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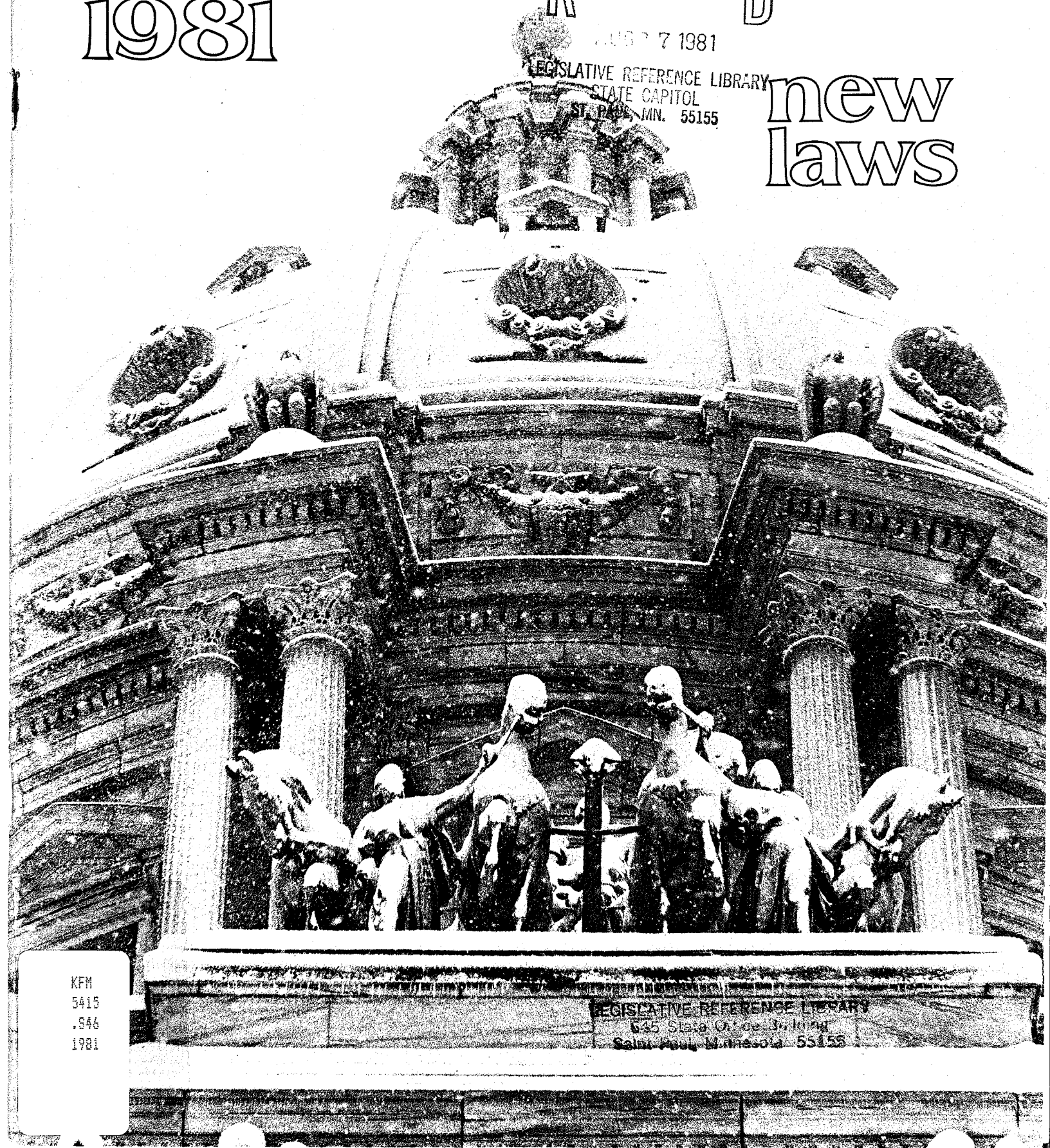
SESSION RECEIVED

1981

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new laws



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SESSION 1981 NEW LAWS

An economy adjusting to a change of administrations in Washington, federal budget cuts, inflation, and rising costs has state governments tightening belts.

In Minnesota, the stormy economic climate carried the Legislature into two special sessions, and decisions that raised the sales tax, shifted funds to balance the budget, and increased the state's borrowing power.

This issue of *Session 1981* reviews the action, summarizes new laws, and gives you a closeup look at legislation on crime, health, workers' compensation, new fee increases, and the special sessions.

JANUARY-MAY 1981

8 CRIME

Country crime's increasing, catching up with crime in the cities, threatening Minnesota's rural way of life. The chairman of the Criminal Justice Committee talks about our rising crime rate and the Legislature's approach to criminal laws in the state.

16 HEALTH

Cancer and its causes continue under attack in Minnesota as the state adopts a new cancer surveillance program to help pinpoint this killer of one out of four people. Other new laws zero in on more of Minnesota's health concerns and issues.

22 WORKERS' COMPENSATION

Industry, labor, insurers, workers, and bosses argued about features of Minnesota's workers' compensation laws at legislative committee meetings. And some things changed.

36 FEE INCREASES

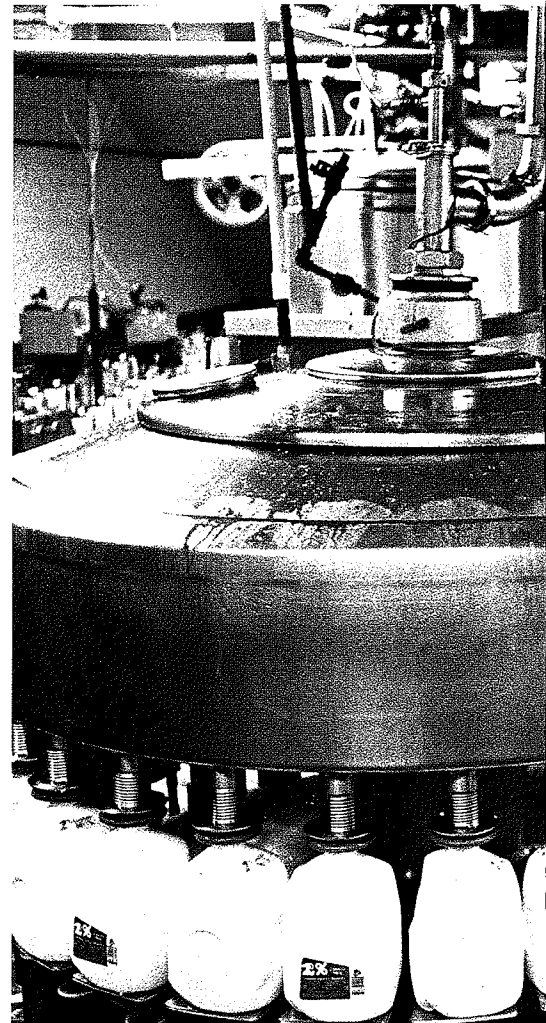
Cost of fun — camping, fishing, hunting, etc. went up. Fees for services increased, but there are some pluses: The DNR's planning a new commemorative golden license, some fee increases buy more privileges, and the money goes into funds that benefit users, which includes most of us who call Minnesota home.

38 SPECIAL SESSIONS

Money problems — collecting, borrowing, spending, and budgeting — took two special sessions as the Legislature struggled to an agreement on how to fund the state's business in the face of faulty predictions and cash shortages.

On the cover:

The Capitol dome after one of the few winter snowfalls during the '81 session.



Key

- HF — House File
- SF — Senate File
- Ch — Chapter in Session Laws 1981
- * — indicates the bill the House and Senate passed
- ** — effective upon compliance with Minnesota Statutes, Section 645.021

Agriculture

Agricultural land preservation

Chapter 78
HF480*—Kalis SF569—Penny

Changes the name of the Joint Legislative Committee on Agricultural Land Preservation to the Joint Legislative Committee on Agricultural Land Preservation and Conservation.

Effective: day following enactment.

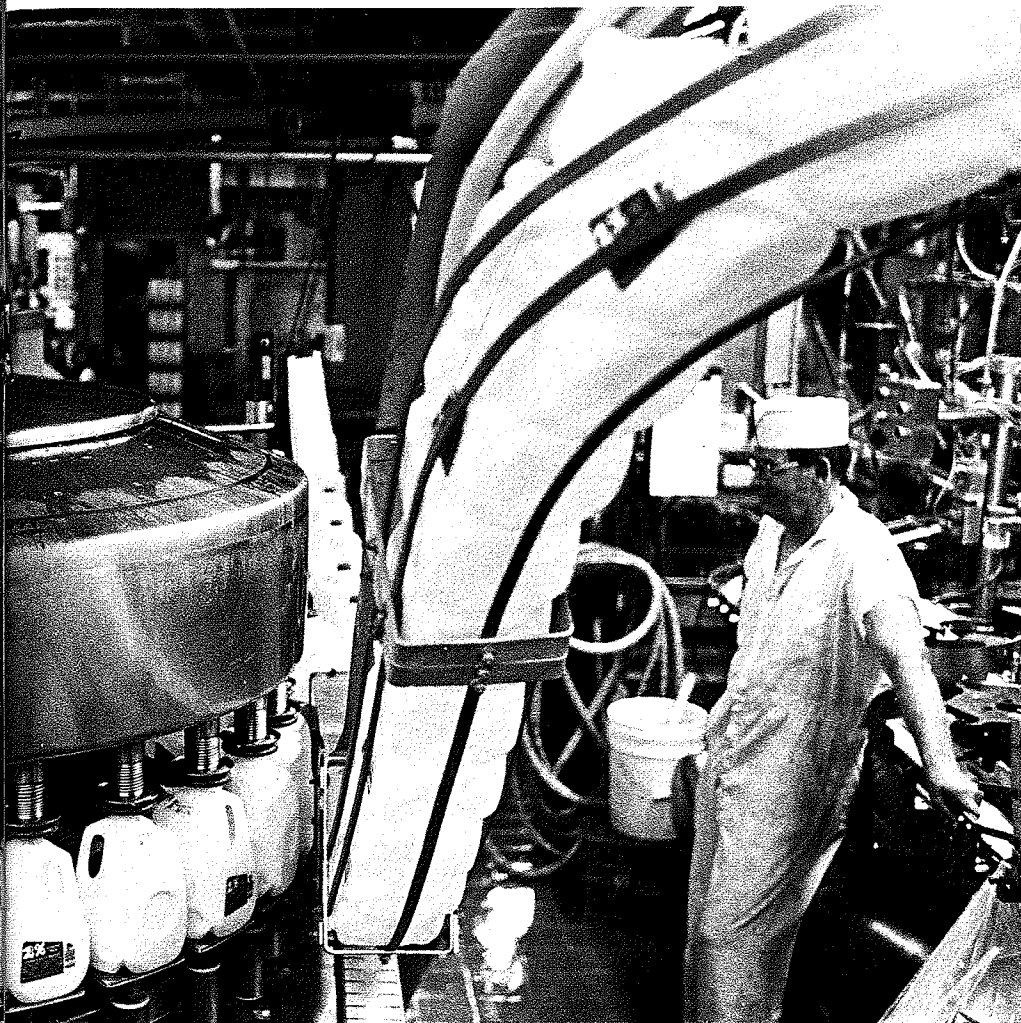
Agricultural lands—lien notice

Chapter 213
HF14*—Mehrkens SF206—Tennessee

Requires subcontractors to provide notice to farmers of lien rights the subcontractors have against agricultural property.

Effective: Aug. 1, 1981.

Editor: Jean Steiner; Assistant Editor: Jean Mehle; Design and production: Marcia Balcken; Editorial/Production assistance: Deborah Friedman; Photos: Tom Olmscheid



Ban on plastic milk bottles won't go into effect this year, Ch. 151.

Alien purchase of farmland

Chapter 337
HF697*—Stumpf SF733—Hanson

Changes regulations on alien ownership of Minnesota farmland; redefines "permanent resident alien"; requires the alien to file a report each year; provides that a person can lose permanent resident alien status, and must then dispose of land holdings.

Effective: Aug. 1, 1981.

Cattle—prohibiting certain grazing

Chapter 86
HF1256—D. Johnson SF200*—Setzepfandt

Prohibits farmers from putting to pasture, imported female cattle under 18 months of age unless the cattle have received a test or a vaccination for brucellosis.

Effective: Aug. 1, 1981.

Farm equipment reflectors

Chapter 44
HF193—Lemen SF197*—Benson

Requires that reflectors on farm equipment be reflex reflectors federally approved for commercial vehicles.

Effective: Aug. 1, 1981.

Farm tenancy—life estates

Chapter 370
HF732*—Erickson SF1075—Frederickson

Allows renters of farmland, which is part of a life estate, to continue farming the land until March 1, or until they complete their harvest, before the land goes to successors of the deceased person who owned the land.

Effective: Aug. 1, 1981.

Fertilizer regulation

Chapter 214
HF562*—Hauge SF596—Purfeerst

Changes state fertilizer definitions and standards; provides labeling requirements; requires fertilizer, soil, or plant amendment-pesticide mixtures to comply with state and federal laws.

Effective: Aug. 1, 1981.

Grain storage receipts

Chapter 261
HF409*—Erickson SF495—Wegener

Requires Department of Agriculture authorization for local grain warehouse receipts, grain bank receipts, and farm storage receipts; continues the exclusion of interest on family farm security loans from income taxation until 1986; allows sellers to secure such loans by contract for deed.

Effective: Aug. 1, 1981.

Hay dealers—bonding exemption

Chapter 90
HF1204—C. Johnson SF372*—Schmitz

Eliminates the requirement that hay and straw buyers comply with commission merchant licensing requirements.

Effective: Aug. 1, 1981.

Livestock dealer regulations

Chapter 54
HF349*—Stumpf SF494—Setzepfandt

Clarifies definition of a livestock dealer; provides for a court injunction against an unlicensed livestock dealer.

Effective: July 1, 1981.

Pension fund purchase of farmland

Chapter 173
HF28*—Redalen SF666—Bernhagen

Prohibits pension funds, mutual funds, life insurance company separate accounts, and other investment funds from purchasing farmland in Minnesota; requires reports from pension or investment funds that own farmland; excludes private pension funds of a family farm corporation and benevolent trusts.

Effective: day following enactment.

Plastic milk bottle ban—repeal

Chapter 151
HF312*—Dahivang SF282—C. Peterson

Repeals the 1977 law banning throwaway plastic milk containers; requires the commissioner of agriculture to examine fluid milk and milk product marketing and packaging.

Effective: day following enactment.

Promotional fund accounts

Chapter 41
HF471*—Welch SF244—C. Peterson

Consolidates certain administrative accounts for the handling of promotional councils; requires the deposits of funds in federally insured financial institutions.

Effective: July 1, 1981.

Appropriations

Bonding—public improvements

Chapter 4
HF230*—M. Sieben SF201—Willet

Authorizes \$43 million in bonding for repairs and improvements to certain state buildings and facilities.

Effective: day following enactment.

Claims against the state

Chapter 263
HF750—Metzen SF28*—Menning

Appropriates \$5,100 for miscellaneous claims against the state.

Effective: day following enactment.

Claims against the state

Chapter 243
HF1022*—Metzen SF855—Menning

Appropriates \$9,300 to pay miscellaneous claims against the state.

Effective: Aug. 1, 1981.

Deficiency appropriation—1981

Chapter 149
HF1304*—M. Sieben SF1289—Willet

Allocates \$60.2 million to various state departments for funding deficiencies in fiscal year 1981.

Effective: day following enactment.

Health, welfare, corrections omnibus appropriations

Chapter 360
HF1446—M. Sieben

Appropriates \$1.6 billion to the Departments of Health, Corrections, Public Welfare, Economic Security and the corrections ombudsman, sentencing guidelines, and health related boards.

Various effective dates.

Higher education bonding

Chapter 362
HF1474—M. Sieben

Authorizes \$54.5 million in bond sales for construction and betterment of public education buildings.

Effective: day following enactment.

Higher education omnibus appropriations

Chapter 359
HF1421—M. Sieben

Appropriates \$862 million to the Department of Education, Higher Education Coordinating Board, State Universities, State Community Colleges, University of Minnesota, and Mayo Medical School.

Effective: July 1, 1981.

Semi-state omnibus appropriations

Chapter 357
HF1434—M. Sieben

Appropriates \$1 billion for the Departments of Transportation, Public Safety, Commerce, and for various state commissions and boards.

Various effective dates.

State departments omnibus appropriations

Chapter 356
HF1443—M. Sieben

Appropriates \$1.4 billion for the Legislature, Constitutional officers, judicial system, and most state agencies, departments, boards and commissions.

Various effective dates.

State/semi-state bonding

Chapter 361
HF1475—M. Sieben

Authorizes \$116.9 million in bond sales and allocates funds for state and state related agency building and renovation projects.

Effective: day following enactment.

University hospital bonding

Chapter 275
HF766*—Norton SF756—Nelson

Approves a \$190 million state general obligation bond issue to finance construction of a new building at the University of Minnesota Hospitals.

Effective: day following enactment.

Banking

Banks—investments

Chapter 116
HF972*—Brinkman SF846—Tennessee

Increases from 3 to 10 percent, the amount of capital and surplus a bank or trust company may invest in the stock of certain banks or bank holding companies.

Effective: Aug. 1, 1981.

Business, agricultural loans/consumer credit

Chapter 347
HF563—Brinkman SF513*—Penny

Clarifies that the interest rate on business and agricultural loans can be up to four and one-half percent over the federal discount rate; provides that a state chartered agricultural credit corporation may charge four and one-half percent over the federal discount rate on loans; increases the limit on consumer credit finance charges to one and one-half percent per month (18 percent annually), except for sellers with gross sales of more than \$25 million per year.

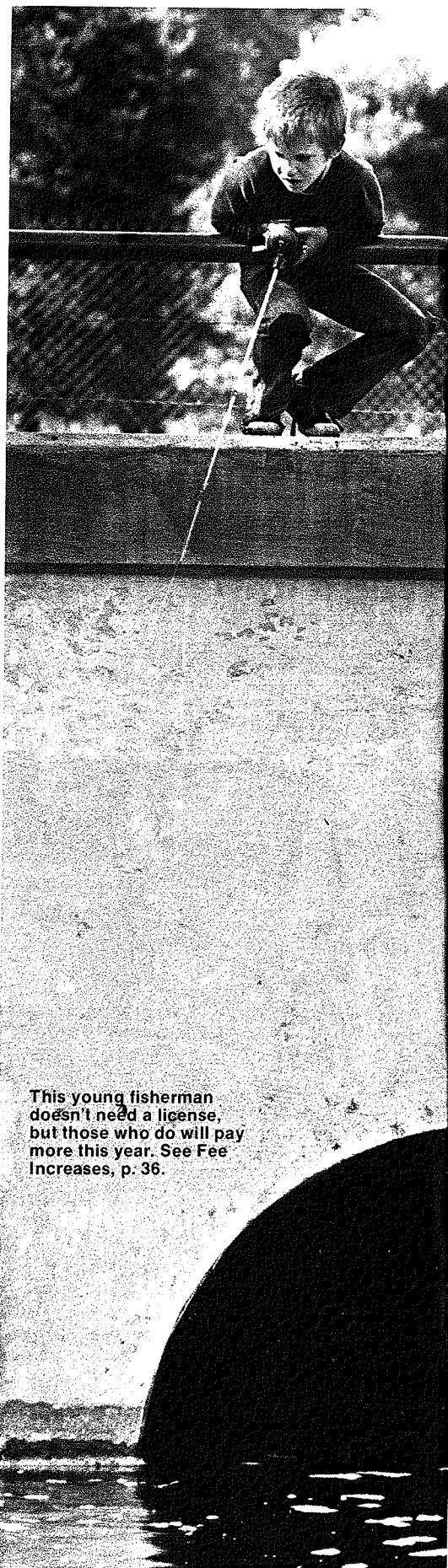
Effective: Sections 1, 2, 3: day following enactment; Section 4: Oct. 1, 1981.

Capital stock savings associations

Chapter 276
HF986*—Brinkman SF953—Tennessee

Establishes procedures for the organization, operation, consolidation, and dissolution of mutual and capital stock associations; authorizes the issuance and sale of capital certificates, and payment of dividends on capital stock; authorizes the issuance of certain accounts to married persons or minors as sole owners of accounts.

Effective: day following enactment.



This young fisherman doesn't need a license, but those who do will pay more this year. See Fee Increases, p. 36.



Credit union officer titles

Chapter 73
HF506—Greenfield SF463*—Petty

Allows credit unions to change the titles of their executive officers to conform with general corporate practice.

Effective: Aug. 1, 1981.

Credit union powers—extension

Chapter 99
HF415*—Simoneau SF383—Stern

Extends the powers of credit unions; allows them to invest in and make loans of unsecured days funds to certain institutions, and to sell real estate loans; removes the restriction on the amount of commission credit unions can earn from the sale of credit insurance; forbids union officers from gaining profit from such sales.

Effective: day following enactment.

Credit union powers—changes

Chapter 316
HF499—Simoneau SF655*—Spear

Allows credit unions to issue loans up to 25 percent of loans outstanding; requires credit unions to notify the commissioner of banks at least 90 days before beginning draft withdrawal programs.

Effective: day following enactment.

Detached facilities —mergers and consolidations

Chapter 57
HF757—B. Anderson SF642*—Tennessee

Allows banks to acquire another state bank or national banking association, which is in danger of failing, through merger, consolidation, or purchase of assets and assumption of liabilities, and operate it as a detached facility.

Effective: day following enactment.

Federal usury law, co-op apartment loans

Chapter 351
HF935—Voss SF975*—C. Peterson

Clarifies a bank's power to lend money to individual cooperative apartment owners, using shares of stock in the co-op as security for the loan; reserves Minnesota's power to limit usury rates for first lien home mortgages after 1984.

Effective: day following enactment.

Financial Institutions Supervisory Act

Chapter 220
HF859—D. Johnson SF662*—Petty

Updates laws relating to examinations, assessments, reports, records, and operations of financial institutions and licensees.

Various effective dates.

Home mortgages

Chapter 137
HF579*—Berkelman SF517—Stern

Allows new mortgage instruments; modifies rate restrictions on certain loans; provides a maximum late charge on certain loans.

Effective: day following final enactment.

Interest rate limit increases

Chapter 259
HF188*—Brinkman SF877—Solon

Allows state banks and savings banks to charge an interest rate four and one half percent over the federal discount rate on any loan; requires disclosure of the right to prepay overdraft checking loan balances.

