



**NEW  
LAWS** **1998**

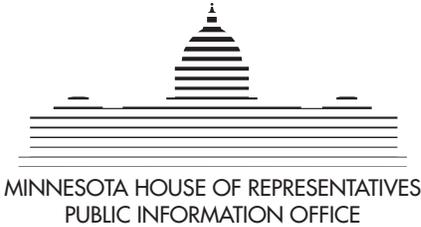
Session Summary  
with  
Special Session





**Session Summary  
with  
Special Session**

**Prepared by**



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# Introduction

The 1998 Minnesota Legislature convened on Jan. 20, 1998, and lawmakers adjourned *sine die* late in the evening April 9, 1998.

Lawmakers were in session for 46 legislative days, accumulating a total of 109 legislative days during the biennium. As specified by the Minnesota Constitution, the Legislature may meet for up to 120 legislative days during a two-year period. (A legislative day is counted when a quorum of either the House or Senate is present to conduct business as a body.)

During the regular 1998 session, 1,629 bills were introduced in the House and 1,422 in the Senate. Of the 157 bills and four resolutions sent to the governor, a total of 15 were vetoed (11 full vetoes and four line-item vetoes). One bill was recalled by the Senate.

The list of accomplishments from the 1998 session includes: a \$1 billion capital projects law that will finance construction of public facilities around the state; a new tax law that provides more than \$1 billion in tax rebates and reductions; an education initiative that will provide \$70 million to help implement the state's Graduation Standards; a measure that will provide a 3 percent raise for health care workers at nursing homes; and a proposed constitutional amendment that would eliminate the Office of the State Treasurer.

Gov. Arne Carlson called legislators back April 20, 1998, for a special session to clarify a public policy question affecting Marvin Windows and Doors in Warroad, Minn. Two other laws were passed during the three-day session.

*New Laws 1998* is divided into six major parts:

First, the Highlights section begins on page 9. It is written in an easy-to-read style for those who want a quick overview of legislation approved in 1998.

Second, the Special Session section discusses the two major laws that were passed during the three-day special session.

Third, the Vetoed Bills section lists all the bills vetoed or line-item vetoed by the governor, with synopses of his reasons for doing so.

Fourth, the Dead Bills section cites some of the bills discussed in 1998, but not passed by the House and Senate. To be considered again, these bills must be reintroduced as new bills in the 81st Legislative Session.

Fifth, the Summary section gives a technical review of each approved bill as it appeared on the bill when it was sent to the governor. Also included is a listing of all Minnesota statutes that the bill affects.

Sixth, the Index section provides a comprehensive list of bills by Chapter number, House file number, Senate file number, bill title, effective date, and finally, by subject.

If you wish to obtain a copy of a bill, call the House Chief Clerk's Office (651) 296-2314, or the Senate Information Office (651) 296-2343. Ask for the bill by Chapter number, or House or Senate file number.

Bills are also available on the Legislature's World Wide Web site (<http://www.leg.state.mn.us>).

The House and Senate public information offices have toll-free numbers for residents outside the metropolitan area. To reach the House, call 1-800-657-3550. To reach the Senate, call 1-888-234-1112.

## Acknowledgments

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On the cover: Photo illustration by Paul Battaglia.



Contains 20% post-consumer content

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# Highlights

## Selected 1998 laws

**Editor's note:** Highlights, the first section in *New Laws 1998*, is written for those who want a general overview of major legislation that was approved during the 1998 session.

The new laws are categorized alphabetically under topics, such as Agriculture, Banking, and Bonding. Where bills fall under more than one topic, cross references are cited. Appropriations bills are discussed under the topics to which they apply.

For easy reference, House file (HF) numbers, Senate file (SF) numbers, and Chapter (CH) numbers appear at the end of each highlight. An asterisk after either the House file number or the Senate file number indicates the version of the bill that was sent to the governor. Write-ups on major bills include references to article and section numbers wherever possible. Effective dates are included in most of the highlights.

The Highlights Subject Index beginning on page 119 also is useful in finding information on specific subjects.



**A new law appropriates \$8.8 million to assist wheat and barley farmers in northwestern Minnesota who have experienced financial losses as the result of a plant disease called "scab." Under the new law, affected farmers could receive up to \$4,000 each to help pay for crop insurance.**

the cost of federal crop insurance premiums.

The 16 counties included in the new law fall near Minnesota's entire western border, but the most widespread losses have been in the northwest.

The eligible counties are Beltrami, Clay, Clearwater, Kittson, Lake of the Woods, Lincoln, Lyon, Mahnomen, Marshall, Norman, Pennington, Pipestone, Polk, Red Lake, Roseau, and Wilkin.

Another provision of the new law authorizes the Department of Agriculture, in cooperation with the city of Minneapolis, to perform inspections, tests, and trapping to identify and eradicate the source of a continued red flour beetle infestation in a Minneapolis neighborhood that borders a grain processing facility.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HF3853\*/SF3409/CH395

## Marketing and bargaining

A new law makes adjustments to the way farmers can do business in associations.

The measure, effective Aug. 1, 1998, amends and clarifies the Agricultural Marketing and Bargaining Act passed in 1973, which allows agriculture producers to bargain and market their crops collectively to processors.

Most notably, the new measure outlines a mediation process that is to occur between

agriculture producer associations and processors in cases of dispute. The new law also authorizes the association and the processor to enter into binding arbitration, if mediation fails and both parties agree to arbitration.

Under prior law, disputes were resolved by the Minnesota Department of Agriculture.

The department said that only a few producer associations have been formed and certified since enactment of the 1973 law.

Rep. Al Juhnke (DFL-Willmar) and Sen. Dennis Frederickson (R-New Ulm) sponsored the new measure.

HF2708\*/SF2414/CH373

## Protecting animals

Effective Aug. 1, 1998, a new law provides some exceptions to animal cruelty laws for horse and dog breeders when they are transporting and housing their animals.

A person now will be able to transport a horse or other cloven-hoofed animal on a vehicle with its legs tied together if the person is the owner of the animal or an employee of the owner and if the animal weighs less than 250 pounds.

The tying, which must be done "in a humane manner," can last no longer than 30 minutes. The new law also states that it must be necessary to move the animal.

The law also outlines new specifications for doghouses. They must be waterproof or be at least two inches off the ground. From



## AGRICULTURE

### Help for grain farmers

A new law provides \$8.8 million in assistance for struggling grain farmers in 16 Minnesota counties, mostly in the northwest portion of the state.

Wheat and barley farmers have lost significant parts of their crops during the past five years to flooded fields and to a plant disease called "scab" — a problem linked to the persistent wet weather experienced in northwestern Minnesota.

Farmers have seen catastrophic drops in yield as the result of scab and other wet-cycle plant diseases. At the same time, federal crop insurance has risen in cost and dropped in coverage.

Effective April 22, 1998, the new law provides aid to farmers who have carried federal crop insurance and experienced heavy crop losses. Under the measure, farmers whose losses have reached a specific threshold may receive up to \$4,000 each to help reimburse

the beginning of November until the end of March, every doghouse must have a wind-break at the entrance.

Under the new law, horses also must be protected from bad weather — including the hot sun or harsh cold, wind, rain, and snow — in some kind of shelter where the horse can easily stand, lie down, and turn around.

The previous law specified that horses should be protected when the bad weather involves either freezing rain or a temperature above 95 degrees.

Outdoor, fenced-in exercise areas for horses need not have a separate shelter if the horse can get to an existing one nearby and as long as they're not kept outside during bad weather.

House Majority Leader Ted Winter (DFL-Fulda) and Sen. Steve Dille (R-Dassel) sponsored the legislation.

HF2065/SF816\*/CH402

#### **Environmental spending**

(See Environment, page 24)

#### **Environmental spending:**

##### **Living with livestock**

(See Environment, page 24)

#### **Environmental spending:**

##### **Minnesota grown**

(See Environment, page 25)

#### **Environmental spending:**

##### **Helping dairy farmers**

(See Environment, page 25)

#### **State government finance:**

##### **Studying feedlots**

(See Government, page 30)

#### **Higher education funding:**

##### **University of Minnesota spending**

(See Higher Education, page 39)

#### **Petitioning for cartways**

(See Local Government, page 50)

#### **Omnibus tax law:**

##### **Property tax rebates**

(See Taxes, page 51)

#### **Omnibus tax law:**

##### **Property tax reform**

(See Taxes, page 51)

#### **Omnibus tax law:**

##### **Farm equipment sales tax**

(See Taxes, page 52)

#### **No industrial hemp study**

(See Vetoed Bills, page 61)

### **Environmental projects cut**

(See Vetoed Bills, page 65)

### **Feedlot regulation**

(See Dead Bills, page 67)



## **BANKING**

### **Checks in the mail**

Restrictions will be placed on the unsolicited checks that some financial institutions mail to consumers, under a new law.

Consumers who find such checks in their mailboxes are actually receiving loan solicitations, carrying interest rates as high as 30 percent.

Effective Jan. 1, 1999, the new law stipulates that no financial institution or lender can send such a check unless it complies with several new requirements.

The checks will be required to become void after 30 days, and information will have to be sent with the check advising consumers to destroy it if they do not use it.

Consumers will have to be told in plain terms that the check is a loan, and the loan agreement will have to be on the back of the check.

If such a check is fraudulently cashed by someone other than the addressee, the consumer is to be absolved from liability by signing a statement saying he or she did not cash the check.

The check will have to be mailed in an envelope that does not indicate its contents. Also, it must not be forwarded if the consumer no longer lives at the address.

Bill sponsor Rep. Bill Haas (R-Champlin) said during House floor discussion of the measure that he received one such check — for thousands of dollars — in the mail.

He said if the check would have been lost or stolen, and cashed, it would have been a hardship. He said his legislation puts procedures in place to protect the consumer.

The measure allows an exception for prospective borrowers who already have an open-end credit arrangement, such as a credit card account, with a lender.

The law also contains regulations on loan solicitations that use “facsimile checks,” which are documents that appear to be real checks, but are not.

Sen. Michelle Fischbach (R-Paynesville) sponsored the measure in the Senate.

HF2016/SF2550\*/CH335

### **Reporting fraudulent checks**

A new law, effective Aug. 1, 1998, aims to encourage banks and credit unions to report information concerning fraudulent check use to the crime alert network or law enforcement agencies.

The law limits the liability of financial institutions who provide stolen, forged, or fraudulent check information.

As long as an institution acts in good faith when they disclose information, they will be free of risk of being held liable by the subjects of the disclosure, under the new law.

The measure was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Ember Junge (DFL-New Hope).

HF3389/SF2493\*/CH337

### **Women and credit history**

A new law seeks to give divorced and widowed women a fairer shake when applying for loans and credit cards.

Effective Jan. 1, 1999, the law will require that creditors consider the credit history of an applicant's spouse and that credit histories be reported in the name of both spouses.

House sponsor Rep. Peggy Leppik (R-Golden Valley) said the law will help women who were conscientious borrowers while married, but find themselves unable to secure credit after a death or divorce because the credit history exists solely in their former spouse's name.

“There are times when an applicant finds she has no credit history,” Leppik said. “This [will] give that person recourse to state court and small claims court. The applicant still has to establish her own credit-worthiness.”

Sen. Deanna Wiener (DFL-Eagan) sponsored the measure in the Senate.

HF2309\*/SF2136/CH327

### **Lost or stolen debit cards**

A new law, effective Aug. 1, 1998, limits customer liability to \$50 on lost or stolen debit cards.

The law covers the debit cards that financial institutions issue to holders of checking accounts. Besides getting cash out of automatic teller machines, consumers can use debit cards to make purchases that are directly deducted from their checking account, as long as the merchant has a terminal that can handle debit card transactions.

The law limits customer liability to \$50 if

the card is lost or stolen. The limit applies to unauthorized transactions made before the bank receives notice that the card has been lost or stolen. (There is no liability for transactions made after the financial institution has been notified.)

A similar liability limit for credit card holders exists in current law.

Rep. Ann H. Rest (DFL-New Hope) and Sen. Edward Oliver (R-Deephaven) sponsored the measure.

HF2500\*/SF2540/CH295

## Regulating trust companies

A new law, effective Aug. 1, 1998, makes it easier for financial organizations to form trust companies.

The Department of Commerce sought the change in law with the belief that trusts are a developing area of business and should, therefore, be supported.

Trust companies are set up to act as trustees for estates, retirement plans, or similar situations that involve investing people's assets in authorized securities. Banks with trust departments do the same thing.

Companies in related businesses such as brokerages are likely prospects to start trust companies, under the new law.

The new law allows interstate branching of trust companies, like banks, and it sets up a separate chapter of laws for trust companies, separate from bank laws.

A majority of directors and governors of a trust company must be residents of the state, and applications for trust companies will be granted if the applicants are considered to be of good financial and moral character and there is a reasonable demand for trust company services in that area.

The minimum required capitalization is \$500,000, with a surplus of at least 20 percent, and the trust company must maintain an investment of at least 25 percent of its capital as a guaranty fund for the protection of its customers. The trust company also can assume the powers and duties of a bank, if it meets the requirements and obtains a bank charter.

Minnesota trust companies can establish and maintain offices in other states, and trust companies established in other states can operate offices in Minnesota, the law states. But state trust companies must keep a principal office in Minnesota.

Rep. Irv Anderson (DFL-Int'l Falls) and

Sen. Edward Oliver (R-Deephaven) sponsored the legislation.

HF3748/SF908\*/CH331

## Savings associations

A new law, effective Feb. 28, 1998, provides for the continued existence of savings associations.

The state law that allowed state-chartered savings associations to exist was to be repealed effective July 1, 1999, but the new law allows the associations to continue and new ones to form. Savings associations are similar to banks and savings and loans.

It was expected that a federal law would make savings associations obsolete, but that legislation has not come to fruition.

In early 1998, there were about five savings associations operating in the state.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. Don Samuelson (DFL-Brainerd) sponsored the new measure.

HF2890/SF2478\*/CH260

## ATM transaction fees

(See Dead Bills, page 67)

## Banking service fees

(See Dead Bills, page 67)



## BONDING

### Statewide capital improvements

The 1998 bonding law invests \$999 million for capital improvements statewide.

The measure is the largest capital investment package in state history. The bonding bill passed in 1994 held the previous record at \$711 million.

The 1998 law is also unusual in that it pays for more than half of the amount with cash from the general fund as opposed to bonding for the entire amount.

Proponents of this approach argued that it would be better to finance these improvements without placing the debt burden on future generations.

Effective April 22, 1998, the new law allows the state to sell bonds to raise revenue for many public works projects in the areas of transportation, higher education, environment, and economic development.

The bill was sponsored by Rep. Henry Kalis (DFL-Walters) and Sen. Keith Langseth (DFL-Glyndon).

HF3843\*/SFnone/CH404

### RiverCentre arena

The bonding bill appeared to be headed for disaster late in the legislative session due to the sometimes controversial RiverCentre hockey arena proposal.

The House-Senate conference committee could not agree on an arena appropriation, and the governor was threatening to veto all or parts of the bonding bill if the appropriation was absent.

The \$130 million arena plan itself also appeared to be in jeopardy. With the early stages of construction about to begin, it looked like the city would have to shoulder the financial burden of the facility, possibly damaging the city's bond credit rating.

Members of the St. Paul City Council were considering measures to delay the demolition of the current arena until the financing issue was settled.

A renegotiated lease between the city of St. Paul and the Minnesota Wild hockey team finally provided the necessary boost to resolve the stalemate.

The new lease allows the state to receive payments on its contribution and gives the city of St. Paul the ability to assume more of the debt without risking its bond credit rating.

Under the new bonding law, the state is to provide a \$65 million interest-free loan to the city to assist in the construction of the hockey facility.

The measure requires that \$48 million of the loan be repaid by the Minnesota Wild through a set payment schedule over the next 20 years as outlined in the law. The payments range from \$1.25 million to \$4.75 million annually. The payments will go to a youth activities account.

The remainder of the loan will be forgiven, provided the team can reach an agreement with the Minnesota Amateur Sports Commission to open the arena to the public for free events each year.

Under the initial proposal presented by the governor and included in the House version of the bill, the state was to provide a \$65 million grant to fund arena construction.

Under the final lease agreement, the Minnesota Wild will not pay the \$35 million in construction costs required by the previous lease. Instead, the team is required to pay the city \$3.5 million in rent annually.

The team remains responsible for the daily maintenance of the facility over the period of the lease and retains all revenue generated from the facility, including the ticket sur-



**Demolition of the old St. Paul Civic Center arena began in May 1998 to make way for the construction of a new hockey facility for the Minnesota Wild. The 1998 bonding law provides the city of St. Paul a \$65 million loan to help finance the project.**

charge and outdoor marquee revenue originally slated to go to the city.

The lease agreement also retains the team's exemption from property tax, provided that the team makes a payment in lieu of tax that is based on revenue recouped by the team from the ticket surcharge and the outdoor marquee.

Initially, the city would have been required to issue bonds in the amount of \$30 million, which would have put the city at its maximum debt capacity. The debt would have been serviced by revenues from the \$1 ticket surcharge and the outdoor marquee, and by an existing half-cent sales tax.

The final lease requires the city to cover the remaining \$65 million in construction costs for the facility. The additional debt will be serviced by the rent payments and payments made in lieu of property taxes by the team.

The facility is expected to be completed in time for the Minnesota Wild to play in the 2000 hockey season.

Proponents of the plan say that the arena is just a part of a larger plan to revitalize the entire RiverCentre facility and downtown St. Paul. They say that the expansion of the entire facility will mean new jobs and economic development in the area. (Sec. 23, Subd. 6)

### **Light rail transit and transportation**

The prospect of a light rail transit (LRT) system in the Twin Cities moves closer to reality with the new law, which provides \$46.5 million for transit-way development.

The new law provides \$40 million of this amount to build a transportation line from

downtown Minneapolis to the Minneapolis-St. Paul International Airport and the Mall of America. The line is being called the Hiawatha Avenue Corridor. (Sec. 17, Subd. 3)

The state's contribution will be matched with federal transit capital funds that are to be made available by Congress.

The remaining \$6.5 million for LRT in the law is to be used to study expansion of the LRT into St. Paul and other corridors and to study commuter rail development. (Sec. 17, Subd. 3)

LRT typically serves urban-suburban markets with short distances between stations. Commuter rail primarily serves the suburban market, typically providing links from outlying areas to the LRT. Commuter rail uses existing rail lines and is characterized by longer station-to-station distances of approximately 2.5 miles.

The measure appropriates \$5 million to assist in developing rural transit. Transit systems in Duluth, Mankato, and St. Cloud also receive funds, under this provision. (Sec. 17, Subd. 4)

The measure also appropriates \$34 million for the construction and repair of Minnesota bridges. Transportation officials told lawmakers that bridges are deteriorating faster than expected because of unprecedented use by heavier vehicles and because of a change in construction methods 40 years ago. (Sec. 17, Subd. 2)

Of Minnesota's 19,790 bridges, 3,460 are deficient by federal standards, according to the transportation department. A total of 573 of those are on the trunk highway system, and 2,887 are on local road systems.

### **Higher education spending**

The largest portion of the bonding law — \$281.4 million — goes to improvements to the state's higher education facilities. Of that amount, the University of Minnesota receives \$138.3 million for projects across the state.

The Twin Cities campus receives funding for several improvements, including \$53.6 million for the Walter Library, \$1.3 million for renovations to Amundson Hall, \$4 million for biology laboratories in Gortner and Snyder halls, and \$6.9 million for improvements to Peters Hall. (Sec. 2, Subds. 3, 4)

The measure also removes some debt service responsibilities for the university for specific projects. This will allow the university to initiate additional improvements, including a new \$35 million molecular and cellular biology building, a \$14.6 million addition to the Architecture Building, and renovations to Murphy and Ford halls.

Other projects funded in the university system include \$28.2 million for improvements to the science and mathematics facility at the Morris campus, \$22.3 million for the construction of a new library at the Duluth campus, and \$4.4 million for university-operated agriculture stations statewide. The measure also provides \$600,000 to the Duluth campus for repairs on the Glensheen Mansion historical site. (Sec. 2, Subds. 8-10)

The Minnesota State Colleges and Universities system receives \$143.1 million for statewide improvements, including \$10.4 million at North Hennepin Community College, \$10 million at St. Paul Technical College, \$16 million at Hibbing Community and Technical College, and \$43 million to fund asset preservation at several system facilities. (Sec. 3, Subds. 2, 8, 15, 25)

### **K-12 education projects**

The Department of Children, Families and Learning receives \$62.4 million for projects, under the new law.

Of that amount, \$5 million is for Youth Enrichment Grants. Communities can apply for the funds to develop after-school community facilities. (Sec. 5, Subd. 3)

Also from this amount, \$14 million goes to a grant to the St. Paul School District to assist in the development of community schools. (Sec. 5, Subd. 6)

The law also provides \$9.2 million for the renovation of facilities at the state academies for the deaf and blind in Faribault, Minn., and allocates \$1.4 million to the Lola and Rudy Perpich Center for Arts Education for improvements. (Secs. 4, 6)

**Recreation and conservation**

The Department of Natural Resources (DNR) receives nearly \$130.3 million for a myriad of projects, including \$10.3 million to acquire and maintain state trails and \$17 million for improvements to the state park system. (Sec. 7, Subds. 3-6, 22)

Other projects overseen by the DNR include \$30 million for grants to local governments to prevent or control flood damage, \$4 million to establish and maintain metropolitan-area green space and natural areas, \$5 million for safe harbors on Lake Superior, \$5 million to improve trails in the metropolitan area park system, and \$10.3 million for the acquisition and development of statewide trails. (Sec. 7, Subds. 9, 19, 22, 24)

The Board of Soil and Water Resources gets \$19.8 million, under the new law. Of that figure, \$15 million goes toward targeting wetlands for protection under the Reinvest in Minnesota program. Under the program, landowners are paid to retire certain lands from agricultural production or place wetlands into conservation. (Sec. 10)

**State buildings**

The new bonding law contains several appropriations which seek to maintain the state's stock of buildings.

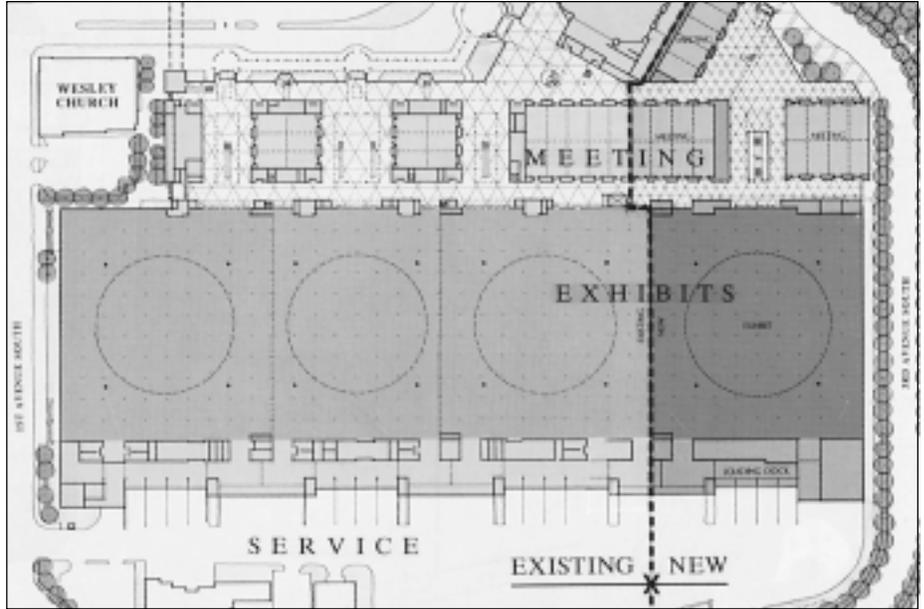
The Department of Administration receives \$15 million to fund the Capital Asset Preservation and Replacement Account (CAPRA). The CAPRA account is used to finance urgent and necessary improvements, such as elimination of hazardous materials or emergency repairs. (Sec. 13, Subd. 2)

The department also receives money for other state facilities, including \$3.8 million to construct a new Bureau of Criminal Apprehension building, \$5.4 million for relocation of the Department of Revenue to its new facility in the Capitol complex, and \$3.1 million to transfer workers from the troubled Capitol Square Building in downtown St. Paul. (Sec. 13, Subds. 4, 6, 11)

The new bonding law also appropriates \$9.5 million to the Capitol Area Architectural and Planning Board for improvements at the state Capitol. (Sec. 13, Subd. 14)

**Convention centers**

Convention centers also receive a good deal of attention in the new bonding law. Along with the St. Paul RiverCentre, the city of Minneapolis receives \$87 million to help finance the expansion of the Minneapolis Convention Center. (Sec. 23, Subd. 7)



Plans to expand the Minneapolis Convention Center are funded in the 1998 bonding law. The city of Minneapolis receives \$87 million to help finance the project.

Duluth receives \$12 million for the expansion of the Duluth Entertainment and Convention Center. Other convention center funding is provided to the Minnesota cities of Fergus Falls, Hutchinson, Rochester, and St. Cloud. (Sec. 23, Subds. 9-13)

**Tourism and economic development**

Under the new law, the Minnesota Historical Society receives \$13.1 million for projects, including \$4 million for the St. Anthony Falls heritage area in Minneapolis, \$1 million for the Hubert H. Humphrey Museum and Learning Center in Waverly, Minn., and \$780,000 for improvements to the Split Rock Lighthouse visitor center. (Sec. 25, Subds. 4, 7, 10)

The new law also includes appropriations to political subdivisions for various projects. These projects include \$3 million to the Southwest Regional Development Commission for the creation of the Prairieland Expo and \$4.5 million to the city of Mankato for the development of a technology center. (Sec. 23, Subds. 15, 31)

The city of St. Paul receives \$3.8 million to redevelop the Phalen Corridor on the city's East Side and the nearby area around the former Stroh brewery facility. Hennepin County is allocated \$7 million for the Humboldt Avenue "greenway" project in Minneapolis. (Sec. 23, Subds. 14, 25)

St. Paul also receives \$2.3 million for the construction of a new Penumbra performing arts facility to showcase African American artists. (Sec. 23, Subd. 24)

**BUSINESS**

**Trademarks and service marks**

A new law aims to upgrade the state trademark and service mark registration system and allow owners of marks to better defend themselves against infringement.

At the request of the International Trademark Association and the secretary of state's office, the new law provides for the cancellation of a mark that has become a generic name, defines when a mark has been abandoned, and revises the provisions relating to mark infringement and dilution.

The International Trademark Association, a 119-year-old nonprofit organization with over 3,500 members from 120 countries, works closely with state legislatures in an attempt to create uniform trademark laws across the country.

The organization has 41 members in Minnesota, including Dayton-Hudson Corp., General Mills Inc., Land O'Lakes Inc., and numerous law firms.

Under the new law, effective Aug. 1, 1998, a registered mark is considered generic if the mark is no longer considered by the public to identify exclusively the goods or services of the mark holder ("aspirin," for example) and a mark will be deemed abandoned after two years of nonuse within the state.

If a mark becomes diluted — the mark's capacity to identify certain goods and services has been clearly diminished by its use

without the owner's consent on dissimilar products — the new law allows the rightful owner to seek a court injunction against another person's use of the mark.

Rep. Peggy Leppik (R-Golden Valley) and Sen. Edward Oliver (R-Deephaven) sponsored the new measure.

HF2315\*/SF2344/CH315

### Franchise law exemption

Northwest Airlines cannot use a 1997 law to its advantage in a court battle, under a new law.

The 1997 Legislature passed legislation for Northwest Airlines that retroactively exempted the airline from Minnesota's franchise law.

The state franchise law provides franchisees with some degree of protection against unwarranted termination of agreements with their parent companies.

Legislators discovered this year that the retroactive exemption had an effect on pending litigation against Northwest Airlines.

A \$30 million lawsuit filed in Maine in 1994 by Northeast Express Airlines and Precision Valley Aviation claims that Northwest Airlines violated Minnesota's franchise law when it dropped the two commuter airlines, forcing them into bankruptcy.

The new law clarifies that the 1997 franchise exemption does not apply to any agreements that were subject to litigation prior to passage of the law. The new law is effective retroactively to May 31, 1997.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls) sponsored the measure.

HF3841/SF3397\*/CH353

### Business on Sundays

A new law makes it easier for Minnesota's boat, snowmobile, and all-terrain vehicle dealers to do business on Sundays.

Previously, boat, snowmobile, and all-terrain vehicle trailers were considered "motor vehicles" under state law, which prohibits the sale of motor vehicles on Sundays. That meant customers without their own trailer had no way to transport their purchases on Sundays.

Effective March 6, 1998, the new law fixed the impractical glitch in state law by exempting certain trailers from the Sunday sales ban.

A second provision in the new law also aims to make life easier for trailer dealers.

Prior to the passage of the law, it was necessary for an individual to hold a franchise license in order to sell a motor vehicle. The new law exempts trailers from the franchise requirement.

Rep. Irv Anderson (DFL-Int'l Falls), sponsor of the measure, was alerted to the problems with trailer sales by a small-marine dealer in his district. Originally, Anderson said, he considered doing away with the Sunday motor vehicle sales ban entirely.

But that idea opened a "hornet's nest," he said. Some dealers support Sunday sales; many do not.

During a House committee hearing,

Scott Lambert, of the Minnesota Auto Dealers Association, said that his organization has no problem with exempting trailers from the Sunday sales ban, but the automobile dealers Lambert represents are not interested in doing regular business on Sundays.

Sen. Bob Lessard (DFL-Int'l Falls) sponsored the measure in the Senate.

HF2425/SF2170\*/CH267

### Alcohol sales on campus

The sale of alcohol on state university grounds is allowed on a limited basis, under a new state law.

Effective Aug. 1, 1998, a provision in the law allows issuance of temporary on-sale liquor licenses for events sponsored or approved by the university requesting the permit. The law does not apply to campus sporting events, fraternity or sorority parties, or other functions geared toward students.

Legislators were told the permits are for social functions at universities, such as plays held on campus, where wine sales have been requested. The temporary licenses also could be used for on-campus alumni functions.

Legislators also were told that community functions are sometimes held on campuses and that some civic organizations have requested to serve liquor on campus.

Effective April 7, 1998, another new provision allows on-sale liquor licenses to be issued for Giants Ridge Golf and Ski Resort and for Ironworld Discovery Center. A state agency, the Iron Range Resources and Rehabilitation Board, owns and operates Ironworld in Chisholm, Minn., and Giants Ridge near Biwabik, Minn.

The fee charged for a license issued for Ironworld or Giants Ridge must be comparable to the fee charged in the surrounding area.

Also effective April 7, 1998, the law exempts towns of 5,000 or less from a restriction that allows the sale of only one temporary license to a municipality within a 30-day period. The exemption also applies to licenses issued in connection with community festivals.

Rep. Jim Tunheim (DFL-Kennedy) and Sen. Sam Solon (DFL-Duluth) sponsored the new measure.

HF2695/SF2274\*/CH364



A new state law prohibits Northwest Airlines from using a 1997 law to its advantage in a \$30 million lawsuit against the company.

## Professional service providers

A new law ensures that physician assistants and foreign-licensed attorneys are able to reap the benefits of partnerships in Minnesota professional service organizations.

Under previous law, only certain professions were allowed to organize as professional associations.

Effective March 24, 1998, physician assistants were added to the statutory list of professional service providers, which also includes physicians, registered nurses, dentists, architects, and attorneys, among others.

The new measure came at the urging of the Minnesota Academy of Physician Assistants, who told lawmakers many of its members had been thwarted in their attempts to become full partners with the supervising physicians under whom they were employed.

At the request of a large Minneapolis law firm with offices in Hong Kong, London, and Brussels, Belgium, another provision of the new law clarifies that foreign-licensed attorneys are eligible to become full partners in Minnesota law firms. However, the new law does not allow foreign attorneys to practice law in this state without a Minnesota license.

Rep. Ann H. Rest (DFL-New Hope) and Sen. Ember Junge (DFL-New Hope) sponsored the new measure.

HF2641/SF2378\*/CH309

## State Board of Accountancy

A new law aims to assist the State Board of Accountancy in the oversight of nearly 12,000 licensed public accountants in Minnesota.

The board, whose members are appointed by the governor, exists to protect Minnesotans from unethical and incompetent accounting practices.

Among its many duties, the board administers certified public accountant exams and certifies, licenses, and regulates public accountants. The board also has the power to revoke or suspend licenses and take disciplinary actions against individuals who violate state law governing the practice of accounting.

Effective Aug. 1, 1998, the new law gives the board more latitude in disciplinary actions. Rather than suspending or revoking a license, the board has the option of engaging in a monitoring program designed to correct deficiencies.

Depending upon the severity of the offense, the new law grants the board the op-

tions of issuing warnings to or entering into corrective action agreements with accountants who violate state law or rules governing the profession.

The new law also gives the board authority to discipline unlicensed preparers of unaudited financial statements. Committee testimony produced a letter that was sent to the board from a Duluth flower shop owner who had been subjected to seemingly unethical practices by her unlicensed accountant. "I am writing to you as a plea for help," the letter began. "... [The accountant] has always been more overpowering than any hired person should be."

Under the new law, the board can intervene on behalf of individuals, such as the flower shop owner, regardless of the accountant's license status.

Another provision establishes procedures for the board to deal with accountants who fail to renew their licenses each year. A license not renewed for more than two years will be automatically revoked, under the new law.

Currently, the board is allowed to impose a civil penalty of up to \$2,000 per violation to recover the cost of disciplinary proceedings. Under the new law, the board also can recover reasonable investigative fees.

Rep. Nora Slawik (DFL-Maplewood) and Sen. Edward Oliver (R-Deephaven) sponsored the new measure.

HF2308\*/SF2014/CH340

## Limited partner regulations

Regulations by which a limited partner in an investment can withdraw from a partnership are changed under a new law.

The law allows limited partners to withdraw from an investment partnership only if permitted by the written partnership agreement. If the agreement contains no withdrawal authority, the limited partner will not be able to withdraw.

Current law allows limited partners to withdraw unless it is specifically forbidden in the written partnership agreement.

Limited partners invest in a partnership but are usually not subject to the same legal liabilities to which the general partners are subject.

The new law applies to partnerships formed after July 31, 1998, and to partnerships formed earlier that contain a written provision allowing withdrawal.

Rep. Bill Macklin (R-Lakeville) and Sen. Don Betzold (DFL-Fridley) sponsored the measure.

HF2507/SF3036\*/CH320

## Day training services

(See Employment, page 23)

## Removing conflict of interest

(See Local Government, page 48)

## Digital signatures

(See Technology, page 54)

## Ignoring highway barricades:

**Blue service sign criteria**

(See Transportation, page 56)

## Marvin Windows and Doors

(See Special Session, page 60)

## Rent-to-own contracts

(See Dead Bills, page 69)

## Debt collectors using aliases

(See Dead Bills, page 69)

## Raising the minimum wage

(See Dead Bills, page 72)

## Business and public subsidies

(See Dead Bills, page 74)



## CHILDREN

### Child protection system

A new law seeks to address issues that have recently come to light regarding the state's ability to protect children who are in danger.

In January 1998, the legislative auditor released an evaluation of the state's child protection system. The auditor found that services varied greatly from county to county and that no external oversight exists to monitor the actions in these cases. The auditor suggested numerous approaches to reforming the current state of the system.

The new law, most of which is effective April 21, 1998, incorporates many of the suggestions, along with changes recently mandated by federal law. The law creates a more uniform statewide system and attempts to provide a sufficient level of oversight to make sure that the cases are handled effectively.

The federal changes are intended to increase safety and speed up permanent placement for abused and neglected children, and must be adopted if Minnesota is to receive \$58 million in federal foster care and adoption assistance funds.

The new law also requires that the Department of Human Services design a statewide child protective services plan with input from the county-administered programs.

In addition, the law requires the department to formulate a statewide permanency plan. The plan would seek to place children more quickly into permanent living situations, either with a parent or another alternative home.

The new law also directs spending of a \$10 million family preservation appropriation contained in the omnibus health and human services law signed by the governor (HF2868/SF3346\*/CH407).

Of that amount, a total of \$9.3 million goes to the counties to assist in permanent placement, and \$500,000 goes to the Department of Human Services to assist in planning and coordination of the statewide system.

The child protection bill was sponsored by Rep. Matt Entenza (DFL-St. Paul) and Sen. Jane Ranum (DFL-Mpls).

HF2985\*/SF2682/CH406

#### **K-12 education finance:**

##### **All-day kindergarten**

(See Education, page 21)

##### **Hepatitis B vaccinations**

(See Health, page 37)

#### **Government data practices**

(See Law, page 46)

##### **Child care, jobs, housing**

(See Special Session, page 59)

#### **Family, early childhood bill**

(See Vetoed Bills, page 63)

#### **Children's endowment fund**

(See Dead Bills, page 68)

##### **Child Guide Program**

(See Dead Bills, page 69)



## **CONSUMERS**

### **Home mortgage services**

Shopping for a home mortgage can be risky and confusing. Consumers often assume they are dealing with a bank, whose activities are heavily regulated, when in fact, their lender or broker may be an unknown player in the residential mortgage industry.

Should anything go wrong during the process, the consumer is left without any recourse except, perhaps, an appeal to the attorney general's office.

Effective July 1, 1998, a new law establishes state licensing and regulation for companies that perform residential mortgage services in Minnesota.

Under the law, most residential mortgage brokers and lenders must be licensed by the Department of Commerce by Aug. 1, 1999.

Effective July 1, 1999, the law also will establish an industrywide code of conduct against infractions such as misrepresentation of services, misleading statements, or deceptive advertising. The standards of conduct will apply even if the business, such as a bank or credit union that is already regulated, is exempt from licensing.

"Clear standards of conduct which apply to all residential mortgage originations will provide a level playing field within the industry as well as offer protection to consumers," said Rep. Jim Tunheim (DFL-Kennedy), who sponsored the legislation in the House.

Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the measure in the Senate.

HF2983/SF2966\*/CH343

### **Good funds**

Imagine signing away the title to your home and walking away from the deal with a bad check. Or waiting a month after closing for the money to roll in.

Due to a nationwide rash of mortgage company failures, a new state law aims to ensure that only "qualified" loan funds exchange hands at residential real estate closings.

Some types of qualified funds include cash in the form of U.S. currency, cashier's checks or bank money orders issued by a federally insured financial institution, and U.S. Treasury checks.

Effective Aug. 1, 1998, lenders must deliver loan funds to closing agents in the form of qualified funds, unless the closing agent has conducted more than 25 successful transactions for the lender.

Minnesota is now one of more than 10 states that have adopted "good funds" legislation to guarantee available funds at closings.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Sam Solon (DFL-Duluth) sponsored the measure.

HF2971/SF2489\*/CH344

### **Getting extended area service**

A new state law makes it easier to petition the Public Utilities Commission for extended telephone service within school district boundaries.

A 1997 law required a majority of all telephone customers in each exchange to vote in favor of extended area service within a school district.

The new measure, effective March 24, 1998, requires only that a majority of customers who cast a vote is required to extend the service.

Extended area service is often sought in rural areas, where calls from residents to their children's school can result in long distance charges. While extended area service may result in higher monthly service charges, it does make each call within a school district a local call.

House Minority Leader Steve Sviggum (R-Kenyon) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the measure.

HF3644\*/SF3170/CH326

#### **Checks in the mail**

(See Banking, page 10)

#### **Women and credit history**

(See Banking, page 10)

#### **Lost or stolen debit cards**

(See Banking, page 10)

#### **Health, human services finance:**

##### **Consumer health assistance**

(See Human Services, page 43)

#### **Protecting telephone customers**

(See Industry, page 44)

##### **TAP expansion vetoed**

(See Vetoed Bills, page 61)

##### **ATM transaction fees**

(See Dead Bills, page 67)

##### **Rent-to-own contracts**

(See Dead Bills, page 69)

#### **Debt collectors using aliases**

(See Dead Bills, page 69)



## CRIME

### Crime prevention legislation

Gov. Arne Carlson signed omnibus judiciary finance and crime prevention legislation that includes several provisions aimed at lengthening penalties for certain crimes.

One such provision in the new law classifies murder committed in the course of a kidnapping as a more serious type of murder, effective Aug. 1, 1998. A person convicted of such a crime will be sentenced to life without parole, Minnesota's toughest sentence. (Art. 2, Sec. 6)

Rep. Stephen Wenzel (DFL-Little Falls), who backed the provision, said that measure comes in response to the 1996 murder-kidnapping of Paul Antonich, a Two Harbors, Minn., teen-ager taken from his father's car in Duluth after a minor traffic accident.

Another new provision, effective Aug. 1, 1998, makes intentional murder committed during a drive-by shooting a first-degree murder crime, increasing the prison sentence for the offense. (Art. 2, Sec. 7)

The new law also raises the maximum penalty from a five-year prison term to a 10-year term for firing into an occupied vehicle or building. This drive-by shooting provision is effective Jan. 1, 1999. (Art. 2, Sec. 22)

The measure also increases penalties for felons convicted of violent offenses who are found illegally in possession of a firearm. Currently, the mandatory minimum prison sentence is 18 months. Effective Jan. 1, 1999, the mandatory minimum will be increased to five years. (Art. 2, Sec. 4)

Another provision in the law increases penalties generally for soliciting a prostitute or receiving profit from prostitution. This provision, effective Aug. 1, 1998, also increases the penalties for engaging in prostitution in a school zone. (Art. 2, Secs. 1, 12)

Rep. Mary Murphy (DFL-Hermantown) and Sen. Randy Kelly (DFL-St. Paul) sponsored the legislation.

Other highlights of the new law appear below.

HFnone/SF3345\*/CH367

#### Prosecuting gangs

Prosecutors told legislators this year that they are having difficulties bringing gang members to trial and making the penalties stick. Several provisions in the new law seek to address such concerns.

One provision expands a current law that



**A new anti-crime law includes provisions designed to make it easier and safer for police officers to do their jobs.**

provides enhanced penalties for crimes committed for the benefit of a gang to include crimes "motivated by involvement with" a gang. The provision also increases these enhanced penalties. (Art. 2, Sec. 9)

The new law increases penalties for witness tampering and adds witness tampering to the list of crimes that can receive enhanced penalties if committed for the benefit of a gang. (Art. 2, Sec. 5)

The measure also seeks to get people to show up for court, both offenders and witnesses. One provision increases the penalty for alleged or convicted felony offenders who fail to appear in court. (Art. 2, Sec. 16)

Another provision increases penalties for individuals who knowingly and willingly defy a court subpoena to appear in relation to a violent crime. (Art. 2, Sec. 3)

These provisions are effective Aug. 1, 1998.

#### Charging burglars

A provision of the new law makes it easier to prosecute people who illegally enter a property by expanding the definition of burglary to include accomplices. The new definition becomes effective Aug. 1, 1998. (Art. 2, Sec. 21)

Prosecutors said the new language would make the law more explicit and allow them to bring charges against anyone who illegally enters a dwelling, even if they don't personally break in or steal something.

#### Fighting drugs

The new law increases the penalties for manufacturing, possessing, or selling methamphetamine. Law enforcement officials said

that Minnesota is seeing a dramatic increase in use of the drug.

Effective Jan. 1, 1999, the drug will be raised to the same status as cocaine and heroin and the manufacture of any amount of methamphetamine will be a first-degree controlled substance offense. (Art. 4, Secs. 1-3)

Effective Aug. 1, 1998, the new law makes the drug ephedrine available by prescription in most instances. The targeted over-the-counter products containing ephedrine are reportedly taken by teen-agers and others looking to achieve a legal high. (Art. 4, Secs. 5, 6)

#### Protecting police officers

Several provisions in the new law seek to make it easier and safer for police officers to do their jobs.

One such provision comes as a result of an incident where two Richfield police officers were accused of sexual assault. Although the allegations were proven false, the incident greatly disrupted the criminal justice process, not to mention the lives of the two officers.

The provision expands the state's stalking law by making it a criminal violation to harass police officers because of the performance of official duties. (Art. 2, Sec. 23)

In addition, the new law makes it easier to prosecute people who interfere with officers making an arrest by expanding the legal definition of obstruction of justice. (Art. 2, Sec. 17)

The two provisions are effective Aug. 1, 1998.

Another provision, effective April 7, 1998, authorizes officers to conduct protective pat-down searches on juveniles taken into custody. (Art. 10, Sec. 10)

### Conditional release

Effective Aug. 1, 1998, the new law makes several changes to the state's probation and conditional release law.

The measure also allows peace officers to detain for eight hours a person on conditional release if the officer has reasonable cause to believe that the individual has violated the terms of his or her release. (Art. 7, Sec. 12)

The law also allows probation officers to impose community service on people who violate the conditions of their release. (Art. 7, Secs. 1, 2)

The new law also authorizes the use of remote electric alcohol monitoring for DWI offenders who are ordered to abstain from alcohol as a condition for pretrial release or probation. Offenders who can afford the program are required to pay the costs. (Art. 11, Sec. 6)

### Juvenile offenders

Certain juvenile court proceedings and documents will be open to the victim of the crime, under the new law. (Art. 10, Secs. 7, 8)

The measure also increases penalties for contributing to the delinquency of a juvenile. Another provision creates a civil penalty for this crime, requiring a person found liable for the delinquency of a juvenile to provide restitution to victims. (Art. 10, Secs. 11, 12)

The new law also makes it easier to get juveniles who are participating in prostitution into the state's child protection system. (Art. 10, Secs. 4-6)

These provisions are effective Aug. 1, 1998.

### Right to ride

A provision of the new law prohibits owners of public accommodations, such as restaurants and hotels, from discriminating against motorcyclists.

Effective Aug. 1, 1998, the new law provides exceptions if the owner feels that the person's conduct poses a risk to property or the safety of other patrons, or if the clothing worn by the motorcyclist is obscene or includes the symbol of a criminal gang. (Art. 11, Sec. 18)

### Reporting crime

Several provisions within the new law authorize reports to the Legislature regarding crime in Minnesota.

One provision requests that the legislative auditor study the cost of crime in the state, including direct costs to state and local governments for criminal justice and indirect costs placed on individuals, businesses, and neighborhoods. (Art. 1, Sec. 14)

Another measure authorizes the city of Minneapolis, Hennepin County, and the Hennepin County District Court to provide data on criminal justice in the city of Minneapolis. This provision is effective only if approved by both the Minneapolis City Council and the Hennepin County Board. (Art. 2, Sec. 29)

Another provision seeks more accurate information on prostitution in Minneapolis and St. Paul. The new law mandates that city attorneys in the two cities and county attorneys in Hennepin and Ramsey counties report on investigation and prosecution of prostitution within the jurisdictions. (Art. 2, Secs. 30-31)

### Financing justice

The measure contains \$7.9 million in supplemental appropriations, a majority of which goes to the Department of Corrections, the Department of Public Safety, and the state courts.

Of the total amount, \$3 million will be recouped in revenue from increased criminal justice fees and criminal fines.

The Department of Corrections receives \$2.1 million, much of which goes to reducing the caseload for probation officers. Grant programs that fund community corrections also are funded through these dollars.

The Department of Public Safety is appropriated \$1.6 million. Of these funds, the Office of the Crime Victim Ombudsman receives \$300,000 to fund its services; the Bureau of Criminal Apprehension receives \$133,000 to add forensic scientists to its crime lab; and the department gets \$750,000 for law enforcement and community crime prevention grants.

The state fire marshal receives \$170,000 of public safety money for the creation of an arson data system. The database will contain only basic information at the state level but will provide links to local criminal justice agencies for more detailed information on specific cases of arson.

The measure appropriates \$1.1 million to the state courts for law clerk salaries. The

state public defender receives \$1 million for defense attorney salaries. Another \$375,000 will be given to Legal Aid to provide legal service to low-income individuals. (Art. 1)

Judicial districts in Hennepin and Ramsey counties each receive \$200,000 to establish community courts, under the measure.

Borrowing from an idea initiated in New York City, these courts are advised by citizen groups, and are often located in the neighborhoods they serve. The community courts hear livability, misdemeanor-level crime cases, such as minor drug offenses, and can sentence those who plead guilty to community service or treatment and counseling.

### Sex offender release process

A new law attempts to refine Minnesota's sex offender registration and community notification laws.

The measure builds on the legislation passed in 1996, which authorizes local law enforcement agencies to notify communities where sex offenders are to be released or are to relocate.

The level of notification depends on a risk assessment of the offender. Offenders are classified as either low-, intermediate-, or high-risk to the community.

If the offender is considered low-risk, police may notify other law enforcement agencies and any victims of, or witnesses to, the offender's crime. For intermediate-risk offenders, schools, day care centers, and other groups that serve individuals likely to be victimized by the offender can be notified. Anyone a high-risk offender is "likely to encounter" can be notified.

The Minnesota Board of Peace Officer Standards and Training established uniform notification guidelines for local law enforcement prior to the original law's January 1997 effective date.

For the high-risk offenders, law enforcement agencies conduct a public meeting to provide the community with information on the offender, including the offender's name and crimes committed. Officials do not give out the offender's address but do provide the street name and block number. Police officers also offer crime prevention and safety information, such as ways to keep children from becoming victims.

The Department of Corrections says that they have had approximately 700 notifications due to sex-offender releases and relocations since the original law took effect. Of

these, approximately 100 have been high-risk offenders.

The new measure includes the following changes, which are effective April 21, 1998, unless otherwise specified.

- The new law expands the definition of sex offender to provide more accurate treatment information on annual reports formulated by the corrections department. The new law also requires treatment facilities to provide all treatment information to the department for purposes of this evaluation.
- The measure makes adjustments to the end-of-confinement review process, including outlining a separate risk assessment process for sex offenders leaving federal facilities and offenders who are accepted for parole supervision from another state. The new law also requires the risk assessment committee to notify the original law enforcement agency of the hearings and allow the agency to submit material. The measure also outlines a process for assigning risk levels for offenders who are confined less than 90 days.
- The new law makes several changes to ensure that the community notification process works more efficiently. Among other things, the law seeks to move the release information from the corrections department and the Department of Human Services to the local law enforcement agencies more quickly. The law also requires the local law enforcement agency to make a good faith effort to conduct the notification within 14 days of receiving the offender's confirmed address, including offenders who are simply changing their place of residence.
- Effective July 1, 1998, the corrections department and the human services department are required to study the extent to which statements made during sex offender treatment should be kept confidential.  
Rep. Dave Bishop (R-Rochester) and Sen. Randy Kelly (DFL-St. Paul) sponsored the new measure.  
HF2734/SF2498\*/CH396

**Liability limits for nonprofits**

Nonprofit corporations that provide correctional treatment services to the state have the same liability limits as state agencies, under a new law.

Existing law limits liability on state agencies and state employees acting within the scope of their employment to \$200,000 per individual claim or \$600,000 total per incident.

The new law applies this limit to nonprofit treatment facilities that accept individuals under court order or Department of Corrections order. The limits do not apply if the conduct was intentional or grossly negligent.

The new law applies to claims made on incidents occurring on or after Aug. 1, 1998.

Rep. Michael Paymar (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls) sponsored the new measure.

HF1207/SF330\*/CH336

**Reporting fraudulent checks**

(See Banking, page 10)

**Claims against the state**

(See Government, page 35)

**Transportation funding:**

**State troopers**

(See Transportation, page 54)

**Transportation funding:**

**Registration task force**

(See Transportation, page 55)

**No more fingerprint checks**

(See Transportation, page 57)

**No industrial hemp study**

(See Vetoed Bills, page 61)

**Family, early childhood bill**

(See Vetoed Bills, page 63)

**Curbing repeated violence**

(See Dead Bills, page 69)

 **DWI**

**Repeat DWI offenders**

Effective March 26, 1998, a new law authorizes state courts to sentence repeat DWI offenders to an intensive probation program in place of mandatory jail sentences.

Intensive probation programs seek to provide alternative sentencing for those DWI offenders considered to be of high risk to the community.

These programs require a period of incarceration in a treatment facility followed by supervised home detention. Offenders are prohibited from using alcohol or drugs and are frequently tested for use throughout the probation. Offenders are also required to pay a substantial portion of program costs.

The Department of Corrections has a grant program in place to assist counties interested in establishing intensive probation programs.



A new law aims to reduce the recidivism rate among repeat DWI offenders by authorizing intensive probation programs in place of mandatory jail sentences.

Corrections officials said that they received requests from 13 counties this year.

Officials from Dakota County said that an evaluation of their intensive probation program showed a recidivism rate of 11 percent. They said the rate for those incarcerated without the program was 43 percent.

The officials said it is difficult to get a repeat offender into the program voluntarily after he or she has already done jail time.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation.

HF2615/SF2252\*/CH332

**License provisions clarified**

(See Transportation, page 55)

**Legal blood-alcohol limit**

(See Dead Bills, page 70)

 **EDUCATION**

**K-12 education finance**

The state's Profile of Learning is here to stay, but districts will have the option of phasing in the new requirements over a three-year period, under a \$124 million K-12 education finance measure signed into law.

Also, the State Board of Education will go, superintendents' paychecks can grow, and Minnesota's special-education system will see a major overhaul, under the new law.

Rep. Becky Kelso (DFL-Shakopee) and



More Minnesota 5-year-olds will be spending full days at school, under a new law that provides an additional \$1.5 million for certain schools to begin or continue all-day kindergarten programs.

Sen. Lawrence Pogemiller (DFL-Mpls) sponsored the legislation.

HF2874\*/SF3378/CH398

### Graduation Standards

The bulk of the new law's spending — \$70 million of the total \$124 million — will go to help districts implement the Profile of Learning, a portion of the state's Graduation Standards initiative that will measure student achievement on a broad range of skills.

The Profile of Learning, which stresses more workaday skills and hands-on projects, had been set to kick in with the 1998-1999 school year.

But under the new law, districts will be able to choose to begin the new state-mandated curriculum then or to introduce it in phases over the following two years. By the 2001-2002 school year, all districts must have fully implemented the standards. (Art. 5, Sec.9)

The law also provides graduated funding according to when districts begin teaching under the new system. All districts will receive \$52 per student in new Graduation Standards implementation funding for the fiscal year beginning July 1, 1998, and those that fully implement the Profile of Learning that year will receive an additional \$14 per student.

A portion of that money must go directly to schools for staff development, another part must be reserved for developing gifted and talented programs under the new graduation requirements, and the remainder must

be used for technology development or class-size reduction. (Art. 1, Sec. 31)

"Our goal was to make sure the Graduation Standards are able to work, and to move down a path that will result in kids being better prepared for the world," Kelso said.

### State Board of Education

The new law also contains a major policy reform, calling for the 79-year-old State Board of Education to be abolished by Dec. 31, 1999. (Art. 5, Sec. 56)

The nine-member board helps set rules

and policies for K-12 and community education. Under the law, most of the board's authority will be transferred to the state's education commissioner, but a new board will be created to take over regulating the state academies for the deaf and blind in Faribault. (Art. 5, Sec. 14)

### Special education

The state's special education system will also see several changes under the new law.

A 1997 report of the legislative auditor showed that special education costs in Minnesota were spiraling, and Kelso has said that getting those costs under control was a high priority for her in the 1998 session.

Effective July 1, 1998, a provision of the new law requires the state to reimburse districts for certain administrative and legal costs incurred when schools attempt to deny parents' requests for what the schools perceive as unnecessary special education services. The theory is that districts often provide unnecessary, costly services because they are afraid of the potential cost of lawsuits by parents asking for services.

But to be eligible for reimbursement of attorney fees incurred as part of a due process hearing, districts will first have to make a "good faith effort" to resolve the dispute through mediation. (Art. 2, Sec. 26)

Also, as of July 1, 1999, state special education requirements may not exceed federal requirements. (Art. 2, Sec. 8)

And the new law also contains provisions to maximize Medical Assistance reimburse-



A new law provides \$124 million for K-12 education programs, including money to help school districts implement the state's new Graduation Standards and increased funding for school lunch aid.

ments for special education purposes, effective April 22, 1998. (Art. 2, Sec. 2)

The bulk of the new special education measures were the result of a year-long joint House and Senate subcommittee, headed by Rep. Mindy Greiling (DFL-Roseville) and Sen. Martha Robertson (R-Minnetonka).

### Superintendents' salaries

Effective Aug. 1, 1998, the new law also removes the current cap — at 95 percent of the governor's annual paycheck — on Minnesota school superintendents' salaries.

Several metropolitan-area districts have said they've had trouble recruiting and retaining top-notch superintendents because of the salary cap.

"It simply makes no sense for the state of Minnesota to be involved in something of that local nature," Kelso said. (Art. 5, Sec. 1)

### Boarding schools

A project that Carlson has called one of his top priorities this year — establishing residential boarding academies for at-risk youth — also receives funding under the omnibus education measure.

The law provides \$12 million for the fiscal year beginning July 1, 1998, to help build three year-round schools. (Art. 5, Sec. 54)

The academies will be geared for students in grades four through 12 who are unsuccessfully bounced between foster families or those whose parents feel a residential environment would help get their child on the right track. Enrollment will be conditional upon the students' voluntary desire to attend. (Art. 5, Sec. 46)

### All-day kindergarten

More Minnesota five-year-olds soon will be increasing the amount of time they spend at school.

The new law provides an additional \$1.5 million for the year beginning July 1, 1998, for certain schools to begin or continue all-day kindergarten programs.

The new funds bring next year's allowance for the first-grade preparedness program, initiated in 1996, up to \$6.5 million. Kindergarten is still optional in Minnesota, but several recent reports have shown that attending all-day programs dramatically increases children's academic and social skills. (Art. 2, Sec. 52)



**A new law prohibits school districts from charging home-schooled students higher fees to participate in extracurricular activities than public school students are charged.**

### Loophole closed

A murky area of state statute under which some districts may have been able to substitute their own achievement tests for state-mandated tests is clarified under new law.

Effective July 1, 1998, all districts are required to use the same tests to assess students' basic skills in reading, writing, and math. Diagnostic tests will be administered to all students in grades three, five, and eight as part of the new Graduation Standards initiative. (Art. 5, Sec. 8)

### Summer school

Also beginning in the 1998-1999 school year, students will have another incentive to perform well academically, as districts will be able to require certain students to attend summer school.

Effective July 1, 1998, districts have the authority to set their own criteria for determining who will be required to attend summer programs. The measure is intended to help districts improve performances on the state-mandated basic skills tests. (Art. 5, Sec. 4)

### Earlier start dates

Under the new law, districts also will be allowed to begin the school year as early as September 1, beginning in the school year 2000-2001.

Current law prohibits schools from starting before Labor Day, and an earlier proposal to repeal the mandated start-date altogether was heavily opposed by members of the tourism industry, who were concerned about potential lost revenue in a shortened summer season. (Art. 6, Sec. 29)

A separate 1997 measure allows schools to begin school a few days before the Labor Day weekend in 1998 and 1999, when the holiday falls relatively late in September.

### American Indian Scholarships

Three programs — American Indian Scholarships, American Indian Postsecondary Preparation Grants, and American Indian Language and Culture Programs — receive \$525,000 in combined new funding for the fiscal year beginning July 1, 1998.

All three programs are aimed at increasing high school graduation rates and college attendance rates for members of Minnesota's 11 federally recognized tribes.

None of the three programs has seen a funding increase in 10 years, which Kelso said is out of sync with increases to scholarship funds for other minorities. (Art. 2, Secs. 48-51).

### Extracurricular activities

Effective for the 1998-1999 school year and thereafter, school districts must charge home-schooled students the same fee for extracurricular activities as they charge public school students.

The provision was spearheaded by parents of home-schooled children and backed by House Speaker Phil Carruthers (DFL-Brooklyn Center), who said some districts set prohibitive fees for home-schooled participants in public school activities.

"But these parents pay property taxes like everyone else," Carruthers said. (Art. 5, Sec. 5)

### Teacher licensing data

The new law outlines the first steps for setting up a central depository of licensing and employment information about Minnesota educators.

A high-profile case in early 1998 involving a teacher indicted for sexual misconduct with a student pointed out the need for such a data depository, when it was revealed that the

teacher had lied about his credentials to get a Minnesota teaching license.

Under the new law, a working group will convene by June 15, 1998, to study how such a central database of employment information would operate and what types of records it would contain.

By Dec. 1, 1998, the group will present findings to the education committees of the Legislature. (Art. 5, Sec. 52)

**Per pupil funding**

A new law delays for one year an impending change to the way school districts receive money from the state.

Currently, districts receive \$67 per pupil under what is called cooperation revenue, which is distinct from basic revenue. Basic revenue, set for \$3,530 per pupil for the fiscal year starting July 1, 1998, is where districts receive the bulk of their funding from the state.

Beginning July 1, 1999, the \$67 in cooperation revenue was going to be added to the general formula for basic revenue, but the new law pushes back that roll-in date until July 1, 2000.

The change is significant mostly because it will change some tax amounts, because the two revenues have different tax rates.

The change, which was recommended by Gov. Arne Carlson and proposed by the Senate Education Committee, was added to an education recodification bill during the last day of session on the House floor because amending the omnibus education bill would have held up action on the bill.

Rep. Becky Kelso (DFL-Shakopee) and Sen. Lawrence Pogemiller (DFL-Mpls) sponsored the legislation.

HF2174/SF2082\*/CH397

**Statewide capital improvements:**

**K-12 education projects**

(See Bonding, page 12)

**Omnibus pension law:**

**Part-time teachers' pensions**

(See Government, page 32)

**Higher education funding cut**

(See Vetoed Bills, page 65)

**Claiming education tax credits**

(See Dead Bills, page 70)

**The state and failing schools**

(See Dead Bills, page 70)

**Students riding public buses**

(See Dead Bills, page 71)



**ELECTIONS**

**Elections provisions modified**

A new law changes the standard for convicting people who distribute false material during an election campaign.

Under previous law, people who distributed material or made a statement about a candidate or a ballot question could have been convicted of a gross misdemeanor if they merely "had reason to believe the material or statement was false."

Now, to be convicted, the person making the statement must know the material is false or must communicate it with "reckless disregard" for whether it is false. The law was drafted to conform with a U.S. Supreme Court decision.

The new law also takes away the voting rights of a person who is civilly committed because of conduct that caused the person to be convicted of a crime. Prior law took away the right to vote from just part of this group — only those found to be "sexually dangerous persons" or "persons with a sexual psychopathic personality."

The new law also lets any individual acting alone, spending only his or her own resources in an amount less than \$300, and acting at least 14 days before an election to distribute anonymous campaign material. Other distributors of campaign material must identify themselves on the material.

The new law, effective April 10, 1998, was sponsored by Rep. Mindy Greiling (DFL-Roseville) and Sen. John Marty (DFL-Roseville).

HF2486/SF2256\*/CH376

**Lottery revenue dedication**

(See Environment, page 27)

**Hunting, fishing heritage**

(See Game & Fish, page 29)

**Abolish treasurer's office?**

(See Government, page 31)

**Open absentee ballot program**

(See Vetoed Bills, page 62)

**Updating voter addresses**

(See Vetoed Bills, page 63)

**Absentee ballots with 'reason'**

(See Vetoed Bills, page 63)

**Absentee ballot pilot project**

(See Vetoed Bills, page 63)

**Elected Metropolitan Council**

(See Dead Bills, page 71)



**EMPLOYMENT**

**Higher unemployment benefits?**

A new law may provide increased unemployment benefits for certain temporarily out-of-work Minnesotans.

Effective Aug. 1, 1998, the law offers a second option for calculating the amount of state unemployment benefits workers are entitled to, and the law allows claimants to use whichever option would provide higher benefits.

Under existing law, a claimant's weekly benefit amount is set at one twenty-sixth of his or her high quarter wage and is subject to a cap based on the state's average weekly wage and the amount in the state's re-employment insurance fund. With the fund's current level, weekly benefits cannot exceed 60 percent of the state's average weekly wage.

Under the new law, workers who received higher paychecks during certain parts of the preceding year can base their benefits on those higher wages, but if they do so, their weekly benefit amount will be subject to a lower cap.

Under the new option, weekly benefits will be equal to half the claimant's weekly wage during the high quarter, capped at 50 percent of the state's average weekly wage.

The other new option is to have benefits based on an entire base period, which is usually a calendar year. Under that option, benefits will be equal to one-half of the person's average weekly wage during the base period, and capped at 66.66 percent of the state's average weekly wage.

The new law also changes certain eligibility requirements for receiving state re-employment insurance benefits.

It removes a provision making full-time students ineligible to receive benefits unless the majority of the wages they earned in the preceding year were earned while attending school full time.

Also beginning Aug. 1, 1998, anyone working more than 32 hours in a week is ineligible for benefits during that week. This replaces language stating that anyone employed "full-time" is ineligible.

Rep. Richard Jefferson (DFL-Mpls) and

Sen. Kenric Scheevel (R-Preston) sponsored the legislation.

