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THE SESSION SUMMARY

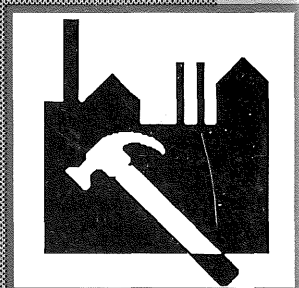
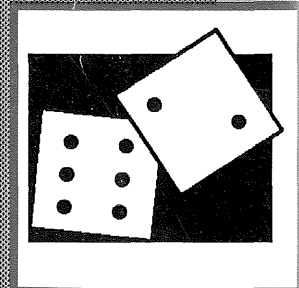
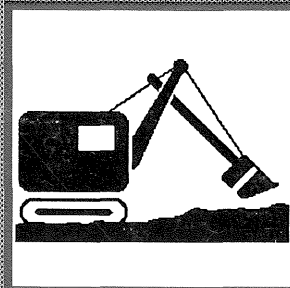
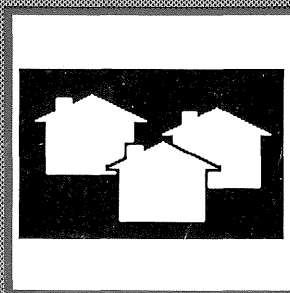
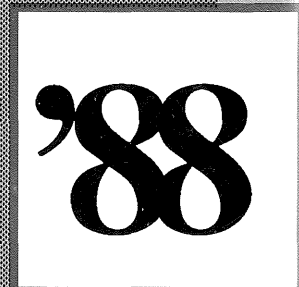
MINNESOTA HOUSE OF REPRESENTATIVES

**75TH
SESSION**

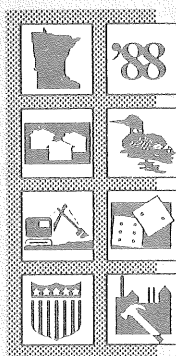
**JULY
1988**



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1988 Session Summary

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THE SESSION SUMMARY

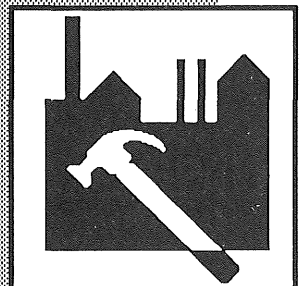
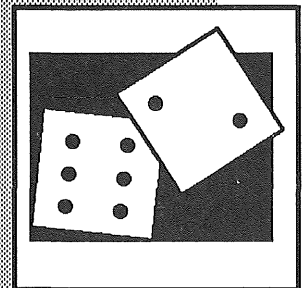
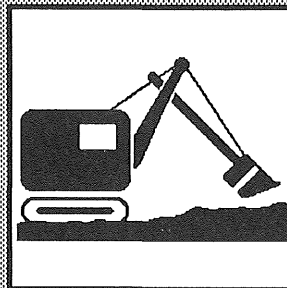
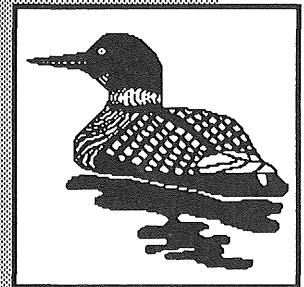
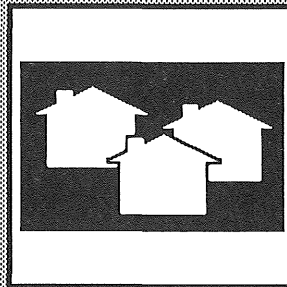
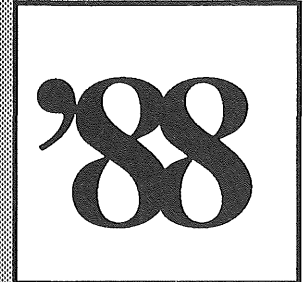
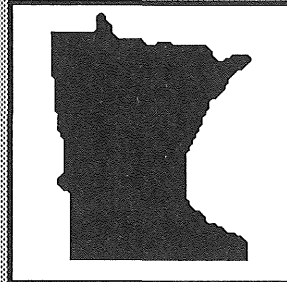
***MINNESOTA
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***75TH
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1988 Regular Session

HOW TO USE THE SESSION SUMMARY

In the 1988 Regular Session, the House of Representatives introduced 1,144 bills; the Senate introduced 1,031. Of these, 315 bills became law; the governor vetoed two bills. The *Session Summary* reports on all bills and resolutions both the House and Senate passed in the 1988 Regular Session.