Effective: day following enactment.

Interest rates—overdraft checking

Chapter 138
HF588*—B. Anderson SF308—Stern

Raises the interest limit on overdraft checking loans from 12 to 18 percent.

Effective: Aug. 1, 1981.

Liquidity reserve requirements

Chapter 182
HF922—Berkelman SF641*—Tennessee

Makes uniform among savings banks or trusts, associations, and credit unions, the amount of liquid reserves the bank must keep, and in what form.

Effective: day following enactment.

Small Loan Act revisions

Chapter 258
HF182*—Berkelman SF181—C. Peterson

Revises the small loan act; increases the loan amount which determines the necessity for a license; increases the amount of liquid assets a licensee must keep; provides for examinations; allows the use of electronic data processing equipment for accounting requirements; allows alternative compliance on certain rates of charge statements; allows certain loans to be secured by real estate; regulates licensee provisions concerning insurance; allows industrial loan and thrifts to make secured or unsecured loans on the terms, rates, and conditions permitted licensees.

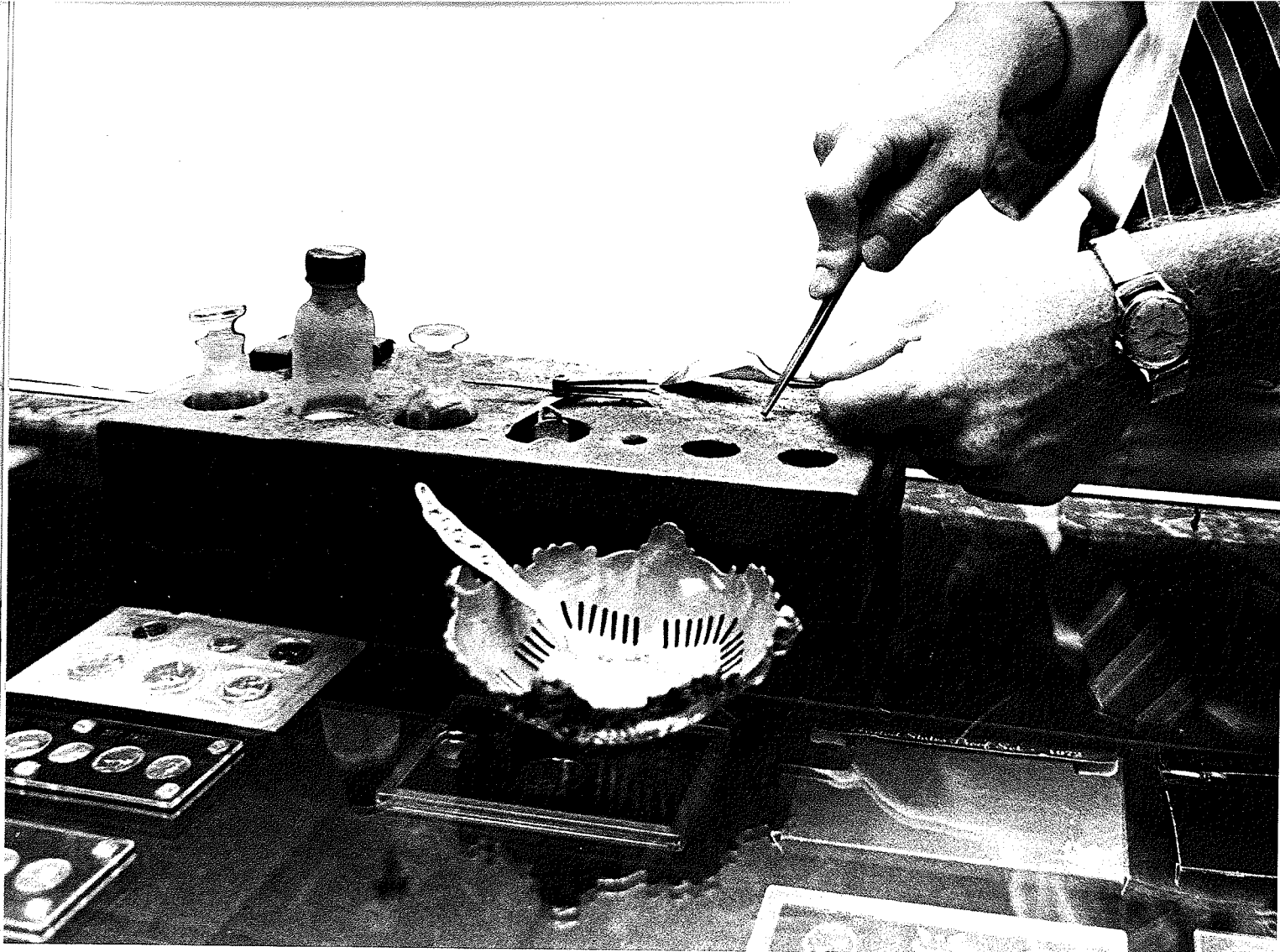
Effective: Aug. 1, 1981.

Thrift Implementation Act

Chapter 132
HF436*—Heinitz SF667—Petty

Requires industrial loan and thrift companies to obtain the approval of the Department of Commerce before they sell and issue certificates of investment to the public; increases the minimum amount of insurance the companies need on investment certificates from \$40,000 to \$100,000.

Effective: day following enactment.



Precious metal dealer measures silver content. Regulation for precious metal dealers, Ch. 333.

Commerce/ Consumer Affairs

Building materials/formaldehyde

Chapter 245
HF1301*—Greenfield SF1253—Knoll

Excludes materials such as draperies, furniture and non-cellular insulation from laws requiring warning labels on building materials containing urea formaldehyde.

Effective: Aug. 1, 1981.

Business Corporation Act

Chapter 270
HF165—Ellingson SF120*—Petty

Changes, simplifies, and creates new law governing business corporations in the state of Minnesota in the following areas: incorporation; articles and bylaws of corporations; qualifications of directors and officers; issuance of shares and payment of dividends; shareholder rights; mergers, acquisitions, and sale of assets; dissolution of the corporation.

Various effective dates.

Car repair estimates

Chapter 134
HF462*—Kelly SF730—Petty

Amends the "Truth in Repairs Act"; requires estimates on repairs warranties cover, as well as estimates on insurance and self-paid repairs; requires more information on estimates.

Effective: Aug. 1, 1981.

Charitable organizations financial statements

Chapter 148
HF1075*—Pogemiller SF991—Knoll

Increases to \$50,000 the amount in contributions social or charitable organizations can receive before they need to file a CPA certified financial statement.

Effective: Aug. 1, 1981.

Collection agencies

Chapter 229
HF673*—Staten SF477—Tennessee

Increases the amount of the surety bond collection agencies need; authorizes the commissioner of securities and real estate to investigate and examine certain collection agencies; broadens the classification of prohibited practices.

Effective: Aug. 1, 1981.

Community action programs

Chapter 367
HF1253*—Eken SF1095—R. Moe

Authorizes the commissioner of economic security to provide financial assistance for community action agency programs.

Effective: Aug. 1, 1981.

Conference on small business

Chapter 14
HF740—Sarna SF620*—C. Peterson

Extends the due date on a conference on small business report to the Legislature from March 1981 to March 1982.

Effective: retroactively to Feb. 28, 1981.

Continuing Care Facilities Act

Chapter 135
HF484*—Blatz SF398—Bang

Clarifies the definition of "continuing care facility"; changes the law from a registration act to a full disclosure and rehabilitation act.

Effective: Oct. 1, 1981.

Contract language—automobiles

Chapter 176
HF509*—C. Rodriguez SF729—Petty

Requires contracts for automobile purchases to carry a statement in bold print that the contract is binding and the person may lose his/her deposit for failure to abide by the terms of the contract.

Effective: Aug. 1, 1982.

Contracts, plain language

Chapter 274
HF616*—Gustafson SF1017—Merriam

Requires certain consumer contracts to be in clear and coherent language; exempts contracts for mortgages, contracts for deed, and contracts over \$50,000; allows courts to rewrite a contract not in compliance with the act; limits consumer actions and remedies.

Effective: Sections 1-6, 8: July 1, 1983; Section 7: day following enactment.

Foreign trusts/corporations

Chapter 162
HF1226—Dean SF77*—Davies

Defines "foreign corporation" and certain actions that do not constitute transacting business in Minnesota; removes limitations on lending money for real estate; allows a foreign trust to act as a conservator.

Effective: day following enactment.

Franchise Act, Minnesota

Chapter 165
HF695—Staten SF443*—Tennessee

Changes definitions and exemptions in the Minnesota Franchise Act; addresses the termination of cancellation provisions which protect franchises.

Effective: July 1, 1981.

Fuel sales—measurements

Chapter 197
HF6*—C. Johnson SF1263—Merriam

Requires all sales of gasoline and diesel fuel by volumetric measure, the actual amount of fuel suppliers deliver.

Effective: Aug. 1, 1981.

Gambling devices—definitions

Chapter 204
HF237—Reding SF209*—Nelson

Clarifies definitions of gambling devices; requires the printing of raffle location and date on a raffle ticket; raises the amounts in total prizes an individual can win; raises the amount that an organization can award in prizes in any one calendar year to \$35,000.

Effective: Aug. 1, 1981.

Gambling devices—use out of state

Chapter 126
HF258*—Evans SF621—C. Peterson

Allows the manufacture and sale of gambling devices and components in Minnesota for use in other states.

Effective: Aug. 1, 1981.

Liquor sales—sports facilities

Chapter 123
HF121*—Lemen SF78—Lessard

Allows municipalities to authorize existing licensees to sell liquor at publicly owned sports or convention facilities.

Effective: day following enactment.

Liquor sales, Sunday

Chapter 368
HF1040—Dahlvang SF1084*—Stern

Allows cities in the seven-county metro area that voted to allow Sunday liquor sale to vote to expand the hours of sale to 10 a.m. to midnight.

Effective: Aug. 1, 1981.

Motel names on highway signs

Chapter 55
HF521*—Ainley SF370—Purfeerst

Allows motels to have informational signs the Department of Transportation makes and puts along highways; provides that the motels pay for the signs.

Effective: day following enactment.

Motor vehicle dealers' rights

Chapter 59
HF332*—Dempsey SF352—Tennessee

Regulates transactions between auto dealers and manufacturers; requires manufacturers to reimburse dealers for warranty and revocation of acceptance actions; prohibits manufacturers from unjustifiably cancelling, terminating, or failing to renew a franchise; prohibits coercive practices.

Effective: day following enactment.

Precious metal dealers regulation

Chapter 333
HF79*—Pogemiller SF93—Petty

Requires dealers in gold, silver, and platinum to check picture identification of sellers; record all transactions; pay for merchandise by check; and hold goods for 14 days before reselling or melting them down.

Effective: 60 days after enactment.

Professional corporation

Chapter 296
HF618—Norton SF535*—Knoll

Allows professional stock corporations or partnerships to own shares in another professional corporation which performs the same kind of service.

Effective: Aug. 1, 1981.

Proof of age—purchasing liquor

Chapter 21
HF496*—Harens SF10—Davies

Allows foreign nationals to use a passport as proof of age when purchasing alcoholic beverages.

Effective: Aug. 1, 1981.

Rent-to-own payment plans

Chapter 10
HF87*—M. Sieben SF66—Davies

Expands the definition of "sale of goods" to include rent-to-own payment plans; requires merchants who offer rent-to-own plans to reveal the interest rate they charge; establishes the consumer as owner while the seller retains security interests.

Effective: Aug. 1, 1981.

Security laws—revisions

Chapter 140
HF634*—Marsh SF529—Luther

Revises and clarifies Minnesota security laws which provide for the regulation of securities and licensing of broker-dealers, agents and investment advisors.

Effective: Section 1: Jan. 1, 1982; other sections: day following enactment.

Small Business Finance Agency

Chapter 342
HF1125*—Reding SF1101—Wegener

Allows the Small Business Finance Agency to make business loans for acquisition or removal of buildings; removes requirement of federal guarantee of pollution control loans; allows securities as collateral in certain instances; removes the \$500,000 maximum on pollution control loans; sets uniform business licensing policy.

Effective: day following enactment.

Survivor benefits—exemption

Chapter 7
HF223—Vellenga SF144*—Davies

Increases to \$20,000 the amount of life insurance benefits exempt from creditors' remedies of attachment, garnishment or sale.

Effective: day following enactment.

Trailer parks—reports elimination

Chapter 19
HF77*—C. Rodriguez SF131—Petty

Repeals a law which required an operator of a trailer coach park to report monthly to the secretary of state on the number of coaches in the trailer park.

Effective: Aug. 1, 1981.

Wild rice—labeling

Chapter 249
HF756—J. Clark SF177*—Chmielewski

Requires the commissioner of agriculture to establish labeling requirements for domestically grown wild rice; sets penalties for improper labeling.

Effective: Jan. 1, 1982.

Wild rice labeling, Ch. 249.



The number of reported crimes in the state totaled 342,000 in 1980, according to preliminary Bureau of Criminal Apprehension (BCA) figures. Statistics show 194,480 reported cases of seven of the eight most serious crimes (excluding arson) in 1980 at a 9.3 percent increase over 1979, reversing the downward trend of 1977 and 1978.

Violent crimes (murder, rape, robbery, aggravated assault) rose 3 percent over 1979, and crimes against property (burglary, larceny, vehicle theft) increased 9.6 percent statewide.

The city of Duluth recorded a 5.9 percent increase over 1979, Minneapolis a 10.5 percent increase, and St. Paul a 5.4 percent increase.

CRIME

Crime is on the upswing in Minnesota, although the 56.8 percent increase in the number of recorded criminal offenses over the past 10 years doesn't fit the Minnesota picture—rolling acres of family farms, serene and friendly small towns, and clean, progressive cities.

by Bonnie Kollodge

Rural crime moving ahead of cities

In rural Minnesota, serious crime is climbing at a rate faster than in the cities, threatening people, property, and a way of life. A Crime Control Planning Board (CCPB) report predicts this will continue as more people move from the cities to rural parts of the state. There'll be more theft as inflation, unemployment, and rising prices push people out of the legitimate market, according to the CCPB report.

Population trends may reveal future crime patterns. As the "baby boom" generation matures we should note a decrease in numbers of property crimes, often associated with juveniles. At the same time, we can expect an increase in alcohol and chemical abuse related crimes—highest among young adults.

Growing numbers of over 65-year-olds, as people live longer, could produce increases in crimes the elderly commit.

The report leaves little hope for a decrease in total number of crimes, including violent crime which economic and social conditions influence rather than age.

Causes of crime

"To attack its root causes is to first break the circle of suffering which breeds crime, nobody questions that street criminals typically come from the bottom of the socioeconomic ladder, from among the ill-educated, the unemployed and the unemployable," says David L. Bazelon, senior circuit judge of the U.S. Court of Appeals for the District of Columbia Circuit, in *Justice Assistance News*.

"We would achieve criminal justice, by pursuing social justice." But to make a genuine commitment to attacking the roots of crime is a long and costly process, the judge maintains, and might force us to reconsider our entire social and economic structure.

House Criminal Justice Committee Chairman Robert Vanasek agrees.

"If we passed something out of the Criminal Justice Committee that lowered the unemployment rate, that dealt with inflation; if we could legislate in areas to reduce bigotry, prejudice, and discrimination, we would do more to lower crime rates than anything else I can think of", says Vanasek. But he warns, "There are no easy answers".

Crime is a sensitive, emotional issue. To legislate in the area is difficult, pointed out Vanasek, because it's tempting to pass legislation based on good intentions that seem to get at the problem, then find bills have no backbone, no mechanism of support, or, in fact, could cause more headaches than solutions.

Anti-crime legislation-1981

The overall thrust of legislative action in 1981 stiffens penalties on some offenses, strengthens enforcement of others, and to a lesser degree puts new laws in the statute books.

New legislation:

- increases penalties for promoting domestic animal fights
- permits use of aerosol tear gas compounds in self defense
- requires license revocation in all DWI convictions

•redefines criminal sexual conduct to include, as offenders, people who use their positions of authority to force physical relations with another
•revises incest laws to address the problem of incest involving children ages 10 through 17; and includes a provision allowing police to make arrests in cases of domestic abuse when the abusing person leaves the home

A new law regulates precious metal dealers to slow the rate of gold, silver, and platinum thefts. Another defines and sets penalties for "theft of services". This includes the use of transportation and labor services, hotel accommodations etc., without intent to pay.

Several other laws clamp down on crimes against police officers.

A bill this year increased mandatory minimum sentences for committing a felony with a gun or other dangerous weapon, to three years for the first offense and to five years for subsequent offenses. Previous minimum sentences were one and three years, respectively.

Intentional murder with a gun during commission of another crime is now first rather than second degree. Unintentional murder during the incident, is second rather than third degree murder.

Drug paraphernalia legislation passes

Drug related laws prohibit sale of tobacco related devices to minors; and double penalties for those over 18 who possess certain drugs on school grounds.

"The committee and full House have considered drug paraphernalia legislation for years now," said Vanasek. "This year we did pass a bill that tries to address the drug paraphernalia problem, but in a way that will stand up in the courts."

The bill prohibits minors from possessing cigarette papers and smoking pipes, and prohibits anyone from furnishing minors with such devices.

"There is legislation pending even more far-reaching than that," said Vanasek.

That legislation would make illegal, any device which one could use to administer drugs. But, in similar cases, courts have ruled such laws unconstitutional Vanasek commented.

Sentencing guidelines get adjustment

A bill from this session that is now law allows felony level offenders, who received their sentences before Minnesota's sentencing guidelines took effect on May 1, 1980, to petition for reduced sentences which the sentencing judges may accept or reject.

If the judge accepts the petition and finds the sentence the guidelines prescribe is shorter than the sentence the inmate is presently serving, the court must reduce the sentence.

Sentencing guidelines establish a uniform method of sentencing convicted criminals to

prison. By establishing prison terms for specific crimes, the guidelines reduce disparity in sentencing and reduce the use of discretion by individual judges.

"If you simply read that a certain number of people could be affected by retroactive guidelines, you might get the impression that sentences under the guidelines are less severe," Vanasek said.

"But what you probably wouldn't know is that convicted murderers would not try to appeal their sentences—which are more severe under the guidelines.

"In effect the guidelines provide harsher penalties than previously enforced for crimes against people for example, rape, murder, assault. On the other hand, they come down less hard on those who commit crimes against property, like vandalism.

"No one knows for sure how many people the new law will affect, but those most likely eligible for reduced sentences are property offenders."

Tear gas bill was a concern

Early in the session Rep. Vanasek said he had reservations about allowing the use of tear gas compounds in self-defense.

"Our concern at first was about allowing the sale of tear gas containers without any restricting controls. With changes we made, the bill became less objectionable."

Those added provisions to the bill prohibit minors from possessing tear gas; allow local units of government discretion as to whether or not to permit licensing for selling tear gas in their communities; prohibit use of tear gas against police officers; and prohibit sale of tear gas in places that sell liquor.

Crime will always be an issue

"There are a number of bills still kicking around the Legislature we want to continue looking at," Vanasek said, referring to legislation on white collar crime and on services to victims of crime.

"We haven't previously addressed white collar crime, but testimony shows that losses resulting from stealing cars, holding up stores, etc., is peanuts compared to the millions of dollars stolen in a computer operation for example."

Vanasek predicts the issue of victim rights will come up again next year, this year such legislation ran into numerous stumbling blocks, including lack of money.

"Other things we want to do in the Criminal Justice Committee include continuing to monitor the guidelines. We may well make some recommendations on them, and look at chemical dependency, especially among young people.

"We'll try to maintain that even-keeled approach; resist the easy solutions, and do our best to legislate with severity or compassion where appropriate."



New law clarifies seizure of drug paraphernalia, such as this collection police have confiscated at the airport, Ch. 295. See People-children for other paraphernalia laws.

C rime/ Corrections

Animal fights—penalties

Chapter 22
HF384—Kelly SF345*—Merriam

Increases penalties for promoting, profiting from, training, possessing, or allowing domestic animals to engage in animal fights.

Effective: day following enactment.

Circumstantial evidence—murder

Chapter 147
HF1059*—M. Sieben SF985—R. Peterson

Removes requirement for conclusive evidence with reference to the body itself, in proof of death in murder and manslaughter cases.

Effective: Aug. 1, 1981.

Controlled substances, seizure

Chapter 295
HF589—Den Ouden SF533*—Setzeptandt

Authorizes certain law enforcement officials and agencies in municipalities of over 2500 to seize property which a person unlawfully used in connection with controlled substances.

Effective: Aug. 1, 1981.

Convicted offenders exchange

Chapter 238
HF615*—Laidig SF511—Solon

Allows the governor to consent to the transfer of an inmate who is a citizen of a foreign country back to his/her native country if an exchange treaty is in effect between the U.S. and that country.

Effective: day following enactment.

Criminal sexual conduct redefined

Chapter 51
HF700—J. Clark SF454*—Berglin

Redefines criminal sexual conduct to include one who forces another to touch or who touches with the threat to use position of authority and/or threat of physical harm.

Effective: day following enactment.

Customs officers—arrest powers

Chapter 108
HF13*—I. Anderson SF421—Petty

Gives arrest powers of peace officers to customs officials.

Effective: Aug. 1, 1981.

DWI—revocation of driver's license

Chapter 9
HF26—Ellingson SF13*—Davies

Eliminates the power of the court to decide whether or not to revoke the driver's license of a person convicted of driving while intoxicated; requires revocation in all DWI convictions.

Effective: day following enactment.

Firearms, use during a felony

Chapter 227
HF2*—Wenzel SF60—Waldorf

Reclassifies murder committed during a felony and increases the mandatory minimum sentence for persons who commit a crime with a gun; requires a prosecutor to present all evidence that would establish that the defendant or accomplice had a firearm during the crime.

Effective: day following enactment.

Fire damage—penalties

Chapter 107
HF1055—Gustafson SF1047*—R. Peterson

Increases the minimum sentences for negligently causing a fire which results in property damage.

Effective: Aug. 1, 1981.

Incest law

Chapter 273
HF586*—B. Anderson SF941—Berglin

Revises current incest laws; allows children under 10 years of age to testify in a criminal proceeding for intrafamilial sexual abuse; addresses the problem of incest of children age 10 through 17.

Effective: day following enactment.