HF2646/SF2621\*/CH265

## Unemployment benefits, errors

A new law concerning overpaid unemployment benefits seeks to resolve a tough situation some claimants have found themselves in after the state inadvertently sent a bigger benefit check than the out-of-work person was entitled to.

Under previous law, people had to repay the state within 120 days of receiving an overpayment from the state's re-employment insurance fund due to a government or employer error. If the debt was not repaid on time, the account was forwarded to the state's collection agency.

But effective March 17, 1998, certain situations are exempted from the 120-day deadline after which most state debts are, by law, turned over for collection.

The new law applies only to overpayments that result from an employer's error, a Minnesota Department of Economic Security error, or a reversed appeal of benefits.

The law also exempts these overpayment debts from state reporting requirements.

Rep. Richard Jefferson (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls) sponsored the legislation.

HF2642\*/SF2280/CH275

## Hibbing workers' benefits

About 125 workers, temporarily laid off from the Hibbing Taconite Co. in St. Louis County, may receive extended re-employment benefits, under a new measure.

Gov. Arne Carlson allowed the bill to become law without his signature.

Effective April 7, 1998, the workers became eligible for up to an additional 13 weeks of benefits.

They were laid off between July and September 1997 because of lack of work. The company said it expected to have them back to work by the end of May 1998, but the workers' regular unemployment benefits ran out over the winter.

Under previous law, extended benefits were granted only to workers affected by large, permanent layoffs in counties with high unemployment.

The new law exempts the Hibbing workers from three requirements: that the layoff be of

a certain size, that it be permanent, and that it occur in a county where the unemployment rate is more than 10 percent. The workers still need to meet requirements specifying that they be otherwise eligible for unemployment and that they have exhausted all other rights to benefits.

Rep. David Tomassoni (DFL-Chisholm) said the average benefit of the affected workers is \$331 per month and the total extra benefits will be about \$128,000. He also said that the company, since it is still in business, will end up paying for most of that amount in taxes.

Tomassoni and Sen. Jerry Janezich (DFL-Chisholm) sponsored the legislation.

HF3465/SF3084\*/CH358

## Nursing mothers

Employers are required to make a "reasonable effort" to provide adequate private space and unpaid breaks for new mothers to pump breast milk, under a new law.

Effective Aug. 1, 1998, employers must provide "a room or other location, in close proximity to the work area, other than a toilet stall," where a woman can privately pump breast milk.

But employers will not be held liable if they have made a "reasonable effort" to comply, and the law does not contain penalties.

The law stipulates that break times can run concurrently with any other provided breaks. Employers will not have to provide the breaks if doing so would "unduly disrupt the operations of the employer."

The law also exempts breast-feeding from indecent exposure laws.

Rep. Mindy Greiling (DFL-Roseville) and Sen. Ellen Anderson (DFL-St. Paul) sponsored the legislation.

HF3459/SF2751\*/CH369

## Day training services

A new law allows for greater use of businesses providing day training for people with developmental disabilities.

Prior law authorized counties to contract with nonprofit vendors who provide day training services to developmentally disabled clients. These vendors work with the individuals to give them the tools to participate as employed and active members of the community.

The vendors can use qualified businesses that primarily employ non-disabled people

to also provide training. Previous law places certain restrictions on these arrangements.

The new law, effective Aug. 1, 1998, lifts some of the restrictions, including a provision requiring that outside businesses, if used, provide all the services to the individual. Under the new law, the training vendor and the outside business can offer a mix of training services to the individual.

The measure also removes a provision from the law which required that the individual had to be receiving services from the vendor on or before July 1, 1993, to participate in day training with an outside business. This change makes training opportunities available for a greater number of clients.

The bill was sponsored by Rep. Lee Greenfield (DFL-Mpls) and Sen. John Hottinger (DFL-Mankato).

HF2992/SF2669\*/CH284

## Emergency dispatcher status

Emergency dispatchers are classified as essential employees, under a new law.

Effective Aug. 1, 1998, police, fire, and 911 dispatchers join law enforcement personnel, health care workers, prison guards, and others as essential employees.

Under that status, workers give up the right to strike, but they are still entitled to binding arbitration in a labor dispute.

Supporters of the new measure said it was needed because a dispatchers' strike would threaten public safety.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Randy Kelly (DFL-St. Paul) sponsored the legislation.

HF1693/SF1074\*/CH355

### K-12 education finance:

#### Teacher licensing data

(See Education, page 21)

### Applying for workers' comp

(See Government, page 32)

### New recruitment methods

(See Government, page 32)

### Health, human services finance:

#### Care provider pay hikes

(See Human Services, page 41)

#### Government data practices

(See Law, page 46)

### Child care, jobs, housing

(See Special Session, page 59)

### Jobs, housing, development

(See Vetoed Bills, page 62)

### Unpaid parental leave

(See Dead Bills, page 71)

### Raising the minimum wage

(See Dead Bills, page 72)

### Residency requirements

(See Dead Bills, page 75)



## ENERGY

### Alternative fuels: E85, M85

As further evidence that alcohol-based fuels and clean-air cars are the wave of the future, two more special fuels now have legal names in Minnesota.

Effective Aug. 1, 1998, a new law legally defines the alternative fuels E85 and M85. The names are in use throughout the country.

E85 is defined as a mix of gasoline and between 60 percent and 85 percent ethanol. M85 is gasoline mixed with not less than 85 percent methanol.

Currently, E85 and M85 can be used only in specially designed alternative fuel vehicles, some of which are owned and operated by the state and serve in the motor pool fleet as experimental projects.

But fuel mixtures with lower percentages of ethanol are sold throughout the state. Since Oct. 1, 1997, all gasoline sold in Minnesota must be oxygenated, and adding ethanol to gas is one way of achieving the increased oxygen content.

Ethanol is a corn-based gasoline additive hailed by some for environmental benefits and for helping to reduce U.S. dependency on foreign oil. Illinois, Iowa, Minnesota, and Nebraska produce about half of the country's annual corn harvest and about 95 percent of its total ethanol.

Studies have shown ethanol use to reduce exhaust emission of carbon monoxide and other pollutants and — because it's domestically made with agricultural products — to reduce fossil energy use and foreign oil consumption.

Methanol is a liquid alcohol fuel made from domestic natural gas. Although it's not used as frequently as ethanol for vehicle fuel, some car makers sell alternative fuel vehicles that can run on M85, and it has been shown to have similar benefits to ethanol.

Rep. Ken Wolf (R-Burnsville) and Sen. Mark Ourada (R-Buffalo) sponsored the legislation.

HF3071\*/SF2849/CH278

### Red tags on petroleum tanks

(See Environment, page 27)

### Decorative gas lamps

(See Housing, page 40)

### Electric industry study

(See Industry, page 43)

### Protecting telephone customers:

#### Biomass fuels

(See Industry, page 44)

#### Pipeline excavation notices

(See Industry, page 44)



## ENVIRONMENT

### Environmental spending

A new \$18 million environment, natural resources, and agriculture finance law regulates animal feedlot operation, increases the fees for personal watercraft licenses, and bans snowmobile studs.

Included in the new law are funds for the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency (MPCA), the Minnesota Zoo, the Department of Agriculture, the Board of Water and Soil Resources, and several other state agencies.

The DNR receives the largest percentage of the law's funding — some \$10.6 million — for flood control measures, wildlife management, state forest campground repairs, and other environmental programs.

Gone from the measure are three projects totaling \$285,000 that were line-item vetoed by Gov. Arne Carlson. (See *related story*, page 65.)

Rep. Tom Osthoff (DFL-St. Paul) and Sen. Steven Morse (DFL-Dakota) sponsored the new environmental funding measure.

Most provisions of the new law are effective April 22, 1998. The exceptions, a personal watercraft surcharge and a snowmobile stud ban, are noted below.

HF3799/SF3353\*/CH401

### Living with livestock

A House-approved moratorium on new construction or expansion of feedlots at the level of 750 animal units was not adopted by

a House-Senate conference committee and did not make it into the new law.

The new law does, however, prohibit the issuance of permits to construct or expand clay, earthen, or flexible membrane (plastic-lined) swine waste lagoons until June 30, 2000.

After March 1, 2000, those who commercially manage and apply animal wastes will be required to hold valid animal waste technician licenses issued by the Department of Agriculture. Most family farmers will be exempt from this provision.

The new law also clarifies the power of counties to adopt feedlot ordinances that are more stringent than those of the MPCA.

The agency is authorized to deny permits to feedlot operators who are lacking adequate experience or who have poor environmental records in other states. (Secs. 17, 39, 41, 52)

### Personal watercraft

Effective Jan. 1, 1999, personal watercraft owners must pay a \$50 surcharge every three years for a watercraft license. The proceeds are to be divided between the state and counties for law enforcement and education efforts. (Sec. 29)

House-approved language that would have prohibited the operation of personal watercraft in one place for more than 30 minutes and instructed the DNR to conduct a study on the impact of personal watercraft on loons was removed by a House-Senate conference committee and did not make it into law.

### Snowmobile studs

Under another provision of the new law, no snowmobile with a track equipped with metal studs may be operated on any public lands, roads, or trails after July 1, 1999. Previously, stud use was banned only on paved public trails.

Until the total stud ban takes effect, the law places a \$50 annual surcharge on snowmobiles with studs. Fees from the surcharge are earmarked for the repair of paved state trails.

Under the new law, any individual who violates the stud ban on paved public trails will have his or her snowmobile confiscated after the second or subsequent violation. (Secs. 23, 24)

### Minnesota Zoo shortfall

The Minnesota Zoological Gardens receives \$1.5 million for operating costs to make up for a serious shortfall in gate receipts during the summer of 1997.

The Apple Valley zoo was forced to ask the Legislature for help after a string of bad luck, bad weather, and bad press, Kathryn Roberts, the zoo's director, told lawmakers.

The new law requires the zoo to address its attendance forecasting methods to avoid a similar problem in the future. (Sec. 3)

### Deformed frogs

The MPCA receives \$375,000 for research into the cause of deformities found in frogs across the state. The money must be shared with the University of Minnesota, Hamline University, and the state departments of health, agriculture, and natural resources.

Researchers have speculated that groundwater contamination or possible ultraviolet radiation may be the cause of the deformities. The U.S. Environmental Protection Agency also is looking into the issue. (Sec. 2)

### Gypsy moths

Under the new law, the Department of Agriculture's gypsy moth trapping and eradication program receives \$360,000.

The money supplements the biological control program and allows for more field personnel to trap the leaf-eating insects. (Sec. 6)

### Minnesota grown

The new law appropriates \$267,000 for a pilot project to expand Minnesota Grown, a coupon program designed to provide nutritious food to low-income families and promote locally grown products. (Sec. 6)

### Helping dairy farmers

Minnesota dairy farmers are currently engaged in a lawsuit against the federal government (*Minnesota Milk Producers Association v. Glickman*) to bring about reform of the federal milk market pricing system.

The new law gives the farmers another \$100,000 in state money for the legal battle. (Sec. 6)

### Timber wolf depredation

The new law increases from \$400 to \$750 per animal the amount of compensation available to farmers whose livestock are killed by wolves. Farmers must establish timber wolf best management systems to qualify for compensation. (Sec. 11)

### Living snow fences

The Board of Water and Soil Resources receives \$100,000 to fund a voluntary program for landowners to plant and maintain

trees, shrubs, and grass strips alongside roads in an effort to control drifting and blowing snow. (Sec. 5)

### Mississippi whitewater rafting

One provision included in the new law allows consideration of the possibility of harnessing the water power of St. Anthony Falls in Minneapolis for recreational pursuits.

The DNR receives \$100,000 to conduct engineering and hydraulic research into the possible development of a whitewater park for kayaking, rafting, and canoeing at the falls. (Sec. 26)

### Tornado damage

Five funnel clouds tore through 5,300 acres of sparsely populated forests in Crow Wing, Kanabec, Mille Lacs, and Morrison counties on Sept. 18, 1997, leaving a path of destruction 25 miles long and three-quarters of a mile wide.

Under the new law, the DNR receives \$75,000 for grants to assist landowners with reforestation efforts (Sec. 4).

## Personal watercraft regulation

After a bumpy ride through the Legislature, a new state law aims to reduce the level of irritation between lakeshore property owners and personal watercraft enthusiasts.

Easily one of the most hotly contested issues during the 1998 Legislative Session, the new law reduces the hours of personal watercraft operation, expands the no-wake zone on all lakes, and upgrades operator licensing and regulation.

A provision that would have banned the operation of personal watercraft on lakes of 100 acres or less and a highly criticized citizen reporting measure that would have allowed individuals to lodge formal complaints against operators who violate personal watercraft laws fell by the wayside before the legislation reached the governor's desk.

Effective June 1, 1998, personal watercraft operation is permitted only between 9:30 a.m. and one hour before sunset. Previously, the acceptable hours for personal watercraft use were between 8 a.m. and sunset.

State-issued decals listing the state laws and "rules of the road" for personal watercraft operation must be prominently displayed on all machines.

The new law adds another 50 feet to the no-wake zone, making it illegal to operate personal watercraft at full speed within 150 feet of shoreline, docks, swimmers, or other boats. However, it still is permissible to pull water-skiers behind personal watercraft.

Another provision prohibits the operation of personal watercraft while facing backwards.

The new law also requires that personal watercraft purchasers and renters sign state-issued forms indicating they have read the laws governing personal watercraft operation. Renters who are under the age of 18 must show their operating permits at this time. Dealers and rental agents will have to keep the forms on file for six months and allow for easy access by law enforcement officers.

Several provisions in the new law seek to make personal watercraft operation safer for teen-agers.



A new personal watercraft law reduces the hours of acceptable operation and upgrades the youth operator guidelines. The new law also aims to keep personal watercraft at a safer distance from shoreline, docks, and other water-sport enthusiasts by expanding the no-wake zone to 150 feet.

One such provision expands the state's youth watercraft safety course to include personal watercraft. Effective April 21, 1998, completion of a personal watercraft training program is mandatory before 13- to 17-year-olds may operate the machines solo. In addition to the permit requirement, 13-year-old operators must remain under direct visual supervision of an adult 21 years of age or older.

Under a separate new law (HF3799/SF3353\*/CH401), personal watercraft operators will pay a \$50 surcharge every three years for a watercraft license. The proceeds will be divided between the state and counties for law enforcement and education efforts. (See *related story*, page 24.)

Rep. Kris Hasskamp (DFL-Crosby) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the new personal watercraft measure.

HF1351/SF1169\*/CH400

## State park expansion

Seven Minnesota state parks could increase in size and a new state recreation area may be established as a result of a new law.

Effective Aug. 1, 1998, the new law authorizes the Department of Natural Resources (DNR) to purchase several parcels of land bordering the seven state parks.

The new law does not spend any money now; it is simply a technical measure to approve the purchases should the land come up for sale in the future. The parks that may eventually expand their boundaries are:

- Crow Wing State Park in Crow Wing, Cass, and Morrison counties;
- Glendalough State Park in Otter Tail County;
- Kilen Woods State Park in Jackson County;
- Lake Bemidji State Park in Beltrami County;
- Minneopa State Park in Blue Earth County;
- Savanna Portage State Park in Aitkin and St. Louis counties; and
- Tettegouche State Park in Lake County.

The new law also authorizes the DNR to establish Garden Island State Recreation Area in Lake of the Woods County.

Rep. Henry Kalis (DFL-Walters) and Sen. Jim Vickerman (DFL-Tracy) sponsored the new measure.

HF3140/SF2351\*/CH391

## Extending the Gateway Trail

Effective Aug. 1, 1998, a new law authorizes an extension of the Gateway Trail, which is a portion of the Willard Munger State Trail system, in two directions — to the state Capitol on one end and to Taylors Falls, Minn., on the other.

The new trail will afford hiking and bicycling enthusiasts a spectacular view of the St. Croix River Valley and bring the grand vision of the Duluth-to-St. Paul Munger Trail one step closer to reality.

The northern segment of the Munger Trail, from Duluth to Hinckley, is already in use, offering 49 miles of paved bike trails, 97 miles of hiking trails, and 58 miles for horseback riding.

Under the new law, the Gateway Trail, which now runs from a St. Paul neighborhood north of the Capitol to Stillwater, Minn., will eventually wind through Pine Point County Park in Stillwater; William O'Brien State Park, north of Marine on St. Croix, Minn.; Interstate State Park on the St. Croix River; and on to Taylors Falls.

The money for the Munger Trail improvements is contained in the 1998 bonding law (HF3843\*/SFnone/CH404), which provides the Department of Natural Resources with \$10.3 million for the acquisition and development of statewide trails.

Rep. Mark Holsten (R-Stillwater) and Sen. Jane Krentz (DFL-May Township) sponsored the measure to extend the trail.

HF2489\*/SF2381/CH318

## BOWSR, wetland conservation

A new law updates the statutes related to the wetland conservation duties of the Board of Water and Soil Resources (BOWSR).

BOWSR is charged with coordinating the water and soil resources planning activities of counties, soil and water conservation units, watershed districts, and watershed management organizations within Minnesota.

The board also has quasi-judicial power to enforce the 1991 Wetland Conservation Act, which prohibits the drainage or filling in of certain wetland areas unless an alternative replacement plan has been established.

Wetlands serve as a natural biological filter, preventing sediment from building up in lakes and rivers. Uncontrolled draining of wetlands, usually to make room for new roads or housing and business developments, has contributed to flooding problems in some

areas, according to experts. Wetlands also recharge underground aquifers and provide wildlife and fish habitat.

Any net loss of wetland area due to new construction of roads and housing is strictly prohibited under the 1991 law.

For example, if a local government wanted to develop a new housing tract that required filling a portion of wetland, an equal number of wetland acres would have to be created elsewhere.

Except for replacement activities impacting less than 10,000 square feet of wetland, the public is guaranteed a set number of days to dispute the local government's decision.

Effective Aug. 1, 1998, the new law decreases the public comment period from 30 to 15 days.

The new law also adds the commissioner of agriculture to the statutory list of agencies and citizens who must be notified when local governments proceed with wetland protection and management plans.

Another provision of the new law requires BOWSR, in conjunction with the Department of Natural Resources, to present the Legislature with a report on the simplification of wetland regulation in Minnesota. The report must address the pros and cons of consolidating public waters wetlands laws with the Wetlands Conservation Act.

Rep. Willard Munger (DFL-Duluth) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HF2686/SF2269\*/CH312

## Transport packaging waste

A new law aims to reduce the amount of transport packaging waste that Minnesota's soft drink industry creates.

In 1995, 22 percent of municipal solid waste consisted of transport packaging such as wood pallets and corrugated cardboard, Rep. Willard Munger (DFL-Duluth), the House sponsor of the measure, said during floor debate.

The soft drink industry is considering a \$15 million investment in reusable, recyclable plastic merchandise pallets to replace the wood pallets they currently use to transport their goods to retailers.

The plastic pallets are expected to cost about \$32 each, compared to \$5 to \$7 each for wood pallets.

There is now a system in place where third parties collect used pallets from retail sites and then resell them to soft drink companies.

Dave Locey, of the Minnesota Soft Drink Association, told legislators the third party collection system stands in the way of the transition from wood to plastic.

"We're in the position of trying to make a pro-environmental system work," Locey said. "What we want to do before we make this \$15 million investment in plastic pallets is make sure we can control them."

Effective Aug. 1, 1998, third party collectors are prohibited from taking plastic pallets that are labeled as private property.

The plastic pallets must clearly show the owner's name and address or telephone number, as well as a notice that the unauthorized possession of the pallet is a violation of state law.

The rightful owner of a stolen plastic pallet will be able to sue for damages equal to three times the cost of the pallet, in addition to legal expenses.

Sen. Dan Stevens (R-Mora) sponsored the measure in the Senate.

HF2696/SF2402\*/CH282

## Red tags on petroleum tanks

A new law aims to help the Minnesota Pollution Control Agency (MPCA) bring all underground petroleum storage tanks into compliance.

Petroleum from leaking tanks can seep into the groundwater supply and, years later, cause extensive soil and groundwater cleanup work and costly litigation.

The new law authorizes the MPCA to "red tag" underground petroleum tanks for failure to have the tank protected from corrosion, failure to have spill or overfill protection around the tank, or failure to have a leak detection method in place. The MPCA also may tag underground storage tanks in violation of current regulations if an enforcement action has been taken and the violations have not been corrected.

A red tag on the cap of a tank will provide notice that delivery of petroleum is prohibited until the violations are corrected.

Gas station owners and other petroleum-dispensing facility operators have until Dec. 31, 1998, before the red tag provisions take effect.

Rep. Betty McCollum (DFL-North St. Paul) and Sen. Steven Novak (DFL-New Brighton) sponsored the new measure.

HF2722\*/SF2756/CH379

## MPCA and contaminated sites

A new state law aims to help the Minnesota Pollution Control Agency (MPCA) clean up contaminated sites first and worry about recovering the costs later.

The law clarifies language in the 1983 Minnesota Environmental Response and Liability Act (MERLA) surrounding the timeline for the MPCA to begin cost-recovery lawsuits.

The MPCA interpreted the 1983 law to mean that the six-year statute of limitations on litigation expired six years after any cleanup costs have been incurred.

But recently, a federal court ruled that the clock started ticking on the six-year statute of limitations upon discovery of a contaminated site, regardless of the stage of cleanup.

"Because the court's ruling would significantly shorten the time for MPCA to bring its cost-recovery actions, it would force MPCA to shift resources from investigation and cleanup to litigation," a January 1998 release from the MPCA states.

Effective April 1, 1998, the MPCA has six years after the on-site physical cleanup stage begins (after an investigation and after the site is excavated or otherwise prepared for cleanup) to start cost-recovery litigation.

The new law does not apply to any lawsuits pending before it takes effect.

"The proposed changes to the statute eliminate uncertainty about the timing of a cost-recovery lawsuit and preserve one of the fundamental goals of MERLA: to clean up first and litigate about cost-recovery responsibility later," says the MPCA release.

Rep. Dee Long (DFL-Mpls) and Sen. Steven Morse (DFL-Dakota) sponsored the measure.

HF3297\*/SF2296/CH341

## Upgrading landfill closures

A new state law allows the city of Tower, Minn., to transfer waste materials from its old city dump to a nearby landfill to make room for a proposed development.

Effective March 24, 1998, the new law authorizes the Minnesota Pollution Control Agency (MPCA) to allow certain closed landfills to accept nonhazardous dump materials from publicly owned sites, such as the Tower dump.

Under the new law, the Northwoods Landfill, about eight miles south of Ely, Minn., will accept waste materials from the Tower site.

The MPCA is in the process of finalizing closure plans at the Northwoods Landfill. Construction of a cover and a passive gas venting and extraction system over the landfill is expected to begin in 1998.

Some Minnesota landfills, such as Northwoods, are in need of additional cover materials to be closed properly. Rather than buy the materials, they can accept free materials, under the new law.

Proponents of the measure told lawmakers it's a win-win situation for municipal dumps and landfills.

Under the new law, only nonhazardous mixed municipal solid wastes disposed of before 1973 can be accepted. The Tower site qualifies because it has not been used since the 1950s and a recent investigation determined that the waste material primarily consists of ash, glass, ceramics, and metals.

The new law states that transferred materials must upgrade the closure activities at the landfill and may not significantly increase the potential environmental impact of the landfill.

The owner of the dump site must pay for the investigation and testing to prove the materials are nonhazardous, the transportation costs, and the cleanup activities at the dump after the materials have been removed.

Rep. Tom Bakk (DFL-Cook) and Sen. Douglas Johnson (DFL-Tower) sponsored the measure.

HF3524/SF3016\*/CH306

## Lottery revenue dedication

A new law allows voters to extend the duration of the dedication of state lottery revenue to the Minnesota Environmental and Natural Resources Trust Fund.

Under the law, voters in the November 1998 general election will decide the following question: "Shall the Minnesota Constitution be amended to extend to the year 2025 the dedication of lottery proceeds to the Environmental and Natural Resources Trust Fund and to maximize the long-term total to the fund?"

The fund was established by a constitutional amendment in 1988. At the time, the state was allowed to earmark 50 percent of the lottery proceeds for the environmental fund.

A second constitutional amendment in 1990 reduced to 40 percent the portion dedicated to the environmental fund. That dedication expires in 2001.

The amount appropriated each year of a biennium under the constitutional amendment could be up to 5.5 percent of the market value of the fund on June 30 one year preceding the start of the biennium.

The fund's current value is about \$210 million. About \$22 million was dedicated for projects in the current biennium.

Rep. Willard Munger (DFL-Duluth) and Sen. Steven Morse (DFL-Dakota) sponsored the new measure.

HF113\*/SF76/CH342

### Statewide capital improvements:

#### Recreation and conservation

(See Bonding, page 13)

#### Fishing dispute resolution

(See Tourism, page 54)

#### Environmental projects cut

(See Vetoed Bills, page 65)

#### Children's endowment fund

(See Dead Bills, page 68)

#### Motors in boundary waters

(See Dead Bills, page 72)

#### Spraying for mosquitoes

(See Dead Bills, page 76)



## FAMILY

### Fathers' adoption registry

A new measure makes several changes to the state's family law, including adjustments to the newly created fathers' adoption registry.

Legislation enacted in 1997 allows men who believe they may be birth fathers to register with the state Department of Health to be notified if their child is put up for adoption.

The registry is for any male who is or may be a child's father but is not married to the mother and has not otherwise established paternity. The law is aimed mainly at couples who have little or no relationship beyond the time of conception.

The registry protects a birth father's rights in the event his child is put up for adoption, and protects children and adoptive parents from having their families "ripped apart" by fathers contesting an adoption.

A father who does not register within 30 days of a child's birth would not — under most circumstances — be allowed to contest an adoption. By failing to register, a father "is

considered to have abandoned the child."

Registering also serves as the first step in a paternity claim. Within 30 days after being notified of a pending adoption, the father can file with the court an intent to claim parental rights. That way, a father would preserve the right to maintain an interest in the child.

Effective April 21, 1998, this year's legislation changes the name of the registry, removing "putative" from putative fathers' adoption registry. Health officials said that the simple change would alleviate a good deal of confusion about the list.

The new law also requires that the Department of Health notify the mother when a father has registered. Proponents of this provision argued that it is only fair to let the mother know that the father may intend to make a paternity claim if the child is placed for adoption.

The measure also exempts individuals arranging international adoptions from the adoption registry requirements.

Health officials say that they have received only a few names for the fathers' registry since it was created in January 1998, but they expect more registrants as the process becomes more widely publicized.

The omnibus family law also contains several provisions that will adjust the way child support is decided.

Most notably, one provision requires that courts consider financial obligations to subsequent children of current marriages when figuring increases in support payments for children of a previous marriage.

The new law also makes several technical corrections to Minnesota's child support laws to bring them into compliance with welfare reforms enacted at the federal level.

Rep. Andy Dawkins (DFL-St. Paul) and Sen. David Knutson (R-Burnsville) sponsored the omnibus family law legislation.

HF2784/SF2276\*/CH382

### Clarifying open adoption law

A new law clarifies the requirements for birth parents under the open adoption law passed in 1997.

Following the recommendations of the Minnesota Supreme Court Foster Care and Adoption Task Force, the Legislature authorized legally enforceable communication agreements between birth relatives and adoptive parents. These agreements provide assurances to the birth parents and other relatives that they can voluntarily terminate rights and still have contact with the child.

The existing law required birth parents to have resided with the child before the adoption in order to enter into a contact agreement with the adoptive parents.

The new law terminates the residency requirement for birth parents. Other birth relatives, however, are required to have lived with the child in order to enter into such an agreement.

The new measure applies to all agreements entered into on or after July 1, 1997.

The new law also contains several provisions updating the newly established father's adoption registration. These changes also were included in the new omnibus family law measure (HF2784/SF2276\*/CH382).

Rep. Wes Skoglund (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls) sponsored the legislation clarifying open adoption requirements.

HF3332\*/SF2949/CH354

### Child support hearing process

A new law makes changes to the administrative hearing process for child support.

In 1994, the Office of Administrative Hearings was authorized to hear child support cases involving a public authority, such as a county social service agency. The process can be used in these cases to obtain, modify, or enforce child support payments.

The goal was to create a simple, informal process that could be made available to people without legal counsel. The Office of Administrative Hearings conducts about 12,000 of these hearings a year.

The new law, effective Aug. 1, 1998, makes several procedural changes intended to streamline the process. The measure also requires that the Department of Human Services conduct a study to examine the effectiveness of these child support hearings.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Leo Foley (DFL-Anoka) sponsored the new measure.

HF2861/SF2040\*/CH338

### K-12 education finance:

#### Boarding schools

(See Education, page 21)

### Family, early childhood bill

(See Vetoed Bills, page 63)

#### Unpaid parental leave

(See Dead Bills, page 71)

### Child custody decisions

(See Dead Bills, page 72)

**GAMBLING**

**Gambling proceeds and the ADA**

A new law allows organizations to use legal gambling profits to bring their facilities into compliance with the Americans with Disabilities Act (ADA).

Under previous law, gambling proceeds could be used for construction or repairs on only certain types of property. Legal uses included maintaining nonprofit facilities or replacing buildings lost to natural disaster or eminent-domain ruling.

But the new law allows any group that earns money from legal gambling — such as pull tabs — to use those funds to either improve handicapped access in a facility or to replace an out-of-compliance facility with one that meets ADA requirements.

Proponents said this will be useful for organizations such as Veterans of Foreign Wars, which often can't afford to make handicapped-access improvements.

The new law also allows licensed gambling organizations to pay wages and make charitable contributions via electronic transfer. Under prior law, gambling profits had to follow a paper check trail. Proponents said the new measure will increase efficiency in large gambling operations.

The law, effective March 24, 1998, was sponsored by Rep. Mike Delmont (DFL-Lexington) and Sen. Jim Vickerman (DFL-Tracy).

HF2920/SF2911\*/CH322

**Lottery revenue dedication**  
(See Environment, page 27)

**State government finance:  
Lottery changes**  
(See Government, page 30)

**Omnibus tax law:  
Gambling taxes**  
(See Taxes, page 53)

**GAME & FISH**

**Hunting, fishing heritage**

A new law, effective Aug. 1, 1998, asks Minnesota voters to decide whether hunting and fishing should be constitutionally protected.

The law will submit the following amendment to voters in the November 1998 general



The 1998 ice fishing season was extended by two weeks under the first law signed by the governor this year. After an unusually mild winter, the extension gave resort owners an opportunity to capture some lost revenue and afforded anglers a chance to make up for lost time.

election: “Shall the Minnesota Constitution be amended to affirm that hunting and fishing and the taking of game and fish are a valued part of our heritage that shall be forever preserved for the people and shall be managed by law and regulation for the public good?”

Proponents believe a constitutional amendment would be a first step in standing up to anti-hunting and animal rights groups who may seek to curtail the activities of hunting and fishing enthusiasts.

Critics argue that there is no need for such an amendment, and if approved, it would only serve to clutter the constitution.

Others question the intent behind the legislation and its potential impact on treaty rights, gun control laws, and property rights.

Rep. Bob Milbert (DFL-South St. Paul) and Sen. Bob Lessard (DFL-Int'l Falls) sponsored the measure.

HF3808/SF41\*/CH392

**Ice fishing season extended**

Resort owners and anglers who were disappointed by an unusually mild winter were uplifted by the first bill signed into law this year.

The law, effective Feb. 13, 1998, extended the 1998 ice fishing season by two weeks.

Normally, the season closes on the third Sunday in February. The additional two-week window gave resort owners an opportunity to capture some lost revenue and gave anglers a chance to make up for lost time.

Another provision in the law extends the

deadline for ice fishing houses to be removed from Minnesota lakes in some cases.

State law mandates that ice fishing houses be removed from the lakes by the end of February.

The new law stipulates that if the last day of February falls on a Saturday, as it did this year, the deadline is extended by one day.

Rep. Irv Anderson (DFL-Int'l Falls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the legislation.

HF2492/SF2111\*/CH252

**Fishing dispute resolution**  
(See Tourism, page 54)

**Omnibus game and fish bill**  
(See Dead Bills, page 72)

**Moose odds increase**  
(See Dead Bills, page 73)

**GOVERNMENT**

**State government finance**

Gov. Arne Carlson signed into law a \$33 million state government finance package that includes funding for a study of animal feedlots, a compulsive-gambling treatment center in Granite Falls, Minn., and updates of the state's computer systems.

The new law also provides funding for the attorney general's office, although Carlson used his line-item veto authority to pare about \$1 million from the office's proposed 1999 budget. (See related story, page 65.)

Some items that were initially approved by

the House were dropped from the legislation's final version in conference committee, including a provision that would have prohibited the Metropolitan Sports Facility from contracting with a professional sports team to play in the Metrodome for less than a seven-year period.

Supporters of that measure, including Rep. Phyllis Kahn (DFL-Mpls) and Rep. Ron Abrams (R-Minnetonka), said it would be the only way to ensure that a repeat of the 1997 stadium debate wouldn't dominate future legislative sessions.

Also stripped in conference committee was a provision that would have allowed lawmakers to receive gifts worth less than \$5 from lobbyists, and one that would have delayed implementation of a controversial fiber-optics program.

Here's a look at key provisions that did make it into law, under the legislation sponsored by Rep. Tom Rukavina (DFL-Virginia) and Sen. Leonard Price (DFL-Woodbury). All provisions are effective April 7, 1998, unless otherwise noted.

HF3137/SF3354\*/CH366

#### Attorney general's budget

The Office of the Attorney General receives \$23 million for general operating expenses for the fiscal year beginning July 1, 1998.

The \$1.1 million that Carlson line-item vetoed would have funded a program to educate senior citizens about telemarketing fraud, legal assistance to state agencies and counties, and gaming enforcement.

The office is still directed to set up an outreach program to help educate people about telemarketing fraud by January 1999, even though the proposed \$100,000 in funding for the project was vetoed. In fact, that's how the provision — with no money — was originally approved by the House.

The attorney general's budget was in question because last year Carlson line-item vetoed the office's entire proposed 1999 funding — about \$24 million — citing what he called unnecessary and excessive growth in the legal and law enforcement agency.

This year's law also calls for a task force to study the availability, effectiveness, and cost of legal services provided by the office. (Secs. 3, 69)

#### Studying feedlots

The law also provides \$1.2 million for the first year of a three-year study of the effects of the livestock industry on the state's economy and environment.

The study will be conducted by the Office of Strategic and Long Range Planning and will look at issues like government regulation of feedlots, potential ownership arrangements, and the impact of current feedlots.

A committee will be formed to advise the state's Environmental Quality Board on an environmental impact statement that will be submitted to the Legislature. (Secs. 5, 86)

#### Community-based planning

The new law also amends a much-debated 1997 program aimed at spurring planning partnerships between Minnesota Planning and local communities.

The 1997 program provides guidance, review, and funding on a voluntary basis for communities to develop planning goals.

At the request of several Greater Minnesota lawmakers — who said they were concerned the program would not remain voluntary for long — the law now limits the state's review of the plans to look only at the extent to which the plan promotes local citizen participation, spurs cooperation among communities, and demonstrates sound community-based planning goals.

The law also gives more time for a community to revise a plan after receiving comments from Minnesota Planning, and prohibits the state from considering participation in the program when determining eligibility for other grants, loans, or funding packages.

A proposal to expand membership on the

program's existing advisory council and to extend the life of the council for six months was voted out in conference committee. The council sunsets June 30, 1998. (Sec. 78)

#### Lottery changes

The law also gives \$750,000 from the Minnesota lottery prize fund to support Project Turnabout, a compulsive-gambling treatment center in Granite Falls, Minn.

But it specifies that, apart from this appropriation and ones approved in 1997, no more than \$340,000 may be used from that fund to support similar treatment or education programs in fiscal year 1999, which begins July 1, 1998.

Effective July 1, 1998, the Minnesota State Lottery is required to increase retailer commissions by 0.5 percent and ensure that each retailer receives at least 1 percent of the amount of each winning ticket sold at that location.

They are also allowed to pay a bonus to lottery retailers of up to 10 percent of a potential increase in lottery sales from one year to the next, and to increase the percent of revenue with which they can fund lottery expenses. (Secs. 13, 70, 71, 73)

#### Perpich's portrait

Also under the new law, the state must accept a portrait of former Gov. Rudy Perpich and wife, Lola, if a private donor provides funds for one. The state would have to sub-



A portrait of former Gov. Rudy Perpich and his wife, Lola, may finally decorate the halls of the Capitol, under a new law which says the state must accept a privately funded portrait of the pair if one is donated. Near the end of his time in office, the former governor pushed to have his wife included in his official portrait, and the matter became the subject of significant controversy, with the couple appealing for public support with this billboard in St. Paul.

stitute it for the portrait of Perpich currently hanging in the Capitol.

Near the end of his time in office, the former governor pushed to have his wife included in his official portrait, and the matter became the subject of significant controversy.

Portraits of each former Minnesota governor hang throughout the corridors of the Capitol, and each is pictured alone. The Perpich portrait now found on the ground floor of the Capitol shows the former governor standing in front of an iron ore mine. (Sec. 85)

### Settling border disputes

The law also provides \$25,000 for the Council of State Governments to set up meetings between Minnesota and Canadian lawmakers to discuss disputes, including fishing laws.

Many Minnesota residents living or owning businesses close to the Canadian border have complained for years about Canadian policies, including fishing limits, user fees, and border crossing permits that they say discriminate against U.S. anglers. (Sec. 2)

### Future Olympians

Under the omnibus law, the Minnesota Amateur Sports Commission receives \$100,000 to fund development of a statewide winter sports program for females and at-risk youth.

The money becomes a grant to the United States Olympic Committee's Minnesota Olympic development program. (Sec. 9)

### Administration

The new law grants the Department of Administration money for the following programs:

- \$4.4 million to help update government computer systems to address problems associated with the year 2000;
- \$315,000 to Pioneer Public Television to build a tower in Otter Tail County, currently the only part of the state that does not receive a public television signal;
- \$150,000 to coordinate the Minnesota Alliance with Youth initiative;
- \$44,000 to make the *State Register* and the *Minnesota Guidebook to State Agency Services* available on the Internet free of charge; and
- \$20,000 for a portrait of Gov. Arne Carlson to hang in the Capitol. (Sec. 6)

## Abolish treasurer's office?

Minnesota voters will decide in November whether to abolish the state treasurer's office, under a new law signed by Gov. Arne Carlson.

This year's ballot will contain a proposed constitutional amendment that would eliminate the elected office in January 2003. If the amendment is approved, the treasurer, along with the secretary of state and the commissioner of finance, would advise the legislature on where to transfer the office's powers.

"Many studies over several decades have recommended abolishing the office because it's a shell of its former self in terms of policy-making," said Rep. Mindy Greiling (DFL-Roseville), who sponsored the legislation in the House.

The state treasurer currently receives and issues receipts for all monies paid into the state treasury, handling about \$150 billion in transactions annually.

At one time, the office was in charge of overseeing the state's unclaimed properties, but that duty was transferred to the Department of Commerce.

Most of the remaining responsibilities of the office, Greiling said, are cash-management duties that do not involve policy-making.

Likely candidates to take over those duties include the secretary of state's office and the commissioner of finance.

Of the 13 current employees in the treasurer's office, two positions — those of the treasurer and the assistant treasurer —

would likely be cut. The other positions would be transferred elsewhere. Greiling said an estimated \$150,000 would be saved in salaries.

But, she said, the purpose behind eliminating the office "is not to be saving money but to have one less elected figure."

The four-year term of the current state treasurer, Michael McGrath, expires at the end of 1998.

Voters will elect a new treasurer in November, at the same time they vote on the constitutional amendment. A majority of voters voting in the election would have to support abolishing the office in order to ratify the amendment.

Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation in the Senate.

HF103/SF161\*/CH387

## Omnibus pension law

Minnesota judges get a small raise in order to contribute to more of their retirement plan costs, under a new omnibus pension law.

"Currently, judges are paying a much smaller part of the cost of their retirement plan than [other state employees]," said Rep. Phyllis Kahn (DFL-Mpls), who sponsored the legislation in the House. "This brings them more in line with others, and it is cost-free to the state."

As of July 1, 1998, judges receive a 1.5 percent raise, but they are required to



State Treasurer Michael McGrath's term concludes at the end of 1998, and he is not seeking re-election. But his replacement may be the last person to hold that office in Minnesota. A new law allows voters to decide at the November 1998 polls whether to abolish the office in 2003.

increase their pension fund contributions by 1.73 percent. The state makes up for paying the higher salaries because its own required contributions to the pension fund go down by 1.5 percent. (Art. 5, Secs. 4-6)

The wage hike is necessary because the state constitution prohibits reducing the compensation of a sitting judge. Although judges still take a slight pay cut, they have agreed to the arrangement and have said they will not rule it unconstitutional in court, Kahn said.

“The result is that we will be getting to better judicial pension policy at no cost to the state and at small cost to judges,” Kahn said.

Since the salary of certain state executive branch officials is tied to a percentage of judges’ salaries, the new law also amends those percentages, effective July 1, 1998, so those officials do not receive pay increases. (Art. 5, Secs. 1-3)

Sen. Steven Morse (DFL-Dakota) sponsored the omnibus pension measure in the Senate.

HF2970\*/SF2555/CH390

### Privatizing hospitals

The new law also provides guidelines under which two public medical facilities may provide pension-related payments if they are transferred to private ownership.

The two facilities are Luverne Community Hospital in Luverne, Minn., and Arnold Memorial Hospital in Adrian, Minn., and the provisions are subject to local approval by the two city councils before they take effect. (Art. 1)

### Surviving-spouse benefits

The widow of a St. Paul building inspector who was murdered while working last Christmas Eve receives increased surviving-spouse benefits, under the new law.

The inspector had been employed by the city for 33 years and would have been eligible for early normal retirement less than two months after he was killed. If approved by the St. Paul City Council — which would have to provide some of the funding — the new law would allow his wife to collect benefits as if he had been eligible for the retirement already. (Art. 2, Sec. 17)

### Part-time teachers’ pensions

The new law also changes the qualifications and filing deadlines for the state’s part-time teacher pension program.

Effective July 1, 1998, teachers are allowed to work up to 80 percent of full-time hours

and remain eligible for the pension program.

And effective April 21, 1998, the law strikes the old Oct. 1, 1998, deadline for districts to submit part-time teacher pension plan agreements. Districts are allowed to file executed agreements after that date, but they have to pay a fine of \$5 per day. (Art. 3)

### Applying for workers’ comp

A new law should make the process of applying for workers’ compensation benefits a little easier for some applicants.

Effective Aug. 1, 1998, applicants can submit copies of documents that previous law required to be submitted as originals.

Those documents include the initial injury report made by the employer and any relevant medical records.

The move from originals to document copies became both possible and desirable since the workers’ compensation division of the Department of Labor and Industry switched to a high-tech imaging system for storing information.

Since March 1995, the division has used a Daedalus imaging system for all new claims. The system allows documents to be stored as images in the computer system instead of in paper form.

In addition to reducing storage space, the new files can be accessed by more than one person at a time.

“An attorney in Duluth and someone in our office can see the same information simultaneously,” said Gretchen Maglich, assistant commissioner for workers’ compensation.

But since the office now destroys documents after imaging them, it no longer makes sense to have applicants send in the originals.

“People often want to keep the original for their records, and the imaging machine can read a clear copy,” Maglich said.

She added that the new law also benefits the many applicants who fax documents to the office. In the past, they have had to follow up on the fax by sending in the original to be filed.

Rep. Hilda Bettermann (R-Brandon) and Sen. Linda Runbeck (R-Circle Pines) sponsored the measure.

HF3532/SF3068\*/CH294

### Public employee insurance plan

Employees of county and municipal hospitals are eligible to join the state’s Public Employee Insurance Program, under a new law, effective Aug. 1, 1998.

“For some obscure reason, that group was not included among those eligible before this legislation,” said Budd Johnson, health care purchasing manager for the employee insurance division of the Department of Employee Relations.

The program is an optional package plan that includes medical, dental, and life insurance options for the state’s public employees, including elected officials.

Johnson said the benefit of being eligible for the plan is that it provides insurance options.

“If a small hospital group went out to look for coverage on their own, they’d more than likely be restricted to selecting single coverage,” he said.

The program offers multiple-carrier choices including HealthPartners, Blue Cross and Blue Shield of Minnesota, and in parts of southern Minnesota, the Mayo group.

Rep. Harry Mares (R-White Bear Lake) and Sen. Sheila Kiscaden (R-Rochester) sponsored the legislation.

HF3734/SF2354\*/CH271

### New recruitment methods

A new law allows the state commissioner of employee relations to experiment further with alternative methods of selecting and hiring state employees.

Effective March 19, 1998, the law allows the commissioner to waive certain civil service laws in order to try out new recruitment methods.

Prior law also allowed waiving certain of the civil service hiring laws for what’s called experimental appointments, but the law capped the number of those alternative appointments at 5 percent of annual hiring.

The new law allows more requirements — mostly definitions pertaining to civil service statutes — to be waived and allows experimental appointments to exceed 5 percent, with the consent of any affected bargaining unit.

Under the traditional method, job applicants take a civil service test as one of the first steps in the application process.

Experimental projects include using computer-based programs to scan resumes for

key skills sought by state agencies. The Department of Employee Relations then directs selected resumes to appropriate agencies.

Rep. Richard Jefferson (DFL-Mpls) and Sen. Dan Stevens (R-Mora) sponsored the legislation.

HF2777/SF2516\*/CH286

## Easing the car crunch

The Capitol complex hasn't escaped the growing metrowide problem of parking shortages, and a new law clarifies the Department of Administration's authority to try to ease the car crunch.

The department has long been responsible for overseeing state parking lots, buildings, and grounds, and in recent years, has begun to implement programs promoting carpools, buses, and alternative parking lots with shuttle services.

But upon the advice of the attorney general's office, the department added language clarifying these programs to a bill submitted to the Legislature this year.

The new law, effective Aug. 1, 1998, gives the commissioner of administration permission to promote alternative transportation modes and to provide employee shuttle services.

Programs already being offered include vanpools and specially negotiated lower prices on bus passes for state employees.

Scott Simmons, legislative liaison for the Department of Administration, said there was already a state law directing the office to work to reduce the number of single-occupancy vehicles driven to work by state employees and the issue is high on the department's list of priorities. He said the new language is aimed at clarifying the department's role.

Rep. Bill Hilty (DFL-Finlayson) and Sen. Martha Robertson (R-Minnetonka) sponsored the legislation.

HF2947/SF2730\*/CH359

## Meetings via telephone

Telephone meetings and telephone voting by members of the Minnesota Housing Finance Agency (MHFA) and the Rural Finance Agency, approved temporarily in 1997, are granted permanent approval under a new law.

Effective June 30, 1998, the same day the temporary authorization would have sunset,

the new law allows those agencies to continue to conduct meetings by telephone as long as all people participating in the meeting can hear all discussion and testimony.

Also, members of the public present at the agency's regular meeting place must be able to hear all discussion, testimony, and votes. Telephone voting must be conducted by roll call, so that all members' votes can be identified and recorded.

The law also requires the agency to allow members of the public to listen in, by telephone, to any such meetings, although they may require those persons to pay any additional costs due to their connection.

Proponents say telephone meetings save time and money, given the diverse geographical representation of the agencies.

Jeanne Wyszynski, of MHFA, said the agency conducts only special meetings for bond sales — held about once every three months — via telephone and has so far held about six remote meetings successfully.

Rep. Peg Larsen (R-Lakeland) and Sen. Carol Flynn (DFL-Mpls) sponsored the measure.

HF3593/SF2457\*/CH279

## Transfer of duties completed

A new law completes the process of transferring certain duties from the Department of Economic Security to the Department of Children, Families, and Learning.

In 1997, Gov. Arne Carlson transferred duties including energy assistance, transitional housing, food shelf, and lead abatement programs between those two agencies.

But the state law which permitted those transfers also required the executive branch to submit a bill to the Legislature making necessary statutory changes.

Effective Aug. 1, 1998, the new law makes those technical changes, mostly involving cross references to affected programs.

Rep. Tony Kinkel (DFL-Park Rapids) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the legislation.

HF2866/SF2477\*/CH273

## Term limit for board members

Effective Aug. 1, 1998, a new law establishes a two-term limit for members of the Minnesota Board of Architecture, Engineering, Land Surveying, Landscape Architecture, Geoscience and Interior Design.

The board examines, licenses, and regulates architects, professional engineers, land surveyors, landscape architects, and geoscientists, certifies interior designers, and investigates consumer complaints. The board consists of 21 governor-appointed members.

The new law sets a term limit and specifies that board members must remain Minnesota residents throughout their appointment.

Another provision of the new law authorizes the board to issue temporary permits to professionals who are new to the state if they have not had the opportunity to take the state exams. An individual must be licensed in another state with which the board has established reciprocity to be eligible for a temporary permit.

Rep. Kathleen Sekhon (DFL-Burns Township) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the measure.

HF1116/SF1814\*/CH324

## Eliminating obsolete rules

State agencies will be required to use a performance-based measuring stick to prove that new rules are clearly working toward achieving the agency's goals, under a new law.

Effective Aug. 1, 1998, the law requires that new rules adopted by state agencies must, whenever feasible, emphasize superior achievement in meeting the agency's regulatory objective. Agencies adopting rules will also have to describe how they considered and implemented the performance-based regulatory policy.

The new law also clarifies policies for ridding the books of obsolete rules and plans a study of where rulemaking authority may be too broadly delegated.

Under prior law, agencies were required to report any rule or portion of one that they found to be obsolete, and to devise a timetable for repealing the rule.

Effective Aug. 1, 1998, the new law adds rules that are determined to be unnecessary or duplicative of other state or federal statutes to that category.

It allows agencies to either provide a timetable for repeal or develop a bill to submit to the Legislature that would repeal the rule. Agencies also are required to report annually on the status of any rules previously identified as obsolete, unnecessary, or duplicative.

The new law also directs the Legislative Coordinating Commission to begin a study of state law to identify areas where rulemaking

authority is delegated too broadly to state agencies.

By Jan. 15, 1999, the law requires the commission to submit a report to the Legislature of its findings, including proposals for new legislation with more specific delegations of authority.

Rep. Mindy Greiling (DFL-Roseville) and Sen. John Hottinger (DFL-Mankato) sponsored the legislation.

HF2043/SF1583\*/CH303

## 'Best value' procurement system

A new law allows state agencies to use a new system for purchasing goods and services, under which they no longer must award all contracts to the lowest bidder.

Effective July 1, 1998, the new law allows agencies more flexibility to move to a system known as "best value" for awarding state contracts other than those related to construction.

Under the old procurement system, agencies generally were required to award a contract to the lowest responsible bidder.

Under new law, agencies are allowed to take into account factors other than cost — such as past experiences or brand names — when purchasing goods or services. Proponents say the new system will increase agencies' flexibility and discretion, which will lead to improved efficiency.

Portions of the construction industry and members of the state bar association were opposed to the change, which resulted in construction projects being exempted from the new law. Those projects will continue to be awarded to the lowest responsible bidder.

Rep. Phyllis Kahn (DFL-Mpls) and Sen. David Knutson (R-Burnsville) sponsored the legislation.

HF384/SF726\*/CH386

## Emergency assistance compact

A new law enables Minnesota to offer and receive assistance during times of natural or human-caused disaster.

The measure, effective Aug. 1, 1998, adds Minnesota to a list of over 20 states participating in the Interstate Emergency Management Assistance Compact. North Dakota, South Dakota, and Iowa have all ratified the agreement.

Under the compact, Minnesota's disaster response agencies, such as the Minnesota

National Guard, can be used in disaster areas in participating states. In turn, Minnesota can receive emergency support and personnel from outside states.

Proponents argued that the new law was necessary to remove barriers which prevented states from assisting each other in times of crisis. Legislators were told of a situation where a helicopter owned by North Dakota could not be used in a rescue situation in Minnesota during the 1997 flooding because of legal issues.

The new law allows the states to form disaster plans and authorizes joint training exercises between participating states.

The measure also mandates that licenses, certifications, and permits valid in the assisting state are temporarily valid in the state requesting assistance. The governor of the state requesting assistance has the authority to place limits on these temporary arrangements.

The new law also requires that costs incurred by an assisting state be reimbursed by the state requesting aid, unless those debts are forgiven by the assisting state.

Rep. Stephen Wenzel (DFL-Little Falls) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HF3442/SF2945\*/CH298

## Red Cross volunteers

Although Gov. Arne Carlson allowed a bill granting full pay to state employees who volunteer for the American Red Cross to become law without his signature, he wrote that the legislation "truly represents poorly thought-out public policy."

The new law, effective Aug. 1, 1998, allows any state agency to permit an employee who is a certified disaster service volunteer to receive 100 percent pay while volunteering for the Red Cross for up to 15 days per year.

"Clearly, the intent is noble . . . but this bill goes well beyond the normal parameters of good judgment," Carlson wrote.

He said the legislation was flawed for including only state employees and not private-sector or local government workers, and also for including volunteering with only the Red Cross and not other disaster-relief organizations.

"At the same time, how can a person be a 'volunteer' while receiving 100 percent pay?" he wrote. He added that he hoped the Legislature would consider altering the policy in the future.

Rep. Ann H. Rest (DFL-New Hope) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HF2673\*/SF1946/CH356

## Donating 'distressed' foods

Food handlers can donate "distressed" foods to local governments or to the state, under a new law effective Aug. 1, 1998.

Food is considered distressed when it cannot legally be sold but is still deemed safe — unspoiled milk that has not sold before the expiration date, for example.

Currently, food handlers can donate distressed foods to nonprofit organizations who supply the food to the elderly or needy. The new law will allow them to donate these foods to units of government as well.

The measure removes liability for food handlers who choose to donate the distressed food, except in instances of gross negligence or intentional misconduct.

Bill sponsor Rep. Elaine Harder (R-Jackson) said that the idea was brought to her by county commissioners who felt that it would be a good way to defray corrections costs.

"It's food that may not be marketable, but it is still safe for consumption," Harder said.

Sen. Dennis Frederickson (R-New Ulm) sponsored the bill in the Senate.

HF176/SF154\*/CH333

## Tornado disaster relief

Just 11 days after tornadoes wreaked havoc in south-central Minnesota, Gov. Arne Carlson signed into law a package that brings the area \$27.6 million for disaster relief.

"The power that comes from hope is very well represented in this package," Rep. Ruth Johnson (DFL-St. Peter) said on the House floor when that body passed the legislation she sponsored.

Effective April 10, 1998, the relief law provides \$8 million to match federal disaster assistance. Johnson said the state will assume the 10 percent contribution normally funded by local governments under federal disaster relief. The federal government typically pays 75 percent while states pay 15 percent and local governments pay 10 percent.

Another \$3.5 million appropriation goes to people rebuilding their homes. Loans up to \$10,000 at no interest go to those who stay in their homes for 10 years. Another \$500,000 is provided in the form of forgivable loans for



Lawmakers moved quickly to provide relief for victims of the March 1998 tornadoes, which struck several cities in south-central Minnesota. A new law provides \$27.6 million to help finance cleanup and repair efforts.

the reconstruction or rehabilitation of rental housing.

Businesses affected by the tornadoes are eligible for \$4.8 million in grants to help rebuild. Legislators were told that Le Center, a town of 2,000, has 400 jobless residents because of the storm.

Another \$1 million is set aside for local government to repair and replace publicly owned buildings, water systems, streets, bridges, and other infrastructure.

The law also includes \$250,000 for after-school child care and expanded day care services.

Farmers are provided \$4 million to repair farm buildings and to obtain working capital operating loans.

Tim Nelson, the disaster coordinator for Brown County, said more than 32,000 acres of farmland and drainage ditches were strewn with debris, some of which was so heavy it required removal by heavy machinery.

But he said most of the debris had to be removed by hand, and groups of volunteers took on the slow process of removing chunks of wood, nails, and other debris from some fields.

"There are no machines that can do most of this work," Nelson said.

Legislators also were told farmers need loans for machinery and seed, but that there was relatively little livestock loss in the area.

Under the new law, another \$2.7 million is set aside as a contingency fund that can be appropriated to the commissioner of finance for allocations made at the governor's request or for unanticipated needs.

Another \$1 million goes toward loans or grants needed for historic preservation.

Rep. Phyllis Kahn (DFL-Mpls) said the state needs to look into federal aid for the historic buildings.

"It would be a shame if we passed up the chance to rebuild this city the way it was," Kahn said.

St. Peter has 270 buildings that have been inventoried as possibly historic and 14 buildings that are on the National Register of Historic Places.

Johnson's home was among the 1,000 in St. Peter to receive minor damage in the March 29 storm. St. Peter Mayor Jerry Hawbaker told the House Ways and Means Committee via an interactive television connection that the city had another 200 homes destroyed, plus 600 others with major damage.

The town of Comfrey, with a population of about 450, was almost completely destroyed in the string of tornadoes that prompted President Clinton to declare four Minnesota counties a major disaster area.

Department of Commerce Commissioner Dave Gruenes said the tornadoes probably caused about \$200 million in damage, much of which is covered by private insurance.

Rev. Dennis Johnson, vice president for college relations at St. Peter's damaged Gustavus Adolphus College, told legislators the best way to help the wounded college would be to help the community, where much of the faculty and staff reside.

"We can not succeed in our mission at the

college without a strong, vibrant community," he said.

Sen. John Hottinger (DFL-Mankato) sponsored the legislation in the Senate.

HF3862\*/SF3411/CH383

## Olmsted County appointment

As some Minnesota counties grow and expand services, the everyday business of running county government is becoming more complex.

That has spurred a debate over the competency and effectiveness of elected officials versus appointed officials in some positions. Olmsted County has requested permission from the state to choose the latter.

Effective upon local approval, a new law gives the Olmsted County Board the authority to appoint their next county treasurer/auditor.

The board appointment will stand unless 10 percent of the registered voters in the county request a referendum and a majority of voters in the countywide referendum disapprove of the board's choice.

Rep. Dave Bishop (R-Rochester) and Sen. Sheila Kiscaden (R-Rochester) sponsored the new measure.

HF2508/SF2581\*/CH307

## Claims against the state

The family of a college student killed in 1991 by a convicted sex offender on his way from prison to a halfway house will receive almost \$15,000, under a new law signed by the governor.

David and Gayle Johnson of Alexandria, Minn., filed a wrongful-death suit against the state after their daughter was murdered by a convict who had been released from St. Cloud prison five days earlier and ordered to report to a halfway house in Minneapolis. He was not assigned an escort and did not show up at the halfway house.

Following the murder, the Legislature changed the law to require that escorts be provided in similar situations, but the Minnesota Supreme Court rejected the parents' claim.

The Johnsons next turned for recourse to the Minnesota Legislature's Joint House-Senate Subcommittee on Claims, which annually hears private restitution claims that have been refused by the courts or a state government department.

Effective April 7, 1998, this year's claims

law authorizes payment of certain claims against the state, as recommended by the subcommittee.

A Benton County deputy who, in 1996, shot and killed a suspect in the murder of a St. Joseph police officer will receive about \$24,000. The deputy later suffered from post-traumatic stress syndrome and was unable to work for eight months, but she was refused lost-wage payment by Benton County.

Several inmates or former inmates who suffered injuries while incarcerated, as well as some people injured while performing court-ordered community service, also will receive payments this year.

Rep. Edgar Olson (DFL-Fosston) and Sen. Randy Kelly (DFL-St. Paul) sponsored the claims legislation.

HF3830\*/SF3393/CH362

### Statewide capital improvements:

#### State buildings

(See Bonding, page 13)

### Gambling proceeds and the ADA

(See Gambling, page 29)

### Metropolitan Council contracts

(See Metro Affairs, page 50)

### Omnibus tax law:

#### Federal update

(See Taxes, page 53)

### Fishing dispute resolution

(See Tourism, page 54)

### Aircraft repair resolution

(See Transportation, page 57)

### Attorney general's budget

(See Vetoed Bills, page 65)

### The state and failing schools

(See Dead Bills, page 70)

### An evenly divided House?

(See Dead Bills, page 73)

### Unicameral legislature bills

(See Dead Bills, page 74)

### Small gifts still count

(See Dead Bills, page 74)

### Tobacco investments

(See Dead Bills, page 74)

### Business and public subsidies

(See Dead Bills, page 74)

### Second NATO resolution

(See Dead Bills, page 76)



## HEALTH

### Civil commitment law changes

A new law makes several changes to the state's civil commitment law, including two provisions addressing public safety.

The civil commitment process is used to require individuals to accept mental health care when, because of mental illness, they do not realize the need for treatment. Civil commitment usually consists of long-term hospitalization where a patient can be monitored and effectively treated. There are approximately 3,400 civil commitment filings in Minnesota state courts each year.

In some cases, the commitment process is used to require treatment for those individuals who may be a danger to themselves or others, including sexually dangerous individuals.

The new law, effective Aug. 1, 1998, has two provisions which seek to provide increased protection for the public while protecting the rights of the patient.

The measure authorizes courts to hold sexually dangerous individuals in jail for up to 24 hours during the commitment hearing process, provided that there is no other feasible place of confinement and that the individual's safety is not compromised.

The new law also places new restrictions on temporary releases for patients who have been committed as mentally ill and dangerous. The measure requires that local law enforcement agencies be notified of a temporary release and the nature of the release.

In 1997, legislators enacted several recommendations from the Supreme Court Advisory Task Force on the Civil Commitment System. The task force suggested measures to improve the service provided to persons with mental illness and to better manage civil commitment cases in the courts.

The 1998 legislation makes several technical corrections to the law passed in 1997.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Don Betzold (DFL-Fridley) sponsored the new measure.

HF2785/SF2373\*/CH313

### Prenatal alcohol abuse

Gov. Arne Carlson signed a bill into law which authorizes the voluntary reporting of prenatal alcohol abuse.

The legislation comes as a result of recommendations made by the Governor's Task

Force on Fetal Alcohol Syndrome, which was chaired by first lady Susan Carlson.

The task force was formed in July 1997 to formulate a comprehensive approach to the problem of alcohol abuse during pregnancy. Approximately 800 children are born each year in Minnesota with the effects of Fetal Alcohol Syndrome, according to the task force.

Effective Aug. 1, 1999, the new law will permit health care workers, counselors, and others working with pregnant women to report instances of suspected alcohol abuse to local welfare authorities or to a maternal child substance abuse project.

The law will require that after the local welfare agency receives a report, it must conduct an assessment and offer necessary services to the pregnant woman.

An earlier version of the bill would have made prenatal abuse of alcohol statutory grounds for civil commitment and required local welfare agencies to petition for commitment in cases where the woman fails to follow treatment recommendations.

Rep. Wes Skoglund (DFL-Mpls) and Sen. David Knutson (R-Burnsville) sponsored the new measure.

HF3184\*/SF3207/CH361

### 'Off-label' drug coverage

Cancer patients who find relief from certain treatments not approved by the Food and Drug Administration (FDA) for their specific form of cancer no longer will have to wonder if their health plan will pay for the treatment.

A new state law requires state-regulated health maintenance organizations and other health plans to pay for "off-label" use of drugs prescribed for cancer treatment. Effective Jan. 1, 1999, the law stipulates that all such health plans, including Medicare supplemental coverage, may not refuse to pay for cancer treatments involving drugs that are already on a plan's formulary, providing that research has shown that the drug is effective as a cancer treatment.

"Off-label" drug use is the prescribing of drugs for a purpose other than the one for which the drug was originally approved by the FDA. Cancer specialists indicate about 10 percent of their patients respond to treatment that is not covered for their specific cancer under their insurance plan.

Drugs are often approved by the FDA for one purpose, and then further research finds

the drug is beneficial for another purpose.

But drug companies rarely resubmit these medications for FDA approval because of the time and cost involved. Some health plans then refuse to pay for use of these prescription drugs if the medication is not FDA-approved for cancer.

The law does not apply to drugs used in experimental cancer treatment.

There are 27 other states with similar laws related to off-label drug use.

Rep. Alice Hausman (DFL-St. Paul) and Sen. Dallas Sams (DFL-Staples) sponsored the measure.

HF1306/SF1076\*/CH301

### Improper use of DEA numbers

The U.S. Drug Enforcement Administration (DEA) uses a numbering system that was established to identify medical professionals and others who are authorized to engage in business activities involving controlled substances.

But the insurance industry and health plan companies have sometimes used DEA numbers for other purposes, such as tracking the drug prescription practices of health care providers.

That will no longer be allowed under a new law, which will not take effect for at least two years. Its effective date is 24 months after a unique, alternative health identifier is adopted.

The identifier is expected to be adopted under the federal legislation dealing with health insurance portability and accountability. The status of that identifier is pending.

The DEA has tried to get national health insurance associations to find an alternative to the industry use of DEA numbers and has asked its registrants to refuse to furnish DEA numbers to insurance providers for reimbursement purposes. The DEA claims misuse could weaken the registration system, and the agency has sought to restrict the registration numbers to use for drug enforcement purposes.

