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**Minnesota
House of
Representatives**

New Laws Effective Jan. 1, 2003

Editor's note: The following is a listing of selected new laws passed during the 2002 Legislative Session that take effect Jan. 1, 2003. A complete summary of all laws passed by the 2002 Legislature is available online from the House Public Information Services Office. Go to www.house.mn/hinfo/2002nulaw.htm

CONSUMERS

Do not call list

Minnesotans will be able to put their home telephone numbers on a do-not-call list to which telephone solicitors will be required to subscribe, under a new law.

The law, effective in 2002, required that the list be established by Jan. 1, 2003. Under the law certain telephone solicitors are prohibited from calling numbers on the list. Residents' numbers will stay on the list for four years unless they choose to revoke them. There is no cost to sign up, which many consumers have already done. The list will be maintained by the Department of Commerce.

Certain organizations are exempt from the law. Telemarketing companies must purchase the updated list four times per year, and violators will face civil penalties of up to \$1,000 per call, as well as having their telemarketing privileges revoked.

Rep. Matt Entenza (DFL-St. Paul) and Sen. Richard Cohen (DFL-St. Paul) sponsored the law.
HF2710/SF3246*/CH367

Funeral trust accounts

Beginning Jan. 1, 2003, a new law will require annual reports to the beneficiaries of pre-need funeral trust accounts.

It requires that depositors make a yearly report to the beneficiary that shows the amount in the account, including principal and accrued interest.

The law allows for the depositor to arrange for a banking institution, savings or building and loan association, or credit union to issue the reports.

Rep. Richard Mulder (R-Ivanhoe) and Sen. Ann H. Rest (DFL-New Hope) were the sponsors.
HF3462/SF3080*/CH261

ENVIRONMENT

Consolidated-conservation lands

More than 100,000 acres of land in northwestern Minnesota will be designated as wildlife management areas, under a new law effective Jan. 1, 2003.

The measure will complete an ongoing effort to apply the designation to remaining acres of the state's Consolidated Conservation (Con-Con) lands.

Minnesota took control of the Con-Con lands beginning in 1929 through tax forfeiture. Farmers largely abandoned the lands during the Great Depression, according to a Legislative Reference Library guide on the issue.

Under the law, 102,315 acres in Beltrami, Marshall, and Roseau counties will become the last acres designated as wildlife management areas, which are heavily used by hunters. The state has more than 1.1 million acres with this designation.

The law contains a provision that will direct the DNR commissioner to designate a minimum of 90 miles of trails for all-terrain vehicles in wildlife management areas. Eight-member working groups will be established in each county to work on trail designation plans.

Rep. Dennis Ozment (R-Rosemount) and Senate Majority Leader Roger Moe (DFL-Erskine) were the sponsors.

HF1359/SF2125*/CH353

HEALTH

Crossing borders, working overtime

Nurses from bordering states will be able to practice in Minnesota without obtaining a nursing license in this state, under a reciprocity program approved as part of a new law effective Jan. 1, 2003.

Sponsored by Rep. Larry Howes (R-Walker) and Sen. Ellen Anderson (DFL-St. Paul), the law affects nurses licensed in Wisconsin, North Dakota, South Dakota, and Iowa.

In order for a nurse from a border state to practice in Minnesota, the licensing standards in the nurse's home state must be substantially the same as standards in Minnesota. A nurse looking to practice in Minnesota must be licensed in good standing in his or her home state and cannot have been refused a license to practice in Minnesota.

HF2993/SF2463*/CH272

HIGHER EDUCATION

Agent registration

Agents wanting to negotiate professional sports contracts for student-athletes in Minnesota will need to pay to do so and comply with certain requirements, under a new law effective Jan. 1, 2003.

Sponsored by Rep. Peggy Leppik (R-Golden Valley) and Sen. Deanna Wiener (DFL-Eagan), the new law will require agents to register with the state commerce commissioner before contacting a prospective client.

An agent wishing to register in the state will be required to pay a \$500 fee that would be valid for two years. Renewals will cost \$400. Parents wishing to represent their own children will be exempt from the fee.

Agents contacted by student-athletes, but not yet registered with the state, must do so within seven days, under the new law, and they cannot enter into an agreement until registered.

Agents violating the act could be assessed a civil penalty of up to \$25,000 per incident.

HF2719*/SF2827/CH332

HOUSING

Real estate disclosure

A new law is designed to protect the rights of people buying a home.

Effective Jan. 1, 2003, the new law will require people selling a home to tell buyers if there is something wrong with the home that could, "adversely and significantly" affect the buyer's interest in the property.

Rep. Mary Liz Holberg (R-Lakeville), who sponsored the law with Sen. Ann Rest (DFL-New Hope), said it will help protect home buyers and shield real estate agents from being sued for problems that they were not told about by the home's sellers.

The law does not apply to certain property transfers, such as those between family members or those related to divorces or inheritance.

It also includes certain protections for sellers who did not disclose a problem because they were unaware of it or did not have the technical knowledge needed to determine that the problem existed.

A provision in the law allows the sale of property "as is" if both parties agree that no legal action will be taken after the sale.

HF3079/SF2697*/CH306

Lender fees

A new law effective New Year's Day prohibits residential mortgage lenders from including lender fees greater than 5 percent in the principal amount of a mortgage loan.

The new law does not apply to loans insured or guaranteed by the federal departments of housing and urban development or veteran affairs, or the farmers home administration.

It also prohibits prepayment penalties on residential mortgage loans that apply to partial prepayments, sales of the mortgaged property, any prepayment made more than 42 months after the loan was made, or if they amount to more than 2 percent of the unpaid balance or 60 days interest, whichever is less.

Rep. Greg Davids (R-Preston) and Sen. James Metzen (DFL-South St. Paul) were the sponsors.
HF3257/SF2988*/CH342

HUMAN SERVICES

Caring for disabled people

As part of a new law addressing the state's \$1.9 billion deficit for the 2002-03 biennium, counties will pick up additional nursing home related costs.

Federal funds currently cover 50 percent of the costs while the state and counties cover the remainder. Over the years the state has assumed the full 50 percent amount but under the new law, effective Jan. 1, 2003, counties will now pay 20 percent of the non-federal coverage. The law applies to costs associated with patients younger than 65 who stay for more than 90 days.

Also effective Jan. 1, 2003, state assistance payments to Medical Assistance and General Assistance Medical Care healthcare plans will be reduced by 0.5 percent. The payment reduction will not affect nursing homes or demonstration projects for the disabled.

Rep. Rich Stanek (R-Maple Grove) and Sen. Doug Johnson (DFL-Tower) sponsored the measure.

HF351*/SF264/CH220

SAFETY

911 reimbursement, regulations

A new law will slightly change 911 reimbursement procedures.

Effective Jan. 1, 2003, competitive local exchange carriers will be eligible for reimbursement for services provided beginning July 1, 2002.

Companies providing 911 services to customers collect a fee that is sent to the state. Previously only incumbent service providers, those who have been the primary service provider in an area since prior to 1995, were eligible for state reimbursement.

The law also removes the requirement that the public utilities commissioner sign off on all payments to service providers before they are disbursed. Reimbursements must be paid within 30 days of receipt, rather than 90 days as was provided in previous law.

Rep. Mike Osskopp (R-Lake City) and Sen. James Metzen (DFL-South St. Paul) sponsored the new law.

HF2550/SF2392*/CH372