Offenders—medical transfers

Chapter 192
HF624*—Laidig SF509—Dicklich

Clarifies statutes relating to transfer of correctional inmates to medical facilities, the disposition of unclaimed property, and diversified labor accounts; makes new thorough provisions; sets the time for counties to submit estimates for reimbursement for probation services.

Effective: day following enactment.

Peace officers—parttime, reserve

Chapter 310
HF469—Lehto SF400*—Wegener

Specifies that parttime peace officers could be candidates for fulltime positions; removes the limitation on the number of hours a parttime officer could be in service; adds two elected officials to the Peace Officers Standards and Training Board.

Effective: Aug. 1, 1981.

Possession of drugs on school grounds

Chapter 6
HF93—Voss SF92*—Merriam

Doubles the penalties for persons over the age of 18 who possess certain drugs on school premises.

Effective: Aug. 1, 1981.

Presentence investigation—felonies

Chapter 312
HF844—B. Peterson SF476*—Ramstad

Allows the court to conduct presentence investigations in felony cases; specifies the crime of fleeing a police officer in a motor vehicle, and makes such a person liable for damages resulting from a high-speed chase.

Effective: Sections 1, 2: Jan. 2, 1982; Sections 3, 4: Aug. 1, 1981.

Sentencing guidelines—retroactive

Chapter 366
HF977—K. Nelson SF1164*—Spear

Requires the Minnesota Corrections Board, upon an offender's request, to use Minnesota sentencing guidelines to determine the parole release date, and parole time for persons receiving convictions before May 1, 1980.

Effective: Aug. 1, 1981.

Sheriff fees

Chapter 325
HF1042—Valento SF915*—Wegener

Increases the fees that sheriffs charge for records in counties of under 80,000 population; increases the mileage reimbursement for sheriffs from four to eight cents per mile.

Effective: Aug. 1, 1981.

Tear gas compounds—self defense

Chapter 283
HF581—Begich SF188*—Kronebusch

Allows persons to carry aerosol containers with tear gas compounds, for self-protection; requires labeling; prohibits persons under 16 from possessing or using tear gas; prohibits use of tear gas against a police officer; allows local governments to determine who may sell tear gas; prescribes penalties for misuse.

Effective: day following enactment.

Theft of services—a crime

Chapter 299
HF305*—Greenfield SF504—Luther

Defines theft of services as a crime, meaning the use of a service without intent to pay, including such services as labor, professional, entertainment, telecommunication services, etc.

Effective: Aug. 1, 1981.

Trade secret definition

Chapter 120
HF1029—O'Connor SF671*—Dahl

Conforms the definition of trade secret in state statutes to that in the Uniform Trade Secrets Act of 1980.

Effective: Aug. 1, 1981.

Worthless checks—information

Chapter 247
HF131*—Kelly SF154—Hanson

Allows limited access to bank account information for law enforcement officials and individuals who receive a dishonored check; provides for notification of information release to the person who wrote the check.

Effective: Aug. 1, 1981.

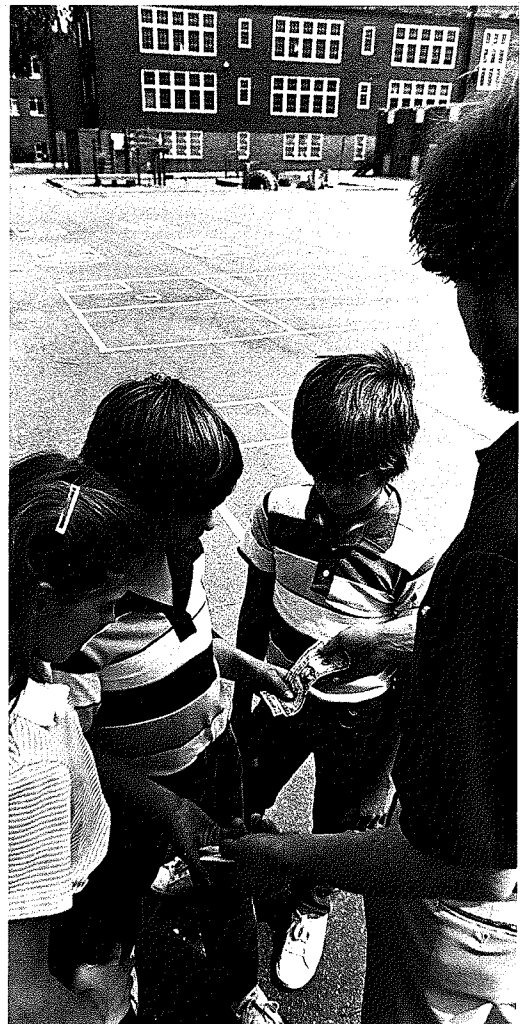
Worthless checks—notification

Chapter 202
HF158—Kelly SF145*—Wegener

Allows persons or retailers who receive a bad check to notify the check writer of possible prosecution by regular mail supported by an affidavit of service, or by certified mail.

Effective: Aug. 1, 1981.

Penalties increase for adults who possess drugs on school grounds, Ch. 6. See story on other crime legislation, p. 8.



Education

Adult education—day school

Chapter 194
HF1344*—L. Carlson SF861—Hughes

Allows Minnesota residents over 21 years of age to attend secondary school classes on a parttime basis, if space is available.

Effective: Aug. 1, 1981.

AVTIs—associate degrees

Chapter 353
HF1225—Heap SF1132*—Hughes

Establishes uniform guidelines for vocational technical institute (AVTI) associate degrees.

Effective: day following enactment.

Education management

Chapter 193
HF1218*—Kahn SF1287—Hughes

Extends deadlines for reports in the statewide education management information system.

Effective: Aug. 1, 1981.

Higher Education Advisory Council—membership

Chapter 75
HF1024—McEachern SF849*—Stumpf

Adds a representative from the Minnesota Association of Private Post-Secondary Schools as a member of the Higher Education Advisory Council.

Effective: Aug. 1, 1981.

Insurance—leased school buses

Chapter 234
HF1016—Sherwood SF1247*—Willet

Allows school districts to include in their insurance policies coverage for non-school groups that lease the school buses.

Effective: Aug. 1, 1981.

Insurance for teachers—report

Chapter 314
HF1361—Stumpf SF595*—Hanson

Authorizes the Legislative Commission on Employee Relations to analyze current insurance programs available to teachers and other public school employees in Minnesota and to make recommendations on providing uniform insurance coverage to all districts.

Effective: day following enactment.

Restoration of school aids

Chapter 1
HF1—McEachern SF1*—R. Moe

Restores \$89 million in budget cutbacks to school districts in the state; prohibits the governor and the commissioner of finance from making such cuts in the future to balance the budget.

Effective: Aug. 1, 1981.

School aids omnibus bill

Chapter 358
HF70*—McEachern SF150—Dieterich

Appropriates \$2.2 billion for aid to schools in Minnesota for the 1981-83 biennium, and changes the payment schedule from 90 and 10 percent to 85 and 15 percent.

Various effective dates.

School board filing date

Chapter 166
HF855—Blatz SF550*—Belanger

Changes the application filing date for school board elections from 45 to 43 days before the election.

Effective: Aug. 1, 1981.

Single-sex wrestling teams

Chapter 339
HF817*—Schoenfeld SF1145—Purfeerst

Allows local school districts to have single-sex wrestling teams.

Effective: Aug. 1, 1981.

Student help in state hospitals

Chapter 65
HF518*—Zubay SF677—Brataas

Authorizes a work study program to allow students who help in state hospitals to take classes at public colleges and universities at reduced tuition rates.

Effective: Aug. 1, 1981.

Student loans—additional bonding

Chapter 300
HF477*—C. Johnson SF301—Penny

Increases the bonding authority of the Higher Education Coordinating Board (HECB) from \$300 to \$550 million to provide additional funds for the student loan program; changes the definition of eligible student to include parents; establishes a statewide career guidance and planning program.

Effective: day following enactment.

Superintendents—seniority system

Chapter 175
HF443*—Hoberg SF527—Langseth

Removes superintendents of schools from the administrative seniority system and places them directly under the control of school boards.

Effective: day following enactment.

Unrequested leave—paired districts

Chapter 146
HF1015*—Vellenga SF1169—R. Peterson

Allows seniority to prevail in cases of unrequested leave where the certification level of the teachers involved is identical, where there are paired districts.

Effective: Aug. 1, 1981.

Energy/Utilities

District heating financing

Chapter 334
HF493*—Voss SF1096—Humphrey

Authorizes the sale of \$50 million in bonds to provide loans for municipalities to construct, modify, or acquire district heating systems; allows cities to supplement the loans with general obligation bonds.

Effective: day following enactment.

Electric utility co-ops—reregulation

Chapter 144
HF918*—Jacobs SF593—Frank

Establishes a procedure for electric cooperative utility members to vote for Public Utilities Commission rate regulation.

Effective: Aug. 1, 1981.

Energy Agency housekeeping bill

Chapter 85
HF1269*—Wynia SF627—Berglin

Allows Minnesota Energy Agency (MEA) to classify certain information as private; allows MEA to provide energy program assistance and to administer certain federal energy programs; allows the director of the MEA to authorize municipalities to conduct random inspections for energy conservation standard compliance; allows municipalities to make subdivision regulations to protect access to sun for solar energy systems.

Effective: day following enactment.

Home energy disclosure reports

Chapter 255
HF98*—Greenfield SF895—Humphrey

Allows homeowners to use the federal Residential Conservation Service (RCS) audit to comply with the Minnesota Home Energy Disclosure Act; requires state certified energy auditors to get training to do the federal 22-point audit by July 1, 1981; ends the Home Energy Disclosure Program on June 30, 1990.

Effective: day following enactment.

Municipal utilities deregulation

Chapter 142
HF775*—Reding SF559—Nelson

Removes municipal gas and electric utilities from Public Utilities Commission regulation of accounting systems, depreciation rates and schedules, and access to utility records; allows the governing body of the municipality to make a resolution to return to regulation.

Effective: Aug. 1, 1981.

Private power production, sale

Chapter 237
HF473*—Hauge SF778—Dahl

Sets the rates and conditions of service for electrical power that cogenerators and small power producers sell to utility companies; requires utilities to charge owners of power-producing equipment the retail rate for power they must buy from the utility; requires the PUC to set the rate for power that utilities buy from private power producers.

Effective: day following enactment.

PUC rate regulations—exemptions

Chapter 17
HF114—Den Ouden SF30*—Setzepfandt

Exempts from Public Utilities Commission rate regulation, certain privately held utility companies that serve less than 650 customers within a city.

Effective: Aug. 1, 1981.

Small telephone companies—rate deregulation

Chapter 248
HF1065*—Jacobs SF1160—C. Peterson

Exempts telephone companies with 2,500 or fewer subscribers from Public Utilities Commission rate regulation, and provides a process for subscribers to vote to return to PUC regulation; includes in the definition of "member or stockholder" the spouse of the member or stockholder.

Effective: day following enactment.

Environment/ Natural Resources

(Including recreation, game and fish, parks, historical sites)

Aeration operations—notification

Chapter 256
HF126*—B. Anderson SF415—Menning

Requires a person who operates a lake aeration system to post additional signs to mark open water and to publish notice of aeration in newspapers; allows Murray County to delegate powers over county ditches to the city of Slayton.

Effective: Aug. 1, 1981, except section referring to Slayton: effective upon local approval.**

Endangered plant species

Chapter 285
HF316—Reding SF254*—C. Peterson

Allows the Department of Natural Resources (DNR) to identify and list endangered, threatened, or "special concern" species of wildflowers and to make recommendations for restoration, protection, and improvement of wildflower habitats.

Effective: day following enactment.

Game law violation report rewards

Chapter 324
HF1081—B. Nelson SF890*—Bernhagen

Increases the amount of reward money the commissioner of natural resources may pay to citizens for information leading to the arrest and conviction of game violators.

Effective: day following enactment.

Kensington Runestone historic site

Chapter 96
HF171*—Fjoslien

Changes the classification of the Kensington Runestone Historic Site from private to public ownership.

Effective: Aug. 1, 1981.



Wayzata Depot, a historic site, Ch. 67.

Luce Line Trail—land sale

Chapter 190
HF217*—G. Anderson SF1055—Berg

Allows the commissioner of natural resources to sell a 32-mile portion of land which the state acquired for use in the Luce Line multi-use trail.

Effective: day following enactment.

Mississippi River land use plan

Chapter 246
HF510—Samuelson SF2*—Lessard

Authorizes an eight-county board to prepare and implement a land use plan to protect the shoreline of the Mississippi River; grants the board authority over certain zoning decisions.

Effective: upon local approval in the counties of Clearwater, Hubbard, Beltrami, Cass, Itasca, Aitkin, Crow Wing, and Morrison.

Mower County: Hormel House

Chapter 71
HF429—Reding SF339*—Nelson

Designates the Hormel House in the city of Austin, Mower County, a historic site.

Effective: Aug. 1, 1981.

Parks bonding bill

Chapter 304
HF900*—Voss SF751—Merriam

Authorizes \$30.3 million of bond sales for acquisition and development of metropolitan parks and statewide parks and recreation facilities.

Effective: Aug. 1, 1981.

Peat land—25 year leases

Chapter 328
HF1260—Clawson SF1074*—Merriam

Allows the Department of Natural Resources to lease peat land for agricultural purposes for up to 25 years.

Effective: day following enactment.

Riley-Purgatory Creek Watershed District

Chapter 69
HF698—Ewald SF330*—Keefe

Allows the Riley-Purgatory Creek Watershed District to create a water maintenance and repair fund.

Effective: day following enactment.

State funded trail use

Chapter 215
HF582*—Begich SF285—Merriam

Includes state grant-in-aid trails in laws protecting and relating to recreational trails on public land; allows local governments to designate motorized and nonmotorized use of the trails and to issue licenses.

Effective: Aug. 1, 1981.

State timber sales

Chapter 305
HF936*—Lehto SF1076—Hanson

Raises limitations on values of state timber at public auctions or informal sales; establishes a new intermediate sale procedure for timber sale on lots valued below \$7,000; requires public meetings in May of each year to discuss allocation of cutting rights; increases from six to eight percent the interest rate a person or the DNR pays to the state to extend a timber permit.

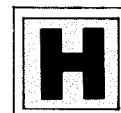
Effective: Section 2, 11, 13: day following enactment; other sections: Aug. 1, 1981.

Tettegouche Park—lease authority

Chapter 110
HF150*—Battaglia SF719—Johnson

Removes authority of the commissioner of DNR to lease land for an environmental learning center within Tettegouche State Park.

Effective: day following enactment.



The trout lily, growing only in Southeastern Minnesota, may get protection as an endangered plant species, Ch. 285. — DNR photo.

Waste Management Act changes

Chapter 352
HF1086—Long SF1040*—Merriam

Extends the deadlines for Waste Management Board site selection and reports; allows the board to classify certain trade secret information as nonpublic; clarifies public hearing requirements; clarifies council right of access to inspect a possible waste site; requires counties to complete an environmental analysis comparing possible waste sites in that county.

Effective: day following enactment.

Watershed districts' budget

Chapter 88
HF224—Stadum SF249*—Merriam

Requires managers of watershed districts to hold a public hearing on their proposed budget, and to publish notice of the hearing once a week for two weeks.

Effective: day following enactment.

Wayzata Depot

Chapter 67
HF271—Searles SF219*—Pillsbury

Adds the Wayzata Depot to the registry of state historic sites.

Effective: Aug. 1, 1981.

Abortion, parental notification

Chapter 228
HF284*—Elioff SF287—Waldorf

Requires a physician to notify the parents of a minor child, or the guardian or conservator of a woman the court judged incompetent, before he/she can perform an abortion on the minor or ward, unless the physician finds the abortion necessary to prevent her death.

Effective: Aug. 1, 1981.

AFDC eligibility for medical assistance

Chapter 231
HF610—Welch SF502*—Solon

Provides that a family that loses AFDC eligibility because of an increase in employment income is eligible for medicaid benefits for four months after losing AFDC eligibility.

Effective: Aug. 1, 1981.

Cancer surveillance system

Chapter 340
HF826*—K. Clark SF1011—Lantry

Establishes a pilot population-based cancer and birth defect surveillance system to gather data on patterns of cancer and birth defects, and to provide data for studies of occupational and environmental exposure.

Effective: Aug. 1, 1981.

Child abuse: records, testimony

Chapter 240
HF774*—Clawson SF1292—Petty

Provides for sharing of child abuse records and reports between certain persons and agencies, and allows courts to compel certain testimony in cases relating to child neglect or termination of parental rights.

Effective: Aug. 1, 1981.

Child protection teams

Chapter 150
HF1080*—R. Anderson SF993—C. Peterson

Allows counties to form multidisciplinary child protection teams to advise the county welfare department and the juvenile court on the disposition of child abuse cases.

Effective: day following enactment.

Community Social Services Act

Chapter 355
HF3*—McCarron SF1328—Tennessee

Clarifies and amends the Community Social Services Act; defines groups of persons for whom counties are responsible; establishes funding levels.

Various effective dates.

Day care license revocations

Chapter 264
HF1206—D. Carlson SF34*—Chmielewski

Allows the commissioner of public welfare to grant a variance and issue a family day care license two years (presently five years) after a revocation of the license.

Effective: Aug. 1, 1981.

HMO abortion coverage

Chapter 122
HF63*—Wenzel SF110—Olhoff

Allows health maintenance organizations to exclude abortions from coverage, except to prevent the death of the mother.

Effective: for contracts taking effect after Aug. 1, 1981.

Hospital licensure

Chapter 95
HF29*—Berkelman SF81—Nelson

Adopts federal medicare standards for hospital licensing; allows the commissioner of health to accept Joint Commission on Hospital Accreditation inspections for state hospital licensing requirements.

Effective: day following enactment.

Interstate compact on mental health

Chapter 98
HF410*—F. Rodriguez SF521—Waldorf

Clarifies that financial responsibility for a patient rests with the county of residence of the person requesting the transfer of an institutionalized, mentally ill, or retarded, non-resident patient to Minnesota.

Effective: day following enactment.

Minors, births

Chapter 257
HF157*—Hokanson SF332—Berglin

Requires hospitals to notify local welfare agencies of every birth to a minor within three working days of the birth.

Effective: Aug. 1, 1981.

Philanthropic support for hospitals

Chapter 200
HF979*—Norton SF1012—Solon

Provides that hospitals shall not deduct certain philanthropic gifts or grants from their operating costs.

Effective: Aug. 1, 1981.

Prescription drugs—imprints

Chapter 278
HF460—Simoneau SF399*—Frank

Requires drug manufacturers to mark or imprint legend (prescription) tablets and capsules with an individual mark which will identify the drug.

Effective: Aug. 1, 1981.

Well water quality/health

Chapter 278
HF1051*—Welch SF1317—Waldorf

Authorizes the commissioner of health to issue orders concerning well water quality; changes the claim limitation on nuisance removal; clarifies the commissioner's authority over water wells and exploratory boring to include repairs and abandonment; imposes a moratorium on uranium drilling in certain counties except with permission of the surface property owner.

Effective: day following enactment.

Dental assisting students—license

Chapter 102
HF1070*—Berkelman SF1284—Stokowski

Allows dental assisting students, in a school the board of dentistry approves, to gain practical experience while in school before receiving a license.

Effective: day following enactment.

DMSO regulation

Chapter 323
HF1108—K. Clark SF886*—Stern

Requires retailers who sell dimethyl sulfoxide (DMSO) to take out a bond with the Board of Pharmacy; requires that DMSO meet labeling requirements related to dosage, quantity, use, etc.; allows pharmacists selling DMSO to obtain a written release from buyers absolving them of responsibility for the product.

Effective: day following enactment; expires June 30, 1983.

Foster care review changes

Chapter 290
SF436*—Chmielewski

Clarifies the procedures for review of the status of foster care children that parents voluntarily release to a residential facility.

Effective: Aug. 1, 1981.

General Assistance eligibility

Chapter 40
HF117*—Hokanson SF324—Berglin

Removes the presumption of immediate eligibility for cash payments to GA recipients; allows 30 days for the state to verify an application; allows the state to provide vouchers or vendor payments rather than cash for emergency payments in that 30-day period.

Effective: day following enactment.

Health



by Laura Godfrey

DMSO and humans

You can wash your lawnmower with it, strip paint with it and keep your horse in training with it, but will DMSO, dimethyl sulfoxide, help your tennis elbow or bursitis? Experts aren't sure if it helps or hurts the people who use the chemical to ease pain and swelling of arthritis, sprains, and other complaints.

The Minnesota Legislature passed a bill this session which helps regulate the purity, quality, and administration of DMSO for people who find it helps.

"Some people are marketing DMSO as a wonder drug," said HF1108 author Rep. Karen Clark. "They claim the drug eliminates the pain of arthritis, and can cure certain injuries."

Arthritis specialists and medical researchers can't agree on whether it does either of those things. The only Federal Food and Drug Administration (FDA) approved use for DMSO is a 50 percent solution, for a particular type of bladder infection.

Veterinarians use it to reduce swelling from injuries to pets and horses. Horse trainers use it as a liniment to stop swelling which may keep a horse out of training, but medical specialists have only inconclusive results of tests on humans.

These specialists do agree that DMSO, an industrial solvent, needs more study and without purity standards or directions for safe use, could harm the people it is supposed to help.

The FDA issued warnings last year about the potential danger of improper medical use: nausea, headaches, skin rash, and vision problems. A doctor's supervision or a pharmacist's advice, which the new law helps provide for, may help protect a patient from these dangers.

"This is a consumer protection bill," according to Clark. The new law allows physicians to prescribe DMSO if they inform the patient in writing that the compound doesn't have FDA support. Pharmacies would stock it, says Minnesota State Pharmaceutical Association representative Donald Dee, if physicians prescribe it.

If pharmacies stock it, the bill requires patients to sign a form accepting responsibility for its use. If someone other than a licensed pharmacist sells it, he or she must post a \$15,000 bond with the Board of Pharmacy to help insure compliance with purity and labeling requirements.

Purity is a problem because DMSO is really an oxidized by-product of papermaking—a combination of carbon and hydrogen from the trees that go into the paper pulp and sulfur from the processing. That compound penetrates skin and acts so quickly that researchers from Johns Hopkins Institute are investigating DMSO as a vehicle for getting other drugs into the bloodstream fast.

Its composition makes it fast-acting, but low grade DMSO may carry with it hazardous impurities that also enter the bloodstream quickly.