The new state law will limit the use of DEA numbers for law enforcement purposes, and thus prohibit insurance providers or health plan companies from monitoring the prescribing practices of a practitioner.

The law also stipulates that a prescription that is not a controlled substance does not have to bear a DEA number.

Rep. Thomas Huntley (DFL-Duluth) and

Sen. John Hottinger (DFL-Mankato) sponsored the measure.

HF2401/SF2207\*/CH316

### Regulating health occupations

At the request of the Department of Health, a new law makes a number of changes to the statutes regulating various health occupations in Minnesota, including speech-language pathologists, audiologists, alcohol and drug counselors, hearing instrument dispensers, physical therapists, occupational therapists, and unlicensed mental health practitioners.

Effective March 24, 1998, the new law authorizes the health department to issue 18-month temporary licenses to aspiring speech-language pathologists and audiologists who have finished their academic course work and clinical training but have not yet taken their licensing exams.

To qualify, a temporary registrant must not be subject to current or past disciplinary action. Practice under a temporary license must be supervised.

Under the new law, practice under the titles "doctor of audiology" or "doctor of speech-language pathology" without the appropriate degree from an accredited institution is grounds for disciplinary action by the health department.

Another provision of the new law grants the health department the authority to repeal, amend, or adopt new rules governing occupational therapists.

The new law also makes minor changes to the licensing and continuing education requirements for drug and alcohol counselors, including new ways to prove eligibility for licensure.

With the understanding that different communities have different counseling needs, the new law gives the health department permission to rework the licensing guidelines for drug and alcohol counselors who treat ethnic minorities or people with disabilities.

The health department is ordered to add representatives from the Minnesota Commission Serving Deaf and Hard of Hearing People and the Council on Disability to an advisory committee charged with developing, implementing, and evaluating the new licensing criteria. Currently, the committee is comprised of members from the Council on Affairs of Chicano/Latino People, the Council on Asian-Pacific Minnesotans, the

Council on Black Minnesotans, and the Indian Affairs Council.

Effective Nov. 1, 1998, a separate provision of the new law eases up on the licensing renewal paperwork for speech-language pathologists and audiologists. Although the renewal fee stays at \$80 per year, the specialists are permitted to renew with the health department once every two years instead of once a year.

Rep. Linda Wejcman (DFL-Mpls) and Sen. Dallas Sams (DFL-Staples) sponsored the measure.

HF2786/SF2447\*/CH317

### Hepatitis B vaccinations

Children who enroll in kindergarten beginning in the 2000-2001 school year must be vaccinated against hepatitis B, under a new law effective Aug. 1, 1998.

The law also applies to children enrolling in the seventh grade beginning with the 2001-2002 school term. But the law exempts families who object to the vaccination for religious or other reasons.

Hepatitis B is caused by a virus and is spread by contact with an infected person's blood or other body fluids. It can also be spread by sharing washcloths, razors or needles, and through tattooing. The vaccination process involves a schedule of three doses of the vaccine.

The disease causes liver inflammation that can lead to liver failure or cancer.

Roughly 80 percent of infants receive the vaccination in conjunction with other childhood vaccinations. The law's purpose is to inoculate those who now do not receive the vaccination.

The cost of the vaccination program for those entering kindergarten is covered under a federal program.

Rep. Nora Slawik (DFL-Maplewood) and Sen. Becky Lourey (DFL-Kerrick) sponsored the measure.

HF2681/SF2372\*/CH305

### Safe drinking water

A new law modifies Minnesota's Safe Drinking Water Act to ensure that the Department of Health can maintain water quality.

Effective Aug. 1, 1998, the measure expands the law that gives the department oversight of public water systems by adding additional types of water systems to the list of

systems the department oversees. The changes are necessary due to legislation at the federal level and will allow Minnesota to keep its federally delegated program authority and existing federal funding levels.

The new law also authorizes the department to assess administrative penalties against large public water supplies for violations under this provision.

The measure was sponsored by Rep. Kathy Tingelstad (R-Andover) and Sen. Steven Morse (DFL-Dakota).

HF2828\*/SF2345/CH261

## Automatic external defibrillators

Volunteers and others who provide emergency medical care with an automatic external defibrillator without expectation of compensation are not liable for civil damages, under a new law, effective Aug. 1, 1998.

The new law broadens the existing "Good Samaritan statute," which provides immunity to volunteers or others who give emergency care, unless a patient objects.

Many airlines and businesses now carry automatic external defibrillators, which restore the heart's rhythm by delivering an electric shock. To use an automatic external defibrillator, the rescuer places two pads on the victim's chest and the device measures the heart's rhythm. If the device detects ventricular fibrillation, the machine directs the user to push a button to deliver a shock.

Under the new law, any volunteer or other person who does not expect compensation can render the emergency care without fear of civil liability, unless the person giving the care acts in a reckless manner.

The law applies only to the scene of an emergency outside a hospital or other medical facility where licensed health practitioners are available.

Rep. Geri Evans (DFL-New Brighton) and Sen. John Hottinger (DFL-Mankato) sponsored the measure.

HF3138/SF2861\*/CH329

## 'Critical access' hospitals

Closures and financial problems at rural hospitals nationwide have created concern in Minnesota, where up to 60 percent of the rural hospital patient population is on Medicare.

Effective Feb. 26, 1998, a new state law requires the commissioner of health to establish a Medicare rural-hospital flexibility pro-

gram, and to designate certain rural non-profit or public hospitals and facilities as "critical access hospitals." Such facilities can be certified by the state as necessary providers of health care services to residents in the area.

Necessary providers can be those 20 miles from the nearest hospital, those that are the sole hospital in a county, or those that meet certain federal criteria.

There is the potential for 39 such hospitals in the state to receive the special designation.

Under federal law, critical access hospitals receive enhanced reimbursement and regulatory flexibility in exchange for limiting their inpatient services while maintaining emergency medical services.

A study by the Agency for Health Care Policy and Research, part of the U.S. Department of Health and Human Services, indicates traumatic injuries are more common in rural areas. Rural areas also have a larger percentage of elderly people than urban areas and higher poverty rates, according to the agency.

The small, rural hospitals designated as "critical access" facilities can retain patients only for a limited time, but the hospitals can arrange for transfers and referrals when longer hospital stays are required.

The bill was the first introduced by Rep. Mary Ellen Otremba (DFL-Long Prairie), who won a special election last fall to replace her late husband, Ken.

Sen. Dallas Sams (DFL-Staples) sponsored the legislation in the Senate.

HF2550\*/SF2261/CH257

## Professional service providers

(See Business, page 15)

## Omnibus pension law: Privatizing hospitals

(See Government, page 32)

## Public employee insurance plan

(See Government, page 32)

## Health, human services finance: Abortion reporting

(See Human Services, page 41)

## Health, human services finance: Fighting Fetal Alcohol Syndrome

(See Human Services, page 41)

## Health, human services finance: Consumer health assistance

(See Human Services, page 43)

## Health, human services finance: Fighting cancer in women

(See Human Services, page 43)

## Health, human services finance: Stopping STDs

(See Human Services, page 43)

## MCHA cap increased

(See Insurance, page 45)

## Defining 'chronically ill'

(See Insurance, page 45)

## Medical equipment, supplies

(See Insurance, page 45)

## A health care directive

(See Law, page 46)

## Sirens and flashing red lights

(See Transportation, page 56)

## Acquiring nonprofit hospitals

(See Vetoed Bills, page 64)

## Medical malpractice lawsuits

(See Dead Bills, page 75)



## HIGHER EDUCATION

### Higher education funding

A new Minnesota higher education funding law spends \$72.5 million — the largest supplemental budget increase for higher education in this decade — to improve the state's colleges and universities.

Appropriations in the new law target \$35.5 million for the University of Minnesota and \$36 million for the Minnesota State College and Universities (MnSCU) system.

Another \$1 million goes to the Higher Education Services Office to bolster work study programs on the state's college campuses. All of the spending provisions are effective July 1, 1998.

Gov. Arne Carlson line-item vetoed a total of \$500,000 that would have gone to the U of M for two separate programs — expansion of on-campus law clinics and enhancement of an effort to provide college planning information to students in K-12 schools, especially those without counselors. (See related story, page 65.)

Much of the remaining money for the U of M goes toward "strategic academic initiatives," which are programs — such as molecular and cellular biology — that are considered crucial to ensure the university's future as a leading academic institution.

The bulk of the appropriation for MnSCU's seven state universities and 29 two-year colleges goes toward reduction of the wide variances in the amount of per-student funding the individual institutions receive and toward rebuilding campuses' base appropriations in areas such as instructional equipment.

Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the higher education finance legislation.

Here's a look at some highlights of the new law.

HFnone/SF3297\*/CH384

**Funding for MnSCU**

A total of \$20 million helps to enhance base appropriations to campuses by reducing variances in state funding per full-year equivalent student at the 36 MnSCU institutions and acquiring up-to-date instructional equipment.

Differences among campuses in per student funding are due, in part, to differences in enrollment and in types of programs. Large campuses have efficiencies that smaller campuses lack. However, some legislators think the funding variances are too great.

For example, Southwest State University in Marshall, Minn., receives about \$2,000 more per student than does Mankato State University.

MnSCU is developing its own allocation model for fiscal year 2000 and beyond. The law directs the system to address the variance in per student funding between institutions and to reduce campus and system reliance on one-time funding in the new model.

The law also provides \$10 million to enhance partnerships between MnSCU institutions and business and industry.

The appropriation goes toward efforts to increase the number of students enrolled in internships by providing incentives for businesses to train, place, and retain students. Also, the funding supports efforts to restructure degree and certificate programs so more of them require internships.

The new law also provides \$3 million for MnSCU libraries to purchase materials and equipment, with particular emphasis on the regional libraries at the state universities.

Another \$3 million included in the law will help universities to redesign teacher education curriculum to ensure that would-be teachers are prepared to work with the state's new K-12 graduation standards and to integrate technology into teaching methods. (Sec. 3)



**A \$72.5 million higher education spending package approved by the Legislature provides \$31.9 million for key academic initiatives at the University of Minnesota. Those initiatives include plans to build a top program in molecular and cellular biology.**

**University of Minnesota spending**

A total of \$31.9 million of the new law's \$35.5 million for the U of M goes toward improvement of key academic initiatives.

Fields specifically targeted for improvement include programs in digital technology and programs in molecular and cellular biology. The funds are available for hiring faculty, purchasing equipment, or making other improvements.

Both the governor and the university requested \$41.5 million in supplemental appropriations for the U of M.

University President Mark Yudof has focused on investing in the school's molecular and cellular biology programs and other key academic initiatives since he took over as president in 1997.

His goal is to create an institute for molecular and cellular biology with the aim of pushing the school into the top five public universities in biological sciences.

Yudof requested funds from the 1998 Legislature to recruit 11 blue-chip faculty members during the next three years and to provide them with equipment needed for research. The president also intends to hire another 15 junior faculty members by redirecting previous U of M funding.

The law also requires that a portion of the \$31.9 million is to go toward agricultural research into problems affecting Minnesota farmers. Those problems include plant diseases that have damaged wheat and barley crops and respiratory diseases that have hit turkeys on many farms in the state.

A separate provision of the new law provides an additional \$3.6 million for agricultural research and outreach programs. (Sec. 4)

**Statewide capital improvements:  
Higher education spending**

(See Bonding, page 12)

**Alcohol sales on campus**

(See Business, page 14)

**Health, human services finance:  
Medical education**

(See Human Services, page 42)

**Selecting U of M regents**

(See Dead Bills, page 75)

 **HOUSING**

**Affordable housing shortage**

A new law seeks to address a shortage of affordable housing that may develop because of a situation involving federally subsidized complexes.

In the 1970s, the federal government set up a program where developers received reduced-rate mortgages and financing incentives to build low- and moderate-income housing. Rent rates were subsidized by the federal government and rent increases were regulated.

Owners of these complexes recently have begun taking advantage of a provision that allows them to prepay the remaining portion

of their mortgage and to begin charging market-rate rent.

The new law, effective Aug. 1, 1998, makes several changes in the law that regulates the state's allocation of federal low-income housing tax credits. These credits are used to provide incentives for developers who build or redevelop low- and moderate-income housing.

The measure gives the Minnesota Housing Finance Agency more oversight to ensure that all of the state's credits are used and used under federal guidelines.

The new law also makes several changes in the law that regulates distribution of the state's federal limit for private-activity, tax-exempt bonds. Among other changes, the new law sets a new priority for housing projects that preserves existing federally subsidized housing.

Rep. Ann H. Rest (DFL-New Hope) and Sen. Steven Novak (DFL-New Brighton) sponsored the measure.

HF3145\*/SF2719/CH363

## Affordable housing corporation

The Headwaters Regional Development Commission in northern Minnesota can establish a nonprofit corporation to improve the affordable housing picture in that area, under a new law, effective Aug. 1, 1998.

The commission, which acts as a planning and development organization serving local governments, organizations, senior citizens, and businesses in Beltrami, Clearwater, Hubbard, Lake of the Woods, and Mahanomen counties, sought legislative approval to establish a nonprofit affordable housing corporation.

The nonprofit organization is expected to tackle the job of increasing the supply of affordable housing and helping to make it easier for people to own a home.

The nonprofit corporation can acquire land, accept grant and loan money from the state and federal government, build and renovate homes and apartments, and sell and manage housing in the area.

In 1997, the Legislature passed a law prohibiting political subdivisions like the northern Minnesota commission from establishing nonprofit corporations without specific authorization by law.

Rep. Gail Skare (DFL-Bemidji) and Sen. David Ten Eyck (DFL-East Gull Lake) sponsored the new measure.

HF2635/SF2574\*/CH292

## Housing options for seniors

A new law seeks to create more affordable housing options for seniors.

Effective March 19, 1998, the law expands the statutory definition of elderly housing as it applies to the human rights law, bringing state law into compliance with federal statutes. The effect is that more facilities may classify as elderly housing exclusively.

The new law removes the requirement that elderly housing must provide facilities designed to meet social and physical needs, such as recreation and meeting rooms.

Rep. Satveer Chaudhary (DFL-Fridley), sponsor of the measure, said that the additional services provided to tenants mean additional cost in rent.

"These types of facilities often cause rent to be \$100 to \$300 higher than other facilities," he said.

Sen. Deanna Wiener (DFL-Eagan) sponsored the bill in the Senate.

HF2779/SF2230\*/CH291

## Paying off liens

Effective Aug. 1, 1998, a new law gives homeowners less time to pay off liens so they can keep their property.

The changes are related to mechanic's liens, which contractors can file to ensure payment for construction or related work.

The liens can be filed with the county recorder, the registrar of title, or the county real-estate records. They give the contractor the ability to go to court to have the property sold to pay for the work.

Under the new law, the redemption period for a property with a lien is reduced from one year to six months. The redemption period is the time in which the owner can redeem the property from the court-ordered sale by paying what is owed. The owner can live in the property during the six months.

Rep. Joe Mullery (DFL-Mpls) and Sen. Deanna Wiener (DFL-Eagan) sponsored the new measure.

HF2601\*/SF2677/CH289

## Selling abandoned homes

A new state law aims to help Minnesota's manufactured-home park owners rid their properties of abandoned homes.

Effective March 17, 1998, the law authorizes the owner of a manufactured-home park to obtain a limited dealer's license and to sell up to five used homes that are within the park's boundaries per year.

Previously, only real estate agents and licensed dealers were permitted to sell manufactured homes in Minnesota.

The legislation was introduced at the request of rural park owners who were having difficulties attracting agents to sell low-end homes.

The measure was sponsored by Rep. Gary Kubly (DFL-Granite Falls) and Sen. Steven Novak (DFL-New Brighton).

HF3148/SF2047\*/CH280

## Tenant security deposits

A new law, effective Aug. 1, 1998, extends the current interest rate paid by property owners on tenant security deposits.

Existing law set the rate at 3 percent until May 1999, and after that time the rate was to be increased to 4 percent. The rate increase was supposed to parallel an increase in interest rates generally; however, interest rates have remained low.

Property owners said that after 1999 they would be paying a higher rate to hold deposit funds than most financial institutions would pay.

The new law changes the date of the increase to 4 percent from May 1, 1999, to May 1, 2001.

Rep. Loren Jennings (DFL-Harris) and Sen. James Metzen (DFL-South St. Paul) sponsored the measure.

HF2590\*/SF2122/CH266

## Decorative gas lamps

The Victorian-style decorative gas lamp, once a feature on most classic 19th-century houses, is one step closer to extinction in Minnesota.

In 1977, the state prohibited using the lamps, but granted variances to the ban for homeowners 65 years old or older who requested to use the lamps at their principal residences. Eligible homeowners were allowed to renew their variances every four years.

Under a new law, effective Aug. 1, 1998, variances can no longer be granted, but homeowners who received variances in 1977 will be allowed to continue using their gas lamps during their lifetime.

Concerns for safety prompted efforts to ban the lamps.

Rep. Ken Wolf (R-Burnsville) and Sen. Mark Ourada (R-Buffalo) sponsored the legislation.

HF3070\*/SF2847/CH350

**Home mortgage services**

(See Consumers, page 16)

**Good funds**

(See Consumers, page 16)

**Meetings via telephone**

(See Government, page 33)

**Omnibus tax law:****Property tax reform**

(See Taxes, page 51)

**Omnibus tax law:****This old house**

(See Taxes, page 52)

**Omnibus tax law:****Manufactured home sales**

(See Taxes, page 53)

**Omnibus tax law:****Saving subsidized housing**

(See Taxes, page 53)

**Child care, jobs, housing:****Housing and the homeless**

(See Special Session, page 59)

**Jobs, housing, development**

(See Vetoed Bills, page 62)

**Family, early childhood bill**

(See Vetoed Bills, page 63)

**HUMAN SERVICES****Health, human services finance**

New abortion reporting requirements are part of a nearly \$58 million health and human services finance law passed in the waning moments of the 1998 session.

The new measure was the subject of a lengthy standoff over abortion-related provisions.

However, the abortion-related measures make up just a small portion of an omnibus law that provides funds for salary increases for nursing home employees, prevention of Fetal Alcohol Syndrome, state-purchased food stamps for legal non-citizens, and efforts to ensure food safety.

Also, the law includes provisions that Minnesota must adopt to receive federal funds totaling \$28 million for children's health care.

Gov. Arne Carlson used his line-item veto authority to cut two small items totaling \$125,000 from the funding package approved by the Legislature. (See related story, page 66.)

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the measure.

HF2868/SF3346\*/CH407

**Abortion reporting**

The new law requires that physicians or medical facilities provide the state with information about abortions they perform and that the Department of Health release an annual public report compiling Minnesota abortion statistics. The new requirements are effective July 1, 1998.

Physicians or facilities are required to report a variety of factors related to each abortion procedure. Specifically, each physician must disclose the number of abortions he or she performed within the previous year, the method used for each abortion, the approximate gestational age at the time of the abortion, and the age of each woman who has an abortion.

Also, physicians are asked to supply the woman's specific reason for the abortion. The law lists a range of reasons — such as the pregnancy poses a risk to the woman's health, the pregnancy results from rape or incest, or the woman does not want children at the time — that could be listed, but the reasons doctors can cite are not limited to those listed in the law.

The new measure also stipulates that the woman need not provide a reason.

The reporting requirements also seek information about the number of previous abortions the woman has had and the method of payment for the abortion. And physicians are required to provide information related to complications stemming from abortion procedures.

The law also establishes reporting requirements for the commissioner of human services. The commissioner must annually provide information about the number of out-of-state abortions paid for with state funds and the total amount of state funds used to pay for abortions.

The Department of Health must release an annual report beginning in 2000 on abortion in Minnesota. The law mandates that the report protect the identity of doctors who perform abortions and women who undergo abortions.

If the department fails to produce the public report on time or to fulfill one of its enforcement duties, any group of 100 or more citizens can seek a court injunction to force a timely release of the information or to require enforcement action to be taken, under the law.

The law also includes a provision that places a fine on physicians or medical facilities that fail to report on time. After a report is 90 days

late, the physician or facility can be fined \$500 for each 30-day period the report is overdue. (Art. 10, Secs. 1-7)

**Fighting Fetal Alcohol Syndrome**

The new law includes \$5 million to prevent Fetal Alcohol Syndrome, a series of birth defects that can result from alcohol consumption during pregnancy.

Minnesota first lady Susan Carlson co-chaired the Governor's Task Force on Fetal Alcohol Syndrome, which last year estimated the disease costs Minnesota taxpayers at least \$45 million annually in health, judicial, and social services expenses.

Also, the Journal of the American Medical Association reports Fetal Alcohol Syndrome is the leading known cause of mental retardation.

The \$5 million included in the omnibus funding law matches the governor's request for the program.

Effective July 1, 1998, the health department is to design and implement a statewide program to raise public awareness about Fetal Alcohol Syndrome. A total of \$800,000 is appropriated for the public awareness campaign.

Another \$400,000 is to be used to develop a statewide network of regional Fetal Alcohol Syndrome diagnostic clinics, and \$150,000 is to help train health care providers and others to deal with the problem.

The law also provides \$350,000 to fund the creation of a fetal alcohol coordination board, which will review and coordinate existing state programs and integrate state and local prevention and intervention programs.

A total of \$850,000 is marked for a Fetal Alcohol Syndrome community grant program, under the law. The commissioner of health is to administer the program, which will finance work by community organizations on prevention and intervention.

Another \$850,000 goes to the Department of Human Services to expand treatment services for women who abuse alcohol during pregnancy. (Art. 1, Sec. 3; Art. 2, Secs. 85, 95, 96, 105)

**Care provider pay hikes**

Effective July 1, 1998, several new provisions grant a total of \$20 million for wage hikes for workers at long-term care facilities, including nursing homes and facilities for people with developmental disabilities, and other providers of human services.

The law devotes \$8.4 million to give nurs-

ing home employees a 3 percent raise. The money is earmarked to increase per diem payments to long-term care facilities, which means pay increases for some 40,000 nursing home employees.

The state funding triggers federal matching funds and additional private pay revenue so that an estimated total of more than \$25 million is generated for nursing home salary increases.

The nursing home spending is part of an effort to stabilize the workforce at nursing facilities. Low wages among most nursing home employees, coupled with bountiful job opportunities in other fields in the current booming economy, have made it difficult for nursing homes to attract and retain workers.

The state pays nursing homes a per diem for each resident based on location, property costs and taxes, patient care needs as determined by the case mix system, and other operating costs.

Under the law, per diem payments increase by 3 percent to pay nursing home workers. Management fees, administrators' salaries, and central office salaries are excluded from the increase.

The law also provides a total of \$11.6 million for similar 3 percent salary increases for a range of other care providers, including personal care workers, waived service providers, various therapy providers, and staff members at intermediate care facilities for people with mental retardation and related conditions. (Art. 1, Sec. 2; Art. 3, Secs. 4, 15)

### Helping legal immigrants

Effective July 1, 1998, new provisions provide funds to help the thousands of legal immigrants in the state who are not eligible for the federal food stamp program. About \$5.4 million is marked to provide food stamps for legal non-citizens.

The funds are for a one-year, state-funded program for legal non-citizens who, if not for their citizenship status, would otherwise be eligible for federal food stamp benefits.

The program is to provide food assistance to legal non-citizens who are not on Minnesota Family Investment Plan-Statewide (MFIP-S), which allows families to accept lower-paying jobs and to continue receiving some state aid while working toward the goal of getting off public assistance.

The federal Welfare Reform Act of 1996 made non-citizens ineligible for the federally funded food stamp program, but the federal 1997 Emergency Supplemental Appropriations Act gives states the option to purchase food

stamp benefits with state dollars for those who are ineligible because they are not citizens.

That option requires states to pay for the value of the food stamp benefits, plus the federal government's cost for providing the option.

Counties are required to use the same income, budgeting, and benefit allotment regulations for the state's new Minnesota Food Assistance Program as for the federal food stamp program.

Another nearly \$3.8 million in the new law helps extend the food supplement to legal non-citizen families on MFIP-S, which is the state's main welfare reform initiative.

A cash benefit equal to \$63 a month, which was designated to replace the value of the food stamps lost when non-citizens became ineligible for the federal food stamp program, was scheduled to end June 30, 1998. The new law extends the benefit for another year and also makes legal non-citizen families who are on MFIP-S eligible for this benefit, regardless of whether they were state residents as of July 1, 1997, as previous law stipulated. (Art. 1, Sec. 2; Art. 6, Secs. 16, 37)

### Medical education

The new law devotes an additional \$10 million to medical education and research during fiscal year 1999.

Effective July 1, 1998, the money goes into a trust fund which is used to make available grants to train medical practitioners and to support research projects.

The new law also makes some changes to

the way the state's medical training and education trust fund is managed and its eligibility requirements. One of the changes makes doctors of chiropractic medicine eligible for medical education grants, after evaluation by the commissioner of health and the medical education and research costs advisory group and approval by the Legislative Commission on Health Care Access.

Another provision requires the health department to conduct a study of the way the medical education and training fund is managed and the way grants are distributed. The results of that study must be returned to the Legislature by Dec. 15, 1998. (Art. 1, Sec. 3; Art. 2, Secs. 5-8, 106)

### Food safety

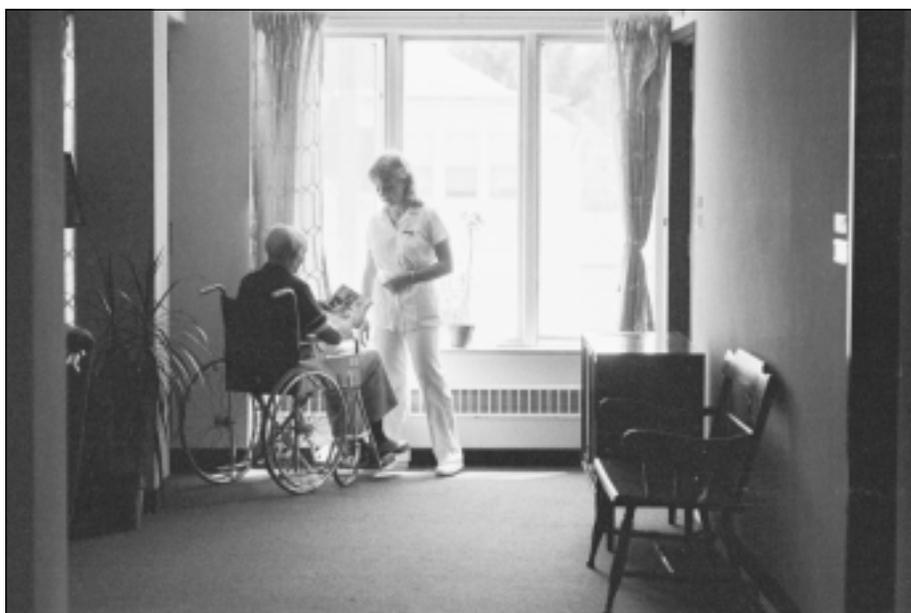
There is also \$2.5 million included in the new law for a Department of Health food safety initiative.

The money is targeted at state efforts to improve food safety and to protect against food-borne illness.

Increasingly, fruits and vegetable are imported, and roughly half of food dollars are spent eating in restaurants, where food can be improperly handled or stored.

Dr. Michael Osterholm, state epidemiologist for the Minnesota Department of Health, told legislators during the 1998 session that the supposed 6,000 to 8,000 annual deaths connected with contaminated food are underestimated.

Osterholm also has said that at certain times of the year nearly 100 percent of fresh



Nursing home health care workers will see their paychecks grow by 3 percent, under a new health and human services finance law.

fruits and vegetables available in Minnesota are grown in developing nations. He has said if that produce were purchased by Americans abroad, they would be advised to boil and peel it before eating. But at home, those precautions are not followed.

Effective July 1, 1998, the money is available as part of the department's supplemental budget. (Art. 1, Sec. 3)

### Consumer health assistance

If you have complaints or concerns about the care you receive under your current health plan, where do you turn? Minnesota health plan companies and health care professionals are governed by more than 20 boards and oversight bodies.

Effective July 1, 1998, people confused or unhappy about their health plan have a one-stop place to call, under a \$100,000 provision in the new law to establish an office of health care consumer assistance, advocacy, and information.

Preceding this provision was a 1997 law, the Patient Protection Act, which aimed to prevent health plan companies from interfering with the medical professional-patient relationship, and to provide patients with accurate information about their health plan and health plan companies.

The 1998 measure stipulates that the office will have no regulatory power, but it will have a broad range of duties. It will assist consumers who have complaints or questions about their health plans or health care provider. It also will help them understand their legal rights and how to get appropriate health care referrals.

This office will be part of the Department of Health. The state commissioner of health is to appoint an executive director, and the organization is to have at least nine consumer advocates to perform the duties of the office. (Art. 1, Sec. 3; Art. 2, Secs. 1, 15-17)

### Fighting cancer in women

The new law provides \$1.25 million to improve screening and diagnostic services for breast cancer and other forms of the disease that commonly affect women. This money replaces recent cuts in federal funding for this program.

The money is specifically targeted to help "underserved" women — those often cut off from affordable medical treatment — and to improve screening rates among all women.

Effective July 1, 1998, a total of \$855,000 in grant funding is available to assist local boards of health in providing outreach and in reim-

bursing health care providers for screening and medical testing.

Another \$400,000 is for technical assistance and outreach at the state level. (Art. 1, Sec. 3)

### Stopping STDs

Effective July 1, 1998, a total of \$300,000 is devoted to efforts to treat and prevent the spread of sexually transmitted diseases.

Of that amount, \$100,000 is to conduct a statewide study assessing the prevalence of STDs and to plan a strategy for treatment and prevention. Another \$150,000 is for the health department to conduct research — perhaps in conjunction with the University of Minnesota and nonprofit clinics — on the spread of STDs among high-risk populations. And \$50,000 is available to conduct screenings for STDs at no cost to patients who participate in research projects. (Art. 1, Sec. 3)

### Work barrier removal resolution

A resolution asking the U.S. Congress to remove Medicaid policy barriers to employment for people with disabilities was filed with the Office of the Secretary of State without the governor's signature.

The resolution states that current government policies, particularly those relating to Medicaid, discourage people with disabilities from working.

It urges Congress to adopt Medicaid buy-in legislation that allows people with permanent disabilities to retain Medicaid coverage to address certain health care needs when they become employed.

Employee-based health care and government programs such as Medicare and MinnesotaCare typically do not cover long-term support needed by many people with disabilities.

The resolution also states that a viable Medicaid buy-in plan should require individuals to take advantage of affordable employer-based health coverage, if available, and should require individuals to purchase Medicaid coverage on a sliding fee scale, based on their ability to pay.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Becky Lourey (DFL-Kerrick) sponsored the resolution.

HF3258/SF2699\*/Res. 7

### Red Cross volunteers

(See Government, page 34)

### Donating 'distressed' foods

(See Government, page 34)

### Government data practices

(See Law, page 46)

### Minnesota counties contribute

(See Local Government, page 49)

### Making vehicles available

(See Transportation, page 56)

### No funds for aging needs, study

(See Vetoed Bills, page 66)



## INDUSTRY

### Electric industry study

Effective April 10, 1998, a new law directs the existing Legislative Electric Energy Task Force to analyze specific issues relating to potential restructuring of the electric industry.

The law sets forth nine topics and related questions to be addressed by the task force.

Among other things, the task force is directed to study potential benefits and costs of implementation of retail electric competition to rural, low-income, residential, small business, and commercial and industrial energy consumers.

The analysis must consider the ability of these consumers to participate in and benefit from restructuring and other changes that could come from deregulation of the industry.

The task force also must examine various other issues such as safety and maintenance concerns and must analyze laws and regulations that could prevent Minnesota utilities from competing fairly in an open market.

The Legislative Electric Energy Task Force consists of 10 House members and 10 Senate members. Part of its mission is to analyze issues relating to the deregulation of the electric industry and make recommendations to the Legislature.

The new law also stipulates that while conducting the review and analysis of restructuring, the task force must consult with affected and interested parties.

In March 1998, the Clinton administration unveiled a proposal to bring competition and consumer choice to the electric industry. The plan would require states to decide by Jan. 1, 2003, if they would open retail service to competition, require utilities to disclose information on a standard consumer label, and provide matching funds to

states for low-income assistance, energy efficiency programs, and use of renewable energy sources.

The Clinton administration claims its proposal would save American consumers \$20 billion a year and reduce greenhouse gas emissions.

But critics have raised concerns. One is that unless the average consumer is consulted and has a chance to voice an opinion, industrial users will enjoy the benefits of deregulation and small electric customers could possibly wind up subsidizing the cost of the effort.

Some critics also believe the Clinton proposal would help protect the environment and help low-income customers, but that too much authority would be concentrated at the federal level.

Supporters of the new state law have said that if Minnesota doesn't address restructuring issues, the federal government will do it in place of the state.

Rep. Loren Jennings (DFL-Harris) and Sen. Steven Novak (DFL-New Brighton) sponsored the measure.

HF3654\*/SF3189/CH380

## Protecting telephone customers

A new law aims to provide additional protection to Minnesota telephone customers from unauthorized switching of long-distance telephone carriers.

"While most long-distance providers conduct their business in an ethical, above-board fashion, there are some that unfortunately do not," Gov. Arne Carlson said in a news release. "In signing this legislation, we are now able to give Minnesotans protection from unscrupulous carriers."

Current law forbids the providers from the practice of "slamming," or switching customers without their authorization. The new law adds protections against slamming, including tape recording or oral authorizations.

The long-distance providers must be able to provide proof that a customer authorized a change in carriers upon complaint of the customer. If the provider is unable to produce a written statement or a tape recording indicating the customer authorized the change, the carrier must pay the cost of returning the customer to the original service and the cost of any of the customer's long-distance calls during the unauthorized period.

The new measure, effective July 1, 1998,

also requires long-distance providers to give price information on specific calling patterns to consumers.

Long-distance companies also must propose upon request — or when soliciting customers — information on the price range of services, minimum volume requirements, termination charges, and other fees.

## Biomass fuels

A separate provision, effective April 1, 1998, amends the fuel exemption for biomass-fueled power plants selected to satisfy the biomass mandate.

Previous law provided that biomass-fueled power plants selected to satisfy the mandate could use non-biomass fuels for up to 25 percent of their fuel. The new law provides an expansion so that when biomass fuel sources are not reasonably available to the facility because of flood, fire, drought, disease or other acts of God, the power facility can exceed the exemption without penalty or a charge against its normal 25 percent exemption.

Rep. Loren Jennings (DFL-Harris) and Sen. Steven Novak (DFL-New Brighton) sponsored the legislation.

HF3042\*/SF2797/CH345

## Pipeline excavation notices

A new law makes a distinction between information needed before a pipeline excavation and information needed before a land survey when notifying the Gopher State One-Call excavation notice system. The provision is effective Aug. 1, 1998.

Current law requires these notices to contain the same information. The new law removes language pertaining to anticipated discharge of explosives when only a survey is being done. The new law also requires notice of the estimated duration of the excavation.

The Minnesota Pipeline Safety Act of 1987 mandated the establishment of a one-call notification center for facility operators, which became the Gopher State One-Call. That act included definitions and requirements for notices given by excavators and underground facility operators.

Underground facility operators include those who operate electricity, power, heat, gas, oil, water, and other underground lines or facilities.

The new law also requires, as of Jan. 1, 1999, that operators maintain maps, drawings, diagrams, and other records of any

underground facility that was abandoned or out of service after Dec. 31, 1998.

And a provision, effective June 30, 1998, allows the commissioner of public safety to appoint a pipeline advisory committee.

That discretionary advisory committee replaces the Pipeline Safety Advisory Council, and is governed by the statute pertaining to advisory councils and committees rather than administrative boards and agencies.

One key difference between the two is that members on advisory councils and committees serve at the pleasure of the appointing authority. Members of the current council may only be removed for missing three consecutive meetings or for cause, after notice and a hearing.

The new committee must, at a minimum, consist of representatives of the hazardous liquid pipeline industry, the gas distribution industry, the gas pipeline industry, the pipeline design and construction industry, state or local government, and the general public.

Rep. Dennis Ozment (R-Rosemount) and Sen. Steven Novak (DFL-New Brighton) sponsored the legislation.

HF3324/SF2445\*/CH348

## Using professional titles

Industrial hygienists and safety professionals — people hired to make work environments safer — will become members of legally recognized professions, under a new law, effective Aug. 1, 1998.

The law prohibits people who do not meet certain requirements from using specific titles, including certified industrial hygienist, certified safety professional, and construction health and safety technologist.

Only those who have attended an accredited college or university as required for certification and received the proper certification may use those professional titles. For instance, a certified industrial hygienist must pass a test by the nonprofit American Board of Industrial Hygiene and maintain that certification in order to use the title.

The restrictions do not apply to properly supervised apprentices or students, or to people practicing industrial hygiene and safety who work under a state or local license and do not use any protected title.

Rep. Alice Seagren (R-Bloomington), who sponsored the proposal in the House, said the law not only protects the professionals, but furthers public health and safety by ensuring quality work.

Sen. Sheila Kiscaden (R-Rochester) sponsored the measure in the Senate.

HF668\*/SF668/CH288

### **TAP expansion vetoed**

(See Vetoed Bills, page 61)

### **Jobs, housing, development**

(See Vetoed Bills, page 62)



## **INSURANCE**

### **MCHA cap increased**

The maximum lifetime benefit for people who get their health coverage through Minnesota Comprehensive Health Association (MCHA) increased from \$1.5 million to \$2 million, under a new law, effective March 19, 1998.

The change was necessary to address the needs of a southern Minnesota boy who suffers from Melnick-Needles Syndrome, a bone and cartilage disorder. The boy requires a full-time nurse, specialized equipment, frequent hospital visits, and medications.

A 1995 law moved the cap on MCHA benefits from \$1 million to \$1.5 million because the boy's medical expenses were approaching the limit, and he was at risk of being cut off from coverage.

This year, the child was closing in on the \$1.5 million maximum. Also, supporters of the new law said \$2 million has become the standard limit for lifetime health benefits.

The Legislature created MCHA in 1976 to sell insurance to state residents who have been turned down for insurance due to pre-existing conditions.

The organization is not funded by the state, except for appropriations to reduce the assessments for fiscal years 1998 and 1999. Premiums are collected from participants and from an annual assessment on insurance companies, health maintenance organizations, and other insurance providers.

The boy could have been forced onto the government-funded Medical Assistance program, had the MCHA coverage limit not been increased.

The new measure was sponsored by Rep. John Dorn (DFL-Mankato) and Sen. Deanna Wiener (DFL-Eagan).

HF3065/SF2608\*/CH293

### **Defining 'chronically ill'**

A new law tightens the definition of "chronically ill" for long-term care insurance purposes in Minnesota.

Effective March 24, 1998, a chronically ill individual is defined as someone who is "unable to perform, without substantial assistance from another individual, at least two activities of daily living for a period of at least 90 days due to a loss of functional capacity" or who requires "substantial supervision to protect the individual from threats to health and safety due to severe cognitive impairment."

Those definitions existed in prior law, but another less-specific provision said that anybody with a disability of similar level could also be called chronically ill. The new law eliminates that provision.

The clearer definition is expected to make it easier for insurance companies to determine eligibility for long-term care benefits.

Rep. Stephen Wenzel (DFL-Little Falls) and Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation.

HF3432/SF2659\*/CH328

### **Medical equipment, supplies**

A new law, effective Jan. 1, 1999, stipulates that any health plan that covers durable medical equipment may not exclude coverage of devices that are not used in the home.

For instance, a plan may not refuse to cover a wheelchair that is needed at work but not at home.

In addition, health plans are required to tell members and prospective members the nature of the coverage for durable medical equipment, level of coverage available, procedures for prior authorizations, and an address or telephone number of someone with the plan that the member can call to get information, either orally or in writing, on what's covered and not covered.

Rep. David Tomassoni (DFL-Chisholm) and Sen. Leo Foley (DFL-Anoka) sponsored the new measure.

HF2814\*/SF2130/CH334

### **No rebates on insurance**

Insurance companies and their affiliates in Minnesota may not sell insurance coverage to a particular customer at a discount when that customer's risk is identical to those charged the normal rate, under a new law, effective Aug. 1, 1998.

The law expands an existing law that did not include the affiliates. It will prevent, for example, a realty company from providing a home buyer discounted premiums on homeowner's insurance from an insurance company affiliate of the realty company.

That practice is known as "rebating," and it does not help the consumer, according to House sponsor Rep. Greg Davids (R-Preston), who owns and operates an insurance agency.

"It really disrupts the process. Insurance is not something you just go give away free," he said, adding that the bill has the support of the insurance industry. "It basically says you can't be an insurance agent enticing people by giving away free policies for rebate."

Insurance is an important commodity that ought to be bought with careful consideration, and the insurance agent is supposed to explain complicated parts to the client, he said.

Sen. John Hottinger (DFL-Mankato) sponsored the legislation in the Senate.

HF3402/SF2928\*/CH375

### **Reinsurance investment options**

Reinsurance intermediary brokers, who hold money for insurance companies on a short-term basis, have more investment options for the funds they hold, under a new law, effective Aug. 1, 1998.

Under previous law, the brokers could invest the money only in bank trust accounts. The new law allows them to also invest in federally guaranteed short-term securities or any other investment deemed proper.

Investments must be traded on a national securities exchange and may include municipal and corporate bonds.

The reinsurance broker can take advantage of the new investment opportunities only with written permission from the insurance company for whom the broker holds the money. The reinsurance broker is responsible for any losses on the investments.

At least half the money invested must be invested in bonds that mature in no more than 120 days. The investments must emphasize "safety, liquidity, and diversification," according to the new law. Money must be available to remit to the insurance company on a timely basis.

Rep. Stephen Wenzel (DFL-Little Falls) and Sen. Steven Novak (DFL-New Brighton) sponsored the legislation.

HF2750/SF2262\*/CH323

## New investment options

A new law, effective Aug. 1, 1998, gives some insurance companies more flexibility in investing their assets.

Under the new law, "financially strong" insurers are allowed to choose to be governed by the new provisions rather than by current state insurance laws, which remain in place.

To use the new investment options, insurers are required to have a minimum of \$2 billion in total assets and a total capital and surplus of \$200 million.

Insurers who qualify and decide to invest under the new law could invest in anything within a standard considered by the company's board of directors, subject to an internal control system. The companies must have a written investment policy.

The commissioner of commerce could require information from insurers, and the commissioner could hire an expert to review an insurer's investments. The commissioner also could order insurers to change their investments.

Rep. Ann H. Rest (DFL-New Hope) and Sen. Deanna Wiener (DFL-Eagan) sponsored the measure.

HF3355/SF3032\*/CH319

### Public employee insurance plan

(See Government, page 32)

### 'Off-label' drug coverage

(See Health, page 36)

### No break on auto premiums

(See Vetoed Bills, page 64)



## LAW

### Government data practices

Gov. Arne Carlson has allowed a measure calling for several changes in information policy to become law without his signature. He took the opportunity to comment on the changes in a two-page letter he filed with the bill.

The new law makes several changes in Minnesota's Government Data Practices Act, which classifies information the state government collects as public or private.

The governor wrote that the law lacks the comprehensive reforms that are necessary to address the problems with the data practices law.

"The current bill does not address substantive reforms, but rather continues the

legislative track of enacting complicating minutiae, and poorly balancing the public's 'right to know' with citizens' rights to privacy," Carlson wrote.

The most notable provision in the new law allows the Legislature to subpoena county child protection workers.

The new law came as a result of legislators' attempts to reform the state's child protection system in the wake of 3-year-old Desi Irving's death in Minneapolis.

Last year, Mildred Irving pleaded guilty to second-degree murder in her daughter's death. She admitted to the court that she repeatedly hit Desi with an extension cord, broke one of Desi's arms, and punched her in the abdomen so hard that the child's liver was lacerated. The autopsy results showed that Desi had suffered numerous broken bones, had cigarette burns and many other scars, and had been suffering from malnutrition before her death.

The brutality of Desi's death was accented by the fact that evidence shows that the Irving family had been in contact with Hennepin County's child protection services.

Legislators sought to make sure that children like Desi were protected in the future. Attempts to bring Hennepin County caseworkers to testify before the Legislature failed due to data privacy issues. Caseworkers expressed a desire to disclose the facts of the case. However, they feared losing their jobs if they broke the data privacy law.

The new provision, effective April 10, 1998, provides an exemption to current data privacy law for child protection in the case where the information is subpoenaed by a standing legislative committee. The provision is to remain in effect only until July 1, 1999.

The governor expressed concern in his letter about this provision.

"Although I am a staunch advocate of opening up court records for juvenile proceedings when necessary, the Legislature is simply not the government entity to conduct such investigations," Carlson wrote.

Carlson stated he is concerned that the Legislature has not outlined adequate safeguards to ensure the protection of this information. He wrote that he is also concerned that the provision sets a dangerous precedent and that it violates the separation of powers between the legislative and judicial branches of government.

The new law also contains several provisions, effective Aug. 1, 1998, which attempt to make the transition from welfare to work easier.

One such provision addresses Minnesota Family Investment Program-Statewide (MFIP-S) data. MFIP-S, instituted by last year's welfare reform legislation, allows families to accept lower paying jobs while receiving some public assistance. The new law authorizes the flow of information between agencies administering the program to provide the services more efficiently.

The new law also permits the Department of Economic Security to provide information on potential employers to the state's Workforce Centers. The information is to be used to help match potential employers with those seeking employment.

The law also authorizes, effective Aug. 1, 1998, the release of names and addresses from motor vehicle registration files to community-based nonprofit organizations for public safety purposes.

The bill was sponsored by Rep. Mary Jo McGuire (DFL-Falcon Heights) and Sen. Don Betzold (DFL-Fridley).

HF1626/SF1378\*/CH371

## A health care directive

Effective Aug. 1, 1998, Minnesotans have a new way to ensure that their wishes are carried out by health care providers.

The new law, sponsored in the House by Rep. Dave Bishop (R-Rochester), is based on the recommendations of a working group the Minnesota State Bar Association sponsored to review existing law on health care decision-making and to suggest ways to make the laws more effective. The group was made up of government officials and representatives from health care organizations, consumer groups, and ethical and religious organizations.

Under existing law, a patient can create a document called a living will designating the care to be received if he or she cannot communicate those wishes. In addition, a patient can name a person as his or her durable power of attorney, which authorizes that person to make health care decisions. The living will and durable power of attorney provisions are in two separate statutes.

The new law combines the living will and the durable power of attorney into one document called a health care directive. The measure provides the criteria necessary for a directive to be valid.

The new law dictates that a living will or durable power of attorney document created under previous law will remain in effect, unless the patient chooses to replace the old

document with a new health care directive.

Bishop said that he brought the proposal forward to make an already existing process easier. He said his plan should encourage more people to outline their health care wishes before it is too late.

Sen. Ember Junge (DFL-New Hope) sponsored the new measure in the Senate.  
HF2521/SF2050\*/CH399

### Protection for news media

Gov. Arne Carlson allowed a measure providing new protections for the news media to become law without his signature.

However, the governor did take the opportunity to comment on what he referred to as a “disturbing trend” in journalism in a letter filed with the bill.

Effective April 7, 1998, the new law expands the current media shield law by guaranteeing protection for reporters’ notes and tapes except in certain instances. The new measure outlines when these materials can be subpoenaed.

Carlson, in his two-page letter, wrote that while the freedom of the press must be maintained, he is concerned about the lack of accountability in journalism, especially with investigative journalism.

“News organizations often justify their activities based on the public’s ‘right to know,’” Carlson wrote. “It is ironic, however, that the media seldom extend that right to the way they do business.”

Journalists have no boards of professional responsibility like lawyers, doctors, and ac-

countants to ensure ethical behavior, according to the governor.

“Granting this law’s special protection to the news media would be more palatable if it were a profession that adhered to a strict code of journalistic conduct,” Carlson wrote.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul) sponsored the new measure.

HF1668/SF1480\*/CH357

### Special guardians, conservators

A new law refines the special guardian and conservator hearing process to prevent potential abuse.

Guardians and conservators are appointed by the state courts to make decisions for adults who are incapable of making decisions for themselves, oftentimes the elderly in nursing homes.

Special guardianships and conservatorships differ in that they are temporary arrangements designed to respond to short-term situations.

Effective Aug. 1, 1998, the new law lengthens the time required to give notice of hearings related to special guardianships and conservatorships from 24 hours to 48 hours and requires that the hearing be held within two weeks of the notice.

The law also requires that petitioners show a clear need for the appointment. It also limits these appointments to 30 days.

Rep. Rob Leighton (DFL-Austin), House sponsor of the new measure, said that the

idea was brought to him by members of a family in his district who felt the process was being abused by a nursing home caring for their father.

Sen. Pat Piper (DFL-Austin) sponsored the measure in the Senate.

HF1414/SF1151\*/CH281

### Questions of law

A new law replaces the Uniform Certification of Questions of Law Act passed in 1967.

The 1967 measure authorized the Minnesota Supreme Court to answer questions of law submitted to it by outside jurisdictions, such as other state courts or the federal courts.

The law also gave the Supreme Court the power to submit questions to outside jurisdictions.

Such questions arise in cases where the law in the outside jurisdiction does not directly address the question, or where the appellate courts in the outside jurisdiction have not themselves ruled on the question.

The new law, effective Aug. 1, 1998, rewrites the 1967 law and makes several changes. Most notably, the measure adds U.S. territorial courts, tribal courts, and courts in Canada and Mexico to the list of jurisdictions authorized to submit and receive questions.

Rep. Andy Dawkins (DFL-St. Paul) and Sen. Jane Ranum (DFL-Mpls) sponsored the legislation.

HF1554/SF1440\*/CH255

### Correcting minor mistakes

Minnesota statutes now name the correct national organization that certifies acupuncturists, all because of a new law passed by legislators.

Recently, the National Commission for the Certification of Acupuncturists in Washington, D.C., changed its name to the National Certification Commission for Acupuncture and Oriental Medicine.

The new law changes all references to this organization in Minnesota’s acupuncture law from the old name to the new one.

This provision is one of many technical corrections contained in the three revisor’s bills enacted this year. The bills won easy passage in both chambers and were signed into law without the headlines that often accompany other new laws.

These measures have the less-than-controversial intent of correcting all the minor mistakes — misspellings, typos, grammatical errors, and misnamed organizations —



Journalists’ notes and tapes are now covered under Minnesota’s media shield law, which protects the news media from disclosing their sources, except under extreme circumstances.

included in about 150 laws passed in 1998 and laws currently on the books.

The revisor's bills are put together by the Office of the Revisor of Statutes, a nonpartisan office that provides bill drafting services to legislators, the governor, constitutional officers, and the state agencies and departments. Attorneys and editors who work for the revisor frequently come across minor mistakes in the law that need to be addressed.

The revisor's bill containing the provisions related to the acupuncture organization (HF2524\*/SF2134/CH254) was sponsored by Rep. Satveer Chaudhary (DFL-Fridley) and Sen. Don Betzold (DFL-Fridley).

The other two revisor's bills (HF3839/SF3396\*/CH408 and 1998 Special Session: HF7/SF8\*/CH3) were sponsored by Rep. Wes Skoglund (DFL-Mpls) and Sen. Jane Ranum (DFL-Mpls).

#### Franchise law exemption

(See Business, page 14)

#### Professional service providers

(See Business, page 15)

#### Liability limits for nonprofits

(See Crime, page 19)

#### Marvin Windows and Doors

(See Special Session, page 60)

#### Higher education funding cut

(See Vetoed Bills, page 65)

#### Medical malpractice lawsuits

(See Dead Bills, page 75)



### LOCAL GOVERNMENT

#### Removing conflict of interest

Government officials in villages, cities, or counties with less than 1,000 in population are allowed to sell construction materials and services to the governmental unit, under a new law.

Effective March 6, 1998, government officials in such municipalities can participate only when the sealed-bids process is used.

The officials cannot vote on the contract when it is under consideration.

Often in such small towns, there are few companies that can provide construction and landscaping, and sometimes those businesses are owned by local government officials.

The new law seeks to allow small cities and towns access to local services without creating a conflict of interest.

Rep. Edgar Olson (DFL-Fosston) and Sen. Jim Vickerman (DFL-Tracy) sponsored the legislation.

HF3119/SF2685\*/CH269

#### City council controls process

A new law clarifies that the Minneapolis City Council can outline the appointment process for the executive director of the Minneapolis Civilian Police Review Authority.

The independent authority is charged with investigating police misconduct and making disciplinary recommendations to the chief of police. The authority is governed by a board of directors appointed by the mayor and the city council.

The new provision is effective upon final approval by the city council.

Another provision, effective April 21, 1998, repeals a law which stated that cities of the first class—Minneapolis, St. Paul, and Duluth—could not employ firefighters who are 35 years old or older.

Rep. Linda Wejcman (DFL-Mpls) and Sen. Carol Flynn (DFL-Mpls) sponsored the legislation.

HF2357/SF2346\*/CH393

#### Audited financial statements

A copy of a city's audited financial statement, a management letter, and any written comments or findings must be given to elected city officials within 30 days after the report is submitted to the state auditor, according to a new law.

The audited statement also must be provided at a scheduled meeting of the city council or town board before Oct. 31 of the year of the report.

Previously, only the initial financial report had to be presented, not the audited statement.

The new law originated when citizens of a Minnesota city with financial problems requested to see the city's audited financial statement. The city didn't have one; it had only the initial financial report.

The law, effective Aug. 1, 1998, applies to cities and towns with a population of more than 2,500 and annual revenues of more than \$500,000.

Rep. Dan McElroy (R-Burnsville) and Sen. Deanna Wiener (DFL-Eagan) sponsored the legislation.

HF2809\*/SF2791/CH276

#### Emergency construction project

A new law exempts an emergency construction project in Ada, Minn., from the competitive bidding process.

The measure, effective Feb. 26, 1998, accelerates the reconstruction process for the city-owned Bridges Medical Center, which was condemned following extensive damage from 1997 flooding.

The 14-bed hospital, forced to operate in a temporary location after the flood, offers a wide variety of medical services to Ada and the surrounding communities. Construction on a new facility is targeted for summer 1998.

Rep. Bernie Lieder (DFL-Crookston) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the legislation.

HF2372\*/SF2017/CH256

#### Registering dogs at city hall

Dakota County dog owners whose pets are deemed dangerous will have to register their animals at city hall, rather than at county offices.

State law requires that once a dog owner is issued a dangerous dog citation by police or animal control officers, the owner has



A new law changes the procedure for registering dangerous dogs in Dakota County in an attempt to simplify record-keeping.

14 days to register the pet with his or her county auditor's office.

In Dakota County, that meant that all such registrations went through the combined treasurer/auditor department in Hastings, Minn.

But under a new law, effective the day after the county completes the necessary paperwork, cities in Dakota County will be handling dangerous dog registrations. The county is to continue to oversee registration in towns, but the oversight will be assumed by the county sheriff's department.

"We felt that it was a law enforcement issue to begin with," said Shari Fink, of Dakota County's treasurer/auditor department. "Now cities will be able to keep their own records instead of having to call us to see if the dog was registered."

Fink said she suspects that other counties, once they hear of Dakota County's change, will be interested in following suit.

Rep. Dan McElroy (R-Burnsville) and Sen. James Metzen (DFL-South St. Paul) sponsored the legislation.

HF2616\*/SF2255/CH277

### A simple majority

A countywide vote to change the form of a county government now requires a simple majority, under a new law.

Prior law was generally interpreted to require referenda of this sort to follow the same procedures for a vote to move the county seat, which requires 55 percent approval. But there was some question of whether that 55 percent requirement applied to the county option of changing the form of government.

The new law, effective April 3, 1998, states that a vote for the county option should follow the same guidelines for other county ballot questions. These referenda require a simple majority.

The measure was sponsored by Rep. William Kuisle (R-Rochester) and Sen. Kenric Scheevel (R-Preston).

HF2774/SF2302\*/CH349

### Chisago County recorder

The office of recorder in Chisago County could become appointive rather than elective as early as next year, under a new law effective upon local approval.

The county recorder's duties include taking care of land records, personal property filings, and birth records.

The current Chisago County recorder is Eleanor Trippler, who was elected in 1986,

then re-elected in 1990 and 1994. Her current term expires at the end of 1998.

County Administrator Jim Thoreen said Trippler is likely to retire. And, he said, the county board could choose a qualified replacement, something that might not happen with an election.

With local approval of the change in procedure, the county's next recorder would be appointed by the board after a public hearing.

Rep. Loren Jennings (DFL-Harris) and Sen. Janet Johnson (DFL-North Branch) sponsored the measure.

HF2790/SF2384\*/CH302

### Elected post becomes appointed

The treasurer/auditor for Dakota County, for a long time one of the fastest-growing counties in the state, may change from an elected post to an appointed one, under a new law effective upon local approval.

The current county treasurer/auditor is Tom Novak, who was elected in 1978.

Novak likely will serve out his term, which expires in the fall of 1998. Then, the county board will appoint a new department head to perform the duties of the treasurer/auditor.

The county board ratified the change March 24, 1998, and the move will be permanent but subject to the approval of the county's voters, who will have the chance in a referendum to overturn the board's decision.

The county treasurer/auditor handles taxation, investments, marriage licenses, passports, and records of births and deaths. County spokesperson Marie Coutu said the county asked the Legislature for the new law to improve the delivery of services and increase efficiency.

Rep. Thomas Pugh (DFL-South St. Paul) and Sen. Pat Pariseau (R-Farmington) sponsored the measure.

HF2824/SF2281\*/CH308

### Minnesota counties contribute

In 1995, the Legislature gave Minnesota cities permission to contribute money to nonprofit organizations running community food shelves, and in 1998, counties were authorized to do the same.

A new law, effective April 10, 1998, allows any county to provide money from its general fund or any other unrestricted account to those nonprofit organizations that provide free food for those who need it.

The county board can determine how much money, if any, it wants to give.

Rep. Bill Hilty (DFL-Finlayson) and Sen. Becky Lourey (DFL-Kerrick) sponsored the measure.

HF2736\*/SF2205/CH368

### Recording real estate matters

County recorders and registrars will have more ways to record matters relating to the registration of real estate, under a new law effective Aug. 1, 1998.

The county recorder's official seal can be put on a document by a stamp that copies photographically or electronically, or with a printed copy of the signature.

When a county recorder's official signature, or that of a deputy, is required, an electronically generated copy may be used. That official signature is to include the words, "Office of the County Recorder, . . . County, Minnesota, certified, filed and/or recorded on," the date and time.

County recorders can use new ways to store all those official records and information as long as it's still accessible to those who need it. The information must be stored in such a way that it is preserved, also.

Registrars of titles also can use an official seal, signature, and the same alternative methods for storage, as long as they adhere to the same conditions.

Rep. Phyllis Kahn (DFL-Mpls) and Sen. Don Betzold (DFL-Fridley) sponsored the new measure.

HF3254/SF2725\*/CH314

### Small-purchase limit increased

The Hennepin County Board can authorize county departments to make more expensive purchases without board approval, under a new law effective Feb. 28, 1998.

Under the law, the commissioners can authorize individual county departments to make certain purchases not limited to a certain dollar amount without having to seek approval for each purchase.

The limit had been \$250 for such purchases. The Hennepin County Board considered asking for it to be raised to \$1,000, but board members decided it would be more efficient to give county employees the discretion to make any purchases the board would authorize anyway.

Rep. Rich Stanek (R-Maple Grove) and Sen. Linda Higgins (DFL-Mpls) sponsored the measure.

HF2499\*/SF2156/CH259

## Nonprofit corporations

A new state law permits Brown County and other political subdivisions to create nonprofit corporations to help with economic development.

The measure was filed with the secretary of state without the governor's signature. It empowers such nonprofit corporations to issue bonds, make grants to companies, and to buy, sell, and develop property.

Gov. Arne Carlson allowed the measure to become law, but he clearly did not approve of its content.

"It gives local governments the power to create entities with broader powers than the entity itself," Carlson wrote, in a letter filed with the measure. "This is a dangerous precedent being established by the Legislature. Moreover, these local entities — while having greater powers than local governments — are not subject to some of the same legal requirements such as open meeting laws, competitive bidding, the Data Practices Act, and the Ethics in Government Act."

Carlson also was bothered by the expansion of power to many other nonprofit corporations, which he believes "has now opened the door to widespread misuse by these entities."

When introduced in the House, the measure applied only to Brown County, but it was amended to include similar corporations created elsewhere before June 1, 1997, by allowing them to continue to operate.

The budget of any such corporation must be made public, and if the corporation is going to spend \$100,000, it has to be approved by the county board.

The new law is effective April 8, 1998, except for the section devoted to Brown County, which is retroactive to July 10, 1990.

Rep. Elaine Harder (R-Jackson) and Sen. Dennis Frederickson (R-New Ulm) sponsored the measure.

HF2700/SF2192\*/CH360

## Petitioning for cartways

Township residents who own two- to five-acre tracts of land without access to public roads can petition the local town board for a cartway, as of March 19, 1998.

A new law, which was filed without the signature of Gov. Arne Carlson, requires that the land be on record as of Jan. 1, 1998, as a separate parcel for it to qualify.

Previous law extended the right to petition for a cartway, which provides access for farm

equipment and other vehicles, only to owners of tracts of land of at least five acres in size.

Rep. Al Juhnke (DFL-Willmar) and Sen. Dean Johnson (R-Willmar) sponsored the measure.

HF2222\*/SF1973/CH296

### Statewide capital improvements:

#### Convention centers

(See Bonding, page 13)

#### State government finance: Community-based planning

(See Government, page 30)

#### Tornado disaster relief

(See Government, page 34)

#### Olmsted County appointment

(See Government, page 35)

#### Real estate filing fees

(See Vetoed Bills, page 65)

#### Residency requirements

(See Dead Bills, page 75)

#### Spraying for mosquitoes

(See Dead Bills, page 76)



## METRO AFFAIRS

### Promoting public participation

Residents bothered by airport noise have a further guarantee that they will be able to voice their concerns about future airport projects, under a new law.

The law requires that the Metropolitan Council determine that public hearing laws have been obeyed before it gives its stamp of approval to certain large airport projects.

Since 1984, the council has had authority to review all proposed Minneapolis-St. Paul International Airport projects with a price tag of \$5 million or more and capital projects at other Metropolitan Airports Commission (MAC)-owned airports that are \$2 million or more.

Effective April 21, 1998, the new law extends that authority by requiring the council to determine, before approving a project, that the MAC followed guidelines, including: providing adequate notice and a complete description of potential projects; making available notices, agendas, and minutes of related meetings; and considering the comments of affected neighborhoods.

The law also sets up a pilot program under which the Metropolitan Council could attempt to reduce costs by selling some of its

services to either private or public-sector agencies. That program will expire on June 30, 2002, after the council reports results to the Legislature.

The Metropolitan Council was created in 1967 and is responsible for regional planning in the Twin Cities metropolitan area. As one of the largest regional governments in the country, it operates Metro Transit and coordinates the rest of the regional bus system, oversees wastewater collection and treatment facilities, and runs Metro Mobility, the transit system serving disabled metropolitan residents.

The law also allows the council to develop service redesign plans aimed at reducing costs or projected cost increases. And it authorizes the council to reward employees who implement cost-saving measures, although the reward amounts cannot exceed the saved costs.

Rep. Dan McElroy (R-Burnsville) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the measure.

HF680/SF535\*/CH381

## Metropolitan Council contracts

Effective April 21, 1998, a new law requires contractors with more than 40 full-time employees in Minnesota to have a certificate of compliance from the Minnesota Department of Human Rights to bid on or be awarded any Metropolitan Council contract of \$100,000 or more.

Previously, the compliance thresholds were set at 20 full-time employees and applied to contracts of \$50,000 or more.

The human rights department was established in 1967 to combat discrimination and promote equal employment opportunity for women, minorities, and people with disabilities.

Minnesota was the first in the nation to form a state agency that administers anti-discrimination efforts. The Compliance Services section of the department enforces the affirmative action provisions of the state equal opportunity and human rights law.

A certificate of compliance states that a contractor has an affirmative action plan approved by the department to deal with discrimination complaints, assure that employment positions are equally accessible to all qualified persons, and provide a supportive work environment regardless of race, religion, sex, national origin, or disability.

Following recommendations by the Department of Human Rights, the new law brings the Metropolitan Council contract compliance

thresholds in line with newly revised state government contract requirements.

Under the measure, the department hopes to spend less time on certification paperwork and more time monitoring the implementation of affirmative action plans out in the field.

Rep. Andy Dawkins (DFL-St. Paul) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the measure.

HF3268/SF2645\*/CH385

**Innovative bike racks**

Gov. Arne Carlson signed into law a measure that allows cities of the first class to place advertising art and informational signs on bicycle racks and storage areas.

The new law, effective March 17, 1998, results from a desire by the Minneapolis City Council to place decorated bicycle racks on every block in the Uptown neighborhood of the city.

