

House Information Office

HOUSE WEEKLY REVIEW

FOR MEMBERS of the Minnesota House of Representatives

March 4-12, 1987

Volume 3, Number 8

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills.

COMMITTEE ACTION

AGRICULTURE

Monday, March 9

Electromagnetic research

HF349/SF215 (Krueger, DFL-Staples)--heard; amended**. (SF in Senate Finance Committee)

Would provide funding for research on the effects of electromagnetic forces on animal health and agricultural production. **Delete everything amendment would:

- allow the commissioner of agriculture to grant funds to an electromagnetic research team made up of researchers from the following fields: physics, biology, animal sciences, veterinary practice, and electricity; provide that 50 percent of the grant must be spent on research conducted at farm locations;
- establish a nine-member advisory board that the governor would appoint to assist the research team; describes board membership;
- require the electromagnetic research team to report its findings to the commissioner of agriculture who will report the study results to the House and Senate Agriculture Committees by Feb. 1, 1989.

Adulterated milk

HF419/SF137 (Krueger, DFL-Staples)--recommended to pass. (SF passed in Senate)

Would add the federal Food, Drug, and Cosmetic Act as a source of exception to the prohibition against the manufacture of food from adulterated milk or cream.

Grain warehouse--bonding

HF672 (Tunheim, DFL-Kennedy)--heard; amended**.

Would make changes to grain storage law bonding provisions. Provisions would:

- allow the commissioner of agriculture, upon petition by a substantial number of licensed grain buyers, public grain warehouse operators, or grain banks, to hold a hearing that grain handlers would pay for, to consider direct assessments of grain handling businesses as a feasible alternative to bonding;
 - allow the commissioner to adopt rules and administer an assessment program, if he/she determines direct assessment as a feasible alternative to bonding;
 - change the definition of "producer" to limit the term to only a person who actually grows grain on owned or rented land;
 - allow public grain warehouse license applicants to deposit cash, a certified or cashier's check, a money order, assignable bonds or notes of the U.S., or an assignment of a bank savings account or investment certificate, or an irrevocable bank letter of credit (in the same amount as required for a bond) as an alternative to posting bond with the Department of Agriculture;
 - change person to producer in the subdivision concerning remedies to be used if a public grain warehouse operator breached a contract. Currently any "person" may file a claim for breach. Under the change, a "producer" is entitled to file a claim;
 - amend the chapter on grain banks to allow a grain banks to deposit specified securities with the state treasurer as an alternative to posting bond with the Department of Agriculture.
- **Amendment would:
- require the commissioner to give grain handlers who petitioned and paid for the hearing, credit against assessments for the amount they paid for the hearing.



Agriculture Finance Div./Ag.

Wednesday, March 11

Farmer-Lender Mediation Act--changes
HF210/SF89 (Schoenfeld, DFL-Waseca)--heard;
amended**. (SF on Senate Floor)

Would make various changes to the farmer-lender mediation program that the University of Minnesota Agricultural Extension Service administers.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 1, Agriculture Finance Div./Ag., Wed., March 4)

**Amendment would:

- give contract-for-deed-vendors who are in mediation the status of a landlord and allow them to file a lien during the mediation period for the reasonable rental value of the property as determined by mutual agreement of the vendor and the vendee or the district court;
- set conditions for enforcing and extinguishing the lien;
- provide that payments acquired through a lien created under this subdivision must be applied according to the terms of the contract.

ECONOMIC DEVELOPMENT & HOUSING

Thursday, March 5

Rural development
HF2/SF1 (Schoenfeld, DFL-Waseca)--amended**. (SF in Senate Environment and Natural Resources Committee).

(See bill summary in HWR, Vol. 3, No. 7, Pg. 2, Economic Development and Housing, March 3)

**Amendment would:

- allow the Greater Minnesota Corporation to study the effects of possible structure of a for-profit venture capital state corporation.

Tuesday, March 10

Rural development
HF2/SF1 (Schoenfeld, DFL-Waseca)--heard; amended**. (SF in the Senate Environmental and Natural Resources Committee)

(See bill summary above)

**Amendments would:

- include blighted metropolitan areas in some loan and grant programs;
- make all Greater Minnesota Corporation (GMC) board meetings open to the public, except those in which financial or tax information of organizations applying for GMC aid is revealed;
- develop and administer a main street program to assist cities in the revitalization of their businesses.

Thursday, March 12

Rural Development Act
HF2/SF1 (Schoenfeld, DFL-Waseca)--heard; amended**. (SF in Senate Governmental Operations Committee)

(See bill summary above)

**Amendment would:

- allow the corporation to contract with other organizations, including regional development commissions, in providing individuals, businesses and organizations with information about federal, state, and local economic development programs.

EDUCATION

Wednesday, March 11

Compulsory education--changes
HF432/SF425 (McEachern, DFL-St. Michael)--recommended to pass as amended**. (SF in Senate Education Committee)

Would make changes in compulsory instruction law.

(See bill summary in HWR Vol. 3, No. 6, Pg. 2, Education, Feb. 25; for amendments see HWR Vol. 3, No. 7, Pg. 3, Education, Mar. 4.)

ENVIRONMENT & NATURAL RESOURCES

Thursday, March 5

Hazardous waste--administrative penalties
HF332/SF388 (D. Nelson, DFL-Champlin)--heard. (SF in Senate Environment and Natural Resources Committee)

Provisions would:

- allow Superfund money to be spent to train and educate people to enforce environmental laws; would limit the amount spent on training and education to 10 percent of the total administrative penalties deposited in the fund;
- allow the Pollution Control Agency (PCA) director to issue an order to correct any violations of waste management and pollution control laws and rules, and assess administrative penalties up to \$10,000 for the violations (lists factors the director may consider when determining the penalty amount);
- require the order to include a concise statement of facts, reference to requirement violated, penalty amount, and notice of a right to a hearing;
- permit the order to require violation correction within 30 days; would require the penalty if, within those 30 days, the order receiver neither corrects the violation nor requests a hearing;
- permit the PCA director to order an immediate penalty if he or she determines it's appropriate; would require the penalty paid within 30 days unless the violator requests a hearing; would require interest to accrue beginning on the 31st day after the order was mailed;
- provide for an expedited hearing process and provide detailed requirements;
- require the director to issue a final order after waiting five days for the recipient's comments; would allow the recipient to appeal the order subject to the Administrative Procedures Act;
- allow the attorney general to petition the district court to file the final order an an order of the court at which time the penalty may be collected; would provide if the penalty remains unpaid it may become a lien on the debtor's real personal property (except homestead); would provide that failure to pay is grounds for permit revocation or denial;
- permit an administrative penalty assessment in addition to any other penalties the law allows for the same violation;
- require all penalties collected to be deposited in the Superfund.

Tuesday, March 10

Hazardous waste--transporter license
 HF298 (Long, DFL-Mpls)--recommended to pass as amended**; rereferred to Transportation Committee.

Would require the Department of Transportation (MnDOT) to license hazardous waste transporters; would set license fees and qualifications; and would provide for license

suspension or revocation, or administrative penalties for violations. Provisions would:

- require all hazardous waste transporters to obtain a nontransferable license from MnDOT;
- establish vehicle safety requirements including driver qualifications, safety of operation, equipment, parts, and accessories, inspection, repair, and maintenance, maximum hours of service; would require licensees to display their names and addresses on both sides of the vehicle; would set a driver's minimum age at 25;
- set application procedures and fees; would require the transporter to:
 - file with MnDOT a certificate of insurance showing minimum coverage the federal government requires;
 - pay \$500 for a three-year license and \$25 for a vehicle identification tag (a separate tag would be required for each vehicle);
 - maintain the license at the transporter's (licensee's) principal place of business;
 - carry the vehicle identification tag on the vehicle;
 - renew both the license and vehicle identification tag every three years;
- authorize the commissioner of transportation to suspend or revoke a license and vehicle identification tag for a serious or repeated violation of laws or rules governing hazardous waste transportation; would require the commissioner to consider several factors (listed in the bill) before deciding to take action; would allow the commissioner to order a license revocation without a hearing for licensees who fail to renew their license or fail to maintain insurance;
- allow the commissioner to access an administrative penalty up to \$10,000 for aggregate violations; would require the commissioner to consider several factors (listed in the bill) before setting the penalty amount;
- require the order to include a concise statement of facts, reference to the requirement violated, the penalty amount, and notice of the right to a hearing;
- allow the commissioner to order:
 - the violation corrected within 30 days; would require the penalty paid within that 30 days unless the recipient corrects the violation or requests a hearing;
 - an immediate penalty, due 30 days from the order's date, if the commissioner decides it's appropriate;
- require interest to begin accruing on the 31st day after the order was mailed; would provide that failure to pay is grounds for license revocation or refusal to renew; would require penalties collected to be deposited in the trunk highway fund;
- set up an expedited hearing process;

- require the commissioner to issue a final order after waiting five days for the recipient's comments; would allow the recipient to appeal the order subject to the Administrative Procedures Act;
- require the recipient to pay the penalty within 15 days from the mailing of the final order;
- authorize the attorney general to petition the district court to file the final order as an order of the court at which time the penalty may be collected; would provide if the penalty remains unpaid it may become a lien on the debtor's real or personal property (except homestead), or the Attorney General may bring a civil action in district court to recover it along with damages, attorney fees, costs and interest.

**Amendment would make technical changes to the bill.

Thursday, March 12

Hazardous waste--administrative penalties
HF332/SF388 (D. Nelson, DFL-Champlin)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Environment and Natural Resources Committee)

Would create a new section of law providing administrative penalties for violations of waste management and pollution control laws related to hazardous waste.

(See bill summary above, March 5).

Delete everything amendment would:

- allow the Pollution Control Agency (PCA) director to issue an order to correct any violations of waste management and pollution control laws and rules, and assess administrative penalties up to \$10,000 for the violations (lists factors the director may consider when determining the penalty amount);
- require the order to include a concise statement of facts, reference to requirement violated, penalty amount and the factors on which it's based, and notice of a right to a hearing;
- provide that the order may require violation correction within 30 days of its receipt; would require the penalty if, within those 30 days, the recipient neither corrects, or attempts to correct the violation, nor requests a review;
- permit the PCA director, if he or she determines it's appropriate, to order an immediate penalty assessment to be paid within 30 days of the order's receipt, unless the recipient requests a review; would require interest to accrue beginning on the 31st day after the order was received;

- provide alternative procedures for order review in either an expedited hearing or court review;
- require the director to issue a final order after waiting five days for the recipient's comments; would allow the recipient to appeal the order subject to the Administrative Procedures Act;
- require penalty to be paid within 15 days from the mailing of the final order;
- allow the attorney general to petition the district court to file the final order as an order of the court at which time the penalty may be collected; would provide if the penalty remains unpaid it may become a lien on the debtor's real personal property (except homestead) or the Attorney General could bring a civil action in district court to recover the penalty along with damages, attorney fees, costs and interest;
- provide that failure to pay is grounds for permit revocation or denial;
- permit an administrative penalty assessment in addition to any other penalties the law allows for the same violation.

**Amendment would require the PCA director to issue a penalty order up to \$25,000 for repeat violations; would provide specific factors the director must consider when determining the penalty amount.

FINANCIAL INSTITUTIONS & INSURANCE

Tuesday, March 10

Insurance--regulation changes
HF392/SF478 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would make language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR Vol. 3, No. 7, Pg. 4, Financial Institutions and Insurance, Mar. 4.)

Insurance coverage--mental illness
HF412 (Segal, DFL-St. Louis Park)--heard; amended**.

**Delete everything amendment would:

- extend benefits for ambulatory mental health services;
- require health maintenance organization or individual policy to pay for at least 80 percent of the first 10 hours of outpatient treatment over a 12-month period;

- provide option for up to 60 hours of additional treatment under 80 percent coverage during any 12-month period with prior authorization of the insurance company, nonprofit health service corporation, or HMO;

- include treatment of family members with covered treatment of a minor.

Wednesday, March 11

Insurance break--55 Alive

HF342/SF379 (Solberg, DFL-Bovey)--heard. (SF in Senate Commerce Committee)

Would extend automobile insurance premium reductions of at least 10 percent for Minnesotans 55 years old and older who complete an approved accident prevention course (current law applies to people 65 years old and older).

Insurance--regulation changes

HF392/SF478 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would make language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 4, Financial Institutions and Insurance, Mar. 4)

Equipment parts--regulation

HF454/SF341 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would amend Fair Claims Settlement Act. Provisions would:

- prohibit requirement that repairs to any damaged vehicle be made with parts other than original equipment parts;
- prohibit appraisal from including an itemized listing of parts to be repaired with other than original equipment parts unless the vehicle owner has given written authorization to repair with other than original parts;
- require a written repair estimate to indicate whether or not parts used in a repair are original equipment parts;
- require shop to provide customer with dated invoice for the repairs performed, indicating if repair parts are original equipment parts.

GENERAL LEGISLATION, VETERANS AFFAIRS, & GAMING

Thursday, March 12

Horse racing--reducing tax

HF740/SF724 (Kostohryz, DFL-North St. Paul)--heard. (SF in Senate General Legislation and Public Gaming Committee)

Would modify taxation and purse structure for parimutuel horse racing. Provisions would:

- reduce the state tax on parimutuel wagers to 0.5 percent (current tax averages 5.1 percent);
- eliminate the state share of breakage (current breakage is set at 50 percent level);
- repeal language requiring at least five percent of gross wagering handle to be set aside for purses; allow purse percentage to be negotiated between racing licensee and horse owners' organization; sets purse limits;
- increase the percentage of gross wagering paid into the Minnesota Breeders Fund to one percent;
- set effective date of April 15, 1987.

GOVERNMENTAL OPERATIONS

Thursday, March 5

Retirement--pre-'73 retirees

HF112/SF98 (Simoneau, DFL-Fridley)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would provide lump sum payments to certain retired or disabled public employees (pre-1973 retirees) or their surviving spouses. Provisions would:

- entitle certain recipients (pre-1973 retirees) who receive an annuity or benefit from certain retirement funds to a post-retirement adjustment from the appropriate retirement fund;
- require that recipients entitled to a post-retirement adjustment receive, on Dec. 1, 1987, and Dec. 1, 1988, a lump sum payment equal to \$25 during 1987 and \$25 during 1988 for each year of their credited allowable service; would not authorize paying an adjustment to an estate; would require adjustments to be paid automatically unless the recipient requests in writing that the adjustment not be paid;

- require the post-retirement adjustment for the following funds: Public Employees Retirement Fund, Public Employees Police and Fire Fund, Teachers Retirement Fund, State Patrol Retirement Fund, State Employees Retirement Fund of the Minnesota State Retirement System, and Minneapolis Employees Retirement Fund;

- require each named fund to calculate the amount of any appropriation in excess of the amounts of adjustments paid; would require the fund report to the finance commissioner and require the commissioner to verify the calculations and return any excess appropriation to the general fund;

- appropriate specific sums to various retirement funds for fiscal years 1988 and 1989 to fund the post-retirement adjustments.

**Amendment would specify that the appropriations come from the general fund.

State-licensed professions--exceptions

HF245/SF208* (Simoneau, DFL-Fridley)--recommended to pass; placed on Consent Calendar.

Would make technical changes in laws relating to licensing exceptions for architects, engineers, land surveyors, and landscape architects.

Retired state employees--insurance

HF257/SF373 (Simoneau, DFL-Fridley)--recommended to pass as amended**. (SF in Senate Governmental Operations Committee)

Would provide that certain state employees are eligible for state-paid insurance benefits. Provisions would:

- require the employee relations commissioner and a state employees' (union) representative to identify and agree on eligible employees; would require that eligible employees are those people who retire from a position that the commissioner and the union agree is being permanently eliminated or reduced due to federal or state policies or practices, and apply for a retirement annuity;

- provide that eligible employees would receive benefits they were entitled to when they retired, subject to collective bargaining changes; provide that retired employees would not be eligible for health insurance;

- provide that eligibility for state-paid benefits ends when the employee turns 65, if the employee chooses not to receive a retirement annuity, or if the employee's eligibility for employer-paid health insurance from a new employer.

**Amendment would define "retirement contributions or benefits" to exclude insurance benefits public employers pay on behalf of retired employees up to age 65.

Child care expenses--reimbursement

HF455 (Pappas, DFL-St. Paul)--recommended to pass.

Would reimburse members of state boards, councils, committees, and task forces for child care expenses incurred for service on those groups; would reimburse expenses that the member would not otherwise have incurred; would require the member's group to approve reimbursements.

Thursday, March 12

St. Louis County--land sale

HF11/SF338 (Begich, DFL-Eveleth)--recommended to pass as amended**; placed on Consent Calendar. (SF in Senate Environment and Natural Resources Committee)

Would allow the state of Minnesota to sell a certain parcel of land in St. Louis County.

**Amendment would allow St. Louis County to conduct the sale.

Child care expenses--reimbursement

HF455 (Pappas, DFL-St. Paul)--reconsidered; recommended to pass; rereferred to Appropriations Committee.

Would reimburse members of state boards, councils, committees, and task forces for child care expenses they incurred when serving on those groups; would reimburse expenses that the member would not otherwise have incurred; would require the member's group to approve reimbursements.

Dept. of Public Safety--accounting procedures

HF566/SF326 (Knuth, DFL-New Brighton)--recommended to pass; placed on Consent Calendar. (SF in Senate General Legislation and Public Gaming Committee)

Makes technical changes in Department of Public Safety accounting procedures.

Veterans Home bridge

HF700/SF567 (Skoglund, DFL-Mpls)--heard. (SF in Senate Transportation Committee)

Would transfer from the State Veterans Home to the Department of Transportation responsibility for maintenance, repair, and reconstruction of the Soldiers Home Bridge (which crosses Minnehaha Creek in south Minneapolis); would require the commissioner of transportation to begin action to restore the bridge to state bridge standards and to consult with the Minnesota

Historical Society to ensure compliance with historic preservation laws.

HEALTH & HUMAN SERVICES

Thursday, March 5

Probate changes

HF123/SF287 (Bishop, IR-Rochester)--recommended to pass as amended**.
(SF on Senate General Orders)

Would increase from \$3,000 to \$10,000 the amount of wages owed to a decedent at the time of death which an employer can pay to a spouse upon request (this amount was last increased in 1969). Provisions would:

- change the term used in probate statutes from "executor or administrator" to "personal representative";
- add nursing home costs of the last illness to the list of debts given priority ranking among creditors when the assets of an estate are not sufficient to pay the debts;
- increase from \$5,000 to \$10,000 the size of estate where survivors can use this collection process (this amount was last increased in 1974).

**Amendment would allow the list of costs to include reasonable and necessary home expenses for the care of the decedent during the year immediately preceding death (current priority is given to nursing home costs and expenses of the last illness incurred not earlier than six months before the individual's death).

Radiation, low-level--study

HF188/SF473 (Ogren, DFL-Aitkin)--recommended to pass as amended**.
(SF in Senate Health and Human Services Committee)

Would require a study and report on the human health effects of exposure to low level ionizing radiation (the report must be reviewed by three other persons or entities not associated with the state department of health or any other Minnesota state government agency). Provision would:

- require the commissioner of health to conduct a study and prepare a report on the health effects of low level ionizing radiation. Report would:
 - include statistical data relating to ionizing radiation effects on human fetuses, workers temporarily exposed to radiation and communities near nuclear facilities;
 - include research data on the world-wide public health effects resulting from the Chernobyl accident in April 1986.

**Amendment would provide for a sunset date.

Insemination--donor consent

HF470/SF433 (Bishop, IR-Rochester)--recommended to pass as amended**.
(SF in Senate Judiciary Committee)

Would eliminate the statutory requirement that a physician file with the commissioner of health concerning a husband's consent to his wife's artificial insemination by a donor.

Provision would direct the commissioner of health to mail all consents on file to the physicians who submitted them and to destroy any remaining consents if those physicians cannot be located.

**Amendment would allow the physician to retain consent for a least four years after the confirmation of any pregnancy which occurs during the process of artificial insemination.

Tuesday, March 10

Osteoporosis prevention

HF178/SF210 (Clark, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee.
(SF in Senate Health and Human Services Committee)

Would direct the commissioner of health to make special grant awards to agencies, institutions or organizations interested in conducting pilot programs to reduce the prevalence of risk conditions or behaviors related to osteoporosis. Provisions would:

- create a five-member advisory board to assist the commissioner in developing criteria, reviewing proposals and making recommendations for grant awards;
- require the commissioner to solicit at least five proposals from around the state (each proposal must contain a description of activities to be funded, involvement of affected groups, a description of data or other useful information to be collected and a plan and budget for the project).

Nursing home licensure fees

HF243/SF278 (Wynia, DFL-St. Paul)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would increase the nursing home licensure fees from \$1.73 per bed to \$2.00 to fund facility resident and family advisory councils. (The funds collected would be credited to the nursing home advisory council fund and appropriated annually to the Minnesota Board on Aging to fund the council's activities.)

Food assistance

HF248/SF185 (Rodosovich, DFL-Faribault)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

**Delete everything amendment would direct the commissioner of jobs and training to work with the commissioners of health and human services to establish food accessibility projects that will demonstrate methods of maximizing people's participation in food assistance programs. Provisions would:

- provide a single-site access to public and private food assistance programs, including food stamps, surplus commodities and WIC;
- appropriate money in the following manner:
 - \$250,000 to the commissioner of jobs and training for the food accessibility demonstration projects;
 - \$1,300,000 to the commissioner of jobs and training for surplus commodities storage, transportation and distribution; and
 - 10,000,000 to the commissioner of health for WIC.

Cancer surveillance system

HF358/DF346 (Segal, DFL-St. Louis Park)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

**Delete everything amendment would direct the commissioner of health to establish a statewide cancer surveillance system that would:

- detect potential public health problems, predict risks and assist in investigating cancer clusters;
- target intervention resources;
- inform health professionals and citizens about risks, early detection and treatment; and
- promote high quality research.

Provisions would:

- direct the commissioner to collect cancer incidence information, analyze the information and conduct special studies to determine the potential public health significance of an increase in cancer incidence;
- give the commissioner rule authority to administer the system, collect the data and distribute data;
- require a report--addressing the incidence of cancer in Minnesota and summaries of any special investigations, together with any findings and recommendations--every two years, beginning in 1989;
- require data collected by the system to be classified as confidential, except that, with the consent of the attending

physician, an employee of the commissioner may interview patients or relatives as part of an epidemiologic study (the patient or relative may have access to the data to the extent it is a necessary part of the investigation);

- appropriate \$1,520,000 to establish the system, develop the computer linkages and to manage, analyze and investigate clusters of disease.

**Additional amendment would require any data collected on individuals to be private.

Nursing home shared service agreements

HF526/SF599 (Welle, DFL-Willmar)--recommended to pass as amended**. (SF in Senate Health and Human Services Committee)

Would expand the scope of shared service agreements and specify that funds received from such agreements be available for related expenditures. Provisions would:

- allow state nursing homes to enter into shared service agreements;
- allow the commissioner of human services to authorize such agreements without consulting the legislative advisory committee;
- remove requirement that the commissioner include funding for shared service agreements in the biennial budget request to the Legislature;
- allow the commissioner to delegate to the regional center or state nursing home responsibility for executing agreements;
- allow the commissioner of finance to authorize positions funded by agreements;
- dedicate all receipts from shared service agreements to the regional centers and state-operated nursing homes to the extent of expenditures;
- repeal limitations on shared service agreements and provisions specific to Anoka County;

**Technical amendment would make reference to the general fund.

Nursing home care cost

HF527/SF532 (Cooper, DFL-Bird Island)--recommended to pass. (SF in Senate Health and Human Services Committee)

Would subrogate the Department of Human Services to the rights of a patient or resident to private health care coverage, to extent of costs of services given. Provisions

Provisions would:

- rename state hospitals as regional treatment centers;
- define state nursing homes to include Ah-Gwah-Ching and Oak Terrace;
- expand definition of "resident" to include people in state nursing homes;
- allow civil actions by the Department of Human Services against providers of private coverage to collect benefits;
- require the commissioner to follow the same procedures for establishing charges for care in state nursing home as that used for set charges for care in regional centers.

Dept. of Human Services--division name change

HF557/SF799 (Kelso, DFL-Shakopee)--recommended to pass. (SF in Senate Health and Human Services Committee)

Would rename Mental Retardation Division of the Department of Human Services as the Division for Persons With Developmental Disabilities.

HIGHER EDUCATION

Wednesday, March 11

Women's athletics--funding increase

HF520/SF350 (Krueger, DFL-Staples)--heard. (SF in Senate Education Committee)

Would appropriate funds from the general fund to the state university board for women's intercollegiate athletic programs during 1988 and 1989.

HECB--student vote

HF632 (Kinkel, DFL-Park Rapids)--recommended to pass; rereferred to Appropriations Committee.

Would allow the student council member of the Higher Education Coordinating Board to vote. Would allow student member of the board to receive work-study compensation from public or private postsecondary institution.

Guidance program--expansion

HF640/SF452 (L. Carlson, DFL-Crystal)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Education Committee)

****Delete everything amendment would expand the scope of the post high school planning program (PSPP).**

Provisions would:

- expand program to include 8th graders through adults in order to aid their preparation for and completion of post-secondary education (present program serves 11th and 12th graders);
- expand duties of advisory task force; add three business representatives to the task force;
- provide for coordinating and administering achievement and aptitude tests to participants; require annual reports to education-related committees of the Legislature and to the governor;
- appropriate funding;

****Amendments to delete everything amendment would:**

- expand task force to include Minnesota Federation of Teachers, Minnesota Education Association, Minnesota Community Education Association, Minnesota Parent Teacher Student Association, and organized labor; delete reference to number of business representatives.

JUDICIARY

Tuesday, March 10

Pipeline Safety Act

HF91/SF90 (Knuth, DFL-New Brighton)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Judiciary Committee)

Would propose a variety of measures related to pipeline safety.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 10, Regulated Industries, March 4)

****Amendment would make technical changes to the bill.**

Health care professionals--impersonation

HF318/SF301 (Orenstein, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would broaden the crimes of criminal sexual conduct in the third and fourth degree to cover persons who engage in sexual penetration or contact by falsely representing that the penetration or contact is for a bona fide medical purpose by a health care professional.

****Amendment would provide that the complainant's consent is not a defense to the crime.**

Crime victim rights

HF336/SF232 (Seaberg, IR-Eagan)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make changes to the crime victims statutes.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 7, Crime & Family Law Div./Judic., March 2)

****Amendments would:**

- require the prosecutor to make a reasonable and good faith effort to inform the crime victim of the contents of the plea agreement recommendations, including any sentencing recommendation;
- make technical changes.

State Fair--tort claims

HF519/SF87* (Orenstein, DFL-St. Paul)--recommended to pass; placed on Consent Calendar.

Would include the State Agricultural Society (State Fair) in the definition of "state" for purposes of the state tort claims act, which covers such matters as liability exemptions, damage caps, employee indemnification, and the manner of paying claims.

Accident report data

HF687/SF447 (Poppenhagen, IR-Detroit Lakes)--recommended to pass. (SF in Senate Judiciary Committee)

Would require law enforcement agencies to disclose to the media the date of birth of a party involved in an auto accident. (Current law permits only the release of the party's name and address.)

Crime & Family Law Div./Judic.

Monday, March 9

DWI--drivers license revocation

HF427/SF390 (Rest, DFL-New Hope)--heard. (SF in Senate Judiciary Committee)

Would make technical changes to DWI and other traffic safety laws. Provisions would:

- require the commissioner of public safety to revoke the driver's license for certain amounts of time of a person convicted of a violating a local ordinance that conforms with the state DWI laws;
- permit the juvenile court to recommend to the commissioner of public safety that a juvenile's driver's license be suspended;

- require the juvenile court to notify the commissioner of public safety of those juvenile offenses that require license revocation only after the court has determined in a formal juvenile court proceeding that the offense was committed;

- require the court to report all formal determinations of juvenile traffic law violations, other than parking violations, to the commissioner of public safety on a form the commissioner provides.

DWI--highway workers

HF515/SF324 (Carruthers, DFL-Brooklyn Center)--recommended to pass; placed on Consent Calendar. (SF in Senate Judiciary Committee)

Would clarify that the prohibitions against driving while under the influence of alcohol or controlled substances apply to persons who are engaged in work upon the highway. (Current law appears to apply to these people only while they're traveling to and from their highway work.)

DWI--sentence stay extension

HF590/SF391 (Rest, DFL-New Hope)--heard. (SF in Senate Judiciary Committee)

Would permit a sentencing court to stay (suspend) imposition or execution (carrying out) of a sentence for up to two years for people convicted of DWI or misdemeanor assault or related offenses; would provide that the court must require unsupervised probation during the second year unless it finds that supervised probation is necessary.

DWI--license plate impoundment

HF704/SF392 (Rest, DFL-New Hope)--heard. (SF in Senate Judiciary Committee)

Would establish a mandatory license plate impoundment system in any case where the court revokes a person's driver's license for DWI or implied consent law violations. Provisions would:

- require a court to impound a driver's license plates for a second violation within five years, or a third violation within 10 years;
- require the plates impounded from the either the vehicle involved in the violation, or any vehicle owned, registered, or leased in the violator's name or in the joint names of the violator and his or her spouse; would require the violator to surrender the plates to the court within three days of the order; would require the court to destroy the impounded plates within seven days and forward the surrendered registration certificates to the registrar of motor vehicles; would require the registrar to issue new plates if the driver's license revocation is rescinded;

- provide that a member of the violator's household who has a valid driver's license, or if the violator or owner has a limited license, he or she may apply and pay \$100 for special plates with a special series of numbers, letters, or a special color;
- require the court's consent when an owner of a motor vehicle with impounded plates wishes to transfer title (sell the vehicle);
- provide it is a misdemeanor to fail to surrendered impounded plates or to fail to inform the registrar of an impoundment order when applying for new plates;
- allow the commissioner of public safety to hold an administrative review of an impoundment order; would allow the commissioner to rescind the order and authorize new plates issued at no cost if the owner: did not have his or her driver's license revoked; was not and is not a member of the revoked operator's household; had no knowledge that the vehicle was being driven in violation of the DWI laws;
- provide for judicial review of an impoundment order in the same manner that a license revocation is reviewed;
- require new plates to be issued after a person's driver's license is reinstated; would provide that a new license may not be issued unless the person has complied with all impoundment law requirements.

DWI--chemical use assessment

HF705 (Kelly, DFL-St. Paul)--heard.

Would require certain DWI offenders to undergo chemical use assessments. Provisions would:

- require all Minnesota counties to administer a preliminary alcohol problem assessment to all people courts convict of DWI or a DWI-related offense; would require the court to order the person to undergo a comprehensive chemical use assessment if the first assessment indicates the person has an identifiable chemical use problem; if the second assessment recommends that the person receive some level of care for his or her chemical use problem, the court would have to require such care as a condition of probation or suspended sentence, or carry out the sentence;
- require the state to reimburse counties up to \$100 for the cost of each chemical use assessment completed within certain time limits; would require each person convicted of DWI or aggravated DWI to pay a \$75 penalty assessment which would be deposited in the "Drinking and Driving Repeat Offense Prevention Account" in the state treasury (these funds would be used to reimburse county chemical use assessment expenses); would allow the court to waive the penalty assessment if the person shows, in writing, indigency or undue hardship;

- require the commissioner of public safety, with assistance from the Department of Human Services and the State Planning Agency, to monitor and evaluate the implementation and effects of the chemical use assessment program, and to report back to the Legislature by Jan. 1, 1987.

LOCAL & URBAN AFFAIRS

Thursday, March 5

Hennepin County--housing, redevelopment authority

HF362/SF330 (Jefferson, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Taxes and Tax Law Committee)

Would create a county housing and redevelopment authority in Hennepin County that has all of the powers and duties of housing and redevelopment authorities. Provisions would:

- provide that for the purposes of applying the Housing and Redevelopment Act in the county, the county has all of the powers and duties of a municipality, the county board has all the powers and duties of a governing body, the chair of the county board has all of the powers and duties of a mayor, and the area of operation includes the area within the territorial boundaries of the county;
- provide that this act does not limit or restrict any existing housing and redevelopment authority or prevent a municipality from creating an authority;
- prohibit the county authority from exercising its powers in a municipality that has a housing redevelopment authority, unless the municipality requests the county authority to do so;
- provide that if the county authority plans to undertake a project that includes some portion of a city, the city's city council must approve the project before it's undertaken;

**Amendment would:

- define "municipal housing and development authority" as any municipal department, agency, or authority of the city of Minneapolis which exercises the powers of a municipal housing and redevelopment authority pursuant to section 462.425 or other law.

Brook Park--debt limit

HF483/SF279 (D. Carlson, IR-Sandstone)--recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

Would permit the city of Brook Park to exceed its net debt by \$20,000 for construction of a fire hall.

Nashwauk--land annexation

HF489/SF504 (Solberg, DFL-Bovey)--recommended to pass. (SF in Senate Local and Urban Government Committee)

Would authorize the Minnesota municipal board to take jurisdiction in an annexation proceeding between the city of Nashwauk and the town of Nashwauk involving non-abutting land.

Dakota county--personnel system

HF510/SF617 (Jensen, DFL-Lakeville)--recommended to pass. (SF in Senate Local and Urban Government Committee)

Would authorize the Dakota County board to establish a county personnel administrative system for creating an employee relations department and appointing a personnel board of appeals. Provisions would:

- describes the positions over which the employee relations department has jurisdiction and the positions which are exempt from the department's jurisdiction and which position may be exempt by the county board;
- direct the county board to appoint an employee relations director or to assign the functions of the office to an existing county officer or employee;
- describe the powers and duties of the director which include preparing personnel rules and administering the department;
- require the director to approve payrolls for persons in positions within the jurisdiction of the department;
- provide that unless the county board has elected to exclude some or all of the positions otherwise subject to merit system established under certain sections of the Minnesota Statutes, those sections and rules promulgated under them are superseded if inconsistent with the provision of the bill;
- provide that no position subject to merit systems under the statutes can be removed from existing merit system coverage until the employee relations department of the county is certified in accordance with the U.S. Office of Personnel Management's standards for a merit system of personnel administration. The sheriff's department may be included in the county's personnel system;
- retain veteran's preference as established by state statute, except that the county board may enact rules relating to retirement age which would apply to veterans on the same basis as other persons;
- make the county board and the appointing authority the joint employer for purposes of negotiating collective

bargaining agreements and resolving grievances involving them;

- provide that if the board and the appointing authority fail to agree on an agreement or settlement, the county board has the final decision on behalf of the county or employer for all county employees; employees in positions covered by the act at the time of establishing the personnel system are grandfathered into their positions;
- establish a three-member personnel board of appeals; allow the county board to appoint personnel board of appeals members; describes board's duties;
- authorize the county board to make the necessary appropriations to fund the personnel system; authorize the county to take in federal aid for manpower services;
- protect the rights of persons under state and federal law relating to human rights and equal opportunities.

Tuesday, March 10

Hennepin County--capital improvement bonds

HF531/SF623 (Rice, DFL-Mpls)--recommended to pass; rereferred to Taxes Committee. (SF in Senate Local and Urban Government Committee)

Would authorize Hennepin County to issue and sell general obligation bonds, without an election, for capital improvements. The outstanding principal and interest of the bonds due in any year may not exceed an amount equal to one mill on the assessed valuation of the taxable property of the county.

Town road--recording procedures

HF542/SF551 (Welle, DFL-Willmar)--recommended to pass as amended**. (SF in Senate Transportation Committee)

Would allow town boards to adopt a recorded township road map to record its town road easements. **Delete everything amendment would:

- define "recorded town road map" as the official map of maintained and minimum-maintenance town roads;
- list map requirements; prescribe procedures for adopting the map which include adoption of a resolution by the town board and notification and holding of a public hearing;
- require all town boards that adopt the recorded town road map to record the map with the county recorder within 90 days after its adoption and post it in the town hall or other acceptable town meeting place;

- allow people opposed to the recorded map to appeal to the District Court within 60 days after the town board adopts the map;
- provide that this bill does not affect the legal status or town obligation for roads and cartways not shown on the recorded town road map;
- give towns authority over recorded roads.

Moose Lake--fire protection district

HF619/SF11 (D. Carlson, IR-Sandstone)--recommended to pass; rereferred to the Taxes Committee. (SF in Senate Local and Urban Government Committee)

Would authorize the city of Moose Lake and one or more of the towns of Silver and Windemere to set up a fire protection district to provide fire protection services throughout its territory. Provisions would:

- allow the district to exercise all the powers of the city and towns that relate to fire protection anywhere within its territory; allow any contiguous town or city to join the district;
- provide that a board made up of a member appointed by the city council or town board of each city or town in the district will govern the fire protection district; board members serve two-year terms;
- authorize the district to levy a property tax on property in the district to pay for its operation and debt; provide that the levy is outside levy limits;
- provide that a city or town may not incur expenses or debt for fire protection services for territory included in the district and may not impose a tax for that purpose; allow the town of Silver to impose a property tax on territory not included in the district to discharge costs or debt incurred to provide fire protection services to that territory;
- authorize a city or town to withdraw from a district upon two-year notice; provide that the territory, however, remains subject to taxation for debt incurred before withdrawing from the district.

Thursday, March 12

Brainerd--port authority powers

HF254/SF233 (Wenzel, DFL-Little Falls)--recommended to pass; rereferred to Taxes Committee. (SF in Senate Economic Development and Housing Committee)

Would authorize the city of Brainerd to establish a port authority that has the same powers as a port authority established under Minnesota Statutes. Provisions would:

- provide that the port authority may exercise the powers of a municipal housing and redevelopment authority;
- allow the port authority to enter into joint venture and limited partnership agreements with nonprofit organizations or corporations to carry out its purposes;
- authorize the city council, by an enabling resolution, to impose restrictions and limitations on the actions of the port authority; allow the city council to modify the enabling resolution; describe modification procedures; provide that no modification may impair any bonds or contracts;
- provide that a public hearing must be held before the enabling resolution is adopted; describe procedural requirements for modification of the enable resolution;
- authorize the port authority to issue general obligation bonds upon approval from the city council; provide that the bond issue is subject to a reverse referendum procedure;
- allow the city council to choose the name of the port authority; allow the city council to remove the commissioner of the port authority for inefficiency, neglect of duty or misconduct; describe removal procedures.

Cities--advertising expenditures

HF345/SF164 (Wenzel, DFL-Little Falls)--recommended to pass as amended**. (SF in Senate Local and Urban Government Committee)

Would authorize the cities of third class (10,000 to 20,000 population) to appropriate money for advertising purposes. Currently, Minnesota Statutes authorizes such expenditures for statutory cities and home rule charter cities of the fourth class.

**Amendment would:

- allow cities of the second class to appropriate money for advertising purposes.

Vending machines--inspection fees

HF469/SF407 (McEachern, DFL-St. Michael)--recommended to pass as amended**. (SF in Senate Local and Urban Government Committee)

Would limit the amount that cities or counties may charge vending machine owners for inspection fees to the amount the state charges which is currently \$15 annually.

**Amendment would:

- provide that nut vending machines shall be subject to an annual state inspection fee of \$5 for each machine and further.

REGULATED INDUSTRIES

Monday, March 9

Long distance deregulation

HF189/SF144 (Jacobs, DFL-Coon Rapids)--heard; amended**. (SF in Senate Public Utilities and Energy Committee)

**Delete everything amendment would generally deregulate long distance service rates and allow competition for interexchange services in any geographical area. Provisions would:

- provide that telephone companies remain subject to PUC regulation except as provided in this bill;
- govern prices;
- deregulate the rates of telephone companies providing interexchange services and set up a file and use system for new and changes rates with new or changed prices effective 21 days after notice to the PUC and the public;
- allow public to be notified by publication in a newspaper;
- require a telephone company to offer uniform prices for interexchange services unless the PUC approves different rates;
- require that interexchange rates must not be unreasonably discriminatory;
- require that companies that provide interexchange services must make them available in areas where they provide service unless facilities are not available and cannot be made available at reasonable costs;
- require that companies providing interexchange services must compensate local exchange companies for a fair and reasonable portion of:
 - costs related to interexchange services such as connection to local switching facilities; and
 - common costs of the local exchange service;
- allow a company to discontinue or abandon an interexchange service on 30 days notice to the PUC and the customers. (The PUC may suspend and investigate discontinuance and may prohibit it if it would be ontrary to the public interest.)
- authorize the PUC to reinstate regulation of an interexchange service after notice and hearing if it:
 - finds a lack of competition that hurts consumer's interests;
 - has considered alternatives to rate regulation; and
 - finds that the benefits of rate regulation outweigh its burdens;

- require that companies may not offer prices that are inadequate to cover incremental costs and that tend to destroy competition or create a monopoly;

- allow a company to offer interexchange services when it has received a certificate or interexchange service authority from the PUC;

- allow the PUC to issue multiple certificates of interexchange service authority for the same geographical area;

- allow the PUC to issue a certificate of interexchange service authority only when it finds, after notice and hearing, that the applicant has sufficient resources and abilities to provide the service;

- allow a company currently operating under a certificate or territorial authority to continue to do so;

- allow the PUC to issue a temporary certificate in an emergency situation to ensure adequate service, without notice of hearing, to be in effect for up to one year.

Wednesday, March 11

Liquor sales--prohibiting discrimination

HF266 (Ogren, DFL-Aitkin)--amended**; not recommended to pass.

(See bill summary in HWR, Vol. 3, No. 4, Pg. 4, Regulated Industries, Feb. 9)

**Delete everything amendment would:

- allow licensed importers to offer for sale on an equal basis to at least two licensed wholesalers and manufacturers, all intoxicating liquor brought into the state of Minnesota;

- delete language that would make unlawful a refusal to sell to a wholesaler or manufacturer intoxicating liquor offered for sale to any other wholesaler or manufacturer, except when a wholesaler or manufacturer is in arrears on payments for past purchases from the importer who refuses to sell;

- require that a wholesaler must not impose a charge for delivery of wine of intoxicating liquor sold at wholesale in Minnesota to a licensed retailer (this does not prohibit a charge for delivery of intoxicating or nonintoxicating malt liquor);

- require that no rule of the commissioner may prohibit wine or nonalcoholic beverages from being offered in original or assorted cases with distilled spirits or distilled spirits being offered with nonalcoholic beverages.

Long distance deregulation

HF189/SF144 (Jacobs, DFL-Coon Rapids)--heard; amended**. (SF in Senate Public Utilities and Energy Committee)

(See bill summary above, March 9)

**Amendments would:

- require affected telephone companies to make necessary refunds to affected customers, retroactive to the date the price change went into effect;
- allow refunds to be ordered in cases where the commission determines that the increased rates were excessive if the company was earning at a level which was unreasonable during the period the rates were in effect;
- allow decreases in prices to become effective 21 days after filing the changed price list with the commission;
- require that no price shall be increased without providing 21 days notice of the increased price to and filing a supporting cost study with the department and the commission and providing 21 days notice of the increased price to all affected customers;
- require that the department investigate the increased price and report its conclusions to the commission;
- allow the commission to order price adjustments retroactive to the date the price change went into effect and order the company to make necessary refunds to affected customers if the commission finds that the price charged by the company is excessive;
- require that price lists must contain the rates, toll and charges for every kind of service, together with the rules, regulations, and classifications used in conducting the telephone business.

TAXES

Thursday, March 5

Governor's miscellaneous tax bill

HF528/SF546 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would make various changes in Aircraft, Petroleum, Deed, Pulltab, Gross Earnings, Cigarette (sales), Liquor, and Lodging Taxes.

(See bill summary in HWR Vol. 3, No. 6, Pg. 11, Taxes, Feb. 26)

Thursday, March 12

Governor's miscellaneous tax bill

HF528/SF546 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would make various changes in Aircraft, Petroleum, Deed, Pulltab, Gross Earnings, Cigarette (sales), Liquor, and Lodging Taxes.

(See bill summary in HWR Vol. 3, No. 6, Pg. 11, Taxes, Feb. 26)

TRANSPORTATION

Tuesday, March 10

Railroads--caboose requirements

HF428/SF449 (Welle, DFL-Willmar)--recommended to pass. (SF in Senate Transportation Committee)

Would require all freights trains 2,000 feet or longer to have as its rear car an occupied caboose, if the train is handling placarded cars or is operated without block signals. Provisions would:

- require cabooses to have a shortwave radio on the same frequency as the radio in the lead locomotive;
- exempt trains used in terminal service within two miles of a terminal and short line railroads classified by the Interstate Commerce Commission as a class III line haul railroad;
- allow a defective car being towed to the nearest repair terminal to be the rear car;
- set a civil penalty of \$350 for each day of violation.

Wednesday, March 11

Child restraint carriers

HF29 (Skoglund, DFL-Mpls)--recommended to pass as amended**.

Would require all motor vehicle operators transporting children under age 4 to use child restraint systems (present law applies only to parents and guardians). **Delete everything amendment would:

- repeal provision that prohibits imposing a penalty on persons who later demonstrate that they have purchased a child restraint system within 30 days of the violation; repeal provision which allows a fine to be imposed only for a second or subsequent offense in a year;
- make violators guilty of a petty misdemeanor punishable by a fine not to exceed \$25;

- exempt from the restraint requirement: children who, for physical reasons, can't ride in safety seats; children riding in emergency medical vehicles where using the system is unreasonable or unavailable; children riding with peace officers and a restraint is not available; and children riding in vehicles for hire (i.e. taxi or airport limousine).

Bicyclists, joggers, skaters--headphones

HF269/SF102 (Kahn, DFL-Mpls)--recommended to pass as amended**. (SF on Senate Floor)

Would prohibit bicyclists from wearing headphones that cover both ears while riding.

**Amendment would:

- prohibit people on rollerskates, skate boards, or on foot traveling on a roadway or shoulder from wearing headphones that cover both ears.

Work zone speed limits/vehicle registration, operation

HF323/SF465 (Lieder, DFL-Crookston)--recommended to pass as amended**. (SF in Senate Rules and Administration Committee)

Provisions would:

- repeal the requirement that an application for plates for a tax-exempt vehicle be made at a deputy registrar in the county where the vehicle is domiciled;
- make technical change in law governing airport licensing;
- make it a misdemeanor to drive on an airport roadway without the permission of the airport owner;
- make it a misdemeanor to fire weapons or discharge projectiles at an aircraft;
- redefine peace officer as a licensee of the Minnesota board of peace officer standard and training who has full power of arrest, including state patrol officers;
- delete the requirement that a licensed aircraft dealer's place of business must be at an airport and requires only that it be at a location approved by the commissioner of transportation;

**Amendment would:

- allow road authorities to set speed limits in highway work zones 15 miles lower than the posted speed, but no lower than 20 miles per hour;
- provide that road authorities are not required to conduct

an engineering and traffic investigation before authorizing a reduced speed limit in a highway work zone;

- set the maximum highway work zone speed limit to 40 miles per hour.

FLOOR ACTION

CALENDAR

Thursday, March 5

County medical assistance claims

HF18*/SF15 (Ogren, DFL-Aitkin)--passed (119-3). (SF in Senate Judiciary Committee).

Would clarify statute allowing a claim for medical assistance against the estate of a surviving spouse of a medical recipient.

(See bill summary in HWR, Vol. 3, No. 5, Pg. 2, Health and Human Services, Feb. 19)

Anatomical gifts--required request for consent

HF23*/SF86 (Kahn, DFL-Mpls)--passed (123-0). (SF on Senate General Orders).

Would require a hospital to establish written protocols for the identification of potential organ donors and to make the decedent's family or guardian aware of options to donate or decline.

(See bill summary in HWR, Vol. 3, No. 5, Pg. 2, Health and Human Services, Feb. 19).

Corporate takeover law--changes

HF27*/SF272 (Simoneau, DFL-Fridley)--passed (125-0). (SF in Senate Judiciary Committee).

Would delay the effective date of amendments to the control share acquisitions section of the corporate takeover law (302A.671, subdivision 1, paragraph (a) to Aug. 1, 1988.

Overtime wages--ski employees

HF52* (Ogren, DFL-Aitkin)--passed (126-0).

Would provide overtime pay to seasonal employees of ski facilities who work more than 48 hours in a week.

Mail order sales tax resolution

HF135* (McLaughlin, DFL-Mpls)--passed (109-14).

Resolution would memorialize the President and Congress to adopt legislation permitting state and local governments to require out-of-state sellers to collect sales and use taxes.

Monday, March 9

Mosquito research--ecological impact

HF56* (D. Nelson, DFL-Champlin)--passed (128 to 0).

Would require mosquito research and management activities the Department of Health conducts not significantly disrupt the ecological relationships of nontarget species.

Witness tampering

HF147*/SF374 (Kelly, DFL-St. Paul)--passed (125 to 0). (SF in Senate Judiciary Committee)

Would expand the crime of witness tampering to include:
--intentionally coercing or attempting to coerce witnesses to provide false information at a trial or to law enforcement authorities;
--retaliation against a witness within one year following the witnesses' testimony or police report, or the year following the retaliator's release from incarceration, whichever is later;
--would include threats to any person in the crime of witness tampering.

Crime victim reparations

HF151*/SF372 (Kelly, DFL-St. Paul)--passed (128 to 0). (SF in Senate Judiciary Committee)

Would make various changes to crime victims reparations laws.

(See bill summary in HWR, Vol. 3, No. 4, Pg. 1, Crime and Family Law Division of Judiciary, Feb. 9)

Credit card surcharges--prohibited

HF240*/SF49 (Sarna, DFL-Mpls)--passed (126 to 1). (SF in Senate Commerce Committee)

Would prohibit a seller of goods or services from imposing a surcharge on credit card users. Violators would be guilty of a misdemeanor and could go to jail for up to 90 days and/or pay a fine of not more than \$700. Defines surcharge as a fee or charge imposed by a seller upon a buyer that increases the price of goods or services because a buyer uses a credit care to purchase the goods and services.

Bowling liquor license

HF255/SF211* (Jacobs, DFL-Coon Rapids)--passed (125 to 0).

Would make various changes in statutes stating which establishments may be issued on-sale intoxicating liquor licenses.

(See bill summary HWR, Vol. 3 No. 6, Pg. 11, Regulated Industries, Feb. 23)

St. Paul port authority--bonding

HF280*/SF401 (Osthoff, DFL-St. Paul)--passed (129 to 0). (SF in Senate Economic Development and Housing Committee)

Would repeal the sunset provisions contained in Laws 1983, chapter 110, section 4 relating to the St. Paul Port Authority and its authority to provide venture capital, within limits, to small businesses in the port district. Would also repeal revenue bond provisions.

Mail-in elections--establish

HF281*/SF415 (Steensma, DFL-Luverne)--passed (110 to 14). (SF in Senate Elections and Ethics Committee)

Would allow the secretary of state to authorize experimental elections by mail between Aug. 1, 1987 and March 30, 1989; used only for county or municipal special election not held on general election day; permit a maximum of two questions to be submitted; prohibit voting on offices; direct the auditor or clerk to mail ballots to all registered voters between 18 and 20 days before the election; enable qualified nonregistered voters to apply for ballots; require the secretary of state to report to the Legislature.

St. Paul--capital improvement bonds

HF289*/SF510 (Kelly, DFL-St. Paul)--passed (127 to 0). (SF in Senate Local and Urban Government Committee)

Would authorize the city of St. Paul to issue bonds for its capital improvement program through 1993 (the city is currently authorized to issue the bonds through 1988). Stipulates bond amounts.

CONSENT CALENDAR

Thursday, March 5

Ramsey County--land transfer

HF130*/SF193 (Voss, DFL-Blaine)--passed (113-0). (SF on Senate General Orders).

Would authorize Ramsey County to use certain land

dedicated as open space for highway purposes, and authorize Ramsey County to transfer land to the city of Shoreview.

St. Louis County--land transfer

HF166*/SF191 (Battaglia, DFL-Two Harbors)--passed (124-0). (SF in Senate Environment and Natural Resources Committee).

Would require the state to convey its interest (except mineral rights interest) in certain land in St. Louis County.

Elk breeding

HF340*/SF284 (Schafer, IR-Gibbon)--passed (120-4). (SF in Senate Environment and Natural Resources Committee).

Would include elk in the list of animals that a person may breed on privately owned or leased land, after obtaining a license from the Department of Natural Resources.

Cook County--land sale

HF348*/SF299 (Battaglia, DFL-Two Harbors)--passed (126-0). (SF in Senate Environment and Natural Resources Committee).

Would permit Cook County to sell certain land.