Insurance and DES

If you are between the ages of 10 and 40, your mother may have taken, during pregnancy, DES, a prescription drug that may increase your health risks.

The 1981 Legislature passed HF726, a bill Rep. Ann Wynia of St. Paul authored. The resulting new law prevents insurance companies from excluding coverage for those health risks which may include cancer of the uterus, cervix, or testes, glandular disorders, and other genital and urinary tract disorders that prenatal exposure to DES (diethylstilbestrol) might have caused.

Between 1941 and 1971, doctors routinely prescribed DES, a synthetic estrogen, to prevent miscarriage in pregnant women with diabetes, slight bleeding or a high risk of miscarriage.

The FDA withdrew approval of DES use during pregnancy after a 1970 report linked it to non-malignant vaginal disorders in daughters whose mothers had taken the drug.

The 1981 law prevents health insurance companies from issuing riders on policies, such as the one Laurie Simon, vice president of DES Action/Minnesota received. Her policy cost \$40 with a five-year rider excluding all gynecological coverage, or \$150 if she refused the rider. Insurance companies may exclude coverage of cancer diagnosed before the policy's effective date.

"I felt crippled and scared," she wrote in the *DES Action Voice*. "I have always been healthy and I never thought of myself as ill from being



DES exposed. Yes, it is a condition I have, but with proper medical care it isn't something I worry about."

DES daughters run higher risks of developing certain cancers—cancers which estrogen medication, including birth control pills, may trigger later in life, and adenosis which requires medical surveillance and frequent, often costly, examinations. DES sons may run higher risks of developing testicular cancer, lowered sperm counts and other disorders.

Drug identifying imprints

A poison victim lying in an emergency room, a patient who accidentally takes the wrong dose, or a four-year-old who eats pretty blue pills from an unmarked bottle, may wait for up to 10 hours before lab tests identify the drug and doctors start treatment, Edward P. Krenzelok, director of the Hennepin Poison Center told the House Health and Welfare Committee this session.

Members were then debating HF460/SF399* which later became Chapter 206 of Minnesota Session Laws, 1981.

Author Wayne Simoneau of Fridley said HF460 is a poison control measure which requires prescription drug manufacturers to imprint pills and capsules with a code, name, or special mark. This could allow emergency hospitals and poison control centers to identify the drug—sometimes in 30-60 seconds—limiting time delays, expensive laboratory analysis, and speeding patient recovery.

Nearly all drug manufacturers imprint some of their products, says a Minnesota State Medical Association report. Labeling costs about one to seven cents per hundred pills, so the new law shouldn't cause manufacturers to hike prices on prescription drugs to wholesalers after the Aug. 1 deadline.

The markings will have other benefits, Simoneau pointed out. They'll identify proper medication, reduce errors in giving patients the wrong drug, help people keep track of their pills when they take several prescriptions, and help police and corrections officers quickly distinguish prescription drugs from illegal drugs.

Cancer surveillance

"Cancer's the second leading cause of death—an epidemic," said Rep. Karen Clark of Minneapolis. It will probably hit one-fourth of the people in the United States, killing someone every 75 seconds.

"That's an increase," said Clark, "and it seems to be an increase that's ongoing."

"Almost every day something comes across my desk from alarmed citizens and physicians worried about a cluster of cancer cases," says Eunice Sigurdson, chronic disease epidemiologist for the Department of Health. But, there isn't any data available to help evaluate these reports, she said.

To correct the data problem and to pinpoint high risk populations, the

1981 Legislature passed Rep. Clark's bill to require the department to set up a surveillance system through a collection of data on cancer deaths and birth defects in Minnesota.

The surveillance system will help researchers document whether a report of a cluster of cases indicates a cancer rate unusually high for an area, occupational group, age or ethnic group, sex, or other factors.

The American Cancer Society annual report says that these statistics are vital to research on cancer-causing factors, early detection, and cancer cures. The society and the department will use the figures to help direct research funds, care facilities, and cancer patient support services where Minnesotans need them.

The data base will also provide the foundation for the University of Minnesota, Mayo Clinic, and University Hospitals' advanced study on promising cancer treatments and detection methods.

According to the U.S. surgeon general's annual report in 1979, between 20 and 38 percent of all cancer may be due to occupational factors.

Occupational cancer hazards and potential danger to communities, such as Love Canal in New York, worry Minnesotans and Minnesota's health care professionals, according to Sigurdson.

"Cancer accounts for one out of every five deaths," Says Clark. The surveillance system will help Minnesota watch the patterns, provide the ground work, and facilitate research on cures and prevention.

Housing/ Real Estate

Certificate of rent

Chapter 104
HF254—Kelly SF218*—Waldorf

Requires a landlord to supply a renter with a certificate of rent paid by Jan. 31, the same deadline as for W-2 forms.

Effective: Aug. 1, 1981.

Housing Finance Agency/ building code

Chapter 306
HF1005*—D. Peterson SF887—Kroening

Gives the HFA temporary rulemaking powers to define terms; provides for a revolving account; allows the agency to make certain loans; allows municipalities with less than 2,500 population to elect to exempt themselves from the state building code.

Effective: day following enactment.

Housing/health care facilities

Chapter 327
HF1215—Kaley SF1005*—Brataas

Allows certain combined multifamily housing and health care facility developments; provides an exemption from the limits on the total amount of bonds a community can issue for these developments.

Effective: Aug. 1, 1981.

HRA—conflicts of interest

Chapter 79
HF569*—D. Peterson SF538—Berglin

Provides standards and procedures for disclosing conflicts of interest for housing and redevelopment commissioners and employees; establishes penalties.

Effective: Aug. 1, 1981.

Landlord/tenant actions without attorneys

Chapter 168
HF621—B. Peterson SF625*—Hanson

Permits landlords and tenants of residential real property to represent themselves in actions relating to that property; permits termination of a lease when the tenant dies; deals with summons and writs of restitution in unlawful detainer proceedings.

Effective: day following enactment.

Manufactured homes—regulation

Chapter 365
HF933—Rees SF694*—Stern

Regulates manufactured (mobile) homes; adopts the U.S. Department of Housing and Urban Development construction and safety standards as a building code for manufactured homes; provides for enforcement of the building code.

Effective: Aug. 1, 1981.

Mobile homes—recovering land

Chapter 177
HF886*—Voss SF1277—Merriam

Specifies conditions where a lessor may recover possession of land that has a mobile home on it; regulates lot rentals.

Effective: Aug. 1, 1981.

Real estate brokers, salespersons,

Chapter 280
HF1160*—Metzen SF1302—C. Peterson

Exempts licensed used mobile home salespersons or real estate brokers from additional licensing requirements of mobile home regulation laws.

Effective: Aug. 1, 1981.

Warranties—home improvements

Chapter 119
HF453—Byrne SF562*—Kroening

Extends the statutory warranty on new homes to home improvement work; requires a warranty covering defects of faulty workmanship or defective materials (one year); faulty installation of plumbing, heating, and electrical systems (two years); and major construction defects (10 years).

Effective: Jan. 1, 1982.

Home repair work warranties, Ch. 119.

I nsurance

Claims—Insurance Guaranty Association

Chapter 260
HF407*—Wynia SF726—Stern

Allows the Minnesota Insurance Guaranty Association to pay pending claims of an insurance company from out of state in the event of liquidation of the company.

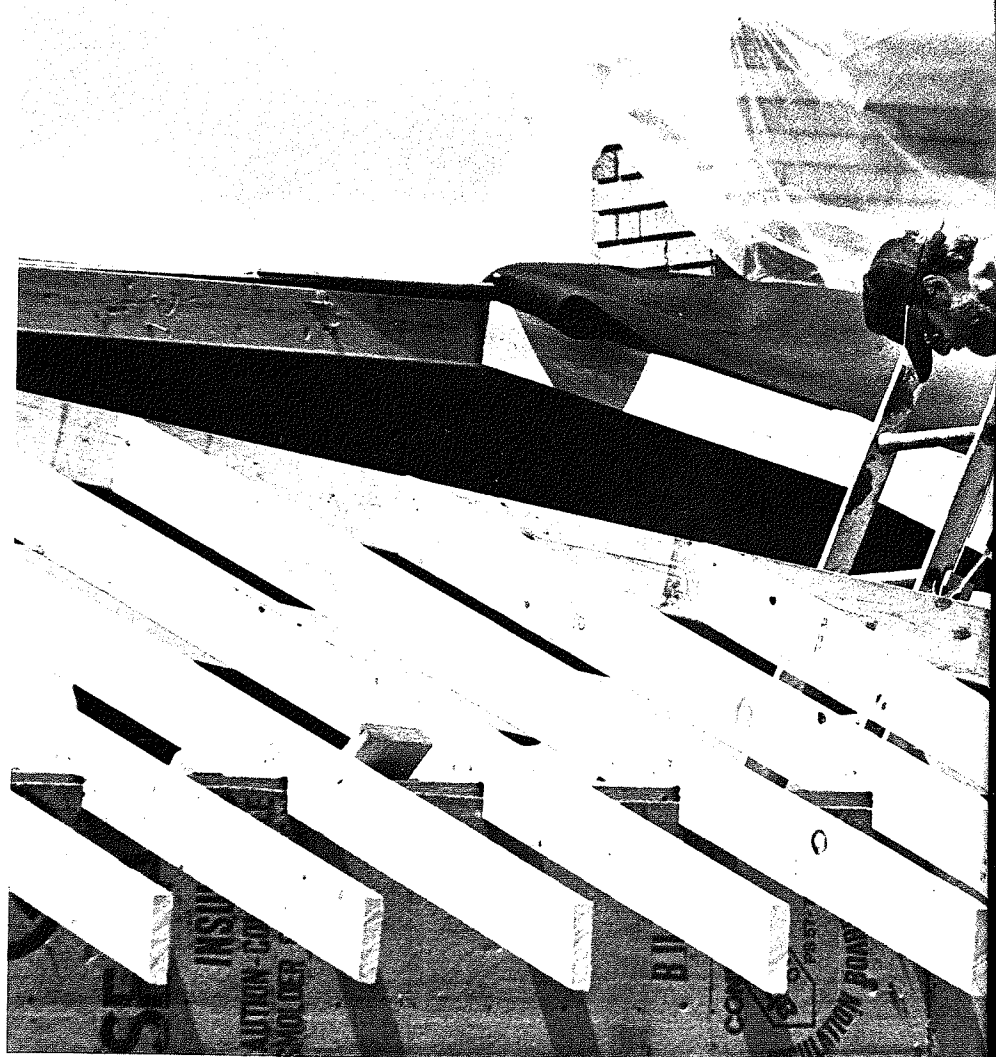
Effective: Aug. 1, 1981.

DES—health insurance

Chapter 350
HF726—Wynia SF937*—Petty

Forbids health insurance companies from refusing or reducing coverage to persons for conditions related to diethylstilbestrol (DES), except for previously diagnosed cancer; allows companies to establish special rates for DES claims, with approval of the commissioner of insurance.

Effective: Aug. 1, 1981.





Examination of insurers

Chapter 211
HF1199—Brinkman SF1087*—Davies

Provides for examination of certain insurance companies; sets guidelines for examinations; provides standards for investment of assets and the ratio of qualified assets to required liabilities; and requires annual financial statements and audits.

Effective: Aug. 1, 1981.

Former spouses—insurance

Chapter 329
HF1322—Berkelman SF1126*—Ulland

Allows an ex-spouse and dependent children to continue to receive insurance coverage under a group rate in the event of dissolution of a marriage.

Effective: Aug. 1, 1981.

Funeral establishments—insurance

Chapter 129
HF371*—Brinkman SF335—Sikorski

Prohibits funeral directors, undertakers, and others from being beneficiaries or receiving commissions from the sale of funeral expense insurance.

Effective: Aug. 1, 1981.

Licensure—insurance agents

Chapter 307
HF1048*—Rees SF1252—Davies

Requires licensing of insurance agents; sets procedures for testing, and issuing licenses.

Effective: Aug. 1, 1981.

Life insurance beneficiaries

Chapter 315
HF871—Valento SF649*—Sieloff

Forbids distribution of life insurance benefits to a beneficiary who intentionally or feloniously kills the insured person; forbids distribution of benefits to a shareholder of a corporation that is a beneficiary, if that shareholder feloniously or intentionally kills the insured.

Effective: Aug. 1, 1981.

Mental health services coverage

Chapter 265
HF83—Battaglia SF56*—Dicklich

Requires out-of-state health providers to provide certain ambulatory mental health coverage for groups of 100 or more, or for groups in which 90 percent or more of the members are Minnesota residents.

Effective: Aug. 1, 1981.

Suicide provisions—insurance

Chapter 286
HF971—Long SF268*—Davies

Clarifies that the mental status of an insured person is not a reason to invalidate the standard suicide clause of a life insurance policy.

Effective: Aug. 1, 1981.

Surplus Lines Insurance Act

Chapter 221
HF278—Ellingson SF732*—Petty

Deregulates certain aspects of surplus lines insurance operations; provides for licensing of agents, and registration of surplus lines insurance companies.

Effective: Aug. 1, 1981.

Township insurance coverage

Chapter 136
HF564*—Brinkman SF505—Bertram

Allows township mutual insurance companies to continue coverage of township areas that second class cities annex, if that area came under coverage before the annexation.

Effective: Aug. 1, 1981.

Township insurance powers

Chapter 127
HF277*—Brinkman SF750—Bertram

Authorizes township mutual insurance companies to make investments; authorizes the insurance commissioner to standardize a bookkeeping system, examine companies every three years, and set rules in case of township mutual failing.

Effective: Aug. 1, 1981.

abor

Lien for wages

Chapter 43
HF607—Harens SF11*—Davies

Increases an employee's lien on his/her employer's property for security of wages to \$1,000 or five weeks net wages, whichever is greater, to a maximum of \$3,000.

Effective: Aug. 1, 1981.

Migrant labor contracts

Chapter 212
HF192*—F. Rodriguez SF413—Vega

Requires employers to provide written contracts in English and Spanish to all adult, seasonal agricultural workers who work at least 70 hours over a two-week period.

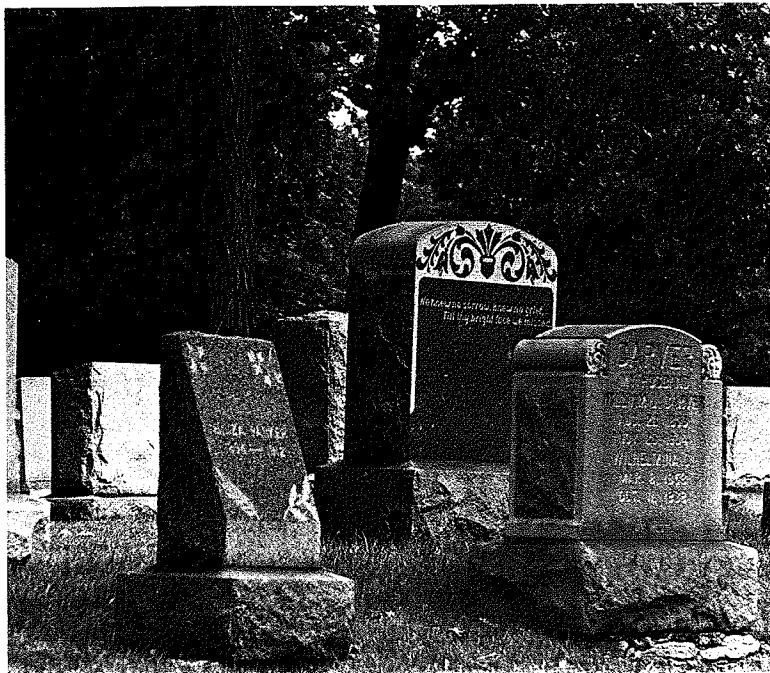
Effective: Nov. 1, 1981.

Minimum wage—deductions

Chapter 87
HF1087—Begich SF225*—Davies

Requires employers to subtract from wages unreimbursed amounts an employee must spend for uniforms and equipment, when determining if an employee is earning the minimum wage.

Effective: Aug. 1, 1981.



Inheritance laws on cemetery plots changed, Ch. 25. See Local/Metropolitan section for cemetery regulation changes.

Labor (cont.)

PELRA exclusion—adult education

Chapter 289
HF389—Reding SF338*—Nelson

Excludes from collective bargaining and from the Public Employees Labor Relations Act (PELRA) parttime instructors in adult vocational education programs who teach less than 300 hours per year; exempts sugar beet hand laborers from certain over-time pay statutes.

Effective: Section 1: day following enactment;
Section 2: July 1, 1981.

Public employers closed negotiation meetings

Chapter 174
HF54*—Kaley SF392—Brataas

Allows the governing body of a public employer to vote to hold a closed meeting to discuss strategy for labor negotiations; sets requirements for recording those meetings; provides recourse for persons who charge that the employers discussed public business other than labor negotiations.

Effective: day following enactment.

Summer youth employment contracts

Chapter 82
HF876*—Staten SF581—Chmielewski

Allows the commissioner of economic security to advance up to 20 percent of a summer youth employment contract to a participating organization.

Effective: Aug. 1, 1981.

Workers' compensation bill, 1981

Chapter 346
HF682—Simoneau SF359*—C. Peterson

Revises workers' compensation laws. (See p. 22)

Various effective dates.

Legal/ Judiciary

Bankruptcy—certificates

Chapter 2
HF59—Ellingson SF23*—Sieloff

Changes the duties of county recorders to allow them to record certificates as well as decrees from bankruptcy proceedings; makes petitions and certificates from bankruptcy court admissible as evidence.

Effective: day following enactment.

Cemetery plots—descent

Chapter 25
HF133—Hanson SF171*—Dahl

Removes the gender designation from laws relating to descent of a cemetery plot; and provides for descent of deed in cemetery lots.

Effective: for estates of decedents who die after the date of enactment.

Child custody

Chapter 349
HF771—Norton SF539*—Sieloff

Incorporates provisions from the existing parentage act into the statutes dealing with family law; defines custody of children; allows proceedings for dissolution of marriage to take place in the county where either party lives; allows judges to provide for joint custody of children; provides for child support enforcement fees; makes changes in disposition of marital assets.

Effective: Sections 3, 7: day following enactment;
others: Aug. 1, 1981.

Coroners' certificate/ court referees abolished

Chapter 272
HF515*—Reif SF656—Sieloff

Eliminates the requirement that a coroner file a certificate with the district court when there is no inquest; abolishes the office of referee, except for certain referees in the second and fourth judicial districts who held office on or before certain dates.

Effective: Aug. 1, 1981.

Court record maintenance—eliminations

Chapter 121
HF1137—Ellingson SF825*—Davies

Eliminates the requirement for courts to maintain a judgment book.

Effective: Aug. 1, 1981.

Court reporters' salaries

Chapter 133
HF449*—Gustafson SF793—Solon

Allows district court administrators to set salaries of their court reporters after consultation with the chief judge.

Effective: Aug. 1, 1981.

Courtrooms—electronic recording

Chapter 303
HF691*—Zubay SF1211—Brataas

Allows courts to record certain legal proceedings with electronic equipment; allows the court to declare a mistrial if it discovers equipment malfunction; permits judicial districts to set salaries of law clerks in all counties, except Hennepin.

Various effective dates.

Delivery, filing of documents

Chapter 117
HF702—Ellingson SF149*—Merriam

Allows filing or delivery of documents the day after a Saturday, Sunday, or holiday if the end of the filing period comes on a Saturday, Sunday, or holiday.

Effective: Aug. 1, 1981.

Eminent domain possession and title

Chapter 8
HF85—M. Sieben SF12*—Davies

Provides for the taking of possession and title by the petitioner in certain circumstances; provides that certain payments a party deposits with the court shall be paid out under direction of the court.

Effective: day following enactment.

Guardianship, conservatorship

Chapter 313
HF626—Jude SF574*—Spear

Makes changes in laws relating to guardianship and conservatorship; requires courts to serve notice of guardianship hearings to a ward or conservatee if he/she is a patient or resident of a hospital or institution; allows the ward or conservatee to waive the right to attend the hearing; allows guardian discharge without a hearing after the ward marries or reaches majority age.

Effective: Aug. 1, 1981.

Household goods exemption

Chapter 322
HF1392—Ellingson SF830*—Davies

Excludes, as security to a creditor, one watch, utensils and food, and the first \$3,000 of furniture, appliances, phonographs, radios, and televisions.

Effective: Aug. 1, 1981.

Immunity from prosecution

Chapter 293
HF1408—Clawson SF486—Davies

Repeals laws which give transactional immunity, immunity from criminal prosecution, to some court witnesses. Court witnesses retain other immunity protection.

Effective: Aug. 1, 1981.

Judges' travel expenses

Chapter 282
HF1200*—R. Anderson SF1226—C. Peterson

Extends for two years the travel expense payments for district court judges in certain counties.

Effective: Aug. 1, 1981.

Juvenile, family court judges

Chapter 292
HF308—Blatz SF445*—Tennessee

Increases the length of term of office for Hennepin and Ramsey County juvenile court judges from three to six years; transfers the responsibility of the St. Paul and Ramsey County City Hall/Courthouse Committee to the Ramsey County commissioners.

Various effective dates.

Marriages—court

Chapter 101
HF731*—Gruenes SF707—Pehler

Allows courts to appoint a former court commissioner to perform civil marriages if the commissioner is employed in the court system.

Effective: Aug. 1, 1981.

Mobile homes—homesteads

Chapter 105
HF498—Simoneau SF329*—Frank

Includes mobile homes as homestead property in statutes relating to descent of a homestead.

Effective: day following enactment.

Surviving spouse property allowance

Chapter 103
HF244—Simoneau SF182*—Frank

Amends probate laws by increasing the allowance that a dependent spouse (surviving spouse) can take for personal property.

Effective: for estates of decedents who die after July 31, 1981.

Testacy proceeding notification

Chapter 161
HF86—M. Sieben SF18*—Davies

Clarifies the requirement for notification of foreign consuls about foreign testacy proceedings.

Effective: Aug. 1, 1981.