The city is trying to promote bicycle riding to ease parking and traffic congestion. City officials want to place art or signs on the racks that would blend with the Uptown area's atmosphere that caters to a young clientele.

The art and signs are allowed only if placement does not create a hazard. That decision is left to the road authority that authorizes the placement of the art or signage.

The new measure was sponsored by Rep. Dee Long (DFL-Mpls) and Sen. Allan Spear (DFL-Mpls).

HF3296/SF2729\*/CH283



**Bicycle racks in the Uptown area of Minneapolis are decorated to blend with the neighborhood's trendy atmosphere. A new law allows cities of the first class to place advertising, public art, and informational signs on such stands.**

support of peace, we won't need any more armies," he said.

Sen. Lawrence Pogemiller (DFL-Mpls) sponsored the measure in the Senate.

HF2417\*/SF2055/Res. 5

**Emergency assistance compact**

(See Government, page 34)

**USS Des Moines**

(See Dead Bills, page 68)

 **TAXES**

**Omnibus tax law**

The 1998 omnibus tax law includes some tax relief for almost everyone — including homeowners, renters, business owners, apartment owners, cities building convention centers, charitable gambling organizations, and senior citizens.

The law provides \$500 million in property tax rebates to Minnesotans, but critics said that wasn't enough and called for more of the projected \$1.9 billion state surplus to be returned to taxpayers.

The measure's supporters said some surplus funds should be returned, some should be saved, and some should be used for major building projects.

Rep. Dee Long (DFL-Mpls), chair of the House Taxes Committee, sponsored the tax legislation in the House and urged lawmakers to support the final package produced by a House-Senate conference committee.

"We've worked long and hard. The bill is

the result of compromise on both sides," she said. ". . . In this bill, we provide about \$1.2 billion to be returned to the taxpayers of the state of Minnesota. This is a bill that will help all Minnesotans."

Sen. Douglas Johnson (DFL-Tower) sponsored the legislation in the Senate.

HF3840\*/SF2985/CH389

**Property tax rebates**

The law provides a rebate for homeowners and renters equal to 20 percent of the property taxes paid in 1998, similar to the rebate in effect for property taxes paid by homeowners and renters in 1997. The maximum rebate is \$1,500 and is allowed as a refundable income tax credit to be claimed on the 1998 income tax return filed in 1999.

The rebate for farm homesteads is based on the property taxes paid on the house, garage, and 320 acres of farm land. The law extends the rebates (for both 1997 and 1998) to farm homestead land that is rented out. (Art. 1, Secs. 1, 2, 3)

**Property tax reform**

Property taxes for homeowners, businesses, and others are reduced under the law.

The class rate for the second tier of residential homestead property (market value over \$75,000) drops from 1.85 percent to 1.7 percent. Also for homeowners, the education homestead credit is increased from 32 percent with a maximum of \$225 to 68 percent with a maximum of \$320.

The class rate of the first \$115,000 in market value of agricultural homestead property

 **MILITARY**

**NATO expansion resolution**

A resolution asking President Clinton and Congress to support the admission of Poland, the Czech Republic, and the Republic of Hungary to NATO was filed with the Office of the Secretary of State without the governor's signature.

A NATO expansion to include the three countries is anticipated in April 1999, pending U.S. approval. President Clinton supports the expansion.

The Minnesota proposal was originally sponsored by Rep. Mike Jaros (DFL-Duluth), who spent about two months translating for NATO troops in northeastern Bosnia during the summer of 1997.

"My idea is that every country should join NATO, and then once everybody is joined in

decreases from 0.4 percent to 0.35 percent. The class rate on the market value over \$115,000 and under 320 acres is reduced from 0.9 percent to 0.8 percent. The class rate on agricultural properties with a market value of more than \$115,000 and over 320 acres decreases from 1.4 percent to 1.25 percent.

There also is a reduction for owners of commercial and industrial property. Class rates on the value of that property up to \$150,000 in market value drops from 2.7 percent to 2.45 percent. The upper tier, over \$150,000 in market value, decreases from 4 percent to 3.5 percent.

Owners of apartment buildings with four or more units will see their class rates drop from 2.9 percent to 2.5 percent.

Owners of single-family rental houses will see their class rates go from 1.9 percent to 1.25 percent on the first tier of property value and from 2.1 percent to 1.7 percent on the upper tier.

The class rate on duplexes, triplexes, and undeveloped land classified as residential drops from 2.1 percent to 1.7 percent.

The law also increases the portion of rent recognized as constituting property taxes from 18 percent to 19 percent.

These property tax rate changes are effective for taxes payable in 1999. (Art. 2, Secs. 8-11)

### Flood losses

Counties that saw a reduction in property tax base of at least 5 percent because of the 1997 floods will get "replacement aid" equal to the tax base loss multiplied by the county government's payable 1998 average tax rate.

Qualifying counties must report the amount of their tax-base losses to the commissioner of revenue by Aug. 1 of the assessment year.

The provision is effective only for three years — payable in 1999, 2000, and 2001. (Art. 3, Sec. 10)

### This old house

Owners of deteriorating homes needing at least \$20,000 worth of repairs in "marginal" neighborhoods, are eligible for a five-year exemption on their property taxes after they rehabilitate the home.

Effective Aug. 1, 1998, the program applies only to the cities of Minneapolis, St. Paul, and Duluth, and lasts until May 1, 2003.

Those homes must be in an area where the median home value is less than 80 percent of the median value of owner-occupied homes for the entire city. Homes must have an esti-



**A 2.5 percent sales tax on farm machinery, which includes logging equipment, will be phased out under the 1998 omnibus tax law. The tax will be completely eliminated after June 30, 2000.**

mated market value of less than 60 percent of the median value of owner-occupied homes for the entire city. (Art. 3, Sec. 11)

### Truth in taxation

The law changes several dates for truth-in-taxation hearings.

For counties, the date previously was the second Tuesday in December. The new law makes it the first Thursday in December.

The truth-in-taxation hearing for metropolitan special taxing districts moves from the first Monday in December to the first Wednesday in December. The date changes are effective beginning with hearings in December 1998. (Art. 3, Sec. 13)

### Seniors' property tax deferral

Senior citizens will not have to complete a form every year to participate in a property tax deferral program for the elderly.

Once enrolled in the program, seniors need only notify the state by July 1 if their income in the previous year was higher than \$30,000, which is the limit for the program.

Information alerting taxpayers of the senior deferral program will be in the property tax refund instruction booklet, beginning with those prepared in 1998, and on property tax statements.

Under the program, seniors making less than \$30,000 a year can delay paying a portion of their property tax if it's more than 5 percent of their income. The delay can last until they sell the property. Then, it must be paid back with interest.

The change is effective for deferrals of taxes

paid in 1999, which is the first year of the deferral program. The 1998 application deadline is extended to Aug. 1, 1998. (Art. 5, Secs. 1-17)

### Farm equipment sales taxes

The 2.5 percent sales tax on farm machinery, which includes logging and fish farming equipment, is to be phased out.

Under the new law, the tax drops to 2 percent June 30, 1998, to 1 percent June 30, 1999, and to nothing June 30, 2000. (Art. 8, Sec. 2)

### Convention centers, arenas

The law also provides for sales tax exemptions for construction material for various building projects throughout the state.

It extends the sales tax exemption for purchases of construction materials, supplies, or equipment used in any expansion at the Duluth Entertainment and Convention Center. That exemption was to have expired Dec. 31, 1998.

Effective April 22, 1998, the same sales tax exemption goes into effect for the expansion of the Minneapolis Convention Center and construction at the RiverCentre in St. Paul.

The latter will be the new home of the National Hockey League's Minnesota Wild, which will begin play in 2000.

The new law also grants Duluth permission to raise its local lodging and restaurant taxes from 1 percent to 1.5 percent to help pay for improvements at the city's convention center. The provision is effective upon local approval. (Art. 8, Secs. 25, 26)

### Manufactured home sales

The base used to calculate the sales tax for a manufactured home, commonly known as a mobile home, will change from 65 percent of the sales price to 65 percent of the dealer's cost of the home.

Currently, the base for calculating the tax depends on whether the dealer acts as the builder. Under the new law, the tax will always be calculated based on the dealer's cost. The change is effective July 1, 1998. (Art. 8, Sec. 5)

### Taxes on public entities

The law makes some changes in taxes assessed against governmental units. These changes are effective July 1, 1998.

The sales tax exemption enjoyed by schools is expanded to include special schools owned by a political subdivision. The change is for Long Lake Conservation Center, an environmental learning center in Aitkin County that is owned by a metropolitan-area school district.

The law also expands an existing sales tax exemption for some library purchases to cover all purchases by municipal and school libraries.

Purchases of gravel and equipment by townships exclusively for road maintenance are also exempt from sales tax. (Art. 8, Secs. 10, 21)

### Budget reserves

The state's budget reserve will be brought to \$622 million, and a tax reform and reduction account is established.

The governor is to make suggestions to the Legislature on the tax reform and reduction account's use.

After the \$622 million in reserve, \$200 million of surplus funds must be put in the tax reform and reduction account for tax reductions. The next \$400 million of a future surplus must be used to help pay for capital projects in the 1998 bonding law, which spends a record amount on state building projects.

These provisions are effective July 1, 1998. (Art. 9, Secs. 1-3)

### Gambling taxes

The law makes several changes to the tax on lawful gambling.

The \$12 million exemption from pari-mutuel tax will not end June 30, 1999, as originally planned. Also, pari-mutuel license holders don't have to return the value of unredeemed tickets after Jan. 1, 2000.

The tax rate on lawful gambling opera-

tions, which applies to gross receipts less prizes paid, is cut by 5 percent effective July 1, 1998. (Art. 13, Sec. 3)

### Federal update

The new tax law adopts for the state changes made by the federal Taxpayer Relief Act of 1997.

Taxpayers will be able to deduct interest on student loans for the first five years interest is due on the loans. The maximum deduction is \$1,000 in 1998, \$1,500 in 1999, \$2,000 in 2000, and \$2,500 in 2001.

The law also accommodates the federal Education IRA, a \$500 per beneficiary non-deductible IRA to be used for the beneficiary's higher education.

Finally, the law shapes state statute to fit the federal government's new "Roth" IRA. Under the federal program, contributions are not deductible, but distributions are not taxed if funds are distributed at least five years after the account was established and after age 59-and-a-half, death, disability, or for a first-time home purchase.

Effective dates for the state changes match those of the corresponding federal measures. (Art. 7, Secs. 1-13)

### Saving subsidized housing

The new law also seeks to preserve existing federally subsidized housing by providing a \$10 million appropriation to the Minnesota Housing Finance Agency (MHFA).

Some owners of federally subsidized housing are now taking advantage of a provision in mortgage agreements that allows them to prepay the remaining portion of their mortgage and to begin charging market rate rent.

The \$10 million funds the affordable rental investment fund program and the equity take-out loan program administered by the MHFA. The appropriation is for financial incentives to maintain existing federally subsidized housing. The incentives can be made available to owners of federally subsidized rental housing, local units of government, housing and redevelopment authorities, and nonprofit organizations. (Art. 14, Sec. 2)

Effective Aug. 1, 1998, the measure requires owners of federally assisted rental housing to submit an impact statement to the tenants, local units of government, and the MHFA at least 12 months before leaving a federal program.

The statements must include the number of units which will be affected, rent comparisons, and actions the owner intends to take to assist displaced tenants. (Art. 14, Sec. 6)

### Property tax rebate

Effective March 19, 1998, a new state law ensures that homeowners who prepaid their 1997 property taxes can claim a rebate allowed under a law passed last year.

The 1997 Legislature, flush with a projected \$2.3 billion budget surplus, passed a one-time tax rebate to give some of that surplus back to homeowners and renters. The rebate was linked to property taxes paid in 1997.

However, that created a problem for those who paid their 1997 property taxes before Jan. 1, 1997. Homeowners sometimes prepay their taxes to claim an itemized deduction for the previous year's income tax.

Under the 1997 law, people who prepaid were out of luck, because the measure limited payment of the rebate to those who paid their property taxes *in* 1997.

The new law allows the property tax rebate to be paid to all taxpayers who paid their 1997 property taxes before Jan. 1, 1998.

The rebate is available to both homeowners and renters. For homeowners, it comes to 20 percent of their property taxes, and for renters, 3.6 percent of their rent paid. Although the rebate is a property tax rebate, it is claimed on the state income tax returns filed this year. The rebate is separate from the regular property tax refund that many renters and homeowners get in August of each year.

Rep. Dee Long (DFL-Mpls) and Sen. Douglas Johnson (DFL-Tower) sponsored the new measure.

HF2294/SF2041\*/CH304

### Per pupil funding

(See Education, page 22)

### Claiming education tax credits

(See Dead Bills, page 70)

### Permanent income tax cuts

(See Dead Bills, page 77)

### 'No-wait' rebate

(See Dead Bills, page 77)

### Property tax video

(See Dead Bills, page 77)

### Tobacco tax increase

(See Dead Bills, page 77)


**TECHNOLOGY**
**Digital signatures**

A new measure makes adjustments to a one-year-old law intended to help bring Minnesota businesses into the Digital Age with a system for granting digital signatures the full force of legal protection.

The 1997 Minnesota Electronic Authentication Act, modeled after digital signature legislation in Washington state, allows for the full authentication of documents transmitted between computers. It establishes a system for individuals who use electronic messages to prove who sent the message and that the content of the message was not altered after it was digitally signed.

The digital signature process relies on a set of two cryptographic key codes built around one-of-a-kind mathematical formulas known as algorithms. One key, held privately by the user, encodes documents with a digital signature; the other is held in trust by a licensed public certification authority and is used by recipients to verify an encoded document's integrity.

The 1997 law defines the rules of the digital authentication system and charges the secretary of state's office with setting up a transitional public certification authority until private sector firms, which must be licensed and regulated by the secretary's office, can step in and take over the verification process. The 1997 law also spells out the range of liability assumed by the system's subscribers and provides penalties for acts of fraud.

At the request of a digital signature task force organized by the secretary of state, a new law modifies some of the provisions adopted in 1997.

Effective Aug. 1, 1998, the new law makes the secretary of state the root certification authority for the trusted third parties who will be licensed in Minnesota. The secretary also is authorized to offer certification authority services to government agencies, under the new law.

Other new provisions add insurance coverage as a method for licensed certification authorities to provide suitable guaranties, authorize the recognition of licenses issued by other states or countries, and give the secretary of state authority to summarily suspend licenses in emergency situations where there is a serious risk of loss to the public.

The changes do not alter the voluntary nature of the law and the technology still will

be available to anyone who wishes to use it. Rep. Phyllis Kahn (DFL-Mpls) and Sen. Steve Kelley (DFL-Hopkins) sponsored the new measure.

HF2706/SF2068\*/CH321

**TOURISM****Fishing dispute resolution**

A resolution asking President Clinton and the U.S. Congress to help settle fishing-rights disputes between Minnesota and the Canadian province of Ontario was filed with the Office of the Secretary of State without the governor's signature.

The resolution urges the federal government to seek a solution to the border troubles that have spawned a proposal to allow Minnesota's Northwest Angle to secede from the United States.

The approximately 85 year-round residents of the Northwest Angle have complained for years about Canadian policies including fish limits, user fees, and border crossing permits that they say discriminate against U.S. anglers.

The Northwest Angle, the northernmost spot of the continental U.S., is actually a peninsula on Lake of the Woods that is attached only to Canada.

According to Canadian law, tourists fishing the two-thirds of the lake in Canada, and staying in Canadian resorts, may keep up to two walleye or sauger per day. But beginning this summer, anglers staying at U.S. resorts will not be allowed to keep either of those fish if pulled from Canadian waters. Canadians say the regulations are needed because the species are overfished, but Americans say the Canadians are driven by a desire to force tourists to stay at Canadian resorts.

U.S. Rep. Collin Peterson (D-Minn.) introduced a constitutional amendment in March that would let the Angle and nearby islands separate from the United States, allowing residents and tourists to enjoy the Canadian fishing privileges.

Peterson said he sees secession as a long shot but that he sponsored the proposal to bring attention to the plight of affected anglers. He also said the Canadian regulations violate a 1909 border-waters treaty and the North American Free Trade Agreement but that the federal government has not taken action to protect U.S. rights in the area.

Rep. Irv Anderson (DFL-Int'l Falls) and

Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the legislation.

HF3854\*/SF3406/Res. 8

**State government finance:  
Settling border disputes**

(See Government, page 31)

**TRANSPORTATION****Transportation funding**

Gov. Arne Carlson received many of the extra state troopers he had wanted for two years when he signed a \$51 million omnibus transportation plan into law.

The new law also allows the Department of Transportation to spend up to \$40 million on new highway projects. And the law creates a task force designed to catch Minnesota residents who illegally register their vehicles in neighboring states.

Rep. Bernie Lieder (DFL-Crookston) and Sen. Janet Johnson (DFL-North Branch) sponsored the legislation.

Here is a look at major provisions of the new law. All of the provisions detailed below are effective July 1, 1998.

HF3057/SF3298\*/CH372

**State troopers**

The governor had originally requested 47 additional state troopers and support staff at a cost of \$5.25 million. In 1996, the governor sought funds to hire an additional 46 state troopers, but the Legislature approved only enough funding for four state patrol dispatchers.

Under the new law, there will be \$2.7 million in funding for 29 new state troopers, and there is \$200,000 for additional state patrol helicopter flight time.

Legislators were told helicopter patrols, which are currently used only on Friday and Saturday nights, are perhaps the greatest single boost ground patrols receive in law enforcement efforts. The funding allows the patrols to fly during weekday evenings as well.

The state patrol's current complement is 535 troopers, including 37 that are expected to graduate from training soon. The new troopers would increase the allowable force limit to 564.

**Highway projects**

A total of \$40 million is appropriated from the trunk highway fund for highway construction projects in fiscal year 1999.

Another \$6.8 million from the trunk fund will be available for design engineering and construction engineering.

Also, the new law stipulates that the town bridge account may be used to pay the cost of abandoning an existing bridge that is deficient but will not be replaced.

The account also will be used to pay to construct a road or street to facilitate the abandonment of a deficient bridge if it is determined the construction of the road or street is more cost-efficient than replacing the existing bridge.

**Lake Street planning board**

A provision in the new law establishes a 13-member board to help plan and coordinate development of the Lake Street corridor in Minneapolis. The board will have jurisdiction over one-half mile on either side of Lake Street.

The board's purpose will be to concentrate on economic development, transportation, and residential renewal in the area in coordination with local government, businesses, and other neighborhood entities.

If light rail transit becomes a reality in the state, this area is expected to be affected by the Hiawatha Corridor of the transit line.

The members will have a three-year term ending June 30, 2001.

**Registration task force**

A dealer licensing and motor vehicle registration enforcement task force will be created, under the new law.

A total of \$50,000 from the highway user tax distribution fund is allocated to the commissioner of public safety, who is to designate four state highway patrol members to investigate the incidence of vehicle registration evasion and dealer fraud.

It is believed countless Minnesota residents register their motor vehicles in neighboring states, which have lower licensing fees. Estimates indicate this costs the state millions annually, even though it is a gross misdemeanor for vehicles owned and operated in Minnesota to be registered in another state.

The task force's final report is due to the governor and the Legislature by Feb. 15, 1999. The task force expires July 1, 2000.



A total of 29 new state troopers can be hired by the Minnesota State Patrol and additional helicopter flight time can be financed, under a new transportation funding law.

**Driver's licenses and teens**

A new law establishes a three-tiered licensing system for teen drivers that will require Minnesota's younger drivers to acquire a learner's permit and then a provisional driver's license before receiving a full driver's license.

Effective Jan. 1, 1999, people under 18 will not be eligible for a full driver's license unless they have driven one year free of certain driving convictions and had at least 10 hours of supervised driving with a licensed driver 21 or older.

Currently, 15-year-olds can receive a learner's permit (which they must hold for six months) and 16-year-olds can apply for a full license.

Under the new law, teen drivers must be free of conviction for a crash-related moving violation and have no more than one driving conviction unrelated to a crash to be eligible for a full license. Parking and equipment violations or warning citations will not count against them.

The new law stipulates that if a teen is convicted of a traffic violation, he or she could face not only the penalties that apply to the offense but also be required to attend a youth-oriented driver improvement clinic.

The clinics will be designated for traffic violators age 18 and under to assist them in correcting improper driving practices and review provisions of traffic law. The clinics will focus on driving problems common to novice drivers.

A provisional license holder will be able to

drive only when every occupant under the age of 18 has a seat belt or child passenger seat properly fastened. There will be a \$25 fine for violating the provision, but a citation could be issued for the seat belt violation only if a law officer stops the car for a moving violation.

Effective July 1, 1998, a total of \$295,000 will be appropriated from the trunk highway fund for fiscal year 1999 to the commissioner of public safety for the implementation of the licensing system and for youth-oriented driver clinics.

Rep. Satveer Chaudhary (DFL-Fridley) and Sen. Ember Junge (DFL-New Hope) sponsored the legislation.

HF2532/SF2407\*/CH388

**License provisions clarified**

A new transportation law makes a few changes to laws regarding personalized plates, underage drunk drivers, and license revocations.

The new measure also provides \$15.8 million from the trunk highway fund to the Department of Administration. Effective July 1, 1998, the funds go to complete renovation and life safety improvements for the Transportation Building in the Capitol complex.

A separate provision, effective Aug. 1, 1998, allows owners of pickup trucks with a manufacturer's rating of one-ton capacity to get personalized license plates. Previously, the maximum size for pickup trucks to be

eligible for the plates was 9,000 pounds gross weight. That meant pickups of up to three-quarters of a ton capacity could qualify.

Another part of the law pertains to those under 21 years of age who have had their driver's license revoked for six months for drunk driving. Effective Aug. 1, 1998, the benchmark for their age is considered when they are arrested, not when they are convicted. Under existing law, there are stiffer penalties for underage people who violate DWI laws.

Also effective Aug. 1, 1998, anyone whose license has been revoked or suspended who wishes to petition for reinstatement must file that petition within 180 days of the date of revocation or before the end of the revocation or suspension, whichever comes first. Previously, there was no time limit.

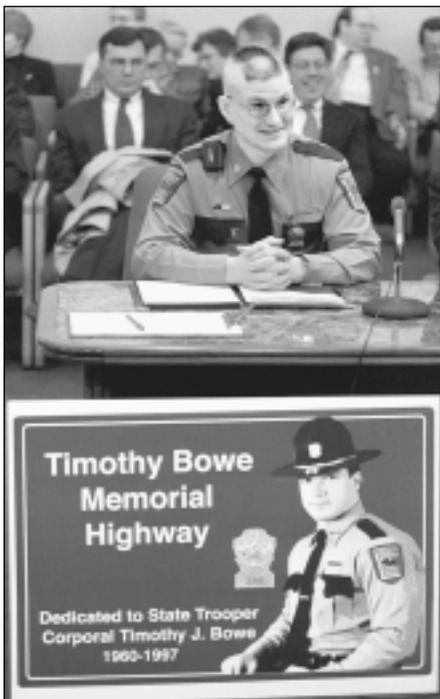
Rep. Mark Mahon (DFL-Bloomington) and Sen. Dallas Sams (DFL-Staples) sponsored the legislation.

HF2654\*/SF2318/CH405

## Bowe Memorial Highway

For the first time in Minnesota history, a stretch of highway will be named after a slain state trooper.

Gov. Arne Carlson signed into law a mea-



Minnesota State Patrol Sgt. Russell Wicklund was among those who supported a new law that honors Cpl. Timothy Bowe, the first state trooper killed in the line of duty since 1978. The new law designates a stretch of Trunk Highway 95 as State Trooper Timothy Bowe Memorial Highway.

sure that renames a stretch of Trunk Highway 95 after Cpl. Timothy Bowe.

Effective Aug. 1, 1998, the new law requires the commissioner of transportation to adopt a design and to erect the signs to mark the memorial highway. The signs are to be paid for by the community of Cambridge, Minn.

Last year, Bowe was the first Minnesota State Patrol officer killed in the line of duty since 1978. The 36-year-old Coon Rapids, Minn., man was shot to death in Chisago County while answering a call about a shooting at a rural home.

Bowe, a 15-year veteran, was the seventh Minnesota trooper killed in the line of duty.

Rep. Loren Jennings (DFL-Harris) and Sen. Janet Johnson (DFL-North Branch) sponsored the measure.

HF2612\*/SF2335/CH290

## Ignoring highway barricades

A new state law aims to knock some common sense into motorists who think closed highways and lowered railway crossing gates don't apply to them.

Effective Aug. 1, 1998, a stranded motorist who has blatantly disregarded an official trunk highway closing could be liable for up to \$10,000 in rescue costs.

The legislation resulted from a number of incidents during the 1996-1997 winter when drivers ignored highway barricades.

In the past, it was simply reckless and foolish to drive around a lowered gate at a railway crossing. Now it's illegal, under the new law.

## Blue service sign criteria

Effective April 21, 1998, the new law also revises the criteria that businesses must meet to be eligible for listings on the blue service signs found near exit ramps on Minnesota freeways.

Under the new law, a business must be open to everyone, regardless of race, religion, color, age, sex, national origin, creed, marital status, sexual orientation, or disability.

Gas stations must provide fuel, oil, restrooms, drinking water, and public telephone access and must be open at least 12 hours a day, seven days a week.

Restaurants must have a seating capacity of 20, serve at least two meals a day of food that is prepared on the premises, and provide food service for at least 10 hours a day, seven days a week, except holidays.

Campgrounds must provide sanitary facilities and drinking water, in addition to parking and campsites.

Seasonal businesses must indicate their months of operation on the sign or place a "closed" plaque over the sign in the off-season.

Rep. Jean Wagenius (DFL-Mpls) and Sen. Janet Johnson (DFL-North Branch) sponsored the measure.

HF2589/SF2592\*/CH403

## Sirens and flashing red lights

A new law reinstates a safety requirement for ambulances.

Effective Aug. 1, 1998, the new law requires all medical emergency vehicles to both sound an audible signal and activate red emergency lights while responding to emergencies. Medical vehicles that are transporting patients in non-emergency situations are not required to sound their alarms.

In 1997, legislation to exempt law enforcement officers from the requirement to sound audible signals while responding to emergency calls included language that also exempted emergency medical vehicles.

Rep. Al Juhnke (DFL-Willmar), House sponsor of the new measure, said that after the 1997 law was approved, insurance carriers began telling owners of emergency medical vehicles that rates for coverage would rise if both audible and visible signals were not used while responding to emergencies.

Proponents argued that it is safer for ambulance drivers, other motorists, and pedestrians to have the audible warning in addition to flashing red lights.

Sen. Dallas Sams (DFL-Staples) sponsored the measure in the Senate.

HF2576/SF2028\*/CH263

## Making vehicles available

Nonprofit organizations that sell or lease inexpensive cars no longer need to apply for a motor vehicle dealer's license, under a new law effective March 19, 1998.

Certain charitable organizations repair and recondition older vehicles that are donated to them. These groups then sell the vehicles at low prices to people moving off public assistance or to other low-income people.

The new law exempts these organizations from needing a dealer's license.

Under the law, the cash value of the vehicle being sold must be less than \$1,000 and the

organization must meet the requirements of a nonprofit charitable group under the tax code to get the exemption.

The law could make more vehicles available for people at a time when welfare recipients are being encouraged to find employment under welfare reform measures that took effect in 1997. Many of these people do not have transportation, according to Rep. Tim Pawlenty (R-Eagan), who sponsored the measure in the House.

Sen. David Knutson (R-Burnsville) sponsored the legislation in the Senate.

HF3028/SF2163\*/CH285

### No more fingerprint checks

Those with direct management responsibility for a company's hazardous waste transportation no longer must submit a full set of fingerprints to determine if the person has a criminal record, under a new law, effective March 24, 1998.

Ward Briggs, of the Minnesota Department of Transportation, said the hazardous waste transportation industry objected to the requirement, calling it a nuisance. He also said the background check involving fingerprints had been part of a national pilot program that had expired.

Briggs said the fingerprint checks were not proven to be the best method of evaluating the background of those involved with the intrastate transport of hazardous waste. He said some with criminal records were slipping by despite the checks.

Briggs said other methods of accomplishing better background checks are currently under study, and a national system for such a process is expected soon.

Rep. Al Juhnke (DFL-Willmar) and Sen. Steve Murphy (DFL-Red Wing) sponsored the measure.

HF2665/SF2316\*/CH310

### Aircraft repair resolution

A resolution asking President Clinton and Congress to enact federal legislation called the Aircraft Repair Station Safety Act of 1997 was filed with the Office of the Secretary of State without the governor's signature.

The resolution supports a congressional effort to force foreign repair facilities to use the same standards that apply to domestic aircraft repair procedures and parts.

Some aviation experts are concerned that airplane repair facilities in foreign countries

use defective parts or do substandard repair work on U.S. airplanes.

Federal legislation before the U.S. Congress aims to tighten controls on repair facilities that service aircraft that operate in the United States. The act would revoke certification of any repair facility that purposely uses uncertified or substandard parts.

Rep. Edwina Garcia (DFL-Richfield) and Sen. Sandra Pappas (DFL-St. Paul) sponsored the resolution.

HF3250\*/SF2786/Res. 6

### Statewide capital improvements: Light rail transit and transportation

(See Bonding, page 12)

### Crime prevention legislation:

#### Right to ride

(See Crime, page 18)

#### Easing the car crunch

(See Government, page 33)

### Promoting public participation

(See Metro Affairs, page 50)

#### Innovative bike racks

(See Metro Affairs, page 51)

### No break on auto premiums

(See Vetoed Bills, page 64)

### Students riding public buses

(See Dead Bills, page 71)



## VETERANS

### Gulf War veterans' bonuses

A new law, effective Feb. 26, 1998, allows the state's Department of Veterans Affairs to consider documents other than a veteran's military discharge form in determining an applicant's eligibility for a state bonus program for Persian Gulf War veterans.

In 1997, the Legislature passed a law setting aside \$17 million to give Minnesota's approximately 44,000 Persian Gulf War veterans a bonus for their military service in Desert Storm. Veterans receive bonuses at three levels: Approximately 13,000 who served within the war zone are eligible for \$600. Another 30,500 who served on active duty elsewhere in the world can receive \$300, and the families of the nine Minnesota soldiers killed in the war each are eligible for \$2,000.

Problems arose when the process used by the veterans affairs department to determine eligibility was causing benefit delays of up to six months.

Under the new law, the department can use—in the place of military discharge forms—other reliable documentation proving military service. The documents must be approved by the department.

Minnesota veterans who served in the military between Aug. 2, 1990, and July 31, 1991, are eligible. Applications will be accepted until June 30, 1999, and are available through groups such as the American Legion and the Veterans of Foreign Wars.

Rep. Betty Folliard (DFL-Hopkins) and Sen. James Metzen (DFL-South St. Paul) sponsored the legislation.

HF2338\*/SF2167/CH258

### Four Chaplains Day

A new state law honors four clergymen who died serving their country.

Under the new law, Feb. 3 each year is designated Four Chaplains Day, a tribute to a group of military chaplains killed in World War II. The new law is effective March 7, 1998.

George L. Fox, Alexander D. Goode, Clark V. Poling, and John P. Washington, all U.S. Army chaplains, sacrificed their lives on the troop transport ship USS Dorchester, which was sunk Feb. 3, 1943, off the coast of Greenland.

Fox's nephew, David Fox, who lives in Minneapolis, urged legislators to pass the new law this year. Under the law, the governor will issue a proclamation of the observance each year.

Rep. Jim Rhodes (R-St. Louis Park) and Sen. Roy Terwilliger (R-Edina) sponsored the legislation.

HF3095\*/SF2688/CH272

### USS Des Moines

(See Dead Bills, page 68)

# Selected New, Increased Fees Adopted in 1998

Area/Purpose	Existing Fee	New Fee	Chap.	Art.	Sec.	Effective Date
<b>Agriculture</b>						
Commercial animal waste technician three-year license	0	\$50 fee; \$10 each for additional identification cards	401		17	4/22/98
<b>Court fees</b>						
Surcharge levied against anyone convicted of a petty misdemeanor — not including parking violations	\$11	\$25	367	8	5	1/1/99
Surcharge levied against anyone convicted of a felony, gross misdemeanor, or misdemeanor — not including parking violations	0	\$25	367	8	5	1/1/99
<b>Transportation</b>						
Snowmobile state trail permit fee (applies only to snowmobiles not registered in Minnesota; valid Nov. 1 to April 30)	\$15	\$16 (additional \$1 to go to the seller of the sticker)	401		21	4/22/98
Snowmobile metal traction device sticker (required for snowmobiles with metal traction devices; valid for one year from June 30 in the year it is issued)	0	\$50	401		24	4/22/98
Personal watercraft surcharge (paid with license renewal every three years; surcharge funds law enforcement and safety education programs)	0	\$50	401		29	4/22/98
Reinstatement surcharge for driver's license following revocation due to DWI (in addition to \$250 fee; part of this surcharge funds remote electronic alcohol monitoring program for DWI offenders)	\$10	\$40	367	11	7	7/1/98
Re-registration fee of a motor vehicle following a period of license plate impoundment (per vehicle); additional fee goes to the general fund	\$25	\$50	367	11	3	7/1/98
Registration fee for the issuance of special license plates to be used by family members of repeat DWI offenders during a period of license plate impoundment (per vehicle); additional fee goes to the general fund	\$25	\$50	367	11	4	7/1/98

# Special Session

## 1998 Special Session

**Editor's note:** Gov. Arne Carlson called the Legislature into special session April 20, 1998, to deal primarily with a public policy question affecting Marvin Windows and Doors in Warroad, Minn.

The three-day session resulted in the passage of three new laws: two substantive measures and one that corrects technical errors — such as mistakes in spelling and grammar — contained in other laws already on the books.



## GOVERNMENT

### Child care, jobs, housing

A new law enacted during the special session contains \$12 million in spending for child care, housing, jobs, and economic development.

The governor vetoed an omnibus family and early childhood education bill and an omnibus jobs, housing, and economic development bill passed during the regular 1998 Legislative Session. He cited excessive spending as one reason the bills were vetoed.

The new law includes key portions of the vetoed bills, but the overall spending was scaled back from the earlier proposals.

Rep. Steve Trimble (DFL-St. Paul) and Sen. Tracy Beckman (DFL-Bricelyn) sponsored the measure.

Here's a look at some of the key provisions of the new law. The spending provisions described below are effective July 1, 1998.

1998 Special Session: HF1/SF2\*/CH1

#### Child care and family assistance

Under the new law, Head Start and Early Childhood Family Education programs receive \$250,000 for cooperative programming. Head Start is a joint state-federal program that provides low-income preschool children with emotional, social, health, nutritional, and psychological services. The early childhood program focuses on infant development and parents' roles in stimulating and nurturing their infants' intellectual and emotional development. (Art. 2, Sec. 2)

The new law appropriates \$3.3 million for a program that helps low- and moderate-income working families pay for child care using an income-based, sliding-fee scale.

The Basic Sliding Fee program has played a vital role in Minnesota's recent welfare reform initiatives. The new money will ensure that parents who are on a welfare-to-work path continue to receive child care assistance. (Art. 2, Sec. 1)

A provision effective Aug. 1, 1998, establishes in law a program that allows low-income families to contribute money to a "family asset account" and receive matching dollars from the state and private organizations.

Other states are considering similar programs, and similar legislation is pending in Congress.

Although the new Minnesota law does not set any money aside for the program, proponents say the language puts Minnesota one step ahead of the game, should Congress approve a "family assets for independence" initiative.

Under the state law, eligible families include only those with an income level at or below 200 percent of the federal poverty level (or \$26,700 for a family of three) and assets of \$25,000 or less.

The new law dictates that matching funds must be kept in a separate account and that families may not get the money until they have finished an economic literacy course and achieved their goals for one of three approved purposes — buying a home, paying for an education, or starting a business.

The program is to be administered by the Department of Children, Families and Learning. (Art. 1, Sec. 6)

The new law also appropriates \$100,000 to the Department of Children, Families and Learning for the cleanup of lead-contaminated residential sites around the state. Of that amount, \$25,000 is earmarked for the city of St. Louis Park to complete a lead abatement project in a residential neighborhood surrounding an industrial site. (Art. 2, Sec. 2)

#### Housing and the homeless

Under the new law, the Minnesota Housing Finance Agency receives \$3.6 million to assist in developing new affordable housing, maintaining existing low-income housing, and preventing homelessness.

The new law allocates \$3.3 million to the state's housing agency to be used for current programs that provide interest-deferred loans for construction and rehabilitation of permanent low-income rental housing. The funds can also be used to provide grants or

loans to cities and nonprofits for community rehabilitation purposes.

An additional \$300,000 goes to the Family Homeless Prevention and Assistance Program, which grants funds to organizations that seek to prevent homelessness. These organizations work to stabilize families in their existing homes, and assist homeless families in securing transitional or permanent housing. (Art. 4, Sec. 2)

The Department of Children, Families and Learning estimates that there are 21,000 homeless children in Minnesota.

The department will be given \$600,000 for its efforts to assist the homeless. Of this amount, the new law appropriates \$300,000 for emergency services grants to be used to provide shelter, medical care, and other assistance to homeless individuals. Transitional housing programs receive the remaining \$300,000.

The purpose of transitional housing is to give low-income families a temporary place to stay while they get back on their feet financially and resolve any personal issues that may have led to their homelessness. (Art. 2, Sec. 2)

#### Boosting employment

Under the new law, the Department of Economic Security receives a total of \$2.3 million to fund job training and re-employment programs.

The department also is given \$1 million targeted at summer youth employment. And the department will receive \$1 million for its rehabilitative services, which provide job training to people with disabilities.

Also included in the department's funding is a \$126,000 grant for the organization Advocating Change Together Inc. The organization provides employment training for people with developmental disabilities and other mental health disabilities. (Art. 3, Sec. 4)

#### Economic development

The new law allocates \$580,000 to the Department of Trade and Economic Development. Of that amount, \$500,000 is provided to the Granite Falls Development Authority for the development of a biomass alternative energy project.

The remaining amount goes to the Neighborhood Development Center Inc., an organization that provides services to develop

businesses in poorer neighborhoods in Minneapolis and St. Paul.

The measure also provides \$155,000 to retire debt on the World Trade Center in downtown St. Paul. (Art. 3, Secs. 2, 3)



## LAW

### Marvin Windows and Doors

A new law passed during the 1998 Special Session will assist a Minnesota company in a pending lawsuit.

The new law affects a four-year-old lawsuit between Marvin Windows and Doors in Warroad, Minn., and a Pennsylvania company.

Marvin Windows is suing the company for breach of contract and fraud relating to a wood preservative produced by the Pennsylvania company and used by the Minnesota manufacturer from 1985 to 1989.

Marvin officials said that windows that were made with the preservative are now rotting, and that the company is paying replacement costs. They said that these additional costs threaten the viability of the northern Minnesota employer.

Among several legal claims made by Marvin Windows, the firm alleges that the other company engaged in intentional misrepresentation of its product. Attorneys for Marvin Windows are attempting to use Minnesota's tort law to address these claims in court.

PPG Industries of Pennsylvania argued that the claim could not be brought forward under Minnesota's tort law, and the company's argument was based on a 1991 economic loss law. The law outlines how the tort law can be used in contract disputes of this sort.



A new law affects litigation involving Marvin Windows and Doors of Warroad, Minn. The northern Minnesota employer is suing a Pennsylvania company over an allegedly defective wood preservative.

The new measure amends that portion of law to allow for claims to move forward in cases where fraud or intentional misrepresentation is alleged.

Rep. Jim Tunheim (DFL-Kennedy), House sponsor of the Marvin Windows legislation, argued that the change is simply a clarification of the 1991 law, which did not address the issue of fraud.

"While Marvin Windows brought this issue to our attention, it is our legislation that needs to be clarified so that fraud is not allowed anywhere in Minnesota," Tunheim said.

Opponents of the legislation argued that passing laws to assist one company sets a

dangerous precedent, and they questioned the constitutionality of passing legislation to affect current litigation.

The Senate sponsor was Sen. LeRoy Stumpf (DFL-Thief River Falls), who was also chief sponsor of the 1991 economic loss law.

The new law is effective April 24, 1998, and applies to legal actions pending on or commenced on or after that date.

Gov. Arne Carlson called the special session to deal especially with this bill, which did not pass before final adjournment of the regular session.

1998 Special Session: HF2/SF1\*/CH2

### Correcting minor mistakes

(See Law, page 47)

# Vetoed Bills

## Governor vetoes 15 bills

**Editor's note:** A total of 157 bills and four resolutions reached the governor's desk during the 1998 Legislative Session.

The governor vetoed 11 chapters and line-item vetoed appropriations from four more chapters.

The summaries in this section give brief descriptions of each bill vetoed and some of the reasons for the governor's actions.

The bills are divided into two categories: full vetoes and line-item vetoes. Within each category, the bills are arranged alphabetically by topic.

Once a bill has passed both the House and the Senate in identical form, it is sent to the governor for consideration. The governor has several options when considering a bill. The governor can:

- sign the bill and it will become law;
- veto the bill; or
- line-item veto individual items within an appropriations bill.

If a bill was passed by the Legislature and presented to the governor before the final three days of the session in an even-numbered year (or the second year of the biennium), the bill will become law unless the governor vetoes it by returning it to the Legislature within three days.

If the governor does not veto the bill, it becomes law, even without his signature. In these instances, the bill is "filed [with the Office of the Secretary of State] without signature."

If a bill is passed during the last three days of the session in an even-numbered year, the governor has a longer time to act. He or she must sign and deposit the bill with the secretary of state within 14 days of "sine die" adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

For bills passed during a special session, the governor has the same options that apply in the second year of a biennium.

Vetoed bills are returned to the body of origin, and the House and Senate may attempt to override.

A two-thirds vote in each house is needed to override a veto (90 votes in the House and 45 votes in the Senate).

The governor can exercise line-item veto authority on appropriations bills only.

*The Honorable Phil Carruthers  
Speaker of the House of Representatives  
463 State Office Building  
Saint Paul, Minnesota 55155*

*Dear Speaker Carruthers:*

*I have vetoed and am returning Chapter 287, House File 2846. Although this legislation attempts to expand automobile insurance premium reductions to certain classes of Minnesota citizens, its assumptions are mistaken.*

Gov. Arne Carlson vetoed 11 chapters and line-item vetoed four chapters during the 1998 Legislative Session.

## Full vetoes (11)



### AGRICULTURE

#### No industrial hemp study

A bill that would have allowed for the study of industrial hemp production and its commercial uses in Minnesota was vetoed by Gov. Arne Carlson.

The bill generated controversy because hemp is in the same family as marijuana, an illegal controlled substance in the United States since 1937.

Marijuana and industrial hemp both carry the scientific classification of *cannabis sativa*, but they are significantly different plants, according to information supplied by the North American Industrial Hemp Council.

The bill passed the Senate last year and the House this year on the last day of the session, after several attempts to get the measure through.

In his veto message, Carlson noted that the state's law enforcement officials are concerned about the potential problems associated with agricultural production of hemp.

"These concerns stem, in part, from a Dutch study, which found that it is not possible to visually separate hemp plants from marijuana plants, thereby significantly complicating law enforcement efforts. Similar concerns have been raised at the national level," Carlson wrote in his veto message.

The bill would have directed the University of Minnesota, working with the Department of Agriculture and the Minnesota Bureau of Criminal Apprehension, to study the

issues related to hemp production.

Supporters of the bill said hemp production may offer new opportunities for farmers because the plant can be used to make a variety of products, including paper, clothing, fiberboard, twine, birdseed, and oil.

Carlson said directing the university to conduct the study, without giving it any money amounted to an "unfunded mandate."

Rep. Phyllis Kahn (DFL-Mpls) and Senate Majority Leader Roger Moe (DFL-Erskine) sponsored the bill.

HF349/SF1181\*/CH394



### CONSUMERS

#### TAP expansion vetoed

Gov. Arne Carlson vetoed a bill calling for a significant revision of a program that assists some people in paying for basic telephone service. The bill would have imposed a new surcharge on cellular phone accounts to help pay for expanding the program.

The bill would have added about 150,000 Minnesota households to the Telephone Assistance Plan (TAP). The program currently provides assistance for basic telephone service to about 50,000 Minnesotans who meet criteria related to age or disability. The bill would have changed eligibility requirements to income-based criteria, as is required for TAP participants to continue to receive federal matching funds under an amendment to the federal cost-sharing program.

The bill would have broadened the program to include single- and multiple-person

households at or below 100 percent of the federal poverty level until July 1, 1999, and at or below 125 percent after that date.

The bill “amounts to a tax increase,” Carlson wrote in his veto message.

“This legislation will eventually increase TAP fees placed upon telephone customers by 66 percent and impose a fee on cellular phones to increase the fee base by 30 percent, thus giving rise to a tax increase of approximately \$1 million,” the governor stated. “Moreover, this language nearly triples the size of the existing program.”

Current law allows a surcharge on residential and business lines of up to 10 cents per month; however, the rate actually being collected is now 6 cents per month. The bill would have extended the surcharge to cellular telephones beginning July 1, 1999, but the surcharge would not have applied to telephone pagers.

“I have long opposed legislation which results in new or increased taxes,” Carlson wrote. “My position has not changed.”

Rep. Karen Clark (DFL-Mpls) and Sen. Steve Kelley (DFL-Hopkins) sponsored the measure.

HF3064/SF2718\*/CH378



## DEVELOPMENT

### Jobs, housing, development

Citing what he referred to as “clearly excessive” spending, Gov. Arne Carlson vetoed an omnibus jobs, housing, and economic development appropriations bill.

The \$38 million bill included about \$20 million in appropriations for housing programs and \$18 million in appropriations for statewide economic development and job training.

In his veto message, the governor restated his belief that even-year legislative sessions should focus on bonding and emergency issues.

“As I stated in my prior veto message, even-year legislative sessions were not created to enact large appropriation bills such as this,” Carlson wrote. “Outside of bonding and emergency financing, the Legislature should significantly limit all spending proposals during these sessions.”

The governor said that the bill contained several worthwhile appropriations that should be revisited by the Legislature, including funds to the Department of Economic Development for a vocational reha-

bilitation program and appropriations for various housing programs.

Several spending provisions in this bill were revisited and passed in a scaled-back version during the special session (1998 Special Session: HF1/SF2\*/CH1). (See related story, page 59.)

The vetoed bill included a provision that would have provided \$10 million to the Minnesota Housing Finance Agency to assist in maintaining existing low-income housing. This appropriation was later included in the omnibus tax bill, which did become law (HF3840/SF2985/CH389). (See related story, page 53.)

The vetoed bill also would have appropriated \$6.2 million to the Department of Trade and Economic Development for statewide projects. Of that amount, \$3.3 million would have gone to the Minnesota Film Board to provide support for the state’s \$250 million film and video industry. The appropriation would have been used to create a revolving loan fund to be administered by the film board and the Department of Trade and Economic Development.

Another key portion of the vetoed bill was a “healthy homes” initiative that received a good deal of publicity and scrutiny throughout the legislative process. The proposal sought to address new health concerns that are surfacing regarding new energy efficient home construction. Some people who purchase these new homes are reporting health and structural problems due to improper ventilation and excessive moisture.

The provisions included in the vetoed omnibus bill would have extended some warranty periods for new homes and would have required developers and home contractors to provide warranty information to the home buyer or homeowner. The changes would have given home buyers more time to find out about defective construction and to seek legal remedies.

The governor’s veto also eliminated funding for a program to assist people who suffer from Multiple Chemical Sensitivity. Grants or loans would have been made available to help those people rid their homes of the offending chemicals.

Sufferers of the disorder have allergy-like sensitivity to a broad range of household substances, such as cleaning solvents, detergents, perfumes, and household dust and mold. They often experience back pain, sleep disorders, anxiety, chronic fatigue, and respiratory problems.

Also, the vetoed omnibus bill included compromise language from a bill originally calling for all employers to disclose the terms of employment in writing in each employee’s first language.

The provision would have required that the Department of Labor and Industry develop a brochure stating employee rights in English and the 10 languages most commonly spoken by Minnesota workers. The brochure also was to include employee resource phone numbers. The provision also would have required employers to provide the brochure when an employee is first offered a job.

Rep. Steve Trimble (DFL-St. Paul) and Sen. Tracy Beckman (DFL-Bricelyn) sponsored the vetoed omnibus jobs, housing, and economic development bill.

HF3806/SF3367\*/CH374



## ELECTIONS

### Open absentee ballot program

Gov. Arne Carlson vetoed a bill that would have extended Ramsey County’s open absentee ballot program.

In his veto message, Carlson questioned the need for its continuation.

“The project has been in existence since 1991,” he wrote. “At what point do we bring a pilot project to an end? What information, other than what has already been gathered, does the county hope to obtain? And what does the county intend to do when the project expires in two years? We know what the benefits and drawbacks of this program are — it’s time to end it and take up the larger debate of applying it to all citizens of the state.”

In 1991, Anoka, Hennepin, Polk, and Ramsey counties entered into a pilot project for open absentee balloting. The 1994 Legislature extended the pilot project in Ramsey County until this year.

Under the pilot project, people don’t need a reason to vote absentee, they just need to apply in writing at their county auditor’s office. (State law dictates that people who want to vote by absentee ballot must have an acceptable reason, such as absence from the precinct, illness, disability, observance of a religious holiday, or service as an election judge.)

An absentee ballot is mailed or given to the voter, who fills it out like a regular ballot and

mails it to the county auditor's office. The ballots are held until election day, then counted with the rest of the ballots.

Rep. Betty McCollum (DFL-North St. Paul) and Sen. Charles Wiger (DFL-North St. Paul) sponsored the bill.

HF2567/HF2221\*/CH347

## Updating voter addresses

Gov. Arne Carlson vetoed a bill that aimed to make it easier for people who move to new homes to update their voter registration information.

The bill would have authorized the Office of the Secretary of State to get the names and addresses of people who have given the U.S. Postal Service a change-of-address card.

The bill called for the secretary of state to then send the information to the appropriate county auditor and for the auditor to confirm the voter's new address by mail.

In his veto message, the governor said he vetoed similar legislation in 1997 and that he still has the same concerns. He then listed those concerns as follows: "1) Where a person receives their mail is not necessarily always where they reside and vote; 2) Establishing the residence of thousands of potential voters is a culmination of many factors that may not always be reflected by an automatic process for registration; and 3) The unintended outcome of this process may actually be more confusion on the part of the electorate," he wrote.

Carlson said any change in election law is important and should have bipartisan support. The bill passed 71-61 in the House and 46-14 in the Senate.

"Even if my concerns were entirely satisfied, I could not support any changes to our election laws when only three Republican members in the House of Representatives, and relatively few in the Senate, supported the bill. Changes such as those proposed in this bill should have at least modest bipartisan support before becoming law," he wrote.

Rep. Betty Folliard (DFL-Hopkins) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the bill.

HF2387/SF2149\*/CH346

## Absentee ballots with 'reason'

Gov. Arne Carlson vetoed a bill that would have allowed voters to use an absentee ballot for any reason.

Current law lists a number of acceptable

reasons for voting by an absentee ballot. The reasons include absence from the precinct, illness, disability, observance of a religious holiday, or election judge service in another precinct.

The bill would have eliminated that language in current law and required only that voters list their reason for needing an absentee ballot on their application.

In his veto message, Carlson said he was concerned about the party-line vote on the bill.

"Significant changes to election laws such as those proposed in this bill are too important to be entirely one-sided and lacking in bipartisanship," Carlson wrote.

The bill was widely opposed by Republican legislators.

"Changes should have at least modest support from both sides of the aisle before being signed into law, and certainly not the vociferous opposition that accompanied this and other election law bills," Carlson wrote.

Rep. Tom Osthoff (DFL-St. Paul) and Sen. Linda Scheid (DFL-Brooklyn Park) sponsored the bill.

HF2526/SF2148\*/CH352

## Absentee ballot pilot project

A bill that would have established an absentee ballot pilot project for Hennepin County was vetoed by Gov. Arne Carlson.

The bill, sponsored in the House by Rep. Richard Jefferson (DFL-Mpls), called for a pilot project that would have allowed voters to vote by absentee ballot without having to give a reason, as long as they supply their name, address, signature, and other basic information.

It was the fourth bill relating to election law that Carlson vetoed this year, including a bill that would have extended a similar absentee ballot pilot project in Ramsey County, and he noted that in his veto message.

"What do we hope to learn from the Minneapolis project that was not demonstrated in Ramsey County? We know what the benefits and drawbacks of an open ballot system are — if it is a good idea, then take it statewide," he wrote.

Under present law, people wanting to vote absentee must have a reason, such as an illness, disability, observance of a religious holiday, or service as an election judge.

Carlson noted that changes to election law are too important to be "laced with partisanship. I cannot support changes to our election laws when not a single Republican in the

House, and relatively few in the Senate, supported the bill," he wrote.

"Increasing voter turnout, especially in our large cities, is an admirable goal; but simplifying the process is only a very small part of the solution. Issues and candidates move people to vote. I suggest we focus on those critical parts to move the citizens of Minneapolis to the polls," Carlson concluded.

Sen. Linda Higgins (DFL-Mpls) sponsored the bill in the Senate.

HF2293/SF2118\*/CH370



## FAMILY

### Family, early childhood bill

Citing excessive spending, Gov. Arne Carlson vetoed a \$14.9 million family and early childhood education spending bill.

The bill would have appropriated money for programs such as Head Start and Early Childhood Family Education, child care assistance, emergency services grants for the homeless, gang prevention, and lead abatement projects.

However, several spending provisions in the vetoed bill were revisited and passed in a scaled-back version of the bill during the April 1998 special session (1998 Special Session: HF1/SF2\*/CH1). (See story, page 59.)

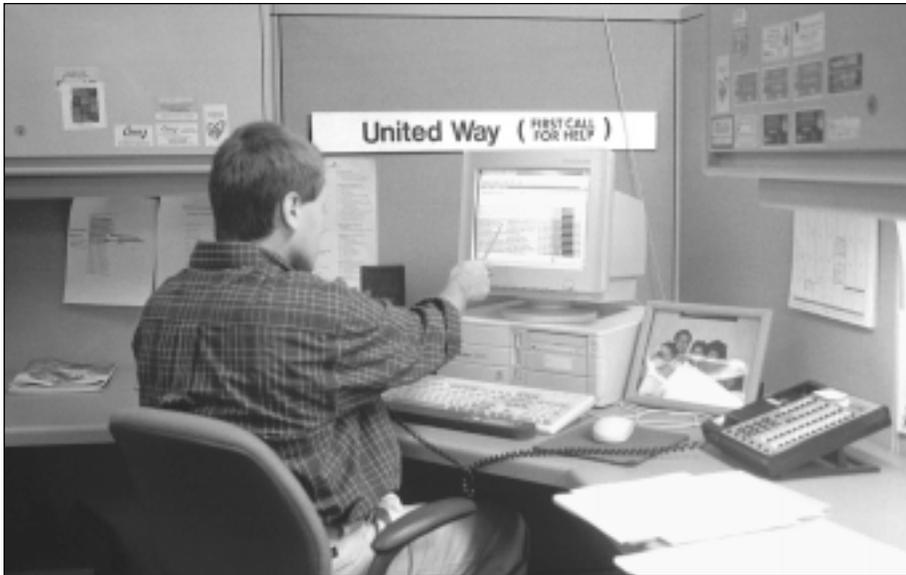
In his veto message, Carlson reminded the legislators of last year's "historic budget increase for child care, Head Start, and other children and family programs."

The bill would have appropriated \$5 million for a program that helps low- and moderate-income working families pay for child care using an income-based, sliding-fee scale. The Basic Sliding Fee child care program already received an increase of over 130 percent over the last biennium, Carlson said.

Under the bill, an additional 17,000 families would have qualified for the Minnesota dependent care tax credit program. The bill would have raised the maximum income threshold from \$31,000 to \$38,000 at a cost of \$4.9 million to the state.

Another provision of the bill would have appropriated \$200,000 for gang prevention and intervention. The funding would have been channeled through local organizations to provide after-school activities, job skill training, and counseling to children and young adults who are either at risk for criminal gang involvement or who have expressed interest in terminating their gang affiliation.

The bill also would have appropriated



Under a bill the governor vetoed, the United Way's First Call for Help would have received \$100,000 to expand into First Call Minnesota, a statewide computer system database of health services, social services, educational programs, housing information, and employment services.

\$200,000 for the cleanup of lead-contaminated residential sites around the state.

And finally, First Call For Help, a social services information and referral telephone hotline sponsored by the United Way, would have received \$100,000 to expand into "First Call Minnesota," a statewide computer system database of health services, social services, educational programs, housing information, and employment services.

The governor closed his veto message with a general suggestion for lawmakers.

"Even-year legislative sessions should not be allowed to become full-blown tax and spend sessions," he wrote. "How about considering limiting even-year sessions to three weeks and giving the public a constitutional amendment that will allow them to create a unicameral legislature?"

Rep. Tony Kinkel (DFL-Park Rapids) and Sen. Pat Piper (DFL-Austin) sponsored the vetoed bill.

HF2803/SF2532\*/CH365



## HEALTH

### Acquiring nonprofit hospitals

Gov. Arne Carlson used his veto authority to reject legislation that would have made purchases of nonprofit hospitals by noncharitable entities, including for-profit chains, more difficult.

The measure would have required that whenever a nonprofit hospital proposes to transfer more than 50 percent of its assets or

financial control to a noncharitable entity, it must notify the state attorney general in writing.

The attorney general already has the power to investigate and stop such transactions, but the legislation would have ensured that written notice would go to the attorney general's office 45 days in advance of any deal.

Under the legislation, the attorney general could have reviewed the proposed agreement and made the notice accessible to the public if the office determined the public would benefit from the information. If the proposed transaction was found to be unfair, the office could have brought an action to stop the transaction from being completed.

The governor wrote in his veto statement, "I am persuaded that the office of the attorney general can adequately protect the public's interest in this area with the authority granted under current law."

Carlson also indicated he thought the bill "established a litigious, adversarial process for conducting business transactions which I find unnecessary.

"While I recognize the value of community hospitals, I cannot support the wholesale lockout of noncharitable business entities in the marketplace, which is the effect of the bill."

He also said, "In some instances, particularly in the case of a financially struggling rural community hospital, the public may be best served by the noncharitable acquisition of the hospital, especially when the only alternative is closure of the facility."

Nonprofit hospitals are generally viewed as charitable community assets, but from 1990 to 1996 a total of 192 nonprofit hospitals nationwide were converted to for-profit status.

Public funds are used for various projects at nonprofit hospitals. If the hospital is acquired by a noncharitable entity, the company likely acquires assets paid for with public dollars, possibly at less than fair-market value.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Linda Berglin (DFL-Mpls) sponsored the bill.

HF381/SF695\*/CH330



## INSURANCE

### No break on auto premiums

Gov. Arne Carlson used his veto authority to strike down legislation that would have allowed drivers who successfully complete an accident prevention course to get a break on auto insurance premiums.

Drivers over 30 years old who passed the safety course would have received a 10 percent reduction in their auto insurance premiums, under the bill. Currently, drivers 55 and older who pass an accident prevention course every three years receive a premium reduction.

In his veto message, Carlson wrote that statistics have not shown that increased training and testing of drivers results in improved road safety in Minnesota.

He said automobile insurance premiums ought to be determined by the market and individual driving records.

"Any mandated rate reduction to one class of citizen drivers would unfairly shift costs to those of the unprotected class," he said. "In this case, the shift would take place on those drivers who are already paying the highest premiums within this state, that is, those drivers under the age of 30."

Carlson also said while a driver safety course can be effective for those 55 and older, "I do not believe that the completion of this type of program would be effective on younger drivers."

The legislation was sponsored by Rep. Mark Mahon (DFL-Bloomington) and Sen. Douglas Johnson (DFL-Tower).

HF2846\*/SF2245/CH287

**LOCAL GOVERNMENT****Real estate filing fees**

A plan to create a uniform real estate filing fee structure for counties statewide was vetoed by Gov. Arne Carlson.

Carlson said he supports the idea of standardizing such processes across the state. However, he said that he could not support the proposal because it would have meant fee increases.

"Minnesotans already pay a substantial portion of their incomes to provide for local, state, and federal services," he wrote in his veto message. "With no demonstrated need for these fee increases, I cannot sanction this bill."

The bill was sponsored by Rep. Mary Murphy (DFL-Hermantown) and Sen. David Ten Eyck (DFL-East Gull Lake).

HF1882/SF1654\*/CH311

pay the attorney general's office for legal assistance to local governments in the development of feedlot ordinances.

"This is a service that is currently provided by state agencies with existing resources, which deems this appropriation unnecessary," Carlson said.

And finally, Linwood Township would have received a \$100,000 grant to build a surface water drainage system. Carlson said the grant would not meet the DNR eligibility requirements to be considered a flood mitigation project.

"In addition, this provision has not been supported by the local community, which has not favored using property tax dollars or other local funding for this project," Carlson wrote.

Rep. Tom Osthoff (DFL-St. Paul) and Sen. Steven Morse (DFL-Dakota) sponsored the measure.

HF3799/SF3353\*/CH401

sary growth of the office since 1991.

This year's \$23 million appropriation goes for core functions of the state's top legal and law enforcement agency for the fiscal year that begins July 1, 1998. The office is responsible for asserting and defending the state's legal interests, settling claims, and aiding other law enforcement agencies in prosecuting and solving cases.

The \$1.1 million line-item vetoed by Carlson would have provided: \$500,000 for legal services to state agencies; \$250,000 for gaming enforcement; \$250,000 for counties needing assistance with felony prosecutions and related tasks; and \$100,000 for a fund to educate senior citizens about telemarketing fraud.

Carlson also noted that the \$23 million appropriation represents a 13.6 percent increase over the office's previous base funding.

"Therefore, this line-item veto will do little more than return their service to normal," he wrote.

The new law also calls for a task force to study the availability, effectiveness, and cost of legal services provided by the attorney general's office.

Rep. Tom Rukavina (DFL-Virginia) and Sen. Leonard Price (DFL-Woodbury) sponsored the legislation.

HF3137/SF3354\*/CH366

**Line-item vetoes (4)****ENVIRONMENT****Environmental projects cut**

Gov. Arne Carlson used his line-item veto authority to cut three projects totaling \$285,000 from the 1998 omnibus environment, natural resources, and agriculture finance package.

The remaining provisions appropriate some \$18 million for the Department of Natural Resources (DNR), the Minnesota Pollution Control Agency, the Department of Agriculture and other state agencies to carry out environmental projects across the state.

Gone from the spending measure is a \$125,000 appropriation to Market Champ Inc., a nonprofit corporation that transfers high quality genetic material from the University of Minnesota to family farmers.

"This function could be accomplished without a sizable appropriation or the development of an entirely new entity," Carlson wrote in his veto message. "The University of Minnesota already has systems in place for the transfer of information to farmers and could provide information on swine genetics."

Another provision that did not make it past the governor would have appropriated \$60,000 for the Department of Agriculture to

**GOVERNMENT****Attorney general's budget**

Following through on his earlier criticism of the size of the attorney general's budget request, Gov. Arne Carlson used his line-item veto to cut \$1.1 million from the office's 1999 budget.

Carlson said he was troubled by what he called misrepresentation by the attorney general's office concerning a 1995 budget appropriation. He said the office had requested \$3 million for one-time technology upgrades in 1996 and 1997 but had, in fact, spent about \$2 million of that money on salary increases.

That \$2 million then expanded the office's budget base and led to an increased request for future funding, according to the governor.

"Frankly, the Office of the Attorney General possesses a division that deals with consumer issues and insists on high standards of truthfulness," Carlson wrote. "Those standards were not applied to the 1996-1997 budget expenditures."

But the governor left \$23 million for the office's 1999 expenses in the new \$32 million omnibus state government law.

Last year, he used his line-item veto authority to strike the attorney general's entire 1999 budget of \$24.4 million, citing what Carlson called the enormous and unneces-

**HIGHER EDUCATION****Higher education funding cut**

Gov. Arne Carlson used his line-item veto authority to cut \$500,000 from a \$73 million higher education funding plan approved by the Legislature.

Funding to expand the University of Minnesota's law clinic, which provides free legal services to low-income residents, was one of the items cut by the governor. Carlson struck down \$250,000 earmarked for the clinic.

"The law clinic appropriation is disturbing because it ought to be a self-sustaining program," Carlson wrote in his veto message. "Promoting pro bono activities by law school students is a worthy goal and should be financially supported within the law school budget."

The law clinic provided legal assistance to more than 700 low-income Minnesotans in 1997, according to law school officials. The

recipients of the free legal services were represented by second- and third-year U of M law students, who work for clients under supervision of clinic instructors.

Law school officials said that with the \$250,000 from the state for fiscal year 1999 the school planned to add 80 more students to the law clinic. That would have translated into an additional 6,000 hours of legal services and another 200 clients.