Cemetery--permanent care, improvement fund

HF364*/SF275 (McPherson, IR-Stillwater)--passed (126-0). (SF in Senate General Legislation and Public Gaming Committee).

Would increase the dollar limit for the permanent care and improvement fund for cemeteries from \$15,000 to \$25,000 per acre.

Faribault--state easement

HF505* (Rodosovich, DFL-Faribault)--passed (125-0).

Would require the state to convey its easement in certain land in the city of Faribault.

Monday, March 9

Gender references

HF320*/SF622 (Scheid, DFL-Brooklyn Park)--passed (127 to 0). (SF in Senate Judiciary Committee)

Would amend current law which permits statutory cities and cities of the fourth class to maintain a public restroom. (Current law specifies that such a restroom will

include toilet facilities for women and children. The bill strikes the words "Women and children.")

Real estate--title defects cleared

HF439/SF85* (Wagenius, DFL-Mpls)--passed (126 to 0).

Would allow owners of adjacent land tracts which have a common title defect to join in one application to register title to their separate tracts, if the title examiner approves; would require the application to list separately for each owner all information the law requires for a title registration application.

Pipeline Safety improvement--resolution

HF567*/SF661 (Knuth, DFL-New Brighton)--passed (124 to 0). (SF in Senate Transportation Committee)

Would memorialize the President and Congress to give states more authority to regulate the safety of pipelines, and would mandate more effective federal regulation of pipelines.

Alfentanil--defined as controlled substance

HF688*/SF659 (Kelly, DFL-St. Paul)--passed (127 to 0). (SF on Senate Floor)

Would classify the substance alfentanil as a schedule II controlled substance. (The U.S. Food and Drug Administration recently approved alfentanil for clinical use as a general anesthetic for surgery.)

GENERAL ORDERS

Thursday, March 5

Mosquito research--ecological impact

HF56 (D. Nelson, DFL-Champlin)--recommended to pass.

Would require that mosquito research and management activities the Department of Health conducts not significantly disrupt the ecological relationships of nontarget species.

Witness tampering

HF147/SF374 (Kelly, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee).

Would expand the crime of witness tampering.

(See summary in HWR, Vol. 3, No. 6, Pg. 6, Judiciary, Feb. 23)

Crime victim reparations

HF151/SF372 (Kelly, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee).

Would make changes to crime victims reparations laws.

(See summary in HWR Vol. 3, No. 6, Pg. 8, Judiciary, Feb. 24)

Credit card surcharges--prohibited

HF240/SF49 (Sarna, DFL-Mpls)--recommended to pass. (SF in Senate Commerce Committee).

Would prohibit a seller of goods or services from imposing a surcharge on credit card users.

(See summary in HWR, Vol. 3, No. 6, Pg. 1, Commerce, Feb. 24)

Bowling liquor license

HF255/SF211* (Jacobs, DFL-Coon Rapids)--recommended to pass. (SF passed in Senate).

Would make various changes in statutes stating which establishments may be issued on-sale intoxicating liquor licenses.

(See summary in HWR, Vol. 3, No. 6, Pg. 11, Regulated Industries, Feb. 23)

St. Paul port authority--bonding

HF280/SF401 (Osthoff, DFL-St. Paul)--recommended to pass. (SF in Senate Economic Development and Housing Committee).

Would repeal the sunset provisions contained in Laws 1983, chapter 110, section 4 relating to the St. Paul Port Authority and its authority to provide venture capital, within limits, to small businesses in the port district. Would also repeal revenue bond provisions.

Mail-in elections--establishment

HF281/SF415 (Steensma, DFL-Luverne)--recommended to pass. (SF in Senate Elections and Ethics Committee).

Would allow the secretary of state to authorize experimental elections by mail.

(See summary in HWR, Vol. 3, No. 6, Pg. 3, General Legislation, Veterans Affairs, and Gaming, Feb. 26)

St. Paul--capital improvement bonds

HF289/SF510 (Kelly, DFL-St. Paul)--recommended to pass. (SF in Senate Local and Urban Government Committee).

Would authorize the city of St. Paul to issue bonds for its capital improvement program through 1993. Stipulates bond amounts.

Monday, March 9

Food service workers--state university benefits

HF119/SF74 (R. Johnson, DFL-Bemidji)--referred to Governmental Operations Committee. (SF in Senate Governmental Operations Committee)

Would allow employees of contract food service operations at Bemidji state, St. Cloud state or Southwest state universities to negotiate for enrollment in state employee life or health insurance plans.

Phone bill payments--locations

HF152/SF595 (Begich, DFL-Eveleth)--recommended to pass. (SF in Senate Public Utilities and Energy Committee)

Would require a phone company or independent phone company to provide a location in every city or town with a population of 1,000 or more, whose governing body requests such a location, in which the company provides phone service, where a customer may pay or deposit payment for a phone bill.

Corporate directors--personal liability

HF202/SF204 (Carruthers, DFL-Brooklyn Center)--recommended to pass. (SF in Senate Judiciary Committee)

Would permit corporations organized under Minnesota Statutes Chapter 300 (all banks, most insurance companies and certain corporations formed before 1933) to amend their certificate of incorporation to eliminate or limit a director's personal liability for money damages for breach or fiduciary duty to the corporations or shareholders.

(See bill summary in HWR, Vol. 3, No., 7, Pg., 5, Judiciary, March 2)

Elections--candidate names

HF312/SF438 (Scheid, DFL-Brooklyn Park)--recommended to pass. (SF in Senate Elections and Ethics Committee)

Would repeal general elections provision that permits women to use their husband's name when filing an affidavit of candidacy or a nominating petition used to designate the candidate on the official ballot.

Secretary of State--housekeeping

HF334/SF416 (Orenstein, DFL-St. Paul)--recommended to pass. (SF in Senate Elections and Ethics Committee)

Would make miscellaneous technical changes relating to elections.

(See bill summary in HWR, Vol., 3, No. 6, Pg., 4, General Legislation, Veterans Affairs, & Gaming, Feb. 26)

Human Rights Act--disabled persons

HF369/SF264 (Greenfield, DFL-Mpls)--recommended to pass. (SF on Senate Floor)

Would change certain requirements in the Minnesota Human Rights Act relating to disabled persons.

(See bill summary in HWR, Vol., 3, No., 7, Pg., 5, Judiciary, March 2)

Deer hunting limit

HF400/SF334 (D. Nelson, Champlin)--recommended to pass. (SF in Senate Environment and Natural Resources)

Would make permanent the current law which permits the commissioner of natural resources, on an experimental basis, to let hunters take two deer during a season.

Seed potatoes--disease standards

HF436/SF429 (Lieder, DFL-Crookston)--amended**;
progressed. (SF in Senate Agriculture Committee)

Would provide that no seed potatoes intended for sale may be planted in Minnesota unless the seeds meet minimum disease standards prescribed by the agriculture commissioner.

(See bill summary in HWR, Vol., 3, No., 7, Pg., 1, Agriculture, March 2)

** Amendment would define quality seed potatoes

Commercial driver--test, license

HF493/SF140 (Olson, K., DFL-Sherburn)--recommended to pass. (SF in Senate Transportation Committee)

Would establish a testing and licensing program for commercial motor vehicle drivers by Sept. 30, 1989.

County--service fees, emergency contracts

HF502 (Jennings, DFL-Rush City)--recommended to pass.

(See bill summary in HWR, Vol., 3, No., 7, Pg., 9, Local & Urban Affairs)

House Weekly Review is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1987 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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HOUSE WEEKLY REVIEW

FOR MEMBERS of the Minnesota House of Representatives

March 12-19, 1987

Volume 3, Number 9

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills.

COMMITTEE ACTION

AGRICULTURE

Friday, March 13

Livestock productivity study

HF349/SF215 (Krueger, DFL-Staples)--recommended to pass as amended**; rereferred to the Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$150,000 from the general fund to the commissioner of agriculture to select/set up a research team to study problems of low livestock productivity and poor animal health. **Delete everything would:

- provide that the research team be made up of researchers from the University of Minnesota or elsewhere who have expertise in the following fields: animal sciences; veterinary medicine; electrical power distribution; farmstead electrification and any other discipline or field deemed appropriate by members of the interdisciplinary team;

- provide study contents which must include interdisciplinary analysis of issues frequently believed to be electrical in nature that affect dairy and livestock productivity levels or are manifested in poor animal health; provide that the research team conduct its study on Minnesota farmstead sites;

- establish a nine-member advisory board that the governor would appoint who would meet quarterly to review progress reports on the study;

- require the advisory board to select the farmstead sites which must include farmsteads in dairy production experiencing low milk production levels and poor dairy herd health;

- describe board membership which must include two farmers experiencing conditions similar to those being studied, farmers whose low productivity levels or poor livestock health problems have been resolved, a practicing veterinarian, a member of the Minnesota pollution control agency board, and representatives from an investor-owned electric utility which serves rural areas, a cooperative electric association, and the University of Minnesota;

- require the interdisciplinary study team to report its findings to the commissioner of agriculture who will report the study results to the House and Senate agriculture committees no later than Feb. 1, 1989; require the study team to submit its finding for publication to one or more recognized scientific journals if it's feasible.

Farmer-Lender Mediation Program--FmHA

HF575 (Sparby, DFL-Thief River Falls)--recommended to pass.

Would memorialize the President of the United States and Congress to immediately direct the Farmers Home Administration to participate in and cooperate with the Minnesota Farmer-Lender Mediation Program.

Monday, March 16

Wild rice lands

HF589/SF517 (Ogren, DFL-Aitkins)--recommended to pass as amended**. (SF in Senate Agriculture Committee)

Would allow the state to sell 2,500 acres of state land for wild rice growing. Provisions would:

- allow commissioner of agriculture in consultation with the commissioner of natural resources, and wild rice organizations to each year select land for wild rice production;



- require the commissioner to give priority to certain land (i.e. land adjacent to existing wild rice production areas); provide that the land selected for wild rice production must be offered for sale by Sept. 1 of each year;

- provide that all contracts to sell wild rice land must provide an option for the state to repurchase the parcel at the initial sales price, if at least 50 percent of the parcel sold has not been developed for wild rice production within five years of the sale;

- require the state to compensate land owners, if the state exercises its reserved mineral rights and damages or impairs the wild rice land;

- provide for a wild rice land designation and development plan that must include the number of acres suitable for wild rice development that are located on school trust fund lands;

- provide that the designation plan and inventory must be completed by Dec. 31, 1987, and updated every five years; require the commissioner to distribute the plan to wild rice organizations;

- require the commissioner of natural resources to complete the first offer and sale of selected wild rice lands one year after the effective date of this act;

- repeal this act July 1, 1990;

****Amendment would:**

- limit the lands acquired for inclusion in the Swan Lake Wildlife Project to 2,500 acres.

Agriculture Finance Div./Ag.

Wednesday, March 18

Farmland--beginning farmers
HF776/SF754 (Schoenfeld, DFL-Waseca)--heard;
amended**. (SF in Senate Agriculture Committee)

****Delete everything amendment would:**

- authorize the commissioner of agriculture to provide an acquired property loan guarantee to lenders on the sale of property acquired on or before the effective date of this act, if the buyer:

- meets certain eligibility criteria;

- participates in an approved farm management program for the first five years of the sale contract for deed or mortgage; and if this is the buyer's first farm real estate purchase or the buyer has been the manager/operator of a commercial size farm operation and currently holds no ownership to no more than 120 acres of farm real estate;

- provide that "acquired property loan guarantee" means an agreement that, in the event of default, the state must pay the lender 85 percent of any sums remaining on a mortgage and note or contract for deed approved under the family farm security program after the effective date of this act after approved liquidation of the property;

- require acquired property loan guarantee applicants and the applicant's dependents and spouse have a total net worth value at less than \$150,000;

- require lenders who want to provide financing for the sale of the family farm security program acquired property to forward loan applications to the commissioner for approval;

- require the commissioner to prescribe a screening process to determine eligibility and disposition of applications; require the commissioner to notify lender when he/she approves a guarantee, and at that time the lender and buyer may complete the sale;

- require the commissioner to give lenders a written statement of the reasons for denying an applicant a loan guarantee; allow the lender to resubmit an application which later meets the eligibility criteria;

- prescribe the following characteristics that the sales agreement between the lender and buyer must have:
 - the acquired property will not be sold for less than 95 percent nor more than 105 percent of current market value (market value appraisals must be mutually agreed to by the lender and the commissioner for each property);
 - the amortization of the mortgage or contract must be based on no more than 30 years and no less than 20 years with a balloon payment due at the end of ten years (early payment at the request of the buyer is allowed);
 - require a minimum down payment of ten percent on those sales with monthly payments, 12.5 percent with semi-annual payments, and 15 percent with annual payments;

- the interest rate must be fixed at below preferred customer rates for the first five years and no higher than preferred customer rates for years six through ten. For 1987, the rates offered must be 6.9 percent for the first five years and 8.9 percent for the second five years, or the applicable Federal Land Bank variable rate, whichever is lower;

- require the lender to be responsible for all mortgage or contract for deed servicing; provide that at the end of the tenth year, buyers shall have the right to refinance with their sponsoring lender at the lowest interest rate for which they qualify at the time; provide that no partial releases, release of easement payments, or other actions affecting the value of the property may be transacted without the commissioner's approval;

- prohibit the lender or buyer from taking actions that will

diminish the first position claim of the guaranteed mortgage or contract; provide that the guarantee is neither assignable nor assumable; allow the lender, in consultation with the commissioner, to pursue any legal means available to recover as much as reasonably possible in case of a default and be reimbursed for the normal costs of these actions under the guarantee provision;

- provide that default occurs when:
 - the buyer doesn't pay the principal or interest payment on the date due;
 - the participant breaches a material obligation in the note and mortgage, loan agreement, contract for deed, or any other instrument securing the loan, and the lender determines that this breach constitutes an adverse change in the buyer's ability to repay the guaranteed loan;
 - the buyer fails to properly maintain the buildings and other facilities or doesn't follow proper soil and water conservation practices so that the value of the security is diminished;
- provide that if a default occurs, the lender must:
 - provide the commissioner with an acceptable plan for liquidation and carry out that plan;
 - present a ledger accounting of all costs (i.e. outstanding loan principal, unpaid accrued interest, or paid taxes and insurance premiums) and all receipts (i.e. sale proceeds or rent collected) for final review by the commissioner;
- provide that if costs exceed receipts, the commissioner shall make payment to the lender from the special guarantee account for 85 percent of the excess costs; provide that if receipts exceed costs by more than 115 percent, the lender shall remit to the commissioner one-half of all excess over the 115 percent for deposit in the special guarantee fund;
- provide that the sum of all outstanding acquired property loans guaranteed by the commissioner at any time may not exceed \$100 million; provide that the state's maximum loss shall not exceed \$12,750,000 over the life of this program, exclusive of legal fees, default cost, administration expense, and other expenses not associated with the principal balance or the interest due.

COMMERCE

Tuesday, March 17

Insurance--burial expenses

HF444/SF460 (Sparby, DFL-Thief River Falls)--recommended to pass. (SF in Senate Commerce Committee)

Would prohibit any insurance company or agent or others who provide insurance for funeral or burial expenses from endorsing or promoting a particular mortician, funeral

director or establishment. Provisions would:

- prohibit a person or entity that has an interest in a funeral establishment from accepting fees or commission on insurance sale facilitated through the funeral establishment;
- remove restrictions on trade associations of funeral establishments from accepting fees for endorsing insurance policies, plans, or services.

Dept. of Commerce--securities bill

HF576/SF463 (Sparby, Thief River Falls)--heard; amended**. (SF in Senate Commerce Committee)

**Delete everything amendment would:

- regulate the business of financial planning; define financial planning terms; provide that a person damaged through reliance upon the services of a financial planner may bring a civil action for equitable relief; restrict certain charges made by investment advisors and broker dealers;
- require broker-dealer to transfer or deliver securities which have been purchased, free credit balances, or customers' accounts securities positions and balances within 20 business days after receiving written notice from the customer;
- remove industrial revenue bonds from registration by notification;
- require an issuer to notify all persons making a market in the issuer's securities within two business days after receipt of an order of the commissioner withdrawing, revoking, or suspending the effectiveness of the issuer's registration statement;
- clarify that a security doesn't include certain stock of a closely-held corporation; exempt certain industrial revenue bond transactions from registration;
- regulate real estate brokers and salespersons; clarify that a real estate broker is one who offers or makes more than five loans secured by real estate during any 12-month period; clarify responsibility of a real estate licensee acting as a principal in a real estate transaction, when the seller retains certain liabilities regarding payment on the property; prohibit commission-splitting and rebate on timeshare and other recreational lands;
- remove certain fees to the commissioner of commerce and require a \$5 fee for each hour or fraction of one hour of course approval sought; provide that after Jan. 1, 1988 all broker license applicants must successfully complete 30 hours of study in the real estate field; provide that the courses must be completed within six months of the application for the license;

- amend the reporting time the commerce commissioner has to report to the governor on the activities of the real estate education, research and recovery fund;
- allow cooperative associations to deliver unclaimed property to a charity; provide that a cooperative association organized under the laws of this state may, in lieu of paying or delivering to the commissioner, the unclaimed property, distribute the unclaimed property to a corporation or organization which is exempt from taxation;
- regulate abandoned property; provide that any profit or sum held or owing by a cooperative is presumed abandoned, if it has remained unclaimed by the owner for more than seven years after it became payable or distributable;
- clarify language on abstract storage and penalties in relation to transfer of abstracts; transfer the powers and duties of regulation of social and charitable organizations to the Attorney General;
- repeal the Department of Commerce's cable authority and the sections in Minnesota statutes that limit the amount of charitable expenditures.

Service station--fuel purchase option

HF661/SF662 (Solberg, DFL-Bovey)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would allow service station dealers to purchase fuel from either a wholesaler or refiner, even though they're under contract to buy fuel from certain refiners. Provisions would:

- provide that refiners can not deny retailers the option of purchasing fuel from wholesalers who sells fuel of similar grade and quality purchased from the refiner;
- prohibit a refiner from discouraging a wholesaler to sell fuel to retailers;
- provide that the attorney general or an aggrieved party may commence a civil action for an injunction prohibiting a violation of the proposed bill;

**Amendment would:

- provide that HF661 applies to contracts service station owners enter into after this bill becomes law.

Legislative commission--business competition study

HF803/SF734 (Sparby, DFL-Thief River Falls)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate

Commerce Committee)

Would establish a legislative study commission on government and business competition. **Delete everything amendment would:

- outline commission duties which include reviewing and reporting on the effect state and local laws and regulation have on small businesses in the state;
- provide that the commission may recommend legislation it considers necessary to reduce unfair business competition;
- provide that the commission consist of 11 members--three from both the House of Representatives and the Senate and five appointed by the governor;
- allow state agencies and legislative staff to assist the commission;
- direct the commission to report its findings and recommendations to the Legislature by March 1, 1988.

Thursday, March 19

Ethanol fuel blend

HF777/SF729 (G. Anderson, DFL-Bellingham)--heard; amended**. (SF in Senate Agriculture Committee)

**Delete everything amendment would:

- require all unleaded gasoline having an octane rating of 90 or less sold in Minnesota after June 30, 1988 to contain a 10 percent blend of ethanol;
- repeal the Agricultural Alcohol Gasoline Tax Credit Oct. 1, 1988.

**ECONOMIC DEVELOPMENT
& HOUSING**

Tuesday, March 17

Rural Development Act

HF2/SF1 (Schoenfeld, DFL-Waseca)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Governmental Operations Committee)

(See summary in HWR, Vol. 3, No. 8, Pg. 2, Economic Development and Housing, March 5)

**Amendments would:

- allow federally recognized American Indian tribal governments to participate in Greater Minnesota

Corporation revolving loan funds;

- allow the state board of investments to invest in the Greater Minnesota Corporation, according to previously established limits on the types of bonds and notes the board can invest in;
- keep the Minnesota Energy and Economic Development Authority in the Department of Energy and Economic Development
- take away the Greater Minnesota Corporation's bonding and financial assistance authority except for projects that meet program requirements of the Agricultural Loan Guarantee Board.

Bond allocation

HF754/SF683 (Rest, DFL-New Hope)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Taxes and Tax Laws Committee)

Would set procedures for the allocation of tax-exempt bonds that are subject to a federal volume cap, which includes public facility, residential rental project, mortgage, small issues, student loan, redevelopment, and certain governmental bonds. Provisions would:

- provide allocations at the beginning of each year after 1987 as follows: Minnesota Housing Finance Agency, \$50m; Minneapolis, \$20m; St. Paul, \$15m; Duluth, \$3m; Manufacturing Pool, \$74m; Multifamily Housing Pool, \$30m; Public Facilities Pool, \$21m;
- establish application procedures, deposit requirements, and implementation of provisions.

**Amendment would:

- make technical changes.

Thursday, March 19

Twin Cities--neighborhood revitalization

HF475/SF521 (O'Connor, DFL-St. Paul)--heard; amended**. (SF in Senate Economic Development and Housing Committee)

Would create a revitalization program for targeted neighborhoods in Minneapolis and St. Paul, including appropriations of state funds (local match required) for grants and loans to businesses, non-profit organizations and individuals for construction or rehabilitation of residential and commercial/industrial property. Provisions would:

- reduce the redemption period for homestead property in targeted neighborhoods from five years to two years, and

for all other property in targeted neighborhoods from three years to one year;

- increase the mortgage registration tax from \$.50 per \$100 of principle debt to \$.23, and increase the deed tax from \$2.20 to \$3.30;

- provide a state low income housing income tax credit similar to the federal credit;

- allow cities to adjust special assessment payments;

- include the definition of "hazardous buildings" in the definition of "substandard buildings" in the Housing and Redevelopment powers;

- state the purpose of the bill - to financially assist in revitalizing distressed and blighted neighborhoods in Minneapolis and St. Paul that are characterized by substandard and vacant housing and commercial property, declining property values, high crime rates, unemployment, and poverty;

- define city matching funds to include:

- funds from the city's general fund or a special fund of the city;

- funds that the city receives from a federal grant, or proceeds of a grant repaid to the city;

- eligible tax increments;

- an amount equal to the market value or cost of the city in acquiring property, or providing grants or loans to an entity in connection with the revitalization program;

- city funds to improve infrastructure in the target neighborhood;

- issuance and other costs paid by the city in connection with bonds issued for the program; and

- fees received by the city associated with implementing the program;

- provide that the city must designate each targeted neighborhood as one or more census tracts that meet two of the following three requirements:

- the area must have an unemployment rate twice that of the overall rate for Mpls/St. Paul (meaning eight percent);

- the area must have a annual household median income equal to or less than 50 percent of that for Mpls/St. Paul (meaning \$10,350);

- twenty-five percent of the area's residential units must be substandard, or at least 70 percent must have been built before 1940;

- require the city to prepare a comprehensive Revitalization and Financing Program for each targeted neighborhood prior to receiving state funds. The plan must include:

- objectives for the program;

- specific activities that the city plans to undertake;

- the extent to which these activities will benefit low income families;

- a financing program and budget with specific activity costs, the amount of state funds for the project, and the source of city matching funds;
- a statement regarding intended outcome and how the city plans to measure the outcomes;

The plan must be reviewed by the State Planning Agency, Department of Energy and Economic Development (DEED), Housing Finance Agency, and the Metropolitan Council. DEED will distribute the funds if the plan is certified;

- provide for the disbursement of state funds--that state funds be disbursed between Mpls and St. Paul based on population, and that state funds not be used for administrative costs;
- outline the eligible uses of the targeted neighborhood funds, and powers the city may exercise in targeted neighborhoods;
- provide that the increase in assessed valuation of real property due to improvements in the property be delayed five years in targeted neighborhoods;
- authorizes a city to place a penalty equal to one percent of the assessed value of a hazardous building located in a targeted neighborhood;
- require an annual financial audit of the use of state funds for targeted neighborhoods by the Legislative Auditor;
- appropriate money from the General Fund (no amount specified) to DEED for distribution in Mpls/St. Paul;
- set the effective dates for credit on low income housing as tax year 1987. Other portions of the bill effective Aug. 1, 1987, and after each city has passed an enabling resolution.

****Amendment would:**

- specify that the bill is intended to the help households get jobs with sufficient wages, and have suitable housing at affordable costs;
- state that the bill is not intended to foster destruction of existing housing or commercial properties without plans for the relocation of residents or businesses;
- expand what is to be in the city's report, including:
 - the number of housing units removed, created, lost, replaced, relocated, and assisted as a result of the program;
 - the number and type of commercial establishments removed, created, and assisted as a result of a revitalization program, and the number of new jobs created by category, whether the jobs are full or part time, and the salary or wage levels of both new and expanded jobs in the affected businesses;

--the amount of private investment that is a result of the use of public funds in a targeted neighborhood;

- make city's report available to the public.

EDUCATION

Monday, March 16

Open enrollment--expansion

HF648/SF695 (K. Nelson,DFL-Mpls)--heard. (SF in Senate Education Committee)

Would enact suggestions made by Governor's Discussion Group for enhancement of public education. Provisions would:

- state purpose of the access to excellence programs as vehicle to expand opportunities and provide incentives for students, parents, teachers, principals, and superintendents; state theme of shared accountability and specifies the areas of accountability for the state, local and school boards, individual school sites, parents, and students;
- specify components of the access to excellence program. Components include:
 - school site opportunities;
 - program opportunities for parents and students;
 - school district organization opportunities;
 - professional development opportunities;
 - instructional opportunities;
 - opportunities for learners at risk;
 - management assistance opportunities;
 - technical integration services;
- allow teachers and principals to be given autonomy and discretion to operate their school by local school boards to establish school education policies without taxing, bonding, or borrowing money to pay expenses of policies; require report to Legislature by participating districts and schools;
- establish a voluntary K-12 pilot choice program that would allow parent or guardian to enroll pupil in a district where he/she is not a resident; specifies timelines and procedures for application;
- allow school districts to voluntarily accept application of nonresident student while ensuring equal access in accepting nonresident students and complying with desegregation requirements; require districts to report to the commissioner of education of start and continuation of program participation and require education department assessment and report to Legislature; limit participation to 100 districts in 1987-1988;
- expand interdistrict cooperation aid program to include:

- basic interdistrict cooperation aid for approved cooperation agreements (currently called interdistrict cooperation aid);
- grade level discontinuance aid beginning in 1989 for districts without a high school in a 20-mile or more radius that have entered into a reorganization agreement;
- student opportunity area aid for a group of at least three districts that have agreed to cooperate in providing increased student opportunities in curricular, extra curricular, and cocurricular activities;

- require districts to develop a professional development plan that can receive additional aid equaling \$10 per student after approval by the commissioner. Plans must identify:

- planning team composed of staff who serve various levels;
- short- and long-term development needs;
- goals, methods, and impact of development plans;
- plans that give attention to school site decision making, learning styles, opportunities in practice, and learners at risk;
- methods to expand professional work calendar and in-service days;
- methods to ensure personnel inclusion;
- evaluation process;

- establish a statewide teacher mentoring task force and teacher mentor grant program;

- establish an administrators academy, governed by a 15-member board;

- require department of education to develop of state core curriculum, and develop and implement comprehensive sampling program to assess the quality of the educational system; require department to report back to legislature by Feb. 1, 1988 and 1989 on both programs;

- establish a statewide task force to develop a state policy on at risk learners while encouraging school districts to establish a local policy;

- require department of education to identify communities to replicate model whole child communities, and to provide technical assistance to the whole child initiative process;

- require state level assistance programs from implementation of various at risk programs;

- require commissioner to establish and evaluate programs that address the needs of four- and five-year olds who are potential learners at risk;

- require school districts, together or separately, to provide alternative programs for drop-outs or potential drop-outs, and provides incentive grants to district with approved drop-out plans;

- require state board to approve up to 50 regional education centers to enroll youths out-of-school for three months;

- require department of education to coordinate chemical dependency funds from state and federal sources in cooperation with plans for learners at risk; require direct payment of state aids to school district or educational cooperative;

- make clarification concerning management assistance to a district and appropriations for the projects;

- require education department to provide educational effectiveness in-service instruction for staffs at schools using school site management;

- direct department of education to focus technology efforts to help educators integrate technology into curriculum for student advancement; establishes a state's rights courseware advisory committee.

Wednesday, March 18

Medford school district--mail info

HF 235/SF24 (Hartle, IR-Owatonna)--heard. (SF in Senate Education Committee)

Would authorize Independent School District No. 763 to mail summaries of school board proceedings to local residents if it is more cost-effective than publishing the summaries in the local newspaper, if approved by the local school board.

Full-day kindergarten--pilot program

HF347/SF285 (Schafer, IR-Gibbon)--heard; rereferred to Education Finance Division of Education Committee. (SF in Senate Education Committee)

Would allow school districts to count non-handicapped students enrolled in full-day kindergarten as one pupil unit beginning in the 1987-1988 school year.

Full-day kindergarten--Inver Grove Heights

HF407/SF319 (Milbert, DFL-South St. Paul)--heard; rereferred to Education Finance Division of Education Committee. (SF in Senate Education Committee)

Would appropriate an unspecified amount of money to be given as a grant to Inver Grove Heights to operate a pilot all-day kindergarten program.

Elementary class size--reduction

HF437/SF502 (Pelowski, DFL-Winona)--heard; rereferred to Education Finance Division of Education Committee. (SF in Senate Education Committee)

Would establish a class reduction pilot program for kindergarten through third grade. Provisions would:

- define "teacher", for purposes of this section, as full-time classroom instructional teacher, excluding special education teachers, supervisory and support personnel, librarians, psychologists, social workers, audio-visual directors and coordinators, recreation personnel, media personnel, and speech therapists;
- require commissioner of education to select 20 demonstration sites from applications by Jan. 1, 1988 for application in 1988-1989 school year; require commissioner to establish a 12-member advisory committee;
- would disburse state aid to selected sites for use in the following ways:
 - 1988-1989: K-1;
 - 1989-1990: K-2;
 - 1990-1991: K-3;
- make selected districts eligible for aid equal to the salaries of the additional teachers hired to reduce class sizes (districts would be responsible to pay employment benefits of additional teachers);
- require evaluation team to report to the Legislature by Jan. 15, 1989.

(NOTE: The following bills are identical in content to HF437 and were also rereferred to Education Finance Division of Education Committee:
HF473 (Quinn, DFL-Coon Rapids); HF474 (Price, DFL-Woodbury); HF773 (Solberg, DFL-Bovey); and HF779 (Kelly, DFL-St. Paul).

Class size--language and math
HF479/SF523 (Olsen, IR-St. Louis Park)--heard; rereferred to Education Finance Division of Education Committee. (SF in Senate Education Committee)

Would authorize state aid to approved school districts that maintain and slowly decrease K-3 class sizes in mathematics and language/communication classes. Would authorize state aid to approved districts that would pay 60 percent of the salaries of staff hired to reduce the class sizes.

Education Finance Div./Educ.

Friday, March 13

Arts education aid--uses
HF287 (Olsen, IR-St. Louis Park)--heard.

Would clarify that arts education aid may be used only for

arts education programs.

Elementary, secondary education--funding
HF666 (K. Nelson, DFL-Mpls)--not heard; amended**.

Would provide funding for various elementary and secondary education programs.

**Amendments would:

- remove Article 12, sections 1, 2, 3, 4, and 13 and amend them into HF753 Education Finance--omnibus bill, which would make technical change to eliminate double reference to depository law relating to school district funds;
- remove Article 12, section 14 and amend it into HF753, which would allow technical change by revisor to provide for terminology change to statutes relating to school district fund balance;
- remove Article 1, section 2 and amend it into HF753, which would make a technical amendment that would correct problem in determining base year teacher retirement where interdistrict cooperation alters retirement aid;
- remove Article 12, sections 8 and 11 and amends them into HF753, which would make technical change with sale of building proceeds to conform with 1986 legislation.

Education Finance--omnibus bill
HF753/SF583 (K. Nelson, DFL-Mpls)--heard; amended**. (SF in Senate Education Committee)

Would provide funding for various elementary and secondary education programs (this bill will serve as the vehicle bill for most education funding).

**Amendments would: (See details above under HF666).

Monday, March 16

Intermediate school districts--mill levy
HF184/SF344 (Kostohryz, DFL-North St. Paul)--heard; amended**. (SF in Senate Education Committee)

Would authorize Spring Lake Park and Centennial school districts to enter into an agreement to establish/join a special intermediate school district (916) after approval of school board. Would increase allowable levy for secondary vocational education for intermediate districts No. 916 and 917 from .5 mills to .7 mills.

**Amendment would:

- include School District 833.

Faribault Academy--revolving fund

HF553/SF515 (Rodosovich, DFL-Faribault)--heard; amended**. (SF in Senate Education Committee)

Would allow Faribault Academy for deaf and blind to retain and place fees for services, seminars, and conferences into a revolving fund for use only to defray expenses incurred while providing those services.

**Amendment would:

- include "rental income" as a fee raising activity whose funds would be channeled into the revolving fund.

Wednesday, March 18

Day care--transportation

HF330 (Trimble, DFL-St. Paul)--heard; amended**.

Would allow a school district, to designate a licensed day care facility or the home of a pupil's relative located within the district, as the home of the pupil for purposes of providing pupil transportation upon the request of parent or guardian (this program would be optional to districts).

**Amendment would:

- substitute "attendance area of the school the pupil attends" for "districts."

Day care--levy

HF694/SF254 (Trimble, DFL-St. Paul)--heard. (SF in Senate Education Committee)

Would give districts authority to levy up to \$1.25 times the population of the district for day care personnel, supplies, and expenses relating to day care programs. The day care must be coordinated with and complement early childhood family education and elementary programs, and when possible, be operated in collaboration with other day care providers.

Desegregation--transportation cost

HF851/SF753 (Vellenga, DFL-St. Paul)--heard. (SF in Senate Education Committee)

Would provide bus transportation to elementary students who live less than one mile from school if a hazardous condition exists and there is space available on the bus. Provisions would:

- define regular transportation services as:

- transportation between schools;
- noon transportation to and from school for half-day kindergarten pupils;
- late transportation for after school activities; and
- transportation of pupils under the provisions of a court-ordered or state board mandated desegregation plan;

- authorize districts implementing a state mandated desegregation plan to levy an additional 1.5 mills for desegregation transportation.

Desegregation--levy

HF1004 (K. Nelson, DFL-Mpls)--heard.

Would authorize a district that has entered into cooperative education program with a district implementing a mandatory desegregation plan to levy one mill, for the purpose of assisting that district with its desegregation plan.

**ENVIRONMENT & NATURAL
RESOURCES**

Thursday, March 12

Hazardous waste--criminal penalties

HF401 (D. Nelson, DFL-Champlin)--recommended to pass as amended**; rereferred to Judiciary Committee.

Would create a new section of law specifying criminal penalties for violators of hazardous waste laws and rules.

**Delete everything amendment would:

- define terms;
- allow prosecutors to use circumstantial evidence to prove that the defendant knew or should have known he or she violated hazardous waste laws or rules; would not allow as a defense, ignorance of the law or its constitutionality;
- provide that a person who knowingly unlawfully transports, treats, stores, or disposes of hazardous waste and has reason to know that his or her conduct places another person in immediate danger of death or serious bodily harm would be subject to a felony penalty of up to \$100,000 and/or 10 years in prison (a corporation or organization would be subject to a fine up to \$1,000,000);
- provide that a person who knowingly unlawfully disposes of hazardous waste would be subject to a felony penalty of a fine up to \$50,000 and/or five years in prison;
- provide that a person who knowingly unlawfully treats, stores, transports, delivers, or falsely states information

on a permit application or other required document, would be subject to a felony penalty fine of up to \$25,000 and/or three years in prison; persons found guilty of a second or subsequent offense would be subject to a fine of up to \$50,000 and/or five years in prison;

- provide that a person who negligently commits any of the violations (above) would be subject to a gross misdemeanor penalty of up to \$15,000 and/or one year in prison, with each day of violation considered a separate violation;

- require law enforcement officials to enforce these penalties to the extent of their authority;

- extend from three to six years, the statute of limitations for any of the violations (above), beginning from the date of the violation;

- allow counties to join in a single suit to prosecute a person who commits two or more offenses in two years in two or more counties (current law requires counties to file separate suits);

- allow the Pollution Control Agency director to pay a reward up to \$1,000 for the arrest and conviction of a person who violates hazardous waste laws or rules; would appropriate money to pay the rewards from the state Superfund;

- include felony violations of hazardous waste laws and rules in the list of designated offenses in criminal statutes;

- repeal current criminal penalty provisions for hazardous waste violations.

Tuesday, March 17

Waste Management Act--amendments

HF794/SF708 (Long, DFL-Mpls)--recommended to pass as amended***; rereferred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would amend the state Waste Management Act and related statutes. Provisions would:

- authorize the Waste Management Board (WMB) on a statewide basis to:
 - make grants for industrial waste management facilities and service, technical assistance, and waste reduction;
 - develop and implement an education program coordinated with other public agencies' educational efforts in the area of waste management issues;
 - revise or amend the Hazardous Waste Management Plan after giving public notice and conducting a public meeting;
 - work with the Pollution Control Agency (PCA) to

jointly prepare an annual report on solid waste management policy outside the metropolitan area and to specify the report's contents;

- make matching grants to persons seeking to develop or operate facilities or services using recyclable materials;
- have sole responsibility for administering solid waste management demonstration program grants (would remove PCA involvement in funding local solid waste management projects); would allow grants for solid waste management projects in recycling, composting, and co-composting, of up to 50 percent of capital costs or a maximum of \$2,000,000, whichever is less;

- authorize the PCA on a statewide basis to:

- join with the Metropolitan Council to provide technical assistance to counties for solid waste management planning (would clarify each agency's responsibilities);

- establish a household hazardous waste management program to collect and manage waste and provide information;

- require that fees waste facility operators pay for training would go into a separate account;

- authorize the Department of Energy and Economic Development to make loans to purchase used oil processing equipment, and grants to install used oil storage tanks;

- define PCA volunteers as employees for the purposes of workers compensation coverage;

- cooperate with the Department of Agriculture to establish a two-year pilot project to collect and dispose of waste pesticides to determine the extent of waste pesticide problems and the need for future legislation;

- authorize the Metropolitan Council in the metropolitan area to:

- combine required reports into one single report;

- require each metropolitan county to submit a local recycling implementation strategy to the Council by Dec. 1, 1988;

- remove reduced payments for counties for debt service based on waste abatement;

- specify use of landfill abatement fund;

- require county review of grants and loans to cities;

- authorize matching grants for local recycling development;

Other provisions would:

- allow WMB or the Metropolitan Council to designate a specified resource recovery facility of all solid waste regardless of whether the waste is currently deposited outside the state;

- exclude lead acid (automotive) batteries and used oil from the definition of "mixed municipal solid waste" (would prohibit disposing of these items in solid waste or landfills);

- require signs and specify appropriate language at motor

oil retail outlets to direct customers to used oil collection tanks;

- require wholesalers and retailers of automotive batteries to accept used batteries for recycling; would require retailers to post a specified collection notice;
- allow counties to designate a solid waste disposal facility regardless of where waste is currently disposed;
- provide that the 15-cent fee a city or town may impose per cubic yard of waste disposed at a facility located in the city or town may be used for landfill abatement, as well as for mitigating risks, costs, or other adverse effects of facilities;
- authorize local governments to organize solid waste collection within geographic service areas;
- prohibit a resource recovery facility that composts waste from accepting recyclables;
- require the Department of Administration to establish a program to test the state's purchase of recycled printing and writing paper;
- extend a temporary exemption from certain disposal fees for nonhazardous solid waste from metal casting;
- appropriate money.

**Amendment would make technical changes.

Thursday, March 19

School Trust Fund--reimbursement

HF379 (Neuenschwander, DFL-Int'l Falls)--recommended to pass; rereferred to Appropriations Committee.

Would appropriate \$95,000 from the state's general fund to the commissioner of natural resources to replace income lost to state trust funds when the 1985 Legislature cancelled certain permits to cut timber on state trust fund lands.

Dept. of Natural Resources--director qualifications

HF545/SF362 (Trimble, DFL-St. Paul)--recommended to pass as amended**; placed on Consent Calendar. (SF in Senate Environment and Natural Resources Committee)

Would strike language in current law that requires the Department of Natural Resources Division of Waters director to be a registered professional engineer and skilled in hydraulics; would instead require that the director be chosen based on knowledge, training, experience, and ability in administering the division's work.

**Amendment would make technical changes.

State parks--vehicle permits

HF554/SF450 (Rukavina, DFL-Virginia)--recommended to pass as amended**. (SF in Senate Environment and Natural Resources Committee)

Would change certain provisions relating to state park motor vehicle permits. Provisions would:

- change from Nov. 1 to Oct. 1, the beginning date for the Department of Natural Resources (DNR) to sell motor vehicle park permits for the following calendar year;
- allow persons who purchase one motor vehicle park permit at the full price of \$15 to request, on a form DNR would provide, a second permit for a second vehicle they own; would allow DNR to issue no more than one additional permit to such an applicant at half the cost (\$7.50);
- provide that a Minnesota state park motor vehicle permit is not required at Interstate Park when a motor vehicle properly displays a valid, current Wisconsin state park permit or sticker, and the commissioner of natural resources has entered into a reciprocity agreement with appropriate Wisconsin state officials.

**Amendment would delete proposed new language that would not require a state park motor vehicle permit to launch watercraft in certain state park areas if DNR has posted appropriate signs indicating the permit is not required.

Forest fires--expenses, rewards

HF601 (Solberg, DFL-Bovey)--recommended to pass; rereferred to Appropriations Committee.

Would require all penalties the Department of Natural Resources collects from people responsible for starting forest fires to be returned to and deposited in the original fund from which the firefighting expenses were paid; would increase from \$25 to \$1,000, the amount that could be awarded to anyone who provides information which leads to arrest and conviction of a fire-starter.

Trapping with lights

HF653/SF731 (Reding, DFL-Austin)--recommended to pass. (SF in Senate Environment and Natural Resources Committee)

Would permit a person to use a light when hunting raccoon with firearms or bows; would allow a person on foot to tend traps between 5 a.m. and 7 p.m. using a portable artificial light; would not allow any such trapper to possess or use a firearm other than a .22 caliber

handgun; would remove restrictions on the open season for otter.

Dept. of Natural Resources--Forest Management Fund

HF834/SF879 (Solberg, DFL-Bovey)--recommended to pass; referred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would create a Forest Management Fund in the state treasury which would be used for private forest management technical assistance; funding would come from fees the Department of Natural Resources (DNR) collects for private forest management services. The revolving account would primarily be used to contract with private consulting foresters to carry out these services for DNR.

FINANCIAL INSTITUTIONS & INSURANCE

Tuesday, March 17

Insurance break--55 Alive

HF342/SF379 (Solberg, DFL-Bovey)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would extend automobile insurance premium reductions for Minnesotans 55 years old and older who complete an approved accident prevention course (current law applies to people 65 years old and older).

**Amendment would:

- delete the requirement that premium reductions "be at least 10 percent."

Insurance--regulation changes

HF392/SF478 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would make language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 4, Financial Institutions and Insurance, Mar. 4)

Equipment parts--regulation

HF454/SF341 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would amend Fair Claims Settlement Act as it relates to replacement parts used in automobile repairs.

(See bill summary in HWR, Vol. 3, No. 8, pg. 5, Financial Institutions and Insurance, March 11.)

Wednesday, March 18

Insurance--regulation changes

HF392/SF478 (Skoglund, DFL-Mpls)--heard; amended**. (SF in Senate Commerce Committee)

Would make language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 4, Financial Institutions and Insurance, Mar. 4)

**Amendments would:

- clarify that insurance cover replacement cost only of buildings on mortgaged property, not the property it is built on (new section);
- require employer, not insurer, notify employee of changes in group insurance policy coverage, change would align statute with federal law (sec. 2); delete section 3, requiring self-insurers maintain bonds;
- exempt surplus lines insurers from form restrictions in section 70A.08, subdivision 3 (section 8);
- insert qualifier that provides endorsement in insured's claims-made policy be set by a rate service organization if not provided in Guaranty Association coverage (section 23); delete section 24 that restricts Guaranty Ass'n from denying a claim based on fact that insured has recovered amount owed;
- bring section 25 into conformity with federal COBRA (Consolidated Omnibus Budget Reconciliation Act of 1985) requiring extension of coverage of group life insurance policy benefits to laid-off employees until coverage under another group policy is obtained;
- exempt individual health and accident policies from providing maternity benefits in the same manner as any other illness (section 29);
- substitutes "until covered by another group health plan" for requirement that dependent hospital and medical coverage be continued for survivors until surviving spouse remarries and is covered under new policy; specify what cost and payment schedule for coverage would be under this plan (section 32);
- provide insurance coverage to terminated employees until coverage is obtained by another group health plan; extend period for policy trustee notification to 30 days after termination; require laid-off employee's written notice sent by certified mail regarding choice in coverage; delete

employer penalty for not notifying employee of available health care options (section 34);

- eliminate provision that provides continued hospital and medical coverage of an insured former spouse until remarriage and new coverage is obtained, amendment provides coverage in same manner, without including remarriage clause (section 36);
- include securities as guarantee method for self-insured employers; exempt the state and its political subdivisions from required reporting practices specified in section 38; add subdivision allowing employer petitioned and commissioner granted reduction in amount of surety bonds or securities required;
- delete section 39, providing mandated coverage for critically ill or mentally fragile children;
- mandate a study and report to legislature by the commissioner of health concerning insurance coverage for minimum standards of home care services, costs and cost-shifting (section 92);
- exempt dental care from minimum benefits of a qualified health plan; include service of an occupational therapist as a covered expense (section 44);
- delete section 55, regarding Minnesota JUA collection of retrospective premiums from policyholders;
- delete section 69, providing auto premium reduction for people 55 and over (see HF342 Insurance break--55 Alive);
- delete section 81, 87, 89, and 90, providing regulation of auto parts used in repair (see HF454 Equipment parts--regulation);
- allow data used in underwriting to be from any rate service company or other insurer (section 84);
- delete section 85, regulating certain unfair methods of competition; delete sec. 86 that would extend free look time period to certain insurance from 10 to 30 days following purchase; delete section 91, providing immunity from liability for volunteer athletic coaches and officials;
- add section shifting burden of proof for deactivation of JUA and Market Assistance Plan on commissioner of commerce, including public notice requesting public opposition to activities; offer departmental assistance for small business;
- provide creditation of unearned premiums to agent's account upon cancellation (section 61);
- delete section 73, making public members majority of

Assigned Claims Board; delete section 63, making public members majority of the Automobile Risk Plan Board;

- provide conversion right for terminated employees to buy term or non-term insurance policy (section 25).

Equipment parts--regulation

HF454/SF341 (Skoglund, DFL-Mpls)--heard. (SF in Senate Commerce Committee)

Would amend Fair Claims Settlement Act as it relates to replacement parts used in automobile repairs.

(See bill summary in HWR, Vol. 3, No. 8, pg. 5, Financial Institutions and Insurance, March 11.)

****Amendments would:**

- delete section 1, amending the Fair Claims Settlement provisions to prohibit requiring as a condition of payment of a claim, that repairs to any damaged vehicle must be made with parts others than original equipment manufacturer (OEM) parts;
- require that appraisal disclose to owner which parts aren't OEM parts, what parts are covered by warranty and it's duration and allow owner to reject use of non-original parts;
- remove requirement that owner give written authorization for use of non-OEM parts;
- define "crash parts", their use in repairs, and coverage by a warranty.

GENERAL LEGISLATION, VETERANS AFFAIRS, & GAMING

Thursday, March 12

Horse racing--reducing tax

HF740/SF724 (Kostohryz, DFL-North St. Paul)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate General Legislation and Public Gaming Committee)

Would modify taxation and purse structure for pari-mutuel horse racing.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 5, General Legislation, Veterans Affairs, and Gaming.)

****Amendments would:**

- allow a different type of takeout for horse racing tracks

outside the seven-county metro area;

- substitute "horse owner" for "horsemen" throughout bill, neutralizing gender reference.

GOVERNMENTAL OPERATIONS

Thursday, March 19

Pipeline Safety Act

HF91/SF90 (Knuth, DFL-New Brighton)--recommended to pass as amended**; referred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would propose a variety of measures related to pipeline safety.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 9, Judiciary, March 10)

**Amendments would:

- clarify language to require that the portion of a pipe involved in an emergency release must not be disposed of, destroyed, or altered until the commissioner of public safety grants approval to do so; would not allow the commissioner to delegate this authority;
- change the proposed Pipeline Safety Advisory Commission to the Pipeline Safety Advisory Council;
- clarify the penalty for operators who fail to give notice of a release: would require the operator to immediately report an emergency release to the Department of Public Safety; would provide that a pipeline operator's employee who's responsible for making the report would be guilty of a felony if the employee knows, or has reason to know that an emergency release exists and does not immediately report the release to the Department of Public Safety, and the emergency release causes great bodily harm or the death of an individual; would provide a civil penalty for failure to give notice (up to \$100,000 for each violation);
- delete language which specifies qualifications for pipeline inspectors and would let the commissioner decide on the necessary qualifications;
- classify as trade secret information, any data the commissioner receives on a company's sales figures, contracts, marketing activity, shipper information, processes or methods of production unique to that company, or data which derives independent economic benefit from its disclosure or use.

Chiropractors--state civil service

HF354/SF453 (Jefferson, DFL-Mpls)--recommended to

pass as amended**. (SF in Senate Governmental Operations Committee)

**Delete everything amendment would require the commissioner of employee relations to establish "chiropractor" as a state civil service job classification.

Dept. of Military Affairs--contract administration

HF424/SF498 (DeBlicek, DFL-Milroy)--recommended to pass; placed on Consent Calendar. (SF in Senate Veterans Committee)

Would permit the state adjutant general to delegate to subordinate employees the duty to execute and administer contracts; would require the delegation order to be written and filed with the Secretary of State.

Dept. of Public Safety--accounting procedures
HF566/SF326 (Knuth, DFL-New Brighton)--reconsidered; recommended to pass; rereferred to Appropriations Committee. (SF in Senate General Legislation and Public Gaming Committee)

Would make technical changes in Department of Public Safety accounting procedures.

Secretary of State--land survey preservation
HF702 (Dempsey, IR-New Ulm)--recommended to pass; rereferred to Appropriations Committee.

Would require the Secretary of State to microfilm all of Minnesota's original land survey notes and plats; would require the Secretary of State to keep microfilm copies on file for public inspection; would require the Minnesota Historical Society to preserve and maintain the original documents; would appropriate money for these purposes.

HEALTH & HUMAN SERVICES

Wednesday, March 18

Paternity/child support revisions

HF163/SF242 (Schoenfeld, DFL-Waseca)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would regulate paternity determinations, and support and maintenance obligations.

(See bill summaries in HWR, Vol. 3, No. 6, Pgs., 6 and 8, Judiciary and Crime & Family Law Div./Judic., Feb. 23 and 20)

****Amendments would:**

- require the commissioner of human services to designate no fewer than five counties for pilot child support withholding programs, representing urban, suburban and rural areas;
- require that tests to determine parentage meet the Standards for Parentage Testing of the American Association of Blood Banks;
- require that private accident and health care coverage for medical services must be exhausted before medical assistance is paid.

Foster care--payments

HF556/SF616 (Jefferson, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Health and Human Services Committee)

Would require the commissioner of human services, rather than county boards, to establish difficulty-of-care payment rates for children in foster care and allows commissioner to adopt emergency and permanent rules to implement foster care payment rates and difficulty-of-care payments.

**Amendment would allow that any changes won't have a negative impact on a child for whom a difficulty-of-care rate is established.

Thursday, March 19

Medical assistance--personal needs allowance

HF405/SF359 (Orenstein, DFL-St. Paul)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would raise personal needs allowance for medical assistance recipients from \$40 to \$45 and requires that the commissioner increase the personal needs allowance when social security or supplemental security income is increased.

SILS reimbursement

HF506/SF541 (Wynia, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would require the commissioner of human services to reduce the use of nursing homes for people with mental retardation or related conditions. Provisions would:

- eliminate the requirement that reimbursements equal at least 80 percent of county's approved cost for semi-independent living services (SILS) for people with mental retardation or related conditions;

- prohibit reimbursement of costs exceeding the state share of the average MA cost for services in intermediate care facilities for the mentally retarded;

- set SILS reimbursement rates as of July 1, 1987, at 95 percent in the first year, 85 percent in the second year, and 75 percent in the third year.

