.

(b) The marriage license fee for parties who have completed at least 12 hours of premarital education is \$20. In order to qualify for the reduced fee, the parties must submit a signed and dated statement from the person who provided the premarital education 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.

(c) The statement from the person who provided the premarital education under paragraph (b) 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.

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(d) If section 259.13 applies to the request for a marriage license, the ~~court administrator~~ local registrar shall grant the marriage license without the requested name change. Alternatively, the ~~court administrator~~ local registrar may delay the granting of the marriage license until the party 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 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.

Sec. 5. Minnesota Statutes 2003 Supplement, section 517.08, subdivision 1c, is amended to read:

Subd. 1c. **DISPOSITION OF LICENSE FEE.** (a) Of the marriage license fee collected pursuant to subdivision 1b, paragraph (a), \$15 must be retained by the county. The ~~court administrator~~ local registrar must pay ~~\$65~~ \$70 to the commissioner of finance to be deposited as follows:

(1) \$50 in the general fund;

(2) \$3 in the special revenue fund to be appropriated to the commissioner of education 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; and

(4) \$10 in the special revenue fund to be appropriated to the commissioner of economic security for the displaced homemaker program under section 268.96; and

(5) \$5 in the special revenue fund to be appropriated to the commissioner of human services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under section 256.742.

(b) Of the \$20 fee under subdivision 1b, paragraph (b), \$15 must be retained by the county. The ~~state court administrator~~ local registrar must pay \$5 to the commissioner of finance to be distributed as provided in paragraph (a), clauses (2) and (3).

(c) The increase in the marriage license fee under paragraph (a) provided for in this act and disbursement of the increase in that fee to the special fund for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under paragraph (a), clause (5), is contingent upon the receipt of federal funding under United States Code, title 42, section 1315, for purposes of the initiative.

Sec. 6. Minnesota Statutes 2002, section 517.08, is amended by adding a subdivision to read:

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

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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 2002, section 517.10, is amended to read:

517.10 CERTIFICATE; WITNESSES.

The person solemnizing a marriage shall prepare and sign three certificates thereof. Each certificate shall contain the full names before and after marriage and county and state of residences of the parties and the date and place of the marriage. Each certificate shall also contain the signatures of at least two of the witnesses present at the marriage who shall be at least 16 years of age. The person solemnizing the marriage shall give each of the parties one such certificate, and shall immediately make a record of such marriage, and file one such certificate with the ~~court administrator~~ local registrar of the district court of the county in which the license was issued within five days after the ceremony. The ~~court administrator~~ local registrar shall record such certificate in a book kept for that purpose.

Sec. 8. Minnesota Statutes 2002, section 517.13, is amended to read:

517.13 PENALTY FOR FAILURE TO DELIVER AND FILE CERTIFICATE.

Every person solemnizing a marriage who neglects to deliver to the ~~court administrator~~ local registrar a certificate within the time set forth in section 517.10 shall forfeit a sum not exceeding \$100, and every ~~court administrator~~ local registrar who neglects to record a certificate shall forfeit a like sum.

Sec. 9. Minnesota Statutes 2002, section 517.18, subdivision 1, is amended to read:

Subdivision 1. All marriages solemnized among the people called Friends or Quakers, in the form heretofore practiced and in use in their meetings, shall be valid and not affected by any of the foregoing provisions. The clerk of the meeting in which such marriage is solemnized, within one month after any such marriage, shall deliver a certificate of the same to the ~~court administrator of the district court~~ local registrar of the county where the marriage took place, under penalty of not more than \$100. Such certificate shall be filed and recorded by the ~~court administrator~~ local registrar under a like penalty. If such marriage does not take place in such meeting, such certificate shall be signed by the parties and at least six witnesses present, and shall be filed and recorded as above provided under a like penalty.

Sec. 10. Minnesota Statutes 2002, section 518.091, is amended to read:

518.091 SUMMONS; TEMPORARY RESTRAINING PROVISIONS; NOTICE REGARDING PARENT EDUCATION PROGRAM REQUIREMENTS.

Subdivision 1. TEMPORARY RESTRAINING ORDERS. (a) Every summons must include the notice in this ~~paragraph~~ subdivision.

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NOTICE OF TEMPORARY RESTRAINING AND ALTERNATIVE DISPUTE
RESOLUTION PROVISIONS

UNDER MINNESOTA LAW, SERVICE OF THIS SUMMONS MAKES THE FOLLOWING REQUIREMENTS APPLY TO BOTH PARTIES TO THIS ACTION, UNLESS THEY ARE MODIFIED BY THE COURT OR THE PROCEEDING IS DISMISSED:

(1) NEITHER PARTY MAY DISPOSE OF ANY ASSETS EXCEPT (i) FOR THE NECESSITIES OF LIFE OR FOR THE NECESSARY GENERATION OF INCOME OR PRESERVATION OF ASSETS, (ii) BY AN AGREEMENT IN WRITING, OR (iii) FOR RETAINING COUNSEL TO CARRY ON OR TO CONTEST THIS PROCEEDING;

(2) NEITHER PARTY MAY HARASS THE OTHER PARTY; AND

(3) ALL CURRENTLY AVAILABLE INSURANCE COVERAGE MUST BE MAINTAINED AND CONTINUED WITHOUT CHANGE IN COVERAGE OR BENEFICIARY DESIGNATION.