The law school officials also said 50 percent of the clinic's current \$900,000 annual budget comes from tuition, with 15 to 17 percent from the state. The rest comes through private contributions and through a federal grant.

The governor also deleted a \$250,000 appropriation to enhance the U of M-administered Project Inform, a program designed to provide K-12 students and families with information about post secondary education and advice on planning for college. The program began in 1987 and involves all sectors of higher education in the state.

"I believe that the Department of Children, Families and Learning should be involved in such important K-12 activities and object to [its] non-involvement in this proposed solution," the governor said.

The remainder of the new law represents the largest supplemental budget increase for higher education in this decade. The \$72.5 million in appropriations would target nearly \$36 million each for the University of Minnesota and the Minnesota State Colleges and Universities system.

Rep. Gene Pelowski (DFL-Winona) and Sen. LeRoy Stumpf (DFL-Thief River Falls) sponsored the measure.

HFnone/SF3297\*/CH384



## HUMAN SERVICES

### No funds for aging needs, study

Gov. Arne Carlson line-item vetoed two provisions totaling \$125,000 from a \$58 million health and human services spending plan the Legislature approved.

The governor struck down \$100,000 earmarked for the Metropolitan Area Agency on Aging. The money was to be used for technical support and planning services.

"It is inappropriate that one particular area agency on aging should receive funding for administrative support when the other

agencies around the state rely on and raise funds through the community," Carlson wrote in his veto message. "This appropriation would undermine the work of those other agencies and encourage greater reliance on state funds in the future."

Carlson also cut \$25,000 that was to go to the Department of Human Services for a study of day training and rehabilitation capital needs.

"It is inappropriate for a state agency to assess the capital needs of a private industry," the governor wrote. "If the day training industry feels that there are unmet capital needs, [it] should study the issue and provide that information to the Legislature."

The new health and human services law still will spend nearly \$58 million to improve salaries of nursing home workers, provide food stamps for legal immigrants, ensure food safety, and support a variety of other projects.

Rep. Lee Greenfield (DFL-Mpls) and Sen. Don Samuelson (DFL-Brainerd) sponsored the new measure.

HF2868/SF3346\*/CH407

# Dead Bills

## Bills considered, not passed

**Editor's note:** While New Laws 1998 focuses on bills that were approved by the Legislature, it is also important to mention some of the bills that received attention during the session but did not become law.

Because this is the second year of the two-year spending cycle, such bills are dead and will have to be officially reintroduced next year if lawmakers want to take them up again.



## AGRICULTURE

### Feedlot regulation

A \$17.2 million omnibus environment, natural resources, and agricultural spending law sets down several new regulations for animal feedlots, but one hotly debated proposal did not make the cut.

A proposed two-year moratorium on the creation of large feedlots was initially approved by the House but not by the Senate. The provision was dropped by a House-Senate conference committee on the omnibus environment measure (HF3799/SF3353\*/CH401).

An animal feedlot is a lot or a building or combination of lots or buildings used to feed, breed, raise, and hold animals. They are designed as confinement areas, and manure accumulates in basins on the feedlots. There are an estimated 45,000 feedlots in Minnesota.

Some who live near feedlots say odors can be overwhelming, and others report being plagued by headaches, nausea, and upper-respiratory problems.

The failed provision would have placed a moratorium on any new permits for construction of feedlots for 750 animal units or more (one animal unit equals one slaughter steer or heifer) or the expansion of open-air manure storage structures. The moratorium would have lasted until July 1, 2000.

House sponsor Rep. Doug Peterson (DFL-Madison) withdrew his moratorium legislation (HF3320) at a February meeting of the House Agriculture Committee, when it became apparent the measure did not have enough support to be approved.

He resurrected the plan later, and it became part of the omnibus environment bill initially approved by the House.

Sen. Tracy Beckman (DFL-Bricelyn) spon-



**A bill that called for a moratorium on construction of large, new animal feedlots was rejected by lawmakers during the 1998 Legislative Session.**

sored the moratorium bill (SF2970) in the Senate, where the measure had a hearing in the Senate Agricultural and Rural Development Committee but stalled there.



## BANKING

### ATM transaction fees

A bill that would have prohibited automatic teller machine (ATM) surcharges by certain financial institutions cleared the House Financial Institutions and Insurance Committee but never came up for a vote on the House floor.

The bill, sponsored in the House by Rep. Irv Anderson (DFL-Int'l Falls), would have prevented banks that own more than four ATMs from assessing a surcharge for use of the machines.

As originally introduced, the bill would have applied to banks that own more than two machines, but Anderson offered an amendment to address concerns about the potential impact on smaller banks.

ATM users are usually hit with two fees for each transaction. One fee is assessed by their bank; the other is assessed by the bank that owns the machine. Anderson's bill would have addressed only the latter fee, which usually comes in the form of a charge at the time of the transaction at an ATM not owned by the customer's bank network.

Customers then often find a separate fee assessed by their own bank on their monthly

statement. That fee would have been unaffected by the bill.

Supporters of the bill said banks encourage the use of ATMs, because they are cheaper than tellers. And they said that ATM owners are compensated by the consumer's bank with an "interchange fee," so the fee charged by the ATM owner is unnecessary.

Proponents also argued that large banks with large ATM networks use the surcharge imposed at the machine to attract accounts away from smaller banks, since the banks do not assess the surcharge against their own customers.

Opponents of the bill said such a policy could reduce availability of ATMs and hurt competitiveness in the banking industry. ATMs are a convenience that is paid for by user fees, bill critics said.

The Senate version of the bill, sponsored Sen. John Hottinger (DFL-Mankato), stalled in committee.

HF2292/SF2728

### Banking service fees

A bill that would have tried to persuade banks to place limits on checking account fees, disclose transaction fees, and establish special low-fee "lifeline" checking accounts failed to find approval this year.

The state can't directly regulate federally chartered financial institutions, but the bill would have used state and local government deposits and loan programs as incentives to get them to comply with fee limits.

The measure would have required state banks and credit unions to limit their checking account charges to be eligible to be depositories for state and local government accounts or to take part in state and local government-sponsored loan programs.

The bill also would have required those financial institutions to disclose their service charges on a standard form, and the form would have been required to show the actual cost of the service.

Under the bill, financial institutions also would have been required to offer "lifeline" checking accounts with overdraft charges limited to \$15 and monthly maintenance fees capped at \$3.

The House bill was heavily amended, and its final form included only a section that would have limited checking account service charges. Still, the measure was rejected by the House Financial Institutions and Insurance Committee.

The Senate bill was referred to the Senate Commerce Committee, but it never received a hearing.

Rep. Karen Clark (DFL-Mpls) and Sen. Linda Higgins (DFL-Mpls) sponsored the legislation.

HF1278/SF1493



## BONDING

### USS Des Moines

Gov. Arne Carlson's proposal to relocate the decommissioned USS Des Moines to Duluth's harbor was torpedoed by city voters and excluded from the 1998 bonding bill.

The 716-foot navy cruiser, now docked in Philadelphia, was the centerpiece of the governor's \$14 million plan to establish a veterans memorial park on the shore of Lake Superior. The plan called for the World War II-era ship to be leased from the U.S. Navy, refurbished, and towed to Duluth's harbor.

The governor argued that the ship would be a fitting tribute to veterans in all branches of the military and to Minnesota workers who supplied the iron ore used in ships like the USS Des Moines.

However, city voters disagreed. In a March 4, 1998, referendum authorized by the Duluth City Council, 60 percent of voters rejected the USS Des Moines proposal. Although the referendum was non-binding, the Duluth Economic Development Authority had previously announced that it would



Gov. Arne Carlson and state lawmakers dropped plans to bring the decommissioned USS Des Moines to Duluth's harbor after voters in that city rejected the notion of using the Navy ship to create a new tourist attraction.

not authorize the sale of the bay-front property if voters rejected the plan.

Critics of the plan said that the ship was not an appropriate symbol to honor veterans, and they feared the city would eventually incur the cost of maintaining the ship.

The governor initially announced that he would only take the city referendum under advisement. However, without the support of the city, the governor was forced to concede that the proposal was dead.

The USS Des Moines proposal was introduced as a provision in a larger bill containing all of the governor's bonding recommendations. And although parts of that bill were included in the final bonding measure, the USS Des Moines provision did not make it into either of the House or Senate bonding bills.

That bill was sponsored by Rep. Dave Bishop (R-Rochester) and Sen. Gary Laidig (R-Stillwater).

HF3242/SF2575



## CHILDREN

### Children's endowment fund

A bill that would have allowed voters to establish a constitutionally protected children's endowment fund to improve the physical, intellectual, and emotional devel-

opment of Minnesota's youngest citizens stalled in a House-Senate conference committee.

The lack of agreement between the two bodies on a predetermined revenue source for the children's fund was a contributing factor in the bill's demise.

The House version of the bill would have submitted the following amendment to voters in the November 1998 election: "Shall the Minnesota Constitution be amended to create a permanent endowment fund to enhance the development of young children through the age of four?"

Research indicates the portions of the brain that control language, emotions, and logical reasoning develop before a child heads off to kindergarten, House sponsor Rep. Nora Slawik (DFL-Maplewood) said. The fund would have been used to supplement state spending on activities that heighten awareness of the importance of early brain stimulation and further research into early childhood development.

Had the amendment been successful at the polls, the exact source of funding would have been decided by the 1999 Legislature, under the House bill. Potential sources of initial funds for the endowment included surplus dollars in state coffers, a portion of the proceeds from the state's tobacco settlement, and tax-deductible contributions from individuals, corporations, and foundations.

Proponents compared the idea to the Minnesota Environmental and Natural Resources Trust Fund — supported by state lottery revenue — that was established by a constitutional amendment in 1988.

Critics argued that the environmental fund is different because voters knew beforehand exactly how that fund would be structured and financed.

The Senate version of the bill would have renamed the state permanent school trust fund as the “children’s endowment fund.” The school trust fund, which is currently managed by the Department of Natural Resources, is supported by income from timber sales and state land leases. Proceeds are divided annually among school districts across the state. Under the Senate bill, money from the school trust fund would instead have been earmarked for activities that support the development of children through age six.

Sen. John Hottinger (DFL-Mankato) sponsored the measure in the Senate.

HF3167/SF2775

## Child Guide Program

A proposal to expand the successful Child Guide Program in Willmar, Minn., won initial approval in the House but failed to make it into the final version of an omnibus family and early childhood education bill.

The \$225,000 measure was folded into the House version of the omnibus bill. However, the Senate version did not contain an appropriation for the program, and the provision was deleted by a House-Senate conference committee.

The Child Guide Program serves as a link between at-risk kindergarten through eighth-grade students and adult volunteer mentors.

The Willmar program receives students referred by concerned teachers, parents, or community volunteers and matches the youths with mentors who take on the task of redirecting the child’s focus toward positive activities such as music lessons, sports, or scouts.

Nearly 200 volunteers and close to 80 local businesses, organizations, and agencies in the Willmar area currently are active in the Child Guide Program.

Rep. Al Juhnke (DFL-Willmar) and Sen. Tracy Beckman (DFL-Bricelyn) sponsored the measure.

HF2593/SF2561



## CONSUMERS

### Rent-to-own contracts

The rent-to-own industry would have been back in business in Minnesota, under a bill debated in the Legislature this year.

A bill that would have regulated rent-to-own contracts passed the Senate in 1997. But for the second year in a row, the bill never received a vote on the House floor.

Currently, a court order requires rent-to-own businesses to comply with laws that make rental-purchase transactions financially impractical for Minnesota businesses. Prior to the order, many consumers complained that rent-to-own retailers financed purchases at exorbitant interest rates after tacking on a variety of costs to a product’s base price.

Retailers who previously engaged in the practice now simply rent goods without the option to buy.

Rent-to-own stores offer goods and services without credit checks, down payments, or deposits. Instead, a payment plan is established based on the store’s listed purchase price of the item, any additional fees, and interest.

Proponents of the measure said that rental-purchase agreements give the working poor the chance to obtain big-ticket items such as televisions and stereos.

House sponsor Rep. Thomas Pugh (DFL-South St. Paul) said he got involved because “it seemed to make more sense that you could own [an item] at the end of the rental period.”

Under the bill, retailers would have had to limit their purchase agreements’ ancillary charges — such as set up, delivery, and finance fees — to an amount equal to the original cash price of the item.

The bill also would have required rent-to-own agreements to clearly state that the merchandise may be available from other sources at a cheaper price.

David Ramp, of the Legal Aid Society of Minneapolis, said that the bill would do nothing to protect consumers from excessive interest on rent-to-own agreements. In fact, he argued, the legislation is just a way of getting around the court order.

“It’s an industry bill touted as consumer protection,” Ramp said.

Sen. Deanna Wiener (DFL-Eagan) sponsored the measure in the Senate.

HF997/SF865

## Debt collectors using aliases

Collection agents may give a name when they call to demand payment from debtors, but it isn’t necessarily the agent’s real name.

A proposal that would have prohibited collection agents from operating under assumed names failed to win legislative approval this year.

House sponsor Rep. Dan McElroy (R-Burnsville) said that of the 100 or so professions regulated by the state of Minnesota, debt collectors are the only professionals allowed to use phony names.

Carol Trebelhorn, president of the Minnesota Association of Collectors, told legislators the right to use an assumed name was negotiated with the Department of Commerce 10 years ago.

Currently, debt collectors must register their given and assumed names with the department.

Collectors are required to identify themselves when they telephone someone, she said, and if there is a complaint, the real name is easily traced through those records.

Aliases are a matter of safety because telephone collectors are frequently placed in hostile situations, Trebelhorn said. Two-thirds of the collectors are women, and collectors often make between 65 and 100 calls per day.

Although he is sympathetic to their potential vulnerability, McElroy said, other risky professions, such as social work or law enforcement, are not granted the same anonymity.

“I think it’s a matter of consistency,” McElroy said. “The essence of fairness is consistency.”

Sen. Edward Oliver (R-Deephaven) sponsored the measure in the Senate.

HF2510/SF2155



## CRIME

### Curbing repeated violence

A bill to crack down on repeat violent offenders did not become law this session.

The bill, sponsored by Rep. Charlie Weaver (R-Anoka), would have required life imprisonment for criminals convicted of three violent felony-level crimes.

Responding to critics who argued that a blanket approach would be unfair, Weaver later amended his bill to exempt some felony offenses typically classified as violent from the list of applicable crimes.

Weaver also added language that would have given judges discretion in applying the life prison term under certain circumstances.

Opponents of the proposal cited figures from the Sentencing Guidelines Commission suggesting that the proposal could mean a substantial increase in prison costs over the next 30 years.

Weaver countered that cost savings would be seen in other areas because Minnesota's most dangerous criminals would be behind bars.

Weaver's bill was included in the omnibus judiciary finance and crime prevention legislation (HFnone/SF3345\*/CH367) passed by the House. However, the provision was not included in the Senate's version of the bill.

Members of a House-Senate conference committee could not agree on the provision, and it was removed from the omnibus measure.

Sen. Thomas Neuville (R-Northfield) sponsored the "three-strikes" bill in the Senate.

HF24/SF300



## DWI

### Legal blood-alcohol limit

Members of a House-Senate conference committee could not hammer out a compromise on a bill to change Minnesota blood-alcohol standard before final adjournment.

Separate versions of the DWI bill passed the two bodies but stalled in a conference committee as legislators struggled to work out the differences between the bills.

The House version of the bill, sponsored by Rep. Matt Entenza (DFL-St. Paul), would have lowered the standard for legal drunkenness in Minnesota from 0.10 percent to 0.08 percent.

The Senate version would have applied the lower 0.08 percent limit only to repeat DWI offenders. The 0.10 percent limit would have applied for all other drivers.

Proponents of the lower standard for all drivers argued that the new standard is reasonable and that it would result in a reduction in Minnesota's DWI-related traffic fatalities.

The average male would have to drink four standard drinks in an hour, and the average female would have to drink three standard drinks in an hour to reach that level, according to the National Highway Transportation Safety Administration (NHTSA).

A number of factors affect the body's ability to process alcohol, including duration of the drinking, weight, ingestion of food, and gender. A standard drink would be a 12-ounce glass of beer, a 5-ounce glass of wine, or a 1.5-ounce shot of hard alcohol.

Supporters of the 0.08 percent limit said studies done by the NHTSA show that most drivers, even experienced drivers, are significantly impaired at the 0.08 percent level. These studies also show that the risk of being killed in a single-vehicle crash for drivers at concentration levels between 0.05 percent and 0.09 percent is 11 times higher than drivers with no alcohol.

Opponents argued that the new standard would unfairly target social drinkers and take valuable resources from the real problem, repeat DWI offenders — who typically drive with a blood-alcohol concentration well above the current 0.10 percent limit.

Opponents cited the fact that NHTSA studies also show that the average blood-alcohol content found among drunk drivers is 0.16 percent and that 80 percent of all DWIs are over 0.14 percent.

The bill was sponsored by Sen. Leo Foley (DFL-Anoka) in the Senate.

HF2389/SF2099



## EDUCATION

### Claiming education tax credits

A plan that would have helped Minnesota parents whose income puts them just over the eligibility limit for taking advantage of tax breaks included in a 1997 education law stalled in the Legislature this year.

The proposal would have replaced the specific income-level cutoff for claiming education tax credits with a gradual phase-out of the amount of credit a family can claim.

A law passed in the Legislature's 1997 First Special Session allowed families with incomes of up to \$33,500 to claim up to \$1,000 per child and \$2,000 per family as a tax credit for education-related expenses. Families with incomes of \$33,501 and higher are currently not eligible for any credit.

"We're doing a disservice to Minnesota families by creating a cliff," said Rep. Ann H. Rest (DFL-New Hope), who sponsored this year's proposal aimed at correcting the cliff effect. "We don't do this in any other tax policy that involves a credit in this state."

Rest's plan called for gradually phasing out

the education credit for taxpayers with incomes between \$30,500 and \$34,500. For each \$4 of income over \$30,500 that a family earns, the maximum per-child credit would have decreased by \$1. At an income level of \$34,501, families would have been ineligible to receive a credit.

Although the proposal would have decreased the amount of the credit for families who earn between \$30,500 and \$33,500, Rest said it would have "treat[ed] Minnesota families fairly" by eliminating the cliff.

But Rep. Alice Seagren (R-Bloomington) said that the proposed change would have been unfair to families whose benefit would be reduced.

"The message has long been out that at \$33,500 you get the full credit," she said. "People may already be looking at computer purchases or tutoring to take advantage of that credit."

And although the proposal did not make it into law, the 1998 omnibus K-12 education funding law (HF2874\*/SF3378/CH398) does contain some slight modifications to the tax credits passed in 1997.

One such provision specifies which driver's education programs are eligible to apply toward the credits. A second provision gives school districts permission to charge fees for certain activities, which parents can apply toward the credit.

HF2364/SFnone

### The state and failing schools

A plan that would have allowed the state to take over failing schools stalled this year.

The proposal would have measured a school's performance based on its scores on the new statewide tests. Schools showing poor scores over several years could have eventually been turned into state-sponsored charter schools, over which school districts would lose their authority.

The bill, sponsored by Rep. Joe Opatz (DFL-St. Cloud), stalled in the K-12 Education Finance Division of the House Education Committee, where Rep. Mindy Greiling (DFL-Roseville) called it "harmful overkill."

And Rep. Lyndon Carlson (DFL-Crystal), chair of the full Education Committee, said it was not clear that the state could do a better job of running at-risk schools than districts could.

Under Opatz's plan, schools showing a 1 percent increase in scores would have been eligible for reward money, while schools showing a 5 percent decrease would have been candidates for state assistance.

That assistance would have included state-appointed educators sent in to monitor the schools. After several years without improvement, schools could have been converted into charter schools and the new board of directors would have had the authority to fire or demote teachers.

Opatz said that state takeover likely would be a rare event.

“But what alternative do we have?” he asked. “Do we just throw up our hands?”

Opponents of the bill included teachers unions and school districts.

Minneapolis Public Schools Superintendent Carol Johnson criticized a provision that would have allowed students to transfer from failing schools to successful schools. She said already issues of space “are no small task” in Minneapolis schools.

Sen. Steve Kelley (DFL-Hopkins) sponsored the measure in the Senate, where it stalled in the Senate Children, Families and Learning Committee.

HF3214/SF2957

### Students riding public buses

A bill that would have allowed more students from the St. Paul and Minneapolis school districts to ride public transit buses to and from school did not become law this year.

Several thousand students from those districts already ride Metro Transit buses, especially for after-school activities.

But Rep. Len Biernat (DFL-Mpls), who sponsored the legislation in the House, said current law sets some barriers to districts entering into certain kinds of agreements with transit companies — agreements that proponents say could save the districts a substantial amount of money.

“This bill is a way of allowing for continued dialogue,” Biernat said during a hearing before the House Education Committee. “Any issue would still have to be approved by the local school board and the Met Council.”

Judy Miller, a parent living in St. Paul, testified against the proposal, citing issues of safety that include longer ride times, having bus stops located further from homes, and the potential danger to children having to transfer downtown.

She also said the plan may hurt the city’s program of voluntary desegregation, with many parents not wanting their children to ride public transit buses across town. Three other St. Paul mothers also testified against the bill.

But despite that opposition, the Education Committee recommended that the bill pass. It was later voted down in the House Transportation and Transit Committee.

HF2919/SFnone



### ELECTIONS

#### Elected Metropolitan Council

A bill that would have made members of the Metropolitan Council stand for election every four years came up short in 1998, following a gubernatorial veto of a similar provision in 1997.

Created by the Legislature in 1967, the Metropolitan Council is responsible for regional planning in the Twin Cities Metropolitan Area. It’s one of the largest regional governments in the country and oversees the regional bus system, wastewater collection and treatment facilities, and Metro Mobility, a transit operation that serves senior citizens and people with disabilities.

Its 1998 operating budget is \$294 million, partially paid by property taxes. It has about 3,700 employees and is governed by 16 council members — each appointed by the governor and representing a different part of the region — and a chair.

The bill would have made those members stand for election beginning in 2003. An earlier version included a provision that would have required candidates for the Metropolitan Council to also be candidates for the county board in their home county. That provision was deleted by the time the bill got to the House floor.

Supporters of the bill said that the council has many of the powers of a legislative body — including taxing authority — and therefore, should be accountable to the people whose lives are affected.

Opponents said that the bill would add another unnecessary level of government.

The House defeated the bill on a 67-66 vote. House bill sponsor Rep. Myron Orfield (DFL-Mpls) has introduced several bills in recent years calling for an elected Metropolitan Council, including one in 1997 that passed the Legislature but was vetoed by Gov. Arne Carlson.

Sen. Carol Flynn (DFL-Mpls) sponsored the Senate bill. The bill was approved by the Senate Local and Metropolitan Government Committee and the Senate Election Laws Committee. However, the bill did not get a vote on the Senate floor.

HF2588/SF2670



### EMPLOYMENT

#### Unpaid parental leave

A bill that would have increased the length of unpaid parental leave to which certain new parents are entitled failed to make it into law in 1998.

Currently, employees of firms with more than 50 workers are entitled under federal law to 12 weeks of leave following the birth or adoption of a child.

Minnesota law provides six weeks of unpaid leave for parents working for companies with more than 21 employees. A bill sponsored by Rep. Joe Mullery (DFL-Mpls), would have extended that to 12 weeks and allowed the leave to begin at any time within 12 weeks of birth or adoption.

“This is a bill which is in conformity with the history of this body,” Mullery said when his measure was approved by the House Labor-Management Relations Committee. The legislation later passed on the House floor, but did not come up for a vote in the Senate.

Minnesota was one of the first states to grant any parental leave, but in the last decade the federal government and several other states have passed laws allowing longer unpaid leaves.

Pat McGovern, of the University of Minnesota’s School of Public Health, testified that studies show longer leaves significantly improve both the mother’s health and the baby’s development.

She also cited a study showing that more than 90 percent of employers reported little or no increased costs or disruptions associated with parental leaves.

But Michael Hickey, of the National Federation of Independent Business-MN, said the proposal would have “very negative implications” for small businesses.

“How do these businesses try to continue on and remain profitable with the loss of a key person for three months?” he asked. “On a six-week basis, you probably haven’t heard any complaints because anyone can carry on for six weeks.”

Tom Hesse, of the Minnesota Chamber of Commerce, said requiring small businesses to allow unpaid leave may eliminate explorations of options, like flexible scheduling and job-sharing, that may be more beneficial for everyone.

Mullery said his bill would not affect those employers already making acceptable arrangements for new parents.

“But if we relied solely on the good will of employers, we wouldn’t need unions, we wouldn’t need labor laws . . . we wouldn’t have slave shops around the world,” he said.

Sen. Ellen Anderson (DFL-St. Paul) sponsored the measure in the Senate.

HF3444/SF3188

## Raising the minimum wage

A proposal to raise the minimum wage by 75 cents failed to become law this year.

Rep. Tom Rukavina (DFL-Virginia) sponsored a measure that would have set the minimum wage for large employers at \$5.90 per hour beginning Sept. 1, 1998. It would have set the minimum wage for small employers at \$5.65 per hour, beginning Jan. 1, 1999, and also would have allowed employers to pay workers under age 20 a wage of \$5 per hour for the first 90 days of employment.

The plan was approved by the House Labor-Management Relations Committee but did not come up for a vote on the House floor. And even supporters of the bill said they thought it unlikely the governor would have signed such a measure into law.

Minnesota’s minimum wage was raised to its current level — \$5.15 per hour for employees of large businesses — on Sept. 1, 1997.

Gov. Arne Carlson had vetoed minimum wage hike proposals in 1994, 1996, and during the regular 1997 session. He finally signed the measure passed by lawmakers during the 1997 Second Special Session because it contained the so-called opportunity wage provision, which allows for the lower wage paid to workers under 20 years old during their first 90 days on the job.

Federal minimum wage also increased to \$5.15 per hour as of Sept. 1, 1997.

Current Minnesota law does not contain a so-called tip credit — allowing employers to pay tipped employees a lower per hour wage with the difference made up from gratuities from customers — which Carlson also has said he would support.

Sen. Randy Kelly (DFL-St. Paul) sponsored the failed measure in the Senate.

HF3440/SF3151



## ENVIRONMENT

### Motors in boundary waters

Despite decades of debate, the controversy over the use of motors in the Boundary Waters Canoe Area Wilderness (BWCAN) continues.

A bill that would have finalized the status of motors in the federally protected wilderness preserve failed to survive the 1998 Legislative Session.

The bill would have ensured that the phasing out of motors that was agreed upon in the federal 1978 Boundary Waters Canoe Area Wilderness Act continued on schedule.

House sponsor Rep. John Tuma (R-Northfield) said the bill was intended to counter pro-motorboat legislation introduced in Congress by U.S. Sen. Rod Grams and U.S. Rep. James Oberstar.

Tuma’s proposal was met with major opposition from Rep. Tom Bakk (DFL-Cook), whose district encompasses the entire BWCAN.

Bakk said that there were some things in the 1978 act that were not well planned, particularly a ban on motorized boats on lakes along the Canadian border.

“Canadians have motors,” he said. “It makes no sense to allow motors on one side of an imaginary line and not on the other.”

Bakk said that Congress and the U.S. Forest Service are trying to deal with that and other complicated issues.

“It shouldn’t be the Legislature that monkeys with a delicate compromise that was reached in 1978,” he said.

The House bill stalled in the House Environment, Natural Resources and Agriculture Finance Committee. The Senate bill, sponsored by Sen. Steven Morse (DFL-Dakota), never got a committee hearing.

HF2231/SF2002



## FAMILY

### Child custody decisions

A bill that would have offered a new process for joint parenting following divorce did not become law this year.

The bill was added to the omnibus family law bill which passed the House. However, those provisions were removed by the House-Senate conference committee when Senate conferees objected to the plan.

Rep. Andy Dawkins (DFL-St. Paul) said the Senate members of the conference committee simply could not accept the new concept in marriage dissolution he pushed for this session.

“It was unfortunate that the Senate just didn’t want to talk about reform this year,” he said.

Dawkins’ parenting plan proposal would

have restructured state law to focus on joint decision-making between the two divorced parents.

Under current law, the courts establish custody in situations where the placement of the child is an issue after marriage dissolution. Courts designate a custodial parent, and all decisions concerning the child are made by that parent.

Under Dawkins’ proposed language, parents involved in marriage dissolution proceedings would have been provided the option to compose a plan that would ensure significant participation by both parents in all decision-making. The document would have outlined visitation and custody issues for the child.

Dawkins said his proposal would have separated certain decisions about the care of the child from other decisions following marriage dissolution.

Dawkins said children too often become bargaining chips in the divorce negotiations, and parents are unable to make concessions that they think are in the best interest of the child.

“In my own law practice, I’ve had fathers coming in saying, ‘I think it’s OK for Junior to spend time at his mom’s house,’” Dawkins said. “And I’d have to advise the father not to say that in court.”

Parenting plans could possibly be revisited by the Legislature in the future. Language for the creation of a parental cooperation task force was included in the omnibus judiciary finance and crime prevention legislation (HFnone/SF3345\*/CH367) signed by the governor.

The task force will explore the use of parenting plans and other means to decrease the conflict between parents involved in marriage dissolution, and will make recommendations to the Legislature and the Minnesota Supreme Court.

Sen. Leo Foley (DFL-Anoka) sponsored the parenting plan bill in the Senate.

HF1323/SF1311



## GAME & FISH

### Omnibus game and fish bill

A bill that would have protected Minnesota’s only known white bear, prohibited the use of underwater video fishing equipment, and required the Department of Natural Resources (DNR) to increase its wall-eye stocking efforts stalled in the House on

the last day of the 1998 Legislative Session.

Efforts to revive the omnibus game and fish bill, without the walleye stocking provision, also failed during the subsequent special session (1998 Special Session: HF4/SF6).

A key provision of the House bill would have made it illegal to hunt and kill white bears in Minnesota. Halo, as the state's lone white bear is known, first appeared at a bear sanctuary near Orr, Minn., in 1997. The DNR took Halo into protective custody later that year until the close of the fall bear hunting season. Without a new law to protect white bears, the agency has said it may shelter Halo again in 1998.

Scientists believe Halo may be related to the Kermode bears, a species indigenous to British Columbia that is protected from hunters under Canadian law. Genetic test results from hair and blood samples taken while Halo was in captivity are pending.

Whether Halo is genetically related to the Kermode bears or not, the American Bear Association, the DNR, and many hunters agree that the existence of a white bear in Minnesota is very unusual and worth protecting.

With or without legislative approval, the DNR has the authority to issue an order prohibiting the taking of white bears. If the agency were to choose that option over protective custody for Halo this year, the challenge would be getting the word out to hunters in the bear quota area near Orr. The North American Bear Foundation has offered to provide photos and the DNR likely would distribute special informational packets for those hunters with the greatest chance of encountering Halo.

Another provision of the bill would have prohibited the use of underwater video equipment. The bill, however, did contain an exemption which would have allowed the use of underwater video equipment during the production of educational or entertainment fishing programs.

Although the DNR insists that an increase in stocking does not necessarily mean more fish for Minnesota anglers, the bill would have required the agency to stock 300 million walleye fry and 4.4 million walleye fingerlings each year until field studies prove conclusively that a reduction in the amount of stocking would not have an adverse effect on the walleye population in Minnesota.

The DNR has reduced the number and frequency of fish stockings in recent years after evaluations showed that adding fingerlings to certain lakes that are already at their



**Halo, the state's lone white bear, may need the protection of the Department of Natural Resources during the 1998 bear hunting season. An omnibus game and fish bill that would have prohibited the taking of white bears in Minnesota never received a final vote on the House floor.**

carrying capacity is a waste of time and money. Overstocking, the DNR says, can even be detrimental to lakes with good levels of natural reproduction.

Proponents of increased stocking say that few lakes are at their carrying capacity and due to increased fishing pressure, the DNR needs to increase the levels and return to the practice of stocking every year.

The Senate passed its version of the omnibus game and fish bill in March, but the full House never voted on the measure.

Rep. Tom Osthoff (DFL-St. Paul) and Sen. Dennis Frederickson (R-New Ulm) sponsored the measure.

HF2724/SF2712

### Moose odds increase

A bill that would have improved the odds for 10-time losers in the Minnesota moose hunting license lottery failed to win legislative approval in 1998.

The bill would have guaranteed that 5 percent of the moose licenses issued each year come from a pool of applicants who have applied at least 10 times to no avail.

Roger Holmes, director of the Fish and Wildlife Division of the Department of Natural Resources, told legislators there were 198 permits issued out of 16,899 applications in 1997.

Holmes said the moose harvest was 152,

which means those fortunate few who win the license lottery have good odds for success.

The House Environment, Natural Resources and Agriculture Finance Committee rolled the bill into an omnibus game and fish measure (HF2724/SF2712), but that bill never came up for a vote on the House floor.

The Senate version of the moose hunting bill stalled in committee.

Rep. David Tomassoni (DFL-Chisholm) and Sen. Don Betzold (DFL-Fridley) sponsored the original moose hunting license bill.

HF3275/SF2499



## GOVERNMENT

### An evenly divided House?

A bill that would have put in place a contingency plan for electing the speaker of an evenly divided House was approved by one House panel but did not come up for a vote on the floor this year.

Across the 50 states there have been 24 occasions when the seats in a state senate or house of representatives have been evenly divided between two political parties.

And just about every instance has yielded a different method for choosing the speaker or majority leader: Some states deferred to the governor's party, while others came up with more creative plans (Wyoming elected to hold a coin-toss).

When Minnesota found itself in that position after the 1978 elections, the two parties negotiated a bipartisan leadership. Rep. Rod Searle (IR-Waseca) became speaker but Rep. Irv Anderson (DFL-Int'l Falls) was named chair of the powerful Rules and Legislative Administration Committee. Other standing committee chairs were selected from both parties.

"It took an awful long time to resolve that situation," Anderson recalled.

Twenty years later, the former speaker sponsored the bill that would have dictated how to proceed when there is a tie vote for speaker or any other office in the House.

"I want to say that the introduction of this bill in no way indicates that I expect the House to be evenly divided in the near future," Anderson said. Currently, DFLers hold a six-seat majority, with elections coming up in November 1998.

Under Anderson's bill, the candidate nominated by the caucus of the governor's party would have been elected speaker of an evenly divided House. But all committee appoint-

ments would then have been equally divided from each party.

“If the people of the state have spoken [and said] that they want an even distribution of political parties, we should abide by that,” Anderson said. “If a speaker is chosen in this manner, then he’s still not going to dominate the House because you need 68 votes to pass a bill.”

Sen. John Hottinger (DFL-Mankato) sponsored the Senate bill, which stalled in the Senate Rules and Administration Committee.

HF106/SF2921

## Unicameral legislature bills

Two bills that would have allowed voters to decide if Minnesota should have a unicameral legislature did not make it out of committee in 1998.

In the House, a unicameral legislature plan (HF581/SF1355) was rejected by the House General Legislation, Veterans Affairs and Elections Committee.

Sponsored by Rep. Alice Hausman (DFL-St. Paul) and Sen. Allan Spear (DFL-Mpls), the bill proposed a constitutional amendment that would have created a unicameral legislature with 135 members, each of whom would serve four-year terms.

In the Senate, a different attempt at a unicameral legislature was voted down by the Senate Election Law Committee. That bill (HF158/SF59) would have called for a constitutional amendment that would have created a unicameral legislature consisting of 99 members, also serving four-year terms.

That plan was sponsored by Sen. John Marty (DFL-Roseville) and Rep. Mindy Greiling (DFL-Roseville).

Both bills would have placed the question on the November 1998 ballot.

Some supporters argued the bicameral legislature places too much power in the hands of members of conference committees. When similar bills are approved in the House and Senate, conference committees with members from each chamber meet to reconcile the differences. Once agreement is reached in the conference committee, the bill is sent back to each body for final approval. Conference committee reports cannot be amended.

Others said a unicameral legislature would be more efficient and less expensive. Most city councils, the governing boards of most businesses, and countries such as Canada all have unicameral governing bodies, proponents said.

Opponents of the bills said the Legislature is not like a city council or governing board of a company, and they pointed out that conference committee meetings are open to the public just like regular committee meetings.

## Small gifts still count

A provision that would have allowed lawmakers to receive gifts worth less than \$5 from lobbyists was stripped from the omnibus state government finance bill by a House-Senate conference committee.

The plan would have exempted those small gifts from the current ban on public officials accepting anything of monetary value from lobbyists or others with a stake in a government decision.

Rep. Tom Rukavina (DFL-Virginia), who sponsored the measure in the House, said the ban should be relaxed because it limits lobbyists’ access to legislators by making even a cup of coffee an illegal gift.

Senators who voted down the provision in conference committee said they did so because they felt it was put in the House bill without sufficient debate and was never brought up in the Senate.

The provision had been amended onto the omnibus measure (HF3137/SF3354\*/CH366) in the House Governmental Operations Committee.

## Tobacco investments

A bill that would have required the State Board of Investment to divest 5 percent of its tobacco stock did not make it to the House floor for a vote this year.

The plan would have required not only selling the stock, it also called for the proceeds to be invested in the Minnesota Technology Equity Fund, a program that assists development in rural Minnesota by offering investment capital.

House sponsor Rep. Steve Trimble (DFL-St. Paul) said the investing clause was, to him, the crux of the bill.

“It’s been historically difficult for small rural companies to find debt-free capital,” he told the House Governmental Operations Committee. “I’m saying that I know of a really good use for about \$15 million, and I’d like to take it out of tobacco investments.”

The investment board manages more than \$27 billion in public money consisting, in large part, of retirement funds for teachers and state and public employees.

Some lawmakers, including Rep. Kevin Knight (R-Bloomington), said they would support selling off the tobacco-related investment, but felt it was not the job of the Legislature to tell the State Board of Investment where to relocate the funds.

Still, others said they supported the idea of investing in pro-Minnesota programs, but for varying reasons were not in favor of discriminating against tobacco stocks.

“I know I was a co-author of this bill originally,” said Rep. Mike Osskopp (R-Lake City). “But that must have been the day I quit smoking — I couldn’t concentrate.”

“It’s a stupid thing to do investment-wise, when all testimony from the experts is that tobacco stocks are good investments.”

Minnesota is one of the 10 states that have the most money invested in tobacco, according to the American Heart Association.

But after an initial hearing by the House Governmental Operations Committee, the bill was referred to that committee’s finance division, where it did not receive a hearing.

Sen. Tracy Beckman (DFL-Bricelyn) sponsored the measure in the Senate, where it stalled in the Senate Governmental Operations and Veterans Committee.

HF2453/SF2706

## Business and public subsidies

A bill that aimed to make businesses that receive state and local subsidies more accountable did not become law this year.

In 1997, lawmakers created the Corporate Subsidy Reform Commission to evaluate selected corporate subsidy programs to ensure that the programs serve a public purpose. The commission examined tax breaks as well as direct spending and loans made to the private sector to encourage economic development.

The bill introduced this year encompassed many of the recommendations developed by the commission.

The bill would have expanded the current law regarding such subsidies. Among other things, the bill would have outlined in statute public purposes for subsidies, and would have required state agencies and local governments to create a set of criteria for awarding the subsidies.

The bill would have required that businesses receiving a subsidy enter into an agreement with the agency providing the grant. The agreement would have stated the policy goals sought by the subsidy and would have

outlined the financial obligations of the business if the goals were not achieved.

The bill also would have required the business to submit progress reports to the state agency or local government unit.

The House bill was approved by the House Local Government and Metropolitan Affairs Committee and referred to the House Economic Development and International Trade Committee.

In the Senate, the bill was passed without recommendation by the Senate Jobs, Energy and Community Development Committee.

The bill stalled due to a difference in interpretation of the bill deadlines by the House and Senate. The Senate concluded that the bill missed the committee deadline in the House; therefore, it could not advance in the Senate.

Rep. Karen Clark (DFL-Mpls) and Sen. John Hottinger (DFL-Mankato) sponsored the bill.

HF3252/SF2933



## HIGHER EDUCATION

### Selecting U of M regents

A proposed change to what some call a cumbersome and flawed process for selecting University of Minnesota regents did not make it into law this year.

Under the proposal, regents for the 12-member board would have been selected based on rural and urban lines rather than congressional district lines, as they are currently chosen.

The plan, which was the product of a joint subcommittee of the House and Senate education committees, was cut from the omnibus higher education bill in conference committee.

The proposal would have required at least five regents to reside in the seven-county metro area and at least five to live outside that area. Currently, one regent is chosen from each of the state's eight congressional districts and four at-large members are selected.

Rep. Rob Leighton (DFL-Austin), who sponsored the measure in the House and was the House chair of the joint subcommittee, said the greatest benefit of the proposed change would have been to eliminate the district caucuses from the selection process.

The proposal also addressed an issue faced in 1997 when the 7th Congressional District yielded two desirable candidates for regent seats and legislators had to choose between them.

"I think that almost everyone who met those candidates understood that both should have been on the board," Leighton said. "Under this proposal, they both could have been elected."

The bill also called for reorganizing the 24-member Regent Candidate Advisory Committee to increase input from both the governor and the minority parties of the House and Senate. Currently, 12 members of that committee are chosen by the speaker of the House and 12 by the Senate Rules and Administration Committee.

Under Leighton's plan, the committee would have been reduced to 15 members, to be chosen as follows: four each by the speaker and the Senate majority leader, two each by the House and Senate minority leaders, and three by the governor.

The advisory committee recruits and interviews candidates and makes recommendations to the House and Senate education committees. Those committees endorse candidates before the full House and Senate vote on the finalists.

Typically, four regent seats come up for election in each odd-numbered year; the 12 regents serve staggered six-year terms. Legislators' next vote on regent candidates will be in 1999.

Sen. David Ten Eyck (DFL-East Gull Lake), who was the Senate chair of the joint subcommittee, sponsored the measure in the Senate.

HF2741/SF2522



## LAW

### Medical malpractice lawsuits

Two bills to extend the deadline to file a medical malpractice case failed to meet the end-of-session deadline and did not become law.

Current law requires that lawsuits dealing with medical malpractice be initiated within two years of the occurrence of the malpractice in all cases.

Rep. Todd Van Dellen (R-Plymouth) sponsored a bill (HF1151/SF1394) which would have made an exception to the statute of limitations in three instances: transmission of a communicable disease by a health care provider, misdiagnosis of a malignant tumor, or medical error where a foreign object was left in the body.

Van Dellen said that such cases should be exempt from the statute of limitations be-

cause they are often not discovered until after the two-year deadline.

His bill would have required that legal action taken by the patient come within two years of discovering the malpractice or injury and not after more than six years had passed since the occurrence.

A separate bill sponsored by Rep. Betty Folliard (DFL-Hopkins) went further than Van Dellen's proposal by changing the statute of limitations for all medical malpractice cases.

Like Van Dellen's plan, the Folliard proposal (HF2491/SF2159) would have required that all actions be initiated within two years of discovering the malpractice. However, Folliard's bill would have placed a four-year limit on the time after the malpractice occurrence in which a claim could be made.

Critics of these plans argued that the statute of limitations strikes a balance between the rights of plaintiffs and defendants, and that it is unfair to require defendants to defend themselves several years after the fact.

In the House, both bills were approved by the full House Judiciary Committee and its Civil and Family Law Division, but both stalled in the Health and Human Services Committee.

In the Senate, Van Dellen's companion bill, sponsored by Sen. Warren Limmer (R-Maple Grove), was approved by the Senate Judiciary Committee but did not make it out of the Health and Family Security Committee.

The Senate companion to Folliard's bill did not pass out of the Senate Judiciary Committee. Sen. Don Betzold (DFL-Fridley) sponsored that measure.



## LOCAL GOVERNMENT

### Residency requirements

A bill that would have repealed residency requirements for certain employees of the cities of Minneapolis and St. Paul stalled after it became clear the measure might not be necessary.

The principals in the issue hope to iron out a settlement without legislative action, said Rep. Rich Stanek (R-Maple Grove), the bill's House sponsor.

The bill would have repealed the authority of the city of Minneapolis, Special School District No. 1 (Minneapolis), the city's library board and park and recreation department, and the city of St. Paul to require city residency as a condition of employment.

State law prohibits cities from doing that, but Minneapolis and St. Paul are exempted from that law. Stanek's bill would have repealed the exemption.

In Minneapolis, those who worked for the city before 1993 can continue to live where they wish, but new hires must move into the city within 18 months.

Supporters of the bill, including Minneapolis police officers and police union officials, said the decision to live in a place is a personal one and should be based on personal choice.

Police officers testified that it's hard to live in a city where they are working undercover, giving tickets, and arresting people.

Opponents, including Minneapolis legislators and Minneapolis Mayor Sharon Sayles Belton, said residency requirements are important for the city to keep residents with good jobs.

The House Local Government and Metropolitan Affairs Committee approved the bill in February, but the measure was not debated on the House floor.

City and union officials met in the office of House Speaker Phil Carruthers (DFL-Brooklyn Center) a few days after the committee action to try to find a compromise.

The union agreed to drop its push for the legislation. The city agreed to increase mortgage subsidies for city employees buying houses there, to stop making employees move into the city until a final agreement is reached, and to revisit the policy of off-duty responsibilities of officers who live in the city.

Stanek said a final agreement should be reached sometime during the summer of 1998.

Sen. Steven Novak (DFL-New Brighton) sponsored the Senate companion bill, which was approved by the Local and Metropolitan Government Committee but never came up on the floor.

HF2055/SF2835

## Spraying for mosquitoes

A bill that would have required the Metropolitan Mosquito Control District to notify affected property owners before applying pesticides died in 1998.

The bill would have required the commission to notify the local residents, affected property owners, and local government units before spraying the mosquito-controlling chemicals in areas.

Supporters of the bill said the local resi-

dents should decide if they want the pesticides used in their area, but they can't object if they don't know what's happening. Bill supporters also questioned the effects of residue left in the area when the spraying trucks leave.

Sponsored by Rep. Mindy Greiling (DFL-Roseville), the House bill was approved by the House Local Government and Metropolitan Affairs Committee, but it never came up for a vote on the floor.

The Senate bill, sponsored by Sen. Leo Foley (DFL-Anoka), was approved by the Senate Local and Metropolitan Government Committee and referred to the Senate Agriculture and Rural Development Committee. The bill went no further.

HF2320/SF2124



## MILITARY

### Second NATO resolution

A bill that would have called for a state resolution to ask President Clinton and the U.S. Congress to support the admission of the Baltic states of Estonia, Latvia, and Lithuania into the North Atlantic Treaty Organization (NATO) passed the House but did not come up for a vote in the Senate.

A similar bill (HF2417\*/SF2055/Res.5) concerning Poland, the Czech Republic, and the Republic of Hungary was sent to Clinton and members of Congress without the governor's signature.

The U.S. Senate since then has ratified a treaty calling for admitting those three former Soviet-bloc nations to the 49-year-old peace-keeping alliance. All 16 NATO nations must ratify the expansion, and the U.S. was the fifth to do so.

The three Baltic states are not included in the potential NATO expansion, but Rep. Mark Mahon (DFL-Bloomington), who sponsored the measure in the House, said the matter was brought to his attention by a Richfield resident from Latvia who is active in promoting Baltic interests in Minnesota.

Rep. Phyllis Kahn (DFL-Mpls), a co-sponsor of the bill, said members of the Baltic community in her district had originally asked that their countries be included in the first resolution. Out of concern that the bill would be held up by making last-minute changes, a second bill was drafted.

Sen. Dave Johnson (DFL-Bloomington) sponsored the proposal in the Senate, where

it was approved by the Senate Governmental Operations and Veterans Committee but stalled in the Senate Rules and Administration Committee.

HF3613/SF3166



## SPORTS

### Metrodome lease agreement

A Metrodome lease agreement, which proponents said would be the one way to ensure that baseball stadium funding debates don't dominate future legislative sessions, did not make it into law this year.

The plan would have prohibited the Metropolitan Sports Facility team from contracting with a professional sports team to play in the Metrodome for less than a seven-year period.

The Minnesota Twins signed a contract in 1978 to play in the Metrodome for 30 years, with an option to break the lease if game attendance stayed below the average attendance for American League games for three years in a row. The team is currently seeking to exercise that option but the Metropolitan Sports Facility Commission is contesting the move.

The Legislature rejected proposals in 1997 to fund a new outdoor stadium in which the Twins could play, and the team could be sold to an out-of-state buyer.

"We thought we should be able to debate [stadium funding] without the threat of the team leaving," said Rep. Phyllis Kahn (DFL-Mpls), who sponsored the proposal in the House.

The plan had bounced in and out of omnibus state government finance legislation (HF3137/SF3354\*/CH366) in the House. Originally part of that bill, it was voted out by members of the House Governmental Operations Committee but later reinserted by members of the House Ways and Means Committee.

The stadium provision then survived debate on the House floor, but was finally defeated by Senate members of the conference committee on the omnibus state government bill.

No similar provision was included in the Senate version of the state government bill.

### Twins and community ownership

A plan that would have provided the framework for community-based ownership of the Minnesota Twins did not become law this year.

The plan originally called for state money

from a potential November 1998 budget surplus to be loaned to a charitable foundation to buy the team. That group could have then sold stock to private investors interested in keeping the team in Minnesota.

“This bill would send a message that the Legislature of Minnesota is interested in working this out, in keeping the Twins here,” said Rep. Phyllis Kahn (DFL-Mpls), House sponsor of the proposal. “It gives a market test of fan and community support for the team.”

But opponents objected to using surplus funds to make a loan to professional baseball.

And even after the bill was stripped of provisions allowing for any public money to be used, lawmakers on the House Governmental Operations Committee rejected what remained, which was essentially a blueprint for setting up a communally owned team without state involvement.

“To vote for this would be to open up the House floor to another whole debate about baseball and money and stadiums,” Rep. Tom Osthoff (DFL-St. Paul) said.

Sen. Ellen Anderson (DFL-St. Paul) sponsored the measure in the Senate, where it was approved by the Senate Committee on Taxes but did not receive a vote on the Senate floor.

HF3348/SF3106



## TAXES

### Permanent income tax cuts

With a forecast budget surplus of \$1.9 billion, some lawmakers unsuccessfully pushed for permanent income tax cuts in 1998, as opposed to the property tax reductions and rebates that were ultimately passed into law.

Two such House bills that did not pass the legislative test were measures sponsored by House Minority Leader Steve Sviggum (R-Kenyon) and Rep. Todd Van Dellen (R-Plymouth).

Sviggum’s bill (HF2322) would have created a priority for using revenue surpluses. The first \$522 million would have gone to the budget reserve account, and the rest would have gone to an income tax reserve account. Money in the latter account could only have been used for income tax reductions. A modified version of this was enacted as part of the omnibus tax law (HF3840\*/SF2985/CH389). (Under that law, the first \$622 million of surplus goes to the budget reserve account, and the next \$200 million goes to a new tax reform and reduction account.)

Sviggum’s bill also would have cut the current 6 percent income tax rate to 5.35 percent, and cut the current 8 percent rate to 7.5 percent. That’s basically a permanent income tax reduction for all wage-earners.

Sviggum’s bill stalled in the House Taxes Committee. The Senate companion bill (SF2938) was sponsored by Sen. David Knutson (R-Burnsville).

Van Dellen’s bill (HF2325) also would have designated \$522 million for the budget reserve account and established an income tax reserve account.

The bill also would have reduced property taxes for some commercial property and apartments with four or more units and provided income tax reductions similar to those called for in Sviggum’s bill.

Van Dellen’s proposal did not progress beyond the House Taxes Committee. There was no Senate companion bill.

### ‘No-wait’ rebate

A provision that would have given Minnesota taxpayers an additional “no-wait” rebate in the fall of 1998 did not make it out of a House-Senate conference committee.

The measure was proposed by House DFL leadership in March, after news that the state’s forecast budget surplus had grown to \$1.9 billion.

The version of the 1998 omnibus tax bill initially approved by the House would have provided for the \$250 million “no-wait” rebate program. This second rebate would have been equal to one-half of the rebate taxpayers got on their 1997 property taxes. The “no-wait” rebate would have capped at \$750, under the House bill.

The proposal did not survive a House-Senate conference committee that produced the 1998 tax law (HF3840\*/SF2985/CH389).

Rep. Dee Long (DFL-Mpls) sponsored the omnibus tax legislation in the House.

### Property tax video

A bill that would have provided money to produce a video educating people about the state’s property tax system and how it works did not make the final cut.

The bill, which would have allotted \$50,000 for the production of the video, had the backing of the Association of Minnesota Counties, which wanted to produce the video for viewing by members of the public, elected officials, administrators, and journalists.

House bill sponsor Rep. Gail Skare (DFL-Bemidji) said legislators always hear how complicated the system is and that sometimes legislators themselves don’t understand the system.

Some lawmakers suggested that the association should pay for the video itself, but officials from that organization said property taxes are a statewide concern.

Under the bill, educational materials accompanying the video would have been available at no cost to the Department of Revenue and county governments for distribution to local media and others.

Skare’s bill was included in the House omnibus tax bill, but was cut in conference committee.

The Senate bill, sponsored by Sen. Jim Vickerman (DFL-Tracy), was referred to the Senate Local and Metropolitan Government Committee but never received a hearing.

HF3739/SF3325

### Tobacco tax increase

A bill that would have drastically raised the tax on cigarettes and put the money in the health care access fund, which pays for the state’s subsidized health insurance program, failed to win passage this year.

The bill also would have reduced the opportunity for cigarette smokers to smoke and cigarette manufacturers to advertise and promote.

The bill called for the tax on a pack of cigarettes to go from 27 cents to 75 cents.

Smoking would have been prohibited by state law in any public place or at any public meeting except designated areas of bars and restaurants.

Throwing partially burned cigarettes or ashes to the ground or out a car window on a public street or highway also would have been prohibited. Violators would have been guilty of a misdemeanor.

Rep. Phyllis Kahn (DFL-Mpls) sponsored the House bill, which stalled in the House Taxes Committee. Sen. Sandra Pappas (DFL-St. Paul) sponsored the companion bill, which never emerged from the Senate Health and Family Security Committee.

HF3693/SF3164

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# Summary

## Technical summaries of bills sent to the governor

**Editor's Note:** The Summary section of New Laws 1998 includes information about all 157 bills and four resolutions the Legislature (House and Senate) approved during the 1998 session.

Of the bills the Legislature approved, Gov. Arne Carlson vetoed 11 and line-item vetoed four.

Most of the bills in this section are categorized numerically by chapter number under the House committee of origin (the committee to which the speaker of the House first referred them). Each entry includes: a brief title; House file, Senate file, and chapter numbers; chief authors; the official technical title as it appeared on the version of the bill the governor considered; the enactment date; and the effective date(s).

The following term definitions will be helpful in reading this section:

- **Enactment date** — The date the governor signed the bill into law.
- † — The bill was filed or became law without the governor's signature.
- **Vetoed** — The governor did not approve the bill.
- **Line-item veto** — The governor signed the appropriations bill, but vetoed individual item(s) which were objectionable.
- \* — An asterisk marks the version of the bill the House and Senate approved and passed on to the governor.
- **Effective date** — Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time.
- **Aug. 1, 1998** — Each act the governor signs into law, except for those that make appropriations, takes effect on Aug. 1 following its final enactment, unless the act specifies a different date.
- **July 1, 1998** — An appropriations act, or an act having appropriations items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.
- **Upon local approval** — A special law requiring approval from the local government unit it affects becomes effective the day after the local governing body files a certificate with the secretary of state, unless the act specifies a later date.
- **Various dates** — Different articles or sections of the act have different effective dates which are cited at the end of each article.
- **With exceptions** — An act is effective, for the most part, on one particular date, but there are some minor exceptions.
- **With qualifications** — The act adds conditions to the effective date.
- **Retroactive** — The act or parts of the act go into effect as of a specified date in the past.

If you would like a copy of a bill, call the House Chief Clerk's Office, (651) 296-2314, or the Senate Information Office, (651) 296-2343. Ask for the bill by Chapter number or by the House or Senate file number if no Chapter number appears.

Bills also are available on the Legislature's World Wide Web site (<http://www.leg.state.mn.us>).



## RESOLUTIONS

### Congress memorialized to support the admission of Poland, Czech Republic and Republic of Hungary to NATO

HF2417\* (Jaros)

SF2055 (Pogemiller)

**Resolution 5:** a resolution memorializing Congress to support the admission of Poland, the Czech Republic, and the Republic of Hungary to the North Atlantic Treaty Organization.

**Filed:** 3/4/98†

### President and Congress memorialized to enact the Aircraft Repair Station Safety Act of 1997

HF3250\* (Garcia)

SF2786 (Pappas)

**Resolution 6:** a resolution memorializing the President and Congress of the United States to enact the Aircraft Repair Station Safety Act of 1997.

**Filed:** 3/18/98†

### A resolution to remove Medicaid policy barriers to employment for people with disabilities

HF3258 (Greenfield)

SF2699\* (Lourey)

**Resolution 7:** a resolution memorializing the Congress of the United States to remove Medicaid policy barriers to employment for people with disabilities.

**Filed:** 3/18/98†

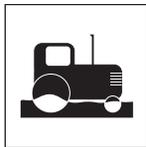
### U.S. memorialized to resolve differences between the province of Ontario and the state of Minnesota regarding Canadian waters and the taking of fish

HF3854\* (Anderson, I.)

SF3406 (Stumpf)

**Resolution 8:** a resolution memorializing the United States government to resolve certain differences between the province of Ontario and the state of Minnesota.

**Filed:** 4/2/98†



## AGRICULTURE\*\*

### Agricultural marketing and bargaining advisory committee established

HF2708\* (Juhnke)

SF2414 (Frederickson)

**Chapter 373:** relating to agriculture; providing for associations of producers; setting dispute resolution procedures; establishing an advisory committee; amending Minnesota Statutes 1996, sections 13.99, subdivision 6d; 17.692; 17.693, subdivisions 1, 2, and 6; 17.694, subdivisions 1, 2, 3, 6, and 7; 17.696, subdivision 2; 17.697; 17.698; 17.70, subdivisions 1, 2, and 3; 17.701; proposing coding for new law in Minnesota Statutes, chapter 17; repealing Minnesota Statutes 1996, section 17.699.

**Enactment:** 4/9/98

**Effective:** 8/1/98

### Industrial hemp use study

HF349 (Kahn)

SF1181\* (Moe, R.D.)

**Chapter 394:** relating to agriculture; providing for an industrial hemp study.

**Vetoed:** 4/21/98

### Veterinarians allowed to dock horses

HF2065 (Winter)

SF816\* (Dille)

**Chapter 402:** relating to public administration; providing exceptions to cruelty in transportation provisions for carrying certain animals; changing certain animal shelter requirements; providing for alternative dispute resolution for certain matters; delaying the effect of a repealer; requiring a report; amending Minnesota Statutes 1996, sections 343.24; 343.40, subdivision 2; and 346.38, subdivisions 4 and 5; Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law in Minnesota Statutes, chapter 583.

**Enactment:** 4/20/98

**Effective:** 7/1/99 (delays sunset until); 1/5/99 (report due)



## COMMERCE, TOURISM & CONSUMER AFFAIRS

### Watercraft trailers and ATVs exempt from motor vehicle sales on Sunday prohibition

HF2425 (Anderson, I.)

SF2170\* (Lessard)

**Chapter 267:** relating to recreational vehicles; exempting licensed sellers of certain trailers from certain contract or franchise requirements; exempting dealers in certain trailers from the prohibition against sale of motor vehicles on Sunday; amending Minnesota Statutes 1996, sections 168.27, subdivision 22; and 168.275.

**Enactment:** 3/5/98

**Effective:** 8/1/98 (Sec. 1); 3/6/98 (Sec. 2)

### Manufactured home park owners limited dealer's licenses

HF3148 (Kubly)

SF2047\* (Novak)

**Chapter 280:** relating to commerce; regulating sales of manufactured homes; authorizing limited dealer's licenses in certain circumstances; amending Minnesota Statutes 1996, section 327B.04, by adding a subdivision.

**Enactment:** 3/16/98

**Effective:** 3/17/98

### Building and construction contract lien and claim waivers and subcontractor payments regulated

HF2601\* (Mullery)

SF2677 (Wiener)

**Chapter 289:** relating to commerce; regulating lien or claim waivers and subcontractor payments in building and construction contracts; modifying the redemption period for property sold at a mechanic's lien foreclosure sale; amending Minnesota Statutes 1996, section 514.15; Minnesota Statutes 1997 Supplement, section 337.10, subdivisions 2 and 3.

**Enactment:** 3/18/98

**Effective:** 8/1/98 (Secs. 1, 3); 8/1/97 (Sec. 2, retroactive)

### Corporate professional and professional services definitions expanded

HF2641 (Rest)

SF2378\* (Junge)

**Chapter 309:** relating to business organizations; defining the terms "professional" and "professional services" as they relate to professional corporations and professional firms; regulating professional health services; amending Minnesota Statutes 1996, section 319A.02, subdivisions 2, 3, and by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 319A.02, subdivision 2a; 319B.02, subdivisions 17, 19, and by adding a subdivision; and 319B.40.

**Enactment:** 3/23/98

**Effective:** 3/24/98

### Trademarks and service marks regulated

HF2315\* (Leppik)

SF2344 (Oliver)

**Chapter 315:** relating to commerce; regulating trademarks and service marks; defining terms; providing remedies; amending Minnesota Statutes 1996, sections 333.18; 333.19, subdivision 1; 333.20, subdivisions 1 and 2; 333.21, subdivision 2; 333.23; 333.24; 333.25; 333.26; and 333.29, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 333; repealing Minnesota Statutes 1996, section 325D.165.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Electronic message reliability and certification authorities required

HF2706 (Kahn)

SF2068\* (Kelley)

**Chapter 321:** relating to commerce; providing for the reliability of electronic messages; providing for certification authorities; providing licensing and enforcement powers; defining terms; providing rulemaking; amending Minnesota Statutes 1997 Supplement, sections 325K.01, subdivisions 6, 11, 18, 21, 27, 35, 39, and by adding a subdivision; 325K.03; 325K.05, subdivisions 1, 4, 5, 6, and 7; 325K.07, subdivisions 2 and 3; 325K.10, subdivision 1; 325K.12, subdivision 4; 325K.13, by adding a subdivision; 325K.14, subdivisions 1, 2, 3, 5, and by adding a subdivision; 325K.15, subdivisions 3 and 7; 325K.18, subdivisions 1 and 2; and 325K.25, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 325K; repealing Minnesota Statutes 1997 Supplement, sections 325K.05, subdivision 3;

325K.06, subdivisions 3, 4, and 5; 325K.13, subdivisions 2 and 3; and 325K.14, subdivision 7.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Board provisions modifications

HF1116 (Sekhon)

SF1814\* (Scheid)

**Chapter 324:** relating to professions; modifying provisions relating to the board of architecture, engineering, land surveying, landscape architecture, geoscience, and interior design; amending Minnesota Statutes 1996, sections 326.04; 326.05; 326.07; 326.09; 326.10, subdivisions 2 and 7; 326.13; and 599.14; repealing Minnesota Statutes 1996, section 326.08.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Accountant licensing provisions modified

HF2308\* (Slawik)

SF2014 (Oliver)

**Chapter 340:** relating to accountants; modifying licensing provisions; providing for firm licensure; authorizing rulemaking; amending Minnesota Statutes 1996, sections 326.165; 326.17; 326.18; 326.19; 326.20; 326.211; 326.212, subdivisions 1, 4, 5, and by adding a subdivision; 326.22, subdivision 2; 326.223; 326.228; and 326.229, subdivisions 3, 4, 6, and by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 326; repealing Minnesota Statutes 1996, sections 326.191; 326.21; and 326.225.

**Enactment:** 3/31/98

**Effective:** 8/1/98

### Minnesota Residential Mortgage Originator and Servicer Licensing Act

HF2983 (Tunheim)

SF2966\* (Scheid)

**Chapter 343:** relating to mortgages; enacting the Minnesota Residential Mortgage Originator and Servicer Licensing Act; establishing licensing and enforcement mechanisms; amending Minnesota Statutes 1996, sections 47.206, subdivision 1; 82.17, subdivision 4; 82.18; and 82.27, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 58; repealing Minnesota Statutes 1996, section 82.175.

**Enactment:** 3/31/98

**Effective:** Various dates

### Residential mortgage loans regulated, and table funding requirements established

HF2971 (Entenza)

SF2489\* (Solon)

**Chapter 344:** relating to commerce; regulating residential mortgage loans; establishing table funding requirements; proposing coding for new law in Minnesota Statutes, chapter 82.

**Enactment:** 3/31/98

**Effective:** 8/1/98

### Air carriers agreements franchise law retroactive exemption application exclusions

HF3841 (Entenza)

SF3397\* (Spear)

**Chapter 353:** relating to commerce; eliminating retroactive application of air carrier franchise exemption to pending litigation; amending Laws 1997, chapter 222, section 61.