****Amendment would:**

- allow a county to use other funds to pay for additional costs from SILS;
- allow the commissioner to set aside up to two percent of the appropriations to fund county demonstrations projects that improve the efficiency and effectiveness of SILS.

Adoption subsidies

HF539/SF563 (Vellenga, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would raise from 17 to 21 the maximum age of an adopted person for whose benefit a family may receive adoption subsidy payments.

**Amendment would change the definition of person under 22 to someone who is the legal or financial dependent of adoptive parents, parents, guardian, or conservator.

Regional treatment centers--patient wages

HF558/SF529 (Dauner, DFL-Hawley)--recommended to pass; placed on Consent Calendar. (SF passed in Senate)

Would exempt from minimum wage requirements, prevocational training in regional centers.

General assistance--denial appeals

HF591/SF581 (Wynia, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Finance Committee)

****Delete everything amendment would:**

- authorize the commissioner of human services to make direct payments of general assistance to facilities providing shelter to women and children;
- require the commissioner to review any denial of payment within 30 days of a written request of the facility; and
- allow shelters for women and children to appeal adverse determinations;

****Additional amendment would require that the report of the administrative law judge is binding on all parties involved in an appeals case.**

Chemical dependency patients--savings

HF628/SF779 (Wynia, DFL-St. Paul)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would allow residents of Rule 35 facilities (residential programs for inebriate and drug dependent persons) to save up to \$1,000 of earned income. (The local agency must disregard \$150 of earned income per month and must exclude the savings account from the GA resource limit.)

Medical assistance overpayments--recovery

HF721/SF545 (Greenfield, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Finance Committee)

Would require that the current owner of a nursing home, boarding care home or intermediate care facility is liable for any overpayment of medical assistance owed by a former owner of the facility and require the commissioner to field audit the facility when requested by the previous owner.

****Amendment would allow that if the commissioner fails to submit the field audit within 15 months on a written request for audit by the current owner, the current owner is not liable for overpayments owed by the prior owner.**

Services for hearing impaired

HF764/SF735 (Clark, DFL-Mpls)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would require regional service centers to assist central interpreter referral agency with local referrals and to implement a plan for loan of equipment and resources. Additional provisions would:

- require that 50 percent of regional service center advisory committee members be hearing impaired;
- require the commissioner to contract with an appropriate agency rather than an organization to provide centralized interpreter referral service;
- require central interpreter referral agency to establish, maintain, and keep statistics for interpreter referral services and to cooperate with regional centers to provide referral service and to train interpreters and evaluate interpreter services;
- require 50 percent of the Minnesota council for the

hearing impaired to be hearing impaired and that membership of council include parents of hearing impaired, representatives of county and regional human services, and private service providers; and

- limit terms on the council to two years and prohibit members from serving more than two consecutive terms and require the commissioner to appoint one member as chair.

****Amendment would require the council to report to the governor progress and development of issues affecting the hearing impaired.**

HIGHER EDUCATION

Wednesday, March 18

Adult literacy--vocational program

HF176/SF775 (Clark, DFL-Mpls)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would provide funds for pilot adult literacy programs integrated with vocational/occupational training.

Tuition--trust fund study

HF778/SF819 (Carlson, DFL-Crystal)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would provide money for a Higher Education Coordinating Board (HECB) study of the state's desirability of exploring incentives to help families contribute to a student's postsecondary education (education trust fund); would require HECB to report back study findings by Jan. 15, 1988.

JUDICIARY

Monday, March 16

Child Abuse Trust Fund

HF374/SF414 (Blatz, IR-Bloomington)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would make changes to the 1986 Child Abuse Trust Fund legislation. Provisions would:

- provide that the Child Abuse Trust Fund Advisory Council will not expire on June 30, 1988, the expiration date of other advisory councils and committees;
- permit public and private agencies that apply for state

trust fund money to use federal and state funds to meet the 40 percent "matching funds" requirement state law imposes on the agencies;

- eliminate the commissioner of public safety's ability to keep five percent of the trust fund money collected in any year to administer and carry out his or her responsibilities under the trust fund law; would instead appropriate \$100,000 of the trust fund money already collected to be used in fiscal years 1988 and 1989 for these purposes;

- appropriate \$100,000 from the general fund to the commissioner of public safety to administer the Child Abuse Trust Fund Prevention Law during fiscal years 1988 and 1989.

**Amendment would reinstate stricken language and insert new language to give priority to applicants whose matching funds aren't state or federal funds.

Corrections authority/inmate restitution

HF375/SF586 (Kludt, DFL-Moorhead)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make several changes to the corrections statutes and the criminal code.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 7, Crime and Family Law Div./Judic., March 2)

**Amendment would allow counties to apportion the regional jail's operating and maintenance costs according to each county's proportion of the jail's population (current law), or according to a formula on which all counties involved mutually agree.

Welfare data--nondisclosure exemption

HF660/SF503 (Blatz, IR-Bloomington)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would permit welfare officials to disclose to law enforcement officials investigating gross misdemeanors or felonies, the name, address, and telephone number of individuals on whom data is stored in the welfare system if the individual is a suspect under investigation.

**Amendment would allow disclosure unless federal regulations prohibit it.

Minnesota Statutes--revisor's corrections

HF713/SF689 (Rest, DFL-New Hope)--recommended to pass. (SF in Senate Judiciary Committee)

Would correct erroneous, ambiguous, omitted, and obsolete references and text, and eliminate certain redundant, conflicting, and superseded provisions in

current Minnesota Statutes.

Tuesday, March 17

Human Rights Act--marital status

HF208/SF441 (Minne, DFL-Hibbing)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would define "marital status" in the state Human Rights Act to include being subject to actions taken because an individual's spouse holds any political belief, engages in any political activity, or occupies any public office.

**Amendment would delete "holds any political belief" and insert language to read "...because an individual's spouse engages in any political activity or occupies an elected public office or has filed an affidavit of candidacy for a public office."

Fraudulent Transfers Act

HF711/SF97* (Orenstein, DFL-St. Paul)--recommended to pass as amended**.

Would enact the Uniform Fraudulent Transfers Act to replace the 1918 Uniform Fraudulent Conveyances Act. Both acts deal with remedies for creditors of insolvent businesses and individuals in situations where the insolvent person improperly transferred assets in an attempt to defeat the creditors' claims. The basic remedy is to deem the transfer "fraudulent" and allow a creditor to void it and recover what is owed the creditor. Provisions would:

- define terms;

- provide a debtor is insolvent if the sum of the debtor's debts is greater than all of the debtor's assets, at a fair valuation;

- specify a formula to determine partnership insolvency;

- presume a debtor is insolvent if he or she is unable to pay debts as they become due;

- define "assets" to exclude property a debtor transfers to defraud creditors or in a manner making the transfer voidable under this act;

- define "debts" to exclude an obligation which a lien on property that is not counted as an asset secures ;

- provide that value is given if the debtor transfers property or secures or satisfies an antecedent (prior) debt, but does not include an unperformed promise not made in the ordinary course of business to support the debtor or another person;

- provide there is fraud (and would allow a transfer to be voided) if a transfer occurs with actual intent to defraud a creditor, whether the creditor's claim arises before or after the transfer;

- provide there is legal fraud (another basis for voiding a transfer) if the debtor transferred property or incurred an obligation without receiving reasonably equivalent value, and:
 - the debtor's remaining assets were unreasonably small in relation to the business or transaction the debtor engaged in, or
 - the debtor intended to incur or should have believed he or she would incur debts that he or she could not pay as the debts became due;

- provide that a creditor whose claim existed before the transfer was made can void a debtor's transfer, regardless of the debtor's intent, if fair value is not given;

- provide that a transfer is fraudulent if it was made to an insider for an existing debt, when the debtor was insolvent and the insider had reason to know of the insolvency;

- establish the time that a cause of action to void a transfer arises;

- provide creditors' remedies if a transfer fits the requirements for being fraudulent under the Act--a creditor may: have the transfer voided, attach the asset, get an injunction against further disposition of an asset, have a receiver appointed to take charge of property, or get any other necessary relief;

- provide that a transfer can't be voided against a good faith purchaser; would provide that if a transfer is voidable, the creditor may recover the amount of its claim or the value of the asset at the time of transfer, whichever is less; would specify the rights of a good faith transferee; would protect the validity of transfers that occur as the result of a lease's lawful termination or in enforcing a security interest under the Uniform Commercial Code; would protect the validity of certain transfers the Bankruptcy Code protects;

- repeal the current Uniform Fraudulent Conveyances Act.

**Amendment would make technical changes.

Jewish exit visas--resolution

HF757/SF653 (Segal, DFL-St. Louis Park)--recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

The resolution urges Soviet General Secretary Michail Gorbachev and the Soviet Chief of Immigration to grant immediate exit visas to Jewish former prisoners of conscience and to those waiting over 10 years, followed by

visas to those refused for 5 to 10 years.

Crime & Family Law Div./Judic.

Friday, March 13

Witnesses--competency

HF286/SF742 (Vellenga, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee)

Would make changes to the "competency of witnesses" statute. Provisions would:

- strike language in current law which presumes that persons of unsound mind, intoxicated persons, and children under 10 years old are not competent witnesses; would provide that any person who lacks the capacity to remember or to testify truthfully is not a competent witness;

- allow child witnesses to testify in language appropriate to their age regarding any fact or event.

DWI--drivers license revocation

HF427/SF390 (Rest, DFL-New Hope)--recommended to pass. (SF in Senate Judiciary Committee)

Would make technical changes to DWI and other traffic safety laws.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 10, Crime and Family Law Div./Judic., March 9)

DWI--sentence stay extension

HF590/SF391 (Rest, DFL-New Hope)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would permit a sentencing court to stay (suspend) imposition or execution (carrying out) of a sentence for up to two years for people the courts convict of DWI or misdemeanor assault or related offenses; would provide that the court must require unsupervised probation during the second year unless it finds that supervised probation is necessary.

**Amendment would require the judge to hold a hearing after the first year to decide if supervision is necessary during the probation's second year.

DWI--testing options

HF690/SF690 (Swenson, IR-Forest Lake)--recommended to pass. (SF in Senate Judiciary Committee)

Would amend current law to give peace officers the authority to decide whether to require either a blood or a

urine test or both to a motorist whom the peace officer has probable cause to believe is under the influence of a controlled substance which is not subject to testing by a breath test; would clarify that in situations other than those just described, a peace officer could revoke a person's driver's license if that person refuses to submit to either a blood or urine test when given the choice.

DWI--license plate impoundment

HF704/SF392 (Rest, DFL-New Hope)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would establish a mandatory license plate impoundment system in any case where the court revokes a person's driver's license for DWI or implied consent law violations.

**Delete everything amendment would:

- require a court to impound a driver's license plates for a second violation within five years, or a third violation within 10 years;
- require the plates impounded from either the vehicle involved in the violation, or any vehicle owned, registered, or leased in the violator's name or in the joint names of the violator and his or her spouse (would not apply to rental motor vehicles); would require the violator to surrender the plates to the court within three days of the order; would require the court either to destroy the impounded plates within seven days and forward the surrendered registration certificates to the registrar of motor vehicles or retain custody of the surrendered plates and certificates; would require the registrar to issue a new certificate and plates at no cost if the driver's license revocation is rescinded;
- provide that a member of the violator's household who has a valid driver's license, or if the violator or owner has a limited license, he or she may apply and pay \$20 for special plates with a special series of numbers, letters, or a special color;
- require the court's consent when an owner of a motor vehicle with impounded plates wishes to transfer title (sell the vehicle);
- provide it is a misdemeanor to fail to surrender impounded plates or to fail to inform the registrar of an impoundment order when applying for new plates;
- allow the commissioner of public safety to hold an administrative review of an impoundment order; would allow the commissioner to rescind the order and authorize new plates issued at no cost, or to return the owner's former plates if the court retained custody, if the owner did not have his or her driver's license revoked; was not and in not a member of the revoked operator's household; had no knowledge that the vehicle was being driven in

violation of the DWI laws;

- provide for judicial review of an impoundment order in the same manner that a license revocation is reviewed; would provide that proof of all of the following items is an affirmative defense to an impoundment order: the petitioner owns the vehicle; the petitioner's driver's license or operating privileges were not revoked under these provisions or for a DWI violation; the petitioner was not and is not a member of the revokes operator's household; and the petitioner had no knowledge that the vehicle was being driven in violation of the DWI laws;
- require new plates to be issued after a person's driver's license is reinstated; would provide that a new license may not be issued unless the person has complied with all impoundment law requirements;
- require the commissioner of public safety to monitor and evaluate the plate impoundment program and submit a written report to the Legislature by Jan. 1, 1989.

Monday, March 16

Unemployment compensation fraud-

HF507 (Rodosovich, DFL-Faribault)--heard.

Would change current law to treat fraudulently obtaining unemployment compensation benefits as a violation of the crime of theft (presently such illegal activity is considered a gross misdemeanor); would provide criminal penalties up to:

- 10 years in prison and/or up to \$20,000 fine if the amount of illegally obtained benefits or payments is greater than \$2,500;
- five years in prison and/or up to \$10,000 fine if the amount of illegally obtained benefits or payments is greater than \$250 but less than \$2,500;
- 90 days in prison and/or up to \$700 fine if the amount of illegally obtained benefits or payments is \$250 or less.

False identification--arrest

HF555/SF572 (Carruthers, DFL-Brooklyn Center)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make it a misdemeanor for any person to give a peace officer a false name, date of birth, or false or altered identification card when the officer makes inquiries which may lead to an investigatory stop or a lawful arrest, or to carrying out any other lawful duty.

**Amendment would add technical language to read "...a false or fictitious name, other than a nickname, false date of birth, or false or fraudulently altered identification card...."

Boating while intoxicated--prosecution

HF598/SF59 (Beard, DFL-Cottage Grove)--heard; laid over. (SF in passed Senate)

Would provide that the attorney in the jurisdiction in which a "boating while intoxicated" violation occurred is responsible for prosecuting both misdemeanor and gross misdemeanor violations of that law.

DWI--chemical use assessment

HF705 (Kelly, DFL-St. Paul)--recommended to pass as amended**.

Would require certain DWI offenders to undergo chemical use assessments.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 11, Crime & Family Law Div./Judic., March 9)

****Amendments would:**

• provide if the court finds that a juvenile violated DWI laws, the judge shall order the juvenile to undergo an alcohol problem screening; would require the court to order the juvenile to undergo a comprehensive chemical use assessment if the first assessment indicated the juvenile has an identifiable chemical use problem; if the second assessment recommends that the juvenile receive some level of care for his or her chemical use problem, the court shall require that level of care in its disposition order; would allow the court to require any juvenile who undergoes a chemical use assessment to pay a penalty assessment of \$75; would require the state to reimburse counties for the total cost of such chemical use assessments;

- make other technical changes.

LABOR-MANAGEMENT RELATIONS

Unemployment Ins. & Workers' Comp. Div./Labor-Mgmt. Rel.

Monday, March 16

Workers' compensation insurance fund

HF26/SF56 (Simoneau, DFL-Fridley)--recommended to pass as amended**; rereferred to Labor-Management Relations Committee. (SF in Senate Finance Committee).

Would change requirements to qualify for workers' compensation.

Provisions would:

- allow the State Board of Investment to invest in certificates, surplus notes, or debentures of domestic insurance companies issued by the state workers' compensation insurance fund;
- establish the state workers' compensation insurance fund as a domestic mutual insurance company;
- create a seven-member board of directors to the fund.

****Amendments would:**

- disallow a \$10 million appropriation as a loan to the state compensation insurance fund;
- include the fund manager on the board of directors.

LOCAL & URBAN AFFAIRS

Tuesday, March 17

Cities, towns--fire protection districts

HF205 (D. Carlson, IR-Sandstone)--laid over for interim study.

Would authorize cities and towns to establish fire protection districts.

City park board members--compensation

HF729/SF306 (Schreiber, IR-Brooklyn Park)--recommended to pass. (SF on Senate Floor)

Would remove the \$100 a year limit that a city council of statutory cities may compensate a member of a city park board.

Cannon Falls--port authority

HF832/SF765 (Sviggum, IR-Kenyon)--recommended to pass; rereferred to Taxes Committee. (SF in Senate Economic Development and Housing Committee)

Would authorize the city of Cannon Falls to establish a port authority that has the same powers as a port authority established under Minnesota Statutes. Provisions would:

- provide that the port authority may exercise the powers of a municipal housing and redevelopment authority;
- allow the port authority to enter into joint venture and limited partnership agreements with nonprofit organizations or corporations to carry out its purposes;
- authorize the city council, by an enabling resolution, to

impose restrictions and limitations on the actions of the port authority; allow the city council to modify the enabling resolution; describe the modification procedures; provide that no modification may impair any bonds or contracts;

- provide that a public hearing must be held before the enabling resolution is adopted; describe procedural requirements for modification of the enable resolution;
- authorize the port authority to issue general obligation bonds upon approval from the city council; provide that the bond issue is subject to a reverse referendum procedure;
- allow the city council to choose the name of the port authority; allow the city council to remove the commissioner of the port authority for inefficiency, neglect of duty or misconduct; describe removal procedures.

St. Louis County--county clerk
HF838/SF782 (Minne, DFL-Hibbing)--recommended to pass; placed on Consent Calendar. (SF in Senate Local and Urban Government Committee)

Would authorize one clerk for the county administrator in St. Louis County. The clerical position will be in the unclassified service of the county.

Highway sound barriers--local improvements
HF867/SF748 (Blatz, IR-Bloomington)--recommended to pass; referred to Taxes Committee. (SF in Senate Local and Urban Government Committee)

Would add "highway sound barriers" to the list of local improvements. The term highway sound barriers is defined as sound abatement walls erected along highways to reduce noise levels attributable to vehicular traffic.

Thursday, March 19

Hennepin County--groundwater management
HF373/SF353 (D. Nelson, DFL-Champlin)--recommended to pass as amended**. (SF in Senate Environment and Natural Resources Committee)

**Delete everything amendment would:

- explain the purpose of a metropolitan water management program which is to protect and preserve natural surface and groundwater;
- authorize metropolitan counties (Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington) to prepare and adopt groundwater plans;

- require county groundwater and watershed management plans to be consistent;
- require the county to meet with local units of governments and enter into agreements for preparation and implementation of the water plans;
- establish an advisory board to assist in the development of the groundwater plan;
- describe general standards and the contents of a groundwater plan;
- allow local units of governments to review the groundwater plan before it's finally adopted; require the county to submit the plan for review to soil and water conservation district, town, statutory and home rule charter city, and watershed management organizations having territory within the county; give the reviewing entities 60 days to review and comment;
- require the metropolitan council to review the plan and all comments received from local government units; allow the council to mediate and attempt to resolve any differences among local governmental agencies regarding the plan; require the commissioners of natural resources and health and the director of the pollution control agency to review and comment on the consistency of the plan with state laws and rules that relate to water and related land resources;
- require the water resources board to review the plan; if the board approves the plan, counties may implement the plan within 120 days after receiving notice of approval;
- require that all amendments added to the adopted plan must be submitted to the towns, cities, county, and other agencies for review.

Local government--state mandates
HF518/SF433 (Simoneau, DFL-Fridley)--laid over for interim study. (SF in Senate Local and Urban Government Committee)

Would provide criteria and guidelines for the creation, imposition, and management of programs mandated by the Legislature and rules of state agencies constituting mandates on local political subdivisions.

REGULATED INDUSTRIES

Monday, March 16

Long distance deregulation
HF189/SF144 (Jacobs, DFL-Coon Rapids)--recommended to pass as amended**. (SF in Senate Public Utilities and Energy Committee)

****Delete everything amendment would generally deregulate long distance service rates and allow competition for interexchange services in any geographical area.**

(See bill summary in HWR, Vol. 3, No. 8, Pg. 14, Regulated Industries, March 9)

9-1-1 emergency phone service

HF839/SF783 (Rukavina, DFL-Virginia)--heard; amended**. (SF in Senate Public Utilities and Energy Committee)

Would define minimum 9-1-1 service as including automatic location identification and would define automatic location identification as the ability to identify and display the name and address of the calling telephone number. Provisions would:

- increase by four cents per month a fee from each customer access line served by the public safety answering point to cover costs incurred by providing the service;

****Amendment would include the provision of automatic location and identification if the public service answering point has the capability to provide it.**

Gas meter tampering

HF841/SF705 (Carruthers, DFL-Brooklyn Center)--heard; amended**; laid over. (SF in Senate Judiciary Committee)

Would allow a utility to recover triple its damages from persons who bypass or tamper with a meter or provide metering services without authority or a person who received unauthorized service and knew or should have known that the tampering took place. (The amount of damages recovered in excess of the actual damages may be included by the PUC in the utility's rate base calculation) Provisions would:

- define the words, "bypassing; tampering; unauthorized metering; and utility;"

- allow a utility to bring action for civil damages against:
--anyone who commits, authorizes, attempts, solicits, aids or abets bypassing, tampering or unauthorized metering; and
--anyone who knowingly receives services as a result of the above;

- entitle the utility to triple the damages for costs incurred such as lost service, investigation, disconnection, reconnection, service calls, equipment, employee services, trial costs, and witness and attorney fees;

- create a rebuttable presumption that someone receiving service where the meter has been bypassed, tampered with, caused or knew of the illegal actions if the person:
--had access to the area around the meter;
--was directly or indirectly responsible for paying for part or all of the service; and
--knew or should have known the activity was taking place;

- authorizes the PUC to take damages recovered in excess of actual damages into account when setting the utility's rate base.

****technical amendment**

Wednesday, March 18

Liquor licenses--vintage wine; brewer/wholesaler deals

HF46/SF38 (Jacobs, DFL-Coon Rapids)--recommended to pass as amended**. (SF passed in Senate)

Would allow beer wholesalers to engage in cooperative advertising with retailers for nonalcoholic beverages. Provisions would:

- allow a city to issue a temporary off-sale intoxicating liquor license for a wine auction, with Public Safety Department approval. (Applies only to vintage wine not usually sold in Minnesota and allows a license for up to three consecutive days, for up to 600 cases.)

****Amendment would require that no rule of the commissioner may prohibit wine or other commodities from being offered on original or assorted cases with distilled spirits or vice versa.**

St. Louis County--liquor license

HF98/SF117* (Rukavina, DFL-Virginia)--recommended to pass as amended**.

Would allow St. Louis County to issue one off-sale intoxicating liquor license to a premises located within Sturgeon Township, with the approval of the commissioner of public safety.

****Amendment would allow the St. Louis County board to issue one off-sale intoxicating liquor license to a premises located in Clinton township notwithstanding the town powers requirement of Minnesota Statutes.**

Moorhead--liquor license

HF250/SF245* (Kludt, DFL-Moorhead)--recommended to pass as amended**.

Would allow the city of Moorhead to issue an on-sale

intoxicating liquor license to the governing body of the Red River Valley Center-Hjemkomst Heritage Interpretive Center.

****Amendment would allow the Hjemkomst Heritage Interpretive Center to contract for a intoxicating liquor catering service.**

Liquor license--temporary on-sale licenses
HF294/SF358 (Bishop, IR-Rochester)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would allow the governing body of a municipality to issue temporary licenses for the on-sale of intoxicating liquor.

****Amendment would require that a county may issue a temporary license only to a premises located in the unincorporated or unorganized territory of the county.**

Liquor price advertising
HF324 (Osthoff, DFL-St. Paul)--not recommended to pass.

Would allow liquor price advertising.

Liquor license--multiple ownership restriction
HF326 (Osthoff, DFL-St. Paul)--amended**; not recommended to pass.

Would repeal restrictions on ownership of more than one off-sale license in a municipality.

****Amendment would require that no person may directly or indirectly hold more than one-half the off-sale licenses issued by the city.**

Liquor license--strong beer sales
HF447/SF128 (Jaros, DFL-Duluth)--recommended to pass. (SF on Senate Floor)

Would allow the governing body of any municipality to authorize holders of on-sale wine licenses to see nonintoxicating malt liquors.

Liquor licenses--seasonal
HF603/SF291 (Tunheim, DFL-Kennedy)--recommended to pass. (SF on Senate Floor)

Would allow a county board to issue up to ten seasonal on-sale licenses not to exceed six months, for the sale of intoxicating liquor with the approval of the commissioner.

Kenabec County--liquor license restriction
HF735/SF576 (Peterson, DFL-Princeton)--recommended to pass. (SF in Senate Commerce Committee)

Would repeal restriction on issuance of off-sale licenses in Kenabec County.

TAXES

Property Tax Div./Taxes

Thursday, March 19

Golf club property taxation
HF533 (Bishop, IR-Rochester)--heard; amended**.

****Delete everything amendment would require that if a golf club provides a class or category of membership providing privileges for more than one member of a family, both spouses in that family must be allowed to use the golf facilities at the same times except during the times when use is restricted on the basis of sex.**

****Further amendments would:**

--provide that either spouse may use the golf facilities at all times, except those times when use is restricted on the basis of sex;

--would require the county assessor to notify the taxpayer of acceptance or rejection within 30 days after receipt of application for deferment of taxes and assessment.

Tax Laws Div./Taxes

Friday, March 13

Tax bill--miscellaneous changes
HF528/SF546 (Voss, DFL-Blaine)--Article V heard. (SF in Senate Taxes and Tax Laws Committee)

Article V would make various changes in the Telephone Gross Earnings Tax.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 11, Taxes, Feb. 26)

Tuesday, March 17

Tax bill--miscellaneous changes
HF528/SF546 (Voss, DFL-Blaine)--Article V heard. (SF in Senate Taxes and Tax Laws Committee)

Article V would make various changes in the Telephone Gross Earnings Tax.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 11, Taxes, Feb. 26)

TRANSPORTATION

Wednesday, March 18

Hazardous waste--transporter license

HF298 (Long, DFL-Mpls)--recommended to pass as amended; rereferred to Governmental Operations Committee.

Would require the Department of Transportation (MnDOT) to license hazardous waste transporters; would set license fees and qualifications; and would provide for license suspension or revocation. Provisions would:

- require all hazardous waste transporters to obtain a nontransferable license from MnDOT;
- establish vehicle safety requirements including driver qualifications, safety of operation, equipment, parts, and accessories, inspection, repair, and maintenance, maximum hours of service; would require licensees to display their names and addresses on both sides of the vehicle;
- set application procedures and fees; would require transporters to:
 - file with MnDOT a certificate of insurance showing the minimum coverage the federal government requires;
 - pay \$500 for a three-year license and \$25 for a vehicle identification tag (a separate tag would be required for each vehicle);
 - maintain the license at the transporter's (licensee's) main place of business;
 - carry the vehicle identification on the vehicle;
 - renew both the license and vehicle identification tag every three years;
- authorize the commissioner of transportation to suspend or revoke a license and vehicle identification tag for a serious or repeated violation of laws or rules governing hazardous waste transportation; would require the commissioner to consider several factors such as the history of any past violations, before deciding to take action to suspend or revoke a transporter's license and decal; would allow the commissioner to order a license revocation without a hearing for licensees who fail to renew their license or fail to maintain insurance;
- revise fees for certain motor carrier permits and certificates;
- specify articles which may be carried as household goods; would require household good carriers to get a permit to operate as an irregular route common carrier of household goods;
- allow the commissioner of transportation to issue prepaid temporary vehicle identification cards to permit or

certificate holders for \$5 per card; would require the commissioner to preprint the cards with the carrier's name, address, and permit or certificate number on them; allow motor carriers to use the card to add a vehicle to their fleet; would require motor carriers to execute the card by dating and signing it and describing the vehicle in which it will be carried; would provide that the card is valid for 10 days from the execution date; would require motor carriers to use the card within one year of issuance; would prohibit motor carriers from using the card, if their permit or certificate is not in full force and effect; would provide that the card is nontransferable; would provide that the commissioner may not refund the cost of unused prepaid temporary vehicle identification cards;

- make people who transport hazardous substance illegally guilty of a misdemeanor and could be fined the maximum fine for a misdemeanor.

Dept. of Public Safety--housekeeping bill

HF413 (Jensen, DFL-Lakeville)--heard; rereferred to the Transportation Committee's Safety Subcommittee.

Would make various changes to laws governing the use of motor vehicles, school buses, and trucks.

FLOOR ACTION

CALENDAR

Thursday, March 12

Phone bill payments--locations

HF152*/SF595 (Begich, DFL-Eveleth)--passed (93-23).
(SF in Senate Public Utilities and Energy Committee)

Would require a phone company or independent phone company to provide a location in every city or town with a population of 1,000 or more in which the company provides phone service, where a customer may pay for the billed phone service; would allow a person to deposit payment as well as pay for phone bill.

Corporate directors--personal liability

HF202*/SF204 (Carruthers, DFL-Brooklyn Center)--passed (121-0). (SF in Senate Judiciary Committee)

Would permit corporations organized under Minnesota Statutes Chapter 300 (all banks, most insurance companies and certain corporations formed before 1933) to amend their certificate of incorporation to eliminate or limit a director's personal liability for money damages for breach of fiduciary duty to the corporation or shareholders.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 5, Judiciary, March 2)

Secretary of State--housekeeping

HF334*/SF416 (Orenstein, DFL-St. Paul)--passed (116-0). (SF in Senate Elections and Ethics Committee)

Would make miscellaneous technical changes relating to elections.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 4, General Legislation, Veterans Affairs, and Gaming, Feb. 26)

Human Rights Act--disabled persons

HF369*/SF264 (Greenfield, DFL-Mpls)--passed (124-0).
(SF in Senate Judiciary Committee)

Would change certain requirements in the Minnesota Human Rights Act relating to disabled persons.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 5, Judiciary, March 2)

Deer hunting limit

HF400*/SF334 (D. Nelson, DFL-Champlin)--passed (113-0). (SF in Senate Environment and Natural Resources Committee)

Would make permanent the current law which permits the commissioner of natural resources, on an experimental basis, to let hunters take two deer during a season.

Commercial driver--test, license

HF493*/SF140 (K. Olson, DFL-Sherburn)--passed (125-0). (SF in Senate Transportation Committee)

Would establish a testing and licensing program for commercial motor vehicle drivers by Sept. 30, 1989.

County--service fees, emergency contracts

HF502*/SF688 (Jennings, DFL-Rush City)--passed (123-0). (SF in Senate Local and Urban Government Committee)

Would allow counties to set service fees, and clarify language relating to county emergency contracts.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 9, Local and Urban Affairs, March 3)

Monday, March 16

Bow hunting--mechanical release

HF102 (Stanius, IR-White Bear Lake)--passed (106-14).

Would remove language in current law which prohibits hunting with a bow that a mechanical device releases.

Nonprofit corporations--directors' liability

HF141/SF181 (Ogren, DFL-Aitkin)--passed (125-0). (SF in Senate Finance Committee)

Would delete language in current law which exempts all noncompensated nonprofit corporate directors from individual liability for damages which may arise because they're members or participate in board activities.

(See summary in HWR, Vol., 3, No. 6, Pg. 8, Judiciary, Feb. 24)

Adopted child--notice of death

HF270/SF439 (Vellenga, DFL-St. Paul)--passed (94-26).
(SF in Senate Judiciary Committee)

Would require adoption agencies to inform birth parents of the death of a child they placed for adoption, if the parents wish to know, and to inform adopted children of the death

of their birth parents, if the adopted children wish to know.

(See summary in HWR, Vol. 3 No. 6, Pg. 9, Crime and Family Law Div./Judic., Feb. 23)

Elections--candidate names

HF312/SF438 (Scheid, DFL-Brooklyn Park)--passed (107-13). (SF in Senate Election and Ethics Committee)

Would repeal general elections provision that permits women to use their husband's name when filing an affidavit of candidacy or a nominating petition used to designate the candidate on the official ballot.

Criminal syndicalism

HF316/SF302* (Pappas, DFL-St. Paul)--passed (120-2). (SF passed in Senate)

Would repeal the crime of criminal syndicalism. Current law defines "criminal syndicalism" as a doctrine which advocates crime, malicious damage or injury to an employer's property, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political ends.

Hennepin County--housing, redevelopment authority

HF362/SF330 (Jefferson, DFL-Mpls)--passed (95-47). (SF in Senate Taxes and Tax Laws Committee)

Would create a county housing and redevelopment authority in Hennepin County.

(See summary in HWR, Vol. 3, No. 8, Pg. 11, Local and Urban Affairs, March 5)

Seed potatoes--disease standards

HF436/SF429 (Lieder, DFL-Crookston)--passed (87-38). (SF in Senate Health and Human Services Committee)

Would provide that no seed potatoes intended for sale may be planted in Minnesota unless the seeds meet minimum disease standards prescribed by the agriculture commissioner.

(See summary in HWR Vol. 3, No. 7, Pg. 1, Agriculture, March 2)

Nashwauk--land annexation

HF489/SF504 (Solberg, DFL-Bovey)--passed (126-0). (SF in Senate Local and Urban Government Committee)

Would authorize the Minnesota municipal board to take

jurisdiction in an annexation between the city of Nashwauk and the town of Nashwauk involving non-abutting land.

Probate court fees

HF536/SF402* (Dempsey, IR-New Ulm)--passed (124-0). (SF passed in Senate)

Would eliminate a separate provision in law which requires a \$55 fee for certified copies of a probate court decree, and would make the fee the same as for all certified copies in all civil proceedings (\$5 plus 25 cents per page after the first page).

CONSENT CALENDAR

Thursday, March 12

State licensed professionals--exceptions

HF245/SF208* (Simoneau, DFL-Fridley)--passed (117-0).

Would make technical changes in laws relating to licensing exceptions for architects, engineers, land surveyors, and landscape architects.

Intrastate gas pipeline

HF420/SF258* (Jacobs, DFL-Coon Rapids)--passed (121-1).

Would set up a regulatory system for intrastate pipelines and specify duties of the pipelines and the Public Utilities Commission.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 11, Regulated Industries, Feb. 23)

Monday, March 16

State fair tort claims

HF519/SF87* (Orenstein, DFL-St. Paul)--passed (121-0). (SF passed in Senate)

Would include the State Agricultural Society (State Fair) in the definition of "state" for state tort claims, which cover such matters as liability exemptions, damage caps, employee indemnification, and the manner of paying claims.

GENERAL ORDERS

Thursday, March 12

Bow hunting--mechanical release allowed

HF102 (Stanius, IR-White Bear Lake)--recommended to pass.

Would require mosquito research and management activities the Department of Health conducts to not significantly disrupt the ecological relationships of nontarget species.

Nonprofit corporations--directors' liability

HF141/SF181 (Ogren, DFL-Aitkin)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would delete language in current law which exempts all noncompensated nonprofit corporate directors from individual liability for damages which may arise because they're members of or participate in board activities.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 6, Judiciary, March 3)

**Amendment would:

- provide that a volunteer hospital board member could not be held liable for an act or omission done in good faith within the person's responsibilities, and without willful or reckless misconduct.

Smoke-free schools

HF227/SF671 (Nelson, D., DFL-Champlin)--progressed as amended**. (SF in Senate Education Committee)

Would require all school districts to adopt a policy prohibiting the use of tobacco products on school property, or provide an explanation for rejecting such a policy to the commissioner of education.

**Amendment would:

- prohibit the use of tobacco in the Capitol or State Office Building.

Adopted child--notice of death

HF270/SF439 (Vellenga, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee)

(See bill summary in HWR, Vol 3, No. 7, Pg. 6, Judiciary, March 2)

Criminal syndicalism

HF316/SF302 (Pappas, DFL-St. Paul)--recommended to pass. (SF passed in Senate)

Would repeal the crime of criminal syndicalism. Current law defines "criminal syndicalism" as a doctrine which advocates crime, malicious damage or injury to an employer's property, violence, or other unlawful methods of terrorism as a means of accomplishing industrial or political ends.

Seed potatoes--disease standards

HF436/SF429 (Lieder, DFL-Crookston)--recommended to pass. (SF in Senate Agriculture Committee)

Would provide that no seed potatoes intended for sale may be planted in Minnesota unless the seeds meet minimum disease standard prescribed by the agriculture commissioner.

(See summary in HWR, Vol. 3, No. 7, Pg. 1, Agriculture, March 2)

Probate court fees

HF536/SF402* (Dempsey, IR-New Ulm)--recommended to pass. (SF passed in Senate)

Would eliminate a separate provision in law which requires a \$5 fee for certified copies of a probate court decree; would make the fee the same as for all certified copies in all civil proceedings (\$5 plus 25 cents per page after the first page).

Hennepin County--housing, redevelopment authority

HF362/SF330 (Jefferson, DFL-Mpls)--recommended to pass. (SF in Senate Taxes and Tax Laws Committee)

(See summary in this issue, Local & Urban Affairs)

Nashwauk--land annexation

HF489/SF504 (Solberg, DFL-Bovey)--recommended to pass. (SF in Senate Local and Urban Government Committee)

(See summary in this issue, Local & Urban Affairs)

Monday, March 16

Electronic teller machines

HF28/SF148 (Skoglund, DFL-Mpls)--recommended to pass as amended**. (SF on Senate Floor)

Would change requirement that Electronic Financial

Tellers (EFT) be located separate and apart from a financial institution's main office, branch, or detached facility. Would allow voluntary cooperation by certain smaller institutions to avoid costs and equipment changeover.

****Amendment would:**

- define an EFT as an electronic information processing device that is used internally by a financial institution to conduct the business activities of the institution;
- provide that accounts may not be opened at an EFT located separate and apart from a financial institution's main office, branch, or detached facility;
- prohibit people who are employed by any financial institution or financial holding company or subsidiary thereof, from operating an EFT.

Bankruptcy--notifying employees

HF134/SF182 (Price, DFL-Woodbury)--recommended to pass as amended**. (SF on Senate Floor)

Would require an employer to immediately notify its employees and job applicants in writing if it files for bankruptcy or has a petition for involuntary bankruptcy filed against it.

****Amendment would:**

- make technical changes.

Health care professionals--impersonation

HF318/SF301 (Orenstein, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee)

Would broaden the crimes of criminal sexual conduct in the third and fourth degree to cover persons who engage in sexual penetration or conduct by falsely representing that the penetration of contact is for a bona fide medical purpose by a health care professional. Would provide that the complainant's consent is not a defense to the crime.

Crime victims rights

HF336/SF232 (Seaberg, IR-Medota Heights)--recommended to pass. (SF in Senate Judiciary Committee)

Would make changes to the crime victims statutes.

(See HWR, Vol. 3, No. 7, Pg. 7, Crime and Family Law Div./Judic., March 2)

Compulsory education--changes

HF432/SF425 (McEachern, DFL-St. Michael)--recommended to pass. (SF in Senate Education

Committee)

Would make changes in the compulsory instruction law.

(See HWR, Vol. 3, No. 6, Pg. 2, Education, Feb. 25)

Dakota County--personnel system

HF510/SF617 (Jensen, DFL-Lakeville)--recommended to pass. (SF in Senate Local and Urban Government Committee)

Would authorize the Dakota County board to establish a county personnel administrative system for creating an employee relations department and appointing a personnel board of appeals.

(See HWR, Vol. 3, No. 8, Pg. 12, Local and Urban Affairs, March 5)

House Weekly Review is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1987 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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HOUSE WEEKLY REVIEW

FOR MEMBERS of the Minnesota House of Representatives

March 19-26, 1987

Volume 3, Number 10

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills.

COMMITTEE ACTION

AGRICULTURE

Agriculture Finance Div./Ag.

Tuesday, March 24

Farmland--beginning farmers

HF776/SF754 (Schoenfeld, DFL-Waseca)--recommended to pass as amended**; rereferred to Agriculture Committee. (SF in Senate Agriculture Committee)

(See summary in HWR, Vol. 3, No. 9, Pg. 2, Agriculture Finance Division/Ag., March 18)

**Amendment would:

- provide that for the purposes of the acquired property sales program, "acquired property" means property acquired before the effective date of HF776;
- provide that if the state's share of losses exceeds the maximum loss limit, the commissioner must disburse guarantee payments to lenders only to the extent of the state's maximum loss limit; would provide that the lender must borne any additional losses without regard to the 85 percent guarantee; would provide that priority for loan guarantee payments must be based on the date of the liquidation plan;
- require sellers to transfer to the buyer all mineral rights it holds to the land being conveyed, unless the buyer willingly waives the requirement to convey the mineral rights;
- change the number of acres that a loan guarantee applicant can own from 120 acres to 160.

Wednesday, March 25

Farmer-Lender Mediation Act--changes

HF210/SF89 (Schoenfeld, DFL-Waseca)--heard. (SF passed in Senate)

Would make various changes to the farmer-lender mediation program that the University of Minnesota Agriculture Extension Service administers.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 1, Agriculture Finance Div./Ag., March 4)

Farm products--liens, security interests

HF852/SF686 (Krueger, DFL-Staples)--heard; laid over. (SF in Senate Agriculture Committee)

Would establish liens and security interests that are subject to federal notice and registration provisions; would prescribe when buyers of farm products purchases are subject to or free of security interest.

Agricultural societies--aid

HF976/SF907 (Dille, IR-Dassel)--recommended to pass; rereferred to Agriculture Committee. (SF in Senate Finance Committee)

Would appropriate \$358,400 from the general fund to the commissioner of agriculture in each fiscal years of the biennium ending June 30, 1989, for aid to county and district agricultural societies.

COMMERCE

Tuesday, March 24

Collection agencies--regulation

HF333/SF457* (Lasley, DFL-St. Paul)--recommended to pass; placed on Consent Calendar. (SF passed in Senate)



Would regulate collection agencies and collectors working for such agencies. Provisions would:

- define a "collector" as a person acting under the authority of a collection agency under Minnesota Statutes section 332.31, subdivision 3, and on its behalf in the business of collection for others an account, bill, or other indebtedness;
- require collectors to get a license from the commissioner of commerce to do business in Minnesota; would make collectors who operate without a license or who operates after revocation, suspension, or expiration of a license guilty of a misdemeanor; set license and renewal fees;
- require the commissioner to act promptly on applications for collectors license; provide for temporary license until the commissioner issues a permanent license;
- allow a collection agency to make a cash deposit in an amount prescribed by the commissioner in lieu of a bond;
- prohibit collectors from performing certain practices; prohibit collectors or collection agencies from using auto-dialers or computer calling devices to contact debtors;
- prescribe the commissioner's enforcement powers.

Eyeglasses--unregulated sales

HF466 (Sarna, DFL-Mpls)--amended**; laid over.

Would allow spectacles for reading or close work that contain simple lenses having a plus power of up to 3.25 to be sold in any establishment.

**Amendment would make technical changes.

Dept. of Commerce--securities bill

HF576/SF463 (Sparby, DFL-Thief River Falls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Commerce Committee)

Would regulate the business of a financial planner.

(See HWR, Vol. 3, No. 9, Pg. 3, Commerce, March 17)

**Amendments would:

- give the commissioner of commerce additional powers to administer chapters 45 to 83, 309, and 332; would provide for investigations, hearings, subpoenas, court orders, legal actions, injunctions, cease and desist orders, service of process, reports on all sales or transactions required under those chapters, and examination of books, accounts, records, and files of every licensee under chapters 45 to 83, 309, and 332 and of every person engaged in any activity

regulated under those chapters;

- allow the commissioner to impose a civil penalty of up to \$2,000 per violation of those chapters;
- require lenders, upon written request, to deliver a good and valid satisfaction of mortgage to any party paying the full and final balance of a mortgage indebtedness secured by Minnesota real estate, within 14 days of the receipt of the written request; would set civil penalty of up to \$500 for lenders who fail to comply;
- transfer the responsibility for the registration of charities and licensure of professional paid fundraisers from the commissioner of commerce to the attorney general;
- clarify the definition of "professional fundraiser"; would exclude certain employees and volunteers of charitable organizations and certain professionals such as accounts, investment advisers, broker-dealer and bankers from the definition of "professional fundraisers";
- require that certain additional disclosures be made by fundraisers and charities in the course of solicitation;
- change the registration and audit requirement for charitable organizations;
- change the licensure requirement for professional fundraisers to registration; would require the registration statement to contain certain information; would require the fundraiser to file a bond;
- require a registration fee of \$25 for charitable organizations and \$50 for fundraisers;
- allow the attorney general to serve legal process on a charity or professional fundraiser; would provide for district court to remedy violations; would set penalties;
- appropriate \$65,066 to the attorney general for FY'88 and \$34,414 for FY'89.

Lemon law--changes

HF845/SF793 (Begich, DFL-Eveleth)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would make changes to the Minnesota auto warranty law.

**Delete everything amendment would:

- extend the duty of a manufacturer to repair a defective vehicle from a one-year period of time to two years;
- provide that if the manufacturer offers a consumer a replacement vehicle, the consumer can reject the replacement vehicle and require the manufacturer to give them a refund;

- allow a consumer to get a refund or replacement vehicle if the reasonable number of attempts to correct the problem occurs within three years following the date of original delivery of the new motor vehicle, provided that the consumer reported the problem to the manufacturer or its authorized dealer during the term of the applicable express warranty;
- require manufacturers to give consumers written notification upon purchase of the right to a refund of lease payments and the right to submit a case to the manufacturer's consumer arbitration program;
- give consumers who leases a new motor vehicle the same rights against the manufacturer as a consumer who buys a new motor vehicle, except that a lessee is entitled to a refund only; require the manufacturer to give the consumer a full refund of the amount actually paid by the consumer on the written lease, including any sales taxes, license or registration fees, towing or rental expenses the consumer paid;
- provide that if a manufacturer buys back a leased vehicle, the consumer's written lease with the motor vehicle lessor must be terminated;
- require the manufacturer to pay the lessor the amount of the original purchase price of the vehicle, less the amount the consumer paid on the written lease; would require the manufacturer to pay the lessor any early termination costs which is limited to 15 percent;
- require all auto manufacturers doing business in Minnesota to operate or participate in an informal dispute settlement mechanism located in the state;
- require that the consumer and each person arbitrating a consumer's dispute to get information about the state's lemon law; would allow each party to make oral presentations or arguments during the arbitration process; would allow consumers who are present during the informal dispute settlement mechanism, to postpone the settlement mechanism to review any documents presented at the time of the hearing, which were not presented to the consumer before the hearing;
- provide that if the consumer submits the dispute for decision on the basis of documents alone, the manufacturer or dealer representatives can not participate in the discussion or decision of the dispute;
- allow all parties to present any additional information regarding the manufacturer's recent repair attempt before any final decision is rendered by the informal dispute settlement mechanism;
- provide that the consumer may be charged a fee to participate in an informal dispute settlement mechanism, provided that the fee does not exceed the conciliation court

filing fee in the county where the arbitration is conducted; would provide that any party to the dispute may be represented by an attorney in the settlement mechanism;

- provide that the decision issued in an informal dispute settlement mechanism is nonbinding on the parties, unless otherwise agreed by them; would allow any party to remove the decision to district court for a trial de novo; would provide that if an application to remove a decision is not filed within 30 days after the date of the decision, then the district court shall, upon application of a party, issue an order confirming the decision; would provide for treble damages for bad faith appeal of disputes;

- authorize the attorney general, in addition to the civil remedies provided, to bring an action against any manufacturer for violation of the law; would set time limitations on civil actions brought under the lemon law; allow the attorney general to inspect the arbitration mechanism.

ECONOMIC DEVELOPMENT & HOUSING

Tuesday, March 24

Economic development authorities

HF449/SF422 (Beard, DFL-Cottage Grove)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Economic Development and Housing Committee)

Would increase the development powers of Economic Development Authorities (EDA) to that of Port Authorities. Provisions would:

- enable an EDA to create economic development districts outside of "blighted" areas;
- allow an EDA to construct buildings on land owned by the EDA, and to buy capital equipment for that property. But the EDA must intend to sell or lease the building;
- allow a city council to approve the issue of general obligation bonds by a simple majority instead of a two-thirds majority vote;
- allow an EDA to issue general obligation bonds without voter approval;
- provide for a reverse referendum for an EDA general obligation bond;
- place an EDA's bonds outside the net debt limit of the city, and exempt funds received by the authority from any city charter limit on spending and taxing.

****Amendment would:**

- reinstate that a city council vote a two-thirds majority to approve the issue of general obligation bonds.

Twin Cities--neighborhood revitalization

HF475/SF521 (O'Connor, DFL-St. Paul)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Economic Development and Housing)

Would create a revitalization program for targeted neighborhoods in Minneapolis and St. Paul, including appropriations of state funds (local match required) for grants and loans to businesses, nonprofit organizations and individuals for construction or rehabilitation of residential and commercial/industrial property.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 5, Economic Development and Housing, March 19)

****Amendment would:**

- take out mortgage and deed tax increases.

Economic development laws--recoding

HF795/SF170 (Rest, DFL- New Hope)--recommended to pass as amended;** rereferred to Taxes Committee. (SF in Senate Economic Development and Housing Committee)

Would recode most of the local economic development laws currently in *Minnesota Statutes* into one law, remove obsolete and redundant language, rearrange laws into a logical order, rewrite some sentences for greater clarity, and make no substantive changes in the laws.

****Amendment would:**

- make technical changes.

Thursday, March 26

Interest buydown--small businesses

HF442 (Steensma, DFL-Luverne)--recommended to pass as amended**; rereferred to Appropriations Committee.

Would create an interest buydown program for agricultural-related small business operating loans similar to the current farm interest buydown program. The state would pay 37.5 percent of the interest on the first \$100,000 of a loan, and the lender would pay 12.5 percent. Provisions would:

- define "agricultural-related small business" as a business with gross sales of \$1,000,000 where the majority of its sales are products or services used in the production of

agricultural or horticultural products, or fur-bearing animals;

- define "business operating loan" as an original, extended, or renegotiated loan or line of credit whose purpose is to finance the operations of an eligible business. The maturity date of the loan would have to be on or before June 30, 1988;

- require that the business have a debt-to-asset ratio over 50 percent when the application is submitted. The business would also have to have long-term financial viability, as determined by the lender;

- require that a lender who meets all requirements be certified as a participating lender;

- require that the commissioner of commerce develop and make available the program's guidelines. The adoption of the guidelines would not be subject to the Administrative Procedures Act;

- require the commissioner of commerce to review within five working days each application submitted by a lender, and if the lender does not receive written notice of a denial of a loan's eligibility, the loan's interest buydown would be automatically approved;

- provide that the commissioner of commerce may pay half the state's share of the interest buydown to the lender 30 days after the commissioner's review, or on a date requested by the lender that is at least 30 days after the commissioner's review. The balance of the state's share would be due 30 days after the lender's final request;

- require the lender to evaluate applications from eligible businesses who have borrowed from the lender within the past three years, borrowed from new businesses, or from businesses whose previous lender is no longer in operation;

- require the lender to submit an application to the commissioner of commerce for each eligible business;

- require the lender to offer an interest rate equal to the rate that would be offered to any loan with comparable security and financial status. The maximum interest rate for any loan under this program would be three percent above the current Federal Intermediate Credit Bank rate given to the Production Credit Associations;

- set the state's share of the interest buydown at 12.5 percent of the interest due on the first \$100,000 of the eligible loan;

- appropriate from the General Fund (no amount specified) to the commissioner of commerce for the program;

- make the program effective the day after final passage.

****Amendments would:**

- extend the program to all small businesses that qualify, not just those that are related to agriculture;
- exclude businesses in the seven-county metropolitan area from participating;
- require businesses to have gross sales of at least \$2 million to qualify.

Manufactured homes--air quality problems

HF673 (Lasley, DFL-Cambridge)--heard. (SF in Senate Economic Development and Housing Committee)

Would create 13-member advisory task force to study moisture deterioration and air quality issues in single-family residential housing. Provisions would:

- specify that task force duties include:
 - conducting or contracting for 150 on-site inspections to determine the danger of flue gas spillage and moisture conditions, and to list corrective options. A fee of \$25 could be charged to the homeowner for each inspection;
 - conducting or contracting for 15 enhanced-site evaluations and inspections;
 - conducting or contracting for four demonstration sites for detailed retrofit testing and monitoring;
 - submitting a report to the governor and the Legislature by June 30, 1989;
- appropriate:
 - \$18,750 for the 150 on-site inspections;
 - \$3,750 for the 15 enhanced-site evaluations;
 - \$76,250 for the four demonstration sites;
- provide that the fees the task force collects be appropriated to the executive director of the Pollution Control Agency to administer the 150 on-site inspections;
- make the bill effective July 1, 1987.

Aircraft--low-level military training flights

HF862/SF1003 (Rukavina, DFL-Virginia)--recommended to pass; rereferred to Environment and Natural Resources Committee. (SF in Senate Environment and Natural Resources Committee)

Would create a six-member legislative commission to study the environmental and economic effects of low-level military training flights over northeastern Minnesota. State agency and legislative staff would assist the commission when it requests. A report of the commission would be due by January 1988; after that the commission would be dissolved.