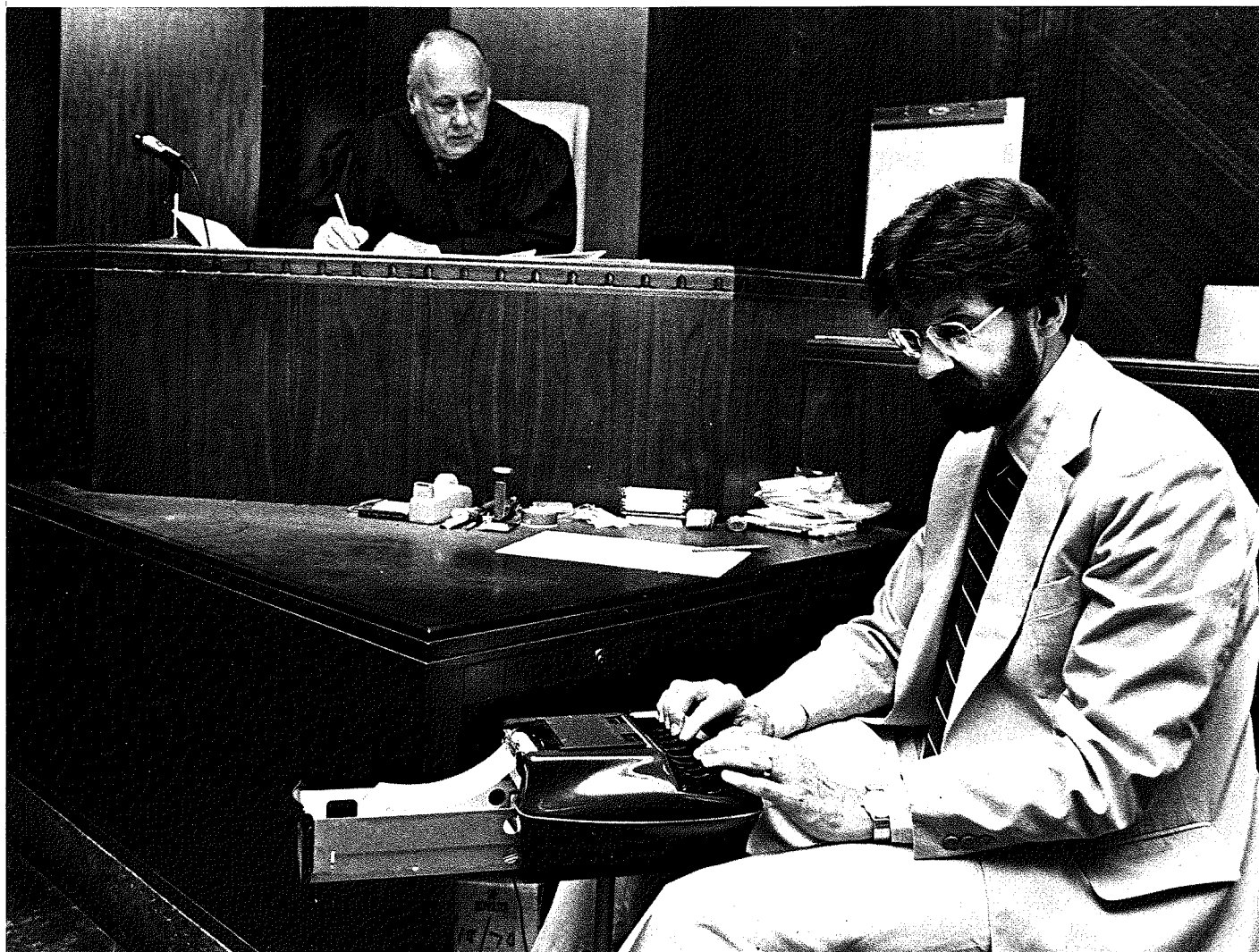
Writ of attachment issuance

Chapter 277
HF1044*—Jude SF613—Davies

Describes the affidavit a person must have to get a court-issued document to secure property the court has awarded to that person.

Effective: Aug. 1, 1981.

Electronic recording equipment may take the place of this court reporter, in certain cases, Ch. 303. Court reporter salaries, Ch. 133.



In 1844, Germany enacted the first workers' compensation law, and within 10 years other major industrialized countries followed. Social and economic discontent arising from the change to industrialization with difficult, and often dangerous, working conditions, led to a system of workers' compensation.

Minnesota passed a workers' compensation law in 1913. That system now compensates workers for medical expenses and lost wages, if they are hurt, and provides benefits to their families in the case of death.

Minnesota requires employers to carry workers' compensation insur-

ance as protection against work-related injuries to their employees. The cost of that insurance depends on job risk, and on the maximum rates the commissioner of insurance sets.

A worker, hurt on the job, files for workers' compensation and can receive payments at two-thirds of his/her weekly salary, up to a maximum of \$244 per week.

After receiving notification of the employee's injury, the insurer reserves money to pay the claim and invests the funds.

by Jean Mehle

This session the Legislature passed a compromise bill which many legislators say makes necessary changes in workers' compensation laws. Others say the new law doesn't go far enough to correct problems. The governor has asked the commissioner of insurance to study the issue and report back before the next session.

So, regardless of this year's amendments to the workers' compensation statutes, the issue will be back before the Legislature again, and the governor's staff has predicted it will be an issue in the 1982 race for the governor's office.

In the last few years, legislators have heard complaints about the workers' compensation

system, such as, the workers' compensation insurance rates are too high; too many cases end up in court; courts favor workers; benefits are too generous; insurers make large profits on reserves; and there's a lack of competition in the workers' compensation insurance market. Legislators looked at these problems and some solutions.

Rates are high. The cost of workers' compensation insurance to Minnesota employers is the 14th highest in the country. Business leaders say high workers' compensation costs are hard on medium and small businesses, and are driving some companies to neighboring states.

Cut in premiums

The 1981 workers' compensation package calls for a 15 percent reduction in workers' compensation premiums to take effect on July 1. The reduction, along with a 11.8 percent increase the commissioner of insurance approved to take effect June 1, will give employers a net 5 percent reduction.

Too many cases end up in court.

During the session, insurers testified that one in 10 workers' compensation cases end up in court, which increases costs. Workers say delays in payments prompt them to file lawsuits.

A number of injured-on-the-job workers said insurance companies deny injuries are work-related, and because the claims are small, attorneys won't take injury cases.

Workers' Compensation



Minnesota Historical Society photo
Machine shop, Bohn Refrigerator Co., St. Paul ca. 1917.

The alternative is to go to the state Workers' Compensation Division. Employees said there's a backlog of work, so it takes up to 13 months before a case goes to hearing.

Speeding up payments

The new law requires insurers to begin payments to an injured worker within 14 days of notification of the injury, rather than 30 days.

If there's a dispute over liability, the commissioner or judge must order an employer or insurer to begin benefit payments. The provision provides for reimbursement if the court finds another party liable.

The Department of Labor and Industry will get 10 additional employees and funds to establish a computer system to help speed benefit payment paperwork in the agency.

Courts favor workers.

The insurance industry says rates have increased because the courts "liberally interpret" workers' compensation law, favoring the injured worker.

Others say the state workers' compensation attorneys and judges work too closely, also giving the injured worker an advantage.

Eliminating liberal interpretation

The Legislature addressed the criticism of courts favoring workers by taking out references to liberal interpretation, and stating that "facts in dispute must be proved by a preponderance of evidence," which means the employee must prove the injury is work-related, the same proof the law requires in other civil cases.

Court reorganization

A reorganization of the workers' compensation courts puts the workers' compensation judges under the Chief Hearing

Examiner's Office, with the power to hold trial-type hearings.

The Workers' Compensation Court of Appeals will be a separate, independent agency, and will hear only appeals of workers' compensation judges' decisions.

Settlement judges and state workers' compensation attorneys will remain under the Department of Labor and Industry.

Benefits are too generous. Business representatives say high costs are due partly to employee benefits. They cite as costly benefits the unlimited death benefit, the escalator clause which gives employees an inflation adjustment in their benefits, and no statute of limitations on injuries.

Death benefit limits

Chapter 349 puts a ceiling on death benefits by limiting the amount a surviving spouse with no children can collect to 50 percent of the employee's wage, for 10 years; a spouse with one child at 60 percent, and a spouse with two children, 66 2/3 percent during the child's dependency. After that, the spouse would get the 50 percent benefit for 10 years.

If the spouse remarries, the benefit would be less; and a spouse cannot receive more than the employee's wage in workers' compensation and social security payments combined.

Change in the escalator

Up until now, the escalator set a formula for an inflationary increase in benefits, or a six percent increase, whichever is less, and put the increase into effect every Oct. 1.

The new law changes the formula for the increase, and doesn't put it into effect until

one year following the employee's injury.

Since most workers' compensation claims are short-term, businesses asked the Legislature to delay the escalator until two years after the injury. They also asked for a statute of limitation, so employees couldn't reopen a case after a certain number of years.

The final version of the 1981 workers' compensation law doesn't include a statute of limitation provision, although earlier versions did.

Insurers make large profits on reserves.

Labor officials said benefits are not the cause of high workers' compensation costs. They said insurance companies make large profits on reserves at the expense of Minnesota employers.

Critics of the reserving system say premium rates the commissioner of insurance sets should include the profits insurers make on reserve investments. They also say insurers don't need to immediately reserve the full potential amount of a claim they will pay over a period of years.

Insurers argue that the reserves are vital, and failure to reserve the full claim will cause hardship in the fund in the future.

Discounting insurer reserves

The 1981 workers' compensation bill requires the commissioner to consider an insurer's reserves when determining premium rates, allowing the insurers enough of a return to cover potential future claims. Until now all investment income was additional profit to the insurer.

The law requires the commissioner, within 15 days of enactment, to reduce workers' compensation premium rates by 20.9 percent to account for insurer investment income, unless the commissioner's rate order included the provision.

On April 21, Michael Markman, commissioner of insurance, approved an increase in workers' compensation rates of 11.8 percent. According to Markman, the increase was 20.9 percent less than the Insurers Rating Association request, because of the investment income. He said, "The 11.8 percent increase in rates will allow insurance companies an 18 percent return on their investments."

There's a lack of competition. Insurers in Minnesota must go to the commissioner of insurance for approval of rate increases. Critics say most insurers charge the maximum premium rate, and because there isn't competition in the market, insurers have no incentive to lower rates.

Deregulation

Under the new law, deregulation of workers' compensation insurance rates will take effect by the end of 1985.

Sections on deregulation prohibit a monopoly in the industry by forbidding any insurer from carrying more than 25 percent of Minnesota's premiums. This would equal about \$125 million at today's current workers' compensation insurance premium rate.

Other provisions of Chapter 346

- ☐ Excludes family farms which pay less than \$8,000 in cash wages per year from workers' compensation laws.
- ☐ Requires the commissioner of labor and industry to establish a schedule to determine the degree of a disability.
- ☐ Increases the penalty for employers who don't carry workers' compensation insurance.

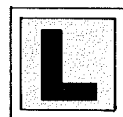
- ☐ Limits health provider fees to the 75th percentile of the usual and customary fee for the service in the preceding year.
- ☐ Sets up permanent partial disability panels as pilot projects in three counties.
- ☐ Permanent partial payments: employees wouldn't receive lump sum payments for permanent partial disabilities until they return to work, or in the cases of retirement or total disability. If an employer doesn't provide work an employee can do,

- and if the employee can't find another job, the benefit would be in a lump sum payment. The employee would receive weekly payments if temporary total disability benefits cease and an employee is unable to return to work.
- ☐ Reinsurance association: requires membership in the reinsurance association; changes indexing for reinsurance thresholds; requires the reinsurance association to fully fund member losses between the higher threshold (\$330,000) and \$2.5 million, currently \$500,000.

- ☐ Assigned risk pool: transfers responsibility for the assigned risk pool to the commissioner of insurance; requires the commissioner to contract with qualified insurers for the assigned risk business; entitles all assigned risk employers to a merit discount on premiums of up to 10 percent depending on loss experience.



Airport noise abatement plans, Ch. 27.



Local/Metropolitan Government

Airport bonding—noise abatement

Chapter 27
HF260—Voss SF247*—Purfeerst

Increases the bonding authority of the Metropolitan Airports Commission; requires a noise abatement plan.

Effective: day following enactment.

Annexation compensation

Chapter 189
HF211*—Hoberg SF788—Langseth

Permits local agreements for compensation on transfers of taxable property in certain annexations.

Effective: Aug. 1, 1981.

Cemeteries—annual reports

Chapter 139
HF601*—Ogren SF645—Rued

Requires public cemeteries having permanent care and improvement funds to file a notice and an annual report with the county auditor.

Effective: Aug. 1, 1981.

City advertising limits

Chapter 62
HF241*—Stadum SF1118—R. Moe

Removes the last five communities that are under the law which limits their advertising budget to \$5,000. These communities are: Thief River Falls, East Grand Forks, Melrose, Cloquet, Red Lake Falls.

Effective: Aug. 1, 1981.

Civil service/cable franchises

Chapter 317
HF664—Rees SF660*—Schmitz

Provides for the adoption of certain joint cable franchises; corrects statutory references to certain civil service procedures.

Effective: day following enactment.

Community development board, grant limitations

Chapter 284
HF720—Ogren SF250*—Chmielewski

Removes the requirement that regional tourism groups supply matching funds, project by project, to receive funds the state has already appropriated; changes the percent of low income persons that must be directors of a community development corporation from 60 to 40.

Effective: Aug. 1, 1981.

Counties—town roads

Chapter 77
HF339*—Berkelman SF323—Dicklich

Standardizes the width of cartways; allows townships to vacate town roads not maintained for 25 years.

Effective: day following enactment.

Deputy sheriffs/public office

Chapter 163
HF1045—Schoenfeld SF291*—Willet

Allows persons elected to the office of deputy sheriff to hold a civil office that pays compensation.

Effective: Aug. 1, 1981.

Financial disclosure law; salaries St. Louis County

Chapter 320
HF1266—Minne SF767*—Dicklich

Allows counties to publish total disbursement for salaries and expenses for all employees, rather than listing individual employees and their salaries; requires St. Louis County to publish county commissioner and department head salaries by name and title, and total amount of compensation they receive for the year.

Effective: Aug. 1, 1981.

Fire control railroads, highways

Chapter 32
HF201*—Haukoos SF202—Davis

Extends to 60 days, the time for railroads and the Department of Public Safety to reimburse cities for expenses cities incur fighting a fire on a railroad or highway right-of-way.

Effective: day following enactment.

Group insurance—new bids

Chapter 89
HF655—I. Anderson SF353*—Lessard

Allows local units of government to add new employees to group insurance plans without getting a new bid on the insurance plan, provided that the addition does not raise the per person premium 50 percent or more.

Effective: Aug. 1, 1981.

Liquor license fees

Chapter 118
HF291—McDonald SF168*—Schmitz

Allows town boards to set an additional on-sale or off-sale liquor license fee not to exceed 20 percent of the county license fee.

Effective: day following enactment.

Local governments recreation boards

Chapter 47
HF387—Lemen SF336*—Lessard

Allows local governing authorities to establish more than one board to run their recreation program.

Effective: day following enactment.

Metropolitan governance study

Chapter 250
HF381—C. Rodriguez SF227*—Wegener

Creates a legislative commission to study the power, authority, and relationships among metropolitan area governmental units.

Effective: day following enactment, expires Jan. 6, 1983.

Metropolitan Council amending plans

Chapter 242
HF969*—Voss SF857—Knoll

Provides a new amendment process for plans of local governments in the metropolitan area.

Effective: day following enactment.

Municipal liquor store referendum

Chapter 198
HF619*—Sviggum SF602—Knutson

Changes the wording of the municipal liquor store referendum question to allow cities over 10,000 population to continue operation of municipal liquor stores in the same manner as before reaching 10,000 population.

Effective: day following enactment.

Municipal liquor store regulations

Chapter 331
HF1071—Clawson SF1212*—Davis

Requires cities to hold public hearings to decide whether or not the city should continue operating an unprofitable municipal liquor store; and requires the city to publish a statement of operations and financial information each year.

Effective: Aug. 1, 1981.

Municipalities annexation municipal board

Chapter 268
HF116—Berkelman SF98*—Wegener

Gives the governor greater discretion in the appointment of municipal board members by removing residency requirements; requires that one member on the municipal board be from outside the metropolitan area.

Effective: Aug. 1, 1981.

Publication of ordinances

Chapter 219
HF338—Clawson SF121*—Wegener

Allows cities to publish summaries of ordinances rather than word for word publication.

Effective: Aug. 1, 1981.

Residency requirements—employment

Chapter 181
HF1034—Voss SF560*—Hughes

Prohibits certain statutory home rule charter cities or counties from establishing residency requirements as a condition of employment.

Effective: day following enactment.

Supply contracts escalation clauses

Chapter 45
HF665—Wenzel SF275*—Wegener

Allows county boards, cities, and townships to enter into contracts with the provision to raise or lower contract prices; requires advertising bids or proposals in qualified legal newspapers.

Effective: Aug. 1, 1981.

Temporary improvement bonds

Chapter 171
HF978—Schreiber SF1248*—Belanger

Authorizes the issuance of temporary improvement bonds for local improvements.

Effective: day following enactment.

Town cemeteries—regulation

Chapter 26
HF180—Wenzel SF153*—Rued

Gives towns regulatory powers over town cemeteries.

Effective: Aug. 1, 1981.

Township—legal notices

Chapter 5
HF73—Niehaus SF102*—Pehler

Requires townships to post all legal notices in one or more places, or publish on two successive weeks.

Effective: day following enactment.

Miscellaneous

Family Day

Chapter 111
HF222*—Rose

Designates the first Sunday in August as American Family Day.

Effective: Aug. 1, 1981.

Revisor's bill—cruelty to animals

Chapter 53
HF911—Jude SF917*—Hanson

Revises the style and form of laws relating to cruelty to animals; conforms penalties in the law to terminology in the criminal code.

Effective: Aug. 1, 1981.

State fire code revisions

Chapter 106
HF1131—Haukoos, SF1057*—Schmitz

Conforms the uniform fire code with national model fire codes; clarifies when the state fire marshal may enter a building to search for cause of a fire; changes references from the State Fire Marshal to the Department of Public Safety; requires inspections of hotels every three years (currently annual).

Effective: Aug. 1, 1981.

Children/Youth

Confidential communications parent and minor

Chapter 262
HF323—Wynia SF17*—Davies

Extends the privilege of confidentiality to conversations between a minor and the minor's parent; prohibits court examination of a parent on communications the minor made to the parent.

Effective: Aug. 1, 1981.

Juveniles, referred to adult court

Chapter 201
HF276*—Kelly SF278—Merriam

Allows courts to consider all prior felony-level offenses a child committed in determining whether or not to try a child as an adult.

Effective: Aug. 1, 1981.

Marriage consent age

Chapter 58
HF970—Vellenga SF718*—Willet

Makes the age of consent requirement for marriage the same for boys as it is for girls (16 years of age).

Effective: day following enactment.

Tobacco related devices/minors

Chapter 218
HF61—Luknic SF118*—Waldorf

Prohibits furnishing cigarette papers or smoking pipes to minors; makes it a petty misdemeanor for minors to use these devices, and a misdemeanor for anyone who furnishes tobacco or tobacco related devices to a minor.

Effective: Aug. 1, 1981.

Handicapped

Building code handicapped access

Chapter 128
HF365*—R. Anderson

Allows municipalities which have not adopted the building code, to enter into a joint powers agreement with a municipality that has adopted the code, or to contract with a certified individual to enforce the handicapped access provisions of the code.

Effective: Aug. 1, 1981.

Council on Epilepsy

Chapter 288
HF20—Osthoff SF315*—Solon

Creates a legislative advisory task force to study and report on the status of programs, services, and facilities for epileptic persons in Minnesota.

Effective: Aug. 1, 1981.



Age of consent for marriage, Ch. 58.

Electricians' licenses—oral exams

Chapter 195
HF1276—Clawson SF822*—Schmitz

Allows the Board of Electricity to provide oral electrician's examinations for applicants with reading disabilities.

Effective: 30 days after enactment or Aug. 1, 1981, whichever is earlier.

Interpreters disclosing conversations

Chapter 131
HF413*—Lemen SF516—Merriam

Requires courts to provide interpreters in criminal proceedings for persons with language handicaps, and includes interpreters for persons with physical and functional communication disabilities under the confidentiality provisions in present law.

Effective: Aug. 1, 1981.

Special assessment deferral

Chapter 80
HF708*—Ewald SF95—Keefe

Allows counties or municipalities, when making a special assessment, to defer payment of that assessment in cases where the homestead property owner is retired because of permanent and total disability.

Effective: Aug. 1, 1981.

Human Rights

Affirmative action—state departments compliance

Chapter 326
HF1427—Staten SF964*—Berglin

Prohibits any state department from accepting any bid or proposal for a contract in excess of \$50,000 with any business which has 20 or more fulltime employees, unless the firm or business has an approved affirmative action plan for the employment of minority persons, women, and the disabled.

Effective: Sections 2, 3: day following enactment;
Section 1: when the commissioner adopts temporary rules.

Data privacy

Chapter 311
HF931—Ellingson SF470*—Tennessee

Clarifies laws relating to the collection and dissemination of data; classifies data and proposes classification of data as private, confidential nonpublic, and protected nonpublic; extends temporary classification deadlines.

Effective: day following enactment.

Human rights—discrimination

Chapter 364
HF1072—Staten SF939*—Berglin

Allows an individual who feels he/she has been the victim of discrimination to file for damages under a charge of unfair discriminatory practices which would include mental anguish and suffering. The act places an upper limit on punitive damages of \$6,000; and exempts governmental bodies and boards from personal liability.

Effective: Aug. 1, 1981.

Minorities

Consumer fraud Indian-made goods

Chapter 267
HF1302—K. Clark SF74*—Chmielewski

Increases to a misdemeanor the penalty for selling imitation Indian-made products.

Effective: Aug. 1, 1981.

Indian business loan account

Chapter 308
HF1320—Ainley SF179*—Chmielewski

Creates a single revolving fund for Indian business loans, which individual tribal councils will administer with approval of the Department of Economic Development.

Effective: Aug. 1, 1981.

Seniors

Medicare supplemental insurance—regulations

Chapter 318
HF1007—Swanson SF665*—Penny

Sets minimum standards for health insurance policies that supplement medicare coverage for Minnesotans over 65; excludes from regulation disability income protection insurance policies and employer group accident and health insurance policies.

Effective: Aug. 1, 1981.

Nursing homes—door locks

Chapter 24
HF45*—Simoneau SF255—Penny

Repeals a Department of Health rule prohibiting the use of locks on patient room doors in nursing homes.