**Enactment:** 4/2/98

**Effective:** 5/31/97 (retroactive)

### Omnibus liquor bill

HF2695 (Tunheim)

SF2274\* (Solon)

**Chapter 364:** relating to liquor; regulating beer brewers and wholesalers; providing for the obligations of successors; allowing the commissioner of public safety to issue on-sale licenses to Giants Ridge and Ironworld Discovery Center; modifying restrictions for temporary on-sale licenses; authorizing issuance of temporary on-sale licenses to state universities; regulating malt liquor sampling; authorizing certain cities to issue additional on-sale licenses; amending Minnesota Statutes 1996, sections 325B.01; 325B.14; 340A.404, subdivision 10, and by adding a subdivision; 340A.410, subdivision 10; 340A.412, subdivision 4; and 340A.510, subdivision 2; Laws 1994, chapter 611, section 32, as amended.

**Enactment:** 4/6/98

**Effective:** Various dates



## ECONOMIC DEVELOPMENT & INTERNATIONAL TRADE\*\*

### Landlord and tenant law recodified, clarified, and relocated

HF661\* (Biernat)

SF663 (Higgins)

**Chapter 253:** An act relating to landlords and tenants; recodifying, clarifying, and relocating landlord tenant law; proposing coding for new law as Minnesota Statutes, chapter 504A; repealing Minnesota Statutes 1996, sections 504.01; 504.012; 504.015; 504.02; 504.03; 504.04; 504.05; 504.06; 504.07; 504.08; 504.09; 504.18; 504.181, subdivisions 2 and 3; 504.183; 504.185; 504.20; 504.201; 504.21; 504.22; 504.23; 504.24; 504.245; 504.246; 504.25; 504.255; 504.257; 504.26; 504.265; 504.27; 504.28; 504.29; 504.30; 504.31; 504.32; 504.36; 566.01; 566.02; 566.021; 566.03; 566.04; 566.051; 566.06; 566.07; 566.08; 566.09; 566.10; 566.11; 566.12; 566.13; 566.14; 566.15; 566.16; 566.17; 566.175; 566.18, subdivisions 1, 2, 3, 4, and 5; 566.19; 566.20; 566.205; 566.21; 566.22; 566.23; 566.24; 566.26; 566.27; 566.28; 566.29; 566.291; 566.30; 566.31; 566.32; 566.33; 566.34; and 566.35; Minnesota Statutes 1997 Supplement, sections 504.181, subdivision 1; 504.215; 566.05; 566.18, subdivision 6; and 566.25.

**Enactment:** 2/18/98

**Effective:** 7/1/99

### Local government units corporations creation clarification

HF2700 (Harder)

SF2192\* (Frederickson)

**Chapter 360:** relating to corporations; clarifying the application of certain statutory requirements for corporations created by political subdivisions; authorizing the ratification of a nonprofit corporation by Brown County; amending Minnesota Statutes 1997 Supplement, section 465.715, by adding a subdivision.

**Enactment:** 4/7/98†

**Effective:** 4/8/98 (Sec. 1); 7/10/90 (retroactive) with qualifications

\*\* See also Ways & Means, Special Session



## EDUCATION

### Omnibus family and early childhood education programs supplemental appropriations

HF2803 (Kinkel)

SF2532\* (Piper)

**Chapter 365:** relating to children; clarifying certain terms and applicability of certain programs; providing for licensing assistance, outreach, and training; allowing grants for school-age child care programs; allowing certain grants for statewide adult basic education; providing for review of certain orders by the commissioner of children, families, and learning; establishing a cash flow account for energy assistance funds; allowing migrant and seasonal farmworkers to carry out community action programs; changing provisions for family day care licensure; appropriating money; amending Minnesota Statutes 1996, sections 119B.10, by adding a subdivision; 119B.18, subdivision 2, and by adding subdivisions; 119B.19, subdivisions 1, 4, and by adding subdivisions; 120.1701, subdivision 5; 121.8355, by adding a subdivision; 124.26, subdivision 1c; 245A.06, subdivision 2; 256.045, subdivision 6, and by adding a subdivision; 268.52, subdivisions 1 and 2; 268.54, subdivision 2; and 290.067, subdivision 2; Minnesota Statutes 1997 Supplement, sections 119B.01, subdivision 16; 119B.02; 119B.061, subdivisions 1, 2, 3, and 4; 119B.075; 119B.10, subdivision 1; 119B.13, subdivisions 1 and 6; 119B.21, subdivisions 2, 4, 5, and 11; 121.88, subdivision 10; 256.045, subdivision 7; 268.53, subdivision 5; and 466.01, subdivision 1; Laws 1997, chapter 162, article 1, section 18, subdivision 8; article 3, section 8, subdivision 3; article 4, section 63, subdivisions 2 and 3; Laws 1997, chapter 248, section 47, subdivision 1; Laws 1997, First Special Session chapter 4, article 10, section 3, subdivision 2; and Laws 1997, First Special Session chapter 5, section 29; proposing coding for new law in Minnesota Statutes, chapter 268.

**Vetoed:** 4/3/98

### Omnibus higher education supplemental appropriations

HFnone (Pelowski)

SF3297\* (Stumpf)

**Chapter 384:** relating to appropriations; appropriating money for higher education and related purposes to the Higher Education Services Office, the board of trustees of the Minnesota State Colleges and Universities, and the Board of Regents of the University of Minnesota, with certain conditions; amending Minnesota Statutes 1996, sections 136A.101, subdivision 7b; and 136F.46, subdivision 1; Minnesota Statutes 1997 Supplement, sections 41D.03, subdivision 4; and 136A.121, subdivision 5; Laws 1996, chapter 366, section 6, as amended; Laws 1997, chapter 183, articles 1, section 2, subdivision 6; and 2, section 19; repealing Minnesota Statutes 1996, section 137.01.

**Enactment:** 4/9/98

#### Line-item vetoes:

Page 4, Sec. 4, Lines 47-57; and

Page 5, Sec. 4, Lines 1-14

**Effective:** 4/10/98 (Sec. 6); 7/1/98 (balance)

### Omnibus K-12 education statutes recodification provided

HF2174 (Kelso)

SF2082\* (Pogemiller)

**Chapter 397:** relating to education; recodifying and making technical amendments to kindergarten through grade 12 education statutes; amending Minnesota Statutes 1996, sections 120.02, subdivisions 1, 13, 14, 15, and 18; 120.06, subdivisions 1 and 2a; 120.062, subdivisions 4, 5, and 8a; 120.0621, as amended; 120.064, subdivisions 4, 4a, 5, 7, 9, 11, 12, 13, 14, 15, 17, 19, 20, 21, 22, and 24; 120.075, subdivisions 1, 2, 3a, and 4; 120.0751, subdivisions 1, 2, 3, 4, and 5; 120.0752, subdivisions 1, 2, and 3; 120.08; 120.101, subdivisions 5a, 7, 8, 9, and 10; 120.102, subdivisions 1, 3, and 4; 120.103, subdivisions 3, 4, 5, and 6; 120.11; 120.14; 120.17, subdivisions 1, 1b, 2, 3, 3a, 3b, 3d, 4, 4a, 5, 5a, 6, 7, 7a, 8a, 9, 10, 16, 18, and 19; 120.1701, subdivisions 2, 4, 5, 6, 7, 8, 8a, 9, 10, 11, 12, 15, 17, 19, 20, 21, and 22; 120.172, subdivision 2; 120.173, subdivisions 1, 3, 4, and 6; 120.1811; 120.182; 120.183; 120.185; 120.188; 120.189; 120.190; 120.59; 120.60; 120.61; 120.62; 120.63; 120.64; 120.66; 120.73, subdivisions 1, 2a, 2b, 3, and 4; 120.74; 120.75; 120.76; 120.80; 121.11, subdivision 7; 121.1115, subdivisions 1 and 2; 121.155; 121.201; 121.203, subdivision 1;

121.207, subdivisions 2 and 3; 121.585, subdivisions 2, 6, and 7; 121.615, subdivision 11; 121.704; 121.705, subdivision 2; 121.706; 121.707, subdivisions 3, 4, 5, 6, and 7; 121.708; 121.710, subdivisions 2 and 3; 121.831, subdivisions 6, 7, 8, 9, 10, 11, and 12; 121.835, subdivisions 4, 5, 7, and 8; 11.8355, subdivisions 2, 3, 5, and 6; 121.88, subdivisions 2, 3, 4, 6, 7, and 9; 121.882, subdivisions 1, 2b, 3, 7, 7a, 8, and 9; 121.885, subdivisions 1 and 4; 121.904, subdivisions 1, 2, 3, 4c, and 13; 121.906; 121.908; 121.911; 121.912, subdivisions 1a, 1b, 2, 3, 5, and 6; 121.9121, subdivisions 2 and 4; 121.914, subdivisions 2, 3, 4, 5, 6, 7, and 8; 121.917; 122.01; 122.02; 122.03; 122.21; 122.22, subdivisions 1, 4, 5, 6, 7a, 9, 13, 14, 18, 20, and 21; 12.23, subdivisions 2, 2b, 3, 6, 7, 8, 9, 10, 11, 12, 13, 14, 16, 16c, 18, 18a, and 20; 122.241; 122.242, subdivisions 1, 3, 8, and 9; 122.243; 122.245, subdivision 2; 122.246; 122.247, subdivisions 2 and 2a; 122.248; 122.25, subdivisions 2 and 3; 122.32; 122.34; 122.355; 122.41; 122.43; 122.44; 122.45, subdivisions 2 and 3a; 122.46; 122.47; 122.48; 122.531, subdivisions 2c, 5a, and 9; 122.5311, subdivision 1; 122.532, subdivisions 2, 3a, and 4; 122.535, subdivisions 2, 3, 4, 5, and 6; 122.541, subdivisions 1, 2, 4, 5, 6, and 7; 122.895; 122.91, subdivisions 2, 2a, 3a, 4, and 6; 122.93, subdivisions 3 and 8; 122.95, subdivisions 1, 1a, 2, and 4; 123.11, subdivisions 1, 2, 3, 4, and 7; 123.12; 123.13; 123.15; 123.33, subdivisions 1, 2, 2a, 3, 4, 6, 7, 11, and 11a; 123.335; 123.34, subdivisions 1, 2, 7, 8, 9, 9a, and 10; 123.35, subdivisions 1, 2, 4, 5, 8a, 9b, 12, 13, 15, 19a, 19b, 20, and 21; 123.351, subdivisions 1, 3, 4, 5, 8, and 8a; 123.3513; 123.3514, subdivisions 3, 4b, 4d, 5, 6, 6b, 7a, and 7b; 123.36, subdivisions 1, 5, 10, 11, 13, and 14; 123.37, subdivisions 1, 1a, and 1b; 123.38, subdivisions 1, 2, 2a, 2b, and 3; 123.39, subdivisions 1, 2, 8, 8a, 8b, 8c, 8d, 8e, 9a, 11, 12, 13, 14, 15, and 16; 123.40, subdivisions 1, 2, and 8; 123.41; 123.582, subdivision 2; 123.63; 123.64; 123.66; 123.681; 123.70, subdivisions 2, 4, and 8; 123.702, subdivisions 1, 1b, 2, 3, 4, 4a, 5, 6, and 7; 123.704; 123.7045; 123.71; 123.72; 123.75, subdivisions 2, 3, and 5; 123.751, subdivisions 1, 2, and 3; 123.76; 123.78, subdivisions 1a and 2; 123.79, subdivision 1; 123.799, as amended; 123.7991, subdivision 3; 123.801; 123.805; 123.932, subdivision 1b; 123.933; 123.935, subdivisions 1, 2, 4, 5, and 6; 123.936; 123.9361; 123.9362; 123.947; 124.06; 124.07, subdivision 2; 124.078; 124.08; 124.09; 124.10, subdivisions 1 and 2; 124.12; 124.14, subdivisions 2, 3, 3a, 4, 6, 7, and 8; 124.15, subdivisions 2, 2a, 3, 4,

5, 6, and 8; 124.17, subdivisions 1f, 2, 2a, 2b, and by adding subdivisions; 124.175; 124.19, subdivision 5; 124.195, subdivisions 1, 3, 3a, 3b, 4, 5, 6, and 14; 124.196; 124.2131, subdivisions 1, 2, 3a, 5, 6, 7, 8, 9, and 11; 124.214; 124.225, subdivisions 7f, 8l, 8m, and 9; 124.227; 124.239, subdivision 3; 124.242; 124.248, subdivisions 1 and 1a; 124.255; 124.26, subdivision 1c; 124.2601, subdivision 7; 124.2605; 124.2615, subdivision 4; 124.2711, as amended; 124.2713, subdivision 7; 124.2715, subdivision 3; 124.2716, subdivisions 1 and 2; 124.2725, subdivision 15; 124.2726, subdivisions 1, 2, and 4; 124.2727, subdivisions 6a, as added, 6c, as added, and 9; 124.273, subdivisions 3, 4, 6, and 7; 124.276, subdivisions 1 and 3; 124.278, subdivision 3; 124.311, subdivision 1; 124.32; 124.3201, subdivisions 5, 6, and 7; 124.322, subdivision 1; 124.35; 124.37; 124.38, subdivisions 1, 4a, and 7; 124.381; 124.39; 124.40; 124.41, subdivision 3; 124.42, as amended; 124.431, subdivisions 4, 5, 6, 10, 12, 13, and 14; 124.44; 124.46, as amended; 124.48, as amended; 124.492; 124.493, subdivision 1; 124.494, subdivisions 1, 2, 2a, 3, 5, and 7; 124.4945; 124.511; 124.573, subdivisions 2, 2b, 2e, 2f, 3, 3a, and 5a; 124.625; 124.63; 124.646; 124.6462; 124.6469, subdivision 3; 124.647; 124.6471; 124.6472; 124.648, as amended; 124.71, subdivision 1; 124.72; 124.73; 124.74; 124.75; 124.755, subdivisions 2, 3, 4, 5, 6, 7, 8, and 9; 124.82, subdivisions 1 and 3; 124.83, subdivision 8; 124.84, subdivisions 1 and 2; 124.85, subdivisions 2, 2a, 2b, 2c, 5, 6, and 7; 124.86, subdivisions 1, 3, and 4; 124.90; 124.91, subdivisions 4 and 6; 124.912, subdivisions 7 and 9; 124.914; 124.916, as amended; 124.98, subdivisions 2, 3, and 7; 124.95, subdivision 1; 124.97; 124A.02, subdivisions 1, 3a, 20, 21, 22, 23, and 24; 124A.029, subdivisions 1, 3, and 4; 124A.03, subdivisions 2, 2a, and 3c; 124A.0311, subdivisions 2, 3, and 4; 124A.032; 124A.034; 124A.035; 124A.036, as amended; 124A.04, as amended; 124A.22, subdivisions 2a, 5, 8, 12, and 14, as added; 124A.225, subdivisions 4 and 5; 124A.29; 124A.30; 124C.07; 124C.08, subdivisions 2 and 3; 124C.09; 124C.12, subdivision 2; 124C.41, subdivision 4; 124C.45, subdivision 1; 124C.49; 124C.498, as amended; 124C.60, subdivision 2; 124C.72, subdivision 2; 124C.73, subdivision 3; 125.03, subdivisions 1 and 6; 125.04; 125.05, subdivisions 1, 1a, 6, and 8; 125.06; 125.09; 125.11; 125.12, subdivisions 1a, 2, 2a, 3, 3b, 4, 6, 6a, 6b, 7, 8, 9, 9a, 10, 11, and 13; 125.121, subdivisions 1 and 2;

125.135; 125.138, subdivisions 1, 3, 4, and 5; 125.16; 125.17, subdivisions 2b, 3, 3b, 4, 5, 6, 7, 8, 9, 10, 10a, 11, and 12; 125.18; 125.181; 125.183, subdivisions 1, 4, and 5; 125.184; 125.185, subdivisions 1, 2, 4, 5, and 7; 125.187; 125.188, subdivisions 1, 3, and 5; 125.1885, subdivision 5; 125.189; 125.1895, subdivision 4; 125.211, subdivision 2; 125.230, subdivisions 4, 6, and 7; 125.231, subdivision 3; 125.53; 125.54; 125.60, subdivisions 2, 3, 4, 6a, and 8; 125.611, subdivisions 1 and 13; 125.62, subdivisions 2, 3, and 7; 125.623, subdivision 3; 125.702; 125.703; 125.704, subdivision 1; 125.705, subdivisions 1, 3, 4, and 5; 125.80; 126.05; 126.12; 126.13; 126.14; 126.15, subdivisions 2 and 3; 126.1995; 126.21, subdivisions 3 and 5; 126.22, subdivisions 5 and 6; 126.235; 126.239, subdivision 1; 126.262, subdivisions 3 and 6; 126.264; 126.265; 126.266, subdivision 1; 126.267; 126.36, subdivisions 1, 5, and 7; 126.43, subdivisions 1 and 2; 126.48, subdivisions 1, 2, 3, 4, and 5; 126.49, subdivisions 1, 5, 6, and 8; 126.50; 126.501; 126.51, subdivisions 1a and 2; 126.52, subdivisions 5 and 8; 126.531, subdivision 1; 126.54, subdivisions 1, 2, 3, 4, 5, and 6; 126.56, subdivision 6; 126.69, subdivision 1; 126.70, subdivisions 1 and 2a; 126.72, subdivisions 3 and 6; 126.78, subdivision 4; 126.84, subdivisions 1, 3, 4, and 5; 126A.01; 126B.01, subdivisions 2 and 4; 126B.10; 127.02; 127.03; 127.04; 127.17, subdivisions 1, 3, and 4; 127.19; 127.20; 127.40, subdivision 4; 127.41; 127.411; 127.412; 127.413; 127.42; 127.44; 127.45, subdivision 2; 127.455; 127.46; 127.47, subdivision 2; 127.48; 129C.10, subdivisions 3a, 3b, 4, and 6; and 129C.15; Minnesota Statutes 1997 Supplement, sections 120.05; 120.062, subdivisions 3, 6, and 7; 120.064, subdivisions 8, 10, 14a, and 20a; 120.101, subdivisions 5 and 5c; 120.1015; 120.1701, subdivision 3; 120.181; 121.1113, subdivision 1; 121.615, subdivisions 2, 3, 9, and 10; 121.831, subdivision 3; 121.88, subdivision 10; 121.882, subdivision 2; 121.904, subdivision 4a; 121.912, subdivision 1; 123.35, subdivision 8; 123.3514, subdivisions 4, 4a, 4e, 6c, and 8; 123.7991, subdivision 2; 124.155, subdivisions 1 and 2; 124.17, subdivisions 1 and 4; 124.195, subdivisions 2, 7, and 10; 124.2445; 124.2455; 124.248, subdivisions 3 and 4; 124.26, subdivision 2; 124.2601, subdivision 6; 124.2615, subdivision 2; 124.2713, subdivision 8; 124.321, subdivisions 1 and 2; 124.322, subdivision 1a; 124.323, subdivision 1; 124.41, subdivision 2; 124.431, subdivisions 2 and 11; 124.45, subdivision 2; 124.481; 124.574, subdivision

9; 124.83, subdivision 1; 124.86, subdivision 2; 124.91, subdivision 5; 124.912, subdivisions 1 and 6; 124.918, subdivisions 1, 6, and 8; 124A.22, subdivisions 2, as added, 6, 11, 13, and 13b, as added; 124A.23, subdivisions 1, 2, and 3; 124A.28, subdivision 3; 124C.45, subdivision 1a; 125.05, subdivision 1c; 125.12, subdivision 14; 126.22, subdivisions 2, 3a, and 8; 126.23, subdivision 1; 126.51, subdivision 1; 126.531, subdivision 3; 126.72, subdivision 2; 126.77, subdivision 1; and 129C.10, subdivision 3; proposing coding for new law as Minnesota Statutes, chapters 120B; and 120C; repealing Minnesota Statutes 1996, sections 16B.43; 120.71; 120.72; 120.90; 122.2; 122.532, subdivision 1; 122.541, subdivision 3; 123.35, subdivision 10; 123.42; 124.01; 124.19, subdivision 4; 124.2725, subdivisions 1, 2, 3, 4, 5, 6, 7, 9, 10, 12, 13, 14, and 16; 124.312, as amended; 124.38, subdivision 9; 124.472; 124.473; 124.474; 124.476; 124.477; 124.478; 124.479; 124.71, subdivision 2; 124A.02, subdivisions 15 and 16; 124A.029, subdivision 2; 124A.03, subdivision 3b; 124A.22, subdivision 13f; 124A.225, subdivision 6; 124A.31; 124C.55; 124C.56; 124C.57; 124C.58; 125.10; 126.84, subdivision 6; 127.01; 127.08; 127.09; 127.10; 127.11; 127.12; 127.13; 127.15; 127.16; 127.17, subdivision 2; 127.21; and 127.23; Minnesota Statutes 1997 Supplement, sections 124.2725, subdivision 11; 124.313; 124.314; and 124A.26.

**Enactment:** 4/21/98

**Effective:** 8/1/98 (recodification); 7/1/98

### Omnibus K-12 education bill

HF2874\* (Kelso)

SF3378 (Pogemiller)

**Chapter 398:** relating to state government; education and educational programs; kindergarten through grade 12; providing for general education; special education; inter-agency service, lifelong learning, and technology; facilities and organization; policies promoting academic excellence; education policy issues; libraries; state agencies; miscellaneous provisions; appropriating money; amending Minnesota Statutes 1996, sections 43A.17, subdivisions 9 and 10; 120.03, subdivision 1; 120.06, subdivision 2a; 120.064, subdivision 5; 120.101, subdivision 3; 120.17, subdivisions 1, 2, 3, 3a, 3b, 6, 7, 7a, 9, and 15; 120.1701, subdivisions 2, 5, 11, and 17; 120.173, subdivisions 1 and 6; 120.73, subdivision 1; 121.11, subdivision 7d; 121.115, by adding a subdivision; 121.14; 121.148, subdivision 3; 121.16, by adding subdivisions; 121.1601, subdivision 2; 121.908, subdivi-

sions 2 and 3; 122.23, subdivisions 2b and 6; 123.34, subdivision 9; 123.35, subdivision 19a; 123.3514, by adding a subdivision; 123.39, subdivision 1, and by adding a subdivision; 123.805, subdivision 1; 123.935, subdivisions 1 and 2; 124.078; 124.14, subdivision 7, and by adding a subdivision; 124.17, subdivision 2; 124.225, subdivisions 7f and 8m; 124.248, subdivisions 1 and 1a; 124.2713, subdivision 6a; 124.2727, subdivisions 6a and 6c; 124.273, by adding a subdivision; 124.32, by adding a subdivision; 124.3201, subdivision 5; 124.323, by adding a subdivision; 124.646, subdivision 4; 124.755, subdivision 1; 124.83, subdivision 8; 124.85, subdivision 4; 124.91, subdivision 6; 124.95, subdivision 6; 124A.03, subdivisions 2b and 3c; 124A.034, subdivision 2; 124A.036, subdivisions 1a, 4, 6, and by adding a subdivision; 124A.22, by adding a subdivision; 124A.29, subdivision 1; 124A.292, subdivision 3; 124A.30; 124C.45, subdivision 2; 124C.47; 124C.48, by adding a subdivision; 125.183, subdivisions 1 and 3; 125.191; 126.12, subdivision 1; 126.237; 126.70, subdivision 2a; 127.27, subdivision 2; 12A.02, subdivisions 1, 3, 3b, 5, 6, and by adding subdivisions; 128A.022; 128A.023, subdivisions 1 and 2; 128A.026, subdivisions 1 and 3; 128A.07, subdivision 2; 169.451, subdivision 5; 254A.17, subdivision 1, and by adding a subdivision; 256B.0625, subdivision 26; 260.015, subdivision 19; 260.131, subdivision 1b; 260.132, subdivision 1; 260A.05, subdivision 2; 260A.06; and 268.665, subdivision 3; Minnesota Statutes 1997 Supplement, sections 120.064, subdivision 3; 120.101, subdivision 5; 120.1701, subdivision 3; 120.181; 121.11, subdivision 7c; 121.1113, subdivision 1; 121.15, subdivision 6; 121.904, subdivision 4a; 124.17, subdivisions 4, 6, and 7; 124.195, subdivision 7; 124.248, subdivisions 2a and 6; 124.2601, subdivisions 3 and 6; 124.2711, subdivision 2a; 124.2713, subdivision 6; 124.3111, subdivision 2; 124.3201, subdivision 2; 124.6475; 124.648, subdivision 3; 124.91, subdivisions 1 and 5; 124A.036, subdivision 5; 124A.22, subdivisions 1, 2, 11, and 13b; 124A.23, subdivision 1; 124A.28, subdivisions 1 and 1a; 124C.46, subdivisions 1 and 2; 126.79, subdivisions 3, 6, 7, 8, and 9; 127.27, subdivisions 10 and 11; 127.31, subdivision 15; 127.32; 127.36, subdivision 1; 127.38; 128A.02, subdivision 7; 169.01, subdivision 6; 268.665, subdivision 2; and 290.0674, subdivision 1; Laws 1992, chapter 499, article 7, section 31; Laws 1993, chapter 224, article 3, section 32; Laws 1996, chapter 412, article 12, section 12, subdivision 5; Laws 1997, chapter 157, sec-

tion 71; Laws 1997, First Special Session chapter 4, article 1, sections 58 and 61, subdivision 3; article 2, section 51, subdivisions 2, 4, 5, 25, 29, and 33; article 3, sections 23, by adding a subdivision, and 25, subdivision 4; article 4, sections 34 and 35, subdivision 9; article 5, sections 24, subdivision 4, and 28, subdivisions 4, 9, 10, 11, 12, and 17; article 6, section 20, subdivision 4; article 8, section 4, subdivision 3; article 9, sections 11 and 12, subdivision 6; article 10, sections 3, subdivision 2, 4, and 5; proposing coding for new law in Minnesota Statutes, chapters 120; 121; 123; 124A; and 145; repealing Minnesota Statutes 1996, sections 121.02; 121.11, subdivisions 5, 7, 7b, 7d, 9, 11, 12, and 14; 121.904, subdivision 4c; 124.2601, subdivision 4; 124.2713, subdivision 6b; 124.2727, subdivision 6b; 124.647; and 124A.292, subdivisions 2 and 4; Minnesota Statutes 1997 Supplement, sections 121.11, subdivision 7e; 124.2601, subdivision 5; 124.912, subdivisions 2 and 3; and 169.452; Laws 1993, chapter 146, article 5, section 20; and Laws 1997, chapter 231, article 1, section 17; Minnesota Rules, part 3525.2750, subpart 1, item B.

**Enactment:** 4/21/98

**Effective:** Various dates



## ENVIRONMENT & NATURAL RESOURCES\*\*

### Fish house restrictions and license periods modified

HF2492 (Anderson, I.)

SF2111\* (Samuelson)

**Chapter 252:** relating to game and fish; modifying restrictions on fish houses; modifying the license period for fish house licenses; extending certain angling seasons in 1998; amending Minnesota Statutes 1996, section 97C.355, subdivision 7; Minnesota Statutes 1997 Supplement, section 97A.411, subdivision 1.

**Enactment:** 2/12/98

**Effective:** 2/13/98

### Merchandise pallets unauthorized possession or damage prohibitions

HF2696 (Munger)

SF2402\* (Stevens)

**Chapter 282:** relating to commerce; prohibiting the unauthorized possession of, or damage to, merchandise pallets; providing remedies; proposing coding for new law in Minnesota Statutes, chapter 325F.

**Enactment:** 3/16/98

**Effective:** 8/1/98

### Qualified landfills authorized to accept materials from closed dumps

HF3524 (Bakk)

SF3016\* (Johnson, D.J.)

**Chapter 306:** relating to the environment; authorizing acceptance of dump materials at certain qualified landfills; amending Minnesota Statutes 1997 Supplement, section 115B.39, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 115B.

**Enactment:** 3/23/98

**Effective:** 3/24/98

### Board of Water and Soil Resources hearing and review provisions modified

HF2686 (Munger)

SF2269\* (Stumpf)

**Chapter 312:** relating to water; clarifying provisions relating to hearings of the Board of Water and Soil Resources; increasing the level of exempted bids for watershed districts; modifying the public review period for wetland replacement plans; providing for notice of local wetland plan development to the commissioner of agriculture; requiring approval of certain wetland replacements; requiring a report on wetland law consolidation; amending Minnesota Statutes 1996, sections 103B.231, subdivision 9; 103D.105; 103D.641; and 103G.2242, subdivision 8; Minnesota Statutes 1997 Supplement, section 103G.2243, subdivision 1.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Ramsey and Washington counties state trail extended

HF2489\* (Holsten)

SF2381 (Krentz)

**Chapter 318:** relating to natural resources; modifying the description of a state trail in Ramsey and Washington counties; amending Minnesota Statutes 1996, section 85.015, subdivision 14.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### MERLA; statute of limitations provided for filing of actions under MERLA

HF3297\* (Long)

SF2296 (Morse)

**Chapter 341:** relating to the environment; clarifying the liability of contractors performing certain response and development actions under MERLA; clarifying time for filing an action under MERLA; requiring public notice of proposed response actions; requiring a study; amending Minnesota Statutes 1996, sections 115B.03, by adding a subdivision; 115B.11; and 115B.17, by adding a subdivision.

**Enactment:** 3/31/98

**Effective:** Various dates

### State lottery proceeds dedication to Environment and Natural Resources Trust Fund

HF113\* (Munger)

SF76 (Morse)

**Chapter 342:** proposing an amendment to the Minnesota Constitution, article XI, section 14; extending to the year 2025 the dedication of lottery proceeds to the Environment and Natural Resources Trust Fund and maximizing the long-term total return to the fund.

**Enactment:** 3/31/98

**Effective:** Upon voter approval

### Red tag issuance authorized for underground petroleum storage tank violations

HF2722\* (McCollum)

SF2756 (Novak)

**Chapter 379:** relating to the environment; providing penalties for violations of underground storage tank statutes and rules; modifying provisions relating to the placement of motor vehicle antifreeze in wastewater systems; providing for a study; amending Minnesota Statutes 1996, sections 115.071, by adding a subdivision; and 116.073, subdivisions 1 and 2; Minnesota Statutes 1997 Supplement, section 115A.916.

**Enactment:** 4/9/98

**Effective:** 4/10/98 (Sec. 1); 12/31/98 (Secs. 1, 3, 4)

### State park additions and deletions specified

HF3140 (Kalis)

SF2351\* (Vickerman)

**Chapter 391:** relating to natural resources; adding to and deleting from state parks; creating a new recreation area; providing for a

state park permit exemption; amending Minnesota Statutes 1996, section 85.054, by adding a subdivision.

**Enactment:** 4/20/98

**Effective:** 8/1/98

### Personal watercraft operation restrictions increased

HF1351 (Hasskamp)

SF1169\* (Stumpf)

**Chapter 400:** relating to personal watercraft; modifying provisions for the operation of personal watercraft; amending Minnesota Statutes 1996, sections 86B.101, subdivision 2; 86B.313, subdivisions 1, 3, and 4; and 86B.805, by adding a subdivision.

**Enactment:** 4/20/98

**Effective:** 4/21/98 (Sec. 1); 6/1/98 (balance)



## FINANCIAL INSTITUTIONS & INSURANCE

### Savings Association Act maintained

HF2890 (Tunheim)

SF2478\* (Samuelson)

**Chapter 260:** relating to financial institutions; maintaining the Savings Association Act.

**Enactment:** 2/27/98

**Effective:** 2/28/98

### Automobile insurance program reduction provided for completion of an accident prevention course

HF2846\* (Mahon)

SF2245 (Johnson, D.J.)

**Chapter 287:** relating to insurance; automobile; reducing age for eligibility for premium reduction for attending accident prevention course; amending Minnesota Statutes 1996, section 65B.28, subdivisions 1, 2, and 4.

**Vetoed:** 3/18/98

### Health insurance basic Medicare supplement plans coverage for diabetes equipment

HF3065 (Dorn)

SF2608\* (Wiener)

**Chapter 293:** relating to insurance; providing basic Medicare supplement plan cover-

age for diabetes equipment and supplies; increasing the maximum lifetime benefit for policies of the comprehensive health insurance plan; amending Minnesota Statutes 1996, section 62E.12; and Minnesota Statutes 1997 Supplement, section 62A.316.

**Enactment:** 3/18/98

**Effective:** 1/1/99 (Sec. 1); 3/19/98 (Sec. 2)

### Customer loss or theft of a debit card limited liability provided

HF2500\* (Rest)

SF2540 (Oliver)

**Chapter 295:** relating to financial institutions; limiting customer liability for loss or theft of a debit card; amending Minnesota Statutes 1996, section 47.69, subdivision 3.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### Township mutual insurance companies permitted investments expanded

HF2895\* (Tomassoni)

SF2293 (Solon)

**Chapter 297:** relating to insurance; including secondary property covered by a township mutual fire insurance company; modifying permitted investments for township mutual companies; amending Minnesota Statutes 1996, section 67A.191, subdivision 1; Minnesota Statutes 1997 Supplement, section 67A.231.

**Enactment:** 3/18/98

**Effective:** 3/19/98

### Investments of Insurers Act adopted

HF3355 (Rest)

SF3032\* (Wiener)

**Chapter 319:** relating to insurance; regulating investments of certain insurers; amending Minnesota Statutes 1996, sections 61A.14, subdivision 4; and 61A.276, subdivision 4; proposing coding for new law as Minnesota Statutes, chapter 60L.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Reinsurance intermediary brokers funds investment authority regulation

HF2750 (Wenzel)

SF2262\* (Novak)

**Chapter 323:** relating to insurance; regulating reinsurance intermediary brokers; providing for the investment of funds held or collected; amending Minnesota Statutes 1996, section 60A.715.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Financial institutions consumer credit issuance and reporting equal treatment of spouses

HF2309\* (Leppik)  
SF2136 (Wiener)

**Chapter 327:** relating to financial institutions; regulating use of spousal credit history; requiring that creditors consider a credit history in the name of the applicant's spouse; requiring that creditors report a credit history in the names of both spouses; proposing coding for new law in Minnesota Statutes, chapter 325G.

**Enactment:** 3/23/98

**Effective:** 1/1/99

### Life insurance company investments and transactions regulations modified

HF3432 (Wenzel)  
SF2659\* (Wiener)

**Chapter 328:** relating to insurance; regulating life insurance company investments and financial transactions; regulating qualified long-term care policies; modifying the definition of chronically ill individual; amending Minnesota Statutes 1996, section 61A.28, subdivisions 6, 9a, and 12; Minnesota Statutes 1997 Supplement, section 62S.01, subdivision 8.

**Enactment:** 3/23/98

**Effective:** 3/24/98

### Trust companies regulation provisions modification

HF3748 (Anderson, I.)  
SF908\* (Oliver)

**Chapter 331:** relating to financial institutions; trust companies; providing for the organization, powers, and duties of trust companies; providing fiduciary provisions for trust companies and banks exercising trust powers; regulating interstate trust offices; regulating filings in connection with securities; making conforming changes; amending Minnesota Statutes 1996, sections 48.01, subdivision 1; 48.36, subdivision 1; 48.37; 48.39; 48.41; 48.42; 48.43; 48.44; 48.45; 48.46; 48.47; 50.085, subdivision 1; 303.25, subdivision 3; 525.551, subdivision 6; and 525.56, subdivision 4; Minnesota Statutes 1997 Supplement, sections 16A.6701, subdivision 1; 48.01, subdivision 2; and 80A.28, subdivision 1; proposing coding for new law as Minnesota Statutes, chapter 48A; repealing Minnesota Statutes 1996, sections 48.38; 48.475; 48.65; 48.66; 48.67; 48.68; 48.69; 48.70; 48.71; 48.72; 48.73; 48.75; 48.76; 48.77; 48.78; 48.79; 48.80; 48.81; 48.82; 48.83; 48.84; 48.841; 48.845; 48.846;

48.85; and 48.86; and Minnesota Statutes 1997 Supplement, section 48.476.

**Enactment:** 3/25/98

**Effective:** 8/1/98

### Financial institutions mail loan solicitations regulation

HF2016 (Haas)  
SF2550\* (Fischbach)

**Chapter 335:** relating to financial institutions; regulating solicitation of loans by mailing a check payable to the addressee; proposing coding for new law in Minnesota Statutes, chapter 47.

**Enactment:** 3/25/98

**Effective:** 1/1/99

### Workers' compensation self insurance regulation provisions modification

HF2625 (Tomassoni)  
SF2267\* (Novak)

**Chapter 339:** relating to insurance; regulating terminations of workers' compensation self-insurance authority and commercial workers' compensation self-insurance groups; providing investment, funding, reporting, and transfer requirements; providing permanent health plan coverage for prostate cancer screenings; requiring a notice; amending Minnesota Statutes 1996, sections 79A.06, subdivision 5; 79A.22, subdivision 7, and by adding a subdivision; 79A.23, subdivisions 1 and 2; 79A.24, subdivisions 1, 2, and 4; 79A.26, subdivision 2; and 79A.31, subdivision 1; Minnesota Statutes 1997 Supplement, section 62J.65; Laws 1996, chapter 446, article 1, section 72.

**Enactment:** 3/31/98

**Effective:** 8/1/98 (Sec. 1); 4/1/98 (Secs. 2-12)

### Insurance company affiliates rebating activities prohibition

HF3402 (Davids)  
SF2928\* (Hottinger)

**Chapter 375:** relating to insurance; prohibiting affiliates of insurance companies from engaging in rebating that is illegal for insurance companies; amending Minnesota Statutes 1996, section 72A.08, subdivisions 1, 2, and 3.

**Enactment:** 4/9/98

**Effective:** 8/1/98



## GENERAL LEGISLATION, VETERANS AFFAIRS & ELECTIONS

### Gulf War vet bonus program modified

HF2338\* (Folliard)  
SF2167 (Metzen)

**Chapter 258:** relating to veterans; amending the Gulf War veterans bonus program to facilitate eligibility verification; amending Minnesota Statutes 1997 Supplement, section 197.79, subdivision 1.

**Enactment:** 2/25/98

**Effective:** 2/26/98

### Four Chaplains Day designation

HF3095\* (Rhodes)  
SF2688 (Terwilliger)

**Chapter 272:** relating to veterans; designating a date in February as Four Chaplains Day in honor of United States army chaplains who sacrificed their lives at sea for other service members; proposing coding for new law in Minnesota Statutes, chapter 10.

**Enactment:** 3/6/98

**Effective:** 3/7/98

### Voter record address change updates

HF2387 (Folliard)  
SF2149\* (Scheid)

**Chapter 346:** relating to elections; providing for updated voter records; amending Minnesota Statutes 1996, section 201.13, by adding a subdivision.

**Vetoed:** 3/31/98

### Ramsey County open absentee ballot system pilot program extension

HF2567 (McCollum)  
SF2221\* (Wiger)

**Chapter 347:** relating to Ramsey County; authorizing extension of a pilot program to test open absentee balloting.

**Vetoed:** 3/31/98

### Absentee voting eligibility expansion

HF2526 (Osthoff)  
SF2148\* (Scheid)

**Chapter 352:** relating to elections; changing certain absentee ballot provisions; amending Minnesota Statutes 1996, section 203B.02, subdivision 1; Minnesota Statutes 1997

Supplement, sections 203B.03, subdivision 1; and 203B.04, subdivision 1.

**Vetoed:** 4/2/98

### Minneapolis absentee voting pilot project

HF2293 (Jefferson)

SF2118\* (Higgins)

**Chapter 370:** A bill for an act relating to elections; authorizing experimental balloting procedures for voters in the city of Minneapolis; amending Minnesota Statutes 1996, section 203B.02, by adding a subdivision.

**Vetoed:** 4/9/98

### Elections provisions modifications for constitutionality purposes

HF2485 (Greiling)

SF2256\* (Marty)

**Chapter 376:** relating to elections; eliminating certain provisions that have been ruled unconstitutional; amending Minnesota Statutes 1996, sections 211B.04; 211B.06, subdivision 1; 253B.23, subdivision 2; and 609.165, by adding a subdivision; Minnesota Statutes 1997 Supplement, section 201.15, subdivision 1.

**Enactment:** 4/9/98

**Effective:** 4/10/98

### Constitutional amendment to abolish office of state treasurer

HF103 (Greiling)

SF161\* (Wiener)

**Chapter 387:** relating to state government; proposing an amendment to the Minnesota Constitution, article V, sections 1, 3, and 4; article VIII, section 2; article XI, sections 7 and 8; abolishing the office of state treasurer; repealing the powers, responsibilities, and duties of the state treasurer; requiring a study of the issue of transferring the powers, duties, and responsibilities of the state treasurer; amending Minnesota Statutes 1996, sections 9.011, subdivision 1; and 11A.03.

**Enactment:** 4/9/98

**Effective:** First Monday in January 2003 (if amendment approved)



## GOVERNMENTAL OPERATIONS\*\*

### Local government unit aid distribution clarification in township annexation

HFnone

SF2379\* (Metzen)

**Chapter 264:** relating to the Board of Government Innovation and Cooperation; clarifying the distribution of cooperation and combination aid in certain circumstances when an entire township is annexed by two or more contiguous cities; amending Minnesota Statutes 1997 Supplement, section 465.87, subdivision 1a.

**Enactment:** 3/4/98

**Effective:** 3/5/98

### Director of Office of Technology membership to various organizations clarified

HF2811 (Kahn)

SF2315\* (Robertson)

**Chapter 270:** relating to technology; making technical changes to show director of office of technology as member of various organizations; amending Minnesota Statutes 1996, sections 62J.451, subdivision 9; and 116O.03, subdivision 2; Minnesota Statutes 1997 Supplement, section 44A.01, subdivision 2; and Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended.

**Enactment:** 3/5/98

**Effective:** 7/1/97 (retroactive)

### Public employees insurance program expansion

HF3734 (Mares)

SF2354\* (Kiscaden)

**Chapter 271:** relating to employee relations; modifying provisions governing the public employees insurance program; amending Minnesota Statutes 1996, section 43A.316, subdivision 2.

**Enactment:** 3/6/98

**Effective:** 8/1/98

### CFL and Economic Security reorganization codified

HF2866 (Kinkel)

SF2477\* (Stumpf)

**Chapter 273:** relating to state government; codifying reorganization order number 179 with respect to the departments of children, families, and learning and economic security; amending Minnesota Statutes 1996, sections 13.99, subdivision 81; 216B.241, subdivision 2a; 239.785, subdivision 6; and 462A.05, subdivision 15c; Minnesota Statutes 1997 Supplement, sections 119A.15, subdivision 5a; and 268.19; proposing coding for new law in Minnesota Statutes, chapter 119A; repealing Minnesota Statutes 1996, sections 4.071, subdivision 3; 268.37; 268.371; 268.38, subdivisions 1, 2, 3, 4, 5, 6, 8, 9, and 12; 268.55; and 268.92; Minnesota Statutes 1997 Supplement, sections 268.38, subdivision 7; and 268.917.

**Enactment:** 3/9/98

**Effective:** 8/1/98

### Rural finance authority and housing finance electronic meetings authority permanency

HF3593 (Larsen)

SF2457\* (Flynn)

**Chapter 279:** relating to the Minnesota Housing Finance Agency; making permanent a temporary provision about the agency's meetings; repealing Laws 1997, chapter 154, section 5.

**Enactment:** 3/16/98

**Effective:** 6/30/98 (repealed)

### Employee relations department experimental or research projects authority expansion

HF2777 (Jefferson)

SF2516\* (Stevens)

**Chapter 286:** relating to employee relations; modifying provisions on experimental or research projects in the Department of Employee Relations; amending Minnesota Statutes 1997 Supplement, section 43A.04, subdivision 9.

**Enactment:** 3/18/98

**Effective:** 3/19/98

### State agencies regulatory rules and programs policy and obsolete, unnecessary or duplicative rules regulation

HF2043 (Greiling)

SF1583\* (Hottinger)

**Chapter 303:** relating to state government;

setting state policy for regulatory rules and programs of agencies; regulating obsolete, unnecessary, or duplicative rules; providing notice of rulemaking action to the legislature; requiring a study; amending Minnesota Statutes 1997 Supplement, sections 14.05, subdivision 5; and 14.131; proposing coding for new law in Minnesota Statutes, chapter 14.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### Public employee labor agreements ratified

HF3068\* (Solberg)

SF2520 (Flynn)

**Chapter 351:** relating to state employment; modifying salary provisions for certain officials; setting conditions for advancing employees within a compensation plan or to exceed the salary of an agency head; providing an early retirement incentive for certain employees of the Bureau of Criminal Apprehension; ratifying certain labor agreements; ratifying certain plans and proposals; amending Minnesota Statutes 1997 Supplement, sections 15A.0815, subdivision 3; 43A.17, subdivision 3; and 298.22, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 43A.

**Enactment:** 4/2/98

**Effective:** 4/3/98 (Secs. 3, 5)

### Compensation increase provided for state employees on leave serving as Red Cross disaster volunteers

HF2673\* (Rest)

SF1946 (Stumpf)

**Chapter 356:** relating to public employment; increasing compensation for state employees on leave to serve as certified disaster service volunteers of the American Red Cross; amending Minnesota Statutes 1996, section 43A.185, subdivision 1.

**Enactment:** 4/6/98†

**Effective:** 8/1/98

### Administration department provisions modifications

HF2947 (Hilty)

SF2730\* (Robertson)

**Chapter 359:** relating to state government; Department of Administration; making technical corrections relating to information systems and technology, data practices, and certain appropriations oversight; changing the name of the Minnesota Telecommunications Network; clarifying Department of

Administration authority over building operations and maintenance; extending the expiration date of the Governor's Residence Council; changing certain terminology, providing for disposition of certain revenue, modifying provisions relating to certain disability councils, and clarifying certain referenda authority with respect to the state building code; amending Minnesota Statutes 1996, sections 16B.04, subdivision 2; 16B.24, subdivision 1; 16B.27, subdivision 3; 16B.58, subdivision 1; 16B.65, subdivisions 1 and 6; and 124C.74, subdivisions 2 and 3; Minnesota Statutes 1997 Supplement, sections 15.059, subdivision 5a; 16B.415; 16B.465; 16B.72; 16E.03, subdivision 1; 16E.13, subdivision 3; and 221.173; Laws 1995, First Special Session chapter 3, article 12, section 7, subdivision 1, as amended; and Laws 1997, chapter 202, article 1, section 12, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 16B.

**Enactment:** 4/3/98

**Effective:** 4/4/98 (Secs. 1, 19, 20, 21)

### State agencies procurement process modification

HF384 (Kahn)

SF726\* (Knutson)

**Chapter 386:** relating to state agencies; modifying procurement procedures; amending Minnesota Statutes 1996, sections 3.225, subdivision 2; 3.732, subdivision 6; 3.922, subdivision 5; 3C.10, subdivision 3; 4A.04; 6.551; 11A.24, subdivision 4; 12.221, subdivision 5; 15.054; 15.061; 16A.101; 16A.85, subdivision 1; 16B.181; 17.1015; 41A.023; 43A.23, subdivision 1; 44A.01, subdivision 1; 45.0291; 84.025, subdivision 7; 84.026; 84.0845; 85A.02, subdivisions 3, 16, and 18; 103F.515, subdivision 3; 116.03, subdivision 2; 116J.035, subdivision 1; 116J.402; 116J.58, subdivision 2; 116J.68, subdivision 2; 116J.966, subdivision 1; 124.14, subdivision 1; 126.151, subdivision 2; 129C.10, subdivision 7; 136A.06; 136A.16, subdivision 1; 136A.29, subdivision 6; 136F.23; 136F.56, subdivision 5; 136F.581, subdivision 3; 136F.66; 136F.72, subdivision 3; 136F.96; 137.35, subdivisions 1, 2, and 3; 144.0742; 144.95, subdivision 5; 161.315, subdivision 4; 161.32, by adding subdivisions; 161.321, subdivisions 1, 2, 5, 6, and 7; 161.41, subdivision 2; 179A.23; 198.35, subdivision 1; 216C.02, subdivision 1; 237.51, subdivision 5a; 241.0221, subdivision 6; 241.27, subdivision 2; 246.36; 246.57, subdivisions 1 and 6; 256B.031, subdivision 1; 256B.04, subdivisions 14 and 15; 298.2211,

subdivision 4; 349A.06, subdivision 1; 349A.07, subdivision 6; 352.03, subdivisions 6 and 16; 354.06, subdivision 2a; 354.07, subdivision 7; 356A.06, subdivision 7; 446A.12, subdivision 5; 462A.18, subdivision 2; 471.345, subdivision 8; 473.142; 473.556, subdivision 14; 480.09, subdivision 1; and 626.90, subdivision 2; Minnesota Statutes 1997 Supplement, sections 3.225, subdivision 1; 16A.15, subdivision 3; 16B.465, subdivision 7; 16E.07, subdivision 9; 17.03, subdivision 12; 41D.03, subdivision 7; 61B.21, subdivision 1; 85A.02, subdivision 5b; 121.1113, subdivision 2; 136A.40; 138.35, subdivision 1b; 179A.03, subdivision 14; 216D.03, subdivision 2; 241.277, subdivision 2; 256B.19, subdivision 2a; 256D.03, subdivision 6; 353.03, subdivision 3a; 363.073, subdivision 1; and 626.91, subdivision 2; proposing coding for new law in Minnesota Statutes, chapters 16C; and 174; repealing Minnesota Statutes 1996, sections 16B.06; 16B.07; 16B.08; 16B.09; 16B.101; 16B.102; 16B.103; 16B.123; 16B.13; 16B.14; 16B.15; 16B.16; 16B.167; 16B.17; 16B.175; 16B.18, subdivisions 1, 2, and 4; 16B.185; 16B.19; 16B.20, subdivisions 1 and 3; 16B.21; 16B.22; 16B.226; 16B.227; 16B.23; 16B.28; 16B.29; and 16B.89; Minnesota Statutes 1997 Supplement, sections 16B.18, subdivision 3; 16B.20, subdivision 2; and 16B.482.

**Enactment:** 4/20/98

**Effective:** 7/1/98 (generally); 5/1/98 (Art. 1, Sec. 33)

### Omnibus pensions bill

HF2970\* (Kahn)

SF2555 (Morse)

**Chapter 390:** relating to retirement; various retirement plans; adjusting pension coverage for certain privatized public hospital employees; providing for voluntary deduction of health insurance premiums from certain annuities; providing for increased survivor benefits relating to certain public employees murdered in the line of duty; authorizing certain service credit purchases; specifying prior service credit purchase payment amount determination procedures increasing salaries of various judges; modifying other judicial salaries; modifying the judges' retirement plan member and employer contribution rates; authorizing the transfer of certain prior retirement contributions from the legislators' retirement plan and from the elective state officers' retirement plan; creating a contribution transfer account in the general fund of the state; appropriating money; re-

formulating the Columbia Heights volunteer firefighters relief association plan as a defined contribution plan under the general volunteer fire law; restructuring the Columbia Heights volunteer firefighter relief association board; modifying various higher education retirement plan provisions; modifying administrative expense provisions for various public pension plans; expanding the teacher retirement plans' part-time teaching positions eligible to participate in the qualified full-time service credit for part-time teaching service program; making certain Minneapolis Fire Department Relief Association survivor benefit options retroactive; providing increased disability benefit coverage for certain local government correctional facility employees; increasing local government correctional employee and employer contribution rates; providing increased survivor benefits to certain Minneapolis Employee Retirement Fund survivors; authorizing certain Hennepin County regional park employees to change retirement plan membership; modifying benefit increase provision for Eveleth police and firefighters; modifying the length of the actuarial services contract of the Legislative Commission on Pensions and Retirement; modifying the scope of quadrennial projection valuations; providing special disability coverage for local correctional employees; requiring report on tax sheltered annuity for higher education employees; amending Minnesota Statutes 1996, sections 3A.13; 11A.17, subdivision 2; 136F.45, by adding subdivisions; 136F.48; 352.96, subdivision 4; 352D.09, subdivision 7; 352D.12; 353.27, subdivision 3; 353.33, subdivision 3a; 353D.05, subdivision 3; 354.445; 354.66, subdivisions 2 and 3; 354A.094, subdivisions 2 and 3; 354B.23, by adding a subdivision; 354C.12, by adding a subdivision; 383B.52; 422A.23, subdivision 2; and 490.123, subdivisions 1a and 1b; Minnesota Statutes 1997 Supplement, sections 3.85, subdivision 11; 15A.083, subdivisions 5, 6a, and 7; 353.27, subdivision 2; 354B.25, subdivisions 1a and 5; 354C.12, subdivision 4; and 356.215, subdivision 2; Laws 1977, chapter 61, section 6, as amended; Laws 1995, chapter 262, article 10, section 1; Laws 1997, Second Special Session chapter 3, section 16; proposing coding for new law in Minnesota Statutes, chapter 356; repealing Minnesota Statutes 1996, sections 11A.17, subdivisions 10a and 14; and 352D.09, subdivision 8; Minnesota Statutes 1997 Supplement, section 136F.45, subdivision 3.

**Enactment:** 4/20/98

**Effective:** Various dates



## HEALTH & HUMAN SERVICES

### Rural hospital flexibility program

HF2550\* (Otremba)

SF2261 (Sams)

**Chapter 257:** relating to health; providing for rural critical access hospitals; amending Minnesota Statutes 1996, section 144.1483.

**Enactment:** 2/25/98

**Effective:** 2/26/98

### Commissioner of health public water supply approval authority modified

HF2828\* (Tingelstad)

SF2345 (Morse)

**Chapter 261:** relating to health; modifying the authority of the commissioner to approve public water supplies; providing for administrative fines against large public water suppliers; amending Minnesota Statutes 1996, sections 144.383; and 144.99, subdivision 4.

**Enactment:** 3/4/98

**Effective:** 8/1/98

### Long-term nursing care facility payroll documentation procedures modified

HF3040\* (Johnson, R.)

SF2355 (Lourey)

**Chapter 274:** relating to human services; modifying requirements for documentation of long-term care facility payrolls; amending Minnesota Statutes 1996, section 256B.432, subdivision 8.

**Enactment:** 3/16/98

**Effective:** 7/1/98

### Day training and rehabilitation services business arrangements use and rate variance mechanism flexibility

HF2992 (Greenfield)

SF2669\* (Hottinger)

**Chapter 284:** relating to human services; allowing greater use of arrangements with businesses when providing day training and habilitation services; directing the commissioner of human services to develop a more flexible rate variance mechanism for day training habilitation services vendors; amending Minnesota Statutes 1996, section 252.451, subdivision 5.

**Enactment:** 3/16/98

**Effective:** 8/1/98

### Industrial Hygienist and Safety Professional Title Protection Act adopted

HF668\* (Seagren)

SF668 (Kiscaden)

**Chapter 288:** relating to occupations; enacting the Industrial Hygienist and Safety Professional Title Protection Act; providing title protection to the professions of industrial hygiene and safety; proposing coding for new law as Minnesota Statutes, chapter 182A.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### Health plan coverage for off-label use of drugs

HF1306 (Hausman)

SF1076\* (Sams)

**Chapter 301:** relating to health; requiring health plan coverage for off-label use of drugs; proposing coding for new law in Minnesota Statutes, chapter 62Q.

**Enactment:** 3/18/98

**Effective:** 1/1/99

### Hepatitis B immunization required for children

HF2681 (Slawik)

SF2372\* (Lourey)

**Chapter 305:** relating to health; requiring hepatitis B immunization for children; amending Minnesota Statutes 1996, section 123.70, subdivisions 1, 2, and 4; Minnesota Statutes 1997 Supplement, section 123.70, subdivision 10.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Federal Drug Enforcement Administration registration number requirement exemption provided

HF2401 (Huntley)

SF2207\* (Hottinger)

**Chapter 316:** relating to health; exempting certain prescriptions from bearing a federal Drug Enforcement Administration registration number; restricting the use and the release of the federal drug enforcement administration registration number; amending Minnesota Statutes 1996, section 152.11, by adding subdivisions.

**Enactment:** 3/23/98

**Effective:** Federal contingency

### Speech-language pathologist, unlicensed mental health practitioner, alcohol and drug counselor, physical therapists, and hearing instrument dispenser licensure requirements modified

HF2786 (Wejcman)

SF2447\* (Sams)

**Chapter 317:** relating to health professions; modifying provisions relating to speech language pathologists, unlicensed mental health practitioners, alcohol and drug counselors, physical therapists, and hearing instrument dispensers; authorizing exempt rulemaking; amending Minnesota Statutes 1996, sections 144.335, subdivision 1; 148.515, subdivision 3; 148.518, subdivision 2; 148.5191, subdivisions 1, 3, and 4; 148.5194; 148.5195, subdivision 3; 148.76, subdivision 2; 148B.69, by adding a subdivision; 148C.04, subdivision 3; 148C.05, subdivision 2; 148C.06; 153A.13, subdivision 5; 153A.14, subdivisions 2a, 2b, 2d, 2f, 2h, 9, and 10; 153A.15, subdivision 1, and by adding a subdivision; and 153A.20, subdivision 3; Minnesota Statutes 1997 Supplement, sections 148C.03, subdivision 1; and 148C.11, subdivision 3; proposing coding for new law in Minnesota Statutes, chapter 148; repealing Minnesota Statutes 1996, section 153A.14, subdivision 7.

**Enactment:** 3/23/98

**Effective:** 3/24/98 (Secs. 1-4, 9-29); 11/1/98 (Secs. 5-8)

### Emergency medical care automatic external defibrillators use liability immunity

HF3138 (Evans)

SF2861\* (Hottinger)

**Chapter 329:** relating to health; providing for the use of automatic external defibrillators; providing immunity from civil liability; amending Minnesota Statutes 1996, section 604A.01, subdivision 2.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Nonprofit health care trust agreements or transactions regulation

HF381 (Greenfield)

SF695\* (Berglin)

**Chapter 330:** relating to organizations; regulating certain nonprofit and charitable organizations; defining a nonprofit health care trust; establishing requirements for certain agreements and transactions between nonprofit health care trusts and noncharitable entities; requiring that financial statements

of charitable organizations contain certain information; amending Minnesota Statutes 1996, sections 13.99, by adding a subdivision; 309.53, subdivision 3; and 317A.811, subdivision 6; Minnesota Statutes 1997 Supplement, section 317A.141, subdivision 4; proposing coding for new law in Minnesota Statutes, chapter 501B.

**Vetoed:** 3/25/98

### Health plan companies durable medical equipment coverage requirement

HF2814\* (Tomassoni)

SF2130 (Foley)

**Chapter 334:** relating to health; establishing a minimum definition of durable medical equipment; requiring disclosure of covered medical equipment and supplies; proposing coding for new law in Minnesota Statutes, chapter 62Q.

**Enactment:** 3/25/98

**Effective:** 1/1/99

### Omnibus health and human services bill

HF2868 (Greenfield)

SF3346\* (Samuelson)

**Chapter 407:** relating to human services; appropriating money; changing provisions for long-term care, health care programs, and provisions including MA and GAMC, MinnesotaCare, welfare reform, Work First, compulsive gambling, child welfare modifications and child support, and regional treatment centers; providing administrative penalties; providing for the recording and reporting of abortion data; amending Minnesota Statutes 1996, sections 62A.65, subdivision 5; 62D.042, subdivision 2; 62E.16; 62J.321, by adding a subdivision; 62Q.095, subdivision 3; 144.226, subdivision 3; 144.701, subdivisions 1, 2, and 4; 144.702, subdivisions 1, 2, and 8; 144.9501, subdivisions 1, 17, 18, 20, 23, 30, 32, and by adding subdivisions; 144.9502, subdivisions 3, 4, and 9; 144.9503, subdivisions 4, 6, and 7; 144.9504, subdivisions 1, 3, 4, 5, 6, 7, 8, 9, and 10; 144.9505, subdivisions 1, 4, and 5; 144.9506, subdivision 2; 144.9507, subdivisions 2, 3, and 4; 144.9508, subdivisions 1, 3, 4, and by adding a subdivision; 144.9509, subdivision 2; 144.99, subdivision 1; 144A.04, subdivision 5; 144A.09, subdivision 1; 144A.44, subdivision 2; 145.11, by adding a subdivision; 145A.15, subdivision 2; 157.15, subdivisions 9, 12, 12a, 13, and 14; 214.03; 245.462, subdivisions 4 and 8; 245.4871, subdivision 4;

245A.03, by adding subdivisions; 245A.035, subdivision 4; 245A.14, subdivision 4; 254A.17, subdivision 1, and by adding a subdivision; 256.01, subdivision 12, and by adding subdivisions; 256.014, subdivision 1; 256.969, subdivisions 16 and 17; 256B.03, subdivision 3; 256B.055, subdivision 7, and by adding a subdivision; 256B.057, subdivision 3a, and by adding subdivisions; 256B.0625, subdivisions 7, 17, 19a, 20, 34, 38, and by adding subdivisions; 256B.0627, subdivision 4; 256B.0911, subdivision 4; 256B.0916; 256B.41, subdivision 1; 256B.431, subdivisions 2b, 2i, 4, 11, 22, and by adding subdivisions; 256B.501, subdivisions 2 and 12; 256B.69, subdivision 22, and by adding subdivisions; 256D.03, subdivision 4, and by adding a subdivision; 256D.051, by adding a subdivision; 256D.46, subdivision 2; 256I.04, subdivisions 1, 3, and by adding a subdivision; 256I.05, subdivision 2; 257.42; 257.43; 259.24, subdivision 1; 259.37, subdivision 2; 259.67, subdivision 1; 260.011, subdivision 2; 260.141, by adding a subdivision; 260.172, subdivision 1; 260.221, as amended; 268.88; 268.92, subdivision 4; 609.115, subdivision 9; and 626.556, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 13.99, by adding a subdivision; 60A.15, subdivision 1; 62D.11, subdivision 1; 62J.69, subdivisions 1, 2, and by adding subdivisions; 62J.71, subdivisions 1, 3, and 4; 62J.72, subdivision 1; 62J.75; 62Q.105, subdivision 1; 62Q.30; 103I.208, subdivision 2; 119B.01, subdivision 16; 119B.02; 123.70, subdivision 10, as amended; 144.1494, subdivision 1; 144.218, subdivision 2; 144.226, subdivision 4; 144.9504, subdivision 2; 144.9506, subdivision 1; 144A.071, subdivision 4a; 144A.4605, subdivision 4; 157.16, subdivision 3; 171.29, subdivision 2; 214.32, subdivision 1; 245A.03, subdivision 2; 245A.04, subdivisions 3b and 3d; 245B.06, subdivision 2; 256.01, subdivision 2; 256.031, subdivision 6; 256.741, by adding a subdivision; 256.82, subdivision 2; 256.9657, subdivision 3; 256.9685, subdivision 1; 256.9864; 256B.04, subdivision 18; 256B.056, subdivisions 1a and 4; 256B.06, subdivision 4; 256B.062; 256B.0625, subdivision 31a; 256B.0627, subdivisions 5 and 8; 256B.0635, by adding a subdivision; 256B.0645; 256B.0911, subdivisions 2 and 7; 256B.0913, subdivision 14; 256B.0915, subdivisions 1d and 3; 256B.0951, by adding a subdivision; 256B.431, subdivisions 3f and 26; 256B.433, subdivision 3a; 256B.434, subdivision 10; 256B.69, subdivisions 2 and 3a; 256B.692, subdivisions 2 and 5; 256B.77, sub-

divisions 3, 7a, 10, and 12; 256D.03, subdivision 3; 256D.05, subdivision 8; 256F.05, subdivision 8; 256J.02, subdivision 4; 256J.03; 256J.08, subdivisions 11, 26, 28, 40, 60, 68, 73, 83, and by adding subdivisions; 256J.09, subdivisions 6 and 9; 256J.11, subdivision 2, as amended; 256J.12; 256J.14; 256J.15, subdivision 2; 256J.20, subdivisions 2 and 3; 256J.21; 256J.24, subdivisions 1, 2, 3, 4, 7, and by adding subdivisions; 256J.26, subdivisions 1, 2, 3, and 4; 256J.28, subdivisions 1, 2, and by adding a subdivision; 256J.30, subdivisions 10 and 11; 256J.31, subdivisions 5, 10, and by adding a subdivision; 256J.32, subdivisions 4, 6, and by adding a subdivision; 256J.33, subdivisions 1 and 4; 256J.35; 256J.36; 256J.37, subdivisions 1, 2, 9, and by adding subdivisions; 256J.38, subdivision 1; 256J.39, subdivision 2; 256J.395; 256J.42; 256J.43; 256J.45, subdivisions 1, 2, and by adding a subdivision; 256J.46, subdivisions 1, 2, and 2a; 256J.47, subdivision 4; 256J.48, subdivisions 2 and 3; 256J.49, subdivision 4; 256J.50, subdivision 5, and by adding subdivisions; 256J.515; 256J.52, subdivision 4, and by adding subdivisions; 256J.54, subdivisions 2, 3, 4, and 5; 256J.55, subdivision 5; 256J.56; 256J.57, subdivision 1; 256J.645, subdivision 3; 256J.74, subdivision 2, and by adding a subdivision; 256K.03, subdivision 5; 256L.01; 256L.02, subdivision 3, and by adding a subdivision; 256L.03, subdivisions 1, 3, 4, 5, and by adding subdivisions; 256L.04, subdivisions 1, 2, 7, 8, 9, 10, and by adding subdivisions; 256L.05, subdivisions 2, 3, 4, and by adding subdivisions; 256L.06, subdivision 3; 256L.07; 256L.09, subdivisions 2, 4, and 6; 256L.11, subdivision 6; 256L.12, subdivision 5; 256L.15; 256L.17, by adding a subdivision; 257.071, subdivision 1d; 257.85, subdivision 5; 259.22, subdivision 4; 259.47, subdivision 3; 259.58; 259.60, subdivision 2; 260.012; 260.015, subdivisions 2a and 29; 260.161, subdivision 2; 260.191, subdivisions 1, 1a, 3a, and 3b; 260.241, subdivision 3; and 270A.03, subdivision 5; Laws 1994, chapter 633, article 7, section 3; Laws 1997, chapter 195, section 5; chapter 203, article 4, section 64; article 9, section 21; chapter 207, section 7; chapter 225, article 2, section 64; and chapter 24, section 46, as amended; proposing coding for new law in Minnesota Statutes, chapters 62J; 62Q; 144; 145; 245; 256; 256B; 256D; and 256J; repealing Minnesota Statutes 1996, sections 62J.685; 144.0721, subdivision 3a; 144.491; 144.9501, subdivisions 12, 14, and 16; 144.9503, subdivisions 5, 8, and 9; 157.15, subdivision 15; 256.031, subdivisions 1, 2, 3,

and 4; 256.032; 256.033, subdivisions 2, 3, 4, 5, and 6; 256.034; 256.035; 256.036; 256.0361; 256.047; 256.0475; 256.048; and 256.049; Minnesota Statutes 1997 Supplement, sections 62D.042, subdivision 3; 144.0721, subdivision 3; 256.031, subdivisions 5 and 6; 256.033, subdivisions 1 and 1a; 256B.057, subdivision 1a; 256B.062; 256B.0913, subdivision 15; 256J.25; 256J.28, subdivision 4; 256J.32, subdivision 5; 256J.34, subdivision 5; 256L.04, subdivisions 3, 4, 5, and 6; 256L.06, subdivisions 1 and 2; 256L.08; 256L.09, subdivision 3; 256L.13; and 256L.14; Laws 1997, chapter 85, article 1, sections 61 and 71; and article 3, section 55.