EDUCATION

Wednesday, March 25

Teacher centers--development

HF604/SF738 (K. Nelson, DFL-Mpls)--heard. (SF in Senate Education Committee)

Would develop teacher centers to provide long-term professional development and inservice education of working teachers. Provisions would:

- authorize board of teaching to award planning grants up to \$75,000 to approved local policy boards for use in developing plans for operation of a teacher center;
- require served school districts to provide a local teacher center with \$10 per pupil unit, after approval of an operating plan;
- add an additional \$10 per pupil unit to tier 3 allowance for districts with an approved teacher center plan;
- appropriate \$100,000 in FY'88 and \$100,000 in FY'89 to the board of teaching to make grants for teacher centers.

School administrators--teaching

HF977 (K. Nelson, DFL-Mpls)--heard; amended**.

Would require principals, supervisors, superintendents, and other supervisory personnel to obtain full-time classroom experience for at least one academic term every five years.

****Amendment would:**

- allow voluntary participation in the program.

Teacher education--improvement

HF989 (K. Nelson, DFL-Mpls)--heard.

Would require board of teaching to develop criteria for assessing teacher education programs. Provisions would:

- require teacher educators to obtain elementary or secondary teaching experience at least one academic term every five years;
- identify one or more schools as a potential clinical schools; authorize partnership grants for training of mentor teachers in clinical schools lasting three, but not more than five years (partnerships encompass one or more school districts and one or more teacher education institutions);
- authorize commissioner of education to establish and fund at least eight, but not more than 11 professional

development and assessment centers;

- require the board of teaching to provide at least seven regional curriculum conferences to assist in revising the teacher education curriculum;

- require board of teaching to begin evaluation of pre-baccalaureate, post-baccalaureate and alternative teacher education program structures by July 1, 1989.

Education Finance Div./Educ.

Friday, March 20

School districts--financial transactions

HF47/SF315 (Krueger, DFL-Staples)--heard. (SF in Senate Education Committee)

Would exempt school districts from the requirement that they belong to a regional computing system providing they process data on a system compatible with the state system.

Capital outlay levy

HF697/SF664 (Price, DFL-Woodbury)--heard; amended**. (SF in Senate Education Committee)

Would give school districts additional authority to levy for capital outlay for two percent of the replacement value of buildings for building repair and betterment, and \$20 per actual pupil unit for purchase of new technological hardware and software.

**Amendment would:

- require a 2/3 vote to approve capital plans and hold a public hearing.

Capital outlay levy--Bloomington

HF807/SF749 (Rivness, DFL-Bloomington)--heard. (SF in Senate Education Committee)

Would authorize Independent School District #271 (Bloomington) to levy \$940,000 in 1987 and \$940,000 in 1988 for roof repair.

Operating debt levy--Buhl-Mt. Iron

HF957/SF870 (Rukavina, DFL-Virginia)--heard; amended**. (SF in Senate Education Committee)

Would provide \$2.5 mill levy increase for Buhl-Mt. Iron School District.

**Amendment would:

- require a referendum if at least 10 percent of district voters sign a petition requesting a vote.

Monday, March 23

School pairing

HF635/SF253 (Dauner, DFL-Hawley)--heard; amended**. (SF in Senate Education Committee)

Would define qualifications, powers, and responsibilities of educational districts.

**Delete everything amendment would:

- allow groups of districts to form education districts if:
 - five districts have at least 10,000 pupils;
 - 10 districts groups agree; or
 - group of districts with at least 7,500 square miles;

- require education districts to develop a comprehensive plan for continuous learning and to submit the plan for review;

- expand and establish funding levels;

- allow intermediate school districts to use levies to implement an education district plan.

Interdistrict cooperation levy--change

HF662/SF700 (Kalis, DFL-Walters)--heard. (SF in Senate Education Committee)

Would provide all districts with \$50,000 interdistrict cooperation revenue. (Current law provides interdistrict cooperation revenue to participating districts based on a formula of \$50 per pupil, capped at \$50,000.)

Interagency services

HF950 (K. Nelson, DFL-Mpls)--heard.

Would require interagency coordination of programs for preschool children; appropriate money for demonstration site grants.

Tuesday, March 24

Declining pupil aid--elimination

HF154 (McEachern, DFL-St. Michael)--heard.

Would eliminate declining pupil unit aid and levy.

Fund balance--tier 2

HF261/SF177 (Forsythe, IR-Edina)--heard. (SF in Senate Education Committee)

Would repeal tier 2 fund balance restriction.

Fund balance--ceiling increase
HF272 (Forsythe, IR-Edina)--heard.

Would remove tier 2 restriction for off-the-formula school districts.

Isolated school aid
HF620/SF477 (Carlson, D., IR-Sandstone)--heard. (SF in Senate Education Committee)

Would establish a sparsity aid formula for any school district having more than 750 square miles in area and operating at least two elementary schools that are at least 20 miles apart. The aid is set equal to \$200 multiplied by the district's actual pupil units.

Community education--tier 2
HF693/SF891 (E. Olson, DFL-Fosston)--heard. (SF in Senate Education Committee)

Would exclude community education fund balance from operating fund balance used to calculate tier 2 limit.

Disparity aid--creation
HF932/SF883 (E. Olson, DFL-Fosston)--heard. (SF in Senate Education Committee)

Would bring foundation aid per pupil unit in all districts up to \$200 of the 10 districts with the highest foundation revenue per pupil unit.

Wednesday, March 25

Technology--KIDS
HF414/SF331 (Frederick, IR-Rochester)--heard. (SF in Senate Education Committee)

Would appropriate \$125,000 for FY'88 for the Knowledge Interactive Distribution System (KIDS) technology demonstration site at Mankato-St. Peter.

Technology--partnership grants
HF535/SF556 (Tunheim, DFL-Kennedy)--heard. (SF in Senate Education Committee)

Would provide funding for technology grants that are a partnership between education and business.

Capital expenditure--surplus buildings
HF771/SF860 (Forsythe, IR-Edina)--heard. (SF in Senate

Education Committee)

Would allow school districts to levy \$5 per district resident for repair and up keep of extra school buildings used for non-school purposes.

Technology--Quad County
HF1117/SF952 (Solberg, DFL-Bovey)--heard; amended. (SF in Senate Education Committee)

Would appropriate \$125,000 in FY'88 from the general fund to the department of education for the purpose of providing a grant to the Quad-County Telecom Project.

Technology revenue--statewide allowance
HF1152 (Cooper, DFL-Bird Island)--heard.

Would make technology revenue available to all districts except those districts already receiving technology grants.

Technology--Little Crow
HF1186 (Cooper, DFL-Bird Island)--heard.

Would provide state grant and levy authority to members of the Little Crow Tele-Media Network.

ENVIRONMENT & NATURAL RESOURCES

Tuesday, March 24

Hazardous waste--clean-up liens
HF297/SF412 (Long, DFL-Mpls)--recommended to pass as amended**; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

**Delete everything amendment would allow the Pollution Control Agency (PCA) to place a lien on real property for the amount of expense the agency incurred to clean up a hazardous substance release on that property. Provisions would:

- limit the lien amount to the increase in property value due to the remedial action, unless the property owner was legally responsible for the release, in which case the lien could be for the full cost of the remedial action;
- provide that the lien or any part of the lien on the increased value has priority over all other liens on the property;
- provide that any lien for more than the increased value has priority only over liens filed later;

- provide that the liens are enforceable on any transfer of property or in bankruptcy.

Wastewater treatment grant program

HF1030 (Munger, DFL-Duluth)--recommended to pass; rereferred to Governmental Operations Committee.

Would provide funding for grants and loans for the construction and rehabilitation of wastewater treatment facilities and systems. Provisions would:

- allow the Pollution Control Agency (PCA) to exempt municipalities with a population of less than 1,500 from certain state and federal regulations for facilities planning, for the purposes of awarding state independent grants;
- clarify language in the Water Pollution Revolving Loan Account; would provide that the PCA may determine, by rule, loan interest rates;
- require that under the state matching grants program, for municipalities under 25,000 population, the state pay 25 percent and the municipality pay 20 percent of the eligible construction cost;
- allow the state to provide 80 percent of the construction cost, under the state independent grants program, for municipalities under 25,000 population; strikes a provision in current law which allows the state to offer additional assistance to municipalities that face significant financial hardship; would provide that a municipality that proceeds with construction and waits to be reimbursed can receive an additional five percent of the total cost;
- authorize new capital component grants (up to \$1,500,000 annually) for municipalities under a service contract (at least 20 years) with a private vendor; would allow the PCA to relax certain federal and state regulations for these grants;
- authorize new individual on-site treatment system grants (up to \$1,000,000 annually) to award to municipalities under certain circumstances to reimburse owners of individual on-site wastewater treatment systems for part of the upgrading or replacement costs;
- authorize new corrective action grants (up to \$1,000,000 annually) to upgrade wastewater treatment facilities that have failed to perform as designed; would require municipalities that receive grants to attempt to recover from the responsible parties, and to keep a maximum of 30 percent of any recovery;
- establish a state wastewater treatment facility replacement fund as an account in the state treasury to receive assessments on municipalities; would authorize the PCA to make loans from the fund for up to 100 percent of replacement, rehabilitation, or expansion of

municipal wastewater treatment facilities; would require municipalities to repay the loan in annual installments over a 20-year period;

- require an annual assessment of two cents per gallon of average daily flow for municipal wastewater treatment facilities;
- appropriate money.

Thursday, March 26

Flood Hazard Mitigation Grant Program

HF835/SF909 (Jennings, DFL-Rush City)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would establish a state flood hazard mitigation grant program and authorize grants-in-aid to local government units to conduct floodplain damage reduction studies and plan and/or implement flood mitigation measures. Provisions would:

- define terms;
 - declare as a public purpose, a statewide flood hazard mitigation program within areas subject to recurrent flooding and rising lake levels;
 - authorize the Department of Natural Resources (DNR) to conduct a statewide inventory and flood damage assessment of flood prone structures and lands;
 - authorize DNR to make grants to local governments for floodplain damage reduction studies and to plan and/or implement flood mitigation measures; would provide that the maximum grant amount shall not exceed one-half the local government unit's cost of the proposed mitigation measures;
 - establish considerations for local government grant requests, including approved floodplain ordinances, consistent with local water plans, and current financial capabilities; would establish the funding assistance available to local governments based on the considerations; would provide that if a grant request exceeds \$75,000, the commissioner can recommend it be placed on a priority list for funding consideration by the governor and legislature, using certain specified criteria;
 - appropriate \$1,000,000 from the general fund for program appropriations; would authorize five positions for DNR.
- ** Amendment would allow the commissioner of natural resources to direct dam repair or reconstruction if the project cost is less than \$250,000; if the repair or

reconstruction cost is greater than \$250,000, the commissioner may recommend the project to the Legislature for its consideration and action, or get the commissioner of finance's approval for immediate work in emergency situations;

FINANCIAL INSTITUTIONS & INSURANCE

Tuesday, March 24

Insurance--regulation changes

HF392/SF478 (Skoglund, DFL-Mpls)--heard; amended**. (SF in Senate Commerce Committee)

Would make various language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 12, Financial Institutions and Insurance, March 18)

**Amendments would:

- adopt unofficial engrossment as delete everything amendment (NOTE: Unofficial engrossment incorporates all amendments adopted through March 18. All further amendments apply to sections of the unofficial engrossment);

- delete sections 1, 20, 23, 41, and 60 that increase public membership on various insurance boards; delete section 30 providing minimum benefits for ambulatory mental health services by HMOs; substitute minimum HMO coverage that provides for 10 visits with 80 percent coverage and an additional 30 preauthorized visit hours during the next 12 months with 75 percent coverage, treatment of a minor includes treatment for the family if recommended.

Interest rates--advertising regulation

HF450/SF542 (Bertram, DFL-Paynesville)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would regulate the advertisement of interest rates for investment products.

**Delete everything amendment would:

- require financial institutions to disclose the effective annual yield, effective net annual yield, prepayment expense, surrender charge or withdrawal penalty, and name and address of the issuer in an equally prominent manner when advertising investment products;

- require statement in advertisements reflecting variable yields; ads referring to past product yields must disclose net annual yield for most recent quarter, one-year period

preceding the recent quarter, the same period two years earlier, excludes individual life insurance policies and annuity contracts;

- establish commissioner's enforcement powers in conjunction with district court; fine violators up to \$10,000 and/or 5 years in jail; allow person who purchased and has discontinued an investment product to sue either for rescission of the product or damages; the commissioner may deny, suspend, or revoke an agent's or issuer's license or may censure the licensee if the commissioner finds that:

- the order is in the public interest;

- the agent or issuer violated any provision of this section; and

- the agent or issuer is licensed by the department;

- wave certain provisions of subdivisions to any person who complies with similar or more stringent restrictions of federal regulatory agencies;

**Amendments would:

- delete subdivisions 6-13 of section 1 and sections 2, 3, 4, and 5 establishing commissioner's enforcement powers and violation penalties.

Wednesday, March 25

Insurance--regulation changes

HF392/SF478 (Skoglund, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would make various language, technical, and regulation changes to various statutes relating to insurance.

(See bill summary in HWR, Vol 3, No. 9, Pg. 12, Financial Institutions & Insurance, Mar. 18)

NOTE: All amendments apply to sections of the unofficial engrossment adopted March 24.

**Amendments would:

- delete "non-term" insurance from available life insurance options for terminated employees, setting premium limitations during the first 18 months (section 22); delete section 51 that places burden of proving that activation of the market assistance plan and the joint underwriting association is not necessary beyond the 180-day period is on the intervenors who object to the continuation beyond the period;

- delete section 72 that simplifies determination of excessive rates; alter section 73 to allow commissioner to hold a hearing within 60 days to determine if rate increases of more than 25 percent over a 12-month period are excessive; allow rate to be effective unless it is determined

through the hearing that it is excessive;

- reinstate the stricken "bus" and substitute "or taxicab" for "commercial vehicle" in section 68.

GENERAL LEGISLATION, VETERANS AFFAIRS, & GAMING

Thursday, March 26

High School League--conference memberships
HF96/SF231 (McKasy, IR-Mendota Heights)--recommended to pass as amended**; rereferred to Education Committee. (SF in Senate Education Committee)

Would make formation of extracurricular conferences voluntary; establish a 90-day procedure that would require the Minnesota State High School League to arrange conference memberships for high schools unable to obtain membership during an 180-day attempt; require a public hearing to develop criteria for arranging and assigning membership;

**Amendment would:

- make a technical change, creating a section in place of a subdivision.

Charitable gambling--regulation changes
HF169/SF192 (Reding, DFL-Austin)--recommended to pass as amended**; rereferred to Taxes Committee. (SF on Senate Floor)

Would alter expense percentages, fees, rents and lessor involvement in charitable gambling. Provisions would:

- define "organization" as a fraternal, religious, veterans, or other nonprofit organization which has been in existence for at least three years with at least 15 active members (would extend definition to apply to organizations conducting occasional gambling exempt from licensing);
- allow organizations to deduct federal taxes in calculating profit; repeal specific limits on allowable expenses for organizations and statutory \$1,500 fee for a distributor's license, allowing Charitable Gambling Board to set limits;
- prohibit liquor wholesalers and authorized sales representatives from being involved in gambling operation; repeals five-cent gambling equipment stamps and directs the Board to set the price by rule; require all gambling equipment brought into Minnesota by a

distributor to be unloaded into a facility the distributor owns or leases;

- repeals statutory \$500 fee for manufacturer's certificate of registration and directs Board to set the fee; authorizes Board to adopt rules on rent paid for premises leased for lawful gambling;

- allows a city or county to request the Board to impose an additional charitable gambling tax of up to 3 percent of gross receipts from all lawful gambling, less prizes, and expenses;

**Amendment would:

- add definition of "lawful purpose" to include payment of taxes imposed by Minnesota or federal government on receipts from lawful gambling.

Veterans affairs--purple heart
HF223/SF213 (Beard, DFL-Cottage Grove)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate money for use by the military order of the purple heart in assisting veterans to make service-related disability compensation and benefit claims against the United States government.

Elections--school districts
HF239/SF381 (Minne, DFL-Hibbing)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Elections and Ethics Committee)

Would provide that school district elections be held in the same manner as municipal elections.

**Delete everything amendment would:

- alter state election law to encompass all elections held in the state; allow school board resolutions to set residency requirement for voters up to 30 days prior to voting; extend voter registration, absentee voting, and election day procedures to school district elections.

Elections--voter registration
HF523/SF487 (Ogren, DFL-Aitkin)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Elections and Ethics Committee)

Would change certain voter registration procedures to increase voter participation. Provisions would:

- allow secretary of state to establish and develop a statewide computerized voter registration system

accessible to all county auditors;

- permit individuals to register to vote by submitting a voter registration card obtained in a state income tax form/booklet or by filling out the voter registration portion of a driver's license application;
- require county auditor to change the registration information for voters who register in a new district, die, are ineligible to vote, or fail to vote during the past four years (delete old information to avoid double up of information);
- direct commissioner of revenue to include a postpaid voter registration form in each individual income tax return form or instruction booklet; appropriate money for implementation of new systems.

Elections--dates, district reapportionment
HF651/SF397 (Scheid, DFL-Brooklyn Park)--
recommended to pass as amended**. (SF on Senate Floor)

Would preclude reapportionment of city wards and other election districts in certain years until after the Legislature has been reapportioned. Would direct that precincts be arranged so that no precinct lies in more than one legislative district.

GOVERNMENTAL OPERATIONS

Thursday, March 26

Council on Disability
HF415/SF377 (A. Johnson, DFL-Spring Lake Park)--
recommended to pass as amended**; rereferred to
Appropriations Committee. (SF in Senate Finance
Committee)

Would change the name of the Council for the
Handicapped to the Council on Disability and make other
changes.

**Delete everything amendment would:

- extend from 30 to 180 days, the time limit for appeals from decisions of municipalities regarding application of the building code (the count begins from the decision's date);
- change statutory references to "handicapped" persons to refer instead to persons "with a disability";
- strike language in current law which provides council members with three-year terms, and language which provides that the council will expire on June 30, 1988;

- permit the council to initiate or intervene as a party in any administrative proceeding and judicial review:
 - to protect the rights of disabled persons to an accessible physical environment; and
 - that concerns programs or services public or private agencies or organizations provide, and which affects or is of general interest to persons with a disability;

- permit the council to establish and collect fees for documents or technical services it provides to the public; would require fees to be at a level to reimburse the council for the actual cost involved; would provide that the fees be maintained in a separate account and not credited to the general fund.

Newspapers--public notices

HF471/SF403* (Tunheim, DFL-Kennedy)--recommended to pass as amended**; placed on Consent Calendar.

Would require a newspaper that is not a qualified legal publication to inform a public body that presents a public notice for publication that it [the newspaper] isn't qualified.

**Amendment would make technical language changes.

Legislative Commission on Fiscal Policy

HF547 (Bishop, IR-Rochester)--recommended to pass;
rereferred to Appropriations Committee.

Would create an 18-member Legislative Commission on Fiscal Policy and direct it to study and evaluate the total state government expenditure level and revenue sources that support these expenditures. Provisions would:

- specify commission membership, appointment and terms; would provide for staff and administrative support;
- direct the commission to consider:
 - relative dependence on state tax revenues, federal funds, and user fees to support state-funded programs, and whether the mix is appropriate for the programs' purposes;
 - relative percentages of state expenditures devoted to major programs; and
 - the Legislature's role in overseeing state government expenditures, including appropriations from the general fund, and from funds other than the general fund, use of dedicated funds, and expenditure of federal funds;
- direct the commission to make recommendations to the Legislature;
- appropriate money for the commission from the general fund through the Legislative Coordinating Commission.

East Grand Forks--land sale

HF750/SF715 (Lieder, DFL-Crookston)--recommended to pass as amended**; placed on Consent Calendar. (SF in Senate Environment and Natural Resources Committee)

**Delete everything amendment would allow Polk County to sell certain tax-forfeited land located in the city of East Grand Forks.

HEALTH & HUMAN SERVICES

Thursday, March 26

Ombudsman for older Minnesotans

HF763/SF924 (Dorn, DFL-Mankato)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would create an Office of Ombudsman for Older Minnesotans within the Department of Human Services and the Minnesota Board on Aging related to advocacy, medication, education and training and investigation of any act, policy, procedure or administrative action of any long-term care facility, hospital or agency that may adversely affect the rights of any client. Provisions would:

- would define "client" to mean a resident of a long-term care facility or a patient in an acute care facility who is eligible for Medicare and who requests assistance related to admission or discharge from the hospital;
- provide immunity from any liability for an ombudsman representative if these people act in good faith;
- require every facility to post in a conspicuous spot the address and phone number of the ombudsman's office;
- allow access to clients at any time and to client records held by a facility;
- allow access to any data, including confidential and private data, held by a state or local agency;
- requires the state agencies to forward to the Office all materials related to complaints about any facility;
- requires an annual report that may include recommendations, with appropriate data, for changes in policy or programs;
- require the board to recommend methods to expand and fund local ombudsman programs to serve clients in home care or acute care settings by Feb. 1, 1989;
- require the Office to keep all records relating to complaints or investigations in accordance with federal amendments to the Older Americans Act;

• establishes an advisory task force appointed by the Board on Aging to make recommendations for expanding ombudsman services to clients of in-home services.

**Amendments would make technical changes.

General, Medical Assistance--reimbursement limit

HF817/SF786 (Wynia, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would make changes in the reimbursement of services provided under Medical Assistance and General Assistance Medical Care. Provisions would:

- add the requirement that the federal Health Care Financing Agency approve the inclusion of outlier cases and their weighted costs in the computation of inpatient hospital base year cost per admission and relative values of the diagnostic categories;
 - require a second opinion prior to reimbursement for certain elective surgeries;
 - require the commissioner to publish in the *State Register* the list of elective surgeries, the criteria and the standards used to decide whether an elective surgery should require a second medical opinion;
 - states that the maximum payment for new vendors who enroll in the medical assistance program after the base year shall be determined by the usual and customary charge of the same vendor type already enrolled in the base year;
 - continue the rateable reduction at the current level for another biennium:
 - 15 percent reduction on inpatient or outpatient hospital care for chemical dependency or mental illness treatment;
 - 10 percent for all other inpatient hospital care;
 - 5 percent for all other GAMC services;
 - state that new vendors who enroll in the GAMC program after the base year shall receive a maximum payment based on the average usual and customary charge of the same vendor type already enrolled in the base year,
- **Amendments would:
- require that the state shall be responsible for the non-federal share of adjusted claims paid on or after Aug. 1, 1985, regardless of approval by the Federal Health Care Financing Agency;
 - require that the commissioner shall limit the annual increase in pass-through cost payments for depreciation, rents and leases, and interest expense to the annual growth

in the consumer price index for all urban consumers.

General, Medical Assistance--eligibility, cost recovery

HF912/SF787 (Wynia, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Judiciary Committee)

Would define certain eligibility requirements for Medical Assistance, assignment of benefits and recovery of benefits paid for Medical Assistance. Provisions would:

- allow Medical Assistance (MA) payment for pregnancy services including service for conditions which may complicate pregnancy and service to pregnant women susceptible of poor pregnancy outcomes;
- allow for MA payment for insurance premiums even in absence of federal funding, for purposes of obtaining Medicare, part B;
- allow MA payment for services of personal care assistant rather than personal care attendant;
- exclude from MA eligibility as categorically needy, those persons who are eligible for Minnesota supplemental aid because local agency waived excess assets;
- extends eligibility for pregnant women to 60 days post-partem;
- requires assets and deductions for AFDC families to be calculated as for AFDC eligibility;
- excludes homestead as an asset for the first six months of a person's stay in a long-term care facility;
- requires that after six months, the homestead be reduced to an amount within eligibility limitations or else excluded on another basis;
- allow real estate to be retained only when property is not saleable, equity is \$6,000 or less, and income produced by the property is at least six percent of the equity;
- exempts excess real estate for a period of 9 months if there is a good faith effort to sell the property and a legally binding agreement is signed to repay the amount of assistance issued during that nine months;
- exempts the value for the following for purposes of determining eligibility;
 - household goods and furniture in use;
 - wearing apparel;
 - personal property used as a regular abode;
 - burial lot for each member of the household;
 - jewelry acquired prior to period of MA eligibility;

- capital and operating assets of trade or business deemed necessary to earn an income;
- for a period of six months, insurance settlements to repair or replace damaged, destroyed, or stolen property;
- motor vehicle used primarily for the person's benefit;
- items required by federal law;

- require that one of the following conditions be met before motor vehicle is excluded:
 - has market value less than \$4,500;
 - is necessary to obtain medically necessary health services;
 - is necessary for employment;
 - is modified for operation by or transportation of a handicapped person;
 - is necessary to perform essential daily tasks because of climate, terrain, distance, or similar factors;
- provide that the equity value of other motor vehicle be counted against the cash or liquid asset limit;
- change income eligibility requirements by requiring that semi-annual income, not annual income, not exceed AFDC income standards (disregards cost of living increases for certain recipients of social security disability);
- make eligible pregnant women who meet all requirements of MA eligibility provisions and whose income exceeds AFDC standards but does not exceed 100 percent of nonfarm income official poverty line;
- provide that eligibility of pregnant women under this clause be determined without regard to asset standards set out in clauses of AFDC standards;
- provide that income that exceeds MA personal allowance be applied to the cost of institutional care for persons staying in nursing homes, regional treatment centers, or medical institutions and expected to stay in these institutions for over three months;
- allow institutionalized person to retain income for support of dependents to the extent that retained income plus dependent's income does not exceed MA income standards;
- allow institutionalized person to retain income for up to three months, in an amount equal to the MA income standards for a family size of one, but only if the person was not living together with a spouse or child under 21 upon entering the long-term care facility and only if the person has expenses of maintaining a residence in the community and a physician certifies that the person is expected to reside in the long-term care facility for only a short time;
- restrict eligibility to those willing to apply to the costs of medical care all proceeds received or receivable from any third person liable to the person or person's spouse;

- require applicants and recipients of MA to assign their rights to medical support and third party payments to the state agency;
- require applicants and recipients to cooperate with state in establishing paternity and obtaining third party payments;
- provide that assignment takes effect upon determination that applicant is eligible for MA or up to three months prior to application if applicant is receiving MA payments;
- move effective date of assignments of automobile accident coverage and private health care coverage to date that person or organization providing the benefits is notified of assignment;
- extend eligibility to those who were eligible for the month of application and the three months prior to application;
- require that redetermination of eligibility take place every three months;
- limit eligibility to citizens of the United States and aliens lawfully admitted for permanent residence or otherwise residing in the United States under color of law;
- provide for payments for care and services furnished to aliens who meet eligibility requirements if such care and service are necessary to prevent physical and mental disability, sever pain, or death (includes labor and delivery as eligible service);
- clarify statute allowing a claim for medical assistance against the estate of a surviving spouse;
- recognizes affidavit of successorship filed by agency rendering MA;
- clarify calculations for determining period of ineligibility for uncompensated transfers of less than market value (the number of months of ineligibility equals the amount of the uncompensated transfer divided by the average monthly per person payment made by the MA program to skilled nursing homes over the previous calendar year;
- provide personal allowances for MA recipients residing in medical institutions;
- extends eligibility to those who are eligible for GA but ineligible for MA;
- makes eligible Minnesota residents whose income does not exceed MA standards or whose excess income is spent down to meet these standards and who equity in resources does not exceed \$1,000 per assistance unit;

- require that exempt real and liquid assets, the reduction of excess assets, and the waiver of excess assets conform to the MA statute;
 - extends eligibility to those eligible during the month of application and for the three months prior to application (requires that eligibility be redetermined every 12 months);
 - require that GAMC claims be filed in the same manner as GA claims;
 - require GAMC applicants and recipients to apply or agree to apply third party health and accident benefits to the costs of medical care and to cooperate with the state in establishing paternity and obtaining third party payments;
 - provide that upon signing application for GA, applicant assigns to the department of human services all rights to medical support owed to them or to their dependents and agrees to cooperate with the state in establishing paternity and obtaining third party payments;
 - require that application explain the assignment;
 - require that amounts assigned be deducted from the paid cost of general assistance medical care;
 - provide that assignments take effect on date GAMC eligibility takes effect;
 - prevents assignments of benefits from automobile accident coverage and private health care coverage from taking effect until provider of benefits has been notified of the assignment;
 - allow county agency which has provided uncompensated medical assistance to a deceased person to collect from persons indebted to the decedent when value or probate estate does not exceed \$5,000;
 - repeal provisions allowing waiver of excess assets.
- **Amendment would change definition for possession of jewelry to more than 24 months immediately prior to the period of medical assistance eligibility and personal jewelry acquired within 24 months immediately prior to the period of medical assistance eligibility and not purchased with assets of the applicant or recipient.

HIGHER EDUCATION

Wednesday, March 25

Scholarships--permanent fund

HF182/SF270 (Jaros, DFL-Duluth)--heard; amended**.
(SF in Senate Education Committee)

Would create a \$15 million merit scholarship fund for students enrolled on coordinate campuses of the University

of Minnesota from the Permanent University Fund (PUF).

****Amendment would:**

- create a \$15 million merit scholarship fund from the state general fund for students enrolled at state universities, AVTIs, and community colleges.

JUDICIARY

Tuesday, March 24

Witnesses--competency

HF286/SF742 (Vellenga, DFL-St. Paul)--recommended to pass; placed on Consent Calendar. (SF in Senate Judiciary Committee)

Would make changes to the "competency of witnesses" statute. Provisions would:

- strike language in current law which presumes that persons of unsound mind, intoxicated persons, and children under 10 years old are not competent witnesses; would provide that any person who lacks the capacity to remember or to testify truthfully is not a competent witness;
- allow child witnesses to testify in language appropriate to their age regarding any fact or event.

Hazardous waste--criminal penalties

HF401/SF818 (D. Nelson, DFL-Champlin)--recommended to pass as amended**; referred to Governmental Operations Committee. (SF in Senate Environment and Natural Resources Committee)

Would create a new section of law specifying criminal penalties for violators of hazardous waste laws and rules.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 9, Environment & Natural Resources, March 12)

****Amendments would:**

- clarify that persons or corporations or organizations that violate hazardous waste laws or rules as the bill defines, would be guilty of specific criminal charges and may be sentenced as indicated (original language required sentencing);
- limit the six year statute of limitations to certain violations;
- allow a defendant to request a change of venue to any of the counties that have joined to prosecute an alleged violator;

- clarify proof of a defendant's "reason to know" of a violation.

Real property laws--update

HF550/SF499* (Kludt, DFL-Moorhead)--recommended to pass as amended**; placed on Consent Calendar.

Makes changes to real property laws. Provisions would:

- provide that an acknowledgement made on an entity's behalf and certified as the law prescribes is prima facie evidence that the instrument was executed and delivered with proper authority ("acknowledgement" is a person's declaration that he or she has executed an instrument for the purposes stated in the instrument);
- permit an owner of an interest in real estate to convey that interest to other persons as tenants in common (current law allows conveyance to persons as joint tenants);
- permit contracts for conveyance of realty between spouses;
- abolish dower and curtesy rights in lands conveyed prior to Jan. 1, 1975 (previously 1970--would mean that a spouse can't challenge, on grounds that spousal interest in the property was violated, a conveyance of realty by his or her spouse which occurred before the specified date);
- provide that conveyances churches made before 1980 are valid even if church records don't show the congregation approved the conveyance (current law is 1970);
- repeal current law on judgment discharge, which requires a one year delay before discharge.

****Amendments would:**

- permit a judgment debtor who has received a chapter 11 (bankruptcy) discharge to apply to the court administrator for discharge of all judgments in that court against the debtor before the bankruptcy charge; would require the court administrator to discharge each judgment 20 days after judgment creditors are notified of the application (except any judgment in favor of a creditor who objects to discharge);
- make technical language changes.

False identification--arrest

HF555/SF572 (Carruthers, DFL-Brooklyn Center)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make it a misdemeanor for any person to give a peace officer a false name, date of birth, or false or altered

identification card when the officer makes inquiries which may lead to an investigatory stop or a lawful arrest, or to carrying out any other lawful duty.

****Amendment would add technical language to read "...a false or fictitious name, other than a nickname, false date of birth, or false or fraudulently altered identification card..."**

Human Rights Act--disabled employees

HF580/SF491 (Greenfield, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would change certain legal requirements relating to employing disabled persons. Provisions would:

- strike language in current law which allows an employer to require that a disabled prospective employee undergo a physical examination to determine whether the employee's disability would prevent him or her from performing the job;

- specify that the fact that a disability is a threat to the health or safety of a disabled person or others is a defense to an employment discrimination claim;

- provide that it is an unfair practice to not make reasonable accommodation to a "job applicant"; would strike language in current law that excuses an employer from making an accommodation for a job applicant that costs more than \$50;

- provide that if an individual brings a charge under a local antidiscrimination ordinance and the Human Rights Act provides protections and remedies not available under the ordinance, the local commission must advise the individual of the option of filing under the Human Rights Act.

****Amendment would clarify that an employer could request a physical examination to comply with workers' compensation laws.**

Judgments, foreign--filing procedure

HF854/SF448 (Orenstein, DFL-St. Paul)--recommended to pass as amended**; placed on Consent Calendar. (SF on Senate Floor)

Would clarify the procedure and cost for filing foreign judgments, and the procedure to secure a judgment and execution. Provisions would:

- require a person to file a certified copy of a foreign judgment with the court administrator of only one district court in the state;

- set the fee for filing a foreign judgment to equal the fee for filing a civil action;

- require the creditor to file an affidavit of partial satisfaction before applying for an execution if the creditor receives payment after entry of judgment; would require the affidavit to include:

- dates and payment amounts;

- the part of each payment applied to taxable disbursements, accrued interest, and unpaid principle; and

- accrued but unpaid interest;

- provide for computing and adding accrued interest on a judgment;

- allow a judgment creditor to deduct from any payment all disbursements statute or court rules tax after entry of judgment; would require remaining payment to be applied to accrued interest before the principal is reduced;

- allow a judgment creditor to file an affidavit specifying the nature and amount of taxable disbursements paid or incurred after judgment; would require an execution the court administrator issues to include these increased disbursements;

- require the execution to state the accrued interest to the issuance date and amount of daily interest accruing during the year.

****Amendment would make technical language changes.**

Crime & Family Law Div./Judic.

Friday, March 20

Minors--harmful live performances

HF308/SF706 (Pappas, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

****Delete everything amendment would add "plays, dances, or other exhibitions presented before an audience" to the list of sexually provocative materials, which, if they meet the statutory definition of harmful to minors, may not be exhibited to minors; would provide that such exhibitions would violate laws on sexually provocative materials if they are presented in a place of public accommodation, whether or not the minor paid a fee to see the performance.**

Boating while intoxicated--prosecution

HF598/SF59 (Beard, DFL-Cottage Grove)--recommended to pass. (SF on Senate Floor)

Would provide that a prosecutor in the jurisdiction where a boating-while-intoxicated violation occurred is responsible for prosecuting both misdemeanor and gross misdemeanor violations of that law.

Child Abuse Reporting Act--changes

HF806/SF828 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make changes to the Child Abuse Reporting Act. Provisions would:

- require persons the law requires to report child abuse or neglect, who report orally to law enforcement or welfare agency officials, to file the follow-up written report the law requires within 72 hours of the oral report;
- require that both law enforcement and welfare agency officials investigate reports alleging sexual or physical child abuse that would be criminal law violations; would require each agency to prepare a separate report on its investigation results;
- require law enforcement agencies to investigate reports of child abuse or neglect alleged to have occurred outside the family unit in a setting other than a facility the commissioner of human services licenses;
- require a county's multidisciplinary child protection team to include as members representatives of the local welfare agency, the county attorney, the county sheriff, and health and education professions; would allow as optional team members representatives of the mental health profession and other appropriate agencies and parent groups.

**Amendment would make technical language changes.

DWI--information on previous convictions

HF816/SF265 (Schreiber, IR-Brooklyn Park)--recommended to pass. (SF in Senate Judiciary Committee)

Would require a court, when a prosecutor so requests, to furnish the defendant's criminal history of previous DWI convictions without charge to the prosecutor responsible for prosecuting gross misdemeanor violations of the DWI law; would provide that it's a misdemeanor for a person who was issued a limited license to violate any condition or limitation the commissioner of public safety placed on the limited license's use; would require the commissioner to revoke the limited license of any person courts convict of this misdemeanor offense.

Monday, March 23

Child Abuse Reporting Act--source disclosure

HF200/SF424 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

**Delete everything amendment would permit the court to order disclosed the name of a person who reports child abuse or neglect only if the court finds the report was false

and made in bad faith.

Domestic abuse--protection orders

HF643/SF539 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF on Senate Floor)

Would prohibit modification or vacation of certain orders for protection in a marriage dissolution proceeding and provide that certain actions are not violations of an order for protection. Provisions would:

- amend the marriage dissolution law to prohibit a court handling a marriage dissolution from vacating or modifying a domestic abuse protection order;
- require a court to advise a petitioner requesting a domestic abuse protection order of the petitioner's right to serve the respondent by published notice; would require the court to help the respondent write and file the required affidavit when seeking published notice;
- provide that if the petitioner for an order for protection admits the respondent to the dwelling from which the respondent is excluded, such action would not void nor violate the protection order;
- require a protection order to contain conspicuous notice to respondents that:
--violation of an order for protection is a misdemeanor punishable by up to 90 days imprisonment and/or up to a \$700 fine;
--the respondent is forbidden to enter or stay at the petitioner's residence for any reason, even if the petitioner invites him or her to do so, and in no event will the order be voided; and
--a peace officer must arrest without a warrant and take into custody a person whom the officer has probable cause to believe violated an order for protection.

**Amendments would allow a court to hear concurrently a motion for modification or vacation of an order for protection with a proceeding for marriage dissolution, upon notice of motion and hearing; would provide if the proceedings are consolidated and the motion to modify or vacate is granted, a separate order for modification or vacation of an order for protection shall be issued.

LABOR-MANAGEMENT RELATIONS

Monday, March 23

Drug testing--workplace

HF42 (Pappas, DFL-St. Paul)--recommended to pass as amended**.

Would define the circumstances in which employers may

test employees for drug use, and would limit the types of tests that can be taken. Provisions would:

- define the terms "alcohol," "controlled substance," "employee," "employer," "job applicant," and "drug test";
- provide that blood, urine, and breath tests be the only accepted means of testing drug use;
- prohibit employee drug testing as a condition of employment, except in certain situations;
- prohibit random or mandatory drug testing by employers, including tests as part of a routine physical;
- prohibit employer from testing job applicants, except in certain situations;
- provide that employees may be tested where:
 - the employer has reasonable cause, based on objective facts, to believe that the employee is impaired, and;
 - the impairment threatens the employee's ability to safely perform the job or threatens the safety of others;
- permit employers to test applicants for positions in which drug use would threaten the employee's ability to safely perform the job or would threaten the safety of others;
- limit testing of applicants until after the applicant has been offered a job;
- require employers to use tests that measure only controlled substances, their metabolites, or alcohol, and to keep records and use information only from confirmed tests that show the presence or absence of these substances;
- prohibit tests other than urine, blood analysis, or breath-testing;
- provide that employees cannot be required to take urine tests while being observed by another individual;
- require that drug tests by employers be performed by laboratories that meet certain minimum requirements:
 - the director of the lab must be a full-time employee and have a doctorate or masters degree in biological or medical science and three years experience in an analytical toxicology laboratory;
 - the lab must have written testing procedures, and procedures to ensure clear chain of custody;
 - must participate in a specified proficiency testing program;
- prohibit employers from performing the analysis of substance abuse tests for their employees, except that one agency of the state may perform tests on the employees of another agency;

- prohibit an employer from discriminating against or penalizing an employee or applicant on the basis of a drug test unless the test is confirmed by a second test using a technology different from that used in the first test;

- require tests be screened using immuno-chemical technology or chromatography, confirmed by gas chromatography/mass spectrometry, where that is the accepted method of choice. In other cases, any form of chromatography can be used for the mandatory confirmation test;

- prohibit adverse action on the basis of a breath-test for alcohol unless the test is confirmed by a blood analysis;

- require an employer to establish a written drug testing policy, which must be distributed to employees and applicants, before conducting any testing. The policy must include:

- a list of employees subject to the testing policy;
- the circumstances that would give rise to a test;
- the employees right to refuse and the consequences of a refusal;
- the consequences of a positive test; and
- the procedures for explaining the test result, the right to a retest, and any other appeals procedures;

- require that an employee be given an opportunity, at the time of testing, to acknowledge having seen the policy and to note any medication being taken by the employee;

- require employers to inform employees and applicants of confirmed positive test results, and to give the employee a copy of the results and access to information in the employee's personnel file related to the test;

- require employers to give employees and applicants a reasonable opportunity to explain the test results;

- require that applicants be informed if the applicant did not get the job because of the test results;

- prohibit adverse action on the basis of a disability, medical, or psychological condition, other than use of a controlled substance or alcohol, revealed to an employer by the test or by the employee before or after a test, unless the employee was under a duty to reveal the condition to the employer;

- allow applicant or employee to request an additional retest of the original sample following receipt of the confirmed positive test. The retest must also be confirmed at a qualified lab and must be paid by the employer of applicant. Prohibits the employer from using the first test if the second test is negative;

- require employers to establish a system to ensure that samples are not misidentified and that confidentiality is maintained and ensures clear chain of custody;

- provide that all information is private and privileged and cannot be released to anyone other than the employee. The employer must designate a representative to receive the test results who is the only individual with access to the results;

- allow the employer to give the results to a substance abuse treatment facility for evaluation or treatment of the employee;

- allow use of a confirmed test result in an arbitration or grievance procedure, and in an administrative or federal court proceeding;

- allow disclosure when required by federal law or contract;

- prohibit use of test results in a criminal proceeding;

- prohibit penalizing employees who assert rights under the statute;

- provide that nothing in the law interfere with collective bargaining agreements, either existing or future, that provide a substance abuse testing policy that meets or exceeds the standards of employee protection provided by the law;

- provide that employers who are subject to federal regulations (or state regulation adopting federal standards) be exempt from certain provisions in the bill;

- allow anyone injured by a violation of the bill to sue for damages, and costs, including punitive damages, attorneys fees, and equitable relief, such as reinstatement and backpay.

****Amendments would:**

- provide that employers operating federally regulated facilities or who are under federal contract and are subject to federal regulations in drug testing, be exempt from provisions in the bill;

- define safety-sensitive positions as those in which an impairment caused by use of a controlled substance or alcohol would affect an individual's ability to safely perform the job or would threaten the safety of others;

- provides that an employer may require employees in safety sensitive positions to submit to drug testing as part of a routine physical examination where the examining physician determines that a drug test is necessary for a medical evaluation of the employee or there is a medical indication of drug use by the employee;

- require that an employee be given 30 days notice before a physical if drug testing may be part of the physical;

- include an independent contractor and an employee of an

independent contractor hired to perform services for another employer in the definitions of "employer" and "employee."

Plant closing

HF649/SF892 (Ogren, DFL-Aitkin)--recommended to pass as amended. (SF in Senate Employment Committee)

Would regulate the situations in which an employer can test an employee for drug use, specify acceptable methods of testing, and provide legal protection to employees. Provisions would:

- define "affected employee" as any full-time employee whose employment is terminated as a result of a closing, change of ownership, relocation or reduction in operations of an affected establishment;

- define "affected employee organization" as a union or other organization that represents employees of an affected establishment in collective bargaining;

- define "affected establishment" as any facility in the state that has employed at least 100 employees for at least six months during the preceding year and that has reduced or will reduce employment at least 20 percent as part of a closing, change in ownership, relocation or reduction in operations. The term does not include construction sites or other workplaces that were intended to be temporary;

- define "affected municipality" as any city, village or town in which an affected establishment is located;

- define "employer" as any entity, including the state or a local government, that owns or operates a facility within the state. Employers do not include the federal government or tax-exempt organizations;

- define "commissioner" as the commissioner of jobs and training;

- provide that an employer operating an affected establishment notify the commissioner, each affected employee, employee organization, and municipality at least 120 days before a closing, change in ownership, relocation, or reduction in operation that will reduce employment by 20 percent or more;

- provide that the notice period not apply to employers who can show that to stay open for 120 days would be a loss to the employer. These employers must provide notice as soon as they decide to close, change ownership, relocate, or decrease operations that would reduce employment by 20 percent or more;

- give the commissioner the following responsibilities:
 - to provide financial assistance to affected employees;
 - to provide grants or loans to an affected municipality;

- to attempt to persuade or induce the employer to reduce operations rather than close or relocate;
 - to offer assistance to the employer;
 - to evaluate the possibility of proposed employee ownership;
 - to apply for grants and matching funds;
 - to provide other programs as appropriate, that meet employee needs for retraining, relocation or employee ownership where feasible;
- require the commissioner to coordinate and make available to affected municipalities information on programs to assist affected workers and employers;
 - provide that collective bargaining agreements that grant greater protection than the bill, would supercede the provisions of the bill;
 - provide that employees are eligible for severance payments if they have had three or more years employment with the employer;
 - set the amount of severance pay equal to the gross weekly wage multiplied by the number of full or fractional years of employment with the employer or multiplied by ten, whichever is greater;
 - exclude vacation pay, accrued wages, and other types of payments, except those payments for termination of employment, from severance pay;
 - require employers who have a health insurance plan to continue employer-paid coverage for 120 days on the same basis as before the termination.
 - require the employee to pay for the employee share of the coverage, and allow the employee to discontinue coverage;
 - provide that the employer's insurance obligation end when the employee obtains new coverage;
 - provide that receipt of payment does not affect the employee's rights to payment under any other state law or to seniority, recall or other rights granted by the employer or employee organization;
 - provide that claims against an employer pursuant to this bill have priority over all other claims except wage claims;
 - establish a cause of action to recover damages, as well as attorney's fees and cost, against an employer for injury caused by a violation of the statute;
 - provide jurisdiction in the courts to prevent and restrain violation of the bill;
 - permit the attorney general to obtain injunctive relief

against actual or threatened violations of the act and to sue for civil penalty not to exceed \$25,000. All monies obtained shall be appropriated to the commissioner to carry out the commissioner's duties under the act;

- provide that severance payments are not considered earnings, and therefore are not set off against unemployment benefits;

****Amendment would:**

- establish a subcommittee of the productivity and opportunity council made up of the coordinator, commissioner of jobs and training, commissioner of energy and economic development, director of the vocational technical education system, a representative from organized labor, and a representative from the business;
- require the subcommittee to meet within 14 days after the commissioner receives a plant closing notice to develop a plan for coordinating existing programs and services provided by the state and federal governments to assist employees, businesses, and municipalities affected by a plant closing or major work force reduction;
- require the state agencies and local units of government to make available those programs called for in the subcommittee plan.

**Unemployment Ins. &
Workers' Comp. Div./
Labor-Mngt. Rel.**

Monday, March 23

**Unemployment Insurance--benefit changes
HF284 (Welle, DFL-Willmar)--heard.**

Would change qualifications for unemployment insurance. Provisions would:

- define "base period" as the first four of the last five completed calendar quarters preceding the benefit claim;
- allow extension of base period for up to four additional calendar quarters if the employee received benefits for a temporary disability under workers compensation or for other serious illness;
- phase out split wage base in two years and freeze taxable wage base at \$13,000 beginning in 1989 for all employers. In 1988, experience-rated employers would pay tax on \$12,100 in wages and minimum-rate employers would pay on \$10,000;
- define "contribution report" and "wage detail report," two reports of wages and employment necessary for a wage

recording system;

- define "high quarter" to mean the calendar quarter during the base period in which the employee earned the most money;

- eliminate the separate wage base for minimum rate employers;

- provide that the minimum tax rate for employers with benefits charged to their account would be one percent if the unemployment compensation fund is less than \$80,000,000, and less if the fund balance is higher. The rate for employers with no experience rating will be .2 percent less in 1988 than the present rate, and .3 percent less in 1989 and subsequent years;

- provide that, in any year in which the fund balance is less than \$110,000,000 on June 30, each employer would pay an assessment equal to 10 percent of the regular annual contribution;

- establish the following qualifications for benefits under the quarterly system:

- wages in two or more quarters;

- total wage credits of 1.5 times high quarter wages;

- high quarter wages of at least \$1,100;

- earnings equal to 25 times the minimum hourly wage in 19 or more weeks in the base period;

- provide that the weekly benefit amount shall be 1/26 of the high quarter earnings;

- freeze the maximum weekly benefit at \$239;

- provide that maximum benefits shall equal 33 percent of the total base period wage credits not to exceed 26 times the weekly benefit amount;

- provide that to qualify for a second benefit year (after the expiration of the preceding benefit year), the employee must have earned enough wage credits to establish a claim and must have returned to work and earned 10 times the weekly benefit amount after the start of the expired benefit year;

- prevent employer from being charged for benefits on a second claim that results from a transition to a quarterly system;

- eliminate payment for the waiting week;

- require employee to wait eight weeks and earn eight times the weekly benefit amount (WBA) to requalify after a voluntary quit or discharge for misconduct. (Current law is four weeks and four times the WBA.);

- require employee to wait eight weeks and earn eight times the weekly benefit amount to requalify after

disqualification for refusing to apply for or accept suitable work or re-employment. (Current law is four weeks and four times WBA.);

- make changes to allow employer to challenge claim under wage recording system. Employer can still challenge monetary entitlement or eligibility;

- provide that the commissioner shall accept the claimant's wage statement, if the employer failed to provide wage information; however, the employer may correct any erroneous reports that affect benefits subsequent to the correction;

- establish wage reporting system. Quarterly report must include name of employee, social security number, and total wages;

- provide penalties for failing to file wage detail reports (1/2 of one percent of total wages after 30-day notice); incomplete or erroneous information (\$25 for each individual on whom information is late or erroneous); or failure to file other reports (\$50 per report);

- make employers liable for any costs incurred collecting contributions and for fees for dishonored checks;

- repeal provision that allows voluntary repayment of benefit charges;

- set Jan. 1, 1988, as the deadline for the transition to the quarterly system for benefits and to end the split wage base. The reporting provisions would be effective immediately. The benefit freeze and the change in requalification would be effective July 1, 1987.

LOCAL & URBAN AFFAIRS

Tuesday, March 24

St. Anthony Falls--hydropower generating plant

HF564/SF526 (Long, DFL-Mpls)--recommended to pass as amended; rereferred to Regulated Industries Committee. (SF in Senate Public Utilities and Energy Committee)

Would memorialize the Federal Energy Regulatory Commission expressing opposition to the installation of an additional hydropower generating facilities at St. Anthony Falls in Minneapolis.

Minnehaha Creek--watershed district

HF734/SF756 (Shaver, IR-Wayzata)--recommended to pass; rereferred to Taxes Committee. (SF in Senate Environment and Natural Resources Committee)

Would authorize the board managers of the Minnehaha

Creek Watershed District to establish a watershed district project maintenance fund and levy a property tax for the fund. The levy may raise up to \$40,000 the first year and up to \$20,000 in subsequent years.

Ramsey County--capital improvements bonds
HF935/SF925 (Kostohryz, DFL-North St. Paul)--recommended to pass; rereferred to Taxes Committee. (SF in Senate Local and Urban Government Committee)

Would authorize Ramsey County board to levy a property tax of up to 3 mills annually for a capital improvement program. Provisions would:

- provide the proceeds go into a capital improvement fund;
- provide that the interest earnings on money in the fund accrues to the fund and the tax is outside levy limits;
- authorize the county board to issue general obligation bonds, without an election, for capital improvements; would provide that the maximum amount of principal and interest on the bonds can not exceed an amount equal to the tax levy authorized by this bill;
- provide that the bonding authority is in addition to other bonding authority for the county;
- require bond proceeds go into the capital improvement fund and any unexpended balance in the capital improvement bond fund at the close of a fiscal year is carried over for expenditure in subsequent years.

Kandiyohi County--county recorder duties
HF958 (Welle, DFL-Wilmar)--rereferred to subcommittee.

Would authorize the Kandiyohi County Board, with the approval of the court administrator, to assign the duties of the court administrator with regard to registration and keeping of vital statistics to the county recorder. Would also allow the board to assign to the county recorder duties that relate to marriage licenses or passports.

Thursday, March 26

Counties--regional development commission
HF749 (Lieder, DFL-Crookston)--heard; laid over for interim study.