Effective: day following enactment.

Nursing homes—double beds

Chapter 23
HF44*—Swanson SF259—Penny

Repeals a Department of Health rule prohibiting double beds in nursing homes and boarding care homes.

Effective: day following enactment.

Senior citizen groups property tax exemption

Chapter 309
HF527—B. Anderson SF393*—Menning

Exempts from property tax certain non-resident property belonging to non-profit senior citizen groups.

Effective: for taxes levied in 1981, payable in 1982.

"We've been sleeping in this bed for 63 years." Mr. and Mrs. Sheldon, Walker Methodist Nursing Home, Minneapolis. Ch. 23 allows nursing home residents to have double beds.



Federal update—taxes

Chapter 60
HF435*—Novak SF326—C. Peterson

Adopts certain federal tax amendments, and makes changes relating to income and property tax refunds.

Various effective dates.

Income tax laws revisions

Chapter 343
HF1143*—Brandl SF1139—Dieterich

Makes several changes in income tax laws; adopts certain federal income tax laws; changes information requirements on withholding statements; changes computation of gross income and net operating loss; allows certain spouses to file a joint property tax return claim; alters computation of corporate estimated tax and filing requirements.

Various effective dates.

Mortgage, deed, special fuel, mineral, royalty taxes

Chapter 164
HF819—Skoglund SF432*—Berglin

Sets a date for county treasurers to turn over to the state, payments of mortgage registration taxes, and receipts from the sale of documentary stamps; requires distributors to pay the special fuel excise tax on all liquid petroleum products except gasoline and allows them to elect to pay tax on fuel they put into supply tanks of aircraft and licensed motor vehicles; provides for taxation of bulk fuel purchases; establishes guidelines for the commissioner of revenue in managing the mineral tax; requires reports from persons who receive \$5,000 or more in royalties.

Effective: July 1, 1981.

Recreation areas tax classification

Chapter 188
HF142*—Forsythe SF478—Bang

Changes the tax classification for certain recreational commercial property to allow resort lands not adjacent to each other to have the same tax classification as if the lands were adjacent.

Effective: for taxes levied in 1981, and payable in 1982.

Tax laws—technical changes

Chapter 178
HF932*—Kvam SF687—Merriam

Makes technical changes and corrects obsolete references in income tax laws; updates the state code to the federal code.

Various effective dates.

Tax levy limit—urban towns

Chapter 205
HF252—Lehto SF215*—Wegener

Allows metropolitan area towns to increase their tax levy limit base by eight percent per year beginning for taxes levied in 1981, payable in 1982.

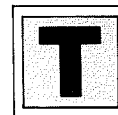
Effective: for taxes levied in 1981, payable in 1982.

Tax withholding deposits

Chapter 13
HF488—Jacobs SF366*—R. Moe

Creates a new schedule for payment of state income taxes that employers withhold from wages, to conform to federal withholding standards.

Effective: Section 1: April 1, 1981; Section 2: day following enactment.



Transportation

Billboard removal-compensation

Chapter 294
HF830—Dahlvang SF525*—Schmitz

Prohibits the state and local governments from removing lawfully erected billboards unless they acquire all rights by purchase, gift, or condemnation; requires a report to the Legislature on directional signing; increases the annual fees for permits or renewal of permits for advertising devices adjacent to interstate and primary system highways; increases the penalty for failure to obtain or renew a license.

Effective: day following enactment.

Child restraint systems

Chapter 56
HF72—Laidig SF263*—Lantry

Requires parents and guardians to provide and use child passenger restraint systems when transporting their children under four years of age.

Effective: Jan. 1, 1982.

Classic cars—fee increase

Chapter 199
HF704*—Brinkman SF608—Pehler

Adds certain Buick, Cadillac and Packard models to the list of classic cars; extends the definition of "classic car" to include model years up to 1948.

Effective: Aug. 1, 1981.

Courier service permits

Chapter 124
HF168*—Novak SF235—Sikorski

Directs the Public Utilities Commission to issue courier service carrier permits to all applicants who apply within 30 days of final enactment of the act and expands the grandfathering time period to 90 days for previously affected carriers.

Effective: day following enactment.

Federal aid secondary fund allocation

Chapter 203
HF465—Hanson SF159*—Purfeerst

Allows the commissioner of transportation to allocate federal aid secondary funds to the state and the county systems in a manner other than the 35-65 distribution formula prescribed in statute, when one of the allocations is not fully used.

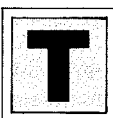
Effective: day following enactment.

Government vehicles—use

Chapter 125
HF189*—Begich SF812—Johnson

Prohibits the use of government vehicles for nongovernmental functions, except in certain emergency situations.

Effective: July 1, 1981.



Taxes

Electing small business corporations—taxes

Chapter 344
HF1210*—Jacobs SF1152—Davies

Provides that an electing small business corporation for federal income tax purposes shall be an electing small business corporation for Minnesota income tax purposes.

Effective: for taxable years of corporations beginning after Dec. 31, 1980.

Emergency shelters—tax status

Chapter 251
HF494—Norton SF279*—Sieloff

Clarifies exemption from property tax of emergency shelters for victims of domestic abuse.

Effective: for taxes levied in 1981 and after, payable in 1982 and after.

Estate tax laws clarification

Chapter 49
HF538—Brandl SF354*—C. Peterson

Amends Minnesota tax laws; modifies estate tax provisions; clarifies certain deductions; clarifies exemptions and exclusions; updates references to internal revenue code; clarifies the method of computing credits; provides for a statute of limitations; eliminates obsolete references; provides disclosure of data to certain persons; and clarifies recording procedures.

Various effective dates.

Highway gross weight limits

Chapter 81
HF847*—Nysether SF455—Purfeerst

Allows the commissioner of transportation to designate and remove designation of highway weight limits without a hearing.

Effective: day following enactment.

Highway patrol name change

Chapter 37
HF470*—Clawson SF439—Chmielewski

Changes the name of the Minnesota Highway Patrol to the Minnesota State Patrol.

Effective: Aug. 1, 1981.

Highway, transit funding

Chapter 363
HF553*—G. Anderson SF713—Lantry

Increases the gasoline tax from 11 cents to 13 cents per gallon; increases motor vehicle license fees; sets base rates for trucks and trailers; provides \$157 million for highway funding and \$50 million for transit funding.

Various effective dates.

Joint Commuter Study Commission

Chapter 287
HF457—McEachern SF278*—Pehler

Continues the Joint Commuter Rail Study Commission until 1984 and transfers authority for the commission's study to the cities of St. Cloud, St. Paul, and Minneapolis.

Effective: upon local approval.**

Minnesota law enforcement training account

Chapter 341
HF968*—Lehto SF807—Hanson

Establishes a 10 percent penalty assessment on all fines for traffic offenses (except parking), directs the assessment money to reimburse municipalities for peace officer skills training.

Effective: Jan. 1, 1981.

Motorcycle registration proof of insurance

Chapter 74
HF501—Hanson SF611*—Davies

Requires motorcycle owners to show proof of their insurance at the time of registration.

Effective: day following enactment.

Motor vehicle bond provisions

Chapter 196
HF921*—Mehrkens SF833—Belanger

Raises the bond requirement on automobile and motorcycle dealers.

Effective: Jan. 1, 1982.

Municipal state-aid street funds

Chapter 169
HF873—Den Ouden SF823*—Setzepfandt

Includes the cities of Vadnais Heights, Rosemount, and Redwood Falls in the municipal state-aid street fund.

Effective: day following enactment.

Oversize vehicle permit fees

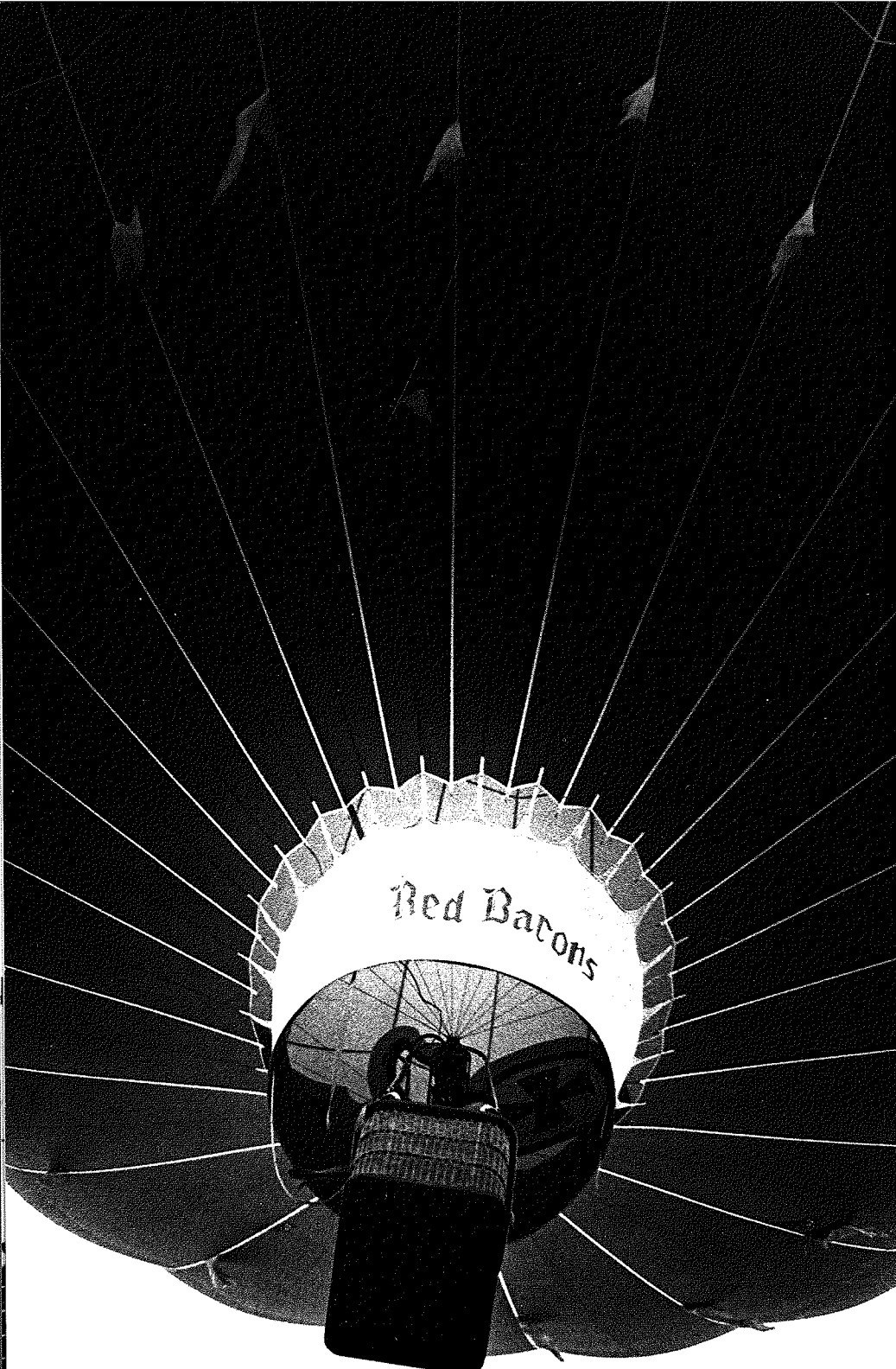
Chapter 348
HF963—Mehrkens SF537*—Purfeerst

Increases the acceptable transportable length of mount combination trailers; raises fees for trip permits on oversize vehicles; requires a legislative commission study of weights, ports of entry, and the effects of overweight vehicles on highways.

Effective: Aug. 1, 1981.

Buses and other public transportation got funding in Ch. 363.





Hot air balloon owners pay registration fees, too. Ch. 209 sets the fees.

Rail bank account

Chapter 338
HF769*—B. Anderson SF759—Penny

Establishes a state rail bank account to acquire, maintain and improve abandoned rail lines.

Effective: day following enactment.

School vehicle identification

Chapter 113
HF467*—G. Anderson SF414—Schmitz

Allows political subdivisions and schools to use leased or loaned vehicles without having the name of that political subdivision or school permanently on the vehicle; allows the use of removable placards.

Effective: day following enactment.

State van pool—public employees

Chapter 130
HF395*—Welch SF561—Davis

Allows state employees and other public employees and spouses who live outside the seven-county metropolitan area to use the state employee van pool program.

Effective: day following enactment.

Strobe lamps on school buses

Chapter 191
HF357*—C. Rodriguez SF676—Dahl

Allows school districts to equip their school buses with white strobe lights or flashing lights on stop arms to increase their visibility.

Effective: Aug. 1, 1981.

Transportation department bill

Chapter 209
HF745—Mehrkens SF835*—Belanger

Sets a hot air balloon registration fee; clarifies the taxing structure on balloons; gives arrest powers to federal employees who inspect hazardous material transportation; provides that tow trucks are tax exempt only if they pick up or transport wrecked vehicles; transfers regulation of building movers; removes the \$25 permit fee for persons who bring aircrafts into the state for display only.

Effective: Sections 1, 4, 6, 14: day following enactment; other sections: Aug. 1, 1981.

Truck weight limitations

Chapter 321
HF870—Kalis SF804*—Willet

Provides for the re-registration of certain motor vehicles and combinations of vehicles; excludes certain snow removal vehicles from weight restrictions, and sets weight limitations.

Various effective dates.

Trunk Highway 51 route

Chapter 345
HF135—Hanson SF31*—Dieterich

Prohibits the commissioner of transportation from changing the route of Trunk Highway 51 within the city of St. Paul.

Effective: day following enactment.

Vehicles housekeeping bill

Chapter 167
HF945—Schoenfeld SF556*—Stern

Clarifies the language in statutes stating when vehicles under 27,000 pounds must display new plates or insignias; clarifies when non-resident military service personnel are exempt from vehicle registration requirements; and specifies when vehicle registration tax is due.

Effective: Aug. 1, 1981.

Local and special legislation

Laws in this section deal with operation of state and local governments, elections, licensing and regulation of certain occupations, pensions and public employees.

Resolutions and a list of bills the Governor vetoed, p. 35.

Elections

Absentee ballot validation

Chapter 185
HF517—Blatz SF1058*—Belanger

Clarifies authority of absentee ballot counting boards and absentee ballot precinct election judges to receive, examine, and validate absentee ballots.

Effective: Aug. 1, 1981.

Candidates bringing relatives to polls

Chapter 33
HF269*—Simoneau SF216—Frank

Allows a candidate to transport his/her parents or parents-in-law to the polls on election day.

Effective: Aug. 1, 1981.

Election judges compensation

Chapter 271
HF175—Gustafson SF136*—Solon

Provides that election judges receive compensation at a rate at least equal to the prevailing Minnesota minimum wage.

Effective: Aug. 1, 1981.

Election procedures

Chapter 217
HF587—D. Peterson SF99*—Nelson

Changes certain election procedures and requirements; requires additional information on certain forms; clarifies when and how county auditors must post sample ballots.

Effective: Aug. 1, 1981.

False campaign information, penalties

Chapter 266
HF780—Minne SF72*—Davies

Makes any person who knowingly participates in the preparation or distribution of false paid political advertising guilty of a gross misdemeanor.

Effective: Aug. 1, 1981.

Judicial election recounts

Chapter 187
HF1295—Jude SF1343*—Schmitz

Provides for automatic recounts in certain judicial elections; puts judicial elections under the same provisions that apply to close legislative elections.

Effective: Aug. 1, 1981.

Recodification of election laws

Chapter 29
HF71*—Minne SF192—Hanson

Recodifies election laws; restates guidelines for determining voter eligibility; provides for voter registration, absentee voting, conduct of elections, and counting and canvassing of election returns.

Effective: Aug. 1, 1981.

Special elections for city offices

Chapter 172
HF1221—Minne SF1278*—Schmitz

Requires statutory cities to hold special elections to fill vacancies in city offices in conjunction with regular city elections; provides for a combination of election and appointment procedures for filling vacancies in the office of city council in statutory cities.

Effective: day following enactment.

Voter registration records

Chapter 92
HF714—D. Peterson SF520*—Kroening

Allows cities and counties to use electronic data processing systems as duplicate voter registration files.

Effective: day following enactment.

Governmental Operations

Administrative rulemaking changes

Chapter 253
HF1159—Simoneau SF1043*—Olhott

Changes the system for drafting and publishing state agency administrative rules; provides for transfer of responsibilities between agencies; extends jurisdiction of the Legislative Commission to Review Administrative Rules (LCRAR).

Effective: July 1, 1981.

Administrative rules defined

Chapter 109
HF90*—Simoneau SF258—Penny

Clarifies that rules of state agencies have the force and effect of law after the agencies properly propose those rules.

Effective: day following enactment.

Board of Accountancy

Chapter 12
HF190—Norton SF175*—Davies

Removes an expiration date in laws governing the Board of Accountancy.

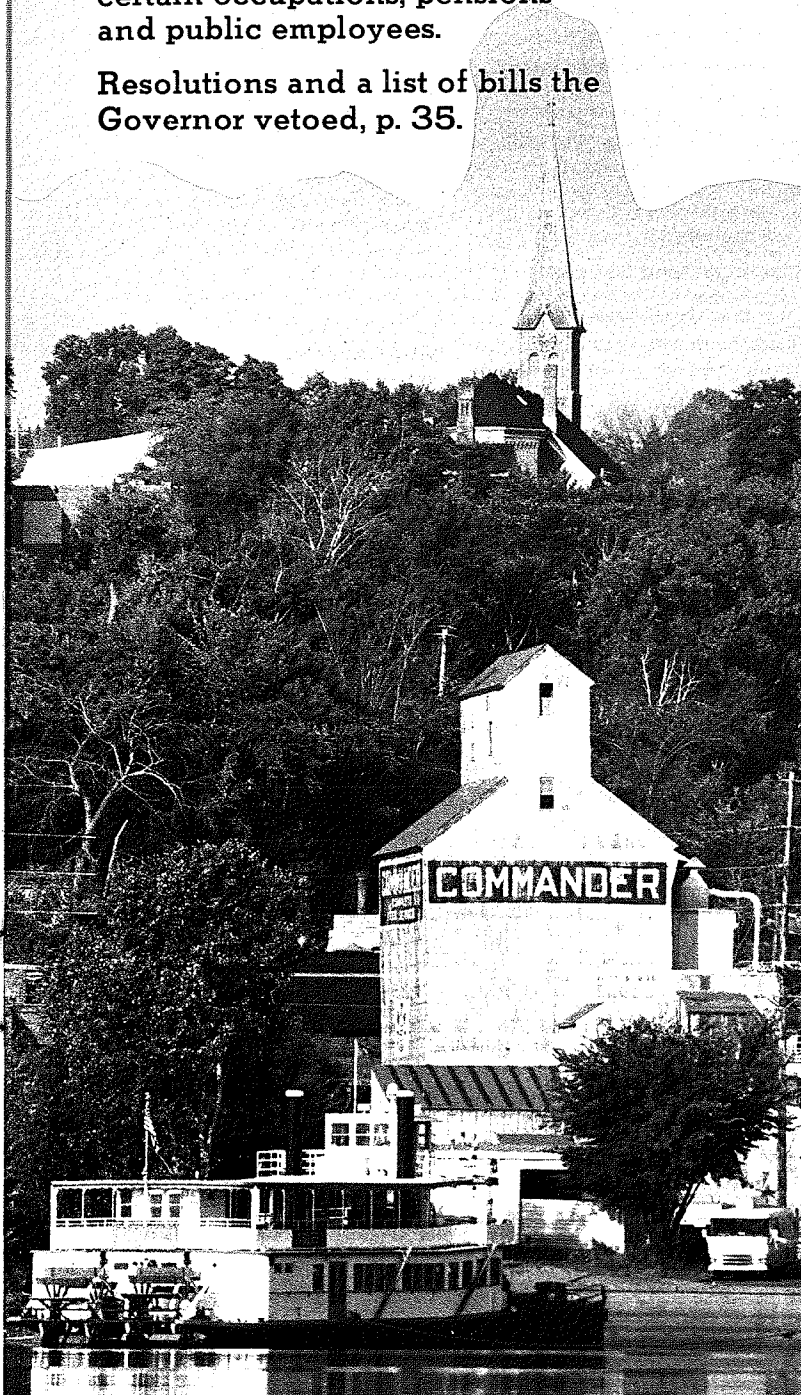
Effective: Aug. 1, 1981.

Charitable trusts responsibilities

Chapter 39
HF1083*—Pogemiller SF990—Knoll

Transfers the responsibilities relating to the registration and filing of annual reports of charitable trusts, from the Securities and Real Estate Division of the Department of Commerce to the attorney general.

Effective: Aug. 1, 1981.



Government survey documents

Chapter 244
HF1088*—Pogemiller SF942*—Pehler

Requires the secretary of state's office to microfilm certain U.S. government survey records and land plats and to store them in a climate-controlled environment.

Effective: Aug. 1, 1981.

Military land fund use

Chapter 46
HF372*—B. Nelsen SF331*—Wegener

Allows the Department of Military Affairs to spend military land funds for reforestation and forest management at Camp Ripley, and for improvements to the enlisted personnel service center.

Effective: day following enactment.

National Guard veterans—flags

Chapter 336
HF396*—Jennings SF745*—Chmielewski

Requires the adjutant general to furnish an American flag to the survivors of a National Guard member who dies after six or more years of service in the Guard.

Effective: Aug. 1, 1981.

Rules/regulations hearings

Chapter 112
HF272*—Simoneau SF257*—Penny

Changes the functions of the Legislative Commission to Review Administrative Rules (LCRAR) to allow flexibility in determining the number of days necessary before a rehearing.

Effective: day following enactment.

Statutes equal regardless of sex

Chapter 31
HF173*—Piepho SF264*—Pillsbury

Changes language in statutes so they apply equally to all persons regardless of sex.

Effective: Aug. 1, 1981.

Local Bills Cities/Towns

Blaine: housing and redevelopment

Chapter 84
HF1237*—Voss SF1204*—Merriam

Allows the Blaine City Council to serve as housing and redevelopment authority.

Effective: upon local approval.**

Cloquet: transportation contract

Chapter 236
HF161*—Murphy SF33*—Chmielewski

Allows the city of Cloquet to contribute funds to a private transportation company for the purpose of instituting a dial-a-ride and public transportation system.