**Enactment:** 4/21/98

#### Line-item vetoes:

Page 10, Subd. 6, Lines 23-32; and  
Page 15, Subd. 7, Lines 26-57

**Effective:** Various dates



## JUDICIARY

### Revisor's bill

HF2524\* (Chaudhary)

SF2134 (Betzold)

**Chapter 254:** An act relating to Minnesota Statutes; correcting erroneous, ambiguous, and omitted text and obsolete references; eliminating certain redundant, conflicting, unconstitutional, and superseded provisions; making miscellaneous technical corrections to statutes and other laws; amending Minnesota Statutes 1996, sections 3C.08, subdivision 1; 3C.12, subdivision 4; 10A.01, subdivision 19; 10A.323; 11A.04; 14.47, subdivision 3; 15A.082, subdivisions 1 and 3; 16B.51, subdivision 1; 32.70, subdivisions 2 and 10; 47.27, subdivision 1; 47.325; 48.846, subdivision 3; 62J.17, subdivision 2; 62Q.03, subdivision 6; 82A.11, subdivision 5; 97A.0455, subdivision 2; 115A.191, subdivisions 2 and 4; 115B.17, subdivision 6; 115B.25, subdivision 7a; 127.09; 127.17, subdivision 4; 134A.01; 144.651, subdivision 1; 144A.45, subdivision 2; 144A.46, subdivision 4; 144A.48, subdivision 2; 145.698, subdivision 1; 145C.01, subdivision 7; 147.02, subdivision 1; 147B.01, subdivisions 5, 12, and 16; 147B.02, subdivisions 4, 7, 9, and 12; 147B.03,

subdivisions 1 and 4; 147B.05, subdivision 1; 148B.21, subdivisions 1 and 8; 148B.24; 148B.27, subdivision 2b; 154.161, subdivision 4; 157.17, subdivision 3; 164.08, subdivisions 3; 169.421, subdivisions 5 and 7; 169.792, subdivision 7; 169.86, subdivision 1; 169.871, subdivision 2; 169.965, subdivision 3; 169.966, subdivision 3; 169.971, subdivision 4; 169.99, subdivision 3; 190.08, subdivision 6; 204B.11, subdivisions 1 and 2; 204B.34, subdivision 3; 204C.35, subdivision 2; 204D.02, subdivision 1; 204D.08, subdivision 6; 205A.10, subdivision 2; 206.90, subdivision 3; 216C.01, subdivision 1; 256.9657, subdivisions 1a and 7; 257.022, subdivisions 1 and 2a; 257.59, subdivision 1; 268.027; 273.13, subdivision 1; 273.1398, subdivision 6; 273.166, subdivision 2; 284.07; 325F.692, subdivision 2; 345.02; 345.03; 345.14; 346.04; 346.55, subdivision 2; 347.04; 353.01, subdivision 2a; 383A.281, subdivision 13; 383A.286, subdivision 2; 383A.404, subdivision 4; 383B.054, subdivision 6; 383B.057; 383B.121, subdivision 10; 383B.129; 383B.225, subdivision 10; 393.07, subdivision 9; 395.23; 448.56, subdivision 2; 458D.15; 462.16; 465.48; 473.191, subdivision 2; 473.197, subdivision 2; 473.608, subdivision 17; 477A.011, subdivision 27; 477A.0132, subdivision 3; 477A.014, subdivisions 1 and 3; 480.052; 480.054; 480.055, subdivision 1; 480.059, subdivision 2; 480.0591, subdivision 2; 480.19; 484.66, subdivision 2; 485.01; 517.08, subdivision 1b; 550.07; 559.211, subdivision 1; 566.175, subdivision 1; 574.18; 574.34, subdivision 2; 574.35; 611A.21, subdivision 2; 611A.25, subdivision 1; 617.27; 624.7131, subdivision 8; 624.7132, subdivision 13; 624.714, subdivision 12; 625.01; 626.21; 630.17; 631.04; 643.01; and 643.02; Minnesota Statutes 1997 Supplement, sections 15.0591, subdivision 2; 62J.04, subdivision 3; 62J.61, subdivision 2; 62Q.01, subdivision 3; 85A.02, subdivision 5b; 115.58, subdivision 2; 119A.15, subdivision 5a; 144A.45, subdivision 1; 144A.4605, subdivisions 3 and 4; 148B.20, subdivision 1; 157.17, subdivision 2; 161.14, subdivision 41; 169.121, subdivision 3e; 169.123, subdivision 6; 244.09, subdivision 5; 260.015, subdivision 29; 268.145, subdivision 1; 274.01, subdivision 1; 275.011, subdivision 1; 275.065, subdivision 6; 297A.48, subdivisions 1 and 10; 325D.32, subdivision 4; 325D.415; 326.921; 473.249, subdivision 1; 477A.011, subdivision 34; 552.04, subdivision 1; 609.749, subdivision 2; 609.7495, subdivision 1; and 611A.74, subdivision 1a; repealing Minnesota Statutes

1996, sections 13.99, subdivision 19g; 148.976; 157.17, subdivision 4; 256.9657, subdivision 1b; 256E.06, subdivision 9; 458D.14, subdivision 2; and 484.015; Laws 1997, chapter 12, article 3, sections 2 and 3; chapter 187, article 2, sections 11 and 12; chapter 219, section 3; chapter 225, article 2, sections 24, 25, 26, 27, and 28; chapter 226, section 10; and chapter 239, article 7, section 37.

**Enactment:** 2/18/98

**Effective:** 8/1/98

### Uniform Certification of Questions of Law Act adopted

HF1554 (Dawkins)

SF1440\* (Ranum)

**Chapter 255:** relating to appellate courts; providing for questions of law certified between the appellate courts of this state and other states and nations; enacting the 1997 Uniform Certification of Questions of Law Act; proposing coding for new law in Minnesota Statutes, chapter 480; repealing Minnesota Statutes 1996, section 480.061.

**Enactment:** 2/19/98

**Effective:** 8/1/98

### Real property conveyance provisions modified

HF2390 (Pugh)

SF2031\* (Betzold)

**Chapter 262:** relating to commerce; regulating conveyances and other transactions relating to real and personal property; making corrective and conforming changes to the Uniform Partnership Act of 1994; amending Minnesota Statutes 1996, sections 501B.57, subdivision 1, and by adding a subdivision; 507.24; and 580.24; Minnesota Statutes 1997 Supplement, sections 315.121; 322A.88; 323A.1-04; 323A.3-06; and 524.2-403; Laws 1997, chapter 174, article 12, sections 67 and 68; proposing coding for new law in Minnesota Statutes, chapter 507.

**Enactment:** 3/4/98

**Effective:** 8/1/98

### Tenant security deposit interest rate increase

HF2590\* (Jennings)

SF2122 (Metzen)

**Chapter 266:** relating to landlords and tenants; correcting a reference relating to certain civil penalties; providing for interest rates on security deposits; amending Minnesota Statutes 1996, sections 504.183, subdivision 6; and 504.20, subdivision 2.

**Enactment:** 3/4/98

**Effective:** 8/1/98

### Guardians and conservators appointment provisions modifications

HF1414 (Leighton)

SF1151\* (Piper)

**Chapter 281:** relating to probate; changing provisions on appointment of guardians and conservators; amending Minnesota Statutes 1996, section 525.591.

**Enactment:** 3/16/98

**Effective:** 8/1/98

### Elderly housing definition modification for discrimination prohibition

exemption purposes

HF2779 (Chaudhary)

SF2230\* (Wiener)

**Chapter 291:** relating to human rights; modifying the definition of housing for the elderly; amending Minnesota Statutes 1996, section 363.02, subdivision 2.

**Enactment:** 3/18/98

**Effective:** 3/19/98

### Interstate emergency management assistance compact

HF3442 (Wenzel)

SF2945\* (Stumpf)

**Chapter 298:** relating to the military; entering into the interstate emergency management assistance compact; proposing coding for new law in Minnesota Statutes, chapter 192.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### Real estate document filing and recording fees modified

HF1882 (Murphy)

SF1654\* (Ten Eyck)

**Chapter 311:** relating to real property; providing for fee changes for filing and recording certain documents; amending Minnesota Statutes 1996, sections 357.18, subdivisions 1, 2, and 3; 505.08, subdivision 2; 508.82, subdivision 1; and 508A.82, subdivision 1; Minnesota Statutes 1997 Supplement, section 515B.1-116.

**Vetoed:** 3/23/98

### Civil commitment release on provisions modified

HF2785 (Entenza)

SF2373\* (Betzold)

**Chapter 313:** relating to civil commitment; modifying provisions governing release on pass for persons committed as mentally ill and dangerous; allowing temporary jail confinement of persons subject to commitment

as sexual psychopathic personalities or sexually dangerous persons; clarifying various provisions and making conforming and technical amendments; amending Minnesota Statutes 1996, sections 253B.15, subdivision 9; and 253B.185, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 253B.03, subdivision 7; 253B.045, subdivisions 2 and 3; 253B.05, subdivision 3; 253B.07, subdivisions 5 and 7; 253B.09, subdivision 1; 253B.092, subdivisions 6 and 8; 253B.0921; 253B.095, subdivision 3; 253B.12, subdivision 1; 253B.141, subdivision 1; 253B.15, subdivisions 2, 3, 3a, 3b, and 5; 253B.18, subdivisions 4a and 5; and 253B.19, subdivision 3.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### DWI repeat offenders sentencing to intensive supervision and incarceration

HF2615 (Pugh)

SF2252\* (Wiener)

**Chapter 332:** relating to crimes; modifying criminal penalties for DWI; authorizing sentences to programs of intensive supervision; making technical correction; amending Minnesota Statutes 1997 Supplement, section 169.121, subdivision 3e.

**Enactment:** 3/25/98

**Effective:** 3/26/98

### Food donors' liability limit

HF176 (Harder)

SF154\* (Frederickson)

**Chapter 333:** relating to civil actions; limiting liability for injury related to certain food donations to the state and political subdivisions; amending Minnesota Statutes 1996, section 604A.10, subdivision 2.

**Enactment:** 3/25/98

**Effective:** 8/1/98

### Nonprofit corrections treatment facilities liability limit

HF1207 (Paymar)

SF330\* (Spear)

**Chapter 336:** relating to civil actions; providing limits on liability of certain private corrections treatment facilities that receive patients under court or administrative order; proposing coding for new law in Minnesota Statutes, chapter 604A.

**Enactment:** 3/25/98

**Effective:** 8/1/98

### Financial institutions liability immunity for stolen or fraudulent checks information release to criminal alert networks or law enforcement agencies

HF3389 (McGuire)

SF2493\* (Junge)

**Chapter 337:** relating to civil actions; limiting liability of financial institutions providing data for the criminal alert network; amending Minnesota Statutes 1996, section 299A.61, by adding a subdivision.

**Enactment:** 3/25/98

**Effective:** 8/1/98

### Child and medical support enforcement administration process modification

HF2861 (Entenza)

SF2040\* (Foley)

**Chapter 338:** relating to family law; modifying provisions dealing with the procedure for proceeding directly to hearing in the administrative process; modifying terminology to comport with the rules of court; amending Minnesota Statutes 1997 Supplement, sections 518.5511, subdivisions 1, 3, 3a, and 4; and 518.5512, subdivisions 2, 3, and 4; repealing Minnesota Statutes 1997 Supplement, section 518.5512, subdivision 3a.

**Enactment:** 3/31/98

**Effective:** 8/1/98

### Open adoption agreements modified

HF3332\* (Skoglund)

SF2949 (Ranum)

**Chapter 354:** relating to adoption; changing provisions in the fathers' adoption registry; modifying conditions for open adoption agreements; amending Minnesota Statutes 1997 Supplement, sections 259.52, subdivisions 1, 4, 9, 10, 11, 12, and by adding a subdivision; and 259.58.

**Enactment:** 4/3/98

**Effective:** 4/4/98 (Secs. 1-7); 7/1/97 (Sec. 8, retroactive)

### Minnesota Free Flow of Information Act disclosure provisions

HF1668 (Entenza)

SF1480\* (Cohen)

**Chapter 357:** relating to evidence; fixing the conditions for the disclosure of certain information subject to the Minnesota Free Flow of Information Act; amending Minnesota Statutes 1996, sections 595.023; and 595.024, subdivision 2.

**Enactment:** 4/6/98†

**Effective:** 4/7/98

### Prenatal alcohol abuse voluntary reporting and legislative report provided

HF3184\* (Skoglund)

SF3207 (Knutson)

**Chapter 361:** relating to health; providing for voluntary reporting of alcohol abuse by a pregnant woman; providing for assessments and services; amending Minnesota Statutes 1996, section 13.99, by adding a subdivision; proposing coding for new law in Minnesota Statutes, chapter 626.

**Enactment:** 4/6/98

**Effective:** 8/1/99 (Secs. 2, 3)

### Omnibus crime bill

HFnone (Murphy)

SF3345\* (Kelly, R.C.)

**Chapter 367:** relating to crime prevention and judiciary finance; appropriating money for the judicial branch, public safety, corrections, criminal justice, crime prevention, and related purposes; prescribing, clarifying, and modifying penalties; modifying various fees, assessments, and surcharges; implementing, clarifying, and modifying certain criminal and juvenile provisions; providing for the collection, maintenance, and reporting of certain data; implementing, clarifying, and modifying conditions of conditional release; providing services for disasters; clarifying and modifying laws involving public defenders; conveying state land to the city of Faribault; establishing, clarifying, expanding, and making permanent various pilot programs, grant programs, task forces, working groups, reports, and studies; expanding, clarifying, and modifying the powers of the commissioner of corrections; amending Minnesota Statutes 1996, sections 3.739, subdivision 1; 12.09, by adding a subdivision; 13.99, by adding a subdivision; 152.021, as amended; 152.022, as amended; 152.0261, subdivision 2, and by adding a subdivision; 168.042, subdivisions 12 and 15; 169.121, subdivision 5a; 171.16, subdivision 3; 241.01, subdivision 7, and by adding a subdivision; 241.021, by adding a subdivision; 241.05; 242.32, subdivision 1; 243.05, subdivision 1; 243.166, subdivisions 1 and 5; 243.51, by adding a subdivision; 244.05, subdivision 7; 260.015, subdivision 21; 260.131, by adding a subdivision; 260.155, subdivision 1; 260.165, by adding a subdivision; 260.255; 260.315; 299A.61, by adding a subdivision; 299C.06; 299C.09; 299F.04, by adding a subdivision; 299M.01, subdivision 7; 299M.02; 299M.03, subdivisions 1 and 2; 299M.04; 299M.08; 299M.12; 357.021, by adding subdivisions; 390.11, subdivision 2;

401.02, by adding a subdivision; 488A.03, subdivision 11; 518B.01, subdivisions 3a, 5, 6, and by adding a subdivision; 588.01, subdivision 3; 588.20; 609.095; 609.11, subdivision 5; 609.184, subdivision 2; 609.185; 609.19, subdivision 1; 609.229, subdivisions 2, 3, and by adding a subdivision; 609.322, subdivisions 1, 1a, and by adding a subdivision; 609.3241; 609.341, subdivisions 11 and 12; 609.342, subdivision 1; 609.343, subdivision 1; 609.344, subdivision 1; 609.345, subdivision 1; 609.3451, subdivision 3; 609.3461, subdivisions 1 and 2; 609.347, subdivisions 1, 2, 3, 5, and 6; 609.348; 609.49, subdivision 1; 609.50, subdivision 2; 609.582; 609.66, subdivision 1e; 609.748, subdivisions 3 and 4; 609.749, subdivision 3; 609A.03, subdivision 2; 611.14; 611.20, subdivisions 3, 4, and 5; 611.26, subdivisions 2, 3, and 3a; 611.263; 611.27, subdivisions 1 and 7; 617.23; 629.34, subdivision 1; 631.045; and 634.20; Minnesota Statutes 1997 Supplement, sections 97A.065, subdivision 2; 152.023, subdivision 2; 168.042, subdivision 11a; 171.29, subdivision 2; 241.015; 241.277, subdivisions 6, 9, and by adding a subdivision; 242.192; 242.32, subdivision 4; 243.166, subdivision 4; 243.51, subdivisions 1 and 3; 244.19, by adding a subdivision; 260.015, subdivisions 2a and 29; 260.161, subdivision 2; 260.165, subdivision 1; 357.021, subdivision 2; 401.01, subdivision 2; 401.13; 504.181, subdivision 1; 518.179, subdivision 2; 518B.01, subdivision 14; 609.101, subdivision 5; 609.11, subdivision 9; 609.113, subdivision 3; 609.135, subdivision 1; 609.2244, subdivisions 1 and 4; 609.52, subdivision 3; 609.749, subdivision 2; 611.25, subdivision 3; and 631.52, subdivision 2; Laws 1996, chapter 365, section 3; Laws 1997, chapter 239, article 1, sections 7, subdivision 8; and 12, subdivisions 2, 3, and 4; article 3, section 26; article 4, section 15; article 10, sections 1 and 19; proposing coding for new law in Minnesota Statutes, chapters 152; 169; 241; 244; 245A; 260; 299C; 401; 604; 609; 611A; 626; and 629; repealing Minnesota Statutes 1996, sections 260.261; 299M.05; 299M.11, subdivision 3; 401.02, subdivision 4; 609.101, subdivision 1; 609.1352; 609.152; 609.184; 609.196; 609.321, subdivisions 3 and 6; 609.322, subdivisions 2 and 3; 609.323; 609.346; 609.563, subdivision 2; 611.216, subdivision 1a; 611.26, subdivision 9; 611.27, subdivision 2; and 626.861; Minnesota Statutes 1997 Supplement, sections 243.51, subdivision 4; 244.19, subdivision 3a; and 611.27, subdivision 4.

**Enactment:** 4/6/98

**Effective:** Various dates

## Government data classification and dissemination provisions

HF1626 (McGuire)

SF1378\* (Betzold)

**Chapter 371:** relating to government data practices; providing for the classification of and access to government data; providing for data privacy for certain audit information; classifying certain law enforcement data; providing that certain documents may be classified as nonpublic data until negotiations with vendors and best and final offers are received; making technical and clarifying changes to tax disclosure provisions; amending Minnesota Statutes 1996, sections 13.794, subdivision 1; 13.82, by adding a subdivision; 13.85, subdivision 2; 13.99, by adding subdivisions; 168.346; 171.12, subdivision 1; 270B.02, subdivision 3; 270B.03, subdivision 6; 270B.12, subdivision 6; and 629.341, subdivision 4; Minnesota Statutes 1997 Supplement, sections 13.37, subdivision 1; 13.46, subdivision 2; 260.161, subdivision 1; 268.19; 270B.01, subdivision 8; 299C.095, subdivision 2; and 471A.03, subdivision 3; repealing Minnesota Statutes 1996, section 270.10, subdivision 3.

**Enactment:** 4/10/98†

**Effective:** Various dates

## Sex offender treatment and release notification requirements modification

HF2326 (Bishop)

SF2586\* (Kelly, R.C.)

**Chapter 377:** relating to corrections; requiring sex offender treatment facilities to provide certain information regarding sex offenders; clarifying which law enforcement agency may request the end-of-confinement review committee to reassess the risk level to which an offender has been assigned; adjusting the time within which certain requirements of the community notification law must be met; providing certain immunity; eliminating duplicative efforts on notifying victims of certain information; amending Minnesota Statutes 1996, sections 241.67, subdivision 8, and by adding a subdivision; 244.052, subdivision 1; 609.3452, by adding a subdivision; and 611A.037, subdivision 2; Minnesota Statutes 1997 Supplement, section 244.052, subdivisions 3, 4, and 5.

**Enactment:** Recalled by author

## Child support enforcement provisions modifications

HF2784 (Dawkins)

SF2276\* (Knutson)

**Chapter 382:** relating to children; modifying certain parentage and child support en-

forcement provisions; changing terminology; amending Minnesota Statutes 1996, sections 257.64, subdivision 3; 518.54, subdivision 8, and by adding a subdivision; 518.55, by adding a subdivision; 518.551, subdivisions 1, 5, 9, and by adding a subdivision; 518.615, subdivision 2; 550.136, subdivision 2; and 571.921; Minnesota Statutes 1997 Supplement, sections 13.99, subdivision 76b; 256.741, subdivision 1; 257.352, subdivision 3a; 259.49, subdivision 1; 259.52, subdivisions 1, 2, 4, 6, 8, 9, 10, 11, 12, 14, and by adding a subdivision; 260.221, subdivisions 1 and 1a; 357.021, subdivision 2; 518.54, subdivision 6; 518.551, subdivision 5b; 518.5511, subdivision 2; 518.5512, subdivision 6; 518.6111, subdivisions 8, 9, and 14; 518.615, subdivision 1; 518.6195; 518.64, subdivision 2; 552.04, subdivision 4; Laws 1995, chapter 257, article 1, section 34; Laws 1997, chapter 203, article 6, section 90; proposing coding for new law in Minnesota Statutes, chapter 518.

**Enactment:** 4/20/98

**Effective:** 8/1/98 (Art. 1, Art. 2, Secs. 18-19); 4/21/98 (Art. 2, Secs. 1-17)

## Hunting and fishing rights confirmed and constitutional amendment proposed

HF3808 (Milbert)

SF41\* (Lessard)

**Chapter 392:** proposing an amendment to the Minnesota Constitution, article XIII, by adding a section; affirming that hunting and fishing and the taking of game and fish are a valued part of our heritage.

**Enactment:** 4/20/98

**Effective:** Upon voter approval

## Sex offender registration law expanded

HF2734 (Bishop)

SF2498\* (Kelly, R.C.)

**Chapter 396:** relating to corrections; requiring sex offender treatment facilities to provide certain information regarding sex offenders; clarifying which law enforcement agency may request the end-of-confinement review committee to reassess the risk level to which an offender has been assigned; adjusting the time within which certain requirements of the community notification law must be met; providing certain immunity; eliminating duplicative efforts on notifying victims of certain information; requiring a study of the confidentiality of statements made by offenders in the course of sex offender treatment; amending Minnesota Stat-

utes 1996, sections 241.67, subdivision 8, and by adding a subdivision; 244.052, subdivision 1; and 611A.037, subdivision 2; Minnesota Statutes 1997 Supplement, section 244.052, subdivisions 3, 4, and 5.

**Enactment:** 4/20/98

**Effective:** 4/21/98 (Secs. 1-7); 7/1/98 (Sec. 8)

## Advanced health care directive provisions modified

HF2521 (Bishop)

SF2050\* (Junge)

**Chapter 399:** relating to health; modifying provisions governing advance health care directives; combining laws governing living wills and durable power of attorney for health care; amending Minnesota Statutes 1996, sections 144.335, subdivision 1; 145C.01, subdivisions 2, 3, 4, 8, and by adding subdivisions; 145C.02; 145C.03; 145C.04; 145C.05, subdivisions 1 and 2; 145C.06; 145C.07; 145C.08; 145C.09; 145C.10; 145C.11; 145C.12; 145C.13, subdivision 1; 145C.15; 525.55, subdivisions 1 and 2; 525.551, subdivisions 1 and 5; 525.9212; and 609.215, subdivision 3; Minnesota Statutes 1997 Supplement, sections 149A.80, subdivision 2; 253B.04, subdivision 1a; 253B.07, subdivision 1; and 253B.092, subdivisions 2 and 6; proposing coding for new law in Minnesota Statutes, chapter 145B; and 145C.

**Enactment:** 4/21/98

**Effective:** 8/1/98

## Child welfare reform

HF2985\* (Entenza)

SF2682 (Ranum)

**Chapter 406:** relating to children; providing for child welfare reform; restricting release of certain information; establishing citizen review panels; clarifying jurisdiction; establishing programs for concurrent planning for permanent placement; defining terms; imposing duties; expanding certain case plans; providing for consideration of domestic abuse in child protection risk assessments; authorizing rulemaking; providing for sharing of certain data; changing records retention requirements; requiring review and audits; requiring task forces and a plan; amending Minnesota Statutes 1996, sections 144.226, subdivision 3; 245A.035, subdivision 4; 256.01, subdivision 12, and by adding a subdivision; 257.42; 257.43; 259.24, subdivision 1; 259.37, subdivision 2; 259.67, subdivision 1; 260.011, subdivision 2; 260.141, by adding a subdivision; 260.172, subdivision 1; 260.191, subdivision 1e; 260.221, as amended; and

626.556, subdivision 10, and by adding subdivisions; Minnesota Statutes 1997 Supplement, sections 144.218, subdivision 2; 144.226, subdivision 4; 245A.03, subdivision 2; 245A.04, subdivisions 3b and 3d; 256.82, subdivision 2; 256F.05, subdivision 8; 257.071, subdivision 1d; 257.85, subdivisions 3 and 5; 259.22, subdivision 4; 259.47, subdivision 3; 259.58; 259.60, subdivision 2; 260.012; 260.015, subdivisions 2a and 29; 260.161, subdivision 2; 260.191, subdivisions 1, 1a, 3a, and 3b; 260.241, subdivision 3; and 626.556, subdivisions 10e and 11c; proposing coding for new law in Minnesota Statutes, chapter 257.

**Enactment:** 4/20/98

**Effective:** Various dates

#### Revisor's bill

HF3839 (Skoglund)

SF3396\* (Ranum)

**Chapter 408:** relating to legislative enactments; correcting miscellaneous noncontroversial oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending Minnesota Statutes 1996, sections 62A.65, subdivision 5, as amended; 115C.08, subdivision 3; and 120.1701, subdivision 17, as amended; Minnesota Statutes 1997 Supplement, sections 241.015, as amended; 268.07, subdivision 2, as amended; Laws 1998, chapter 262, section 13, by adding a subdivision; Laws 1998, chapter 293, section 3; Laws 1998, chapter 299, section 15, subdivision 1; Laws 1998, chapter 319, section 2, subdivisions 2 and 7; Laws 1998, chapter 367, article 2, section 30, subdivision 3; article 2, section 31; article 2, section 34; article 7, section 15; article 11, section 27; House File 3840, article 8, section 44, subdivisions 1, 2, and 7; article 9, section 2, subdivision 2; article 11, section 23; Senate File 161, article 1, section 3; Senate File 3298, article 1, section 2; Senate File 3345, article 9, section 25; Senate File 3346, article 8, section 15; Senate File 3354, section 32; proposing coding for new law in Minnesota Statutes, chapter 241.

**Enactment:** 4/20/98

**Effective:** Various dates



## LABOR-MANAGEMENT RELATIONS

### Re-employment insurance technical changes

HF2646 (Jefferson)

SF2621\* (Scheevel)

**Chapter 265:** relating to economic security; making technical changes in the Department of Economic Security; amending Minnesota Statutes 1996, sections 248.07, subdivision 15; 268.0122, subdivision 2; 268.08, as amended; 268.101, as amended; 268.13, subdivision 4; and 268.18, as amended; Minnesota Statutes 1997 Supplement, sections 268.03; 268.042, subdivisions 1 and 3; 268.043; 268.044, subdivision 1; 268.045; 268.047, subdivisions 2, 3, and 5; 268.051; 268.057, subdivisions 1, 5, 6, and 7; 268.059; 268.063; 268.064, subdivision 2; 268.066; 268.067; 268.07; 268.09, subdivisions 1a, 10, 13, 16, and 17; 268.105, subdivision 3a; 268.125; 268.13, subdivisions 1 and 2; 268.182; 268.184; 268.192, subdivision 1; 268.194, subdivisions 2, 3, and 6; and 268.196, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 268; repealing Minnesota Statutes 1996, sections 268.04, as amended; 268.08, subdivision 5a; 268.13, subdivisions 3 and 5; and 268.25; Minnesota Statutes 1997 Supplement, sections 268.042, subdivision 2; and 268.054.

**Enactment:** 3/4/98

**Effective:** Various dates

### Standard collection procedure exemption provided to overpaid re-employment insurance benefits

HF2642\* (Jefferson)

SF2280 (Higgins)

**Chapter 275:** relating to re-employment insurance; exempting certain overpaid benefits from the standard collection procedure; amending Laws 1997, chapter 202, article 1, section 17, subdivision 8.

**Enactment:** 3/16/98

**Effective:** 3/17/98

### Workers' compensation benefits special compensation fund reimbursement requirement elimination

HF3532 (Bettermann)

SF3068\* (Runbeck)

**Chapter 294:** relating to workers' compensation; correcting an appropriation error; modifying reporting requirements; eliminating certain reimbursement requirements; amending Minnesota Statutes 1996, sections 176.183, subdivision 2; 176.231, subdivisions 2 and 7; and 176.305, subdivisions 1 and 2; Laws 1997, chapter 200, article 1, section 12, subdivision 5.

**Enactment:** 3/18/98

**Effective:** 7/1/98

### Public safety dispatchers as essential employees under PELRA

HF1693 (Pugh)

SF1074\* (Kelly, R.C.)

**Chapter 355:** relating to public employees; providing that public safety dispatchers are essential employees; amending Minnesota Statutes 1996, section 179A.03, subdivision 7.

**Enactment:** 4/3/98

**Effective:** 8/1/98

### Hibbing taconite company employees additional re-employment insurance benefits

HF3465 (Tomassoni)

SF3084\* (Janezich)

**Chapter 358:** relating to re-employment insurance; providing additional benefits for certain individuals on layoff from a certain employer; providing an exemption from certain requirements.

**Enactment:** 4/6/98†

**Effective:** 4/7/98

### Employers nursing mothers accommodations requirement

HF3459 (Greiling)

SF2751\* (Anderson)

**Chapter 369:** relating to employment; requiring an accommodation to certain nursing mothers; providing that breast feeding is exempted from the crime of indecent exposure; amending Minnesota Statutes 1996, section 617.23; proposing coding for new law in Minnesota Statutes, chapter 181.

**Enactment:** 4/9/98

**Effective:** 8/1/98



## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

### Norman County Medical Center bid exemption

HF2372\* (Lieder)

SF2017 (Moe)

**Chapter 256:** relating to public contracts; exempting the reconstruction of the Bridges Medical Center in Norman County from competitive bid requirements.

**Enactment:** 2/25/98

**Effective:** 2/26/98

### Hennepin County board small purchase limit increased

HF2499\* (Stanek)

SF2156 (Higgins)

**Chapter 259:** relating to Hennepin County; removing the dollar limitation for certain small purchases that may be authorized by the board; amending Minnesota Statutes 1996, section 383B.143, subdivision 4.

**Enactment:** 2/27/98

**Effective:** 2/28/98

### Ramsey County purchases from health care cooperatives

HF2927 (McCollum)

SF2525\* (Wiger)

**Chapter 268:** relating to Ramsey County; authorizing the county to make certain purchases from or through a health care cooperative; proposing coding for new law in Minnesota Statutes, chapter 383A.

**Enactment:** 3/5/98

**Effective:** Upon local approval

### Public officers contract interest authority clarification

HF3119 (Olson, E.)

SF2685\* (Vickerman)

**Chapter 269:** relating to local government; allowing an officer of a local governmental unit to contract with the unit in certain circumstances; amending Minnesota Statutes 1996, section 471.88, subdivision 12.

**Enactment:** 3/5/98

**Effective:** 3/6/98

### Audited financial statement copies provided to members of the local unit of government

HF2809\* (McElroy)

SF2791 (Wiener)

**Chapter 276:** relating to cities and towns; requiring copies of audited financial statements to be provided to members of the city council and the mayor, or to the town board members, and presented at a regularly scheduled meeting of the city or town's governing body; amending Minnesota Statutes 1996, section 471.697, subdivision 1.

**Enactment:** 3/16/98

**Effective:** 8/1/98

### Dakota County dangerous dog registration system city administration provided

HF2616\* (McElroy)

SF2255 (Metzen)

**Chapter 277:** relating to Dakota County; providing for city administration of the dangerous dog registration system.

**Enactment:** 3/16/98

**Effective:** Upon local approval

### Headwaters Regional Development Commission nonprofit housing corporation establishment authority

HF2635 (Skare)

SF2574\* (Ten Eyck)

**Chapter 292:** relating to regional development commissions; authorizing the Headwaters Regional Development Commission to establish a nonprofit housing corporation; proposing coding for new law in Minnesota Statutes, chapter 462.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### Cartways established by town boards upon owner petition

HF2222\* (Juhnke)

SF1973 (Johnson, D.E.)

**Chapter 296:** relating to cartways; providing for the establishment of cartways in certain circumstances; amending Minnesota Statutes 1996, section 164.08, subdivision 2.

**Enactment:** 3/18/98†

**Effective:** 3/19/98

### Chisago County recorder appointment; Rush City easements

HF2790 (Jennings)

SF2384\* (Johnson, J.B.)

**Chapter 302:** relating to Chisago County; permitting the appointment of the county

recorder and the granting of certain easements to Rush City.

**Enactment:** 3/18/98

**Effective:** 3/19/98 (Sec. 5); Upon local approval (Secs. 1-4)

### Olmsted County auditor/treasurer made an appointed position

HF2508 (Bishop)

SF2581\* (Kiscaden)

**Chapter 307:** relating to local government; permitting the appointment of the Olmsted County auditor/treasurer.

**Enactment:** 3/23/98

**Effective:** Upon local approval

### Dakota County Housing and Redevelopment Authority employees not deemed county employees without county board consent

HF2824 (Pugh)

SF2281\* (Pariseau)

**Chapter 308:** relating to Dakota County; authorizing appointment of treasurer/auditor; clarifying the employment status of certain employees; amending Minnesota Statutes 1996, sections 383D.09, by adding a subdivision; and 383D.41, by adding a subdivision.

**Enactment:** 3/23/98

**Effective:** Upon local approval

### County recorder and registrar functions provided additional methods

HF3254 (Kahn)

SF2725\* (Betzold)

**Chapter 314:** relating to real estate; authorizing additional methods for recorder and registrar functions; amending Minnesota Statutes 1996, sections 386.40; 386.41; 508.32; 508.38; and 508A.38; proposing coding for new law in Minnesota Statutes, chapters 386; 508; and 508A.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Local government services advisory council membership increase and appointment process clarification

HF2667 (Rest)

SF2429\* (Wiener)

**Chapter 325:** relating to the legislative auditor; adding a member to the local government services advisory council; clarifying the appointment of council members; amending Minnesota Statutes 1997 Supplement, section 3.971, subdivision 4.

**Enactment:** 3/23/98

**Effective:** 3/24/98

### County optional forms of government adoption referendum procedure clarification

HF2774 (Kuisle)  
SF2302\* (Scheevel)

**Chapter 349:** relating to local government; clarifying the conduct of certain county elections; amending Minnesota Statutes 1996, section 375A.12, subdivision 4.

**Enactment:** 4/2/98  
**Effective:** 4/3/98

### Counties authorized to provide grants to nonprofit community food shelves

HF2736\* (Hilty)  
SF2205 (Lourey)

**Chapter 368:** relating to counties; authorizing gifts to certain food distribution organizations; amending Minnesota Statutes 1996, section 465.039.

**Enactment:** 4/9/98  
**Effective:** 4/18/98

### Metropolitan Council and agency contractors affirmative action plan requirements

HF680 (McElroy)  
SF535\* (Wiger)

**Chapter 381:** relating to the Metropolitan Council; providing for service improvement and employee compensation for demonstrable reduction in the cost of service; establishing a pilot project for greater efficiency in the provision of Metropolitan Council services; modifying the scope of the council's review of Metropolitan Airports Commission capital projects; amending Minnesota Statutes 1996, section 473.621, subdivision 6; proposing coding for new law in Minnesota Statutes, chapter 473.

**Enactment:** 4/20/98  
**Effective:** 4/21/98

### Metropolitan Council and agency contractors affirmative action plan requirements

HF3268 (Dawkins)  
SF2645\* (Wiger)

**Chapter 385:** relating to metropolitan government; modifying requirement for affirmative action plans by certain contractors; amending Minnesota Statutes 1996, section 473.144.

**Enactment:** 4/20/98  
**Effective:** 4/21/98

### Minneapolis civilian police review authority provided

HF2357 (Wejcman)  
SF2346\* (Flynn)

**Chapter 393:** relating to local government; adding a position to a list for certain purposes; removing an age ceiling for new firefighters in Minneapolis; amending Laws 1969, chapter 937, section 1, subdivision 9a, as amended; repealing Minnesota Statutes 1996, section 418.20; Laws 1959, chapter 213.

**Enactment:** 4/20/98

**Effective:** 4/21/98 (Sec. 2); Upon local approval (Sec. 1)



## REGULATED INDUSTRIES & ENERGY

### Petroleum product specifications modified

HF3071\* (Wolf)  
SF2849 (Ourada)

**Chapter 278:** relating to motor fuels; updating petroleum specifications; amending Minnesota Statutes 1996, sections 239.761; and 239.792.

**Enactment:** 3/16/98  
**Effective:** 8/1/98

### Lawful gambling revisions

HF2920 (Delmont)  
SF2911\* (Vickerman)

**Chapter 322:** relating to lawful gambling; allowing expenditures as lawful purposes of compliance with the Americans with Disabilities Act; authorizing organizations to make certain expenditures and contributions through electronic fund transfers; allowing an employee to participate in lawful gambling under certain circumstances; allowing locally administered funds receiving contributions from gambling profits to be spent for certain public safety purposes; amending Minnesota Statutes 1996, sections 349.168, subdivision 6; 349.19, subdivision 3; and 349.213, subdivision 1; Minnesota Statutes 1997 Supplement, sections 349.12, subdivision 25; 349.154, subdivision 2; and 349.18, subdivision 1.

**Enactment:** 3/23/98  
**Effective:** 3/24/98

### Combined school districts extended area telephone service voting requirements modification

HF3644\* (Sviggum)  
SF3170 (Moe)

**Chapter 326:** relating to telecommunications; modifying voting requirements for extended area service within combined school districts; amending Laws 1997, chapter 59, section 1, subdivision 3.

**Enactment:** 3/23/98  
**Effective:** 3/24/98

### Long-distance telephone provider slamming and loading disclosure requirements expanded

HF3042\* (Jennings)  
SF2797 (Novak)

**Chapter 345:** relating to regulated industries; modifying certain provisions of power purchase contracts and biomass fuel exemptions; lengthening exemption period for large telephone company to change rates; modifying provisions for Public Utilities Commission to assess costs of certain proceedings; providing additional antislamming and disclosure requirements on long-distance service providers; clarifying requirements relating to notification of price increases; requiring provision of international toll blocking; amending Minnesota Statutes 1996, sections 216B.2424, subdivision 3; 237.295; 237.66, subdivisions 1a, 3, and by adding subdivisions; 237.74, subdivision 6, and by adding a subdivision; and 325F.692, subdivision 1; Minnesota Statutes 1997 Supplement, sections 216B.1645; 237.072; and 237.163, subdivision 8; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1996, section 325F.692, subdivision 8; Minnesota Statutes 1997 Supplement, section 237.66, subdivision 1b.

**Enactment:** 3/31/98  
**Effective:** 7/1/98

### One-call excavation notice system modification

HF3324 (Ozment)  
SF2445\* (Novak)

**Chapter 348:** relating to public safety; regulating excavation notice system; authorizing commissioner of public safety to appoint pipeline safety committee; increasing civil penalty; amending Minnesota Statutes 1996, sections 216D.04, subdivisions 1, 3, and by adding a subdivision; 216D.05; and 216D.08, subdivisions 1 and 3; proposing coding for new law in Minnesota Statutes, chapter 299J;

repealing Minnesota Statutes 996, section 299J.06.

**Enactment:** 4/2/98

**Effective:** 6/30/98 (Secs. 7, 8)

### Decorative gas lamp prohibition variance provided

HF3070\* (Wolf)

SF2847 (Ourada)

**Chapter 350:** relating to energy; transferring proceeds of certain energy conservation accounts to commissioner of children, families, and learning; replacing public utility capital structure approval with security issuance approval; providing for variance for decorative gas lamp; amending Minnesota Statutes 1996, sections 216B.241, subdivision 2a; 216B.49, subdivisions 3 and 4; 216C.19, subdivision 6; and 239.785, subdivision 6; repealing Minnesota Statutes 1996, section 216B.49, subdivision 2.

**Enactment:** 4/2/98

**Effective:** 8/1/98

### Electric industry restructuring comprehensive study required

HF3654\* (Jennings)

SF3189 (Novak)

**Chapter 380:** relating to utilities; modifying the membership of the legislative electric energy task force; requiring comprehensive study of electric industry restructuring; requiring establishment of technical advisory work groups; authorizing task force to use its assessment authority to fund work group activities; requiring reports; amending Minnesota Statutes 1997 Supplement, section 216C.051, subdivision 2.

**Enactment:** 4/9/98

**Effective:** 4/10/98



## TAXES\*\*

### Gasoline and special fuels tax provisions recodification and clarification

HF2523 (Johnson, R.)

SF2266\* (Belanger)

**Chapter 299:** relating to taxation; recodifying the tax on petroleum and special fuels; providing civil and criminal penalties; ap-

propriating money; proposing coding for new law as Minnesota Statutes, chapter 296A; repealing Minnesota Statutes 1996, sections 296.01; 296.02, subdivisions 1, 1a, 1b, 1c, 2, 3, 4, 6, and 8; 296.025; 296.0261; 296.035; 296.04; 296.041; 296.06; 296.11; 296.115; 296.12; 296.141, subdivisions 1, 2, 3, 5, 6, and 7; 296.15; 296.151; 296.152; 296.16, subdivisions 1a and 2; 296.165; 296.17, subdivisions 1, 3, 5, 6, 7, 8, 9, 10, 11, 14, 15, 16, 17, 19, 20, 21, and 22; 296.171, subdivisions 1, 2, 3, 5, 6, 7, 8, 9, and 10; 296.18, subdivisions 2, 3, 4, 5, 6, and 8; 296.19; 296.20; 296.21; 296.23; 296.25; 296.26; 296.27; and 296.421; Minnesota Statutes 1997 Supplement, sections 296.141, subdivision 4; 296.16, subdivision 1; 296.17, subdivision 18; 296.171, subdivision 4; and 296.18, subdivision 1.

**Enactment:** 3/18/98

**Effective:** Various dates

### Tax provisions technical corrections and administrative changes

HF2659 (Olson, E.)

SF2570\* (Belanger)

**Chapter 300:** relating to taxation; making technical changes to income, franchise, sales, excise, property, healthcare provider, and gambling taxes; making technical changes to tax administrative provisions; requiring mandate explanations be attached to legislative bills before committee hearings; amending Minnesota Statutes 1996, sections 270.06; 270.069, subdivision 1; 270.70, subdivision 15; 278.10; 289A.42, subdivision 2; 289A.65, subdivisions 7 and 8; 297E.15, subdivisions 8 and 9; Minnesota Statutes 1997 Supplement, sections 3.987, subdivision 2; 270.701, subdivision 2; 289A.09, subdivision 2; 289A.20, subdivision 2; 289A.38, subdivision 7; 290.0673, subdivisions 4, 5, and 7; 290.92, subdivision 30; 295.53, subdivision 4a; 297A.01, subdivisions 3 and 11; 297F.22, subdivisions 6 and 7; and 297G.21, subdivisions 6 and 7.

**Enactment:** 3/18/98

**Effective:** Various dates

### Property tax rebate for tax pre-payments

HF2294 (Long)

SF2041\* (Johnson, D.J.)

**Chapter 304:** relating to taxation; allowing the 1997 property tax rebate for prepayments of tax; amending Laws 1997, chapter 231, article 1, section 16, as amended.

**Enactment:** 3/18/98

**Effective:** 3/19/98

### Limited partnership withdrawals regulated

HF2507 (Macklin)

SF3036\* (Betzold)

**Chapter 320:** relating to limited partnerships; regulating withdrawals by limited partners; changing state law to provide favorable federal estate tax valuation treatment in certain circumstances; amending Minnesota Statutes 1996, section 322A.47.

**Enactment:** 3/23/98

**Effective:** 8/1/98

### Low income housing tax credit allocation and compliance monitoring review provided

HF3145\* (Rest)

SF2719 (Novak)

**Chapter 363:** relating to bond allocations; providing for certain applications, housing pool allocations, scoring systems, deadlines, procedures, the carrying forward of bond allocations, and the review of allocations and compliance monitoring; amending Minnesota Statutes 1996, sections 462A.223, by adding subdivisions; 474A.045; 474A.061, subdivisions 1, 2a, and 6; Minnesota Statutes 1997 Supplement, section 474A.091, subdivisions 3 and 6; repealing Minnesota Statutes 1996, section 474A.061, subdivision 3.

**Enactment:** 4/6/98

**Effective:** 8/1/98



## TRANSPORTATION & TRANSIT

### Emergency vehicle signal operation modification

HF2576 (Juhnke)

SF2028\* (Sams)

**Chapter 263:** relating to traffic regulations; requiring medical emergency vehicle to sound both audible signal and display lighted red light when responding to emergency; amending Minnesota Statutes 1997 Supplement, section 169.17.

**Enactment:** 3/4/98

**Effective:** 8/1/98

### **Bicycle racks and storage facilities advertisements, public art and informational signs placement and maintenance authority**

HF3296 (Long)

SF2729\* (Spear)

**Chapter 283:** relating to highways; allowing advertisements, public art, and informational signs to be placed on bicycle racks and bicycle storage facilities on highway right-of-way; amending Minnesota Statutes 1996, section 160.27, subdivision 5, and by adding a subdivision.

**Enactment:** 3/16/98

**Effective:** 3/17/98

### **Motor vehicle dealers licensing requirements exemption for charitable organizations**

HF3028 (Pawlenty)

SF2163\* (Knutson)

**Chapter 285:** relating to motor vehicles; regulating licensed dealers; providing exceptions; providing for separate form for assignment of vehicle title; amending Minnesota Statutes 1996, sections 168.27, subdivision 8; 168A.01, by adding a subdivision; and 168A.11, subdivision 1; Minnesota Statutes 1997 Supplement, section 168.27, subdivision 1.

**Enactment:** 3/18/98

**Effective:** 3/19/98

### **Trunk Highway 95 designated as State Trooper Timothy Bowe Memorial Highway**

HF2612\* (Jennings)

SF2335 (Johnson, J.B.)

**Chapter 290:** relating to highways; designating the State Trooper Timothy J. Bowe Memorial Highway; amending Minnesota Statutes 1996, section 161.14, by adding a subdivision.

**Enactment:** 3/18/98

**Effective:** 8/1/98

### **Intrastate hazardous material carriers provided continuation of uniform registration and permit program**

HF2665 (Juhnke)

SF2316\* (Murphy)

**Chapter 310:** relating to transportation; continuing the uniform program for registration and permitting of intrastate carriers of hazardous materials; eliminating requirement of criminal background check; imposing a fee; amending Minnesota Statutes 1996, section 221.0355, subdivision 4; Minnesota Statutes 1997 Supplement, section 221.0355, sub-

division 5; Laws 1994, chapter 589, section 8, as amended; repealing Minnesota Statutes 1996, sections 221.0335 and 221.035; Minnesota Statutes 1997 Supplement, section 221.0355, subdivision 15; Laws 1997, chapter 230, section 24; Minnesota Rules parts 8870.0100; 8870.0200; 8870.0300; 8870.0400; 8870.0500; 8870.0600; 8870.0700; 8870.0800; 8870.0900; 8870.1000; and 8870.1100.

**Enactment:** 3/23/98

**Effective:** 3/24/98

### **Omnibus transportation bill**

HF3057 (Lieder)

SF3298\* (Johnson, J.B.)

**Chapter 372:** relating to the organization and operation of state government; appropriating money for transportation, public safety, and other purposes; requiring studies and reports; establishing a task force on dealer licensing and motor vehicle registration enforcement in the state patrol; requiring wheel flaps on truck-tractors; regulating weight restrictions on vehicle axles; providing an exemption from aircraft registration; regulating state air transportation charges; distributing five percent of the highway user tax distribution fund to town road account, town bridge account, and flexible highway account; modifying calculation of mileage for city streets and county roads; establishing mid-town planning and coordination board; amending Minnesota Statutes 1996, sections 161.081, subdivision 1, and by adding a subdivision; 161.082, subdivisions 1 and 2a; 162.081, subdivision 1; 162.09, subdivision 1; 169.733, subdivision 1; 169.825, subdivision 8; 360.024; and 360.653; Laws 1997, chapter 159, article 1, section 2, subdivision 2; proposing coding for new law in Minnesota Statutes, chapter 473.

**Enactment:** 4/7/98

**Effective:** Various dates

### **Driver's license provisions modifications**

HF2532 (Chaudhary)

SF2407\* (Junge)

**Chapter 388:** relating to driver's licenses; establishing youth-oriented driver improvement clinics; establishing a graduated licensing system with provisional license phase; making technical changes; appropriating money; amending Minnesota Statutes 1996, sections 120.73, subdivision 1; 169.89, subdivision 5; 169.971, subdivision 1, and by adding a subdivision; 169.972; 169.973, subdivision 1; 171.01, subdivision 14; 171.04, subdivision 1; 171.05, subdivision 2, and by adding

subdivisions; 171.06, subdivision 1; 171.07, by adding a subdivision; 171.10, subdivision 1; 171.12, subdivision 3; 171.16, subdivision 5; 171.17, subdivisions 2 and 3; 171.172; 171.173; 171.174; 171.20, subdivision 3; 171.27; and 171.39; Minnesota Statutes 1997 Supplement, sections 171.041; 171.06, subdivisions 2 and 4; and 171.171; proposing coding for new law in Minnesota Statutes, chapter 171.

**Enactment:** 4/21/98

**Effective:** 1/1/99 (Secs. 1-30); 7/1/98 (Sec. 31)

### **Department of transportation housekeeping bill**

HF2589 (Wagenius)

SF2592\* (Johnson, J.B.)

**Chapter 403:** relating to transportation; authorizing advance payment when required by federal government for transportation project; permitting transfer or extinguishment of access rights; regulating snow fence easements, highway closures, signs, certain bicycle racks, semitrailer length, automobile tow dollies, railroad crossings, and transportation of hazardous materials; providing payment for certain culverts; requiring owners to inventory and inspect certain bridges; imposing minimum penalty for violating safety chain requirements; providing for the revision of the state transportation plan; changing the scope of certain exemptions relating to motor carriers; modifying contractor bond requirements for certain transportation projects; authorizing conveyance of certain tax-forfeited land; making technical changes; removing or modifying descriptions of certain routes of the trunk highway system; amending Minnesota Statutes 1996, sections 84.63; 117.21; 160.18, subdivision 1; 160.27, subdivision 7, as added, and by adding a subdivision; 160.296, subdivision 1; 160.80, subdivision 1, and by adding a subdivision; 161.115, subdivisions 38 and 87; 165.03; 169.26, subdivision 1; 169.81, subdivision 2, and by adding a subdivision; 169.82, subdivision 3; 174.03, subdivisions 1a and 2; 174A.06; 221.025; 221.0314, subdivision 9a; 221.034, subdivisions 1 and 5; 270.077; and 574.26, subdivision 1a; Laws 1997, chapter 159, article 2, section 51, subdivision 1; proposing coding for new law in Minnesota Statutes, chapter 16B; repealing Minnesota Statutes 1996, section 161.115, subdivisions 57 and 219.

**Enactment:** 4/20/98

**Effective:** Various dates

## License provisions clarified

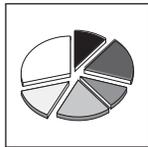
HF2654\* (Mahon)

SF2318 (Sams)

**Chapter 405:** relating to public safety; allowing personalized license plates to be issued for certain trucks resembling pickup trucks; providing for separate form for assignment of vehicle title; clarifying transfer from dealer provision; increasing allowable radius for transportation of certain farm products; specifying requirements for motor vehicle broker sign; driving while impaired; clarifying that juvenile's age as it relates to DWI-related driver's license revocation refers to the date of violation instead of the date of conviction; providing reasonable time to petition for driver's license reinstatement; ensuring uniformity of amount of handling charge allowed for certain driver's license reinstatements; clarifying reinstatement handling fee; appropriating money; amending Minnesota Statutes 1996, sections 168.12, subdivision 2a; 168A.01, by adding a subdivision; 168A.11, subdivision 1; and 221.025; Minnesota Statutes 1997 Supplement, sections 168.27, subdivision 10; 169.121, subdivision 4; 171.19; 171.20, subdivision 4; and 171.29, subdivision 2.

**Enactment:** 4/20/98

**Effective:** 4/21/98 (Secs. 3, 4, 6); 8/1/98 (balance)



## WAYS & MEANS

### Payment of claims against the state

HF3830\* (Olson, E.)

SF3393 (Kelly, R.C.)

**Chapter 362:** relating to claims; providing for payment of certain claims against the state; authorizing reimbursement of certain costs and fees; appropriating money; proposing coding for new law in Minnesota Statutes, chapter 3.

**Enactment:** 4/6/98

**Effective:** 4/7/98 (Secs. 1-7); 4/7/98 (Sec. 8, with qualifications)

## Omnibus state departments bill

HF3137 (Rukavina)

SF3354\* (Price)

**Chapter 366:** relating to the organization and operation of state government; appropriating money for the general administrative expenses of state government; modifying provisions relating to state government operations; modifying budget preparation provisions; modifying agency reporting; providing for certain reimbursement of the health care access fund; modifying the Debt Collection Act; requiring free Internet access to certain state publications; creating the construction codes advisory council and the livestock industry environmental steering committee; providing for consumer education on telemarketing fraud; modifying lottery provisions; creating a settlement division in the Office of Administrative Hearings; transferring the small claims court; amending Minnesota Statutes 1996, sections 3.3005, subdivision 2, and by adding a subdivision; 4.07, subdivision 3; 14.04; 14.46, subdivision 4; 15.91, subdivision 2; 16A.055, subdivision 6; 16A.10, as amended; 16A.11, subdivision 3; 16A.72; 16B.04, subdivision 4; 16D.02, subdivision 3; 16D.04, subdivisions 1 and 4; 16D.06, subdivision 2; 16D.08, subdivision 2; 16D.11, as amended; 16D.14, subdivisions 2, 3, and 5; 16D.16; 17.03, subdivision 11; 43A.04, subdivision 1a; 43A.17, subdivision 8; 43A.317, subdivision 8; 45.012; 84.027, subdivision 14; 116.03, subdivision 2a; 116J.011; 144.05, subdivision 2; 174.02, subdivision 1a; 175.001, subdivision 6; 190.09, subdivision 2; 196.05, subdivision 2; 216A.07, subdivision 6; 268.0122, subdivision 6; 270.02, subdivision 3a; 299A.01, subdivision 1a; 349A.06, by adding a subdivision; 349A.10, subdivision 3; 349A.11; 352D.12; 357.022; 363.05, subdivision 3; and 469.177, subdivision 11; Minnesota Statutes 1997 Supplement, sections 16A.103, subdivision 1; 16A.11, subdivision 1; 16E.01, subdivision 3; 16E.03, subdivisions 1, 3, 4, and 5; 16E.07, subdivision 3; 43A.30, subdivision 5; 120.0111; 241.01, subdivision 3b; 245.03, subdivision 2; 270.063, subdivision 1; 357.021, subdivision 1a; and 394.232, subdivision 5; proposing coding for new law in Minnesota Statutes, chapters 16B; 16D; 325G; and 349A; repealing Minnesota Statutes 1996, section 3.971, subdivision 3; Minnesota Statutes 1997 Supplement, sections 16A.11, subdivisions 3b and 3c; and 241.015.

**Enactment:** 4/6/98

## Line-item veto:

Page 2, Sec. 3, Lines 37-49

**Effective:** Various dates

## Omnibus jobs, housing and economic development

HF3806 (Trimble)

SF3367\* (Beckman)

**Chapter 374:** relating to economic development; appropriating money for economic development, housing, and related purposes; providing for a municipal reimbursement; requiring reports; establishing pilot projects; providing exemptions from grant limits; defining terms; setting requirements for wastewater financial assistance; modifying loan criteria; modifying supplemental assistance provisions; establishing a revolving loan fund; modifying warranty provisions; providing warranty information; modifying collection agency provisions; requiring builders to make certain disclosures; establishing a public education campaign for homeowners' rights; providing for an employee notice of rights; modifying false statement provisions; modifying labor provisions for city attorneys; modifying reinvestment program provisions; extending boundaries; creating and changing programs and projects; modifying wage rate study provisions; imposing terms and conditions; enacting the Uniform Unclaimed Property Act of 1995; making conforming changes; amending Minnesota Statutes 1996, sections 16A.45, subdivisions 1 and 4; 16B.06, subdivision 2; 16B.08, subdivision 7; 16B.65, subdivision 7; 80C.03; 115C.09, by adding a subdivision; 116.182, subdivision 1, and by adding a subdivision; 116J.415, subdivision 5; 116J.553, subdivision 2; 116L.03, subdivision 5; 181.64; 181.65; 198.231; 276.19, subdivision 4; 308A.711, subdivisions 1 and 2; 326.87, subdivision 2; 326.975, subdivision 1; 327A.01, subdivisions 2 and 5; 327A.02, subdivisions 1 and 3; 327A.03; 332.32; 356.65, subdivision 2; 383B.79, subdivision 1, and by adding a subdivision; 446A.072, subdivisions 2 and 4; 462A.05, subdivision 14; 462A.21, by adding a subdivision; 462A.222, subdivision 3; 469.303; 474A.061, subdivision 2a; 541.051, subdivisions 1 and 4; and 624.68; Minnesota Statutes 1997 Supplement, sections 16A.6701, subdivision 1; 115C.09, subdivision 3f; 116J.421, subdivision 1, and by adding a subdivision; 179A.03, subdivision 7; 268.07, subdivision 2, as amended; 462A.05, subdivision 39; and 462A.205, subdivisions 1, 2, 5, 6, and 9; Laws 1997, chapter 200, article 1,

section 12, subdivision 2, section 33, subdivision 1, and by adding subdivisions; Laws 1997, Second Special Session chapter 2, section 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 116; 181; 327A; 345; and 471; repealing Minnesota Statutes 1996, sections 345.31; 345.32; 345.33; 345.34; 345.35; 345.36; 345.37; 345.38; 345.381; 345.39; 345.40; 345.41; 345.42; 345.43; 345.44; 345.45; 345.46; 345.47; 345.485; 345.49; 345.50; 345.51; 345.515; 345.52; 345.525; 345.53; 345.54; 345.55; 345.56; 345.57; 345.58; 345.59; and 345.60; Minnesota Statutes 1997 Supplement, sections 345.48; and 446A.072, subdivision 4a; Laws 1991, chapter 275, section 3.

**Vetoed:** 4/7/98

### Telephone assistance plan provisions modifications

HF3064 (Clark, K.)

SF2718\* (Kelley, S.P.)

**Chapter 378:** relating to telecommunications; amending the state telephone assistance program to match federal requirements; modifying TAP eligibility and enrollment provisions; requiring the Department of Human Services to automatically enroll eligible persons based on information in state information systems; regulating the TAP surcharge; requiring Public Utilities Commission to develop and implement state universal service fund by January 1, 2002; changing authorized expenditures for the telephone assistance fund; requiring funding study and report; amending Minnesota Statutes 1996, sections 237.49; 237.69, subdivisions 4, 5, and by adding a subdivision; 237.70, subdivisions 3, 6, and by adding a subdivision; and 237.701, subdivision 1; Minnesota Statutes 1997 Supplement, section 237.70, subdivisions 4a and 7; proposing coding for new law in Minnesota Statutes, chapter 237; repealing Minnesota Statutes 1996, section 237.69, subdivision 9.

**Vetoed:** 4/9/98

### Tornado relief bill

HF3862\* (Johnson, R.)

SF3411 (Hottinger)

**Chapter 383:** relating to tornado and other natural disaster relief; providing for temporary waivers of certain programs and other relief; appropriating money; amending Minnesota Statutes 1996, section 268.38, by adding a subdivision; Minnesota Statutes 1997 Supplement, sections 41B.043, subdivision 2a; 168.16; and 273.124, subdivision 14; Laws

1997, chapter 203, article 1, sections 15 and 17, as added; proposing coding for new law in Minnesota Statutes, chapters 12; and 41B; repealing Laws 1997, chapter 203, article 1, section 16, as added.

**Enactment:** 4/9/98

**Effective:** 4/10/98 (generally)

### Omnibus tax bill

HF3840\* (Long)

SF2985 (Johnson, D.J.)