Would permit a county to withdraw from a Regional Development Commission (RDC) by sending a copy of a resolution to the RDC director stating its intention to withdraw. The withdrawal takes effect for the county and the governmental units in the county at the end of the next calendar year that occurs more than six months after the date of the resolution.

Koochiching County--bidstead program
HF799/SF711 (Neuenschwander, DFL-Int'l Falls)--recommended to pass as amended**. (SF in Senate Local and Urban Government Committee)

Would authorize the Koochiching county board to establish a bidstead program.

**Delete everthing amendment would:

- describe the bidstead program which is a program to exchange parcels land (not more than 40 acres) that Koochiching County owns with people who agree to build, maintain, and pay property taxes on a homestead for a total of 10 consecutive years; would provide that after the 10-year period the bidsteader would get a warranty deed for the parcel;
- authorize the Koochiching County Board to create a bidstead development authority that has the powers and duties of an economic development authority under Minnesota Statutes; would give the authority all the powers and duties of a city and give the commissioners of the authority all the powers and duties of a city council;
- provide that the powers and duties of the authority may not be exercised until the Koochiching County Board of Commissioners passes a resolution establishing the authority;
- provide that the authority consist of five commissioners who shall be members of the county board of commissioners; would allow the county board to set the terms of the commissioners to coincide with their terms of office as members of the county board;
- allow the authority to advertise and market the bidstead program and convey and receive public lands from other subdivisions; would authorize the authority to promulgate guidelines for the bidstead program; would establish an advisory committee to advise the authority on the operation of the bidstead program.

Town road contract--notification
HF889/SF844 (Solberg, DFL-Bovey)--recommended to pass; placed on Consent Calendar. (SF in Senate Local and Urban Government Committee)

Would require advertisements for bids for which sealed bids are required for contracts for the construction or improvement of town roads to be published once a week for two successive weeks in a legal newspaper.

REGULATED INDUSTRIES

Monday, March 23

Gas meter tampering

HF841/SF705 (Carruthers, DFL-Brooklyn Center)--recommended to pass as amended**; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

Would allow a utility to recover triple its damages from persons who bypass or tamper with a meter or provide metering services without authority or a person who received unauthorized service and knew or should have known that the tampering took place. (The amount of damages recovered in excess of the actual damages may be included by the PUC in the utility's rate base calculation) Provisions would:

**Amendment would define what that an unauthorized connection or reconnection is a physical connection or reconnection.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 16)

9-1-1 emergency phone service

HF839/SF783 (Rukavina, DFL-Virginia)--recommended to pass as amended**. (SF in Senate Public Utilities and Energy Committee)

Would define minimum 9-1-1 service as including automatic location identification and would define automatic location identification as the ability to identify and display the name and address of the calling telephone number.

**Amendments made in previous hearings

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 16)

Phone service deregulation

HF701/SF677 (Jacobs, DFL-Coon Rapids)--heard. (SF in Senate Public Utilities and Energy Committee)

Would establish a procedure for deregulating telecommunications services to be overseen by the Public Utilities Commission (PUC). Provisions would:

- allow for complete deregulation for effectively competitive services where 50 percent of the customers have alternative providers available;
- allow for partial deregulation for emergingly competitive services where 20 percent of the customers have alternative providers available;

- allow for some easing of regulation for noncompetitive services in the areas of rates for new services, rate increases to reflect cost increases, and rate decreases;

- allow anyone to petition the PUC or to act on their own to classify any telephone company's service as subject to effective or emerging competition;

- allow the petitioner to choose either an expedited proceeding or a contested case hearing;

- require the PUC to make final determination within eight months of the request for the hearing or from the date it ordered the hearing. (a 90-day extension is allowed if everyone agrees or the PUC determines the public interest will be harmed without it);

- require that the company offering service must prove competition and that classification will serve the public interest;

- allow a company providing service classified as effectively competitive to decrease rates without notifying anyone, or may increase rates after notifying its customers one billing period in advance, and is exempt from the section;

- require that a company providing a service classified as emergingly competitive must file price lists with the PUC, or decrease rates ten days after filing a new price list, and may increase rates 30 days after notice to the PUC, the department and its customers;

- require that the rates of a telephone company must be the same in all geographic areas unless the PUC allows otherwise and neither the provision of services or rates may be unreasonably discriminatory;

- require that prices or rates for competitive services must cover the cost of providing them plus a reasonable contribution to common and joint costs, as determined by the PUC (a company providing both local and interexchange services must include the same level for joint and common costs as for other interexchange carriers);

- require the PUC to order refunds to customers of noncompetitive services with excessive rates because competitive services were provided for rates below cost;

- allow a company with a petition for deregulation pending to decrease rates without notice, subject to the PUC suspending this provision if it finds the service is being provided below cost or within 12 months the company had petitioned for the same service and it was found noncompetitive;

- require the PUC to reinstate regulation, in whole or part, if it finds after notice and hearing that:

--competition has failed, it has considered alternatives, and the benefits of regulation outweigh its burdens; or
--unreasonable discrimination has occurred between different areas of the state;

- require the PUC in an expedited proceeding to give notice and opportunity to present written or oral facts, argument and replies;
- require that a company must demonstrate the revenue requirement for noncompetitive services either:
 - directly, by showing the direct revenues, expenses and investments related to those services, including the portion of the total joint and common costs attributable to those services; or
 - indirectly, by providing the above information for both competitive services and noncompetitive services, including joint and common costs (the amount of revenues attributable to competitive services is the greater of the embedded cost of them or the revenues actually produced by them);
- require a company to allocate a reasonable portion of income generated jointly or arising from jointly competitive, emergingly competitive services;
- allow a rate for a new service to be set by the company and take effect ten days after filing with the PUC as long as it conforms to general chapter 237 requirements;
- allow an increase in actual cost of providing a particular service may be reflected in a rate increase after approval by the PUC;
- require the department to review and recommend approval or rejection by the PUC within 20 days;
- require the PUC to approve or reject the increase within 20 days after the department's recommendation;
- require a company wanting to provide a competitive service that it has not offered before Aug. 1, 1987, to register with the department and PUC 30 days before beginning operation and to post a bond to cover liabilities for customer deposits or advanced payments or not to require deposits or advanced payments;
- prohibit any subsidization of competitive services by noncompetitive services within a company and to require each company to file allocations and cost assignments with the PUC every two years;
- require every telephone company offering any noncompetitive service must file an annual report with the PUC;
- require that a company must prove fair market transactions in any rate case before the PUC, which may impute revenues of an affiliate to the company where appropriate;

- define "full disclosure" as accurate descriptions, starting with lowest price service options, of all types of services and rate option available to the customer from the company;
- require a company to make full disclosure to a current or prospective customer upon:
 - inquiry before becoming an initial or subsequent customer;
 - inquiry to change service or rate options; and
 - annually by written notice included with customer bills;
- define "private shared telecommunications services" to mean the provision of service within a user group in a discrete premises by a commercial shared services provider or by a user association through privately owned customer premises equipment including provision of connections to facilities of local exchange or interexchange telephone companies;
- require a person who owns or operates a premises with a private shared telecommunications service to establish a demarcation point beyond which a telephone company has no obligation to provide service;
- allow a tenant of a premises with such a service to request direct service from the local telephone company and the owner or manager of the premises to make facilities or space available for separate connection without charge or for reasonable rates, terms and conditions;
- require each local company serving more than 15,000 customers in Minnesota to file a biennial report with the PUC, starting April 30, 1987;
- require the PUC and department to report to the Legislature every two years beginning Jan. 1, 1989, regarding implementation of this act and recommendations for future legislation;
- define the word "telecommunications";
- authorize the PUC to order a company to upgrade service quality or technology if it finds existing service inadequate for the foreseeable future after an expedited hearing or a contested case hearing;
- allow inspection of company books for both competitive and noncompetitive services by the attorney general and the PUC as well as the department when the company fails to file a required report;
- require companies to allow interconnection for telecommunications service and to file the terms and conditions for connections with the PUC and the department and to authorize the PUC rather than the department to order appropriate connections;

- require interexchange companies to compensate local companies for:
 - costs of local exchange facilities used in connection with interexchange services; and
 - the common costs of companies providing local services;
- delete the requirement of a certificate of public service when a company extends its long distance lines to a locality served by another company;
- require that the sale or transfer of local exchange facilities be approved by the PUC upon a determination that it will not affect quality and price of the service (the PUC may void a sale or transfer accomplished without prior approval);
- requires the state planning agency to study the advisability of a universal service assistance program for low income persons and report to the Legislature by Jan. 1, 1989.

Wednesday, March 25

Phone service deregulation

HF701/SF677 (Jacobs, DFL-Coon Rapids)--heard. (SF in Senate Public Utilities and Energy Committee)

(See bill summary above)

TAXES

Thursday, March 26

Sales tax--exemption status

HF525/SF547 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would broaden the state's sales tax base by taxing previously exempt products and institutions. Provisions would:

- provide that sales of all computer software be subject to sales tax, including custom computer software;
- repeal language relating to an occasional meal exclusion for sales by charitable and church organizations;
- provide that meals provided to employees by their employers at less than fair market value be subject to sales tax;
- clarify that anyone having access to, as well as the use of, amusement devices or athletic facilities, including athletic and health club memberships, would be subject to the sales tax;

- provide that all fees for 9-1-1 emergency telephone service would be subject to the sales tax as the 9-1-1 service is just one component;
- provide that all fees for interstate toll service be subject to the sales tax is the call originated from and was billed to a telephone located in Minnesota;
- provide that the leasing of aircraft to shareholders of a flying club or association shall be considered a sale subject to the sales tax;
- provide that any federal taxes placed upon an item be included in the sales price and be part of the base upon which the sales tax will be computed (currently, all federal taxes, except manufacturer's or importers excise taxes, are subtracted from the sale price before computing the Minnesota sales tax;
- provide that any advertising medium which carries advertisements intended primarily for consumers located in Minnesota be considered the agent of the person placing the advertisement and that person be considered a retailer engaged in business in Minnesota and therefore subject to the sales and use tax law;
- provide that the agency is solely for the purpose of establishing nexus for sales tax purposes and that the agent has no duty to report or pay the tax of the principal;
- provide that barn cleaners, milking systems, grain dryers, automatic feeding systems and similar installations, be taxed at the two percent tax rate that applies to farm machinery, even if they are installed by the seller;
- provide it unlawful for anyone to knowingly advertise that no sales or use tax was due, when the person knows the ad was false;
- provide that motor carriers must pay sales tax on their purchases or parts and accessories and that they cannot use their motor carrier direct pay permit for these purchases;
- provide that sales tax shall not apply to sales of petroleum products upon which the petroleum has been paid if the purchaser has not and will not apply for a refund of the petroleum tax since the fuel was used for non-highway use;
- provide that the gross receipts from sales to state and local government units be subject to the sales tax (the exemption for sales to the federal government and its agencies remains intact);
- provide for a repeal of language establishing an occasional sale exemption for sales by nonprofit organizations;

- provide that the occasional sale exemption shall not apply to the sale of any boat which must be registered with the Department of Natural Resources;
- provide that all sales of items purchased with food stamps or food coupons issued under the WIC program be exempt from the sales tax (the Food Security Act of 1986 and Public Law 99-661 passed in October of 1986, or Minnesota will lose its food stamp program eligibility);
- provide for language specifying when a senior citizens group qualifies as an exempt organization for fund raising purposes;
- provide that when computing the motor vehicle excise tax, all federal taxes imposed upon the vehicle be included in the purchase price and shall be part of the base used to compute the tax;
- provide that the motor vehicle excise tax shall be made out of the general fund (this section reflects the proposal to deposit the motor vehicle excise tax in the state treasury and credit it fully to the general fund);
- provide that all monies received from the motor vehicle excise tax be credited to the general fund (currently the tax receipts from the motor vehicle excise tax are distributed on July 15 and Jan. 15, of each fiscal year to the highway use tax distribution fund and the transit assistance fund);
- provide that the Department of Natural Resources not license any boat unless the applicant can verify that the sales tax has been paid or that the transfer was exempt from the sales tax (if a boat was purchased from a private party, the DNR shall collect the tax at the time of the license application);
- repeal the following exemptions:
 - foreign railroad corporations rolling stock exemption;
 - aircraft dealer's commercial use permit exemption;
 - sale of railroad rolling stock exemption;
 - nonprofit sales tax exemption;
 - sale of aircraft to licensed dealers having commercial use permit exemption.

Nonprofit lobbying limitations--resolution
 HF737/SF794 (McLaughlin, DFL-Mpls)--recommended to pass. (SF in Senate Elections and Ethics Committee)

Would memorialize Congress and the President to prevent the taking effect of IRS regulations limiting the lobbying activities of nonprofit organizations.

Property Tax Div./Taxes

Monday, March 23

Golf club property taxation

HF533/SF1032 (Bishop, IR-Rochester)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Taxes and Tax Laws Committee)

**Delete everything amendment would require that if a golf club has a class or category of membership providing privileges for more than one member of a family, both spouses in that family must be allowed to use the golf facilities at the same times except during the times when use is restricted on the basis of sex. Provisions would:

- provide that either spouse may use the golf facilities at all times, except those times when use is restricted on the basis of sex;
- would require the county assessor to notify the taxpayer of acceptance or rejection within 30 days after receipt of application for deferment of taxes and assessment.

**Further amendments would:

- define a family member as being an adult family member;
- define "either" spouse to mean one spouse but not both and the choice of who may play may be made at any time;
- allow a golf course to create an individual membership category allowing an adult member to pay a reduced rate for play during restricted hours.

Tax Laws Div./Taxes

Tuesday, March 24

Tax compliance

HF611/SF639 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would provide that the Department of Revenue may enter an agreement with the IRS to advise IRS of refunds due from the department and allow the IRS an opportunity to levy against them. Provisions would:

- give the commissioner the authority to require Federal Employee Identification Numbers on reports or returns;
- provide that an applicant for a Minnesota Tax Identification Number shall pay a \$50 fee (the fee is refundable when business ends);
- provide that returns or payments will be treated as timely

filed/paid if the postmark date is on or before the due date;

- provide that an erroneous refund can be treated as an underpayment of tax and can be recovered by assessment and tax order (previously required court action);
- expand license clearance to all licenses and all delinquent taxes payable to the commissioner;
- provide, that in case of a license transfer, these provisions apply to both the transferor or the transferee;
- increase substantial understatement of liability penalty from ten percent to 25 percent of any underpayment attributable to the understatement;
- provide that the penalty shall bear interest from the time the tax should have been paid;
- clarify procedures for setting off refunds due the taxpayer against debts owed by the taxpayer to various state agencies, certain local government units, and agencies responsible for enforcing child support orders;
- provide that claims filed prior to July 1 can be used to set-off refunds payable during the remainder of the calendar year and that claims filed on or after July 1 will set-off refunds payable in the following calendar year;
- provide that the penalty for failure to pay corporate and individual income tax shall be three percent of the unpaid tax during the first 30 days of the delinquency with an additional three percent for each additional 30 days or fraction thereof, not exceeding 24 percent in the aggregate;
- provide that when a corporation obtains an extension and files a tentative return the late payment penalty will not apply if the amount of tax paid before the regular due date equals or exceeds 90 percent of the tax as determined on the final return;
- provide for a penalty of three percent of the tax not timely paid if the failure is for less than 30 days with an additional five percent for each additional 30 days or portion thereof not to exceed 23 percent in the aggregate;
- repeal penalty on returns 60 or more days delinquent which computed the penalty as a percentage of the refund due up to a maximum of 25 percent in the aggregate;
- provide that the maximum penalty for late payment and late filing of corporate and individual income tax is 38 percent assessable on the 121st day of the delinquency;
- increase the penalty for intentional disregard of law or rules from five percent to ten percent of the additional assessment due to negligence or disregard;
- add the language, "or a complaint filed" to the criminal section;

- clarify the taxpayers' responsibilities subsequent to federal audit or the filing of an amended federal return by providing that the responsibility to file corrections or amendments is not limited to the 90 days after the changes (the language regarding the 90 days is deleted);
- provide that the penalty for failure to pay withholding tax would be three percent of the unpaid tax each 30 days or fraction thereof not to exceed 24 percent in the aggregate;
- provide that the penalty for failure to file withholding returns would be three percent of the tax not timely paid if the failure is 30 days or less with an additional five percent for each additional 30 days or fraction thereof not to exceed 23 percent in the aggregate;
- delete provision that allows a withholding account number to be issued without a fee;
- provide that the failure to pay estate tax would be three percent each 30 days not to exceed 24 percent in the aggregate;
- provide that the combined penalty for both the late filing and late payment would not exceed 38 percent in the aggregate;
- establish procedures for beginning criminal actions for violations of the Estate Tax provisions;
- expand liquor posting to include delinquent withholding taxes (presently limited to delinquent sales tax);
- extend the coverage to prohibit the sale of 3.2 beer to a retailer who is posted;
- change the return and payment date from the 25th to the 20th day of each month including the accelerated payment of the June liability;
- provide that the failure to pay sales tax would be three percent each 30 days or fraction thereof not to exceed 24 percent in the aggregate;
- provide that the failure to file sales tax returns would be three percent the first 30 days or a fraction thereof with an additional five percent for each additional 30 days or fraction thereof not to exceed 23 percent in the aggregate;
- provide that the combined penalty for failure to pay and file sales tax would be 38 percent in the aggregate;
- provide that "dealers" are not required to give their name, address, social security number, or other identifying information on the application for marijuana and controlled substances;
- provide that the measurement of the taxable controlled substance will be determined in grams and that the taxable weight will include any additives;

- repeal provision that requires stamps must be in denominations in multiples of \$10;
- provide that the jeopardy assessment and collection language applies to assessed penalties in addition to the tax;
- provide additional language to confidentiality provision to make clear that the information derived from the sale of the marijuana stamp shall not be available under any circumstance other than a proceeding involving taxes due under this chapter.

TRANSPORTATION

Wednesday, March 25

Vehicle licensing--Pearl Harbor plates
HF111/SF294 (S. Olsen, IR-St. Louis Park)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Veterans Committee)

Would authorize the issuance of "Pearl Harbor Survivor" license plates for a fee of \$10 plus regular vehicle license taxes. Would make the \$10 fee payable only in years when new plates are issued. Would allow plates to be transferred to another vehicle for \$5.

Vehicle registration--pickup trucks
HF168/SF228 (Peterson, DFL-Princeton)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Transportation Committee)

**Delete everything amendment would allow certain pickup trucks with a carrying capacity of 2,000 pounds or less to be taxed as a passenger vehicle.

Railroad crossings--stop signs, exempt crossings
HF404/SF554 (Wenzel, DFL-Little Falls)--heard; amended**. (SF in Senate Transportation Committee)

Would allow the Department of Transportation to designate as "exempt" any crossing on a rail line in which service has been abandoned or which is used by trains fewer than five times a year.

**Delete everything amendment would:

- prohibit trains from proceeding across exempt crossings unless a police officer or railroad employee is available to direct traffic; would provide that vehicles required to stop at all crossings need not stop at an exempt crossing unless a police officer or railroad employee directs them to stop;
- provide that when a local road authority identifies a grade

crossing which one of their roads crosses as being in need of a stop sign, it must petition the Department of Transportation to install a stop sign; would direct the department to investigate the condition of the crossing and require the railroad to install a stop sign if it decides a sign is needed.

Bicycle regulation

HF813/SF774 (Seaberg, IR-Mendota Heights)--recommended to pass as amended**. (SF in Senate Transportation Committee)

Would regulate bicycle traffic and provide for designation for bicycle paths, lanes, routes and bikeways.

Provisions would:

• define:

--"bicycle route" as a roadway or shoulder signed to encourage bicycle use;

--"bicycle path" as a bicycle facility separate from the roadway or shoulder and designed for exclusive or preferential bicycle use;

--"bicycle lane" as a portion of a roadway or shoulder set off by marking or a barrier and used exclusively or preferentially by bicycles;

--"bicycle trail" as a bicycle route or bicycle path under the DNR bicycle trail program;

--"bikeways" as a bicycle lanes, bicycle paths and bicycle routes which are exclusively for bicycles or are shared with other transportation modes;

--"shoulder" as that part of a roadway contiguous to the traveled way;

• allow political subdivisions to designate bicycle routes, lanes, paths, or bike ways by resolution as well as by ordinance;

• require local marking and signing of bikeways to conform with the state manual on uniform traffic control devices;

• provide that present law requiring bicycle ways to be replaced when they are taken by new highway construction will apply to specifically to bicycle lanes, paths, and routes;

• rename the state bicycle trail program as the state bikeway program;

• require bicyclist to traveling on a shoulder of a roadway to travel in the same direction as adjacent vehicular traffic;

• would prohibit persons riding a bicycle on a shoulder from riding more than two abreast; would require bicycle on a shoulder to yield to the right of way to pedestrians; would extend to bicyclists traveling on a shoulder the same rights and duties as a pedestrian;

**Amendment would make technical changes.

FLOOR ACTION

CALENDAR

Monday, March 23

Minimum wage increase

HF3/SF10 (Kelly, DFL-St. Paul)--passed (74-53). (SF in Senate Employment Committee)

Would raise Minnesota's minimum wage from \$3.35 to \$4.35 an hour for adults, and from \$3.02 to \$3.85 an hour for workers under 18 over a two-year period.

Electronic teller machines

HF28/SF148 (Skoglund, DFL- Mpls)--passed (125-0). (SF in Senate Commerce Committee)

Would change requirement that Electronic Financial Tellers (EFT) be located separate and apart from a financial institution's main office, branch, or detached facility. Would allow voluntary cooperation by certain smaller institutions to avoid costs and equipment changeover.

Probate changes

HF123/SF287 (Bishop, IR-Rochester)--passed (125-0). (SF in Senate Judiciary Committee)

Would increase from \$3,000 to \$10,000 the amount of wages owed to a decedent at the time of death which an employer can pay to a spouse upon request.

(See bill summary HWR, Vol. 3, No. 8, Pg. 7, Health & Human Services, March 5)

Bankruptcy--notify employees

HF134/SF182 (Price, DFL-Woodbury)--passed (84-38). SF in Senate Employment Committee)

Would require an employer to immediately notify its employees and job applicants in writing if it files for bankruptcy or has a petition for involuntary bankruptcy filed against it.

Health care professionals--impersonation

HF318/SF301 (Orenstein, DFL-St. Paul)--passed (127-0). (SF in Senate Judiciary Committee)

Would broaden the crimes of criminal sexual conduct in the third and fourth degree to cover persons who engage in sexual penetration or conduct by falsely representing that the penetration of contact is for a bona fide medical purpose by a health care professional. Would provide that the complainant's consent is not a defense to the crime.

Crime victims rights

HF336/SF232 (Seaberg, IR-Mendota Heights)--referred to Appropriations Committee. (SF in Senate Judiciary Committee)

Would make changes to the crime victims statutes.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 10, Judiciary, March 10)

Compulsory education--changes

HF432/SF425 (McEachern, DFL-St. Michael)--passed (105-19). (SF in Senate Education Committee)

Would make changes in compulsory instruction law.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 2, Education, Feb. 25; for amendments, see HWR, Vol. 3, No. 7, Pg. 3, Education, March 4)

Dakota County--personnel system

HF510/SF617 (Jensen, DFL-Lakeville)--passed (125-0). (SF in Senate Local & Urban Government Committee)

Would authorize the Dakota County board to establish a county personnel administrative system for creating an employee relations department and appointing a personnel board of appeals.

(See bill summary HWR, Vol. 3, No. 8, Pg. 12, Local & Urban Affairs, March 5)

CONSENT CALENDAR

Thursday, March 19

St. Louis County--land sale

HF11*/SF338 (Begich, DFL-Eveleth)--passed (129-1). (SF in Senate Environment and Natural Resources Committee)

Would allow St. Louis County to sell a piece of St. Louis County land for the state of Minnesota.

Cities--advertising expenditures

HF345*/SF164 (Wenzel, DFL-Little Falls)--passed (126-4). (SF in Senate Local and Urban Government Committee)

Would authorize cities of the second class (population of 20,000 to 100,000) and third class (population of 10,000 to 20,000) to appropriate money for advertising purposes. Currently, Minnesota Statutes authorizes such expenditures for statutory cities and home rule charter cities of the fourth class.

Insemination--donor consent

HF470*/SF443 (Bishop, IR-Rochester)--passed (125-0). (SF in Senate Judiciary Committee)

Would eliminate the statutory requirement that a physician file a husband's consent to his wife's artificial insemination with the commissioner of health; would require the physician to retain the consent for at least four years after the confirmation of any pregnancy which occurs during the process of artificial insemination; would direct the commissioner to mail all consents on file to physicians who submitted them and to destroy any remaining consents if those physicians can't be located.

Monday, March 23

St. Louis County--county clerk

HF838/SF782 (Minne, DFL-Hibbing)--passed (122-0). (SF in Senate Local & Urban Government Committee)

Would provide for a clerk in the unclassified civil service for St. Louis County.

GENERAL ORDERS

Thursday, March 19

Minimum wage increase

HF3/SF10 (Kelly, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Employment Committee)

Would raise Minnesota's minimum wage from \$3.35 to \$4.35 an hour for adults, and from \$3.02 to \$3.83 an hour for workers under 18.

**Amendments would:

- change the beginning rate for adults from \$3.75 to \$3.55 starting July 1, 1987;
- change the beginning dates from July 1, 1987 to Jan. 1, 1987 and annually thereafter to Jan. 1, 1989, when the beginning rate would be \$3.85 an hour;

- change the beginning rate for persons under 18 from \$3.38 to \$3.20 starting July 1, 1987;

- change the beginning dates from July 1, 1987 to Jan. 1, 1987 and annually thereafter to Jan. 1, 1989, when the beginning rate would be \$3.47 an hour.

(See bill summary in HWR, Vol. 3, No. 5, Pg., 3, Labor-Management Relations, Feb. 16)

Probate changes

HF123/SF287 (Bishop, IR-Rochester)--recommended to pass. (SF on Senate Floor)

Would increase from \$3,000 to \$10,000 the amount of wages owed to a decedent at the time of death which an employer can pay to a spouse upon request (this amount was last increased in 1969).

(See bill summary in HWR, Vol. 3, No. 8, Pg., 7, Health and Human Services, March 5)

Monday, March 23

Child restraint carriers

HF29 (Skoglund, DFL-Mpls)--recommended to pass.

Would require all motor vehicle operators transporting children under age 4 to use child restraint systems.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 15, Transportation, March 11)

Corrections authority/inmate restitution

HF375/SF586 (Kludt, DFL-Moorhead)--recommended to pass. (SF in Senate Judiciary Committee)

Would make several changes to the corrections statutes and the criminal code.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 17, Judiciary, March 16)

Adulterated milk

HF419/SF137* (Krueger, DFL-Staples)--recommended to pass. (SF passed Senate)

Would add the Federal Food, Drug, and Cosmetic Act as a source of exception to the prohibition against the manufacture of food from adulterated milk or cream.

Railroad caboose requirements

HF428/SF449 (Welle, DFL-Willmar)--referred to the Appropriations Committee. (SF in Senate Transportation

Committee)

Would require all freight trains 2,000 feet or longer to have as its rear car an occupied caboose, if the train is handling placarded cars or is operated without block signals.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 15, Transportation, March 10)

Insurance--burial expenses

HF444/SF460 (Sparby, DFL-Thief River Falls)--recommended to pass. (SF in Senate Commerce Committee)

Would prohibit any insurance company or agent or others who provide insurance for funeral or burial expenses from endorsing or promoting a particular mortician, funeral director, or establishment.

Nursing home shared service agreements

HF526/SF599 (Welle, DFL-Wilmar)--recommended to pass. (SF in Senate Health and Human Services Committee)

Would expand the scope of shared service agreements and specify that funds received from such agreements be available for related expenditures.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 8, Health & Human Services, March 10)

Nursing home care cost

HF527/SF532 (Cooper, DFL-Bird Island)--recommended to pass. (SF in Senate Health and Human Services Committee)

Would subrogate the Department of Human Services to the rights of patients or resident to private health care coverage, to extent of costs of services given.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 8, Health & Human Services, March 10)

Town road--recording procedures

HF542/SF551 (Welle, DFL-Willmar)--recommended to pass as amended. (SF in Senate Transportation Committee)

Would allow town boards to adopt a recorded township road map to record its town road easements.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 12, Local & Urban Affairs, March 10)

Dept. of Human services--division name change

HF557/SF799 (Kelso, DFL-Shakopee)--recommended to pass. (SF in Senate Health and Human Services Committee)

Would rename Mental Retardation Division of the Department of Human Services as the Division for Persons With Developmental Disabilities.

Farmer-Lender Mediation Program--FmHA

HF575 (Sparby, DFL-Thief River Falls)--recommended to pass.

Would memorialize the President of the United States and Congress to immediately direct the Farmers Home Administration to participate in and cooperate with the Minnesota Farmer-Lender Mediation Program.

Service stations--fuel purchase option

HF661/SF662 (Solberg, DFL-Bovey)--recommended to pass. SF in Senate Commerce Committee)

Would allow service station dealers to purchase fuel from either a wholesaler or refiner, even though they're under contract to buy fuel from certain refiners.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 4, Commerce, March 17)

Accident report data

HF687/SF447 (Poppenhagen, IR-Detroit Lakes)--recommended to pass. (SF in Senate Judiciary Committee)

Would require law enforcement agencies to disclose to the media the date of birth of a party involved in an auto accident. (Current law permits only the release of the party's name and address.)

Fraudulent Transfer Act

HF711/SF97* (Orenstein, DFL-St. Paul)--recommended to pass. (SF passed Senate Floor)

Would react the Uniform Fraudulent Transfers Act to replace the 1918 Uniform Fraudulent Conveyances Act.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 17, Judiciary, March 17)

Minnesota Statutes--revisor's corrections

HF713/SF689 (Rest, DFL-New Hope)--recommended to pass. (SF in Senate Judiciary Committee)

Would correct erroneous, ambiguous, omitted, and obsolete references and text, and eliminate certain redundant, conflicting, and superseded provisions in current Minnesota Statutes.

House Weekly Review is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1987 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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HOUSE WEEKLY REVIEW

FOR MEMBERS of the Minnesota House of Representatives

March 26-April 2, 1987

Volume 3, Number 11

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills.

COMMITTEE ACTION

AGRICULTURE

Monday, March 30

Agricultural land--corporate ownership

HF1025/SF851 (Peterson, DFL-Princeton)--heard; rereferred to Agriculture Farm Programs and Policy Subcommittee. (SF in Senate Agriculture Committee)

Would modify the exception for agricultural lands operated for research or experimental purposes. Provisions would:

- require a corporation or a pension or investment fund seeking to operate agricultural land for research or experimental purposes to get approval from the commissioner of agriculture;
- require a corporation or a pension or investment fund operating agricultural land for research or experimental purposes to submit to the commissioner a prospectus or proposal of the intended method of operation including a copy of any operational contract with individual participants, prior to initial approval of an operation;
- require a corporation or a pension or investment fund operating agricultural land for research or experimental purposes to submit to the commissioner an annual report showing its progress and to report to the Legislature if called upon to do so;
- require a corporation or a pension or investment fund that is presently operating agricultural land for research or experimental purposes to comply with all of the above requirements with exception of the requirement for initial approval of the project.

Landowners--first right of refusal

HF1059 (DeBlicke, DFL-Milroy)--amended; rereferred to

Agriculture Finance Division.

Would amend the existing "right of first refusal" language to require that a covered seller offer farm land to the previous owner not only at the same price, but also with the same down payment, interest rate, and other financing terms as an acceptable offer from a third party. Provisions would:

- provide that for land held by a corporation because of enforcement of a debt on land, the "right of first refusal" is extended to ten years (the maximum time allowed to the corporation before disposal of the land) rather than five;

- remove the exemption of bankruptcy estates from the "right of first refusal" is removed.

****Amendment would:**

- allow lenders to give a cash settlement to the original owner in the form of a reduction in the price of the land, based on the difference of the contract value (interest rate, terms, and price) of the third party bid;
- provide that the right of the former owner to lease or buy property under this subdivision is not transferrable to any other party during the time the right created under this subdivision remains in effect.

Animal--sales, use as prizes

HF1090 (Dauner, DFL-Hawley)--heard; rereferred Agriculture Livestock Subcommittee.

Would regulate the sale and giving away of animals. Provisions would:

- prohibit giving away any live animal, except for those authorized under Minnesota Statutes, as a prize or inducement to enter a contest, game, or other competition;



- provide that this bill does not apply to a person or organization that gives away an animal as a project to promote the equine and livestock industry or to promote animal and wildlife conservation or which are intended for immediate slaughter;

- make violations a misdemeanor.

Agriculture Finance Div./Ag.

Wednesday, April 1

Farmer-Lender Mediation Act--changes
 HF210/SF89 (Schoenfeld, DFL-Waseca)--recommended to pass as amended**; rereferred to Agriculture Committee. (SF passed in Senate)

Would make various changes to the farmer-lender mediation program that the University of Minnesota Agriculture Extension Service administers.

(See bill summary in HWR, Vol. 3, No. 7, Pg. 1, Agriculture Finance Div./Ag., March 4)

**Amendments would:

- amend the definition of "agriculture property" to include removable agricultural structures under lease with option to purchase;
- repeal the mediation program on July 1, 1989;
- provide that a deficiency judgment on personal property in agricultural production may not be executed until three years from the day the judgment was entered; would provide that a deficiency judgment that enforces a debt on personal property in agricultural production does not attach to real or personal property the debtor acquires after the judgment is entered;
- provide for a priority lien for the reasonable rental value of seasonal use machinery which is used for field operations during the mediation period;
- give the machinery lien priority over all other liens or security interests in crops the debtor produces during the calendar year in which mediation occurs;
- limit the reasonable rental value to no more than the rental value of machinery of like capacity and age as determined by the extension director and to the period of time or acreage in which the machinery is used during the mediation period;
- provide that the lien is effective against any crops growing or to be grown by the debtor in the calendar year;
- define "seasonable use machinery" as machinery,

equipment, or implements used exclusively for **planting**, row crop cultivating, or harvesting. Seasonal use machinery does not include a tractor, tillage **equipment**, or utility implements used for general farm purposes.

APPROPRIATIONS

Education Div./Approps.

Tuesday, March 31

HECB--student vote
 HF632 (Kinkel, DFL-Park Rapids)--heard.

Would allow the student council member of the **H**igher Education Coordinating Board to vote. **Would allow** student members of the board to receive **work-study** compensation from public or private postsecondary institutions while serving on board.

Tuition--trust fund study
 HF778/SF819 (L. Carlson, DFL-Crystal)--**recom**mended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would provide money for a Higher Education Coordinating Board (HECB) study of the state's desirability of exploring incentives to **help families** contribute to a student's postsecondary education (education trust fund); would require HECB to report back study findings by Jan. 15, 1988.

Health & Human Services Div./Approps.

Friday, March 27

Home health care licensure
 HF120/SF51 (Greenfield, DFL-Mpls)--**recom**mended to pass as amended**. (SF in Senate Finance Committee)

Would require licensure for all providers and persons, with a few exceptions, who provide home care services.

(See bill summary in HWR, Vol. 3, No. 6, Pg. 4, Health & Human Services, Feb. 26)

**amendments would:

- allow a client the right to an individual or agency that provides medical supplies or durable medical equipment, except when the provider of supplies or equipment is accompanied by a home care service that is provided for a fee;

- define home management services not covered under the bill;
- make technical amendments.

SILS reimbursement

HF506/SF541 (Wynia, DFL-St. Paul)--recommended to pass. (SF in Senate Finance Committee)

Would require the commissioner of human services to reduce the use of nursing homes for people with mental retardation or related conditions.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 15, Health & Human Services, March 18)

COMMERCE

Tuesday, March 31

Used car sales--regulation

HF85/SF18 (Begich, DFL-Eveleth)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would require used motor vehicle dealers to provide its buyers with a consumer arbitration program. **Delete everything amendment would:

- define "used motor vehicle" as a vehicle for which the title is transferred from the person who first acquired the vehicle from the manufacturer, importer, or dealer;
- require persons obtaining a used or new motor vehicle dealer license to participate in or operate a consumer arbitration program;
- require motor vehicle lessors to operate or participate in a consumer arbitration program;
- provide that persons making isolated or occasional sales (not more than five motor vehicles in a 12-month period) does not qualify for dealer plates;
- change minimum requirements of place of doing business for used motor vehicle dealers to include an area not more than five miles from the dealer's permanent commercial building and of sufficient size to permit display of at least five vehicles;
- require vehicle lessors doing business in more than one location in a county to indicate all locations on their license application;
- allow motor vehicle registrars to suspend or revoke a license if provisions regarding arbitration are violated;
- require a bond of \$100,000 or insurance of equal value

and coverage of motor vehicle auctioneers;

- require used motor vehicle dealers to operate or participate in a consumer arbitration program as a condition of getting a license to do business in this state;
- allow dealers to charge consumers a fee to participate in a consumer arbitration program provided that the fee does not exceed the conciliation court filing fee in the county where the arbitration is conducted;
- provide that the arbitrator's decision is nonbinding on the involved parties unless otherwise agreed by the parties;
- provide for damages in frivolous or bad faith claims;
- provide that every used vehicle sold in Minnesota is subject to an implied warranties of merchantability for 60 days or 3,000 miles, whichever comes first, following the date of the sale;
- allow consumers to arbitrate any vehicle defects or repair problems (those that substantially impair the use or market value of the vehicle) that are reported to the dealer during the 60-day implied warranty period; would provide that vehicle defects or repair problems which are not reported to dealer within 60-days after the sale are governed by the terms and conditions of the original contract between the parties;
- provide that the implied warranty is in addition to any applicable express warranty the dealer offers; would provide that the implied warranty does not cover defects or repair problems which result from collision, abuse, negligence, or lack of adequate maintenance;
- exclude from the arbitration requirement any dispute concerning:
 - a problem not reported within the 60-day implied warranty period;
 - vehicles sold for less than \$1,500 or with mileage over 100,000;
 - vehicles sold by a business to an employee or by a lessor to a lessee;
 - motor vehicle defects or repair problems which are described in specific detail in a clear and conspicuous written disclosure statement signed by the consumer at the time the vehicle is sold;
- allow the arbitration program to consider certain evidence concerning the reasonable expectations of the parties at the time the vehicle was sold, including the age, mileage, and price of the vehicle, and any verbal representations of written disclosures regarding the vehicle's condition the dealer made at the time of the sale;

- allow the attorney general to inspect consumer arbitration program records;
- require dealers to give consumers written notification upon purchase of the right to arbitration;
- provide for civil penalties and provides that the remedies defined in this bill do not limit rights or remedies otherwise provide for in law;
- prohibit the issuance of a certificate of title or registration for vehicles not manufactured to comply with federal emission and safety standards unless certain requirements are met;
- prohibit the alteration of the lenses covering the center high mounted stop lamp on vehicles so equipped;
- require a person transferring a motor vehicle to certify in writing that the pollution control system and restricted gasoline pipe have not been removed, altered, or otherwise rendered inoperative;
- subject exclusions or modifications to general implied warranties to provisions of the arbitration program;
- provide that the arbitration program requirements apply to metro dealers Jan. 1, 1988 and dealers in the rest of the state Jan. 1, 1989.

Eyeglasses--unregulated sales

HF466 (Sarna, DFL-Mpls)--recommended to pass as amended**.

Would allow spectacles for reading or close work that contain simple lenses having a plus power of up to 3.25 to be sold in any establishment.

**Amendment would:

- require seller to prominently display a sign on the counter or rack or other display device where the spectacles are offered for sale that reads: "If you have experienced a vision loss, the selection of these glasses should not take the place of an eye exam."

Membership camping regulation

HF487/SF710 (Peterson, DFL-Princeton)--recommended to pass as amended; placed on Consent Calendar. (SF in Senate Commerce Committee)

Would regulate membership camping practices. Provisions would:

- remove the reference that a "sports court" or "minor facility" is not defined as an amenity;

- reduce the time period from three years to one that a membership camping contract must be in effect, for it to be regulated by the Membership Camping Practices Act;
- include the name of the campground in the requirements of what must be included as part of the application for registration;
- define the following devices or sales presentations as deceptive or misleading:

--advertisements that offer travel and other benefits to encourage individuals to visit a campground or attend a sales presentation that doesn't provide detailed information relating to the conditions of receiving the benefits and the retail value of those benefits;

--advertisements that do not prominently disclose the name and address of the membership camping operator;

--advertisements that may confuse the reader because it's written on stationery of someone other than the operator;

- increase the period of time that an individual may unconditionally rescind a membership camping contract from three to five days;

- require that funds connected with the sale of a membership camping contract be deposited in an escrow account until the period of rescission is over;

- prohibit operators from commingling personal funds in the escrow account;

would allow an operator to deposit up to \$100 in the escrow account to pay service charges of the escrow account;

- require operators to maintain records of each escrow account and provide the commerce commissioner with a list of financial institutions in which the escrow accounts are held; would require operators to give the commissioner a ten-day notice prior to closing an escrow account;

- remove the exemption that loan and real estate agreements and building plans and specifications filed with the commissioner are not open for public inspection;

- define the following devices or sales presentations as deceptive or misleading for the purposes of selling subdivided lands:

--advertisements that offer travel and other benefits to encourage individuals to visit a campground or attend a sales presentation that doesn't provide detailed information relating to the conditions of receiving the benefits and the retail value of those benefits;

--advertisements that do not prominently disclose the name and address of the membership camping operator;

--advertisements that may confuse the reader because it's written on stationary of someone other than the operator;

****Amendment would:**

- change the definition of "salesperson" to an individual, other than a membership camping operator or broker, who offers or sells membership camping contracts, but does not include existing members who refer persons without receiving compensation of more than \$150 per year and do not make more than three referrals per year;
- limit the amount of money that may go towards campground maintenance to no less than 65 percent of the annual members fee; would require operators to include the maintenance charge on the member's billing statement; would allow operators to increase or decrease the 65 percent minimum maintenance requirement by the written consent of a simple majority of the members; would require operators to give members a letter of the proposed change; would require that the records pertaining to the amendment minimum maintenance requirement must be maintain at the offices of the campground operator for at least three years and available during regular business hours for inspection by members.

Consumer protection account

HF943 (Milbert, DFL-South St. Paul)--recommended to pass as amended**; placed on Consent Calendar.

Would create a consumer education account in the state treasury whereby the attorney general would use the funds to prepare and distribute educational materials to inform the public of consumer protection laws and consumer rights.

****Amendments would:**

- provide that civil penalties collected in connection with injunctive proceedings brought by the attorney general to protect consumers will be desposited into the consumer education account;
- allow the attorney general to use the funds for educational seminars or research projects in the field of consumer protection;
- allow courts to appoint administrators in actions by the attorney general to monitor, maintain, or wind up the affairs of a business or to collect and distribute judgments obtained by the attorney general for the benefit of persons.

Plumbers--advertising restrictions

HF1073/SF1219 (O'Connor, DFL-St. Paul)--recommended to pass. (SF in Senate Employment Committee)

Would authorize journeyman plumbers to advertise for plumbing. Provisions would:

- set penalties for violations of advertising restrictions of a fine of up to \$100 for the first offense, a fine of up to \$1,000 for the second offense, and for the third and subsequent offenses, a fine of up to \$1,000 or imprisonment of up to 30 days or both.

Thursday, April 2

Retail credit card interest rates

HF242/SF495 (O'Connor, DFL-St. Paul)--heard; amended**. (SF in Senate Commerce Committee.

Would reduce credit card interest rates to an amount closer to the Federal Reserve discount rate. **Delete everything amendment would:

- limit finance charges for open-end credit sales to the equivalent of an annual percentage rate of the higher of: 1) 14.5 percent, or 2) six percentage points over the Federal Reserve discount rate; would prohibit the annual percentage rate from exceeding 18 percent;
- limit finance charges by a seller whose Minnesota annual gross sales exceed \$25 million or any issuer whose credit card is issued primarily for purchasing motor fuels and whose gross sales exceed \$10 billion to the equivalent of an annual percentage rate of the higher of: 1) 10.5 percent, or 2) four percentage points over the Federal Reserve discount rate; would prohibit the annual percentage rate from exceeding 18 percent;
- allow upward adjustments of rates only once a year; would prohibit sellers from imposing any additional charges on credit card users.

ECONOMIC DEVELOPMENT & HOUSING

Tuesday, March 31

Minnesota Housing Finance Agency bill

HF508/506 (Jefferson, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Taxes and Tax Laws Committee)

Would provide for the administration of the state's low-income housing credit, authorize the Minnesota housing finance agency to participate in certain housing construction projects and in certain nonprofit corporations, authorize the sale or rental of certain housing property, and provide for the issuance of certain bonds and notes. Provisions would:

- add low-income housing credits (which are created by the

1986 Federal Tax Reform Act) to the definition of federal housing assistance supplements;

- designate the Minnesota Housing Finance Agency (MHFA) as the Minnesota State agency responsible for making and administering the allocation of the state's low-income housing credit among the appropriate state agencies and local governmental units;
- extend existing prohibitions of loan denial for rehabilitation loans (present law prohibits the denial of a loan issued for rehabilitation of residential housing owned by low or moderate income persons because the loan will not be solely used for placing the residential unit in full compliance with all code requirements);
- expand the use of energy improvement loans to include projects that bring the property into partial (as well as full) compliance with the statutory energy standards;
- provide the MHFA with the authority to acquire, build, rehabilitate, or lease, jointly or individually, housing to be sold or rented at prices affordable to low and moderate income persons and families;
- allow rents to be charged in amounts sufficient to cover all reasonable costs of financing, service charges and insurance premiums;
- allow the MHFA to form or be part of a nonprofit corporation. (Portions of the Federal Tax Reform Act of 1986 provide certain exceptions for nonprofit corporations from the limitations on the issuance of tax-exempt bonds.)
- allow the MHFA to acquire property when the acquisition is necessary or appropriate to protect the agency's loans or grants or would otherwise preserve housing for use by low and moderate income persons and families that are benefited by federal housing assistance payments, other rental subsidies, or interest reduction contracts;
- allow MHFA to:
 - acquire real or personal property by purchase, exchange, gift, assignment transfer, foreclosure, etc.;
 - own, hold, manage, operate, clear, improve, and rehabilitate real or personal property; and
 - sell, assign, lease, encumber, mortgage or otherwise dispose of real or personal property. The MHFA may do any of the previous activities with or without public bidding, by public or private sale;
- delete provision that says MHFA notes and bonds are "negotiable" notes and bonds;
- allow MHFA to issue book entry securities;
- delete provision requiring MHFA notes and bonds to be

countersigned by the state treasurer and clarify that MHFA bonds are not subject to the state's contract management provisions.

**** Amendment would:**

- clarify wording designating the MHFA as the agency responsible for administering the federal low-income housing credits within Minnesota;
- remove the words "build" and "built" from the list of activities the MHFA may undertake;
- require MHFA to hire outside management of multi-family properties acquired pursuant to this bill;
- create a statutory formula for the division of the low-income housing credits among local HRAs. Require unused credits to revert to the agency.

Employment unit data--DEED

HF609/SF854 (Kelso, DFL-Shakopee)--recommended to pass as amended**; rereferred to Taxes Committee. (SF in Senate Judiciary Committee)

Would provide the Department of Energy and Economic Development (DEED) access to employment unit data (ES 202 data) for analysis, evaluation, and promotion of economic development. ES 202 data is collected through the Unemployment Insurance Reporting System in the Department of Jobs and Training.

**** Amendment would:**

- specify that DEED use the information only internally.

Single-family homes--air quality problems

HF673/SF654 (Lasley, DFL-Cambridge)--recommended to pass as amended**; rereferred to Judiciary Committee. (SF in Senate Economic Development and Housing Committee)

- would create a 13-member advisory task force to study moisture deterioration and air quality issues in single-family residential housing;
- provide that task force duties would include:
 - conducting or contracting for 150 on-site inspections to determine the danger of flue gas spillage, moisture conditions, and corrective options. A fee of \$25 could be charged to the homeowner for each inspection;
 - conduct or contract for 15 enhanced site evaluations and inspections;
 - conduct or contract for four demonstration sites for detailed retrofit testing and monitoring;
- require the task force to submit a report to the governor

and the Legislature by June 30, 1989;

- appropriate:

- \$18,750 for the 150 on-site inspections;
- \$3,750 for the 15 enhanced site evaluations;
- \$76,250 for the four demonstration sites;

- provide that fees collected by the task force be appropriated to the executive director of the Pollution Control Agency to administer the 150 on-site inspections;

- set the effective date as July 1, 1987.

****Amendment would:**

- add a 14th task force member, to be an employee of the Department of Health, appointed by the commissioner of health (other task force members are already specified in the bill).

Thursday, April 2

Dislocated workers--retraining

HF363/SF384 (Clark, DFL-Mpls)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Employment Committee)

Would lay out procedures for informing and retraining dislocated workers. Provisions would:

- outline the purpose of the bill, including the possible benefits to workers, employers, and government finances, as well as the need to coordinate state efforts directed toward dislocated workers;

- add "dislocated worker program" to the definition of employment and training services;

- instruct the commissioner of jobs and training to evaluate the performance of dislocated workers programs as part of a larger semi-annual report;

- require an employer (with 50 or more employees in the past year) to notify the Commissioner of Jobs and Training within ten days after the employer has closed a facility or if the employer has laid off at least 25 percent of a facility's employees. The notification would include the number of employees terminated, the occupations of those employees and the reasons for the terminations;

- place responsibility for the coordination of dislocated worker related activities with the commissioner of jobs and training;

- define "dislocated worker" to include those individuals who meet the federal definition, and any member of a farm family under "severe household financial need";

- create a retraining and educational coordinator (based in the AVTI system) to coordinate the retraining and education efforts of the state's education related agencies and systems in communities that have been affected by plant closings;

- require the Full Productivity and Opportunity Coordinator to identify state and federal barriers to participation of unemployed individuals in retraining programs. Recommendations for program changes are to be submitted to the governor and Legislature by January 1988;

- appropriate funds (no amount specified) from the General Fund to the Commissioner of Jobs and Training to provide services and assistance to dislocated workers. The following limits would include:

- at least 80 percent for a state match to the federal dislocated worker program;

- up to 10 percent could be used to assist those that do not meet the federal definition of dislocated worker;

- up to ten percent could be used for additional staff associated with dislocated worker services;

- appropriate \$150,000 (General Fund) to the commissioner of jobs and training to establish a monitoring system for measuring the effect of plant closings. Information gathered would include:

- cause of individual plant closings;

- number of dislocated workers affected by plant closings;

- type of industries and occupations affected by plant closings;

- effect of plant closings on employee benefits, and

- effect of plant closing on state and local government finances.

County levy--economic development

HF876/SF697 (Frederick, DFL-Mankato)--heard. (SF in Senate Economic Development and Housing Committee)

Would permit a county to either annually appropriate \$50,000 or levy a one mill tax (whichever is greater) for economic development purposes. (The county under present law can appropriate \$50,000 annually.) This money is to be paid to an incorporated development society or organization that is to promote, advertise, improve or develop economic or agricultural resources in the county. The tax authorized by this bill would be outside an levy limits.

Wadena--enterprise zone

HF928/SF906 (Richter, DFL-Wadena)--heard. (SF in Senate Economic Development and Housing Committee)

Would authorize the creation of an enterprise zone for the city of Wadena. (Current law provides that no further enterprise zones be designated after Dec. 31, 1986.)

Provisions would:

• state that this enterprise zone, when established by the city council, would be subject or eligible for all requirements or benefits of present enterprise zones, except:

--this zone would not be subject to the funding limitations on the total amount of tax credits that the state is authorized to grant, and

--the city would not have to agree to provide the qualifying local contribution, and

--this zone would not be subject to restrictions relating to the number of acres.

Duluth--seaway port authority appropriations

HF994/SF918 (Munger, DFL-Duluth)--recommended to pass as amended; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$4.2 million from the General Fund to the Seaway Port Authority of Duluth for the following purposes:

--\$3 million for two mobile crawler cranes, and

--\$1.2 million for improvements to berths.

No local approval would be required to make the provisions of this bill effective.

Itasca County--economic development

HF1302/SF1224 (Solberg, DFL-Bovey)--recommended to pass. (SF in Senate Taxes and Tax Laws Committee)

Would allow the Itasca County Board to levy a tax of one mill to finance county efforts in the area of tourism, agriculture and economic development. The levy would not be subject to levy limits. The bill would also provide for a reverse referendum if the equivalent of five percent of the voters in the most recent general election sign a petition calling for the referendum.