Effective: upon local approval.**

Crystal: polling site

Chapter 170
HF1156*—L. Carlson
SF1193*—Humphrey

Allows the city council in Crystal to designate a VFW hall as a polling place.

Effective: upon local approval.**

Duluth: home energy conservation loans

Chapter 223
HF848*—Munger SF808*—Solon

Allows the city of Duluth to establish a home energy conservation loan program similar to those in Minneapolis and St. Paul, to inspect homes, and issue revenue bonds to provide loans for energy conservation improvements.

Effective: upon local approval.**

Duluth liquor licenses

Chapter 115
HF937*—Gustafson SF758*—Solon

Allows the city of Duluth to issue the same number of liquor licenses as the city issued in 1980.

Effective: upon local approval.**

East Grand Forks: industrial park

Chapter 239
HF696*—Stadum SF576*—R. Moe

Allows the city of East Grand Forks to hold a referendum to buy an industrial park.

Effective: upon local approval.**

Echo bond issue

Chapter 76
HF1142*—Den Ouden
SF1044*—Setzepfandt

Allows the city of Echo to issue bonds to acquire and improve a city hall, community center, and municipal meeting room.

Effective: upon local approval.**

Edina: manager/ council authority

Chapter 36
HF341*—Forsythe SF459*—Bang

Authorizes the city manager of Edina to spend up to \$2,000 without the approval of the city council.

Effective: upon local approval.**

Elmore: school district operating debt

Chapter 61
HF30*—Kalis SF6*—Penny

Allows a correction in the auditor's statement and revises the statutory operating debt for Independent School District 219 in Elmore.

Effective: upon local approval.**

Fergus Falls: land transfer

Chapter 279
HF1052*—Aasness SF922*—Olhoff

Authorizes the transfer of three acres of land from Fergus Falls Community College to the city of Fergus Falls for development as student housing.

Effective: Aug. 1, 1981.

Granite Falls: community development

Chapter 225
HF1294*—G. Anderson
SF1321*—Wegener

Allows the city of Granite Falls to coordinate control of the housing and redevelopment authority; redevelopment agency; tax increment financing district; the port authority; establishes a community development program; provides powers for it.

Effective: upon local approval.**

Great Scott: municipal powers

Chapter 34
HF297*—Elloff SF253*—Dicklich

Grants the town of Great Scott certain powers of a municipality.

Effective: upon local approval.**

Greenway: recreation board

Chapter 281
HF1163*—Lemen SF746*—Lessard

Allows six cities: six townships to become the Greenway Recreation Board, and to levy an additional property tax, not to exceed 3.5 mills.

Effective: upon local approval.**

Hastings: land transfer

Chapter 232
HF835*—Sviggum SF980*—Vega

Transfers from the Hastings Veterans Home to the city of Hastings, 48 acres of land the city will use to develop a recreation area.

Effective: day following enactment.

Isanti: general obligation bonds

Chapter 145
HF928*—Clawson SF950*—R. Peterson

Authorizes the city of Isanti, with voter approval, to contract with the Farmers Home Administration for a loan to finance construction of a civic center building, fire hall, police and city council chambers.

Effective: upon local approval.**

Madison Lake: bonding authority

Chapter 3
HF23*—Wigley SF26*—Renneke

Authorizes the city of Madison Lake to issue general obligation bonds for a municipal center.

Effective: upon local approval.**

Mile Post 7, tax value

Chapter 226
HF1375*—Battaglia SF1323*—Johnson

Establishes a method for determining the valuation and assessment of property taxes of Mile Post 7 in Lake County.

Effective: for taxes payable in 1981, and thereafter, upon local approval.**

Minneapolis/ St. Paul: energy loans

Chapter 222
HF834*—K. Nelson SF763*—Knoll

Authorizes Minneapolis and St. Paul to establish energy loan programs and sets guidelines for those programs.

Effective: upon local approval**, except Section 6: day following enactment.

Minneapolis: special revenue obligations

Chapter 252
HF1153*—Long SF903*—Knoll

Allows the city of Minneapolis to amend the terms and conditions of certain existing housing revenue bonds the city issued before Jan. 1, 1980, if changes don't increase the principal amount or violate a certain section of the Internal Revenue Code.

Effective: upon local approval.**

New London: bonding authority

Chapter 16
HF104*—D. Johnson SF8*—Setzepfandt

Gives the city of New London bonding authority of approximately \$200,000 to build a city hall, community center and municipal library.

Effective: day following enactment.

Northfield: payments to Waterford Township

Chapter 18
HF38*—Vanasek SF53*—Purfeerst

Allows the city of Northfield to make annual payments to Waterford Township to compensate for taxes the township will lose if Northfield annexes part of the township.

Effective: upon local approval.**

Robbinsdale: bond issue limits

Chapter 207
HF478*—Heap SF558*—Ramstad

Exempts from Robbinsdale's net debt limits certain tax increment backed bonds.

Effective: upon local approval.**

Robbinsdale: school board elections

Chapter 152
HF707*—Heap SF1259*—Humphrey

Allows school boards to elect to have an alley system for election of school board members of Independent School District 281 Robbinsdale.

Effective: day following enactment.

St. Cloud: revenue bonds

Chapter 184
HF1089*—Gruenes SF982*—Pehler

Authorizes St. Cloud to issue revenue bonds to improve and operate the city-owned Mississippi River dam to provide for generation and transmission of hydroelectric power.

Effective: upon local approval.**

St. James: revenue bonds

Chapter 30
HF84*—Jennings SF88*—D. Peterson

Authorizes the city of St. James to issue up to \$250,000 in revenue bonds as a local match for the acquisition and betterment of an airport facility.

Effective: upon local approval.**

St. Paul: bonding authority

Chapter 369
HF386*—Byrne SF1230*—Lantry

Sets St. Paul's bond authorization formula as a percent of the estimated market value of city property; limits use of capital improvement bonds.

Effective: upon local approval.**

St. Paul: housing agency retirement

Chapter 155
HF536*—F. Rodriguez SF712—Lantry

Includes employees of the St. Paul Housing Agency, employed after Aug. 31, 1977, in a Public Housing Agency pension plan; removes them from the Public Employees Retirement Association; and transfers their contributions.

Effective: upon local approval.**

St. Paul/Minneapolis housing bonding

Chapter 97
HF347*—O'Connor SF523—Waldorf

Excludes Minneapolis and St. Paul from a state housing revenue bonding limit to allow them to participate in the Minneapolis/St. Paul family housing program. The program will allow the cities to jointly issue \$235 million in revenue bonds to help provide housing for sale to low and moderate income families.

Effective: upon local approval.**

St. Paul: people mover

Chapter 302
HF591*—Osthoff SF629—Dieterich

Repeals the people mover act.

Effective: upon local approval.**

St. Paul: school board elections

Chapter 35
HF330*—Vellenga SF262—Stumpf

Moves school board elections to the same time as municipal elections (Nov.) in St. Paul.

Effective: Jan. 1, 1983 upon local approval.**

St. Paul Town Square liquor license

Chapter 335
HF321*—Norton SF261—Stumpf

Authorizes the city of St. Paul to issue a special on-sale liquor license for Town Square Park.

Effective: upon local approval.**

Tofte: liquor license

Chapter 114
HF574*—Battaglia SF507—Johnson

Authorizes the Cook County Board to issue one off-sale liquor license to an establishment in the town of Tofte.

Effective: upon local approval.**

Tracy: transfer of land

Chapter 153
HF57*—Ludeman SF83—Menning

Transfers 12.75 acres of state-owned land in the city of Tracy to School District 417.

Effective: day following enactment.

Woodville cemetery directors

Chapter 93
HF818—Schoenfeld SF741*—Penny

Authorizes the town of Woodville to pay its cemetery directors.

Effective: day following enactment.

Local Bills Counties

Anoka County: commissioners

Chapter 241
HF829*—Sarna SF962—Frank

Increases the membership of the Anoka County Board of Commissioners from five to seven.

Effective: for 1982 general election.

Carver County: commissioners' expenses

Chapter 66
HF427—McDonald SF196*—Schmitz

Makes the method of determining Carver County commissioners' salaries similar to that in other counties except Hennepin and Ramsey.

Effective: upon local approval.**

Hennepin County: conciliation court/violation bureaus

Chapter 235
HF25*—Ellingson SF1335—Luther

Allows the Hennepin County Board to set compensation for conciliation court referees; allows the municipal judges to determine misdemeanor violation bureau locations.

Effective: Aug. 1, 1981.

Hennepin County: health care services

Chapter 91
HF736—J. Clark SF375*—Berglin

Makes the county board responsible for health care and related services in Hennepin County; establishes the office of medical examiner.

Effective: upon local approval.**

Hennepin County: library system

Chapter 48
HF734—L. Carlson SF347*—Petty

Changes the appointment procedure for the library director; increases per diem rates to equal that of other Hennepin County board members.

Effective: upon local approval.**

Kandiyohi County: property conveyance

Chapter 216
HF164—D. Johnson
SF96*—Setzepfandt

Allows the commissioner of administration to transfer a house and garage in Sibley State Park to Kandiyohi County.

Effective: day following enactment.

Koochiching County: waste water treatment

Chapter 291
HF491—I. Anderson SF440*—Lessard

Establishes the North Koochiching County Waste Water Treatment Board for International Falls, South International Falls, and Ranier, including the East Koochiching County Sewer District and the Paper makers Sewer District.

Effective: upon local approval.**

Ottertail County: sewer district/Oak Port: urban area

Chapter 183
HF862—Fjoslien SF771*—C. Peterson

Grants Ottertail County powers to set up a sewer district; grants certain urban powers to the town of Oak Port in Clay County.

Effective: upon local approval.**

Pine County/Cloquet/Duluth/Hermantown

Chapter 354
HF1236—D. Carlson
SF1154*—Chmielewski

Authorizes the commissioner of DNR to sell the Duxbury Youth Conservation Camp property in Pine County to the Amherst H. Wilder Foundation for use as a correctional facility; extends the availability of an appropriation to the city of Cloquet for a water treatment plant; sets procedure for determining rate and making a contract for water service between Hermantown and Duluth.

Effective: day following enactment.

Ramsey County: Capitol area lands

Chapter 301
HF487*—Harens SF229—Stumpf

Allows the Ramsey County Board to turn tax forfeited land within the Capitol area over to the county for resale for private development; includes the Ramsey County abstract clerk and clerk's staff in the county civil service system; makes changes in the governance of Ramsey County.

Effective: Sections 1, 5: day following enactment; Sections 2, 4: upon local approval**; Section 3: Jan. 1, 1982.

Ramsey County: unclassified employees

Chapter 52
HF411—Kelly SF692*—Dieterich

Puts employees of the judicial district administrators' office (bailiff law clerks) in the Ramsey County unclassified service.

Effective: upon local approval.**

Ramsey County: veterans' cemetery

Chapter 42
HF483*—Kostohryz SF678—Hughes

Allows burial of spouses and minor children next to military veterans in special plots set aside for soldiers' rest.

Effective: Aug. 1, 1981.

St. Louis County: commissioners' compensation

Chapter 230
HF1190*—Begich SF1322—Johnson

Requires St. Louis County to set salaries for county commissioners; allows counties with a population of 100,000 or more to establish seven-member boards.

Effective: Sections 1, 3: day following enactment; Section 2: Aug. 1, 1981.

St. Louis County: land conveyance

Chapter 28
HF40*—Begich SF237—Johnson

Allows the St. Louis County Board to pass a resolution allowing a couple to repurchase tax-forfeited property they previously owned.

Effective: when the state receives a resolution from the St. Louis County Board.

St. Louis County: extension committee

Chapter 100
HF525*—Murphy SF350—Ulland

Increases the number of members on the St. Louis County extension committee.

Effective: upon local approval.**

Todd County: potato promotion

Chapter 11
HF66—B. Nelsen SF97*—Wegener

Moves potato growers in Todd County from area one to area four for the purposes of potato promotion.

Effective: day following enactment.

Traverse County: bonding

Chapter 15
HF102—Aasness SF7*—Olhoff

Allows Traverse County to issue bonds on behalf of the county agricultural association (fair board).

Effective: upon local approval.**

Washington/Dakota Counties: bridge

Chapter 143
HF893*—M. Sieben SF840—Sikorski

Clarifies the authority of a private business to operate a toll bridge connecting St. Paul Park in Washington County and Inver Grove Heights in Dakota County, and requires the counties to regulate the operation and maintenance of the bridge.

Effective: upon local approval.**

Washington/Ramsey Counties: watershed assessments

Chapter 332
HF1327—Tomlinson SF1265*—Lantry

Allows the Ramsey-Washington Metro Watershed District board of managers to defer assessment against property of handicapped persons and persons over 65 years old.

Effective: upon local approval.**



New election guidelines for voter eligibility, registration, ballot counts, Ch. 29, 217, 271, 187.

O ccupations Licensing/ Regulation

Electricians' licenses

Chapter 63
HF401*—Haukoos SF1000—Benson

Changes the application requirements for a class B electrician's license allowing two years schooling to equal one year of experience; requires electrical course work to be a Board of Electricity approved two-year program.

Effective: Aug. 1, 1981.

Engineers—water sampling

Chapter 179
HF889*—Voss SF1223—Pehler

Allows registered civil or geological engineers to construct water quality sampling and monitoring wells without obtaining a water contractor's license.

Effective: day following enactment.

Nursing licensure

Chapter 94
HF746—L. Carlson SF760*—Frank

Removes the restriction on consecutive terms for Board of Nursing members; adds a permit for LPN's and RN's from other states who have applied for a license to practice in Minnesota; provides that LPN's who have completed LPN training and who are in a second year community college nursing program, can test out of certain courses.

Effective: day following enactment.

Physicians' licenses—suspension

Chapter 83
HF1178*—Reif SF1327—Brataas

Allows temporary suspension of a physician's license, for a period not longer than 60 days, if the Board of Medical Examiners finds that the physician has violated a rule or statute the board enforces, and this action endangers a patient's life.

Effective: Aug. 1, 1981.

Steam engineers/ boiler inspectors

Chapter 38
HF214*—Niehaus SF749—Bertram

Requires that two licensed steam engineers must cosign an application for a lifetime license; allows licensed engineers who wish to continue to renew their license annually to do so without taking a written test.

Effective: Aug. 1, 1981.

Steamfitters—fee increases

Chapter 72
HF421—Rice SF462*—Ulland

Increases journeymen fees from \$15 to \$25 for examination and from \$8 to \$15 for renewal; increases master steamfitters fees from \$50 to \$75 for examination and from \$45 to \$60 for renewal; sets late fees at \$5 for all classes.

Effective: Aug. 1, 1981.

P ensions/ Retirement/ Survivor Benefits

Duluth teachers' retirement

Chapter 269
HF112—Berkelman SF132*—Solon

Provides certain benefit increases under the Duluth TRFA (Teachers' Retirement Fund Association), and provides for contribution increases to fund those benefits. The act places teachers the Duluth district hires after July 1981 in a retirement plan identical to the statewide TRA (Teachers' Retirement Association).

Effective: July 1, 1981.

Former judges/ police and fire teachers/military affairs retirement

Chapter 319
HF779—Reding SF690*—C. Peterson

Provides benefits to the surviving spouse, or dependent children if there is no surviving spouse, upon the death of a former judge who discontinued his/her profession before retirement and had not received a refund of contributions; clarifies retirement coverage for certain members of the public employees police and fire fund; provides benefits for survivors of certain deceased teachers, and provides that a special retirement program applies retroactively for the Department of Military Affairs.

Effective: Sections 1, 2, 6: July 1, 1981;
Sections 3, 4, 5: day following enactment.

Minneapolis teachers' retirement

Chapter 159
HF976*—Sarna SF981*—Spear

Allows the Minneapolis Teachers' Retirement Fund Association to pay lump sum post-retirement adjustments to eligible retired members or survivors; allows teachers who receive parental leave to buy service credit for up to one year.

Effective: July 1, 1981.

Minnesota Investment Fund

Chapter 208
HF725—Reding SF805*—D. Moe

Changes the Minnesota supplemental retirement investment fund, to the "Minnesota supplemental investment fund"; authorizes a new "bond account" in the supplemental investment fund; expands investment possibilities for the State Board of Investment.

Effective: day following enactment.

PERA—governing laws

Chapter 180
HF251—Sarna SF207*—C. Peterson

Makes changes in the laws governing the operation of the public employees retirement association.

Effective: July 1, 1981.

Police pension payments to non-residents

Chapter 233
HF1124—F. Rodriguez
SF1174*—Frederickson

Authorizes police relief associations to pay a service pension or other retirement benefit to any eligible person who is not a resident of the United States, if the person has established an account in a banking institution, within the jurisdiction of the district courts of the United States.

Effective: July 1, 1981.

Post-retirement annuity, benefits increase

Chapter 298
HF295*—Sarna SF355—C. Peterson

Provides a post-retirement adjustment (\$16 in 1981, and \$17 in 1982) for persons who receive certain public retirement and disability benefits and annuities; requires the Minneapolis Employees' Retirement Fund (MERF) to transfer its assets and liabilities from a state post-retirement investment fund, to its own fund.

Effective: Sections 1, 2: July 1, 1981;
Sections 3-12: upon local approval.**

Post-Retirement Investment Fund

Chapter 158
HF681*—Reding SF974—C. Peterson

Reduces the amount of excess investment income that the Minnesota Post-Retirement Investment Fund would deduct, from 25 percent to 5 percent, of the amount available to pay post retirement adjustments.

Effective: June 30, 1981.

Public employees retirement

Chapter 297
HF247*—Sarna SF152—Spear

Gives certain public employees the option to purchase prior service credit; includes additional people under the option; requires individuals buying back service time to pay both employer and employee service contributions.

Effective: day following enactment.

Public Employees

(See also Local Bills—Cities/Towns; Local Bills—Counties; Pensions/Retirement/Survivor Benefits.)

Council on Black Minnesotans

Chapter 20
HF183*—Greenfield SF139—Berglin

Includes all staff of the Council on Black Minnesotans in the unclassified civil service.

Effective: Aug. 1, 1981.

Instructional unit bargaining

Chapter 70
HF206—Berkelman SF333*—Ulland

Regulates bargaining between instructional unit employees and the University of Minnesota; allows the out-state instructional unit to negotiate contracts either separately or by joint mutual agreement.

Effective: day following enactment.

State civil service—recodification

Chapter 210
HF892—Simoneau SF876*—Spear

Recodifies state civil service law to govern employee hiring and advancement, job classification, benefits, discipline, discharge, etc. with regard to labor relations arrangements.

Effective: July 1, 1981.

Veterans' home administrator

Chapter 186
HF1182—Harens SF1122*—Frank

Places the Minnesota Veterans' Home administrator in the unclassified service; requires the administrator to have a current nursing home administration license; provides for removal of the administrator for misconduct, incompetency, or neglect of duty.

Effective: Aug. 1, 1981.

Workers' compensation BCA superintendent

Chapter 64
HF420*—Rice SF578—Sikorski

Includes the superintendent of the Bureau of Criminal Apprehension in workers' compensation coverage.

Effective: Aug. 1, 1981.

Public pension retirement laws

Chapter 224
HF1158—Reding SF1106*—D. Moe

Corrects, clarifies, and eliminates obsolete and inconsistent language in public pension and retirement laws.

Effective: day following enactment, with certain exceptions.

Retirement association membership

Chapter 254
HF1223—Reding SF1079*—Stern

Allows city managers to exclude themselves from membership in a retirement association and to elect to have cities deposit their compensation in deferred compensation plans.

Effective: day following enactment.

Retirement—government employees

Chapter 68
HF439—Sarna SF305*—D. Moe

Provides service credit for those employed in a shared position in the Minnesota demonstration job-sharing program; allows disabled employees to choose certain optional annuities at the time of disablement rather than at age 65; provides retirement coverage in the public employees retirement association for employees of the Range Association of Municipalities and Schools, soil and water conservation districts, and the Suburban Public Health Nursing Service, Inc.; makes changes in the Minneapolis municipal employees retirement fund, the Chisholm police and firefighters relief associations, the Eveleth police and firefighters

retirement trust fund, the Buhl police relief association and the St. Paul police and firefighters relief associations.

Various effective dates.

St. Paul teachers' retirement

Chapter 157
HF659*—Norton SF779—D. Moe

Removes the expiration date on St. Paul Teachers' Retirement Fund authority to provide post-retirement increases to retirees, and grants the authority to pay reduced early retirement annuities to persons reaching the age of 55 with 10 years of service.

Effective: day following enactment.

Teachers' retirement—survivor changes

Chapter 156
HF567*—Olsen SF1293—Renneke

Allows certain individuals with public pension fund coverage to designate a beneficiary who could be either a former spouse, or a child, with the consent of the current spouse.

Effective: July 1, 1981.

Teachers' retirement—technical changes

Chapter 160
HF996*—Reding SF983—D. Moe

Makes technical changes in teachers' retirement laws which are administrative in nature.

Effective: day following enactment.

Tenured private college employees, retirement

Chapter 50
HF466—Brandl SF416*—Knoll

Prevents forced retirement of private college teachers before age 70.

Effective: day following enactment.

Resolutions

El Salvador resolution

Resolution 1
HF486*—Kahn SF457—Spear

Urges Congress and the President to avoid direct military involvement in El Salvador; to condemn terrorism of both the right and the left in that country; to condemn military involvement of outside communist governments.

Wallenberg resolution

Resolution 2
HF1338—Skoglund SF1370*—Stern

Honors Raoul Wallenberg for his work on behalf of persons persecuted in Hungary during World War II, declares him an honorary citizen of Minnesota; demands the Soviet Union to return him to Sweden, his native country; urges the U.S. Department of State to take steps to secure his return.

White Earth Indian Reservation—resolution

Resolution 3
HF821—Eken SF674*—C. Peterson

Memorializes the President and Congress to seek a settlement of the White Earth Indian Reservation controversy over jurisdiction for enforcement of game and fish laws, land claims, environmental regulation, and other matters.

Bills the Governor Vetoes

Candidates apartment access

HF48*—Simoneau SF52*—Frank

Would have made it a petty misdemeanor for a manager or other person to deny a candidate for public office access to a multiple unit dwelling.

Catastrophic health expense protection

HF326*—Swanson SF834—Sikorski

Would have changed the eligibility requirements for the Catastrophic Health Expense Protection (CHEP) and funded the program.