**Chapter 389:** relating to the financing and operation of government in this state; providing property tax reform; providing a property tax rebate; making changes to property tax rates, levies, notices, hearings, assessments, exemptions, aids, and credits; providing bonding and levy authority, and other powers to certain political subdivisions; making changes to income, sales, excise, mortgage registry and deed, premiums, health care provider, and solid waste tax provisions; allowing credits; authorizing the imposition of certain local sales, use, excise, and lodging taxes; authorizing a sanitary sewer district; modifying provisions relating to the budget reserve and other accounts; making changes to tax increment financing, regional development, housing, and economic development provisions; providing for the taxation of taconite and the distribution of taconite taxes; modifying provisions relating to the taxation and operation of gaming; providing tax incentives for border city zones; making miscellaneous changes to state and local tax and administrative provisions; changing the senior citizens' property tax deferral program; providing grants, loan guarantees, and low interest loans; changing certain fiscal note requirements; providing for a land transfer; appropriating money; amending Minnesota Statutes 1996, sections 16A.102, subdivisions 1 and 2; 124A.03, subdivision 1f; 240.15, subdivisions 1 and 5; 272.0211, subdivision 1; 273.135, subdivision 2; 273.1391, subdivision 2; 273.1398, subdivisions 1a, 2, and 4; 275.07, by adding a subdivision; 290.01, subdivision 3b; 290.06, subdivisions 2c; 290.067, subdivision 2a; 290.0671, by adding subdivisions; 290.091, subdivision 2; 290.0921, subdivision 3a; 290.10; 290.21, subdivision 3; 290A.03, subdivision 3; 290A.14; 295.52, subdivision 4a; 297A.01, subdivisions 8 and 15; 297A.02, subdivisions 2 and 4; 297A.135, subdivisions 4, as amended; and 5, as added; 297A.25, subdivision 60, and by adding subdivisions; 297E.0, subdivisions 1, 4, and 6; 298.22, subdivision 2; 298.221;

298.2213, subdivision 4; 298.225, subdivision 1; 298.28, subdivisions 2, 3, 4, 6, 7, 9, 10, and 11; 298.48, subdivision 1; 325E.112, by adding a subdivision; 462.396, subdivision 2; 462A.21, by adding a subdivision; 462A.222, subdivision 3; 469.015, subdivision 4; 469.169, by adding subdivisions; 469.170, by adding a subdivision; 469.171, subdivision 9; 469.174, by adding a subdivision; 469.175, subdivisions 5, 6, 6a, and by adding a subdivision; 469.176, subdivision 7; 469.177, by adding a subdivision; 469.1771, subdivision 5, and by adding a subdivision; 469.303; 473.39, by adding a subdivision; 473.3915, subdivisions 2 and 3; 475.58, subdivisions 1 and 3; 477A.0122, subdivision 6; 477A.03, subdivision 2, and by adding a subdivision; and 477A.14; Minnesota Statutes 1997 Supplement, sections 3.986, subdivisions 2 and 4; 3.987, subdivisions 1 and 2; 3.988, subdivision 3; 3.989, subdivisions 1 and 2; 16A.152, subdivision 2; 60A.15, subdivision 1; 124.239, subdivisions 5, 5a, and 5b; 124.315, subdivisions 4 and 5; 124.918, subdivision 8; 270.60, subdivision 4; 270.67, subdivision 2; 272.02, subdivision 1; 272.115, subdivisions 4 and 5; 273.112, subdivisions 2, 3, and 4; 273.124, subdivision 14; 273.126, subdivision 3; 273.127, subdivision 3; 273.13, subdivisions 22, 23, 24, 25, and 31; 273.1382, subdivision 1, and by adding a subdivision; 275.065, subdivisions 3 and 6; 275.70, subdivision 5, and by adding a subdivision; 275.71, subdivisions 2, 3, and 4; 275.72, by adding a subdivision; 276.04, subdivision 2; 287.08; 289A.02, subdivision 7; 289A.19, subdivision 2; 290.01, subdivisions 19, 19a, 19b, 19c, 19f, and 31; 290.0671, subdivision 1; 290.0673, subdivisions 2 and 6; 290.091, subdivision 6; 290.371, subdivision 2; 290A.03, subdivisions 11, 13, and 15; 290B.03, subdivision 2; 290B.04, subdivisions 1, 3, and by adding subdivisions; 290B.05, subdivisions 1, 2, and 4; 290B.06; 290B.07; 290B.08, subdivision 2; 290B.09, subdivision 1; 291.005, subdivision 1; 95.52, subdivision 4; 297A.01, subdivision 16; 297A.25, subdivisions 3, 9, 11, 59, and by adding a subdivision; 297A.256, subdivision 1; 297A.48, by adding a subdivision; 297B.03; 297G.01, by adding a subdivision; 297G.03, subdivision 1; 297H.04, by adding a subdivision; 298.24, subdivision 1; 298.28, subdivisions 9a and 9b; 298.296, subdivision 4; 349.19, subdivision 2a; 446A.085, subdivision 1; 462A.05, subdivision 39; 462A.071, subdivisions 2, 4, 6, and 8; 465.715, by adding subdivisions; 469.169, subdivision 11; and 477A.011, subdivision 36; Laws 1965, chap-

ter 326, section 1, subdivision 5, as amended; Laws 1967, chapter 170, section 1, subdivision 5, as amended; Laws 1971, chapter 773, section 1, as amended; and section 2, as amended; Laws 1976, chapter 162, section 1, as amended; Laws 1980, chapter 511, section 1, subdivision 2, as amended; section 2; and section 3; Laws 1984, chapter 380, section 1, as amended; and section 2; Laws 1991, chapter 291, article 8, section 27, subdivision 3; Laws 1992, chapter 511, article 2, section 52, as amended; article 8, section 33, subdivision 5; Laws 1993, chapter 375, article 9, section 46, subdivisions 2, 3, and 5; Laws 1994, chapter 587, article 11, by adding; Laws 1995, chapter 255, article 3, section 2, subdivision 1, as amended; and subdivision 4, as amended; chapter 264, article 2, section 44; Laws 1997, chapter 105, section 3, as amended; chapter 225, article 2, section 64; chapter 231, article 1, section 16, as amended; article 2, section 63, subdivision 1; and section 68, subdivisions 1 and 3; article 5, section 18, subdivision 1; article 7, section 47; article 10, section 24; article 13, section 19; and Laws 1997 Second Special Session chapter 2, section 4, subdivision 3; proposing coding for new law in Minnesota Statutes, chapters 272; 273; 290B; 298; 365A; 462A; 469; 471; and 477A; repealing Minnesota Statutes 1996, sections 289A.50, subdivision 6; 297A.02, subdivision 2; 298.012; 298.21; 298.23; 298.34, subdivisions 1 and 4; 298.391, subdivisions 2 and 5; and 365A.09; Minnesota Statutes 1997 Supplement, sections 3.987, subdivision 3; 14.431; and 273.13, subdivision 32.

**Enactment:** 4/21/98

**Effective:** Various dates

#### **Farmer-lender mediation act provisions modified**

HF3853\* (Tunheim)

SF3409 (Stumpf)

**Chapter 395:** relating to agriculture; modifying provisions for timber permit extensions; extending the Farmer Lender Mediation Act; requiring a report; providing for voluntary alternative dispute resolution in rural areas; providing emergency financial relief for farm families in certain counties;

establishing a temporary program of assistance for federal crop insurance premiums; mitigating neighborhood insect infestation; appropriating money; amending Minnesota Statutes 1996, section 90.193; Laws 1986, chapter 398, article 1, section 18, as amended; proposing coding for new law in Minnesota Statutes, chapter 583.

**Enactment:** 4/21/98

**Effective:** Various dates

#### **Omnibus environment and natural resources bill**

HF3799 (Osthoff)

SF3353\* (Morse)

**Chapter 401:** relating to the organization and operation of state government; appropriating money for environmental, natural resource, and agricultural purposes; providing for regulation of certain activities and practices; amending Minnesota Statutes 1996, sections 3.737, subdivisions 1, 4, and by adding a subdivision; 18C.141; 35.82, subdivision 2; 41A.09, subdivision 1a; 84.871; 86B.101, subdivision 2; 86B.415, subdivision 1, and by adding a subdivision; 89A.03, subdivision 1; 90.193; 93.002, subdivision 1; 97A.037, subdivision 1; 97A.245; 103C.315, subdivision 4; 103F.155, subdivision 2; 103F.161, subdivision 2; 103G.271, subdivision 6; 115.076, subdivision 1; 116.07, by adding subdivisions; 308A.131, subdivision 1; 308A.705, subdivision 3; Minnesota Statutes 1997 Supplement, sections 17.101, subdivision 5; 41A.09, subdivision 3a; 84.8205; 84.86, subdivision 1; 85.015, subdivision 1c; 115.55, subdivision 5a; 116.07, subdivision 7; 116.18, subdivision 3c; 169.1217, subdivision 1; and 308A.705, subdivision 1; Laws 1997, chapter 216, section 15, subdivision 8; proposing coding for new law in Minnesota Statutes, chapters 17; 18C; and 84; repealing Minnesota Statutes 1997 Supplement, section 85.015, subdivision 1c; and Laws 1991, chapter 275, section 3.

**Enactment:** 4/21/98

#### **Line-item vetoes:**

Page 6, Sec. 4, Lines 65-68;

Page 7, Sec. 4, Lines 1-9;

Page 12, Sec. 6, Lines 10-12; and

Page 13, Sec. 6, Lines 1-8

**Effective:** Various dates

#### **Omnibus bonding bill**

HF3843\* (Kalis)

SFnone (Langseth)

**Chapter 404:** relating to public administration; authorizing spending for public purposes; authorizing spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizing state bonds; appropriating money; amending Minnesota Statutes 1996, sections 16A.105; 16A.11, subdivision 3a, and by adding a subdivision; 16A.501; 16B.30; 85.019, subdivision 4a; 103F.725, subdivision 1a; 116.16, subdivision 5; 116.182, subdivision 1, and by adding a subdivision; 446A.072, subdivisions 2, 4, and by adding a subdivision; 473.39, by adding a subdivision; 473.399; 473.3994, subdivisions 5, 10, and 12; and 473.3998; Minnesota Statutes 1997 Supplement, sections 16A.641, subdivision 4; 16B.335, subdivision 1; 116.18, subdivision 3c; 124C.498, subdivision 2; 268.917; and 462A.202, subdivision 3a; Laws 1963, chapter 305, sections 1, 2, 3, 4, 5, 7, 8, 9, 10, and 11; Laws 1986, chapter 396, section 2, subdivision 1, as amended; Laws 1990, chapter 610, article 1, section 16, subdivision 4; Laws 1994, chapter 643, section 2, subdivision 13; Laws 1996, chapter 463, sections 13, subdivision 4, as amended, 14, subdivisions 2 and 6, and 22, subdivision 7; and Laws 1997, chapter 202, article 1, section 35, as amended; proposing coding for new law in Minnesota Statutes, chapter 116; repealing Minnesota Statutes 1996, section 473.3994, subdivision 11; Minnesota Statutes 1997 Supplement, section 446A.072, subdivision 4a; Laws 1985, First Special Session chapter 15, section 36; and Laws 1986, chapter 396, section 2, subdivision 2.

**Enactment:** 4/21/98

**Effective:** Various dates

**April 20, 1998  
SPECIAL SESSION**



**JUDICIARY**

**Economic loss arising from the sales of goods provision effect on civil actions based on fraud clarified**

HF2 (Tunheim)

SF1\* (Stumpf)

**Chapter 2:** relating to civil actions; clarifying the effect of the economic loss statute on actions based upon fraud or intentional misrepresentation; amending Minnesota Statutes 1996, section 604.10.

**Enactment:** 4/22/98

**Effective:** 4/23/98

**Revisor's bill correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors**

HF7 (Skoglund)

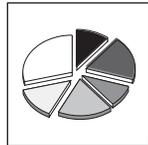
SF8\* (Ranum)

**Chapter 3:** relating to legislative enactments; correcting miscellaneous noncontroversial oversights, inconsistencies, ambiguities, unintended results, and technical errors; amending 1998 H.F. No. 2874, article 1, sections 44, subdivision 2; and 52; article 4, section 16;

and article 5, section 54, subdivisions 4 and 6; 1998 H.F. No. 3840, article 8, section 48; article 12, sections 7, subdivision 2; and 9, subdivision 4; article 15, section 22; 1998 H.F. No. 3843, sections 2, subdivision 8; 5, subdivision 3; 7, subdivisions 9 and 33, 15, subdivision 5; 23, subdivision 4; and 25, subdivision 9; 1998 S.F. No. 2407, section 31; 1998 S.F. No. 3346, article 1, section 2, subdivision 3; article 3, section 23; and article 6, section 119; Minnesota Statutes 1996, sections 124A.22, subdivision 14, as amended; and 124A.29, subdivision 1, as amended; Minnesota Statutes 1997 Supplement, sections 124A.28, subdivision 1a, as amended; 297A.25, subdivision 11, as amended; and 626.556, subdivision 10f, as amended.

**Enactment:** 4/22/98

**Effective:** Various dates



**WAYS & MEANS**

**Omnibus economic development, housing, family and early childhood education programs supplemental appropriations**

HF1 (Trimble)

SF2\* (Beckman)

**Chapter 1:** relating to the operation of state government; appropriating money for eco-

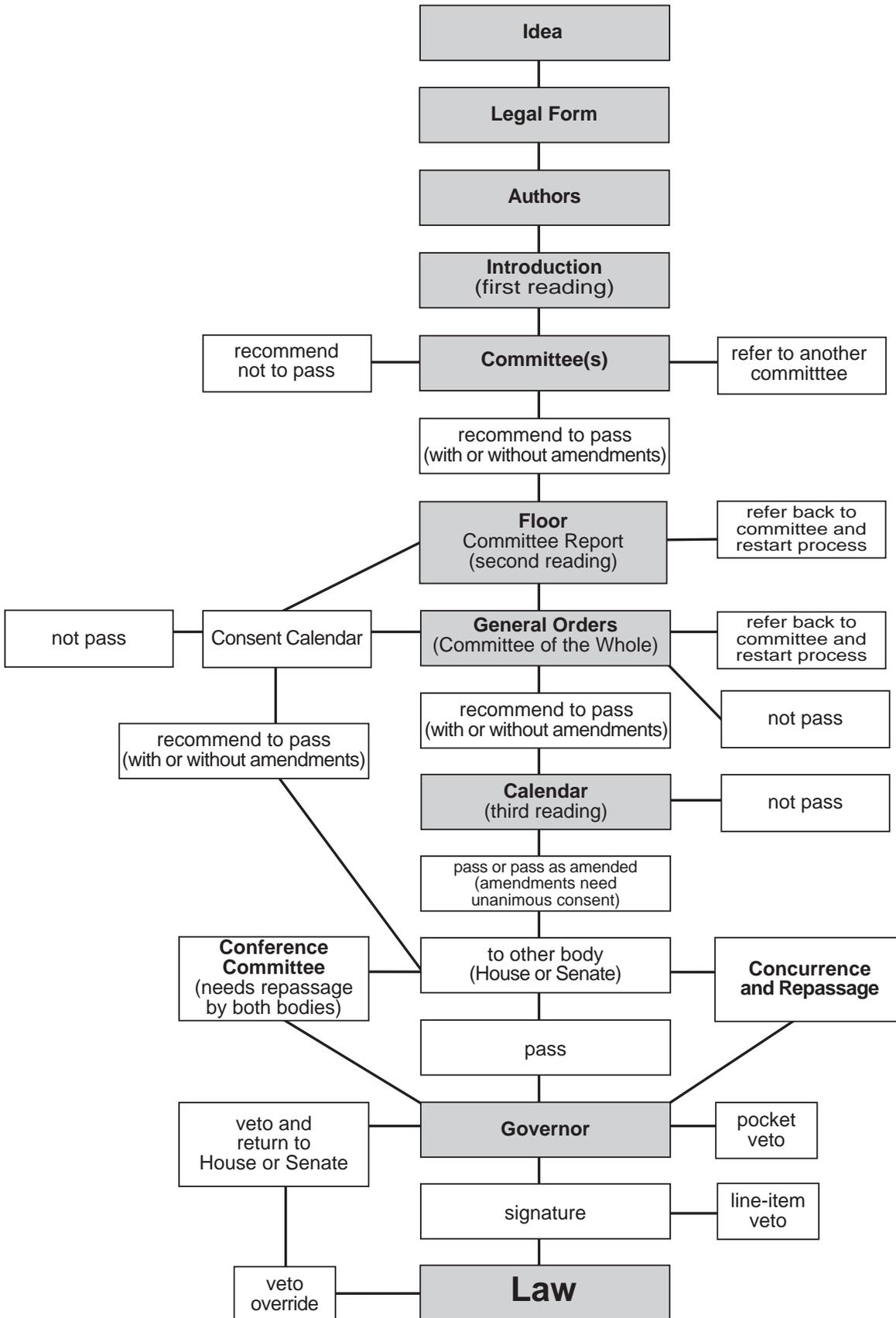
nomie development, housing, family and early childhood, and related programs; modifying community action program provisions; modifying various programs and projects; providing for a grant limit exception; amending Minnesota Statutes 1996, sections 16B.06, subdivision 2; 115C.09, by adding a subdivision; 268.52, subdivisions 1 and 2; 268.54, subdivision 2; 383B.79, subdivision 1, and by adding a subdivision; and 469.303; Minnesota Statutes 1997 Supplement, sections 115C.09, subdivision 3f; 116J.421, subdivision 1, and by adding a subdivision; 179A.03, subdivision 7; and 268.53, subdivision 5; Laws 1997, chapter 162, article 4, section 63, subdivision 2.

**Enactment:** 4/22/98

**Effective:** Various dates

# The Lawmaking Process: A Step-by-Step Guide

The lawmaking process is a technical one, filled with many complex rules and procedures that can determine whether a bill will or will not become law. While this guide shows how most bills become law (follow the shaded areas), it does not account for all possibilities.



# How a Bill Becomes a Law in Minnesota

## Idea

**1** A bill is an idea for a new law or an idea to change an old law. Anyone can suggest an idea for a bill — an individual, consumer group, professional association, government agency, or the governor. Most often, however, ideas come from legislators, the only ones who can begin to move an idea through the process. There are 134 House members and 67 senators.

## Introduction

**4** The chief House author of the bill introduces it in the House; the chief Senate author introduces it in the Senate. Identical bills introduced in each body are called *companion* bills. The bill introduction is called the *first reading*. The presiding officer of the House then refers it to an appropriate House committee for discussion; the same thing happens in the Senate.

## General Orders

**7** On General Orders, all House or Senate members, acting as the “committee of the whole,” have a chance to debate the issue, offer amendments, and present arguments on the bill. Afterwards, they vote to recommend: passage of the bill, progress (delay action), or further committee action. And sometimes they recommend that a bill not pass. Members’ votes on General Orders are usually not recorded unless there is a specific request to do so. From here, the bill is placed on the Calendar.

## Conference

**10** If the House and Senate versions of the bill are different, they go to a conference committee. In the House, the speaker of the House appoints three or five representatives, and in the Senate, the Subcommittee on Committees of the Committee on Rules and Administration selects the same number of senators to form the committee. The committee meets to work out differences in the two bills and to reach a compromise.

## Legal form

**2** The Office of the Revisor of Statutes and staff from other legislative offices work with legislators in putting the idea for a new law into proper legal form. The revisor’s office is responsible for assuring that the proposal’s form complies with the rules of both bodies before the bill can be introduced into the Minnesota House of Representatives and the Minnesota Senate.

## Committee

**5** The bill is discussed in one or more committees depending upon the subject matter. After discussion, committee members recommend action — approval or disapproval — to the full House and full Senate. The House committee then sends a report to the House about its action on the bill; the Senate committee does likewise in the Senate.

## Calendar

**8** The Calendar is a list of bills the full House and full Senate vote on. At this point, the bill has its *third reading*. The bill cannot be amended unless the entire body agrees to it. Here, representatives and senators vote on the bill for the last time. A bill needs 68 votes to pass the House and 34 votes to pass the Senate. If the House and Senate each pass the same version of the bill, it goes to the governor for a signature.

## Floor

**11** The conference committee’s compromise bill then goes back to the House and the Senate for another vote. If both bodies pass the bill in this form, it is sent to the governor for his or her approval or disapproval. (If one or both bodies reject the report, it goes back to the conference committee for further consideration.)

## Authors

**3** Each bill must have a legislator to sponsor and introduce it in the Legislature. That legislator is the chief author whose name appears on the bill along with the bill’s file number to identify it as it moves through the legislative process. There may be up to four co-authors from the House and four from the Senate. Their names also appear on the bill.

## Floor

**6** After the full House, or Senate, accepts the committee report, the bill has its *second reading*. From here, the bill is usually placed on the House and Senate agendas called General Orders. (A committee can recommend that a local or non-controversial bill bypass General Orders and go onto the Consent Calendar where it usually passes without debate.)

## Special Orders

**9** Toward the end of the session, the rules committees of the House and Senate designate bills from the General Orders calendar to receive priority consideration. These Special Orders bills are debated, amended, and passed in one day. The House also has a Rule 1.10 calendar which allows the chairs of the Taxes and Appropriations committees to call up for consideration any tax or appropriations bill that has had a second reading. These Rule 1.10 bills are debated, amended, and passed in one day.

## Governor

**12** Once the governor has the bill, he or she may: sign it, and the bill becomes law; veto it within three days; or allow it to become law by not signing it. During session, the House and Senate can override a governor’s veto. This requires a two-thirds vote in the House (90 votes) and Senate (45 votes). The governor also may “line-item veto” parts of a money bill, or “pocket veto” a bill passed during the last three days of the session by not signing it within 14 days after final adjournment.

# Minnesota House of Representatives 1998 Members

List as of January 28, 1998

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-		
45A	Abrams, Ron (R)	209	9934	37B	Macklin, Bill (R)	349	6926
19B	Anderson, Bruce (R)	281	5063	40A	Mahon, Mark P. (DFL)	401	7158
3A	Anderson, Irv (DFL)	563	4936	55A	Mares, Harry (R)	239	5363
6A	Bakk, Thomas (Tom) (DFL)	575	2190	65B	Mariani, Carlos (DFL)	403	9714
10B	Bettermann, Hilda (R)	243	4317	57B	Marko, Sharon (DFL)	439	3135
59A	Biernat, Len (DFL)	429	4219	55B	McCollum, Betty (DFL)	501	1188
30B	Bishop, Dave (R)	343	0573	36B	McElroy, Dan (R)	259	4212
25B	Boudreau, Lynda (R)	327	8237	54A	McGuire, Mary Jo (DFL)	379	4342
30A	Bradley, Fran (R)	233	9249	39B	Milbert, Bob (DFL)	579	4192
53B	Broecker, Sherry (R)	321	7153	35A	Molnau, Carol L. (R)	287	8872
46B	Carlson, Lyndon R. (DFL)	365	4255	21B	Mulder, Richard (R)	283	4336
47B	Carruthers, Phil (DFL)	463	3709	58A	Mullery, Joe (DFL)	359	4262
52A	Chaudhary, Satveer (DFL)	507	4331	7A	Munger, Willard (DFL)	479	4282
23A	Clark, James (R)	211	9303	8A	Murphy, Mary (DFL)	557	2676
61A	Clark, Karen (DFL)	503	0294	20A	Ness, Robert "Bob" (R)	289	4344
38A	Commers, Tim (R)	217	3533	10A	Nornes, Bud (R)	357	4946
11A	Daggett, Roxann (R)	253	4293	2B	Olson, Edgar (DFL)	565	4265
31B	Davids, Gregory M. (R)	371	9278	19A	Olson, Mark (R)	323	4237
65A	Dawkins, Andy (DFL)	409	5158	16A	Opatz, Joe (DFL)	473	6612
14A	Dehler, Steve (R)	203	7808	60B	Orfield, Myron (DFL)	521	9281
51A	Delmont, Mike (DFL)	433	4226	29B	Osskopp, Mike (R)	329	9236
29A	Dempsey, Jerry (R)	251	8635	66A	Osthoff, Tom (DFL)	585	4224
24A	Dorn, John (DFL)	571	3248	11B	Otremba, Mary Ellen (DFL)	545	3201
64A	Entenza, Matt (DFL)	421	8799	37A	Ozment, Dennis (R)	317	4306
42A	Erhardt, Ron (R)	237	4363	42B	Paulsen, Erik (R)	221	7449
17A	Erickson, Sondra (R)	247	6746	38B	Pawlenty, Tim (R)	231	4128
52B	Evans, Geri (DFL)	413	0141	64B	Paymar, Michael (DFL)	529	4199
67A	Farrell, Jim (DFL)	491	4277	32A	Pelowski Jr., Gene (DFL)	549	8637
1B	Finseth, Tim (R)	377	9918	13B	Peterson, Doug (DFL)	569	4228
44A	Folliard, Betty (DFL)	523	3964	39A	Pugh, Thomas W. (DFL)	583	6828
63B	Garcia, Edwina (DFL)	417	5375	46A	Rest, Ann H. (DFL)	485	4176
9A	Goodno, Kevin (R)	369	5515	28A	Reuter, Doug (R)	241	5368
62A	Greenfield, Lee (DFL)	381	0173	44B	Rhodes, Jim (R)	309	9889
54B	Greiling, Mindy (DFL)	553	5387	32B	Rifenberg, Michelle (R)	215	1069
26A	Gunther, Bob (R)	337	3240	18A	Rostberg, Jim (R)	311	5364
48A	Haas, Bill (R)	201	5513	5A	Rukavina, Tom (DFL)	471	0170
22B	Harder, Elaine (R)	277	5373	17B	Schumacher, Leslie J. (DFL)	517	5377
12A	Hasskamp, Kris (DFL)	453	4333	41A	Seagren, Alice (R)	315	7803
66B	Hausman, Alice (DFL)	449	3824	21A	Seifert, Marty (R)	213	5374
8B	Hilty, Bill (DFL)	525	4308	50A	Sekhon, Kathleen (DFL)	451	2439
56A	Holsten, Mark (R)	345	3018	4A	Skare, Gail (DFL)	431	5516
6B	Huntley, Thomas (DFL)	533	2228	62B	Skoglund, Wes (DFL)	477	4330
7B	Jaros, Mike (DFL)	559	4246	57A	Slawik, Nora (DFL)	551	7807
58B	Jefferson, Richard (DFL)	577	8659	34A	Smith, Steve (R)	353	9188
18B	Jennings, Loren Geo (DFL)	591	0518	3B	Solberg, Loren A. (DFL)	445	2365
48B	Johnson, Alice M. (DFL)	539	5510	33B	Stanek, Rich (R)	351	5502
24B	Johnson, Ruth (DFL)	567	7065	14B	Stang, Doug (R)	223	4373
15A	Juhnke, Al (DFL)	531	6206	28B	Sviggum, Steve (R)	267	2273
59B	Kahn, Phyllis (DFL)	367	4257	23B	Swenson, Howard (R)	331	8634
26B	Kalis, Henry J. (DFL)	543	4240	43B	Sykora, Barb (R)	389	4315
35B	Kelso, Becky (DFL)	415	1072	50B	Tingelstad, Kathy (R)	295	5369
20B	Kielkucki, Tony (R)	313	1534	5B	Tomassoni, David J. (DFL)	593	0172
4B	Kinkel, Anthony G. (Tony) (DFL)	537	2451	36A	Tompkins, Eileen (R)	245	5506
40B	Knight, Kevin (R)	229	4218	67B	Trimble, Steve (DFL)	597	4201
16B	Knoblach, Jim (R)	207	6316	25A	Tuma, John (R)	301	4229
49B	Koskinen, Luanne (DFL)	411	4231	1A	Tunheim, Jim (DFL)	509	9635
27A	Kraus, Ron (R)	279	8216	34B	Van Dellen, Todd (R)	291	5511
53A	Krinkie, Philip (R)	303	2907	51B	Vandeveer, Ray (R)	255	4124
15B	Kubly, Gary W. (DFL)	423	4346	63A	Wagenius, Jean (DFL)	437	4200
31A	Kuisle, William (R)	375	4378	49A	Weaver, Charlie (R)	261	1729
56B	Larsen, Peg (R)	307	4244	61B	Wejcman, Linda (DFL)	407	7152
27B	Leighton, Rob (DFL)	527	4193	12B	Wenzel, Stephen G. (DFL)	487	4247
45B	Leppik, Peggy (R)	393	7026	9B	Westfall, Robert L. (Bob) (R)	225	6829
2A	Lieder, Bernie L. (DFL)	515	5091	13A	Westrom, Torrey (R)	273	4929
33A	Lindner, Arlon (R)	227	7806	22A	Winter, Ted (DFL)	459	5505
60A	Long, Dee (DFL)	443	0171	41B	Wolf, Ken (R)	387	5185
47A	Luther, Darlene (DFL)	581	3751	43A	Workman, Tom (R)	335	5066

Note: Room numbers are subject to change.

\*All rooms are in the State Office Building, St. Paul, MN 55155

# Minnesota Senate 1998 Members

District/Member/Party	Room*	Phone (651) 296-	District/Member/Party	Room*	Phone (651) 296-
66 Anderson, Ellen R. (DFL)	G-24 Cap.	5537	8 Lourey, Becky (DFL)	G-9 Cap.	0293
26 Beckman, Tracy L. (DFL)	124G Cap.	5713	54 Marty, John (DFL)	325 Cap.	5645
41 Belanger Jr., William V. (R)	113 SOB	5975	39 Metzen, James P. (DFL)	303 Cap.	4370
13 Berg, Charles A. (Ind.)	G-51 SOB	5094	2 Moe, Roger D. (DFL)	208 Cap.	2577
61 Berglin, Linda (DFL)	309 Cap.	4261	32 Morse, Steven (DFL)	G-24 Cap.	5649
48 Betzold, Don (DFL)	306 Cap.	2556	29 Murphy, Steve (DFL)	301 Cap.	4264
64 Cohen, Richard J. (DFL)	317 Cap.	5931	25 Neuville, Thomas M. (R)	123 SOB	1279
28 Day, Dick (R)	147 SOB	9457	52 Novak, Steven G. (DFL)	322 Cap.	4334
20 Dille, Steve (R)	103 SOB	4131	43 Oliver, Edward C. (R)	121 SOB	4837
14 Fischbach, Michelle L. (R)	149 SOB	2084	34 Olson, Gen (R)	119 SOB	1282
62 Flynn, Carol (DFL)	120 Cap.	4274	19 Ourada, Mark (R)	145 SOB	5981
49 Foley, Leo T. (DFL)	G-9 Cap.	4154	65 Pappas, Sandra L. (DFL)	120 Cap.	1802
23 Frederickson, Dennis R. (R)	139 SOB	8138	37 Pariseau, Pat (R)	109 SOB	5252
50 Hanson, Paula E. (DFL)	328 Cap.	3219	27 Piper, Pat (DFL)	G-9 Cap.	9248
58 Higgins, Linda I. (DFL)	227 Cap.	9246	59 Pogemiller, Lawrence J. (DFL)	235 Cap.	7809
24 Hottinger, John C. (DFL)	120 Cap.	6153	57 Price, Leonard R. (DFL)	235 Cap.	7-8060
5 Janezich, Jerry R. (DFL)	328 Cap.	8017	63 Ranum, Jane B. (DFL)	306 Cap.	7-8061
40 Johnson, Dave (DFL)	111 Cap.	9261	45 Robertson, Martha R. (R)	125 SOB	4314
15 Johnson, Dean E. (R)	117 SOB	3826	35 Robling, Claire A. (R)	151 SOB	4123
6 Johnson, Douglas J. (DFL)	205 Cap.	8881	53 Runbeck, Linda (R)	107 SOB	1253
18 Johnson, Janet B. (DFL)	G-9 Cap.	5419	11 Sams, Dallas C. (DFL)	328 Cap.	7-8063
46 Junge, Ember Reichgott (DFL)	205 Cap.	2889	12 Samuelson, Don (DFL)	124 Cap.	4875
44 Kelley, Steve (DFL)	321 Cap.	7-8065	31 Scheevel, Kenric J. (R)	129 SOB	3903
67 Kelly, Randy C. (DFL)	323 Cap.	5285	47 Scheid, Linda (DFL)	317 Cap.	8869
30 Kiscaden, Sheila M. (R)	135 SOB	4848	7 Solon, Sam G. (DFL)	303 Cap.	4188
16 Kleis, Dave (R)	143 SOB	6455	60 Spear, Allan H. (DFL)	120 Cap.	4191
36 Knutson, David L. (R)	133 SOB	4120	17 Stevens, Dan (R)	105 SOB	8075
51 Krentz, Jane (DFL)	235 Cap.	7061	1 Stumpf, LeRoy A. (DFL)	G-24 Cap.	8660
56 Laidig, Gary W. (R)	141 SOB	4351	4 Ten Eyck, David J. (DFL)	G-24F Cap.	4913
9 Langseth, Keith (DFL)	122 Cap.	3205	42 Terwilliger, Roy (R)	115 SOB	6238
10 Larson, Cal (R)	153 SOB	5655	22 Vickerman, Jim (DFL)	226 Cap.	5650
21 Lesewski, Arlene J. (R)	131 SOB	4125	38 Wiener, Deanna L. (DFL)	303 Cap.	7-8073
3 Lessard, Bob (DFL)	111 Cap.	4136	55 Wiger, Charles W. (DFL)	325 Cap.	6820
33 Limmer, Warren (R)	127 SOB	2159			

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## Minnesota House and Senate Membership

<b>1</b> A • Rep. Jim Tunheim-DFL B • Rep. Tim Finseth-R Sen. LeRoy A. Stumpf-DFL	<b>15</b> A • Rep. Al Juhnke-DFL B • Rep. Gary W. Kubly-DFL Sen. Dean E. Johnson-R	<b>29</b> A • Rep. Jerry Dempsey-R B • Rep. Mike Oskopp-R Sen. Steve Murphy-DFL	<b>43</b> A • Rep. Tom Workman-R B • Rep. Barb Sykora-R Sen. Edward C. Oliver-R	<b>57</b> A • Rep. Nora Slawik-DFL B • Rep. Sharon Marko-DFL Sen. Leonard R. Price-DFL
<b>2</b> A • Rep. Bernie L. Lieder-DFL B • Rep. Edgar Olson-DFL Sen. Roger D. Moe-DFL	<b>16</b> A • Rep. Joe Opatz-DFL B • Rep. Jim Knoblach-R Sen. Dave Kleis-R	<b>30</b> A • Rep. Fran Bradley-R B • Rep. Dave Bishop-R Sen. Sheila M. Kiscaden-R	<b>44</b> A • Rep. Betty Foliard-DFL B • Rep. Jim Rhodes-R Sen. Steve Kelley-DFL	<b>58</b> A • Rep. Joe Mulley-DFL B • Rep. Richard Jefferson-DFL Sen. Linda I. Higgins-DFL
<b>3</b> A • Rep. Irv Anderson-DFL B • Rep. Loren A. Solberg-DFL Sen. Bob Lessard-DFL	<b>17</b> A • Rep. Sondra Erickson-R B • Rep. Leslie J. Schumacher-DFL Sen. Dan Stevens-R	<b>31</b> A • Rep. William Kuisle-R B • Rep. Gregory M. Davids-R Sen. Kenric J. Scheevel-R	<b>45</b> A • Rep. Ron Abrams-R B • Rep. Peggy Leppik-R Sen. Martha R. Robertson-R	<b>59</b> A • Rep. Len Biernat-DFL B • Rep. Phyllis Kahn-DFL Sen. Lawrence J. Pogemiller-DFL
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<b>6</b> A • Rep. Thomas Tom Bakk-DFL B • Rep. Thomas Huntley-DFL Sen. Douglas J. Johnson-DFL	<b>20</b> A • Rep. Robert "Bob" Ness-R B • Rep. Tony Kielkucki-R Sen. Steve Dille-R	<b>34</b> A • Rep. Steve Smith-R B • Rep. Todd Van Dellen-R Sen. Gen Olson-R	<b>48</b> A • Rep. Bill Haas-R B • Rep. Alice M. Johnson-DFL Sen. Don Betzold-DFL	<b>62</b> A • Rep. Lee Greenfield-DFL B • Rep. Wes Skoglund-DFL Sen. Carol Flynn-DFL
<b>7</b> A • Rep. Willard Munger-DFL B • Rep. Mike Jaros-DFL Sen. Sam G. Solon-DFL	<b>21</b> A • Rep. Marty Seifert-R B • Rep. Richard Mulder-R Sen. Arlene J. Lesewski-R	<b>35</b> A • Rep. Carol L. Molnau-R B • Rep. Becky Kelso-DFL Sen. Claire A. Robling-R	<b>49</b> A • Rep. Charlie Weaver-R B • Rep. Luanne Koskinen-DFL Sen. Leo Foley-DFL	<b>63</b> A • Rep. Jean Wagenius-DFL B • Rep. Edwina Garcia-DFL Sen. Jane B. Ranum-DFL
<b>8</b> A • Rep. Mary Murphy-DFL B • Rep. Bill Hilty-DFL Sen. Becky Lourey-DFL	<b>22</b> A • Rep. Ted Winter-DFL B • Rep. Elaine Harder-R Sen. Jim Vickerman-DFL	<b>36</b> A • Rep. Eileen Tompkins-R B • Rep. Dan McElroy-R Sen. David L. Knutson-R	<b>50</b> A • Rep. Kathleen Sekhon-DFL B • Rep. Kathy Tingelstad-R Sen. Paula E. Hanson-DFL	<b>64</b> A • Rep. Matt Entenza-DFL B • Rep. Michael Paymar-DFL Sen. Richard J. Cohen-DFL
<b>9</b> A • Rep. Kevin Goodno-R B • Rep. Robert L. Bob Westfall-R Sen. Keith Langseth-DFL	<b>23</b> A • Rep. James Clark-R B • Rep. Howard Swenson-R Sen. Dennis R. Frederickson-R	<b>37</b> A • Rep. Dennis Ozment-R B • Rep. Bill Macklin-R Sen. Pat Pariseau-R	<b>51</b> A • Rep. Mike Delmont-DFL B • Rep. Ray Vandever-R Sen. Jane Krentz-DFL	<b>65</b> A • Rep. Andy Dawkins-DFL B • Rep. Carlos Mariani-DFL Sen. Sandra L. Pappas-DFL
<b>10</b> A • Rep. Bud Nornes-R B • Rep. Hilda Bettermann-R Sen. Cal Larson-R	<b>24</b> A • Rep. John Dorn-DFL B • Rep. Ruth Johnson-DFL Sen. John C. Hottinger-DFL	<b>38</b> A • Rep. Tim Commers-R B • Rep. Tim Pawlenty-R Sen. Deanna L. Wiener-DFL	<b>52</b> A • Rep. Satveer Chaudhary-DFL B • Rep. Geri Evans-DFL Sen. Steven G. Novak-DFL	<b>66</b> A • Rep. Tom Osthoff-DFL B • Rep. Alice Hausman-DFL Sen. Ellen R. Anderson-DFL
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<b>12</b> A • Rep. Kris Hasskamp-DFL B • Rep. Stephen G. Wenzel-DFL Sen. Don Samuelson-DFL	<b>26</b> A • Rep. Bob Gunther-R B • Rep. Henry J. Kalis-DFL Sen. Tracy L. Beckman-DFL	<b>40</b> A • Rep. Mark P. Mahon-DFL B • Rep. Kevin Night-R Sen. Dave Johnson-DFL	<b>54</b> A • Rep. Mary Jo McGuire-DFL B • Rep. Mindy Greiling-DFL Sen. John Marty-DFL	
<b>13</b> A • Rep. Torrey Westrom-R B • Rep. Doug Peterson-DFL Sen. Charles A. Berg-Ind.	<b>27</b> A • Rep. Ron Kraus-R B • Rep. Rob Leighton-DFL Sen. Pat Piper-DFL	<b>41</b> A • Rep. Alice Seagren-R B • Rep. Ken Wolf-R Sen. William V. Belanger Jr.-R	<b>55</b> A • Rep. Harry Mares-R B • Rep. Betty McCollum-DFL Sen. Charles W. Wiger-DFL	
<b>14</b> A • Rep. Steve Dehler-R B • Rep. Doug Stang-R Sen. Michelle L. Fischbach-R	<b>28</b> A • Rep. Doug Reuter-R B • Rep. Steve Sviggum-R Sen. Dick Day-R	<b>42</b> A • Rep. Ron Erhardt-R B • Rep. Erik Paulsen-R Sen. Roy Terwilliger-R	<b>56</b> A • Rep. Mark Holsten-R B • Rep. Peg Larsen-R Sen. Gary W. Laidig-R	

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## House committee abbreviations key

AG	Agriculture	HH	Health & Human Services	HF	House File
CI	Capital Investment	JU	Judiciary	SF	Senate File
CTCA	Commerce, Tourism & Consumer Affairs	LMR	Labor-Management Relations	CH	Chapter
ECIT	Economic Development & International Trade	LOGMA	Local Government & Metropolitan Affairs	Res.	Resolution
ED	Education	RIE	Regulated Industries & Energy		
EN	Environment & Natural Resources	TA	Taxes		
FIJ	Financial Institutions & Insurance	TT	Transportation & Transit		
GLVAE	General Legislation, Veterans Affairs & Elections	WM	Ways & Means		
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none	3345*	367	JU	17	95	2576	2028*	263	TT	56	100
none	3297*	384	ED	38, 65	84	2589	2592*	403	TT	56	101
103	161*	387	GLVAE	31	89	2590*	2122	266	JU	40	94
113*	76	342	EN	27	87	2601*	2677	289	CTCA	40	82
176	154*	333	JU	34	94	2612*	2335	290	TT	56	101
349	1181*	394	AG	61	82	2615	2252*	332	JU	19	94
381	695*	330	HH	64	92	2616*	2255	277	LOGMA	48	98
384	726*	386	GO	34	90	2625	2267*	339	FII		88
661*	663	253	ECIT		83	2635	2574*	292	LOGMA	40	98
668*	668	288	HH	44	91	2641	2378*	309	CTCA	15	82
680	535*	381	LOGMA	50	99	2642*	2280	275	LMR	23	97
1116	1814*	324	CTCA	33	83	2646	2621*	265	LMR	22	97
1207	330*	336	JU	19	94	2654*	2318	405	TT	55	102
1306	1076*	301	HH	36	91	2659	2570*	300	TA		100
1351	1169*	400	EN	25	87	2665	2316*	310	TT	57	101
1414	1151*	281	JU	47	94	2667	2429*	325	LOGMA		98
1554	1440*	255	JU	47	94	2673*	1946	356	GO	34	90
1626	1378*	371	JU	46	96	2681	2372*	305	HH	37	91
1668	1480*	357	JU	47	95	2686	2269*	312	EN	26	86
1693	1074*	355	LMR	23	97	2695	2274*	364	CTCA	14	83
1882	1654*	311	JU	65	94	2696	2402*	282	EN	26	86
2016	2550*	335	FII	10	88	2700	2192*	360	ECIT	50	83
2043	1583*	303	GO	33	89	2706	2068*	321	CTCA	54	82
2065	816*	402	AG	9	82	2708*	2414	373	AG	9	82
2174	2082*	397	ED	22	84	2722*	2756	379	EN	27	87
2222*	1973	296	LOGMA	50	98	2734	2498*	396	JU	18	96
2293	2118*	370	GLVAE	63	89	2736*	2205	368	LOGMA	49	99
2294	2041*	304	TA	53	100	2750	2262*	323	FII	45	87
2308*	2014	340	CTCA	15	83	2774	2302*	349	LOGMA	49	99
2309*	2136	327	FII	10	88	2777	2516*	286	GO	32	89
2315*	2344	315	CTCA	13	82	2779	2230*	291	JU	40	94
2326	2586*	377	JU		96	2784	2276*	382	JU	28	96
2338*	2167	258	GLVAE	57	88	2785	2373*	313	JU	36	94
2357	2346*	393	LOGMA	48	99	2786	2447*	317	HH	37	92
2372*	2017	256	LOGMA	48	98	2790	2384*	302	LOGMA	49	98
2387	2149*	346	GLVAE	63	88	2803	2532*	365	ED	63	84
2390	2031*	262	JU		94	2809*	2791	276	LOGMA	48	98
2401	2207*	316	HH	37	91	2811	2315*	270	GO		89
2417*	2055	Res. 5	ECIT	51	81	2814*	2130	334	HH	45	92
2425	2170*	267	CTCA	14	82	2824	2281*	308	LOGMA	49	98
2486	2256*	376	GLVAE	22	89	2828*	2345	261	HH	37	91
2489*	2381	318	EN	26	86	2846*	2245	287	FII	64	87
2492	2111*	252	EN	29	86	2861	2040*	338	JU	28	95
2499*	2156	259	LOGMA	49	98	2866	2477*	273	GO	33	89
2500*	2540	295	FII	10	87	2868	3346*	407	HH	41, 66	92
2507	3036*	320	TA	15	100	2874*	3378	398	ED	19	85
2508	2581*	307	LOGMA	35	98	2890	2478*	260	FII	11	87
2521	2050*	399	JU	46	96	2895*	2293	297	FII		87
2523	2266*	299	TA		100	2920	2911*	322	RIE	29	99
2524*	2134	254	JU	47	93	2927	2525*	268	LOGMA		98
2526	2148*	352	GLVAE	63	88	2947	2730*	359	GO	33	90
2532	2407*	388	TT	55	101	2970*	2555	390	GO	31	90
2550*	2261	257	HH	38	91	2971	2489*	344	CTCA	16	83

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AG	Agriculture	HH	Health & Human Services	HF	House File
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ECIT	Economic Development & International Trade	LOGMA	Local Government & Metropolitan Affairs	Res.	Resolution
ED	Education	RIE	Regulated Industries & Energy		
EN	Environment & Natural Resources	TA	Taxes		
FII	Financial Institutions & Insurance	TT	Transportation & Transit		
GLVAE	General Legislation, Veterans Affairs & Elections	WM	Ways & Means		
GO	Governmental Operations				

HF#	SF#	CH#	Committee	Highlights Page	Summary Page
2983	2966*	343	CTCA	16	83
2985*	2682	406	JU	15	96
2992	2669*	284	HH	23	91
3028	2163*	285	TT	56	101
3040*	2355	274	HH		91
3042*	2797	345	RIE	44	99
3057	3298*	372	TT	54	101
3064	2718*	378	WM	61	103
3065	2608*	293	FII	45	87
3068*	2520	351	GO		90
3070*	2847	350	RIE	40	100
3071*	2849	278	RIE	24	99
3095*	2688	272	GLVAE	57	88
3119	2685*	269	LOGMA	48	98
3137	3354*	366	WM	29, 65	102
3138	2861*	329	HH	38	92
3140	2351*	391	EN	26	87
3145*	2719	363	TA	39	100
3148	2047*	280	CTCA	40	82
3184*	3207	361	JU	36	95
3250*	2786	Res. 6	TT	57	81
3254	2725*	314	LOGMA	49	98
3258	2699*	Res. 7	HH	43	81
3268	2645*	385	LOGMA	50	99
3296	2729*	283	TT	51	101
3297*	2296	341	EN	27	87
3324	2445*	348	RIE	44	99
3332*	2949	354	JU	28	95
3355	3032*	319	FII	46	87
3389	2493*	337	JU	10	95

HF#	SF#	CH#	Committee	Highlights Page	Summary Page
3402	2928*	375	FII	45	88
3432	2659*	328	FII	45	88
3442	2945*	298	JU	34	94
3459	2751*	369	LMR	23	97
3465	3084*	358	LMR	23	97
3524	3016*	306	EN	27	86
3532	3068*	294	LMR	32	97
3593	2457*	279	GO	33	89
3644*	3170	326	RIE	16	99
3654*	3189	380	RIE	43	100
3734	2354*	271	GO	32	89
3748	908*	331	FII	11	88
3799	3353*	401	WM	24, 65	104
3806	3367*	374	WM	62	102
3808	41*	392	JU	29	96
3830*	3393	362	WM	35	102
3839	3396*	408	JU	47	97
3840*	2985	389	WM	51	103
3841	3397*	353	CTCA	14	83
3843*	none	404	WM	11	104
3853*	3409	395	WM	9	104
3854*	3406	Res. 8	WM	54	81
3862*	3411	383	WM	34	103

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1	2*	1	WM	59	105
2	1*	2	JU	60	105
7	8*	3	JU	47	105

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SF#	HF#	CH#	Committee	Highlights Page	Summary Page	SF#	HF#	CH#	Committee	Highlights Page	Summary Page
none	3843*	404	WM	11	104	2245	2846*	287	FII	64	87
41*	3808	392	JU	29	96	2252*	2615	332	JU	19	94
76	113*	342	EN	27	87	2255	2616*	277	LOGMA	48	98
154*	176	333	JU	34	94	2256*	2486	376	GLVAE	22	89
161*	103	387	GLVAE	31	89	2261	2550*	257	HH	38	91
330*	1207	336	JU	19	94	2262*	2750	323	FII	45	87
535*	680	381	LOGMA	50	99	2266*	2523	299	TA		100
663	661*	253	ECIT		83	2267*	2625	339	FII		88
668	668*	288	HH	44	91	2269*	2686	312	EN	26	86
695*	381	330	HH	64	92	2274*	2695	364	CTCA	14	83
726*	384	386	GO	34	90	2276*	2784	382	JU	28	96
816*	2065	302	AG	9	82	2280	2642*	275	LMR	23	97
908*	3748	431	FII	11	88	2281*	2824	308	LOGMA	49	98
1074*	1693	355	LMR	23	97	2293	2895*	297	FII		87
1076*	1306	301	HH	36	91	2296	3297*	341	EN	27	87
1151*	1414	281	JU	47	94	2302*	2774	349	LOGMA	49	99
1169*	1351	400	EN	25	87	2315*	2811	270	GO		89
1181*	349	394	AG	61	82	2316*	2665	310	TT	57	101
1378*	1626	371	JU	46	96	2318	2654*	405	TT	55	102
1440*	1554	255	JU	47	94	2335	2612*	290	TT	56	101
1480*	1668	357	JU	47	95	2344	2315*	315	CTCA	13	82
1583*	2043	303	GO	33	89	2345	2828*	261	HH	37	91
1654*	1882	311	JU	65	94	2346*	2357	393	LOGMA	48	99
1814*	1116	324	CTCA	33	83	2351*	3140	391	EN	26	87
1946	2673*	356	GO	34	90	2354*	3734	271	GO	32	89
1973	2222*	296	LOGMA	50	98	2355	3040*	274	HH		91
2014	2308*	340	CTCA	15	83	2372*	2681	305	HH	37	91
2017	2372*	256	LOGMA	48	98	2373*	2785	313	JU	36	94
2028*	2576	263	TT	56	100	2378*	2641	309	CTCA	15	82
2031*	2390	262	JU		94	2379*	none	264	GO		89
2040*	2861	338	JU	28	95	2381	2489*	318	EN	26	86
2041*	2294	304	TA	53	100	2384*	2790	302	LOGMA	49	98
2047*	3148	280	CTCA	40	82	2402*	2696	282	EN	26	86
2050*	2521	399	JU	46	96	2407*	2532	388	TT	55	101
2055	2417*	Res. 5	ECIT	51	81	2414	2708*	373	AG	9	82
2068*	2706	321	CTCA	54	82	2429*	2667	325	LOGMA		98
2082*	2174	397	ED	22	84	2445*	3324	348	RIE	44	99
2111*	2492	252	EN	219	86	2447*	2786	317	HH	37	92
2118*	2293	370	GLVAE	63	89	2457*	3593	279	GO	33	89
2122	2590*	266	JU	40	94	2477*	2866	273	GO	33	89
2130	2814*	334	HH	45	92	2478*	2890	260	FII	11	87
2134	2524*	254	JU	47	93	2489*	2971	344	CTCA	16	83
2136	2309*	327	FII	10	88	2493*	3389	337	JU	10	95
2148*	2526	352	GLVAE	63	88	2498*	2734	396	JU	18	96
2149*	2387	346	GLVAE	63	88	2516*	2777	286	GO	32	89
2156	2499*	259	LOGMA	49	98	2520	3068*	351	GO		90
2163*	3028	285	TT	56	101	2525*	2927	268	LOGMA		98
2167	2338*	258	GLVAE	57	88	2532*	2803	365	ED	63	84
2170*	2425	267	CTCA	14	82	2540	2500*	295	FII	10	87
2192*	2700	360	ECIT	50	83	2550*	2016	335	FII	10	88
2205	2736*	368	LOGMA	49	99	2555	2970*	390	GO	31	90
2207*	2401	316	HH	37	91	2570*	2659	300	TA		100
2221*	2567	347	GLVAE	62	88	2574*	2635	292	LOGMA	40	98
2230*	2779	291	JU	40	94	2581*	2508	307	LOGMA	35	98

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# Effective Date Index

Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
2/13/98	EN	Fish house restrictions and license periods modified	2492	2111*	29	86
2/26/98	LOGMA	Norman County Medical Center bid exemption	2372*	2017	48	98
2/26/98	HH	Rural hospital flexibility program	2550*	2261	38	91
2/26/98	GLVAE	Gulf War vet bonus program modified	2338*	2167	57	88
2/28/98	LOGMA	Hennepin County board small purchase limit increased	2499*	2156	49	98
2/28/98	FII	Savings Association Act maintained	2890	2478*	11	87
3/17/98	LMR	Standard collection procedure exemption provided to overpaid re-employment insurance benefits	2642*	2280	23	97
3/17/98	CTCA	Manufactured home park owners limited dealer's licenses	3148	2047*	40	82
3/17/98	TT	Bicycle rack advertisements and informational signs placement and maintenance authority	3296	2729*	51	101
3/19/98	TT	Motor vehicle dealers licensing requirements exemption for charitable organizations	3028	2163*	56	101
3/19/98	GO	Employee relations department experimental or research projects authority expansion	2777	2516*	32	89
3/19/98	JU	Elderly housing definition modification for discrimination prohibition exemption purposes	2779	2230*	40	94
3/19/98	LOGMA	Cartways established by town boards upon owner petition	2222*	1973	50	98
3/19/98	FII	Township mutual insurance companies permitted investments expanded	2895*	2293		87
3/19/98	TA	Property tax rebate for tax pre-payments	2294	2041*	53	100
3/19/98 (Sec. 5);						
Upon local approval (Secs. 1-4)	LOGMA	Chisago County recorder appointment; Rush City easements	2790	2384*	49	98
3/24/98	EN	Qualified landfills authorized to accept materials from closed dumps	3524	3016*	27	86
3/24/98	CTCA	Corporate professional and professional services definitions expanded	2641	2378*	15	82
3/24/98	TT	Intrastate hazardous material carriers provided uniform registration and permit program	2665	2316*	57	101
3/24/98	RIE	Lawful gambling revisions	2920	2911*	29	99
3/24/98	LOGMA	Local government services advisory council membership increase and appointment clarification	2667	2429*		98
3/24/98	RIE	Combined school districts extended area telephone service voting requirements modification	3644*	3170	16	99
3/24/98	FII	Life insurance company investments and transactions regulations modified	3432	2659*	45	88
3/24/98 (Secs. 1-4, 9-29);						
11/1/98 (Secs. 5-8)	HH	Health occupations licensure requirements modified	2786	2447*	37	92
3/26/98	JU	DWI repeat offenders sentencing to intensive supervision and incarceration	2615	2252*	19	94
3/5/98	GO	Local government unit aid distribution clarification in township annexation	none	2379*		89
3/6/98	LOGMA	Public officers contract interest authority clarification	3119	2685*	48	98
3/7/98	GLVAE	Four Chaplains Day designation	3095*	2688	57	88
4/10/98	GLVAE	Elections provisions modifications for constitutionality purposes	2486	2256*	22	89
4/10/98	RIE	Electric industry restructuring comprehensive study required	3654*	3189	43	100
4/10/98 (generally)	WM	Tornado relief bill	3862*	3411	34	103
4/10/98 (Sec. 1);						
12/31/98 (Secs. 1, 3, 4)	EN	Red tag issuance authorized for underground petroleum storage tank violations	2722*	2756	27	87
4/10/98 (Sec. 6);						
7/1/98 (balance)	ED	Omnibus higher education supplemental appropriations	none	3297*	38, 65	84
4/18/98	LOGMA	Counties authorized to provide grants to nonprofit community food shelves	2736*	2205	49	99
4/21/98	LOGMA	Metropolitan Council and agency contractors affirmative action plan requirements	680	535*	50	99
4/21/98	LOGMA	Metropolitan Council and agency contractors affirmative action plan requirements	3268	2645*	50	99
4/21/98 (Sec. 1);						
6/1/98 (balance)	EN	Personal watercraft operation restrictions increased	1351	1169*	25	87
4/21/98 (Sec. 2);						
Upon local approval (Sec. 1)	LOGMA	Minneapolis civilian police review authority provided	2357	2346*	48	99
4/21/98 (Secs. 1-7);						
7/1/98 (Sec. 8)	JU	Sex offender registration law expanded	2734	2498*	18	96
4/21/98 (Secs. 3, 4, 6);						
8/1/98 (balance)	TT	License provisions clarified	2654*	2318	55	102
4/23/98	JU	Economic loss arising from the sales of goods provision effect on civil actions based on fraud clarified	2	1*	60	105
4/3/98	LOGMA	County optional forms of government adoption referendum procedure clarification	2774	2302*	49	99
4/3/98 (Secs. 3, 5)	GO	Public employee labor agreements ratified	3068*	2520		90
4/4/98 (Secs. 1, 19, 20, 21)	GO	Administration department provisions modifications	2947	2730*	33	90
4/4/98 (Secs. 1-7);						
7/1/97 (Sec. 8, retro.)	JU	Open adoption agreements modified	3332*	2949	28	95

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Effective Date	Committee	Title	HF#	SF#	Highlights Page	Summary Page
4/7/98	JU	Minnesota Free Flow of Information Act disclosure provisions	1668	1480*	47	95
4/7/98	LMR	Hibbing taconite company employees additional re-employment insurance benefits	3465	3084*	23	97
4/7/98 (Secs. 1-7); 4/7/98 (Sec. 8)						
with qualifications	WM	Payment of claims against the state	3830*	3393	35	102
4/8/98 (Sec. 1); 7/10/90 (retro.)						
with qualifications	ECIT	Local government units corporations creation clarification	2700	2192*	50	83
5/31/97 (retro.)	CTCA	Air carriers agreements franchise law retroactive exemption application exclusions	3841	3397*	14	83
6/30/98 (repealed)	GO	Rural finance authority and housing finance electronic meetings authority permanency	3593	2457*	33	89
6/30/98 (Secs. 7, 8)	RIE	One call excavation notice system modification	3324	2445*	44	99
7/1/97 (retro.)	GO	Director of Office of Technology membership to various organizations clarified	2811	2315*		89
7/1/98	HH	Long-term nursing care facility payroll documentation procedures modified	3040*	2355		91
7/1/98	LMR	Workers' compensation benefits special compensation fund reimbursement requirement elimination	3532	3068*	32	97
7/1/98	RIE	Long-distance telephone provider slamming and loading disclosure requirements expanded	3042*	2797	44	99
7/1/98 (generally); 5/1/98 (Art. 1, Sec. 33)	GO	State agencies procurement process modification	384	726*	34	90
7/1/99	ECIT	Landlord and tenant law recodified, clarified, and relocated	661*	663		83
7/1/99 (delays sunset until); 1/5/99 (report due)	AG	Veterinarians allowed to dock horses	2065	816*	9	82
8/1/98	JU	Revisor's bill	2524*	2134	47	93
8/1/98	JU	Uniform Certification of Questions of Law Act adopted	1554	1440*	47	94
8/1/98	HH	Commissioner of health public water supply approval authority modified	2828*	2345	37	91
8/1/98	JU	Real property conveyance provisions modified	2390	2031*		94
8/1/98	TT	Emergency vehicle signal operation modification	2576	2028*	56	100
8/1/98	JU	Tenant security deposit interest rate increase	2590*	2122	40	94
8/1/98	GO	Public employees insurance program expansion	3734	2354*	32	89
8/1/98	GO	CFL and Economic Security reorganization codified	2866	2477*	33	89
8/1/98	LOGMA	Audited financial statement copies provided to members of the local unit of government	2809*	2791	48	98
8/1/98	RIE	Petroleum product specifications modified	3071*	2849	24	99
8/1/98	JU	Guardians and conservators appointment provisions modifications	1414	1151*	47	94
8/1/98	EN	Merchandise pallets unauthorized possession or damage prohibitions	2696	2402*	26	86
8/1/98	HH	Rehabilitation services business arrangements use and rate variance mechanism flexibility	2992	2669*	23	91
8/1/98	HH	Industrial Hygienist and Safety Professional Title Protection Act adopted	668*	668	44	91
8/1/98	TT	Trunk Highway #95 designated as State Trooper Timothy Bowe Memorial Highway	2612*	2335	56	101
8/1/98	LOGMA	Headwaters Regional Development Commission nonprofit housing corporation establishment	2635	2574*	40	98
8/1/98	FII	Customer loss or theft of a debit card limited liability provided	2500*	2540	10	87
8/1/98	JU	Interstate emergency management assistance compact	3442	2945*	34	94
8/1/98	GO	State agencies rules and programs policy and obsolete, unnecessary or duplicative rules regulation	2043	1583*	33	89
8/1/98	HH	Hepatitis B immunization required for children	2681	2372*	37	91
8/1/98	EN	Board of Water and Soil Resources hearing and review provisions modified	2686	2269*	26	86
8/1/98	JU	Civil commitment release on provisions modified	2785	2373*	36	94
8/1/98	LOGMA	County recorder and registrar functions provided additional methods	3254	2725*	49	98
8/1/98	CTCA	Trademarks and service marks regulated	2315*	2344	13	82
8/1/98	EN	Ramsey and Washington counties state trail extended	2489*	2381	26	86
8/1/98	FII	Investments of Insurers Act adopted	3355	3032*	46	87
8/1/98	TA	Limited partnership withdrawals regulated	2507	3036*	15	100
8/1/98	CTCA	Electronic message reliability and certification authorities required	2706	2068*	54	82
8/1/98	FII	Reinsurance intermediary brokers funds investment authority regulation	2750	2262*	45	87
8/1/98	CTCA	Board provisions modifications	1116	1814*	33	83
8/1/98	HH	Emergency medical care automatic external defibrillators use liability immunity	3138	2861*	38	92
8/1/98	FII	Trust companies regulation provisions modification	3748	908*	11	88
8/1/98	JU	Food donors' liability limit	176	154*	34	94
8/1/98	JU	Nonprofit corrections treatment facilities liability limit	1207	330*	19	94
8/1/98	JU	Financial institutions liability immunity for stolen or fraudulent checks information release	3389	2493*	10	95
8/1/98	JU	Child and medical support enforcement administration process modification	2861	2040*	28	95
8/1/98	CTCA	Accountant licensing provisions modified	2308*	2014	15	83
8/1/98	CTCA	Residential mortgage loans regulated, and table funding requirements established	2971	2489*	16	83
8/1/98	RIE	Decorative gas lamp prohibition variance provided	3070*	2847	40	100
8/1/98	LMR	Public safety dispatchers as essential employees under PELRA	1693	1074*	23	97
8/1/98	GO	Compensation increase provided for state employees on leave serving as Red Cross disaster volunteers	2673*	1946	34	90
8/1/98	TA	Low income housing tax credit allocation and compliance monitoring review provided	3145*	2719	39	100
8/1/98	LMR	Employers nursing mothers accommodations requirement	3459	2751*	23	97
8/1/98	AG	Agricultural marketing and bargaining advisory committee established	2708*	2414	9	82
8/1/98	FII	Insurance company affiliates rebating activities prohibition	3402	2928*	45	88
8/1/98	EN	State park additions and deletions specified	3140	2351*	26	87
8/1/98	JU	Advanced health care directive provisions modified	2521	2050*	46	96

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8/1/98 (Art. 1, Art. 2, Secs. 18-19);						
4/21/98 (Art. 2, Secs. 1-17) ....	JU .....	Child support enforcement provisions modifications .....	2784 .....	2276* .....	28 .....	96
8/1/98 (recodification); 7/1/98 ....	ED .....	Omnibus K-12 education statutes recodification provided .....	2174 .....	2082* .....	22 .....	84
8/1/98 (Sec. 1); 3/6/98 (Sec. 2) ...	CTCA .....	Watercraft trailers and ATVs exempt from motor vehicle sales on Sunday prohibition .....	2425 .....	2170* .....	14 .....	82
8/1/98 (Sec. 1);						
4/1/98 (Secs. 2-12) .....	FI .....	Workers' compensation self insurance regulation provisions modification .....	2625 .....	2267* .....		88
8/1/98 (Secs. 1, 3);						
8/1/97 (Sec. 2, retro.) .....	CTCA .....	Building and construction contract lien and claim waivers and subcontractor payments regulated .....	2601* .....	2677 .....	40 .....	82
1/1/99 .....	HH .....	Health plan coverage for off-label use of drugs .....	1306 .....	1076* .....	36 .....	91
1/1/99 .....	FI .....	Financial institutions consumer credit issuance and reporting equal treatment of spouses .....	2309* .....	2136 .....	10 .....	88
1/1/99 .....	HH .....	Health plan companies durable medical equipment coverage requirement .....	2814* .....	2130 .....	45 .....	92
1/1/99 .....	FI .....	Financial institutions mail loan solicitations regulation .....	2016 .....	2550* .....	10 .....	88
1/1/99 (Sec. 1); 3/19/98 (Sec. 2) ..	FI .....	Health insurance basic Medicare supplement plans coverage for diabetes equipment .....	3065 .....	2608* .....	45 .....	87
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7/1/98 (Sec. 31) .....	TT .....	Driver's license provisions modifications .....	2532 .....	2407* .....	55 .....	101
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(if amendment approved) .....	GLVAE .....	Constitutional amendment to abolish office of state treasurer .....	103 .....	161* .....	31 .....	89
Upon local approval .....	LOGMA .....	Ramsey County purchases from health care cooperatives .....	2927 .....	2525* .....		98
Upon local approval .....	LOGMA .....	Dakota County dangerous dog registration system city administration provided .....	2616* .....	2255 .....	48 .....	98
Upon local approval .....	LOGMA .....	Olmsted County auditor/treasurer made an appointed position .....	2508 .....	2581* .....	35 .....	98
Upon local approval .....	LOGMA .....	Dakota County housing employees not deemed county employees without county board consent .....	2824 .....	2281* .....	49 .....	98
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Various dates .....	TA .....	Tax provisions technical corrections and administrative changes .....	2659 .....	2570* .....		100
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