EDUCATION

Monday, March 30

School districts--mail info

HF 235/SF24 (Hartle, IR-Owatonna)--recommended to pass as amended**. (SF in Senate Education Committee)

Would authorize Independent School District No. 763 to mail summaries of school board proceedings to local residents if it is more cost-effective than publishing the summaries in the local newspaper, if approved by the local school board.

**Amendment would:

• allow any school district without a newspaper within its boundaries that is distributed to more than one-third of the residents to mail school board minutes.

Missing children--school check

HF259/SF235 (Bishop, IR-Rochester)--heard. (SF in Senate Education Committee)

Would require schools within two weeks of enrolling new or transfer students to request parent or guardian to provide the school with prior school records or birth certificate; if copies are not provided within five days, the school must notify the local law enforcement agency, which must then investigate the report under the procedures of the Minnesota missing children's act.

Red Lake Tribal Archives

HF879/827 (Tunheim, DFL-Kennedy)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would appropriate \$750,000 from the state building fund as a grant to the Red Lake Band of Chippewa Indians to build a tribal archives, library, and interpretive center if the additional financing necessary for construction has been committed by other sources.

Wednesday, April 1

High School League--conference memberships

HF96/SF231 (McKasy, IR-Mendota Heights)--recommended to pass. (SF in Senate Education Committee)

Would make formation of extracurricular conferences voluntary; establish a 90-day procedure that would require the Minnesota State High School League to arrange conference memberships for high schools unable to obtain membership during a 180-day attempt; require a public hearing to develop criteria for arranging and assigning membership.

Literacy--high school graduation

HF677/SF920 (Price, DFL-Woodbury)--heard. (SF in Senate Education Committee)

Would require that districts adopt a literacy policy for high school graduation that must be met by students. Local policies must include:

determination of minimum literacy level; literary assessing procedures at various grade levels, with provisions for nonspecial education and limited English proficiency students; parent conference procedures for aiding students not making proper progress; and accommodations for handicapped and limited English proficiency procedures.

Teacher exchange program

HF1195 (McEachern, DFL-St. Michael)--heard.

Would require the state board of education to enter exchange agreements with other states, provinces, or countries for up to four agreements in 1987-88 and up to six agreements for 1988-89. Would specify terms for establishing, hosting, and applying for participation in the exchange program, including reimbursement for certain expenses.

Adult basic education--expansion

HF1196/SF1103 (K. Nelson, DFL-Mpls)--heard; amended; rereferred to Education Finance Division. (SF in Senate Education Committee)

Would replace current adult basic education programs with a new program; districts must submit program proposals to the commissioner of education in order to receive funding. Would fund portion of approved programs in FY'88 and FY'89 with state aid and be eligible to receive additional revenue in FY'89 through a fully equalized aid and levy program.

Education Finance Div./Educ.

Friday, March 27

Consolidation revenue

HF811/SF942 (Rukavina, DFL-Virginia)--heard. (SF in Senate Education Committee)

Would create a new aid for districts that consolidate under the existing consolidation statute. New would provide \$300 per actual pupil unit in the first year of consolidation, \$200 per actual pupil in second year, and \$100 per pupil in the third year of consolidation. The total new consolidation aid would be capped and paid only for the new district's first 3,000 pupils.

Head Start

HF1055/SF989 (K. Nelson, DFL-Mpls)--heard. (SF in Senate Education Committee)

Would appropriate unspecified amount of aid for desegregation plans and costs.

Desegregation costs

HF1285/SF1181 (Vellenga, DFL-St. Paul)--heard. (SF in Senate Education Committee)

Would supplement and/or replace federal monies dedicated to Project Head Start in the State of Minnesota.

Monday, March 30

Education finance--transportation article

HF330 (Trimble, DFL-St. Paul)--incorporated into proposed Article 2 to be considered for inclusion in HF753 (K. Nelson, DFL-Mpls).

Would incorporate HF330 which allow districts to transport students, if requested by parent or guardian, to a day care center instead of the home if that day care center is in the same attendance area;

Article provisions would:

- change the transportation formula in 1988-89; move noon kindergarten, desegregation, and late activity transportation costs to the non-regular category; changes the formula for non-regular transportation aid to 60 percent of the cost in excess of \$30 per total pupil unit;
- provide equalization on the excess transportation category (Hazardous transportation, 1-2 mile secondary transportation) at the 50 percent level;
- set the transportation formula inflation factors at 4.9 percent for 1987-88 and 4.1 percent for 1988-89 (change over the second prior year);
- appropriate \$90.6 million in 1987-88 and \$90.3 million in 1988-89.

Youth services program

HF855/SF730 (K. Nelson, DFL-Mpls)--heard. (SF in Senate Education Committee)

Would establish Minnesota Youth Service Program for 18 to 22 year olds. Program would provide a comprehensive youth service model combining full-time work in conservation or human services with competency-based educational programs. Program would help reduce unemployment and meet community service needs.

Youth development--whole child

HF1259 (Otis, DFL-Mpls)--heard.

Would establish a whole child initiative program to begin and support school and community partnerships focusing on positive youth development and preventing children from becoming at risk youth. The program must provide training for community leadership teams consisting of parents, student, educational leader, and other members of the public and private sectors, to develop their knowledge and skills in building and implementing a vision of excellence for the children and youth of the community.

ENVIRONMENT & NATURAL RESOURCES

Thursday, March 26

Clean Water Partnership Act

HF887/SF867 (Knuth, DFL-New Brighton)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Environment and Natural Resources Committee)

Would create the Clean Water Partnership Program to control nonpoint source water pollution that the Pollution Control Agency (PCA) would administer. Provisions would:

- establish a clean water partnership program with local units of government for projects that protect and improve surface and ground water;
- require the PCA and the Metropolitan Council to conduct assessments of waters that nonpoint sources pollute;
- provide grant assistance to local governments for up to 50 percent of the cost for a nonpoint study and for implementation of a nonpoint plan;
- require local governments to provide certain documents in order to receive financial and technical assistance, including certain types of statutory water plans or a local plan that demonstrates a local commitment to water quality protection;
- require the PCA to provide rules to rank applications for assistance in order of priority;
- require local governments to carry out approved implementation plans; would allow the PCA to audit financial assistance funds expenditures; would permit the PCA to sue in district court for financial assistance use violations;
- require the PCA to adopt permanent rules for procedures, requirements and criteria for program participants;
- require the PCA to develop a state plan for nonpoint source water pollution control, and to coordinate the nonpoint activities and programs of other governmental agencies;
- require the PCA director to chair a project coordination team to evaluate project applications and recommend appropriate assistance;
- appropriate an unspecified sum.

**Amendment would make technical changes.

Outdoor Recreation Bonding Act

HF919/SF1105 (Voss, DFL-Blaine)--recommended to pass as amended; rereferred to Taxes Committee. (SF in Senate Environment and Natural Resources Committee)

- authorize \$74,320,000 in bonds to be sold for the purposes stated:
 - appropriate \$5,000,000 from the state building fund to the commissioner of energy and economic development for acquisition and betterment of local recreation projects; would require that \$2,500,000 be granted to projects outside the metro area over the biennium;
 - appropriate \$7,000,000 for dam safety projects;
 - appropriate \$31,000,000 to the commissioner of natural resources for acquisition and/or betterment of state parks and recreation areas, state forests, forest roads and bridges, state trails (including trails within other units of the outdoor recreation system), wildlife management areas, water bank wetlands, scientific and natural areas, water access sites, and river programs;
 - authorize 34 unclassified positions in the Department of Natural Resources;
 - require the commissioner of natural resources to submit work plans to the Legislative Commission on Minnesota Resources for the commission's recommendation;
 - appropriate \$3,250,000 to the University of Minnesota for athletic facilities;
 - amend the state sales tax statutes to include in the "sale and purchase" definition the granting of membership in a club, association or other organization, under certain conditions; would authorize any revenues the state collects from these memberships to go into an amateur athletic account in the general fund;
 - create an amateur athletic facilities account to pay the principal and interest on bonds the state issues for the athletic training facilities; would provide that if the commissioner of finance determines the money in the account will pay bond obligations, any excess money may be expended on facility operation and maintenance.
- **Amendments would:
- appropriate \$15,400,000 to the city of Blaine for amateur athletic training facilities;
 - appropriate \$3,500,000 to the city of Roseville for a statewide speedskating center;
 - appropriate \$25,000 for statewide ski jumping planning.

Tuesday, March 31

Pesticide law changes

HF485/SF717 (Kalis, DFL-Walters)--recommended to pass as amended; rereferred to Agriculture Committee. (SF in Senate Environment and Natural Resources Committee)

Would amend the "Pesticide Control Act of 1976" to give the Department of Agriculture clearer authority for pesticide registration and safe use; would make changes in certifying pesticide applicators, increase certification fees, and provide stronger penalties for violators. Provisions would:

- designate the Department of Agriculture as the lead agency for state regulation of pesticides; would require rules for local control of pesticide use;
- increase the annual pesticide product registration from \$25 to \$100; would require applicants to pay an additional \$100 for late renewal; would require anyone who sells or uses a pesticide before it's registered to pay a \$200 penalty fee;
- allows the commissioner of agriculture to impose state use restrictions for pesticide registration to prevent unreasonable adverse effects on the environment;
- clarify and strengthen requirements for pesticide registration to meet special local need pest control situations;
- require registration of experimental use pesticide products before they're distributed or used; would require a \$100 experimental use product fee and would impose a \$200 penalty fee for unregistered use;
- require the Department of Agriculture to certify all persons who distribute restricted use pesticides and all commercial pesticide dealers; would require dealers to pay a \$50 license fee; would mandate that no licensed dealer may sell restricted use pesticides to anyone other than a certified applicator;
- require all persons who apply pesticides commercially to be individually certified and a licensed; would require individuals to complete a closed-book, monitored exam before initial licensing; would exempt from this provision, farmers who apply pesticides on their own land, and licensed physicians, dentists, and veterinarians;
- require that all persons applying restricted use pesticides to have a valid noncommercial applicator license;
- require persons the Department of Agriculture licenses to sell restricted use pesticides to maintain records of all sales and submit them annually to the department;
- require commercial and noncommercial applicators to keep an expanded amount of information for their application records; would require them to retain the application records for two years after the treatment date;
- require commercial, noncommercial, or structural pest control firms to maintain a plan that describes their pesticide storage, handling, and disposal practices, and submit the plan to the Department of Agriculture if requested;
- require private applicators to meet five-year certification requirements in order to use restricted use pesticides;
- require the private applicator to have a certification card to purchase restricted use pesticides; would impose a new \$10 fee for the five-year private applicator certification period to offset the cost of verifying training and insuring a certification card;
- allow anyone to request that the Department of Agriculture inspect for a possible violation, not just those persons who allege actual damage; would require that the request relate to a possible violation of the state law;
- expand current law to include several areas of handling, use, and disposal that cause or have the potential to cause environmental contamination damage to crops, human exposure, and related problems;
- prohibit any pesticide use that results in pesticide drift if the drift causes observable or measurable injury or damage; would prohibit any use which results in pesticide overspray; would require sprayers to post treated areas if the label of the pesticide use specifies a human re-entry time;
- require chemigation systems to be equipped with anti-pollution devices in order to protect water resources;
- require persons storing bulk pesticides (500 gallons or more) to obtain a storage permit; would require applicants to pay a first-time only \$100 fee;
- add new language to protect water quality; would not permit anyone to keep any pesticide, rinsate, or unrinsed container at or on a site without safeguards to prevent escape from the site; would require that these items be disposed of according to state and federal laws and in a manner not to cause unreasonable adverse effects on the environment;
- authorize the commissioner to inspect pesticide-impacted facilities and sites, pesticide rinsate and containers, and records; would allow the commissioner, with reasonable cause, to investigate, stop distribution or use, and take remedial action;

- provide relief through criminal prosecution, action to recover civil penalties injunction, action to compel performance or administrative action;
- provide that employers are liable for their employees' violations of these provisions;
- recognize state-federal cooperative enforcement, and allow the commissioner to adopt federal standards when they are in the state's best interests;
- require any person involved in an incident to immediately report the incident to the Department of Agriculture; would provide that the responsible party bear the cost of clean up; would designate the Department of Agriculture as the lead agency for response to pesticide incidents;
- create a dedicated account in the state treasury for administering and enforcing the pesticide control law;
- add noncommercial applicator to the requirement for satisfying judgments or face license suspension;
- clarify misdemeanor and gross misdemeanor violations; would add a civil penalty to pesticide law enforcement with a penalty limit of \$10,000 per day;
- appropriates \$500,000 from the general fund to begin a special revenue account on July 1, 1987; would require a payback by the end of the biennium.

****Amendments would:**

- require the commissioner to set a minimum license or certificate suspension period for persons who apply pesticides by overspray, drift, or target site spray upon humans in a grossly negligent or intentional manner;
- propose a model ordinance that municipalities may adopt containing certain pesticide application warning information.

Prairie land management program

HF626/SF626 (D. Nelson, DFL-Champlin)--recommended to pass as amended; rereferred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would establish a program to manage and enhance prairie land and native prairie reserves. Provisions would:

- require the Department of Natural Resources (DNR) to plan for the management, development, and restoration of:
 - prairie land under the DNR's jurisdiction; and
 - prairie landscape reserves, comprised of an integrated network of protected prairie lands, prairie restoration sites, and private prairie lands;

- require DNR to develop and manage permanent prairie landscape reserves to maintain the native plant and animal populations, landscape features, and habitat types that are characteristic of intact native prairie ecosystems; would allow haying and grazing management practices;
- establish the position of prairie biologist in the DNR and require the biologist to operate out of an office in the central part of the prairie region, under the scientific and natural areas program supervision;
- require DNR to study the feasibility of establishing private or public prairie plant seed production areas within prairie land locations; would allow DNR to enter into cost-share or sharecrop agreements with landowners having easements for conservation purposes of ten or more years on their land to commercially produce prairie plant seed of Minnesota origin.

Lost River State Park--boundaries

HF836/SF808 (Tunheim, DFL-Kennedy)--recommended to pass as amended. (SF in Senate Environment and Natural Resources Committee)

Would revise the boundaries of Lost River State Forest.

****Amendment would make technical language changes.**

Solid waste disposal facilities--location

HF893/SF768 (McPherson, IR-Stillwater)--laid over. (SF in Senate Environment and Natural Resources Committee)

Would prohibit the location of mixed municipal solid waste disposal facilities in metropolitan regional parks.

Acid deposition control--assessment

HF915/SF865 (Trimble, DFL-St. Paul)--recommended to pass as amended******; rereferred to Appropriations. (SF in Senate Environment and Natural Resources Committee)

Would authorize the Environmental Quality Board to assess public utilities to finance the state's cost of controlling acid deposition.

****Amendment would provide that the assessment would not be made if the annual assessment due would be less than \$50; would require the board to take public testimony on a work plan and budget before approving it.**

Airport noise control--assessment

HF953/SF893 (Skoglund, DFL-Mpls)--amended******; not recommended to pass. (SF in Senate Local and Urban Government Committee)

Would require the Pollution Control Agency (PCA) to

assess the Metropolitan Airports Commission (MAC) to finance the PCA's aircraft noise control program.

****Amendment would extend the MAC reporting date to 1994.**

Purple Loosestrife control

HF996/SF934 (Stanius, IR-White Bear Lake)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would provide a program for the control of noxious weeds. Provisions would:

- allow the commissioner of agriculture to control noxious weeds on any land that has an infestation (currently applies only to agricultural land);
- require that landowners who receive weed treatment reimburse the department's noxious weed quarantine fund for 10 percent of the treatment cost;
- state legislative intent to establish a control program to control the weed Purple Loosestrife;
- authorize the commissioner of natural resources to coordinate a state control program to curb Purple Loosestrife growth; would require a biennial program report to the Legislative Commission on Minnesota Resources; would authorize rulemaking for the Agriculture Department to designate Purple Loosestrife as a noxious weed;
- appropriate money for the control program.

Thursday, April 2

Reinvest in Minnesota--amendments

HF886/SF841 (Munger, DFL-Duluth)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Environment and Natural Resources Committee)

Would amend the 1986 "Reinvest in Minnesota Resources Act." Provisions would:

- clarify the definition of landowner;
- define "wetland" for purposes of the conservation reserve portion of "RIM;"
- include a drained wetland as eligible land that may be included in the Department of Agriculture's conservation reserve program;
- allow eligible landowners to acquire the land through gift

or inheritance, or reacquire the land after a foreclosure or similar debt restructuring;

- allow small landowners, owning less than 200 acres of agricultural land, to exceed the 20 percent limitation of enrolled land in the conservation reserve program;
- require the highest priority for land selection to be given to land where a permanent easement is conveyed;
- require landowners to agree to the enforcement of the terms of an easement under conservation reserve; would require a drained wetland basin to be under a perpetual easement which provides for restoration of the wetland;
- change the perennial cover payments to: 75 percent of the total eligible cost up to \$75 per acre for limited easements, and 100 percent of the total eligible cost up to \$100 per acre for perpetual easements;
- change tree planting payments to: 75 percent of the total eligible cost up to \$200 per acre for limited easements, and 100 percent of the total eligible cost up to \$300 per acre for perpetual easements;
- allow the commissioner of agriculture to use an alternative easement payment system;
- allow any supplemental cost-share payments to be also used to supplement easement payments;
- make the critical habitat private sector matching account an account in the RIM fund;
- require the commissioner of natural resources to order a priority for critical habitat to be acquired or improved;
- require written work plans on RIM fund expenditures, both money spent and money proposed, to the House and Senate Environment and Natural Resources Committee for their review and comments; would provide for public meetings;
- remove the option to indemnify a wetland owner by means other than direct acquisition or placing an eligible wetland in the state waterbank program before possible drainage;
- add water quality maintenance and improvement as a public interest in preserving wetlands;
- allow conservation easements to be used in the waterbank program and would allow them to be permanent;
- change the payments for wetlands placed in the waterbank program to:
--50 percent of equalized fair market value for permanent easements; and

--50 percent annually of the mean adjusted cash rental for cropland in the county, or lump sum for 10-year easements;

- authorized \$36,000,000 in bonds for the RIM fund;

- appropriates \$36,000,000 to:

Department of Agriculture:

--\$20,000,000 for the conservation reserve program.

Department of Natural Resources

--\$12,000,000 for fish and wildlife habitat improvements and acquisition of land interests;

--\$ 2,500,000 for the critical habitat private sector matching account;

--\$ 1,500,000 for aspen recycling.

****Amendments would:**

- include "family farm" in the definition of landowner;

- require the commissioner of natural resources to establish a native prairie bank, to determine where native prairie land is located in the state, and prescribe eligibility requirements for inclusion of land in the native prairie bank; would allow the commissioner to enter into easements with landowners to acquire native prairie for conservation purposes; would specify payments and procedures; would authorize \$500,000 from the RIM bond proceeds for the native prairie bank program;

- define "windbreak," and would require the commissioner of transportation to provide technical advice and assistance to the commissioners of agriculture and natural resources on the planting of windbreaks adjacent to highways.

**FINANCIAL INSTITUTIONS
& INSURANCE**

Thursday, March 26

Detached facilities--merger

HF274 (Otis, DFL-Mpls)--heard.

Would allow acquisition through merger of banks for operation as detached facilities.

Detached facilities--establish; maintain

HF296/SF099 (Schafer, IR-Gibbon)--heard. (SF in Senate Commerce Committee)

Would require the commissioner of commerce to determine the population of municipalities for the purpose of authorizing the establishment and maintenance of detached facilities.

Detached facilities--permit additional

HF791/SF743 (Wynia, DFL-St. Paul)--heard. (SF in Senate Commerce Committee)

Would permit additional detached facilities to be operated by a financial institutions.

Detached facilities--Duluth

HF959/SF823 (Boo, IR-Duluth)--heard. (SF in Senate Commerce Committee)

Would authorize the acquisition of banks for operation as detached banking facilities in the city of Duluth and adjacent municipalities.

Wednesday, April 1

Financial institutions--regulation changes

HF291/SF691 (Winter, DFL-Fulda)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would provide language, technical, and regulation changes to various statutes regulating incorporation and operation of financial institutions.

****Amendments would:**

- extend interstate branching of financial institutions to savings and loan holding companies;

- provide that a bank or trust company may invest not to exceed ten percent of its capital and surplus in shares of stock in bank or bank holding companies in which the ownership of stock is restricted to banks or bank holding companies authorized to do business in Minnesota;

- delete section 25 dealing with buyer liability for unpaid debt after repossession of personal property;

- clarifies procedure for closing personal deposit accounts, prohibits institutional transfer of deposits from one account to another without consent of account holder;

- delete section 12 providing for special acquisition procedures for failing banks and closed banks.

Insurance company--investments

HF1267/SF1206 (Otis, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would expand certain insurers' investment authority.

****Delete everything amendment would:**

- update and expand current Minnesota based property/casualty insurance industry's ability to invest in

securities or property;

- allow a company to make qualified investments in additional securities or property of any kind with written approval of the commissioner;
- allow the commissioner to waive the requirement loss adjustment expense unless the company's written premiums exceed 300 percent of surplus in relation to policyholders as of the same date.

GENERAL LEGISLATION, VETERANS AFFAIRS, & GAMING

Thursday, April 2

License plates--Vietnam vets

HF43/SF33 (Bauerly, DFL-Sauk Rapids)--recommended to pass as amended**; referred to Transportation Committee. (SF in Senate Veterans Affairs Committee)

Would permit issuance of no more than two sets of special license plates to Vietnam-era veterans upon payment of a \$10 fee and registration tax; would permit transfer of plates to another motor vehicle after payment of a \$5 transfer fee.

**Amendment would:

- substitute commissioner of veterans affairs in place of adjutant general to design plates and estimate number required.

Mpls--school board election

HF490 (McLaughlin, DFL-Mpls)--recommended to pass as amended**.

Would restructure the makeup of school board for School District No. 1, Minneapolis.

**Delete everything amendment would:

- increase the board to nine members; six members would be elected to represent distinct districts within the school district, three members would be elected at large (voters currently elect entire school board at large);
- require local approval before change takes effect;
- require candidates for school board to be 21 years of age and a district resident for 30 days prior to the election.

Horse racing--harness track

HF905/SF863 (Reding, DFL-Austin)--recommended to pass as amended**. (SF on Senate Floor)

**Delete everything amendment would:

allow the Racing Commission to issue one additional racetrack license (class A) in the metropolitan area, exclusively for standardbred (harness) racing.

- limit track size to no larger than five-eighths of a mile in circumference; prohibit operation or ownership of the track by a governmental entity or nonprofit organization;
- remove requirement that additional track be located at least 25 miles from Canterbury Downs facility.

GOVERNMENTAL OPERATIONS

Monday, March 30

Firefighters relief associations--age limit

HF238/SF1187 (Bennett, IR-Shoreview)--recommended to pass; placed on Consent Calendar. (SF in Senate Governmental Operations Committee)

Would remove the age limits for membership in firefighters relief associations.

Retirement--ambulance service employees

HF772/SF601 (Kinkel, DFL-Park Rapids)--recommended to pass as amended**. (SF in Senate Governmental Operations Committee)

Would establish a voluntary retirement plan for certain qualified employees of public and private ambulance services. Provisions would:

- provide plan coverage for public and private ambulance service personnel who elect to participate;
- give each public or private ambulance service employing eligible personnel the option of electing plan coverage, and would prohibit coverage from being discontinued, once elected;
- require that the ambulance service fund plan benefits and that salaried personnel make employee contributions no greater in amount than the employer contribution;
- permit any ambulance service fund to make employer contributions;
- provide that the plan is a defined contribution plan, that benefits equal the value of accumulated contributions plus investment income and are payable under certain circumstances; would require the ambulance service to determine eligibility for participation and that the eligibility standards be uniform;

- provide that age 50 is the normal retirement age; would prohibit early retirement; would require 60 months of service credit for vesting, with certain exceptions; would permit a plan participant who leaves active service before 50 to receive the value of the employee's individual account at age 50;
- require a lump sum payment and permit the payment to be rolled over into another qualified plan at the member's option; would permit the member to purchase an annuity as an alternative to a lump sum distribution;
- provide that the account value of participants who terminate prior to vesting or who die without a beneficiary or heirs at law will be allocated among the remaining accounts;
- permit personnel who change employment among participating ambulance services after vesting to continue participating in the plan without penalty or forfeiture;
- require PERA to adopt rules for administering the plan that would assure the plan tax exempt status as a qualified pension plan.

****Amendments would:**

- delete the provision that directs the State Board of Investment to invest the ambulance service pension funds;
- make technical changes.

Public meetings--notice

HF793 (Rukavina, DFL-Virginia)--heard; amended**.

****Delete everything amendment would require certain notice for all public meetings. Provisions would:**

- require that written notice of regular meetings must be given at the beginning of each calendar year; would require that notice be published in a legal newspaper and posted at the governing body's principal office, and at least three other prominent places within the governmental unit;
- require that notice of rescheduled, special, and closed meetings be published in the legal newspaper at least 72 hours before the meeting, and posted within the same 72 hours; would require that a copy of the notice be delivered to each person who has filed a written request with the governing body;
- provide for emergency telephone notification of news media when it's impossible to publish or post notice within the required 72 hour period; would require that a transcript or tape of such meetings be available.

Commission to Study Business Competition
HF803/SF734 (Sparby, DFL-Thief River Falls)--

recommended to pass; rereferred to Appropriations Committee. (SF in Senate Commerce Committee)

Would create a legislative study commission on government and business competition to study and report on the effect of state and local laws and regulation on the competitive environment of small businesses in the state. Provisions would:

- permit the commission to recommend legislation it considers necessary to reduce unfair competition between small businesses, state regulated industries and institutions, and nonprofit tax exempt organizations;
- specify commission membership;
- require the commission to report its findings and recommendations to the Legislature by March 1, 1988.

St. Louis County/Floodwood--land sale

HF947/SF940 (Begich, DFL-Eveleth)--recommended to pass; placed on Consent Calendar. (SF in Senate Environment and Natural Resources Committee)

Would authorize St. Louis County to sell certain tax-forfeited land to Minnesota Sphagnum of Floodwood, Minnesota.

Public employees--mandatory retirement age

HF1077/SF1035 (Simoneau, DFL-Fridley)--recommended to pass as amended**. (SF in Senate Governmental Operations Committee)

Would conform mandatory retirement provisions for public employees to the federal Age Discrimination in Employment Amendments of 1986.

****Amendments would make technical language changes.**

St. Louis County/Biwabik--land sale

HF1119/SF1005 (Rukavina, DFL-Virginia)--recommended to pass; placed on Consent Calendar. (SF in Senate Environment and Natural Resources Committee)

Would allow St. Louis County to sell a certain piece of land to the city of Biwabik.

Public pension plans, funds--uses

HF1159/SF1071 (Simoneau, DFL-Fridley)--recommended to pass as amended**. (SF in Senate Governmental Operations Committee)

Would provide that money credited to a public pension plan constitutes a dedicated fund that may be used only for specified purposes; would prohibit such money from being loaned or transferred to a governmental entity or

used to fund a deficit in another public pension plan; would not prohibit the authorized investment of plan assets.

**Amendment would delete references to pension funds.

Tuesday, March 31

Stearns County--PERA employee
HF338/SF328 (Gruenes, IR-St. Cloud)--recommended to pass; placed on Consent Calendar. (SF in Senate Governmental Operations Committee)

Would authorize a certain Stearns County Historical Society employee to retain membership in the Public Employees Retirement Association (PERA).

Foster care--payments
HF556/SF616 (Jefferson, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Finance Committee)

Would require the commissioner of human services, rather than county boards, to establish difficulty-of-care payment rates for children in foster care.

**Amendment would require the commissioner to adopt emergency and permanent rules to implement foster care payment rates and difficulty-of-care payments.

Dept. of Administration--changes
HF916/SF820 (Lasley, DFL-Cambridge)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would amend, create, and delete various duties of the commissioner of administration. Provisions would:

- transfer the Office of Volunteer Services, and the duty to appoint its director, from the governor to the commissioner; would allow the director to charge a fee for all services provided;
- provide that the *Guidebook of State Agencies* be published at least every four years, instead of every odd-numbered year;
- provide that when certain state property is sold at an auction, all administrative costs of the auction, and not just the auctioneer's fees, must be paid from the auction proceeds;
- permit the commissioner to use principles of life cycle costing, where appropriate, in determining the lowest overall bid for state purchases;
- permit the commissioner to lease space for up to 10

years, rather than the current five year lease, when a relocation project requires more than 100,000 square feet of leased space and a longer term lease is in the state's best economic interests; would provide other lease requirements;

- clarify that proceeds from surplus state property sales are continually appropriated to the agency for which the sale was made;
 - permit the commissioner to charge state agencies and political subdivision a fee for the cost of energy conservation training and preventive maintenance programs;
 - permit the commissioner to offer a centralized travel service to state agencies, and to accept payment from travel agencies under contracts to provide travel services;
 - create a productivity loan fund as a dedicated fund in the state treasury, under the commissioner of administration's control;
 - create a productivity loan committee (would specify membership), and provide for the committee to review state agency loan applications;
 - allow the commissioner of administration, as well as the heads of other governmental units having custody of records, to establish time periods for record retention or disposal;
 - define "licensee" and redefine "noncommercial radio station" for laws governing grants to noncommercial radio stations; would specify that to qualify for a grant, a noncommercial radio station must hold certain authority from the Federal Communications Commission, or be covered by a valid noncommercial educational radio station license or program test authority issued to the station's licensee;
 - repeal the current law that provides that money received from the sale of records as waste material shall be deposited in the general fund.
- **Amendments would:
- allow state employees to contract with state departments, other than the one which employs them, to perform services substantially different from those they regularly perform;
 - allow the commissioner to establish an endowment fund to reward state agencies and their employees for improving productivity and service quality;
 - allow the commissioner to sell or license computer software products or systems the state develops; would credit the sale proceeds to the computer services revolving fund;

- transfer the director of volunteer services to the state classified service without requiring a qualifying exam;
- require the state treasurer to credit all interest earned on money accrued in the revolving fund for vocational rehabilitation of the blind to the fund.

Dept. of Employee Relations--changes

HF948/SF981 (Larsen, DFL-Ramsey)--recommended to pass as amended**. (SF on Senate Floor)

Would make various changes to responsibilities of the Department of Employee Relations. Provisions would:

- add the Department of Public Service to the list of state departments to the section of current law which provides for appointment and filling of vacancies of commissioners, and gives general powers and responsibilities to commissioners;
- provide that the commissioner of employee relations, rather than the commissioner of health, may establish a preventive health services program for state employees;
- permit the commissioner of employee relations to conduct experimental or research projects designed to improve recruitment and hiring for state jobs;
- add examination monitors and training instructors professional examining boards hire to the list of state employees that serve in the unclassified civil service;
- broaden the circumstances under which a hiring agency could request from the commissioner of employee relations a restricted list of job candidates; would permit this request only if the special qualifications are "job related and necessary," instead of "essential";
- amend the affirmative action hiring law; would require the commissioner to certify two eligible members of each protected group for which a disparity exists when there's a disparity between an agency's workforce and its affirmative action plan, and fewer than two eligible members of each protected group would be certified to the hiring agency under usual procedures;
- require that the commissioner's affirmative action report be given on or before Feb. 1, rather than Jan. 1 of each year;
- clarify that certain people eligible to participate in the state insurance program will receive the benefits provided under the commissioner's plan for unrepresented employees, and that the Board of Regents or an applicable collective bargaining agreement will determine coverage for University of Minnesota employees;

- clarify language which prohibits the commissioner from marketing or self-insuring life insurance optional coverages for state employees doesn't prevent the commissioner from designing a plan and providing information to employees;

- amend procedures for discipline and discharge of state employees collective bargaining agreements don't cover; would strike specific procedural requirements and provide that these requirements will be contained in the plan that the commissioner write to cover the terms and conditions of employment of these employees;

- repeals certain redundant statutes.

**Amendments would:

- conform mandatory retirement provisions for public employees to the federal Age Discrimination in Employment Amendments of 1986;
- allow the commissioner to conduct experimental or research projects designed to improve state classified positions' recruitment, selection, referral, or appointment processes.

Wednesday, April 1

Hazardous waste--transporter license

HF298 (author)--recommended to pass as amended**.

Would require the Department of Transportation (MnDOT) to license hazardous waste transporters; would set license fees and qualifications; and would provide for license suspension or revocation.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 24, Transportation, March 18)

**Amendments would:

- allow the commissioner of transportation to issue an order requiring violations to be corrected and administratively assessing monetary penalties for violations of hazardous waste laws or rules;
- prohibit the commissioner from assessing both administrative and criminal penalties for the same violation;
- allow the commissioner to issue an order assessing a penalty up to a maximum of \$10,000 for all violations identified during a single inspection or audit; would specify factors the commissioner must consider before determining the penalty amount;
- provide contents of an order assessing an administrative penalty;

- permit the commissioner to issue an order assessing a penalty and requiring the violations cited in the order to be corrected within 30 calendar days from the date the order was received;
- provide if the commissioner determines that the violation has been corrected or appropriate steps have been taken to correct the action, the penalty must be forgiven;
- provide for an expedited administrative hearing, and a district court hearing;
- permit the attorney general to proceed on behalf of the state to enforce penalties that are due and payable under this section in any manner provided by law for debt collection;
- provide that if a person doesn't pay a penalty due and payable, the department of transportation may revoke or refuse to reissue or renew a license.

Hazardous waste--administrative penalties
HF332/SF388 (D. Nelson, DFL-Champlin)--recommended to pass as amended**. (SF in Senate Environment and Natural Resources Committee)

Would create a new section of law providing administrative penalties for violations of waste management and pollution control laws related to hazardous waste.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 4, Environment & Natural Resources, March 12)

**Amendments would:

- add an additional factor that the PCA director may consider when determining a violator's penalty;
- authorize the director to enter into voluntary mediation concerning any administrative penalty order he or she may issue, if both the director and the person to whom the order is issued both agree to mediation;
- remove the six-hour time limit imposed on an administrative hearing;
- provide that the director must establish, by a preponderance of evidence, that a hazardous waste law or rule violation occurred and the petitioner is responsible for the occurrence, that the director considered all the necessary factors when determining the penalty amount, that the factors justify the penalty amount, and if the director assesses an immediate penalty, he or she must establish by a preponderance of evidence that the immediate penalty imposition was justified;
- delete all reference to lien provisions.

Hispanic Quincentennial Commission

HF682 (Pappas, DFL-St. Paul)--recommended to pass as amended**; placed on Consent Calendar.

Would create a seven-member Hispanic Quincentennial Commission to promote greater awareness of the meaning of 500 years of Hispanic culture in the United States; would specify commission membership; would provide that the commission design appropriate quincentennial projects, and permit the commission to make contracts and to seek gifts and grants.

**Amendments would specify that one of the commission's legislative members must be a minority caucus member.

Dept. of Finance--changes

HF859/SF675 (author)--recommended to pass; referred to Appropriations Committee. (SF in Senate Finance Committee)

Would clarify and correct miscellaneous provisions to improve the administration of the Department of Finance and of state government. Provisions would:

- require the Revisor of Statutes to provide 10 free copies of Minnesota Statutes and its supplements, and Laws of Minnesota, to the Department of Finance;
- permit the commissioner of finance to delegate the authority to approve certain state contracts and leases to officials in other state agencies if the commissioner finds that the delegation will improve state government operations;
- appropriate from all direct appropriated nongeneral funds an amount sufficient to reimburse the general fund for statewide indirect costs;
- permit the commissioner to authorize an agency to deposit receipts of over \$250 in the state treasury less frequently than daily, if the agency shows that the cost of making daily deposits exceeds the lost interest earnings and the risk of loss or theft of the receipts;
- appropriates money to pay interest on undisbursed federal moneys when the federal government so requires;
- allow the state to make payments to vendors before goods or services are furnished if the commissioner of administration certifies to the commissioner of finance that the vendor is a sole source who has certified that it will not do business with the state unless paid in advance;
- require the commissioner of finance to reduce the operating budgets of state agencies that use the master lease program for the difference between the budgeted equipment purchase price and the actual master lease payment;

• require that a municipality must provide adequate security to insure loan repayment before the commissioner may make a district heating or qualified energy improvement loan to it.

Correctional industries--competitive bidding
HF924/SF1159 (Simoneau, DFL-Fridley)--recommended to pass. (SF in Senate Governmental Operations Committee)

Would remove the Minnesota correctional industries from state competitive bidding requirements.

Private detectives, protective agents--regulations
HF1039/SF703 (Simoneau, DFL-Fridley)--heard. (SF in Senate Governmental Operations Committee)

Would repeal most current laws governing regulation of private detectives and protective agents, and enact new language which would clarify and restructure the laws. Provisions would:

- define terms;
- amend the composition of the Board of Private Detectives and Protective Agent Services;
- specify the board's powers and duties regarding private detective and protective agent licensure; would authorize the board to:
 - deny license applications, and to suspend or revoke licenses under certain conditions;
 - impose a civil penalty on license holders for violation of law or the board's rules;
 - hire an executive director in the unclassified service, and other employees as needed;
- specify activities that are not subject to board licensure, including activities of peace officers while engaged in official duties;
- require license holders to submit each employee's fingerprints to the Bureau of Criminal Apprehension (BCA), along with the employee's consent to a BCA investigation to determine whether the employee has a criminal record;
- clarify activities that constitute the business of a private detective that would require licensure;
- clarify activities that constitute the business of a protective agent that would require licensure;
- prohibit people from acting as private detectives or protective agents without a license;

- prescribe license applications and require specific information; would specify documentation that must accompany the license application; would require proof of general liability insurance in the amount of \$100,000;

- provide for license reissuance;

- specify prohibited acts, including displaying the word "police" or similar terms, and displaying the name of a governmental subdivision;

- specify licensing conditions; would provide for a corporate or partnership license holder to give the board notice of any successor; would provide for surrender of expired licenses; would specify penalties;

- specify different types of fees that the board will determine;

- provide a basis for disciplinary action against a license holder;

- permit the board to establish a graduated schedule of administrative penalties;

- prohibit license transfer;

- repeal most current laws governing private detective and protective agent licensure.

State building code--public buildings
HF1060 (DeBlicek, DFL-Milroy)--recommended to pass.

Would require the commissioner of administration to administer and enforce the state building code in state public buildings where local municipalities are not enforcing it.

Thursday, April 2

Firefighters facilities--improvement loans
HF97/SF339 (Begich, DFL-Eveleth)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would allow the commissioner of administration to loan up to \$50,000 to any home rule charter or statutory city, county, or town that receives fire protection wholly or partly from a volunteer firefighters association. Provisions would:

- permit the city, county, or town to use the money to acquire, purchase, construct, or rehabilitate buildings, or to purchase or rehabilitate other capital equipment the firefighters use to discharge their duties;
- appropriate \$5,000,000 from the state building fund to the commissioner for the purpose stated above;

• require the state to sell and issue bonds in an amount up to \$5,000,000 to provide money for the appropriation.

**Amendment would delete the nine percent loan interest rate, leaving it temporarily blank.

School district employees--insurance benefits

HF514/SF501 (Quinn, DFL-Coon Rapids)--recommended to pass as amended**; rereferred to Education Committee. (SF in Senate Education Committee)

Would create a statewide insurance plan to provide school district employees and other eligible persons with life insurance and hospital, medical, and dental benefit coverage through provider organizations.

**Delete everything amendment would:

- allow exclusive (union) representatives to decide if employees that they represent would participate in the plan; would allow the employer to make this decision for unrepresented employees;
- permit the plan to be part of the state employee plan;
- establish procedures for entering and withdrawing from the plan, and for premium payments;
- provide an option for employees who are laid off, retired, or on strike, to continue coverage, generally at the employee's expense.

Emergency personnel--death benefits

HF578/SF587 (Beard, DFL-Cottage Grove)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would add drivers or attendants licensed for basic or advanced life support transportation service and engaged in providing emergency care to the list of people eligible for benefits from the peace officers benefit fund.

Pet dealers--licensure, regulation

HF683/SF757 (O'Connor, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate General Legislation and Public Gaming Committee)

Would add to and clarify laws regulating animal dealers in Minnesota.

**Delete everything amendment would:

- prohibit the following acts:
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--a dealer's possession of a dog or cat without the lawful owner's permission;
--a dealer's transfer of a dog or cat to an institution without the lawful owner's permission;

• provide a civil penalty of up to \$1,000 for each animal illegally transferred;

• expand the law that currently governs dog kennel licensing to include cat kennels; would provide that "kennel" doesn't include a person's home where dogs or cats are kept as pets;

• extend kennel regulations to dealers; would require dealers to have licenses; would prohibit issuing a kennel or dealer license to a person who has a financial interest in a pound;

• authorize the Board of Animal Health rules to cover dealers, as well as kennel operators, and cats and dogs; would specify information to be retained in records;

• authorize county humane society agency to inspect kennels or dealers; would specify notice contents that kennels and dealers must post;

• add to grounds for license revocation to include:
--a dealer's possession or transfer of a dog or cat to an institution without the lawful owner's permission;
--a dealer's or kennel's failure to keep accurate data the law requires;
--a dealer's or kennel's failure to permit access to its premises;

• add dealers to the current law making certain actions misdemeanors;

• exempt veterinarians caring for dogs or cats from the provisions of this bill.

Child safe house symbol--"McGruff"

HF866/SF853 (Skoglund, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF on Senate Floor)

Would establish the "McGruff" symbol as the sign for a safe house for children and create a safe house program. Provisions would:

- require the commissioner of public safety to:
--design or adopt a standard symbol to designate a safe house that is the "McGruff" symbol other states use;
--make available written information about the safe house program and "McGruff" symbols to school districts and law enforcement agencies;
--publicize the safe house program in as many ways as is reasonably practical;
--require local law enforcement agencies to maintain a register of safe houses;

--cooperate with law enforcement agencies to conduct background checks on persons who apply to have their house be a safe house;

- require all law enforcement agencies to provide "McGruff" symbols to persons who apply for symbols if they agree in writing to follow the terms of the safe house program and pass a local law enforcement agency's background check;

- provide that the "McGruff" safe house symbol is the exclusive symbol for safe houses in Minnesota.

****Amendments would:**

- provide that a person may not display the "McGruff" symbol on their house so that it's visible from outside the house unless a local law enforcement agency approves the person as a safe house and supplies to symbol to the person;

- provide that the symbol is the property of the law enforcement agency and that the person must return the symbol if the agency determines that the house no longer qualifies as a safe house;

- provide misdemeanor penalties for violations of these provisions.

Public employees--insurance benefits

HF936/SF835 (Simoneau, DFL-Fridley)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would create a statewide insurance plan to provide public employees and other eligible persons with life insurance and hospital, medical, and dental benefit coverage through provider organizations.

****Delete everything amendment would:**

- allow exclusive (union) representatives to decide if employees that they represent would participate in the plan; would allow the employer to make this decision for unrepresented employees;

- permit the plan to be part of the state employee plan;

- establish procedures for entering and withdrawing from the plan, and for premium payments;

- provide an option for employees who are laid off, retired, or on strike, to continue coverage, generally at the employee's expense.

Retirement--Mpls Police Relief Association

HF1105/SF983 (Sarna, DFL-Mpls)--recommended to pass

as amended**; placed on Consent Calendar. (SF in Senate Governmental Operations Committee)

Would amend Minneapolis police relief association service pensions and survivor benefits. Provisions would:

- require the association to grant pensions payable from the police pension fund to any active or deferred pensioner age 50 or more who has served as a member of the city's police department for five (formerly 20) years;

- prohibit contribution refunds to anyone who has served less than five years;

- require the association to grant pensions or benefits payable from the police pension fund to any member or any surviving spouse (formerly widow) for certain specified purposes.

****Amendment would entitle any person who, after July 1, 1980, retires on a service pension with at least 20 years of service or a disability benefit from the Minneapolis police or firefighters relief associations to receive a monthly health and welfare benefit under certain conditions; would also include pensioner's surviving spouses (formerly widows).**

HEALTH & HUMAN SERVICES

Friday, March 27

Social worker licensure

HF290/SF1085 (Greenfield, DFL-Mpls)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Health and Human Services Committee)

Would establish a system of licensure for social workers and provide for certain exceptions to the licensure requirements. Provisions would:

- define the following:

- psychotherapy;
- qualified mental health professional;
- social work practice;
- accredited program of social work;
- supervision;

- define the four levels of licensing as follows:

- licensed social workers;
- licensed graduate social workers;
- licensed independent social workers; and
- licensed independent clinical social workers;

- create and describe the duties of the Social Work Licensing Board consisting of nine members appointed by the governor;

- establish a continuing education committee to advise the board on the administration of continuing education requirements;
- describe requirements for licensure and licensure renewal;
- provide for a two-year phase-in period;
- provide for reciprocity with other state that have substantially similar requirements;
- state that a social work license is not transferable;
- describe the enforcement authority of the board of social work and grounds for disciplinary action;
- require a person engaged in social work practice to hold a valid license (only a person with a license may use any title incorporating "social work" or "social worker");
- provide for exceptions to the licensure requirement including:
 - licensed health care professionals;
 - probation officers;
 - members of the clergy;
 - attorneys;
 - marriage and family therapists;
 - chemical dependency counselors;
 - professional counselors;
 - school guidance counselors;
 - occupational therapists;
- provide for a geographic waiver by the board, on a case-by-case basis, to counties and agencies with special hiring problems (a waiver will allow them to hire unlicensed individuals to practice social work);
- define licensure of county and state agency social workers as voluntary;
- include the Social Work Licensing Board within the definition of health-related licensing board.

****Amendments would:**

- define county and state agency social workers;
- define guidelines for reimbursement under Medical Assistance;
- require that at least one member of the licensing board be a person of color and a least two members reside outside of the seven-county metro area.

Faradic shock--use

HF585/SF555 (Clark, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would prohibit use of faradic shock in all licensed facilities serving persons with mental retardation or related conditions. Provisions would:

- include the use of unauthorized aversive and deprivation procedures in the definition of physical abuse under the child abuse reporting and vulnerable adults acts;

****Amendment would phase-in the prohibition for the one patient now receiving faradic shock treatment.**

Red Lake nursing home moratorium

HF602/SF540 (Tunheim, DFL-Kennedy)--recommended to pass as amended**. (SF in Senate Health and Human Services Committee)

Would create an exception to the nursing home moratorium for a facility operated on the Red Lake Indian Reservation.

****Amendment would change reimbursement and certification procedure for beds allocated for the facility.**

Marriage, family therapist--licensure

HF758/SF1077 (Welle, DFL-Willmar)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Health and Human Services Committee)

Would establish a system of licensure for marriage and family therapists, define marriage and family therapy and provide for certain exceptions to the licensure requirement. Provisions would:

- create a Board of Marriage and Family Therapy Examiners consisting of seven members appointed by the governor;
- describe the duties of the board;
- require any person engaged in marriage and family therapy to be licensed (violation is a gross misdemeanor);
- describe the requirements for licensure:
 - two years of supervised postgraduate experience;
 - completion of a master's or doctoral degree from an accredited institution or program in marriage and family therapy;
 - pass a board examination;
 - agree to act in accordance with Code of Ethics;
 - pay a nonrefundable fee;
- create a two-year phase-in period;
- provide for reciprocity with other states that have substantially similar requirements;

- state that a marriage and family therapy license is not transferable;
- describe the enforcement authority of the board and grounds for disciplinary action;
- exempt other licensed and certified professions from the licensure requirement who may do work of a marriage and family therapy nature, provided they do not declare or imply that they are engaged in marriage and family therapy or that they are licensed to practice marriage and family therapy;
- define requirements for information disclosure by therapists, employees and professional associates.

**Amendment would define requirements for medical assistance reimbursement for marriage and family therapy expenses.

Indian child welfare

HF849/SF842 (Clark, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

Would establish direct grants to tribal governments and other social service organizations to fund Indian child welfare programs. Provisions would:

- cite the bill as the "Minnesota Indian Family Preservation Act";
- define the following:
 - family based services;
 - Indian organizations;
 - permanency planning;
 - placement prevention and unification services;
 - tribal court;
- provide that the county of financial responsibility for placement of Indian children be determined in accordance with Community Social Services Act;
- provide that disputes concerning the county of financial responsibility be settled in accordance with procedures specified under General Assistance;
- allow the commissioner of human services to enter into agreements with Indian tribes regarding care and custody of Indian children and jurisdiction over child custody proceedings, including agreements on transfers of jurisdiction and concurrent jurisdiction between state and tribe;
- require the commissioner to make direct primary support grants to Indian tribes and Indian child welfare programs;
- require the commissioner to make direct, special focus

grants to local social service agencies, tribes, Indian organizations, and other organizations for child placement prevention and family reunification services;

- describe eligibility requirements and services available;
- define programs grant money may not be used for;
- reaffirm legal responsibility of local social service agencies for providing Indian child welfare services and prohibits such agencies from reducing existing services due to availability of new funds;
- require commissioner of human services to make grant payments on a quarterly basis;
- require approved programs to submit a quarterly report and a final evaluation report to the commissioner;
- require commissioner to monitor and evaluate the effectiveness of Indian child welfare services funded through the grants;
- describe the grant formula:
 - sets the amount available for primary support grants at two-thirds of the total annual appropriation for Indian child welfare services;
 - sets the amount available for special focus grants at one-third of the total annual appropriation for Indian child welfare grants, and limits grants to \$100,000 per year;
- allow the Department of Human Services to reallocate undistributed funds from either grant category to the other category;
- require commissioner to appoint an American Indian advisory task force to help form policies and procedures relating to Indian child welfare services and to make recommendations regarding approval of grants;
- set membership of task force at 17 members, including representatives from each of Minnesota's 11 reservations.

**Amendment would define the requirements for membership on the advisory task force.

Human service boards--regulation

HF923/SF975 (Dauner, DFL-Willmar)--recommended to pass; placed on Consent Calendar. (SF in Senate Health and Human Services Committee)

Would regulate budgets and procedures relating to human services boards. Provisions would:

- allow human services boards to sell or otherwise dispose of real and personal property;
- eliminate continuing education requirements for human services board directors;

- require human services boards to prepare plans and budgets on a biennial, rather than annual basis;
- eliminate requirement that plan be in a format developed by director of state planning agency;
- eliminate requirement that human services boards use standardized chart of accounts developed by commissioner of human services;
- eliminate requirement that human services board hold public hearing before adopting a plan;
- repeal requirement that director of state planning agency report biennially to the Legislature on the experience of human services boards.

Thursday, April 2

General Assistance--illiteracy training

HF177/SF125 (Clark, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

**Delete everything amendment would reduce state aid for general assistance to counties that fail to provide literacy training and require certain recipients to attend adult literacy training. Provisions would:

- reduce state aid to 65 percent if the local agency does not make occupational or vocational literacy training available and accessible to eligible recipients;
- make functionally illiterate persons who comply with literacy training requirements set by the local agency eligible for General Assistance;
- require local agencies to work with local educational institutions to identify and develop occupational and vocational literacy programs;
- require local agencies to:
 - assess reading potential and vocational or occupational interests of those eligible;
 - assign suitable recipients to openings in occupational and vocational literacy programs;
 - reassign recipients to other programs who do not complete assigned programs;
- require local agencies to provide child care and transportation to enable people to participate in literacy training;
- require state reimbursement of transportation and child care costs incurred under this section;
- require local agencies to provide General Assistance to people who:

- participate in assigned literacy program;
- fail to make progress in a program, despite participation for six or more months;
- are not assigned to a literacy training program because none is available to them;
- have failed for good cause to complete an assigned program;

- require local agencies to reassess the General Assistance eligibility of a person no longer eligible and refer any person not eligible for General Assistance to the work readiness program;

- allow a local agency to refer a person who reaches a certain level of literacy to the work readiness program.

**Further amendments would:

- make technical changes;
- require a local agency to assess a recipient's existing reading level and learning disabilities;
- add "identification, utilization and development" of occupational and vocational literacy programs for general assistance recipients, to the requirement of local agencies to work with other local agencies.

Alzheimer's disease--autopsies

HF790/SF780 (Skoglund, DFL-Mpls)--recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$50,000 to pay the St. Paul Ramsey Medical Center for autopsies on deceased Medical Assistance recipients who were victims of Alzheimer's disease.