Commercial bribery—a crime

HF306*—Greenfield SF380—Luther

Would have defined commercial bribery and prescribed penalties; prohibited employees from accepting a bribe; forbidden any person from offering a bribe.

Instructors—parttime

HF598—Simoneau SF650*—Pehler

Would have included under the Public Employees Labor Relations Act (PELRA) community college and state university instructors who teach longer than two quarters, except instructors at Metropolitan State University.

Northome: detached bank facilities

HF705—I. Anderson SF728*—Lessard

Would have allowed a bank operating in the city of Northome to locate a detached facility 35 miles from the parent bank.

Omnibus tax bill

HF1445—I. Anderson

Would have raised an additional \$400 million in taxes for the 1982-83 biennium, and made several changes in property, sales, and income tax laws.

Revenue Recapture Act/supplemental funding

HF1132*—Hokanson SF1346—Dicklich

Would have amended the Revenue Recapture Act to expand the claimant agencies to include the district courts and counties; provided supplemental funding for higher education, school aids, and public welfare; increased the tax rate on cigarettes and alcoholic beverages; imposed the sales tax on candy and soft drinks.

Fee increases 1981

Minnesota is offering a new sporting license to residents, and prices of other licenses have gone up. If you plan to visit the parks, fish, hunt, renew your driver's license — or get married — here's a review of what fees for services will cost.

by Dale Flanagan

Golden commemorative license

On March 1, 1982, Minnesota will issue—for residents only—a \$100 golden commemorative license, celebrating the 50th anniversary of the Department of Natural Resources.

The golden license allows the purchaser to take small game; fish by angling; spear fish from a dark house; trap fur-bearing animals, except beaver; take deer with firearms—and with bow and arrow—and to take bear.

The fee for this license includes the surcharge, the state waterfowl stamp, and the state trout stamp. The commemorative license will have a distinctive design on durable, gold-colored material.

Other new licenses will allow taking of raccoon, bobcat, coyote, or fox with the aid of dogs. Cost is \$7.50 in addition to the purchase of a small game license.

A trout stamp will cost \$3. Any person who buys a fishing license, or anyone interested in improving trout streams, can buy the stamp.

Two short-term fishing licenses for non-residents, one for seven consecutive days, at \$10.50, and a one-day fishing license, at \$5, are new this year.

Another new license, for residents between the ages of 13 and 17, permits trapping fur-bearing animals, except beaver. Price is \$3.50.

Hunting and fishing licenses

Law requires that residents age 16 and over have a license to hunt and/or fish in Minnesota and the fees for licenses have gone up.

□ Fees to fish by angling increased from \$5 to \$6.50; □ combination husband and wife fishing license from \$8 to \$10.50; □ Fee for spear fishing from a dark house went from \$5 to \$7.50; □ permits to rent out fish houses, or dark houses, are up from \$10 to \$13.

Small game licenses rose from \$5 to \$7, along with an increase from \$2 to \$4 in the usual surcharge on these small game licenses. □ Deer hunting licenses cost more, and there'll be separate licenses—one for taking deer with firearms—one for bow and arrow hunting. Fees for each moved from \$10 to \$14.

Moose hunting licenses are up from \$100 to \$140. These licenses are good for an individual, or a party of four people or less. □ Bear hunting licenses increased from \$7.50 to \$14; fee for a license to guide bear hunters from \$50 to \$75.

Avid fishers and hunters may want a "sportsman's license" that entitles them to take small game and to fish by angling. The fee goes from \$9 to \$12 if the angling license is for one person and from \$12 to \$16 for a combination husband and wife license. Fees don't include the surcharge nor the state waterfowl stamp.

Other fee increases deal with trapping and buying and selling furs. The license to trap fur-bearing animals, except beaver, for residents 18 years of age and over, increased in price from \$5 to \$13. Licenses to buy or sell furs anywhere within the state went from \$50 to \$100, and the supplemental license for the same activity from \$20 to \$50.

License, for residents only, to harvest wild rice is up from \$4 to \$10.

State park fees

Tax dollars support Minnesota's 24 state parks, partially through the sale of permits which all vehicles entering state parks must display. And this year the price is up. Permits, good for one year, increased from \$5 to \$10 for vehicles with Minnesota license plates. For vehicles from other states, the yearly fee is \$15.

Fees for permits, valid for up to two days only for a Minnesota-licensed vehicle, are up from \$1.50 to \$3—\$4 for a vehicle from outside the state.

Minnesota residents, age 65 or over, may purchase these state park permits for one-half of the regular fees.

Nonresident fishing and hunting fees

The price on nonresident fishing licenses, valid for one year, increased from \$10 to \$15. □ Combination husband and wife nonresident fishing licenses went from \$15 to \$20 for the annual license. □ Non-resident hunting license fees, with small game hunting licenses rose from \$25 to \$35.

A license to take deer with firearms and bow and arrow, for nonresidents, increased from \$60 to \$75; a license to hunt deer, with bow and arrow only, \$25 to \$35. □ The nonresident bear hunting license is up from \$25.25 to \$100.

Zoo prices

For a visit to the zoo, the Legislature approved the following price increases: admission for adults, \$3 to \$3.50; □ senior citizens and teenagers, \$1.50 to \$1.75; □ children, age 5 and over, \$1 to \$1.25; □ children under 5 years of age—no charge.

License plates and drivers' licenses

Personal expression in the form of personalized license plates will cost more. New legislation increased the price of personalized license plates from \$50 to \$100 in addition to the required registration tax.

Driver license fees went up. Classified Driver Licenses: □ Class C from \$5 to \$10; □ Class B from \$10 to \$15; □ Class A from \$15 to \$20.

Classified Provisional Driver Licenses: Class C from \$3 to \$6 and Class B from \$5 to \$10.

Instruction permit fees, formerly \$2 are \$4. Duplicate driver, or provisional licenses, went from \$1.50 to \$3. The fee for a Minnesota Identification Card stays at \$6.

Here are the increases on mopeds or motorized bicycles: □ examination and operators' permits, valid for one year, from \$2.50 to \$4; □ a duplicate of the same, from \$1.50 to \$2. □ Renewal permits, before age 18, and valid until age 18, increased from \$3 to \$6; □ renewal permits, after age 18, and valid for four years, from \$5 to \$10. □ Duplicates of any renewal permit went from \$2 to \$3.

Marriage licenses

If there are wedding bells in your future, the marriage license will cost \$30, up from \$15. And the filing fee for a marriage dissolution increased from \$20 to \$35.

Tuition

If you attend, or plan to attend, any of the state's vocational-technical institutes, community colleges, state universities, or the University of Minnesota, you may pay more tuition.

Appropriations allow for a 10 percent increase in tuition. But, it will be up to the various boards, board of regents, etc. to decide whether or not to add the increase.

Beekeeping fees

Raising bees for fun or profit will cost more in registration and inspection fees. By law, beekeepers have to register their bees, and this registration fee increased from \$5 to \$7.50.

Plus that, beekeepers, who own or possess 11 or more colonies, must pay an annual inspection fee. This went from 15 to 17 cents per colony.

Interstate inspection fees will increase from 25 cents to 40 cents for each colony.

Where's the money going?

Increased fees for the state park permits will offset the increasing costs of operating and maintaining state parks.

Reason for the surcharge on the back of small game hunting licenses reads: "This \$4 surcharge is being paid by sportsmen for the development of wildlife lands."

Revenue from the sale of the new trout stamp is for development, restoration, and maintenance or preservation of trout streams and for administrative costs. Zoo admission price hikes will go for operation of the zoo.

Fees from the sale of personalized license plates go into the state treasury for the highway user tax distribution fund.

The increase in fees from marriage licenses will fund grant programs for emergency shelter services for battered women and for administering displaced homemaker programs.

RESIDENT LICENSES		
	Was	Is
Fishing License		
Single	\$ 5.00	\$ 6.50
Combination	8.00	10.50
Spear Fishing	5.00	7.50
Fish House Rental Permit	10.00	13.00
Hunting License	5.00	7.00
Surcharge on Small Game License	2.00	4.00
Deer Hunting License		
• Firearms	10.00	14.00
• Bow and Arrow	10.00	14.00
Moose Hunting (up to 4 people)	100.00	140.00
Bear Hunting	7.50	14.00
License to Guide Bear Hunters	50.00	75.00
Sportsman License		
• Single	9.00	12.00
• Combination	12.00	16.00
Trapping (Residents 18 and over)	5.00	13.00
License to Buy and Sell Furs	50.00	100.00
• Supplemental License	20.00	50.00
License to Harvest Wild Rice	4.00	10.00
STATE PARK PERMITS		
One Year Permit		
• Resident	5.00	10.00
• Nonresident		15.00
Two Day Permit		
• Resident	1.50	3.00
• Nonresident		4.00
NONRESIDENT LICENSES		
Fishing License (valid 1 year)		
• Single	10.00	15.00
• Combination	15.00	20.00
Hunting License	25.00	35.00
Deer Hunting License		
• Firearms and Bow and Arrow	60.00	75.00
• Bow and Arrow Only	25.00	35.00
Bear Hunting	25.25	100.00
ZOO ADMISSION		
Adults	3.00	3.50
Senior Citizens and Teenagers	1.50	1.75
Children Age 5 and Over	1.00	1.25
Children Under Age 5	FREE	FREE
LICENSE PLATE FEES		
Personalized License Plates	50.00	100.00
DRIVER LICENSE FEES		
Classified Driver License		
• Class C	5.00	10.00
• Class B	10.00	15.00
• Class A	15.00	20.00
Classified Provisional Driver License		
• Class C	3.00	6.00
• Class B	5.00	10.00
Instruction Permit	2.00	4.00
Duplicate Driver or Provisional License	1.50	3.00
MOPEDS AND MOTORIZED BICYCLES		
Examination and Operator's Permit	2.50	4.00
Duplicate Operator's Permit	1.50	2.00
Renewal Permit		
• Before Age 18, Valid Until Age 18	3.00	6.00
• After Age 18, Valid for 4 years	5.00	10.00
Duplicate Renewal Permit	2.00	3.00
MARRIAGE LICENSE FEE		
	15.00	30.00
MARRIAGE DISSOLUTION FILING FEE		
	20.00	35.00
BEEKEEPING FEES		
Registration Fee	5.00	7.50
Inspection Fee (per colony)	0.15	0.17
Interstate Inspection Fee (per colony)	0.25	0.40

Special Sessions 1981

The problem

In Jan. 1981, the Finance Department estimated tax revenue, adjusting national average economic data for a normally healthier-than-average Minnesota economy. The governor and the Legislature used those figures to plan spending.

By April 15, it was apparent that tax revenues for the 1981-83 biennium would be about \$390 million lower than the January predictions, and with a \$112 million shortfall from 1981, that left the 1981-83 budget about \$500 million short.

According to the commissioner of finance, the economy didn't live up to expectations. When fewer people work, fewer people pay income tax. When business isn't as good as predictions indicated, sales tax collections go down. And as federal taxes rise, state taxable income falls.

Discussion on how to make up the \$500 million deficit filled the weeks between April 15 and the Legislature's scheduled adjournment date of May 18.

The first solution

Legislators searched for options: cut spending; delay spending; raise taxes. Throughout the 1981 regular session, the Appropriations Committee worked to pare budgets for the 1981-82 biennium.

Despite that, the deficit remained.

On April 15, the governor proposed a \$460 million tax package for the Legislature to consider. On May 5, the House Tax Committee came up with a \$400 million tax package, and individual legislators contributed other

Few of us can imagine trying to balance the state's \$8.6 billion checkbook. That's the Legislature's job—matching planned spending with expected tax revenues.

After passing spending and tax bills in the last weeks of the regular session, legislators thought they'd done it.

But the governor vetoed the tax bill, and the budget was \$400-\$500 million out of balance.

Problems with predictions, projections, and the economy brought legislators back to the Capital on June 6, and on July 1, for special sessions to work through, again, the state of the state's finances—borrowing, taxing, cash flows, and budget deficits.

by Deborah Friedman

Special session bills:

First special session

Tax bill:

☐ Raises sales tax from four to five percent, effective July 1, 1981 to June 30, 1983; farm machinery rate stays at four percent

☐ Adjusts indexing of income tax brackets, credits, and standard deduction, using the lesser of local CPI or average income increases; adjusts for federal tax elasticity

☐ Indexes homestead tax brackets by a change in average market value of homes in the state

☐ Increases the maximum targeting credit from \$300 to \$500

☐ Targets property tax relief for homeowners whose taxes go up more than 20 percent in one year

☐ Lowers assessment ratios on apartment buildings and part of the value of commercial-industrial property

☐ Limits local government and other tax district levy increases to eight percent for 1982, with certain exceptions: levies for public assistance and social services, bonded indebtedness, county legal services

☐ Caps state reimbursements to local governments for homestead credits

Supplemental appropriations:

☐ Provides \$6.75 million for higher education grants and scholarships;

\$41.7 million for school aids; \$29.4 million for nursing home residents on medical assistance

☐ Requires persons to spend three percent of income on doctors and hospitalization and one percent on drugs before deducting medical expenses on income tax forms

Rescheduling of state payments:

☐ Reschedules state payments to local governments for homestead credits and payment of renter credits from April to August

ideas, some of which were to urge further cuts and no tax increases.

What taxes could have gone up? Income tax? Too high already, many complained. Sales tax? It's regressive—not based on ability to pay, some said. Allow property tax to increase by shifting costs to local governments? Many homeowners and local governments are already in a financial bind, legislators responded.

On May 18, the last day of the regular session, the Legislature passed a tax package that depended primarily on income tax increases—permanent changes in indexing and medical and gas tax deductions; a temporary surcharge on personal and corporate income taxes.

The bill limited state reimbursement for property tax credits and limited local government to eight percent tax levy increases.

That's the bill Governor Quie vetoed because of the much-talked-about change in "indexing." (See box)

Another look at the problem

The veto came on the last day of the regular session. Between May 18 and June 6, a number of legislators and administration officials met informally to work out a tax bill and other fiscal management bills.

When the full Legislature returned for the special session, the lawmakers passed a tax bill that temporarily increases the state sales tax to five percent, changes the indexing mechanism for income taxes, and provides some property tax relief.

The total tax impact of the bill is \$578 million—enough to cover the \$500 million deficit and to fund a \$78 million special session appropriations bill that increases funding for school aids, higher education, and nursing home residents.

But even that \$578 million didn't solve all the state's fiscal problems.

Cash flow shortages

Projections said the budget would balance on June 30, 1983, the end of the biennium, but what about the time in between? Payments are due one month, and the taxes to fund them don't come in until the next month. That's the cash flow problem that legislators turned to after passing the tax bill.

One bill the legislators passed shifts state payment and tax collection dates to help ease the cash flow problem.

Another allows a deficit at the end of the first year of a biennium if the budget balances at the end of the biennium. Current law would not allow the deficit that administration officials predict for the end of fiscal year 1982, even though they predict a surplus for the end of 1983.

The third bill would have allowed the governor to borrow over \$400 million (current borrowing limit is \$100 million) to cover periods of high state payments, such as Sept. and Oct., when there is not enough cash on hand to meet the payments.

That bill failed to pass the House, and the governor said he would call legislators back to reconsider the bill, which, he said, is necessary to fiscal management of the state.

Special session two

Legislators returned for a second special session again on July 1, to reconsider the need for a higher dollar limit on short-term borrowing.

The compromise both houses agreed to, on July 2, allows the governor to borrow up to \$360 million, but calls for a strong commitment to reduce cash flow problems, and eliminate the need for short-term borrowing.

To help ease the cash flow squeeze, the bill shifts portions of the school aid payments

from the fall months to the beginning of the year, when more cash is available.

And to capture any extra tax revenue that may come to the state, as a result of a possible federal tax cut, the Legislature set up a reserve fund account. That account would create a pool of dollars from which the governor could draw to cover temporary cash shortages or budget deficits, without having to raise taxes or borrow money—and maybe help avoid the need for special session budget talks.

What is indexing? You don't see indexing on your income tax form, but if you compare tax brackets for 1979 and 1980, you can see what it does. For example, in 1979, the 14 percent tax bracket covered persons with incomes from \$13,764 to \$22,022; the same bracket in 1980 covered incomes from \$14,952 to \$23,921.

That meant, if you got an 8.6 percent pay raise in 1980, you stayed in the same tax bracket. That was the intention of the 1979 Legislature when it passed indexing: to keep taxpayers from moving into higher tax brackets because of inflation-related pay raises.

To do that, the commissioner of revenue takes 85 percent of the Minneapolis/St. Paul Consumer Price Index (CPI), and expands the tax brackets by that percentage.

The CPI is a percent increase in the price of housing, fuel, and other goods. In 1979, the CPI was 10.17 percent; the Revenue Department expanded tax brackets by 8.6 percent.

But using the CPI, a general inflation measure, has "overindexed" the system, said Rep. John Tomlinson. Because the CPI is going up faster than wages, taxpayers are paying less than they would if the index were tied to income rises, rather than general price rises.

That drop in taxes due the state left the treasury short this year, and would continue to cause shortfalls in future years, Tomlinson said. The special session tax bill helps to correct the overindexing by requiring the Department of Revenue to use the lesser of the CPI and the change in Minnesota gross income.

The bill also increases Minnesota gross income by changing the amount of federal tax Minnesotans can subtract from their income to arrive at a Minnesota taxable income figure.

☐ Requires telephone and telegraph companies to file estimates of gross earnings taxes and to pay them in four payments rather than once a year

☐ Requires taxpayers to subtract from income the actual amount of federal tax they paid the previous year, not the amount they had withheld the current year

Mid-biennium deficit:

☐ Allows a deficit at the end of the first year of a biennium

Second special session

Borrowing authorization:

- ☐ Increases the governor's short-term borrowing authority from \$100 million to \$360 million; requires reports from the governor and commissioner of finance on ways to reduce the cash flow problem and reduce the need for short-term borrowing
- ☐ Reschedules payment of portions of aid to school districts
- ☐ Establishes a budget reserve account

Resolution, federal disaster aid:

- ☐ Memorializes the President and Congress of the United States to ensure quick delivery of federal disaster aid to storm-damaged Minnesota counties

Miscellaneous bills:

- ☐ Clarifies which cities may change precinct boundaries after legislative reapportionment
- ☐ Removes section of 1981 law requiring weatherization program local delivery agencies to spend a

minimum of \$25,000 on administrative expenses

- ☐ Clarifies that the interest limit on overdraft checking loans is 18 percent per year, not four-and-one-half percent over the federal discount rate

☐ Sets a \$10 fee for inactive corporations to refile as active corporations

☐ Makes other technical corrections to statutes

SESSION 1981 new laws

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Legislators

Who represents you at the State Capitol?

The House Information Office can tell you. State maps of legislative districts are also available.

Legislators' districts, addresses, phone numbers, biographical information, and photos

The House and Senate publish this in the *Official Directory of the Minnesota Legislature* and the *Members Directory*. You can get copies of these in the House Information Office. Information Office publications are also available in the Chief Clerk's Office.

What legislation did your representative introduce?

Stop at the House Index Department. They have a CRT (Cathode Ray Tube) which shows information on a television-like screen. The CRT lists each member and the bills he/she sponsored in the current session. Index staff will help you use the CRT.

To contact your legislator, address him/her as follows:

The Honorable (name),
Minnesota House of
Representatives (or Minnesota
Senate) State Capitol, St. Paul,
MN 55155. Dear Representative
(or Senator) name.

Bills

Need a copy of a bill?

The Chief Clerk's Office can give you copies of bills and resolutions.

Need to know the status, authors, or committee assignments of bills?

Call the House Index Department. The information is on computer, and includes Journal page numbers of action on bills.

Bill introductions.

The House Information Office publishes bill introductions in the *Weekly Wrap-up*. If you would like to be on the mailing list for the *Wrap-up*, contact the Information Office.

Bills on a specific topic, or in a specific committee.

The House Index Department has lists of bills in each committee and on specific topics, e.g. environment, taxes, education, etc. (175 topics) on the CRT.

Which bills became law?

This is on the CRT in House Index. Each week, the *Wrap-up* gives the bills the governor signed. The final issue summarizes all bills the Legislature passed during the session. The *Session* magazine

summarizes new laws each session. Contact the Information Office to get on the *Session* mailing list.

Committees

For committee meeting schedules.

Call (612) 296-9283, a 24-hour hot line recording of daily House meeting schedules (time, place, and agendas). Senate hot line: (612) 296-8088. The Information Office and the Chief Clerk's Office have copies of daily schedules, *Today*.

The weekly schedule of upcoming meetings is in the *Weekly Wrap-up*.

Standing committees and committee assignments.

These are in the *Members Directory* and the *Official Directory*.

Committee action during the session.

The *Weekly Wrap-up* reports on what happened in committees each week.

Committee action during the interim.

The House Information Office summarizes what happened in committees during the interim in the *Interim* magazine. (Same mailing list as *Session*.)

General Information

Proceedings in the House.

The Chief Clerk's Office can answer your questions. The office publishes the *Journal of the House*, the official daily record of legislative action.

The Legislature — how it all works.

The House Information and Chief Clerk's Offices can give you general information. The Information Office has brochures on the process including: *How a Bill Becomes a Law*; *The Road to Minnesota Laws*, cartoon version of how a bill becomes law; *Citizen's Participation Course*, test-yourself quiz on the Legislature; *Joey's Visit*, coloring book for the very young.

Agendas of House action.

The Chief Clerk's Office has copies of the *Calendar*, *General Orders*, etc., schedules of House floor action.

Where members sit in the House Chamber.

The Information Office publishes a *Seating Arrangement of the Minnesota Legislature*.

House employees.

You'll find this in the *Staff Telephone Directory* and the *Official Directory* available in the Information Office.

Other areas of state government.

The House Information Office can direct you to the appropriate place. The office publishes the *Three Branches of Government*, a wall chart showing the structure of state government.

Would you like a tour of the Capitol?

The Office of Educational Services, Rm 124-D, State Capitol, (612) 296-8081, will arrange visits which highlight the work of the Legislature and its members, for school groups, citizens' groups, and out-of-state visitors.

The Minnesota Historical Society provides tours. Groups of 10 or more should schedule tours (612) 296-2881.

In the Senate

The Secretary of the Senate's Office (612) 296-2343 and Senate Index (612) 296-2887, Rm 231, State Capitol, provide services similar to the Chief Clerk's Office and House Index.

The Senate Information Office, Rm B-29, State Capitol, (612) 296-0504, provides services similar to those House Information offers.