IF YOU VIOLATE ANY OF THESE PROVISIONS, YOU WILL BE SUBJECT TO SANCTIONS BY THE COURT.

(4) PARTIES TO A MARRIAGE DISSOLUTION PROCEEDING ARE ENCOURAGED TO ATTEMPT ALTERNATIVE DISPUTE RESOLUTION PURSUANT TO MINNESOTA LAW. ALTERNATIVE DISPUTE RESOLUTION INCLUDES MEDIATION, ARBITRATION, AND OTHER PROCESSES AS SET FORTH IN THE DISTRICT COURT RULES. YOU MAY CONTACT THE COURT ADMINISTRATOR ABOUT RESOURCES IN YOUR AREA. IF YOU CANNOT PAY FOR MEDIATION OR ALTERNATIVE DISPUTE RESOLUTION, IN SOME COUNTIES, ASSISTANCE MAY BE AVAILABLE TO YOU THROUGH A NON-PROFIT PROVIDER OR A COURT PROGRAM. IF YOU ARE A VICTIM OF DOMESTIC ABUSE OR THREATS OF ABUSE AS DEFINED IN MINNESOTA STATUTES, CHAPTER 518B, YOU ARE NOT REQUIRED TO TRY MEDIATION AND YOU WILL NOT BE PENALIZED BY THE COURT IN LATER PROCEEDINGS.

(b) Upon service of the summons, the restraining provisions contained in the notice apply by operation of law upon both parties until modified by further order of the court or dismissal of the proceeding, unless more than one year has passed since the last document was filed with the court.

Subd. 2. PARENT EDUCATION PROGRAM REQUIREMENTS. Every summons involving custody or parenting time of a minor child must include the notice in this subdivision.

NOTICE OF PARENT EDUCATION PROGRAM REQUIREMENTS

UNDER MINNESOTA STATUTES, SECTION 518.157, IN A CONTESTED PROCEEDING INVOLVING CUSTODY OR PARENTING TIME OF A MINOR

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CHILD, THE PARTIES MUST BEGIN PARTICIPATION IN A PARENT EDUCATION PROGRAM THAT MEETS MINIMUM STANDARDS PROMULGATED BY THE MINNESOTA SUPREME COURT WITHIN 30 DAYS AFTER THE FIRST FILING WITH THE COURT. IN SOME DISTRICTS, PARENTING EDUCATION MAY BE REQUIRED IN ALL CUSTODY OR PARENTING PROCEEDINGS. YOU MAY CONTACT THE DISTRICT COURT ADMINISTRATOR FOR ADDITIONAL INFORMATION REGARDING THIS REQUIREMENT AND THE AVAILABILITY OF PARENT EDUCATION PROGRAMS.

Sec. 11. Minnesota Statutes 2002, section 518.157, subdivision 3, is amended to read:

Subd. 3. **ATTENDANCE.** In a proceeding under this chapter ~~or sections 257.51 to 257.75~~ where custody or parenting time is contested, the parents of a minor child shall attend a minimum of eight hours in an orientation and education program that meets the minimum standards promulgated by the Minnesota Supreme Court. In all other proceedings involving custody, support, or parenting time the court may order the parents of a minor child to attend a parent education program. The program shall provide the court with names of persons who fail to attend the parent education program as ordered by the court. Persons who are separated or contemplating involvement in a dissolution, paternity, custody, or parenting time proceeding may attend a parent education program without a court order. Unless otherwise ordered by the court, participation in a parent education program must occur as early as possible begin within 30 days after the first filing with the court or as soon as practicable after that time based on the reasonable availability of classes for the program for the parent. Parent education programs must offer an opportunity to participate at all phases of a pending or postdecree proceeding. Upon request of a party and a showing of good cause, the court may excuse the party from attending the program. If past or present domestic abuse, as defined in chapter 518B, is alleged, the court shall not require the parties to attend the same parent education sessions and shall enter an order setting forth the manner in which the parties may safely participate in the program.

Sec. 12. APPROPRIATION.

\$100,000 is appropriated in fiscal year 2005 from the general fund to the commissioner of human services for the Minnesota Healthy Marriage and Responsible Fatherhood Initiative under Minnesota Statutes, section 517.08, subdivision 1c, paragraph (a), clause (5). The first \$100,000 collected under Minnesota Statutes, section 517.08, subdivision 1c, paragraph (a), clause (5), must be deposited in the general fund.

Sec. 13. EFFECTIVE DATE.

This act is effective July 1, 2004.

Presented to the governor May 18, 2004

Signed by the governor May 29, 2004, 9:45 a.m.

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