Mental health division--Department of Human Services

HF829/SF834 (Segal, DFL-St. Louis Park)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Governmental Operations Committee)

Would establish the office of assistant commissioner of mental health, create a mental health division in the Department of Human Services and establish a state advisory council on mental health. Provisions would:

- define the responsibilities of the assistant commissioner of mental health;
- require the governor to appoint members to a state council on mental health from various organizations associated mental health;

- define the duties of the state advisory council on mental health;
- require the advisory council to file a report with the governor no later than Oct. 15 of each even-numbered year;
- allow the commissioner of human services to approve or disapprove of public and private mental health centers and clinics;
- require that each approved mental health clinic to have a multidisciplinary team of professional staff persons as required by rule;
- require that each approved mental health center shall establish a written treatment plan for each outpatient for whom services are reimbursable through insurance or public assistance;
- require members of an approved mental health clinics' multidisciplinary team to meet at least twice monthly to conduct case reviews, peer consultations, treatment plan development and in-depth case discussion;
- require each approved center or clinic to establish mechanisms for quality assurance and submit documentation concerning the mechanisms to the commissioner;

****Amendments would:**

- delete provision defining procedure for qualification of personnel and quality of professional service;
- delete provision outlining procedures for state approval of mental health centers and clinics;
- require the commissioner of human services to adopt rules for minimum standards in community mental health services as directed by the Legislature.

Local public health boards

HF999/SF1041 (Kelso, DFL-Shakopee)--recommended to pass as amended**. (SF in Senate Health and Human Services Committee)

Would organize all statutory local public health authority. Provisions would:

- define terms;
- establish the governing body of a city or county as a Board of Health;
- establish and define jurisdiction, powers and duties of boards of health;

- authorize discretionary adoption of county ordinances related to public health and defines the relationship between county ordinances and city or township ordinances;
- define the supervisory powers and duties of the commissioner of health in relation to local enforcement of public health law;
- require the commissioner to keep a list of nurses certified for public health duties;
- authorize the delegation of certain powers and duties of the commissioner to boards of health and authorizes boards of health to delegate certain powers and duties to units of government within their jurisdiction;
- establish policy and procedure for the assessment of costs related to board of health enforcement actions;
- authorize discretionary local tax levy to pay the cost of the duties of a board of health;
- provide for a system of community health services that is state supervised, but locally administered through community health boards (community health services subsidy funds are available to a board, city or a humans services board that meet certain requirements);
- define and establish the powers and duties of community health boards;
- define and establish powers of city councils and county boards relative to community health boards;
- define and establish the powers of commissioner of health to assist community health boards;
- authorize and set requirements and procedures for special grants for migrant health programs, Indian health programs and nonsmoking programs;
- amend section which authorized the commissioner and local boards of health to seek injunctive relief to enforce public health law.

****Amendment would define a nuisance in relation to its affect on public health.**

General assistance--funding, eligibility standards

HF1032/SF682 (Greenfield, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

****Delete everything amendment would change standards of assistance and eligibility for General Assistance (GA)**

recipients and work readiness participants. Provisions would:

- eliminate requirement that the commissioner of human services establish minimum GA standards;
- set GA standard of assistance at \$203 for adult recipient who is childless and unmarried or living apart from children and spouse, and is not living with a parent or guardian;
- set GA standard of assistance for adults who are childless and unmarried or living apart from children and spouse, and who are living with a parent or guardian at amount equal to the increase in AFDC payment if recipient were added as an additional minor child to parent's assistance unit;
- exclude benefits received by a responsible relative of the assistance unit under supplemental security income (SSI), workers' compensation, Minnesota supplemental aid, or any other program based on relative's disability and excludes social security retirement benefits from being counted in determination of GA eligibility or benefit level;
- prohibit adult child living with family from receiving GA if family would not be financially eligible;
- set standard of assistance at amount equal to the first and second adult standards of AFDC program for married couples who are childless or living apart from their children;
- provide that if one member of the couple is not included in the GA grant, then standard for the other is the second adult standard of the AFDC program, except that, if spouse is not included in GA grant because of ineligibility for GA or exhaustion of work readiness eligibility, standard of assistance is equal to the first adult standard of the AFDC program;
- set standard of assistance for assistance family units and define family;
- make eligible for GA children under 18 not living with parent, stepparent, or legal custodian, but only if the child is one year old, legally emancipated or living with an adult with the consent of an agency acting legal custodian, at least 16 years of age and the GA grant is approved by the director of the local agency or a designed representative as a component of a social services case plan for the child, or living with an adult with the consent of the legal custodial and the local agency;
- repeal payment of up to \$200 for direct expenses incurred by registrant;
- allow reimbursement of administrative costs and direct

expenses, subject to the amount appropriated by the Legislature;

- require county match of 25 percent of the state work readiness allocation;
- require that administrative costs be limited to 25 percent of the local allocation except that funds remaining after payment of direct expenses may be used for administrative costs (includes as direct expenses transportation, clothes, tools and other necessary work-related expenses);
- decrease to 10 the minimum number of days within which persons failing to meet work readiness requirements must comply with such requirements;
- require that the notice of grant reduction, suspension, or termination on grounds that registrant failed to comply with work readiness requirements be mailed or delivered concurrently with the required notification;
- require that a local agency must determine registrant to be ineligible for GA before suspending or terminating registrant from work readiness;
- prohibit payments to registrants not complying with work readiness standards after notification has been given unless registrant takes action to achieve compliance or appeals within five days;
- require prompt reimbursement of missed payments if registrant complies with requirements within time specified in notification;
- apply limits on financial responsibility of relatives to work readiness program and allows financial responsibility to extend to family members who reside with applicants or recipients;
- repeal two-month work readiness program, administrative aid provisions and separate GAMC application.

Ventilator-dependent patients

HF1044/SF1274 (Orenstein, DFL-St. Paul)-- recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Health and Human Services Committee)

**Delete everything amendment would provide for continued attendant services for ventilator-dependent recipients in hospitals.

HIGHER EDUCATION

Wednesday, April 1

Women's athletics--funding increase

HF520/SF350 (Krueger, DFL-Staples)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would appropriate \$1,307,500 in FY'88 and \$1,307,500 in FY'89 from the general fund to the state university board for women's intercollegiate athletic programs.

**Amendment would:

- include state community college board.

State University System--purchases

HF716/SF802 (B. Johnson, DFL-Bemidji)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Governmental Operations Committee)

**Delete everything amendment would:

- appropriate to the State University Board funds received from litigation involving the board; allow the board to directly buy scientific and technical equipment without using state procurement process;
- require the State University Board to consider the qualifications of bidders for capital projects, without the Department of Administration control; allows use of nonstate funds for building on state-owned land; allow board to trade state-owned land it controls for land of equal or greater value;
- require the board to consult with the chairs of appropriations and finance before buying, building, or trading land.

HECB--education, training info

HF970/SF829 (K. Nelson, DFL-Mpls)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would require the Higher Education Coordinating Board (HECB) to extend postsecondary education training, financial aid, and academic requirement information to eighth grade students through adulthood; expand program to include community members investigating educational choices; require HECB to consult with numerous groups in developing, disseminating, and evaluating the information provided, reporting findings back to Legislature and governor every biennium.

**Amendment would:

- include community education programs in consulting procedure.

AVTI--housekeeping

HF983/SF929 (Rukavina, DFL-Virginia)--recommended to pass as amended**. (SF in Senate Education Committee)

Would make various technical and administrative changes.

**Delete everything amendment would:

- permit state board to create up to 10 task forces for curriculum development; change the name of AVTIs to "Technical Institutes";
- Add a state board representative to Uniform Financial Accounting and Reporting Standards (UFARS) Council and Elementary-Secondary-Vocational (ESV) Advisory Council;
- allow school board to authorize an AVTI director to lease, purchase, and contract for goods and services; clarifies that the prohibition against Saturday classes does not apply to technical institutes;
- allow state board to receive gifts and bequests; removes requirement that repairs and betterment expenditures over \$5,000 receive approval of the state director;
- repeal state director approval requirement for equipment, leasing, and rental costs over \$6,000; repeal length of school year and days that AVTIs must hold classes.

JUDICIARY

Tuesday, March 31

Child Abuse Reporting Act--source disclosure

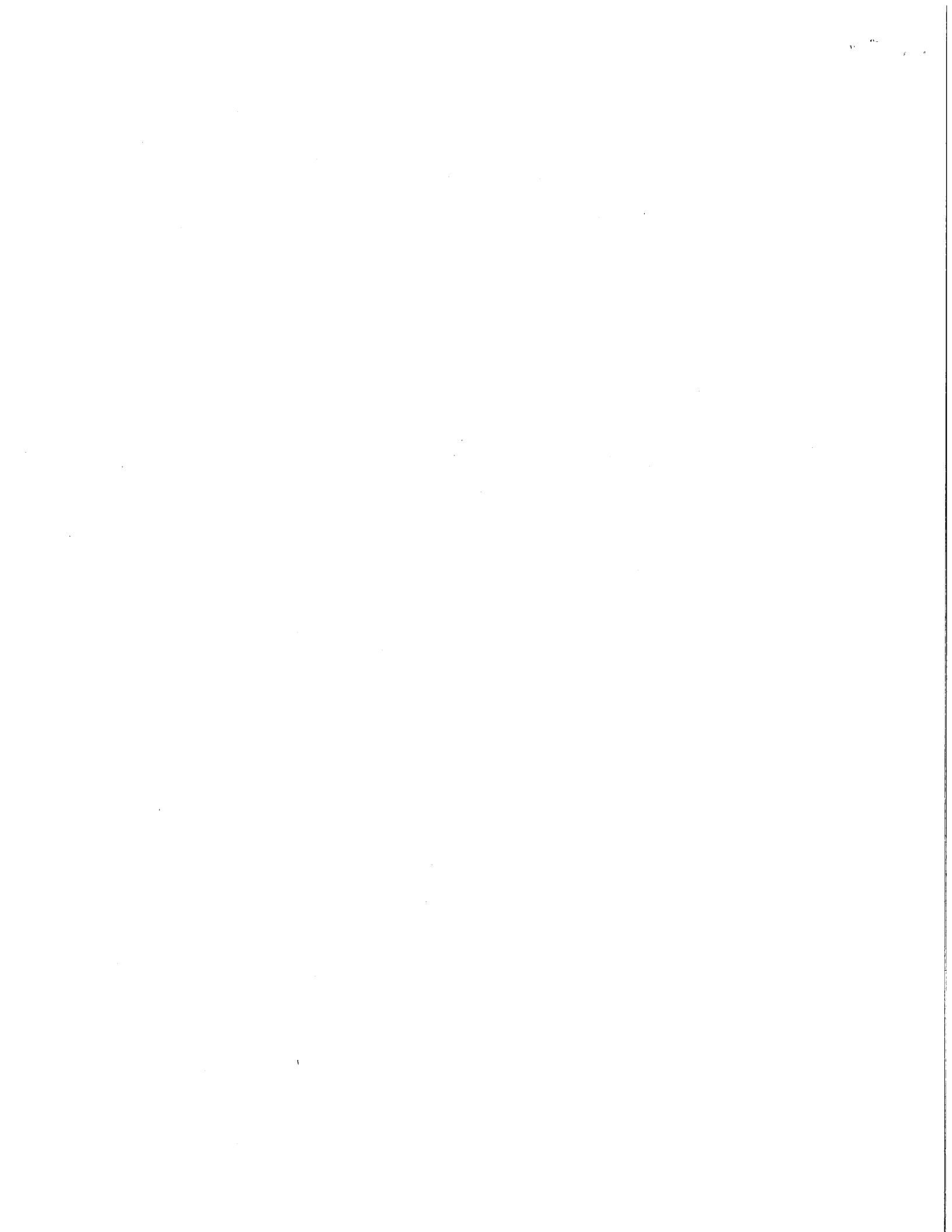
HF200/SF424 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF on Senate Floor)

**Delete everything amendment would permit the court to order disclosed the name of a person who reports child abuse or neglect only if the court finds the report was false and made in bad faith.

Minors--harmful live performances

HF308/SF706 (Pappas, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

**Delete everything amendment would add "plays, dances, or other exhibitions presented before an audience" to the list of sexually provocative materials, which, if they meet



the statutory definition of harmful to minors, may not be exhibited to minors; would provide that such exhibitions would violate laws on sexually provocative materials if they are presented in a place of public accommodation, whether or not the minor paid a fee to see the performance.

Controlled substances--purity, measurement
HF391 (Marsh, IR-Sauk Rapids)--recommended to pass as amended**.

Would amend the crime of selling or distributing specified amounts of Schedule I or II controlled substances (narcotic drugs, phencyclidine, or any hallucinogen other than marijuana or THC). Provisions would:

- provide that these controlled substances are measured by the weight of the substance, whether pure, impure, or dilute, or by the number of dosage units in the dealer's possession when the substance isn't sold by weight;
- amend the definitions of "dealer" and "measurement" in the law requiring taxes to be paid on certain amounts of illegal controlled substances ("grass tax" law) to include identical language regarding the weight and dosage units of these controlled substances.

**Amendment would permit courts to double statutory maximum penalties in cases where controlled substances are sold to a minor or where the defendant uses or employs a minor to sell or distribute controlled substances.

DWI--drivers license revocation
HF427/SF390 (Rest, DFL-New Hope)--recommended to pass. (SF in Senate Judiciary Committee)

Would make technical changes to DWI and other traffic safety laws.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 18, Crime & Family Law Div./Judic., March 13)

Data Practices Act--classifications
HF534 (D. Nelson, DFL-Champlin)--recommended to pass as amended**.

Would classify government data under the Data Practices Act, and make various other amendments to the act.

**Delete everything amendment would:

- clarify that a governmental authority may not charge a fee for inspecting data, but would be able to charge for a data search when an individual requests copies of the data;

- strike the current provision that the statutory notice the law required to be given whenever someone is asked to supply private or confidential data may, in the tax area, be placed in the tax instruction forms rather than on the instruction forms;

- provide that health data on individuals relating to identification of diseases or epidemiological investigations is private (available only to the subject), but would allow disclosure to the subject's physician for treatment purposes, or to locate or identify a case or carrier; would provide that data on individual terminated pregnancies is confidential except that summary data may be provided to the public;

- make public license numbers, license status, and continuing education records the Peace Officers Standards and Training (POST) Board holds;

- define as personnel data, information on applicants or enrollees in programs federal, state, or local governments fund, and would classify the information as private or public, depending upon circumstances;

- classify as private, mental health data on individuals;

- classify as protected nonpublic data, names, addresses, and other data that could identify nursing homes selected as part of a random sample the Department of Human Services would appraise in its rate setting process, until the sample has been completed;

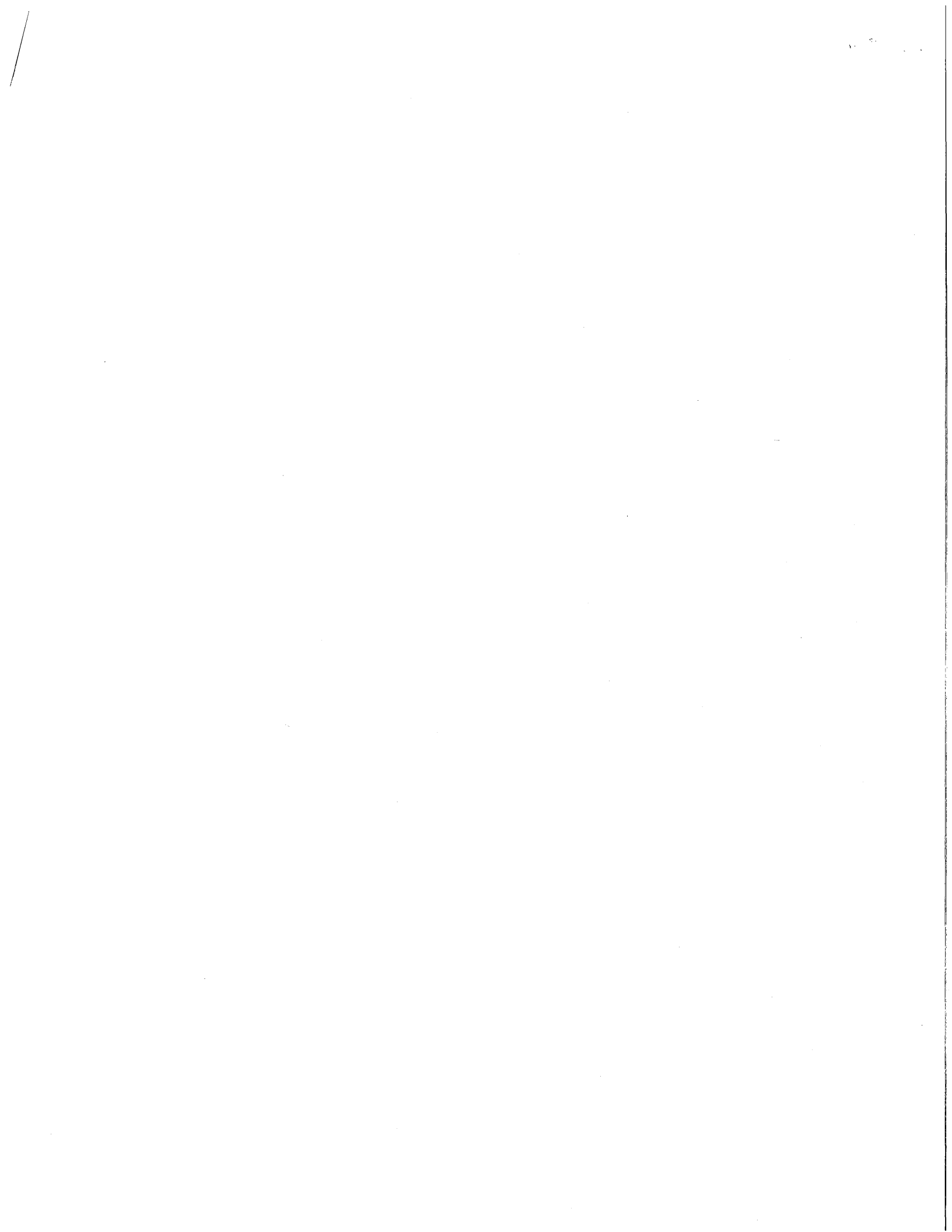
- classify as nonpublic data, appraisals or estimates of school district property value which the school district or its personnel made or obtained to establish or negotiate the price at which the property designated for sale will be sold or offered for sale, until any of the events have occurred;

- classify as private, data which counties that provide assistance to individual farmers who are experiencing economic or emotional distress collect and maintain, including financial history, and personal and emotional status information;

- classify as protected nonpublic, certain data the St. Paul port authority collects and maintains;

- classify as private, data on individual beneficiaries and survivors of Public Employment Retirement Association (PERA) members, including home address, date of birth, direct deposit account number, and tax withholding data;

- classify as nonpublic, data the Department of Energy and Economic Development (DEED) collects relating to financial incentives private businesses and organizations offer to companies for locating their proposed business operations in Minnesota;



- classify as private, data the Department of Public Service collects that would reveal the identities of tenants who make complaints regarding energy efficiency standards for rental housing;

- classify as confidential, certain specified data on individuals filing claims for compensation with the Hazardous Substance Injury Compensation Board for injury from hazardous substances.

Treatment facilities residents--data disclosure
HF561/SF591 (D. Nelson, DFL- Champlin)--recommended to pass. (SF in Senate Judiciary Committee)

Would allow treatment facility officials to disclose data on individuals with mental illness or emotional impairment who reside in the facility to the federally-mandated state protection and advocacy system if:

- the system receives a complaint by or on behalf of the individual, or there is probable cause to believe the person is suffering abuse or neglect;
- the individual's condition makes the individual unable to authorize the data's release; and
- the individual has no legal guardian or the state is the legal guardian.

DWI--sentence stay extension
HF590/SF391 (Rest, DFL-New Hope)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would permit a sentencing court to stay (suspend) imposition or execution (carrying out) of a sentence for up to two years for people the courts convict of DWI or misdemeanor assault or related offenses; would provide that the court must require unsupervised probation during the second year unless it finds that supervised probation is necessary.

**Amendment would require the judge to hold a hearing after the first year to decide if supervision is necessary during the probation's second year.

Domestic abuse--protection orders
HF643/SF539 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF On Senate Floor)

Would prohibit courts from modifying or vacating certain orders for protection in a marriage dissolution proceeding and provide that certain actions are not violations of an order for protection.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 17, Crime & Family Law Div./Judic., March 20)

**Amendments would allow a court to hear concurrently

a motion for modification or vacation of an order for protection with a proceeding for marriage dissolution, upon notice of motion and hearing; would provide if the proceedings are consolidated and the motion to modify or vacate is granted, a separate order for modification or vacation of an order for protection shall be issued.

DWI--testing options
HF690/SF690 (Swenson, IR-Forest Lake)--recommended to pass. (SF in Senate Judiciary Committee)

Would amend current law to give peace officers the authority to decide whether to require either a blood or a urine test or both to a motorist whom the peace officer has probable cause to believe is under the influence of a controlled substance which is not subject to testing by a breath test; would clarify that in situations other than those just described, a peace officer could revoke a person's driver's license if that person refuses to submit to either a blood or urine test when given the choice.

Criminal Justice Data Communications Network
HF692 (McKasy, IR-Mendota Heights)--recommended to pass as amended**.

Would specify certain uses for the Criminal Justice Data Communications Network the commissioner of public safety established. Provisions would:

- specify new uses including:
 - licensing and other functions the law requires;
 - security clearance investigations for persons the federal government employs; and
 - protection of the public or property in an emergency or disaster;

- permit an "authorized agency" to participate in the data communications network with the commissioner's approval.

**Amendment would permit law enforcement agencies to obtain motor vehicle excise tax data for use in investigations of motor vehicle theft.

DWI--license plate impoundment
HF704/SF392 (Rest, DFL-New Hope)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would establish a mandatory license plate impoundment system in any case where the court revokes a person's driver's license for DWI or implied consent law violations.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 19, Crime & Family Law Div./Judic., March 13)



****Amendment would require the court to issue an impoundment order requiring the surrender of the registration plates and certificate of any motor vehicle involved in the violation that is not owned by, registered, or leased in the violator's name or jointly in the violator's and the violator's spouse's name, if the prosecution proves that the motor vehicle owner knew that the vehicle was being driven, operated, or physically controlled in violation of DWI laws.**

DWI--chemical use assessment

HF705 (Kelly, DFL-St. Paul)--recommended to pass as amended**; rereferred to Appropriations Committee.

Would require certain DWI offenders to undergo chemical use assessments.

****Delete everything amendment would:**

- require all Minnesota counties to administer a preliminary alcohol problem assessment to all people courts convict of DWI or a DWI-related offense; would require the court to order the person to undergo a comprehensive chemical use assessment if the first assessment indicates the person has an identifiable chemical use problem; if the second assessment recommends that the person receive some level of care for his or her chemical use problem, the court would have to require such care as a condition or probation or suspended sentence, or carry out the sentence;
- require the state to reimburse counties up to \$100 for the cost of each chemical use assessment completed within certain time limits; would require each person courts convict of DWI or aggravated DWI to pay a \$75 penalty assessment which would be deposited in the "Drinking and Driving REpeat Offense Prevention Account" in the state treasury (these funds would be used to reimburse county chemical use assessment expenses); would allow the court to waive the penalty assessment if the person shows, in writing, indigency or undue hardship;
- provide if the court finds that a juvenile violated DWI laws, the judge shall order the juvenile to undergo an alcohol problem screening; would require the court to order the juvenile to undergo a comprehensive chemical use assessment if the first assessment indicated the juvenile has an identifiable chemical use problem; if the second assessment recommends that the juvenile receive some level of care for his or her chemical use problem, the court shall require that level of care in its disposition order; would allow the court to require any juvenile who undergoes a chemical use assessment to pay a penalty assessment of \$75; would require the state to reimburse counties for the total cost of such chemical use assessments;
- require the commissioner of public safety, with

assistance from the Department of Human Services and the State Planning Agency, to monitor and evaluate the chemical use assessment program implementation and effects, and to report back to the Legislature by Jan. 1, 1989.

Minnesota Statutes--gender references

HF742/SF440* (Rest, DFL-New Hope)--recommended to pass as amended**.

Would remove certain substantive gender changes in Minnesota Statutes. Provisions would:

- replace the word "maiden" (as in maiden name) with birth name;
- allow any person, not just any male person, to fight forest fires;
- amend workers' compensation statutes to:
 - remove the word "husband" (the statute already contains the words "surviving spouse");
 - add the words "or father's" to the reference to "mother's" insurance benefits under Social Security;
- replace the words "sisters of charity" with "persons who have taken a vow of poverty as members of a religious order" (would include religious brothers);
- require that the person accompanying a retarded person to a state hospital be of the same sex as the person accompanied;
- amend religious association laws to merge the incorporating provisions of a YMCA with the incorporating provisions for a YWCA;
- strike current gender specific terms in religious orders pension laws;
- eliminates the provision which protects a married woman from having to prove she was not forced to convey property against her will; would prohibit requiring either spouse to do so;
- allow a female bailiff to be appointed while a jury with females is in session and would provide that the duties of a female bailiff are the same as those of a male bailiff;
- clarify that a married person who is being sued or suing need not join the spouse as a necessary party;
- amend the judgment law which currently allows a woman, but not a man, to obtain damages in a libel action imputing unchastity without demanding a retraction; would allow a man the same privilege;
- make gender-neutral the language referring to the

composition of a petit jury;

- amend trial law to require an escort of the same sex for inmates being transferred; would require women jailers for women prisoners and male jailers for male prisoners.

**Amendments would make technical changes.

Child Abuse Reporting Act--changes

HF806/SF828 (Vellenga, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would make changes to the Child Abuse Reporting Act.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 17, Crime & Family Law Div./Judic., March 20)

**Amendment would require the local law enforcement agency and local welfare agency to coordinate the planning and execution of their respective investigation and assessment efforts to avoid a duplication of fact-finding efforts and multiple interviews; would require each agency to prepare a separate report on its investigation results.

DWI--conviction information

HF816/SF265 (Schreiber, IR-Brooklyn Park)--recommended to pass. (SF in Senate Judiciary Committee)

Would require a court, when a prosecutor so requests, to furnish the defendant's criminal history of DWI convictions without charge to the prosecutor responsible for prosecuting gross misdemeanor violations of the DWI law; would provide that it's a misdemeanor for a person who was issued a limited license to violate any condition or limitation the commissioner of public safety placed on the limited license's use; would require the commissioner to revoke the limited license of any person courts convict of this misdemeanor offense.

Gas meter tampering

HF841/SF705 (Carruthers, DFL- Brooklyn Center)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would allow a utility to recover triple damages from persons who bypass or tamper with a meter or provide metering services without authority or a person who received unauthorized service and knew or should have known that the tampering took place.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 23, Regulated Industries, March 23)

**Amendment would allow the utility to recover trial costs and witness fees.

Police dogs--penalties for killing, injuring

HF941/SF1028 (Carruthers, DFL-Brooklyn Center)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would impose felony penalties on persons who cause the death of a police dog in the custody or under the direction of a peace officer when the dog is involved in law enforcement investigation or apprehension; would provide a maximum penalty of two years in prison and/or up to \$4,000; would impose gross misdemeanor penalties on persons who cause great or substantial bodily harm to a police dog in the circumstances above.

**Amendment would make technical changes.

Guide dogs--access to public accommodation

HF1024/SF1046 (D. Carlson, IR-Sandstone)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would include physically handicapped persons in the current law which provides that visually impaired and deaf persons have the right to be accompanied by guide dogs in places of public accommodation. Provisions would:

- require that the dog be identified as a trained guide dog; would change the term "guide dog" to "service dog";

- provide that it is an unfair discriminatory practice to prohibit access to public places to physically handicapped persons with a service dog;

- prohibit requiring an extra payment from a physically handicapped person with a service dog.

**Amendment would make technical changes.

Mechanics liens--attachment

HF1031/SF189 (Rest, DFL-New Hope)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would regulate the attachment of labor and material liens. Provisions would:

- provide that a mechanics lien does not attach as against a purchaser, mortgagor, or encumbrancer without "actual or record" notice (current law says without notice);

- specify that visible staking or engineering, land surveying or soil testing services do not constitute the actual and visible beginning of an improvement to property for purposes of timing when a mechanics lien attaches; would strike the current provision that engineering and landsurveying do constitute such a beginning if there is visible staking on the premises;

• specify that the change does not affect the existence of a lien, only the time that it attaches.

****Amendments would make technical changes.**

Marijuana possession--conviction

HF1034/SF455 (Kludt, DFL-Moorhead)--recommended to pass. (SF in Senate Judiciary Committee)

Would repeal the current law that requires courts to forward to the Department of Public Safety reports of first convictions for possession of small amounts of marijuana and requires the department to maintain a private nonpublic record of the conviction for two years.

Minnesota Statutes--revisor's technical changes

HF1197/SF1163 (Rest, DFL-New Hope)--recommended to pass. (SF in Senate Judiciary Committee)

Would revise the text of certain laws to remove redundant and obsolete language, to simplify grammar and syntax, and to improve the style of language without causing changes in the meaning of the laws.

UCC financing statements--computerized filing

HF1297/SF652 (Milbert, DFL-South St. Paul)--recommended to pass as amended**; rereferred to Governmental Operations Committee. (SF in Senate Governmental Operations Committee)

Would provide a computerized filing system and central data base for Uniform Commercial Code (UCC) financing statements and lien statements.

****Delete everything amendment would:**

- provide that the secretary of state will implement a statewide computerized filing system to accumulate and disseminate information about lien statements, filing statements, and other UCC documents; would require that county recorders be able to enter and retrieve information from the system;
- allow the secretary of state to give private parties electronic-view-only access to the system on a fee basis; would require that such access be available 24 hours a day, every day;
- require the secretary of state to adopt either permanent or temporary rules to implement the system;
- provide that it is a felony to:
 - access the central data base without authorization;
 - enter or alter information in the central data base without

authorization; or

--knowingly provide false information;

- establish a UCC account in the state treasury; would provide that money in the account is continuously appropriated to the secretary of state to implement and maintain the computerized system;

- appropriate funds to implement and maintain the UCC system.

Crime & Family Law Div./Judic.

Friday, March 27

Liquor law violations--vicarious liability

HF167 (Orenstein, DFL-St. Paul)--recommended to pass.

Would eliminate vicarious criminal liability the law currently imposes on liquor licensees whose employees violate liquor laws.

Juveniles--adult jail confinement

HF596/SF670 (Kelly, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Judiciary Committee)

Would provide that no minor under 18 years shall be held with adult prisoners in the same room or section of a jail or other adult holding facility unless a court sentences the minor to prison for more than one year as an adult, or the juvenile court refers the minor for adult prosecution and the prosecuting authority has filed a notice of intent to prosecute the minor as an adult.

****Amendment would update language in juvenile offender laws.**

Juvenile code/Crime victim laws--changes

HF706/SF1065 (Kelly, DFL-St. Paul)--recommended to pass. (SF in Senate Judiciary Committee)

Would make changes to the juvenile code and certain crime victims laws. Provisions would:

- clarify that when a juvenile delinquency adjudicatory hearing is open to the public due to a juvenile's age and the severity of the offense, the disposition hearing is also open to the public; would not allow children under 14 years to be present public juvenile delinquency hearings unless they're directly involved or the court authorizes their presence;
- clarify juvenile court procedures to determine whether a child's grandparents have a right to participate in juvenile court proceedings concerning the child;

- clarify that the juvenile code provision allowing the use as evidence of hearsay statements by children under ten years old, or children over ten years old who are mentally impaired, applies to mentally impaired children who are exactly ten years old, and to "neglected and in foster care" and "domestic abuse" proceedings in juvenile court;
- amend the juvenile code records section to clarify that:
 - juvenile court records may be disclosed when the U.S. or Minnesota Constitution requires;
 - public juvenile delinquency proceeding records are not confidential;
 - only the written appellate decision relating to a nonpublic juvenile court proceeding is public;
 - juvenile court proceedings involving criminal prosecutions of adult defendants under the "contributing to the delinquency or neglect of a minor" statutes are public;
 - the crime victim who has sustained loss or harm may inspect traffic investigation reports;
 - juvenile court records are available to certain interest parties if the offense occurred on school property or at a school event;
 - law enforcement officials may take photographs of a child taken into custody for DWI or DWI-related offenses; and
 - that prosecutors who are prosecuting persons for aggravated DWI may obtain juvenile court records concerning the person's prior DWI adjudications;
- require a child's probation officer to file a petition for probation violation or ask the court to hold a hearing to determine whether the probation conditions should be changed if a child the court orders to pay restitution as a probation condition fails to pay it 60 days before the probation term expires;
- permit administrative docketing of judgments for delinquent payments owed to a county under a previous juvenile court order as reimbursement for the cost of care, examination and treatment of a child;
- allow attorneys for those parties with a right to participate in a child protection or dissolution or custody proceeding to be present when a child abuse victim's testimony is taken outside the courtroom or on closed circuit television or videotape;
- clarify that the current law which prohibits public disclosure of data pertaining to the identity of child sex abuse victims contained in criminal complaint records also applies to juvenile court petitions;
- limit to certain specific felonies the current law which requires prosecutors to try to seek victims' input before referring an alleged offender into a diversion program;
- permit the court to order victim-witnesses to state their home or business address in open court if the court finds the testimony is relevant evidence;

- repeal the current statute requiring judges to close the courtroom to the public in criminal cases involving defendants who are minors.

Crimes against children--parent's testimony
 HF730/SF764 (Wagenius, DFL-Mpls)--recommended to pass as amended. (SF in Senate Judiciary Committee)

Would provide that spousal privilege (where a spouse can't be required to testify against his or her spouse without the spouse's consent except in certain situations) doesn't apply to a proceeding concerning a crime one spouse commits against a child under the care of either spouse in a foster care, day care or like setting.

Monday, March 30

Firearms--dealer possession
 HF170/SF47 (Blatz, IR-Bloomington)--recommended to pass. (SF in Senate Judiciary Committee)

Would permit federally-licensed dealers and manufacturers who buy, sell, or manufacture machine guns or short-barrelled shotguns to own or possess such guns if they use the guns in peace officer training courses the Peace Officer Standards and Training Board (POST) approves, or sell the guns to Minnesota law enforcement agencies and will use the guns for law enforcement sales demonstrations; would require the dealers to file a written report with the Bureau of Criminal Apprehension by the tenth day of each month showing the dealer or manufacturer's name and address and the serial number of each gun acquired or manufactured during the preceding month.

Controlled substances--homicide crimes
 HF350 (Bishop, IR-Rochester)--heard.

Would amend the drug statute to include a legislative finding that Schedule I and II controlled substances are inherently dangerous to life, and that the purpose of the criminal provisions in the drug law and the criminal code relating to these controlled substances is, among other things, to prevent injury or death which may result from their use, sale, or distribution. Other provisions would:

- extend the crime of murder in the second degree to cover persons who unlawfully sell, administer, or otherwise distribute a Schedule I or II controlled substance which causes the death of another; would provide that in addition to the maximum 40 year prison sentence, courts could also sentence an offender to pay a fine up to \$40,000;
- extend the crime of manslaughter in the first degree cover persons who unlawfully sell, administer, or otherwise distribute a Schedule III, IV, or V controlled substance which causes the death of another; would provide that in

addition to the maximum 15 year prison sentence, courts could also sentence an offender to pay a fine up to \$30,000.

Theft penalties/restitution

HF593/SF613 (Jefferson, DFL-Mpls)--recommended to pass**; rereferred to Sentencing Guidelines Subcommittee/Judiciary. (SF in Senate Judiciary Committee)

Would create higher penalties for motor vehicle theft and thefts of more than \$35,000; and would make changes to restitution statutes.

**Delete everything amendment would:

- define "authorized person" as the prosecuting attorney responsible for prosecutions in the county where the motor vehicle theft occurred, and the sheriff or chief of police responsible for investigation in the county where the motor vehicle theft occurred
- require an insurance company to release to an authorized person, after receiving written request, any relevant information in the company's possession that relates to a motor vehicle theft; would limit relevant information to:
 - pertinent insurance policy information;
 - policy premium payment records that are available;
 - a history of the insured's previous claims; and
 - material relating to the theft investigation;
- require an insurance company to notify an authorized person, in writing, if the company has reason to believe that a motor vehicle theft in which the company has an interest may be fraudulently claimed;
- provide that an insurance company that provides information to an authorized person may request relevant information in writing from the authorized person, who must provide it within 30 days;
- provide that an insurance company or an authorized person who releases oral or written information, acting in good faith, is immune from civil or criminal liability;
- classify as confidential any data an authorized person or insurance company receives under these provisions;
- provide that an insurance company or officer may not intentionally refuse to release any information authorized persons request;
- provide a misdemeanor penalty for any violator;
- create a higher penalty for thefts of more than \$35,000--a maximum of 20 years in prison and/or a maximum of \$100,000 (currently, thefts of more than \$2,500 are punishable by up to 10 years in prison and/or up to a \$20,000 fine);

- amend the definition of "victim" in crime victim restitution statutes to include corporations that incur loss or harm as a result of crime;

- permit a court, upon notice and hearing, to issue or change a restitution order when the defendant is on probation or supervised release if the victim or prosecution makes such a motion and if the true extent of the victim's loss is not known at the time of sentencing;

- extend the statute of limitations applicable theft from three years to five years after offense is committed.

Sex abuse offenders--stayed sentences

HF674/SF619 (Blatz, IR-Bloomington)--recommended to pass. (SF in Senate Judiciary Committee)

Would provide circumstances in which the court may stay execution of sentence following for a person convicted for a second or subsequent criminal sexual conduct offense. Provisions would:

- provide that a court may stay execution of sentence of a person the court convicts of a second or subsequent criminal sexual conduct offense within 15 years of a prior conviction only if the court finds that a professional assessment indicates that the offender is accepted by and can respond to treatment at the intensive treatment program for sexual offenders at the Minnesota security hospital or other long-term inpatient program for sexual offenders which the commissioner of corrections approves; if the court stays execution of sentence, the court must require as probation conditions that the offender be incarcerated in a local jail or workhouse and that the offender successfully complete treatment and aftercare the court orders;
- clarify that a criminal sexual conduct offense is considered to be a second or subsequent offense if it follows or coincides with another conviction for criminal sexual conduct under Minnesota laws or under any other similar federal or state law;
- classify as private data all identifying data relating to a victim who has requested notice of an offender's release from custody; would provide that this data would be accessible only to the victim.

Tuesday, March 31

Controlled substances--homicide crimes

HF350 (Bishop, IR-Rochester)--recommended to pass as amended**.

Would amend the drug statute to include a legislative finding that Schedule I and II controlled substances are inherently dangerous to life, and that the purpose of the

criminal provisions in the drug law and the criminal code relating to these controlled substances is, among other things, to prevent injury or death which may result from their use, sale, or distribution.

(See bill summary, March 30)

****Amendment would:**

- extend the crime of murder in the second degree to cover persons who directly or indirectly, unlawfully sell, administer or otherwise distribute a Schedule I or II controlled substance which proximately causes the death of another;

- extend the crime of manslaughter in the first degree to cover persons who directly or indirectly, unlawfully sell, administer or otherwise distribute a Schedule III, IV, or V controlled substance which proximately causes the death of another.

Criminal law--various changes

HF388/SF421 (Riveness, DFL-Bloomington)--heard; laid over.(SF in Senate Judiciary Committee)

Would make changes to various criminal laws.
Provisions would:

- permit prosecutors in felony cases to seek an attachment order from a court to freeze all or part of the defendant's funds or assets on deposit with or held by a bank or other financial institution;

- require the prosecutor's application for an attachment order to contain:
 - a copy of a criminal complaint that alleges the account holder committed a felony;
 - a statement of the actual financial loss;
 - the account holder's name or names and bank or financial institution account number or numbers;

- allow the court to order the bank or financial institution to freeze all or part of the account holder's deposited funds or assets so that they may not be withdrawn or disposed of until further court order if:

- there is probable cause that the account holder was involved in committing a felony offense;
- the accounts of the account holder are specifically identified;
- there was an aggregate loss of \$10,000 or more as a result committing the alleged felony;
- it's necessary to freeze the account holder's funds or assets to ensure eventual restitution to victims of the alleged offense;

- provide that upon receipt of such an order, a bank or financial institution must not permit any funds or assets that were frozen to be withdrawn or disposed of, without another court order;

- allow the account holder, upon notice and motion, to schedule a hearing to contest the freezing of funds or assets and to seek release of all or part of them;

- put the burden of proof on the account holder to establish entitlement to release of funds or assets by a preponderance of evidence;

- provide that the account holder is entitled to an order releasing the freeze if:

- the holder has posted a bond or other adequate surety, guaranteeing that, upon conviction, adequate funds or assets will be available to pay complete restitution to victims of the alleged offense;

- there's no probable cause to believe that the account holder was involved in the alleged offense;

- the amount of funds or assets frozen is more than is necessary to pay complete restitution to all victims of the alleged offense;

- a joint account holder who is not involved in the alleged criminal activity has deposited all or part of the funds; or
- the funds or assets should be returned in the interests of justice;

- provide it is not grounds for the release of funds or assets that the particular accounts frozen do not contain funds or assets that were proceeds from or used in the commission of the alleged offense;

- provide that if the defendant is convicted of a felony or a lesser offense, the funds or assets may be used to pay complete restitution to victims of the offense; would provide if the defendant is acquitted or the charges are dismissed, the freeze on the defendant's funds or assets must be ended immediately, upon court order;

- provide that the freeze shall expire 24 months after the date of the court's initial attachment order unless the court, in writing, extends the time limit upon a showing of good cause by the prosecution;

- expand the current crime prohibiting persons from damaging insured property with the intent to injure or defraud an insurer to include the removal or concealment of insured property;

- amend the crime of financial transaction card fraud to enhance the criminal penalty for those who commit the crime by applying for a financial transaction card and knowingly giving a false name; would treat all such activity as a three-year felony regardless of whether property was obtained with the card;

- update and correct references to criminal offenses in the wiretap authorization law.

Marijuana--metric measurement

HF875/SF456 (Carruthers, DFL-Brooklyn Center)--recommended to pass as amended**. (SF passed Senate)

Would amend the definition in the controlled substance law of "small amount" of marijuana to express the amount in metric terms; would clarify the references in the controlled substances law Schedule II to cocaine and ecgonine.

**Amendment would make technical language changes.

LABOR-MANAGEMENT RELATIONS

Monday, March 30

Workers' compensation insurance fund
HF26/SF56 (Simoneau, DFL-Fridley)--recommended to pass. (SF in Senate Finance Committee)

Would change existing powers of the state workers' compensation insurance fund.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 20, Unemployment Ins. & Workers' Comp. Div./Labor-Mgmt. Rel., March 16)

Parental leave

HF234/SF246 (McLaughlin, DFL-Mpls)--recommended to pass as amended.** (SF in Senate Employment Committee)

Would require employers to grant a year unpaid leave of absence to an employee who is a natural or adoptive parent, in conjunction with the birth or adoption of a child.
**Delete everything amendment would:

- define "employee" as a person who performs services for hire, whether full time or less than full time, on a regular basis, for an employer, unless the services are performed by an independent contractor;
- define "employer" as a person or entity that employs 10 or more people to perform a service for hire;
- allow the employee to decide when to start the leave and how much leave to take, not to exceed one year and only within the year of a birth or adoption;
- provide that an employer may adopt reasonable policies governing the timing of requests for unpaid leave;
- require the leave to begin not more than six months after the birth or adoption;
- require an employer to grant an unpaid leave of absence of up to 30 days, as determined by the employee, to an employee who is a prospective or new parent in conjunction with a miscarriage or stillbirth during the pregnancy or neonatal death within 90 days of birth;

- prohibit an employer from penalizing an employee for requesting or obtaining a leave of absence;
- require the employer to continue to make coverage available to the employee, while on leave of absence, under any group insurance policy, group subscriber contract, or health care plan for the employee and any dependents. Would not require the employer to pay the costs of the insurance or health care while the employee is on leave of absence;
- provide that an employee returning from a leave of absence be entitled to return to employment in the employee's former position or in a position of comparable duties, number of hours, and pay;
- require and employee returning from a leave of absence longer than one month to notify a supervisor at least two weeks prior to returning to work;
- provide that an employee returning from a leave of absence to return to work at the same rate of pay the employee had been receiving before the leave, plus any automatic adjustments in the employee's pay scale that occurred during the leave period. The employee returning from a leave shall retain all accrued preleave benefits of employment and seniority, as if there had been no interruption in service;
- allow an employee, by agreement with an employer, to return to work part time during the leave period without forfeiting the right to return to employment at the end of the leave period;
- allow an employee to use sick leave benefits for absences due to the illness of a minor or dependent child on the same terms that the employee may use sick leave benefits for the employee's own illness;
- provide that the length of leave provided by this law may be reduced by any period of paid parental or disability leave provided by the employer, so that the total leave does not exceed 52 weeks;
- allow employers to provide parental leave or any other employment benefits in addition to those provided for earlier in this law;
- provide that, in addition to any remedies otherwise provided by law, a person injured by a violation may bring a civil action to recover any and all damages recoverable at law, together with costs and disbursements, including reasonable attorney's fees, and may receive injunctive and other equitable relief as determined by a court;
- provide that the period of leave provided by this law may be reduced by any period of paid parental, medical or disability leave provided by the employer;

- permit the employer to provide parental leave benefits in addition to those provided by this law;

- establish a cause action for injuries resulting from any violation of this bill. The injured party would be able to recover damages, court cost, attorney's fees and equitable relief;

- amend the unemployment insurance (UI) law to prohibit charges to the employer's UI account resulting from costs caused by laying off a replacement worker, who is terminated when an employee returns from parental leave.

****Amendment would:**

- reduce the leave period from one year to 26 weeks;

- provide that if the employee would have been laid off had the employee not been on leave, according to a seniority system under a collective bargaining agreement, the employee is not entitled to reinstatement in the former of comparable position;

- provide that "sick leave benefits" does not mean short or long term disability benefits.

Piping, pipefitting--pressure regulation

HF656/SF736 (O'Connor, DFL-St. Paul)--recommended to pass as amended**. (SF on Senate Floor)

Would change the definition of high pressure piping to include certain other systems in addition to systems of hot water piping. **Delete everything amendment would:

- give the commissioner of labor and industry discretion in setting the surcharge, and changes the minimum surcharge to \$25 and the maximum to \$5,000. (Current law provides a two percent surcharge, with a minimum of \$10 and maximum of \$2,000.);

- provide that the surcharges be credited to the special revenue fund;

- provide that the licensing examination shall be given by the Department of Labor and Industry;

- give the commissioner responsibility for setting the conditions for renewal of licenses and removes the provisions for issuing temporary licenses;

- give the Department of Labor and Industry power to suspend licenses, in addition to the power to revoke. Provide that hearings would be held on at least 10 days' notice, rather than the current five days. Provide that hearings would be held under contested case procedures, and that the commissioner shall issue a final order based on the testimony and record at the hearing;

- provide that, unless specified elsewhere, violation of the law is a misdemeanor.

Employment--residency requirements

HF946/SF939 (Begich, DFL-Eveleth)--recommended to pass. (SF in Senate Employment Committee)

Would prohibit employers from requiring employees to live within a certain area. Provisions would:

- prohibit employers from establishing residency requirements for employees;

- permit employers to establish residency requirements: --for public employers outside the Minneapolis-St. Paul metropolitan area when a set reasonable area or response time requirement is a job-related necessity (would also allow reasonable response time requirements for volunteer firefighters anywhere in the state);

- when a job-related need requires the employee to live on the employer's premises (such as resident managers of an apartment unit).

Occupational Safety and Health Act

HF1049/SF1074 (A. Johnson, DFL-Spring Lake Park)--recommended to pass as amended**. (SF on Senate Floor)

Would amend existing law regulating the administration of the occupational safety and health act, and clarifying employee rights to sue. Provisions would:

- allow the commissioner to apply for court order for inspection in the county in which the work place is located (rather than where the entry was refused);

- grant limited immunity from subpoena to employees of the health department who provide services under OSHA (in addition to employees of the Department of Labor and Industry);

- provide that a notice of intent to contest a citation, proposed assessment of penalty, or period of time for correction of a violation, must be prominently posted at the place of the violation and serve on affected employers, employees, and employee representatives;

- provide that failure to post or serve the notice within the prescribed time could result in a default judgment in favor of the commissioner;

- clarify that standards, rules, or orders must be promulgated under the authority of the commissioner, in the provisions allowing fines for violations of these standards, rules, or orders;

- provide that the time for complying with a citation

begin to run from the date of the order of the board, rather than from the date of order of the commissioner;

- exempt the notice of intent from the provisions allowing fines for failure to post required notices;
- clarify that only the commissioner has the authority to assess fines;
- provide that employees may bring a private action in district court for a claim of discrimination for exercising rights under OSHA.

****Amendments would:**

- allow the commissioner to apply for a court order for inspection if, based on an employers refusal to allow entry, the commissioner anticipates refusal of the owner, operator, or agent in charge to permit entry.

Wednesday, April 1

Employee dismissal

HF823/SF701 (Gutknecht, IR-Rochester)--recommended to pass as amended**. (SF on Senate Floor)

Would regulate the conditions under which an employer could terminate an employee, and require that employers give reasons for terminating an employee. **Delete everything amendment would:

- define employee, and define employer as any entity in Minnesota with more than one employee;
- prohibit an employer from discriminating against or penalizing employees for any of the following:
 - if the employee, in good faith, reports a violation or suspected violation of any federal or state law or regulation to an employer, government body or law enforcement official;
 - if the employee is requested to participate in a public investigation or hearing; or
 - if the employee refuses to participate in an activity that the employee, in good faith, believes is illegal;
- prohibit public officials from disclosing the identity of employees who report illegal activity, unless an investigation requires disclosure. An employee would have to be notified of any disclosure;
- provide that the bill would not protect disclosures that are knowingly false or in reckless disregard of the truth;
- provide that this bill would not permit disclosures that would violate the law or impair the rights of any individual to common law protection of confidentiality;
- require an employer, within five days of any termination,

to provide an employee with the truthful reason for the termination, where the employee requests the reason;

- provide that the statement given to the employee may not be made the subject of a defamation action by the employee against the employer;
- require employers to inform their employees of their rights under this bill;
- require the Department of Labor and Industry to inform employers of the requirements of this bill;
- allow the department to charge a fine against employers for failing to notify the employee of a reason for termination. The fine would be \$25 per day, not to exceed \$750 per injured employee;
- establish a cause of action for injuries caused by a violation of the bill;
- allow recovery of damages, court costs, attorney's fees, and equitable relief.

Labor--BMS changes

HF1028/SF1110 (Simoneau, DFL-Fridley)--recommended to pass. (SF on Senate floor)

Would change appointment procedures to the Bureau of Mediation Services (BMS), and procedures in handling labor disputes. Provisions would:

- provide that the director of the BMS, rather than the governor, be responsible for appointing special mediators, who may be paid up to the amount allowed for interest arbitrators under the Public Employment Labor Relations Act (PELRA);
- direct the director of BMS to establish rules to govern proceedings under the Minnesota Labor Relations Act;
- provide that the director, rather than the governor, appoint fact finding commissions in labor disputes affecting the public interest, and that the director must notify the parties of the appointment. Would require the commission to meet within five days and issue a report within 30 days (or longer if the original 30-day period is extended);
- provide that, whenever possible, the hearings be held in the county in which the labor dispute exists;
- provide that the commissioners may be paid up to the amount allowed for interest arbitrators under PELRA;
- provide that the director, rather than the governor, have authority to appoint a referee to determine jurisdictional controversies;

- provide that the referees may be paid up to the amount allowed for interest arbitrators under PELRA;
- provide that the director have power to appoint a referee when it appears that a union has failed to comply with the Labor Union Democracy Act;
- provide that, within 10 days of appointment, the referee set a time for a hearing and notify the parties involved;
- provide that a party may be represented at the hearing and may present competent evidence. The referee would have 30 days to prepare and file findings and an order. If the charges against the union are sustained, the director may suspend the union until the violation is corrected, and must suspend a union that does not act to correct the violation within 30 days;
- provide that a union may remove the basis of charges that have been sustained by applying to the director and submitting proof that the basis of the charges has been removed or corrected. The director must then notify the parties and wait for objections. If an objection is filed within 20 days, the referee would investigate the complaint. If no objection is filed, the director would provide notice of removal of the basis for the complaint and would remove any suspension;
- provide that the labor referees have the same powers as commissioners (e.g. issue subpoenas, administer oaths);
- provide that the director, rather than the governor, have authority to provide the names for an arbitration panel under the mandatory arbitration provision for charitable hospitals.

Infectious diseases--notification of exposure

HF1164/SF994 (Trimble, DFL-St. Paul)--recommended to pass as amended.** (SF in Senate Health and Human Services Committee)

Would require hospitals to notify a police officer, state trooper, firefighter, paramedic, and emergency medical technician, who brings in a patient for emergency medical attention, if that patient is diagnosed as having an infectious disease. Would also provide workers' compensation to cover certain infectious diseases.

**Amendment would:

- include prison correctional officers in list of workers covered by the bill.

Schools--definition of nonpublic, for-profit

HF1199 (Pauly, IR-Eden Prairie)--heard; rereferred to Unemployment Insurance and Workers' Compensation Division.

Would remove not-for-profit requirements for nonpublic schools in regard to unemployment obligations and tax deductions. Provisions would:

- change the definition of nonpublic school in unemployment insurance laws to include profit, as well as nonprofit, pre-kindergartens;
- change the provision relating to income tax deductions for contributions to K-12 schools, to include profit, as well as nonprofit schools.

Employer health care coverage

HF1225 (Tompkins, IR-Apple Valley)--recommended to pass as amended.**

Would require public and private employers with 10 or more employees that have been in business for 10 or more years to provide health care coverage to their employees. Provisions would:

- require employers to contribute at least one-half of the premium coverage, with the employee providing the balance, but not more than 14 percent of the employee's wages. If the employee's cost would exceed 14 percent, the employer would have to pay the difference;
- provide that the employer could withhold the employee's share of the coverage from the employee's paycheck;
- prohibit the employee from agreeing to pay more than is allowed under this bill, except for providing coverage to dependents;
- provide that coverage would have to begin after the employee has worked four weeks;
- provide that coverage would have to continue while an employee is unable to work because of an illness, but only while an employer is obligated to pay the employee regular wages;
- allow an employer to exempt an employee:
 - if the employee notifies the employer that the employee has health insurance, is covered as a dependent under another plan, or is eligible for medical assistance. Would require the employer to notify the Department of Labor and Industry of any requested exemption and to provide coverage when notified by an employee that the exemption is no longer applicable; or
 - if the employer can demonstrate a substantial burden that threatens the financial health of the business;
- provide that nothing in this bill would interfere with rights in a collective bargaining agreement or with the right to negotiate future agreements that provide benefits more favorable than those provided in this bill;

- provide that employers who fail to provide mandated coverage be liable for all health care costs incurred by an employee during the period that the employer failed to provide coverage.

****Amendment would:**

- exclude private contractors from this bill;
- increase to 20 the number of employees an employer must have to be covered by this bill.

Unemployment Insur. & Workers' Comp. Div./Labor-Mgmt. Rel.

Monday, March 30

Unemployment insurance--volunteer firefighters, deductible income

HF14/SF393 (Begich, DFL-Eveleth)--recommended to pass as amended**. (SF in Senate Employment Committee)

Would amend present law regulating the receipt of unemployment benefits, and provide that wages earned for volunteer firefighter service not be considered deductible income.

****Amendment would:**

- provide that wages earned for volunteer ambulance attendant services not be considered deductible income in unemployment benefits.

Unemployment compensation--qualification changes

HF715/SF1161 (Riveness, DFL-Bloomington)--recommended to pass as amended**. (SF in Senate Employment Committee)

Would change requirements to qualify for, and the rates of workers' compensation.

****Delete everything amendment would:**

- define "base period" as the first four of the last five completed calendar quarters preceding the benefit claim;
- allow extension of the base period for up to four additional calendar quarters if the employee received benefits for a temporary disability under workers' compensation or for other serious illness;
- allow an employee, who cannot qualify using the first four of the last five quarters, to establish a claim using the last four completed quarters. An employee would be allowed to use this alternative only once in five years;

- provide that no base period, extended base period, or alternate base period wage credits could be used more than once to establish a claim or to pay benefits;

- define "contribution report" and "wage detail report," necessary for a wage recording system;

- define "high quarter" to mean the calendar quarter during the base period in which an employee earns the most money;

- eliminate the split wage base for employer taxes;

- provide that new construction employers be charged the maximum rate;

- provide that the minimum tax rate for employers who have had benefits charged to their accounts be one percent (or less if the fund balance is more than \$250,000,000), and that minimum rate for employers without charges be .25 percent less than the minimum rate for experience-rated employers, but not less than one-tenth of one percent. (This rate would currently be .75 percent and would decrease if the fund exceeds \$250,000,000.) Also changes the level that the fund balance must achieve in order for rates to decrease;

- change the maximum tax rate to 8.5 percent when the unemployment fund is less than \$200,000,000. The maximum rate would remain at .75 percent if the unemployment fund balance exceeds \$200,000,000;

- eliminate language that has been held out of conformity with federal law;

- provide that employers pay a solvency assessment equal to ten percent of their annual tax if, as of the previous April 1, the unemployment fund balance is less than \$50,000,000. Would also provide that combined tax may cause the employer's tax rate to exceed the maximum;

- establish the following qualifications for benefits under the quarterly system:
 - wages in two or more quarters;
 - total wage credits of 1.25 times high quarter wages; and
 - high quarter wages of at least \$1,000;

- provide that the weekly benefit amount shall be 1/26 of the high quarter earnings;

- freeze maximum weekly benefit at \$234 until June 30, 1990; provide that the maximum will be \$254 between July 1, 1990 and June 30, 1991;

- provide that maximum benefits shall equal 33 percent of the total base period wage credits not to exceed 26 times the weekly benefit amount;

- provide that to qualify for a second benefit year (after the

expiration of the preceding benefit year), the employee must have earned enough wage credits to establish a claim and must have returned to work and earned ten times the weekly benefit amount after the start of the expired benefit year;

- prevent employers from being charged for benefits on a second claim that results from a transition to a quarterly system;
- make changes to provide notice to an employer, and to allow an employer to challenge a claim under the wage recording system. An employer could still challenge monetary entitlement or eligibility;
- allow the commissioner to obtain the information necessary to validate a claim under the alternate base;
- provide that the commissioner shall accept the claimant's wage statement, if the employer failed to provide wage information. However, the employer would be allowed to correct any late or erroneous reports, which would affect benefits subsequent to the correction;
- establish a quarterly wage reporting system to include name of employee, social security number, and total wages;
- provide that the commissioner be authorized to spend \$500,000 a year from the contingency fund (collected as penalties, voluntary payments and interest) to investigate fraud by employers and employees; to determine benefit overpayments and contribution underpayments; to recover money due to fraud and over- or underpayments; and for special services to assist the unemployed in returning to suitable work;
- provide penalties for failing to file wage detail report (one-half of one percent of total wages after 30-day notice); incomplete or erroneous information (\$25 for each individual on whom information is late or erroneous); or failure to file other reports (\$50 per report);
- establish Jan. 1, 1988 for the transition to the quarterly system for calculation and payment of benefits. The maximum weekly benefit provision and the fraud enforcement provision would be effective July 1, 1987.

LOCAL & URBAN AFFAIRS

Tuesday, March 31

Roseville--port authority powers
HF955/SF796 (Valento, IR-Little Canada)--recommended to pass. (SF in Senate Economic Development and Housing Committee)

Would allow the city of Roseville to exercise all the

powers of a port authority contained in Minnesota Statutes, chapter 45B, as if it were a port authority.

Dakota County--capital improvement bonds
HF1097/SF773 (Milbert, DFL-South St. Paul)--recommended to pass. (SF in Senate Taxes and Tax Laws Committee)

Would authorize the Dakota County Board to levy up to 3 mills per year for a capital improvement fund. Provisions would:

- provide that the interest earnings on money in the fund accrues to the fund and the tax is outside levy limits;
- authorize the county board to issue general obligation bonds, without an election, for capital improvements; would provide that the maximum amount of principal and interest on the bonds can not exceed an amount equal to the tax levy authorized under this bill;
- provide that the bonding authority is in addition to other bonding authority for the county;
- require bond proceeds to go into the capital improvement fund and any unexpended balance in the fund at the close of a fiscal year is carried over for expenditure in subsequent years;
- provide for reverse referendum process for each issuance of bonds.

Local government--street access charge
HF1163/SF1084 (Jensen, DFL-Lakeville)--recommended to pass as amended**; rereferred to the Transportation Committee. (SF in Senate Local and Urban Government Committee)

Would authorize all cities in the state to impose, by ordinance, street access charges on building projects which will impose significant costs on city streets and highways. Provisions would:

- allow access charges to be collected with taxes over a ten-year term; would provide that the payment of the charge is subject to the same penalties and interest as city taxes on real property;

** Amendment would make technical change.

Thursday, April 2

Champlin--public improvement funds
HF1141/SF1087 (D. Nelson, DFL-Champlin)--recommended to pass as amended**. (SF in Senate Local and Urban Government Committee)

Would authorize the city of Champlin to use unexpended funds from public improvements projects which have been lawfully transferred to the city's general fund for a grant program to assist low-income homeowners in paying special assessments levied against their homesteads.

****Amendment would make technical changes.**

Traverse--county agricultural society
HF1156/SF1144 (Brown, DFL-Appleton)--recommended to pass; rereferred to the Taxes Committee. (SF in Senate Taxes and Tax Laws Committee)

Would authorize the county board of Traverse County, by a four-fifths vote, to levy a property tax annually of up to one-half mill for the county agricultural society.

Local government--economic development authorities
HF1224/SF1186 (Battaglia, DFL-Two Harbors)--recommended to pass as amended**. (SF in Senate Economic Development and Housing Committee)

Would create the Cook County/Grand Marais joint economic development authority that would have statutory powers of an economic development authority covering all of Cook County. Provisions would:

- provide for the appointment and terms of the joint authority commissioners; would provide for compensation, reimbursement, and removal of the commissioners;
- authorize the joint economic development authority to issue general obligation bonds and to levy a tax of up to .75 mills;
- provide for local approval by both the Cook County Board of Commissioners and the Grand Marais City Council;

****Amendment would:**

- provide for a lodging tax of up to two percent.

Scott County--capital improvement bonds
HF1370/SF1155 (Kelso, DFL-Shakopee)--recommended to pass. (SF in Senate Local and Urban Government Committee)

Would authorize Scott County to establish a capital improvement program and issue bonds, without a referendum, for capital improvements. Provisions would:

- provide that the maximum amount of principal and interest on the bonds may not exceed an amount equal to

four mills times the assessed valuation of the taxable property in the county;

- provide for a reverse referendum on the mill levy increase.

METROPOLITAN AFFAIRS

Wednesday, April 1

Ground water management--metropolitan area
HF373/SF353 (Nelson, D., DFL-Champlin)--recommended to pass; rereferred to Environment and Natural Resources Committee. (SF in Senate Environment and Natural Resources Committee)

Would allow metropolitan counties to develop ground water plans and establish a procedure for integrating any county ground water plan with watershed management organizations. Provisions would:

- expand the purpose statement of the metropolitan surface water management act to include ground water;
- define terms relating to ground water;
- require that watershed plans be revised as necessary for consistency with a county ground water plan;
- allow a county with a ground water plan to disapprove of a watershed plan that substantially departs from the ground water plan;
- establish a process to reconcile differences between the county ground water plan and the watershed plan during metropolitan and state review of the watershed plan;
- require that amendments to the watershed plan necessary to recognize a ground water plan must be reviewed in accordance with the above process;
- allow delegation by the county to a soil and water conservation district;
- require local coordination of planning;
- require an advisory committee and specify membership;
- recite standards for the ground water plan;
- establish a process for local, metropolitan, and state review of the ground water plan that is parallel to the process for review of watershed plans;
- provide for adoption and amendment of the ground water plan;
- recite the metropolitan application.

Metropolitan Waste Control Commission--rate structure

HF499/SF348 (Nelson, D., DFL-Champlin)--recommended to pass. (SF on Senate floor)

Would modify the cost allocation system of the Metropolitan Waste Control Commission (MWCC), by changing the treatment of current value credits and by requiring a uniform rate throughout the metropolitan area for current costs. Provisions would:

- remove the requirement that current value credits be treated as a current cost paid by current users;
- allow the MWCC to include in its operating budget, as a current cost, an amount for contingencies not to exceed 7.5 percent of the total operating budget;
- require that the current costs of interceptors, as well as treatment works, be allocated among communities uniformly throughout the metropolitan area on the basis of flow. (Under existing law, current costs of interceptors are allocated within six sewer service areas);
- allow the MWCC to establish advisory committees and remove the provision in current law for advisory boards for the sewer service area;
- allow the commission to phase in the new cost allocation method over a four-year transition period;
- repeal provisions that govern the existing method of allocating interceptor costs and that call for the creation of sewer service areas;
- provide for the application of the bill in the seven metropolitan counties.

Metropolitan Airports Commission--chair

HF654/SF923 (Wagenius, DFL-Mpls)--recommended to pass; placed on Consent Calendar. (SF in Senate Local and Urban Government)

Would change the composition of the metropolitan airports commission.

Aircraft noise--municipal ordinances

HF755/SF904 (Seaberg, DFL-Mendota Heights)--recommended to pass; placed on Consent Calendar. (SF on Senate floor)

Would authorize municipalities in the metropolitan area in and around the airport noise zone to adopt ordinances related to aircraft noise.

Park development--metropolitan area

HF826 (Nelson, D., DFL-Champlin)--recommended to pass; rereferred to Appropriations Committee.

Would provide for the issuance of \$31 million in state general obligation bonds and the transfer of the proceeds to the Metropolitan Council to pay the costs of acquisition and betterment of components of the regional park system, in accordance with the council's policy plan.

Provisions would:

- allow the council to allocate \$6 million of the proceeds to the Lake Minnetonka regional parks;
- allow the council to spend more than \$400,000 for staff and professional services for administration of the funding program.

Transportation--handicapped, elderly

HF1009/SF1108 (Jefferson, DFL-Mpls)--recommended to pass; rereferred to Transportation Committee. (SF in Senate Transportation Committee)

Would clarify and enlarge requirements relating to special transportation service programs, administered by the Minnesota Department of Transportation (MnDOT) outside the Twin Cities metro area, and by the Regional Transit Board (RTB) in the metro area. Provisions would:

- apply MnDOT operating standards for the program to taxis providing service under the program;
- require MnDOT standards to address certain subjects, including driver qualifications, special safety equipment, and inspection and replacement of vehicles;
- require providers of service under the program to inspect, maintain, and repair equipment and vehicles and keep records;
- require MnDOT to inspect vehicles annually and to require removal from service of unsafe vehicles;
- require MnDOT to evaluate annually providers of service under the program and certify compliance with program standards. Metro providers certified by the RTB would not also have to be certified by MnDOT;
- allow other agencies to impose standards in addition to MnDOT standards;
- forbid public assistance to providers without certifications of compliance;
- clarify the description of the RTB program;
- require the RTB to set service standards in its contracts with providers and to include elderly and handicapped

persons and representatives of advocacy agencies on its advisory committee;

- clarify the description of the RTB program; and require the RTB to consult with the advisory committee on certain matters and to monitor complaints and accidents;
- clarify the description of the RTB program;
- require the RTB to adopt standards for its program, addressing certain matters, by January 1988;
- require the board to evaluate annually providers of service under the program and certify compliance with the program standards;
- forbid RTB assistance to providers without certification of compliance with RTB standards;
- recite the local application of the bill.

REGULATED INDUSTRIES

Monday, March 30

Public Utility Commission--education, property transfer

HF827/SF1072 (D. Nelson, DFL-Champlin)--recommended to pass as amended**; rereferred to Appropriations Committee. (SF in Senate Public Utilities and Energy Committee)

Would require initial and continuing education for public utilities commissioner and lengthens the time period for preparation for a hearing on a territorial dispute and raises the maximum value of property a utility can transfer without PUC approval. Provisions would:

- require the PUC to establish an orientation curriculum for new members;
- require the PUC to develop and implement an ongoing informational program for commissioners to consist of periodic public meetings to hear from interested persons on issues other than those relating to the facts of specific cases;
- increase from 15 days to 90 days the allowable time period for the PUC to prepare for a territorial dispute hearing;
- increase from \$100,000 to \$1,000,000 the maximum value of property that a utility can transfer without PUC approval;

**Amendments would:

- delete provision allowing reimbursement of certain expenses incurred by individual commissioners;
- require that public meetings the PUC holds are located within the state;
- delete provision requiring that no material issue before the PUC can be discussed at a public meeting.

Gas utility--flexible rates

HF1127/SF880 (Osthoff, DFL-St. Paul)--recommended to pass as amended**. (SF in Senate Public Utilities and Energy Committee)

**Delete everything amendment would authorize the Public Utilities Commission (PUC) to establish flexible rates for regulated gas utilities' customers who have the ability to purchase comparable energy supplies from unregulated suppliers at comparable prices. Provisions would:

- require that the customer has a daily gas supply that exceeds 50,000 cubic feet;
- allow a gas utility to set a "flexible tariff" for a customer without prior approval from the PUC, but within price guidelines determined by the PUC;
- allow the PUC to establish a flexible tariff through a miscellaneous rate filing only if the filing does not seek to recover any expected foregone revenues from customers who do not take service under flexible tariff;
- describe the terms and conditions for service for the tariff that the PUC may authorize;
- allow the PUC to determine a projected level of revenue and expenses from tariff services based on a single target rate for all sales under the tariff, which shall be used to establish a utility's overall rates;
- require the PUC to permit a proposed flexible tariff to take effect on an interim basis no later than 30 days after filing;
- require the PUC to make a final determination for approval of a flexible tariff within 180 days of the filing by the gas utility;
- require the department of public service to review the operation and effects of all gas utility flexible tariffs approved and report to the Legislature by Feb. 1, 1990;
- allow the Department of Public Service to recover up to \$10,000 in costs for the study from the gas utilities using flexible tariffs.

TAXES

Thursday, April 2

Sales tax--exemption status

HF525/SF547 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would broaden the state's sales tax base by taxing previously exempt products and institutions.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 25, Taxes, March 26)

Property Tax Div./Taxes

Friday, March 27

Property tax--commercial/industrial market value

HF622/SF584 (K. Nelson, DFL-Mpls)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would change the assessed value and classification of commercial and industrial property qualifying for a reduced assessment ratio. Provisions would:

- change the assessed value for commercial and industrial value to 28 percent of the first \$100,000 of market value and 43 percent for the remainder;
- set the assessed value of employment property at 20 percent of the first \$50,000 of the market value and 21.5 percent of the remainder;
- set the assessed value of real property not used as part of a commercial or industrial activity at 40 percent of the market value.

Property tax--small business credit

HF788 (Dauner, DFL-Hawley)--heard; (HF786, HF787 identical to HF788)

Would provide a state paid small business property tax credit.

Property tax--credits, refunds, valuation adjustment

HF847/SF878 (Ogren, DFL-Aitkin)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would provide a tax base equalization credit for certain property; provide a small business property tax refund; provide a distressed region industrial property tax refund;

and provide for the valuation adjustment of agricultural land for purposes of school aids.

Monday, March 30

Property tax-- exemption repeal

HF1012 (Osthoff, DFL-St. Paul)--heard.

Would eliminate the property tax exemptions for various types of property. Provisions would:

- tax the following currently exempted property:
 - municipal auditoriums;
 - airport property owned by a city, town, or county;
 - municipal stadiums;
 - passenger check-in area or ticket sale counter, boarding area or luggage claim area of a public airport (applies only to MAC airports);
- delete the exemption for property owned by any educational institution chartered by territorial Legislature;
- provide that all residences owned by a political subdivision, church, educational institution or other exempt entity and used primarily for residential purposes will be taxed; exemptions include the following residences:
 - owned by the federal government;
 - owned by certain tribal corporations;
 - located on Indian lands;
 - emergency shelters for victims of domestic abuse, and;
 - used as public housing if the exemption is required by federal law or if payments in lieu of taxes are made on the property;
- require the state to make payments in lieu of property taxes on certain state buildings to reimburse local governments for the cost of providing basic public services;
- require the assessor to determine the market value of the buildings, excluding the value of the land;
- require the commissioner of revenue to determine a statewide average mill rate for the basic public service provided in cities and in unincorporated areas;
- require the following types of property to pay property taxes:
 - all public hospitals;
 - institutions of pure public charity (other than churches or schools);
 - property owned and operated by a senior citizen group that limits membership to persons age 55 or older and is organized and operated exclusively for pleasure, recreation, and other nonprofit purposes (clubhouses, meeting facilities, etc.);
 - real and personal property used for the production of

hydroelectric or hydromechanical power on a site owned by the state or local government and leased to a private entity;
 --certain satellite and fixed satellite broadcasting facility property;
 --property of a certain facility which produces distilled spirituous liquors distilled with a majority of ingredients grown or produced in Minnesota;
 --property owned and operated by a private nonprofit corporation primarily used in the generation and distribution of hot water for heating buildings and structures (district heating); and
 --certain state lands leased from the Department of Natural Resources (certain cabins on state leased land);
 --residential use property;
 --hospitals, medical clinics, and related facilities;
 --nursing homes;
 --convention centers, municipal auditoriums, civic centers, stadiums, arenas, and other similar facilities which generate admissions/fees;
 --property used by an academy, college, or university if the property is not used solely for educational purposes (bookstores, restaurants, and other eating facilities, alumni facilities);

- allow that if some properties are used for multiple purposes, some of which are exempt and some taxable, the taxable portion of the value must be determined using an appropriate apportionment factor;
- allow Indian tribes exemption from this section;
- provide that residential real estate owned by a church and provided to its pastor for a home must be assessed as class one, and would not be eligible for a homestead credit;
- shorten time period from three years to one year for requirement for exemption for property which is owned by a tax exempt entity and leased to a non-exempt person or entity;
- defines a lease;
- deletes an exemption to property operated by a regional railroad authority;
- repeal the following exemptions:
 - property owned, leased, or used by a public school district for a residence or lodging for any teacher or administrator and certain other property owned by a school district leased for a non-public purpose;
 - property owned or leased by a hospital and used principally as a recreational or rest area for employees, administrators or medical personnel;
 - property used for production of hydroelectric or hydromechanical power on a site owned by a government unit and leased to a private entity;
 - property leased from School District #692 (Babbitt) by a nonprofit organization or to a community service fund to

be used for educational and recreational purposes;
 --property owned by the metropolitan sports facilities commission.

Tuesday, March 31

Property tax--housekeeping
 HF942/SF889 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would make various property tax changes. Provisions would:

- abolish the equalization aid review committee;
- eliminate rental factors in determining adjusted assessed value of agricultural lands;
- transfer duties to the commissioner of energy and economic development;
- increase certain tax forfeited land sales;
- require current taxes be paid prior to division of parcels in county auditor's or recorder's offices;
- allow treasurer to accept property tax payments of more or less than the amount due;
- allow installment payments only if personal property taxes are at least \$50;
- change certain appeal time limits;
- make administrative and technical property tax changes;
- reduce rent credit for claims based on rent paid in 1986.

Property tax--local, state review boards
 HF1124/SF1185 (Schreiber, DFL-Brooklyn Park)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would change meeting dates for local boards of review and the state board of equalization. Provisions would:

- provide that the county assessor shall annually file with the commissioner of revenue an assessment abstract by June 1;
- clarify that the commissioner shall examine all complaints where there is said to be improper or negligent administration in the assessment of property;
- provide that the only appeals which can be made before the commissioner of revenue would come from taxpayers who are:
 - appealing improper administration;

--appealing the classification of assessment of commercial-industrial or employment property;

--appealing the classification or assessment of state assessed property;

- change the dates for the state board of equalization from Aug. 15 - Nov. 15 to July 1 - Oct. 1;

- provide that any orders made by the state board to equalize levies shall be given to the county auditor and the affected taxing districts by October 1;

- change the date for submitting state board orders to the county from Nov. 15 to Oct. 1;

- increase the maximum dollar amount of tax in controversy which is in the small claims division from \$2,500 to \$5,000;

- provide that the local assessor will not appraise commercial-industrial (C/I) and employment property unless the local assessor is designated to do so by the county assessor;

- expand and clarify the powers and duties of the county assessor by providing that the county assessor shall value all C/I and employment property in the county;

- prohibit the local board of review from reducing any assessments on C/I and employment property;

- require the county assessors from Hennepin and St. Louis Counties to assess all C/I property;

- provide that annually on Dec. 1, beginning in 1988, the commissioner of revenue shall provide county assessors with a land valuation schedule showing a range of values to be used in the valuation of agricultural lands;

- change the date for the state board orders for public utility property from Nov. 15 to Oct. 1;

- prohibit the local board from increasing or decreasing the value of C/I property and specify that if a taxpayer wishes to appeal the value of C/I property, the person must appear before the county board;

- change the dates for the county board of equalization to the first two weeks in June (the commissioner may extend the time to June 30);

- allow the commissioner to extend the levy certification date for taxing districts by up to 15 calendar days beyond the Oct. 10 deadline set in statutes;

- allow the St. Cloud city assessor to continue to be responsible for C/I property assessment;

Tax Laws Div./Taxes

Friday, March 27

Corporate tax bill

HF616/SF638 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would maximize state conformity with federal income tax changes by making changes in corporate tax laws. Provisions would:

- tax insurance companies under the current federal code;

- reduce the corporate income tax rate from 12 percent to 8.9 percent;

- create a new alternative minimum tax for corporations;

- repeal technology transfer and small business contribution credits;

- modify the research and development credit;

- broaden the corporate income tax base by taxing unrelated business income on nonprofit organizations that compete with for-profit organizations;

- extend the two percent insurance gross earnings premium tax to nonprofit insurance providers.

Monday, March 30

Corporate tax bill

HF616/SF638 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would maximize state conformity with federal income tax changes by making changes in corporate tax laws.

(See bill summary above)

Tuesday, March 31

Corporate tax bill

HF616/SF638 (Voss, DFL-Blaine)--heard. (SF in Senate Taxes and Tax Laws Committee)

Would maximize state conformity with federal income tax changes by making changes in corporate tax laws.

(See bill summary above)

TRANSPORTATION

Wednesday, April 1

Railroad grade crossings

HF404/SF554 (Wenzel, DFL-Little Falls)--recommended to pass as amended**. (SF in Senate Transportation Committee)

Would allow the Department of Transportation to designate as "exempt" any crossing on a rail line in which service has been abandoned or which is used by trains fewer than five times a year.

(See summary in HWR, Vol. 3, No. 10, Pg. 28, Transportation, March 25)

Handicapped parking--fine increase

HF629/SF451 (Reding, DFL-Austin)--recommended to pass as amended**. (SF on Senate Floor)

- require persons applying for handicapped license plates or certificates to submit a physician's statement each time an application is made;

- make the parking privileges granted by handicapped license plates identical to those granted by a handicapped certificate;

- make people who illegally use handicapped license plates or certificates guilty of a misdemeanor and sets a maximum fine of \$500;

- specify parking privileges for physically handicapped persons; would provide that a vehicle that prominently displays a handicapped certificate or bears a handicapped license plate can park in:

- any designated handicapped parking space;

- a limited time parking space without regard to the posted time limit;

- a metered parking space without obligation to pay the meter fee;

- prohibit handicapped persons from parking in no-parking spaces or parking spaces reserved for specified purposes or vehicles;

- define "physically handicapped person" as a person who:

- because of disability cannot walk without significant risk of falling;

- because of disability cannot walk 200 feet without stopping to rest;

- because of disability cannot walk without the aid of another person, a walker, a cane, crutches, braces, a prosthetic device, or a wheelchair;

- is restricted by a respiratory disease to such an extent that the person's forced (respiratory) expiratory volume for one second, when measured by spirometry, is less than one meter;

- has an arterial oxygen tension of less than 60 mm/hg on room air at rest;

- uses portable oxygen or has a cardiac condition to the extent that the person's functional limitations are classified in severity as class III or class IV according to standards set by the American Heart Association;

- direct the Department of Public Safety to develop a form for the physician's certification of disability; would make it a misdemeanor to certify fraudulently and sets a maximum fine of \$500;

- provide for a single handicapped certificate for both permanent and temporary disabilities; would set a maximum duration of five years for certificates and a maximum duration of three years for certificates for persons who transport handicapped persons;

- provide that the certificates must be distinct from certificates issued before Dec. 31, 1987 and must bear its expiration date prominently on its face; would allow the commissioner to charge a \$5 fee for issuance or renewal of a certificate and a \$5 fee for a duplicate to replace a lost, stolen, or damaged certificate;

- prohibit parking a motor vehicle in a handicapped transfer zone or in a way which obstructs access to such a zone;

- require property owners with handicapped parking spaces to ensure that they are kept free of obstruction; would require the signs to have the fines posted on them; would make it a misdemeanor for property owners to allow handicapped spaces to be blocked by snow, merchandise, or similar obstructions and sets a maximum fine of \$500;

- increase from \$25 to \$100 the fine for illegally parking in a handicapped parking spaces.

Trucks--tire weight limits

HF751 (Lieder, DFL Crookston)--heard; laid over.

Would amend the statutes limiting the maximum wheel load on a vehicle to 600 pounds per inch of tire width (or the manufacturers recommended load, whichever is less), by setting the following limits for vehicles manufactured after Jan. 1, 1988 and all vehicles on July, 1, 1991:

--600 pound per inch of tire width for single front steering axle;

--500 pound per inch of tire width for other single axle;

--450 pound per inch of tire width for tandem axle;

--425 pound per inch of tire width for tridem and quad axle groups or the manufacturer's recommended load, whichever is less; and

--600 pound per inch of tire width for each of the above axle group on vehicles manufactured before Jan. 1, 1988 until July 1, 1991.

Drivers licenses--med alert identification

HF1191/SF927 (Kelso, DFL-Shakopee)--recommended to pass. (SF passed on Senate Floor)

Would allow the Department of Public Safety, upon written request of the applicant, to issue driver's licenses or Minnesota identification cards bearing a medical alert identifier. Applicants must request the medical alert identifier when they take the photograph for their license. No specific medical information will be contained on the license or identification cards.

FLOOR ACTION

CALENDAR

Thursday, March 26

Child restraint carriers

HF29* (Skoglund, DFL-Mpls)--passed (120-8).

Would require all motor vehicle operators transporting children under age 4 to use child restraint systems (present law applies only to parents and guardians.)

(See bill summary in HWR, Vol. 3, No. 8, Pg.15, Transportation, March 10)

Corrections authority--inmate restitution

HF375*/SF 586 (Kludt, DFL-Moorhead)--passed (130-1). (SF in Senate Judiciary Committee)

Would make several changes to the corrections statutes and the criminal code.

(See bill summary in HWR, Vol. 3, No. 5, Pg. 17, Judiciary, March 16)

Insurance--burial expenses

HF444*/SF460 (Sparby, DFL-Thief River Falls)--passed (130-0). (SF in Senate Commerce Committee)

Would prohibit any insurance company, agent, or others who provide insurance for funeral or burial expenses from endorsing or promoting a particular mortician, funeral director or establishment.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 3, Commerce, March 17)

Nursing home shared service agreements

HF526*/SF599 (Welle, DFL-Willmar)--passed (128-0). (SF in Senate Finance Committee)

Would expand the scope of shared service agreements and specify that funds received from such agreements be available for related expenditures.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 8, Health & Human Services, March 10)

Nursing home care cost

HF527*/SF532 (Cooper, DFL-Bird Island)--referred to Appropriations Committee. (SF in Senate Finance Committee)

Would subrogate the Department of Human Services to the rights of a patient or resident to private health care coverage to extent of costs of services given.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 8, Health & Human Services, March 10)

Town road--recording procedures

HF542*/SF551 (Welle, DFL-Willmar)--passed (129-0). (SF in Senate Transportation Committee)

Would allow town boards to adopt a recorded township road map to record its town road easements.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 12, Local & Urban Affairs, March 10)

Dept. of Human Services--division name change

HF557*/SF799 (Kelso, DFL-Shakopee)--passed (127-0). (SF in Senate Health and Human Services)

Would rename the Mental Retardation Division of the Department of Human Services as the Division for Persons With Developmental Disabilities.

Farmer-Lender Mediation Program--FmHA
HF575*(Sparby, DFL-Thief River Falls)--passed (129-0).

Would memorialize the President of the United States and Congress to immediately direct the Farmers Home Administration to participate in and cooperate with the Minnesota Farmer-Lender Mediation Program.

Service station--fuel purchase option
HF661*/SF662 (Solberg, DFL-Bovey)--passed (129-0).
(SF in Senate Commerce Committee)

Would allow service station dealers to purchase fuel from either a wholesaler or a refiner, even though they're under contract to buy fuel from certain refiners.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 4, Commerce, March 17)

Accident report data
HF687*/SF447 (Poppenhagen, DFL-Detroit Lakes)--passed (123-6). (SF in Senate Judiciary Committee)

Would require law enforcement agencies to disclose to the media the date of birth of a party involved in an auto accident. (Current law permits only the release of the party's name and address.)

Fraudulent Transfers Act
HF711/SF97* (Orenstein, DFL-St. Paul)--passed (122-0). (SF passed in Senate)

Would enact the Uniform Fraudulent Transfers Act to replace the 1918 Uniform Fraudulent Conveyances Act. Both acts deal with remedies for creditors of insolvent businesses and individuals in situations where the insolvent person improperly transferred assets in an attempt to defeat the creditors' claims. The basic remedy is to deem the transfer "fraudulent" and allow a creditor to void it and recover what is owed the creditor.

(See bill summary in HWR, Vo. 3, No. 9, Pg. 17, Judiciary, March 17)

Minnesota statutes--revisor's corrections
HF713*/SF689 (Rest, DFL-New Hope)--passed (128-0).
(SF in Senate Judiciary Committee)

Would correct erroneous, ambiguous, omitted, and obsolete references and text, and eliminate certain redundant, conflicting, and superseded provisions in current Minnesota Statutes.

Monday, March 30

**Liquor licenses--vintage wine;
brewer/wholesaler deals**
HF46/SF38* (Jacobs, DFL-Coon Rapids)--passed (109-22).

Would allow beer wholesalers to engage in cooperative advertising with retailers for nonalcoholic beverages.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 18)

St. Louis County--liquor licenses
HF98/SF117* (Rukavina, DFL-Virginia)--passed (126-4).
(SF passed Senate)

Would allow St. Louis County to issue one off-sale intoxicating liquor license to a premises located within Sturgeon Township, with the approval of the commissioner of public safety and one off-sale license to a premises located in Clinton Township.

Moorhead--liquor license
HF250/SF245* (Kludt, DFL-Moorhead)--passed (126-4).
Would allow the city of Moorhead to issue an on-sale intoxicating liquor license to the governing body of the Red River Valley Center-Hjemkomst Heritage Interpretive Center and allow the center to contract for an intoxicating liquor catering service.

Retired state employees--insurance
HF257*/SF373 (Simoneau, DFL-Fridley)--passed (133-0).
(SF in Senate Governmental Operations Committee)

Would provide that certain state employees are eligible for state-paid insurance benefits.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 6, Governmental Operations, March 5)

Liquor license--temporary on-sale licenses
HF294*/SF358 (Bishop, IR-Rochester)--passed (126-5).
(SF in Senate Commerce Committee)

Would allow the governing body of a municipality to issue temporary licenses for the on-sale of intoxicating liquor to a premises located in the unincorporated or unorganized territory of the county.

Insurance break--55 Alive
HF342*/SF379 (Solberg, DFL-Bovey)--passed (131-2).
(SF in Senate Commerce Committee)

Would extend automobile insurance premium reductions for Minnesotans 55 years and older who complete an approved accident prevention course (current law applies to people 65 years and older).

Chiropractors--state civil service

HF354*/SF453 (Jefferson, DFL-Mpls)--passed (125-5).
(SF in Senate Governmental Operations Committee)

Would require the commissioner of employee relations to establish "chiropractor" as a state civil service job classification.

Adulterated milk

HF419/SF137* (Krueger, DFL-Staples)--passed (134-0).

Would add the Federal Food, Drug, and Cosmetic Act as a source of exception to the prohibition against the manufacture of food from adulterated milk or cream.

State Parks--vehicle permits

HF554*/SF450 (Rukavina, DFL-Virginia)--passed (126-4). (Senate on Senate Floor)

Would change certain provisions relating to state park motor vehicle permits.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 11, Environment & Natural Resources, March 19)

Trapping with lights

HF653*/SF731 (Reding, DFL-Austin)--passed (121-9).
(SF in Senate Environment and Natural Resources Committee)

Would permit a person to use a light when hunting raccoon with firearms or bows; would allow a person on foot to tend traps between 5 a.m. and 7 p.m. using a portable artificial light; would not allow any such trapper to possess or use a firearm other than a .22 caliber handgun; would remove restrictions on the open season for otter.

Welfare data--nondisclosure exemption

HF660*/SF 503 (Blatz, DFL-Bloomington)--passed (121-9). (SF in Senate Judiciary Committee)

Would permit welfare officials to disclose to law enforcement officials investigating gross misdemeanors or felonies, the name address, and telephone number of individuals on who date is stored in the welfare systems if the individual is a suspect under investigation, unless federal regulations prohibit it.

Medical Assistance overpayments--recovery

HF721*/SF545 (Greenfield, DFL-Mpls)--passed (134-0).
(SF in Senate Finance Committee)

Would require that the current owner of a nursing home, boarding care home, or intermediate care facility is liable for any overpayment of medical assistance owed by a former owner of the facility and require the commissioner to field audit the facility when requested by the previous owner. Would allow that if the commissioner fails to submit the field audit within 15 months on a written request for audit by the current owner, the current owner is not liable for overpayments owed by the prior owner.

City park board members--compensation

HF729/SF306* (Schreiber, IR-Brooklyn Park)--passed (129-0). (SF passed Senate)

Would remove the \$100 a year limit that a city council of statutory cities may compensate a member of a city park board.

Kanabec County--liquor license restrictions

HF735*/SF576 (O'Connor, DFL-St. Paul)--passed (132-0). (SF in Senate Commerce Committee)

Would repeal restriction on issuance of off-sale licenses in Kanabec County.

Wednesday, April 1

Bicyclists, joggers, skaters--headphones

HF269*/SF102 (Kahn, DFL-Mpls)--not passed (56-69); reconsidered; returned to General Orders. (SF on Senate Floor)

Would prohibit people on bicycles, rollerskates, skate boards, or on foot traveling on a roadway or shoulder from wearing headphones that cover both ears.

Vending machines--inspection fees

HF469*/SF407 (McEachern, DFL-St. Michael)--passed (118-6). (SF on Senate Floor)

Would limit the amount that cities or counties may charge vending machine owners for inspection fees to the amount the state charges (currently \$15 a year); would provide that vending machines shall be subject to an annual state inspection fee of \$5 for each machine.

(See bill summary under General Orders, March 30)

General Assistance--denial appeals

HF591*/SF581 (Wynia, DFL-St. Paul)--passed (128-0).
(SF in Senate Finance Committee)

Would authorize the commissioner of human services to make direct payments of General Assistance to facilities providing shelter to women and children; would require the commissioner to review any denial or payment within 30 days of the facility's written request; would allow shelters to appeal adverse determinations; and would provide that the administrative law judge's report is binding on all parties involved in an appeals case.

False identification--arrest

HF555*/SF572 (Carruthers, DFL-Brooklyn Center)--passed as amended (128-0). (SF in Senate Judiciary Committee)

Would make it a misdemeanor for any person to give a peace officer a false or fictitious name, other than a nickname, false date of birth, or false or fraudulently altered identification card when the officer makes inquiries which may lead to an investigatory stop or a lawful arrest, or to carrying out any other lawful duty.

CONCURRENCE AND REPASSAGE

Thursday, March 26

St. Louis County--land transfer

HF166/SF191 (Battaglia, DFL-Two Harbors)--passed as amended by Senate. (SF passed in Senate)

Would require the state to convey its interest (except mineral rights interest) in certain land in St. Louis County.

Monday, March 30

Adoption expense reimbursement

HF127*/SF249 (Krueger, DFL-Staples)--passed as amended by the Senate (130-0).

Would provide that when an adoption applicant pledges to make a voluntary contribution to a non-profit corporation for adoption services, the pledge is voidable at the option of the person pledging.

Wednesday, April 1

Deer hunting limit

HF400*/SF334 (D. Nelson, DFL-Champlin)--passed as amended** by the Senate (114-5).

Would make permanent the current law which permits the commissioner of natural resources, on an experimental basis, to let hunters take two deer during a season.

**Amendment would add an effective date.

Human rights act--disabled persons

HF369*/SF264 (Greenfield, DFL-Mpls)--passed as amended** by the Senate (125-0).

Would change certain requirements in the Minnesota Human Rights Act relating to disabled persons.

**Amendments would:

- delete section defining "sensory impairment";
- delete section that would require an educational institution to provide auxiliary aids or services and devices for use by students with manual impairments.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 25, Calendar, March 12)

CONSENT CALENDAR

Thursday, March 26

Dept. of Military Affairs--contract administration

HF424/SF498 (DeBlieck, DFL-Milroy)--passed (128-0). (SF in Senate Veterans Committee)

Would permit the state adjutant general to delegate to subordinate employees the duty to execute and administer contracts; would require the delegation order to be written and filed with the secretary of state.

Dept. of Natural Resources--director qualifications

HF545/SF362 (Trimble, DFL-St. Paul)--passed (124-0). (SF in Senate Environment and Natural Resources Committee)

Would strike language in current law that requires the Department of Natural Resources' Division of Waters director to be a registered professional engineer and skilled in hydraulics; would instead require that the director be chosen based on knowledge, training, experience, and ability in administering the division's work.

Monday, March 30

Witness--competency

HF286*/SF742 (Vellenga, DFL-St. Paul)--passed (131-0). (SF in Senate Judiciary Committee)

Would make changes to the "competency of witnesses" statute.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 18, Crime & Family Law Div./Judic., March 13)

Brook Park--debt limit

HF483/SF279* (D. Carlson, IR-Sandstone)--passed (132-0).

Would permit the city of Brook Park to exceed its net debt by \$20,000 for construction of a fire hall.

Real property laws--update

HF550/SF499* (Kludt, DFL-Moorhead)--passed (132-0). (SF passed Senate)

Would make changes to real property laws.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 15, Judiciary, March 24)

Regional treatment centers--patient wages

HF558/SF529* ((Dauner, DFL-Hawley)--passed (129-0).

Would exempt from minimum wage requirements, prevocational training in regional centers.

Jewish exit visas--resolution

HF757/SF653* (Segal, DFL-St. Louis Park)--passed (128-0).

The resolution urges Soviet General Secretary Michail Gorbachev and the Soviet Chief of Immigration to grant immediate exit visas to Jewish former prisoners of conscience and to those waiting over 10 years, followed by visas to those refused for 5 to 10 years.

Judgments, foreign--filing procedure

HF854*/SF448 (Orenstein, SFL-St. Paul)--passed (131-0). (SF on Senate Floor)

Would clarify the procedure and cost for filing foreign judgments, and the procedure to secure a judgment and execution.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 16, Judiciary, March 24)

Wednesday, April 1**East Grand Forks--land sale**

HF750*/SF715 (Lieder, DFL-Crookston)--passed (126-0). (SF on Senate Floor)

Would allow Polk County to sell certain tax-forfeited land located in the city of East Grand Forks.

Town road contract--notification

HF889*/SF844 (Solberg, DFL-Bovey)--passed (128-1). (SF on Senate Floor)

Would require advertisements for bids for which sealed bids are required for contracts for the construction or improvement of town roads to be published once a week for two successive weeks in a legal newspaper.

Newspapers--public notices

HF471/SF403* (Tunheim, DFL-Kennedy)--passed (126-0).

Would require a newspaper that is not a qualified legal publication to inform a public body that presents a public notice for publication that it [the newspaper] isn't qualified.

GENERAL ORDERS**Thursday, March 26****Liquor licenses--vintage wine; brewer/wholesaler deals**

HF46/SF38* (Jacobs, DFL-Coon Rapids)--recommended to pass.

Would allow beer wholesalers to engage in cooperative advertising with retailers for nonalcoholic beverages.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 18)

St. Louis County--liquor license

HF98/SF117* (Rukavina, DFL-Virginia)--recommended to pass.

Would allow St. Louis County to issue one off-sale intoxicating liquor license to a premises located within Sturgeon Township, with the approval of the commissioner of public safety.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 18)

Moorhead--liquor license

HF250/SF245* (Kludt, DFL-Moorhead)--recommended to pass.

Would allow the city of Moorhead to issue an on-sale intoxicating liquor license to the governing body of the Red River Valley Center-Hjemkomst Heritage Interpretive Center.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 22, Regulated Industries, March 18)

Retired state employees--insurance

HF257/SF373 (Simoneau, DFL-Fridley)--recommended to pass. (SF in Senate Judiciary Committee)

Would provide that certain state employees are eligible for state-paid insurance benefits.

(See bill summary in HWR, Vol. 3, No. 8, Pg. 6, Governmental Operations, March 5)

Liquor license--temporary on-sale licenses

HF294/SF358 (Bishop, IR-Rochester)--recommended to pass. (SF in Senate Commerce Committee)

Would allow the governing body of a municipality to issue temporary licenses for the on-sale of intoxicating liquor.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 23, Regulated Industries, March 18)

Work zone speed limits/vehicle registration, operation

HF323/SF465 (Lieder, DFL-Crookston)--amended**;
referred to Appropriations Committee. (SF in Senate Rules and Administration Committee)

(See bill summary in HWR, Vol.3, No. 8, Pg. 16, Transportation, March 11)

**Amendment would require the commissioner of transportation to issue one special permit authorizing the operation for testing purposes of a three vehicle combination consisting of a motor vehicle, a "motorized hitch" and a trailer.

Insurance break--55 alive

HF342/SF379 (Solberg, DFL-Bovey)--recommended to pass. (SF in Senate Commerce Committee)

Would extend automobile insurance premium reductions for older Minnesotans 55 years old and older who complete an approved accident prevention course (current law applies to people 65 years old and older).

(See bill summary in HWR, Vol. 3, No. 9, Pg. 12, Financial Institutions & Insurance, March 17)

Chiropractors--state civil service

HF354/SF453 (Jefferson, DFL-Mpls)--recommended to pass. (SF in Senate Governmental Operations Committee)

Would require the commissioner of employee relations to establish "chiropractor" as a state civil service job classification.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 14, Governmental Operations, March 19)

State parks--vehicle permits

HF554/SF450 (Rukavina, DFL-Virginia)--recommended to pass. (SF in Senate Environment and Natural Resources Committee)

Would change certain provisions relating to state park motor vehicle permits.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 11, Environment & Natural Resources, March 19)

Liquor licenses--seasonal

HF603/SF291 (Tunheim, DFL-Kennedy)--recommended to pass. (SF in Senate Commerce Committee)

Would allow a county board to issue up to 10 seasonal on-sale licenses not to exceed six months, for the sale of intoxicating liquor with the approval of the commissioner.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 23, Regulated Industries, March 18)

Trapping with lights

HF653/SF731 (Reding, DFL-Austin)--recommended to pass. (SF in Senate Environment and Natural Resources Committee)

Would allow a person to use a light when hunting raccoon with firearms or bows.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 11, Environment & Natural Resources, March 19)

Welfare data--nondisclosure exemption

HF660/SF503 (Blatz, IR-Bloomington)--recommended to pass. (SF in Senate Judiciary Committee)

Would allow welfare officials to disclose to law enforcement official investigating gross misdemeanors or felonies, the name, address, and telephone number of individuals for whom data is stored in the welfare system if the individual is a suspect under investigation.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 17, Judiciary, March 16)

Medical Assistance overpayments--recovery

HF721/SF545 (Greenfield, DFL-Mpls)--recommended to pass. (SF in Senate Finance Committee)

Would require that the current owner of a nursing home, boarding care home or intermediate care facility is liable for any overpayment of medical assistance owed by a former owner of the facility and require the commissioner to field audit the facility when requested by the previous owner.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 16, Health & Human Services, March 19)

City park boards members--compensation
HF729/SF306* (Schreiber, IR-Brooklyn Park)--recommended to pass.

Would remove the \$100 a year limit that a city council of statutory cities may compensate a member of a city park board.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 17, Local & Urban Affairs, March 17)

Kanabec County--liquor license restriction
HF735/SF576 (Peterson, DFL-Princeton)--recommended to pass. (SF in Senate Commerce Committee)

Would repeal restriction on issuance of off-sale licenses in Kanabec County.

(See bill summary in HWR, Vol. 3, No. 9, Pg. 23, Regulated Industries, March 18)

Monday, March 30

Bicyclists, joggers, skaters--headphones
HF269/SF102 (Kahn, DFL-Mpls)--recommended to pass. (SF on Senate Floor)

Would prohibit people on bicycles, rollerskates, skate boards, or on foot traveling on a roadway or shoulder from wearing headphones that cover both ears.

Vending machines--inspection fees
HF469/SF407 (McEachern, DFL-St. Michael)--recommended to pass as amended**. (SF in Senate Local and Urban Government Committee)

Would limit the amount that cities or counties may charge vending machine owners for inspection fees to the amount the state charges (currently \$15 a year); would provide that nut vending machines shall be subject to an annual state inspection fee of \$5 for each machine.

**Amendment would reinstate stricken language to allow cities or counties to charge at least \$15 for vending machines.

False identification--arrest
HF555/SF572 (Carruthers, DFL-Brooklyn Center)--recommended to pass. (SF in Senate Judiciary Committee)

Would make it a misdemeanor for any person to give a peace officer a false or fictitious name, other than a nickname, false date of birth, or false or fraudulently altered identification card when the officer makes inquiries which may lead to an investigatory stop or a lawful arrest, or to carrying out any other lawful duty.

General Assistance--denial appeals
HF591/SF581 (Wynia, DFL-St. Paul)--recommended to pass. (SF in Senate Finance Committee)

Would authorize the commissioner of human services to make direct payments of General Assistance to facilities providing shelter to women and children; would require the commissioner to review any denial of payment within 30 days of the facility's written request; would allow shelters to appeal adverse determinations; and would provide that the administrative law judge's report is binding on all parties involved in an appeals case.

Wednesday, April 1

Drug testing--workplace
HF42 (Pappas, DFL-St. Paul)--recommended to pass as amended**.

Would define the circumstances in which an employer may test an employee for drug use, and would limit the types of tests that could be used.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 18, Labor-Management Relations, March 23)

**Amendment would make technical changes.

Liquor license--strong beer sales
HF447/SF128* (Jaros, DFL-Duluth)--recommended to pass as amended**.

Would allow the governing body of any municipality to authorize holders of on-sale wine licenses to sell nonintoxicating malt liquors.

**Amendment would make technical changes.

Interest rates--advertising regulation
HF450/SF542 (Bertram, DFL-Paynesville)--recommended to pass as amended**. (SF in Senate Commerce Committee)

Would regulate the advertisement of interest rates for investment products.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 9, Financial Institutions & Insurance, March 24)

**Amendment would make technical changes.

St. Anthony Falls--hydropower generating plant

HF564/SF526 (Long, DFL-Mpls)--recommended to pass as amended**. (SF in Senate Public Utilities and Energy Committee)

Would memorialize the Federal Energy Regulatory Commission expressing opposition to the installation of additional hydropower generating facilities at St. Anthony Falls in Minneapolis.

**Amendment would make technical changes.

Human Rights Act--disabled employees

HF580/SF491 (Greenfield, DFL-Mpls)--recommended to pass. (SF in Senate Judiciary Committee)

Would change certain legal requirements relating to employing disabled persons.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 16, Judiciary, March 24)

Koochiching County--bidstead program

HF799/SF711 (Neuenschwander, DFL-Int'l Falls)--recommended to pass. (SF in Senate Taxes and Tax Laws)

Would authorize the Koochiching County Board to establish a bidstead program.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 22, Local & Urban Affairs, March 26)

Bicycle regulation

HF813/SF774 (Seaberg, IR-Mendota Heights)--recommended to pass. (SF in Senate Transportation Committee)

Would regulate bicycle traffic and provide for designation of bicycle paths, lanes, routes, and bikeways.

(See bill summary in HWR, Vol. 3, No. 10, Pg. 28, Transportation, March 25)

SUSPENSION OF RULES

Monday, March 30

Non-profit lobbying limitations--resolution

HF737 */SF794 (McLaughlin, DFL-Mpls)--passed (126-3).

The resolution would memorialize the President and Congress to prevent the proposed Internal Revenue Service regulation that limits lobbying by non-profit organizations from taking effect.

House Weekly Review is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1987 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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