Each entry in the *Session Summary* includes a subject title, House and Senate File numbers with authors, a Chapter number as the new chapter appears in *Laws of Minnesota 1988*, a brief general summary of the bill, an enactment date, and in most cases, an effective date. Bill summaries are cross-referenced to other topics when appropriate. The term "current law" in the summaries refers to statutes prior to each chapter's effective date.

The **Summary** section lists all bills in alphabetical order by subject title under the alphabetical listing of major topic categories such as Agriculture, Banking, Commerce/Consumer Affairs, and others (see Contents). Summaries of Appropriations bills are at the end of the alphabetical listing.

Summaries of spending bills are **general overviews**; they don't include all details. Dollar figures above one

million are rounded off to the nearest one hundred thousandth; those below one million are exact figures. A small "m" means **million**; a small "b" means **billion**. Where two dollar figures appear one after the other, the first is for the fiscal year ending June 30, 1988 (FY'88); the second is for the fiscal year ending June 30, 1989 (FY'89). "FY" means **fiscal year**.

The **Index** section lists bills the governor signed by: title, Chapter number, House File number, and Senate File number.

The **Information** section includes lists of: terms (with definitions) used in the bill summaries; representatives' and senators' names, districts, office addresses, and phone numbers; and Minnesota's representation in Congress. The section also provides an explanation of how a bill becomes law in Minnesota, and information on where to get answers.

If you would like a copy of a bill in the *Session Summary*, call the Chief Clerk's Office, (612) 296-2314. Ask for the bill by Chapter number or by the House or Senate File number, if no Chapter number appears.

Key

HF—House File

SF—Senate File

*****—Bill the House and Senate passed

CH—Chapter in *Laws of Minnesota 1988*

R—Resolution

filed—the date a chapter/resolution was filed with the secretary of state

veto—the governor didn't approve the bill

enactment—the date the governor signed (approved) the bill

effective—each act takes effect at 12:01 on the day it becomes effective, unless the act specifies a different time. Examples:

—**Aug. 1, 1988**

Each act the governor signs into law, except those that make appropriations, takes effect on Aug. 1 following its final enactment, unless the act specifies a different date. (See *Minnesota Statutes 645.02*)

—**upon local approval**

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate of approval with

the secretary of state, unless the act specifies a later date. (See *Minnesota Statutes 645.021*)

—**July 1, 1988**

An appropriation act, or an act having appropriation items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a later date. (See *Minnesota Statutes 645.02*)

—**various dates**

Different parts of the bill have different effective dates (which are usually included within the bill summary)

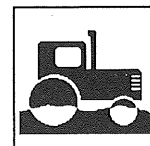
—**constitutional amendments**

A proposed amendment to Minnesota's Constitution will appear on the first general election ballot (usually in November) following its approval from the Legislature. If a majority of voters at the election vote to ratify the amendment, it becomes part of the Constitution, and becomes effective as stated in the question. (See *Constitution of the State of Minnesota*, Article 9, Section 1)

Bills the Governor Signed—by Topic

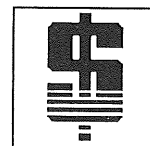
Agriculture

Title	CH	HF	SF	Page
Agriculture—omnibus bill	688	1000*	0655	21
Anhydrous ammonia—sales regulation	448	2469*	2354	22
Animal disease control—Board of Animal Health	485	2018*	1786	22
Blueberry muffin	657	2364	1686*	23
Eviction protection—foreclosed agricultural land	474	2121	1622*	23
Family Farm Security Act—benefit extension	672	2297	2255*	23
Farming—limited partnerships	610	2041*	1996	23
State Agriculture Society—membership addition	522	2022*	1936	24
Time-price offer—foreclosed farmland	700	1991	1742*	24



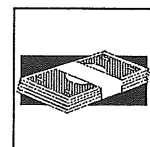
Appropriations

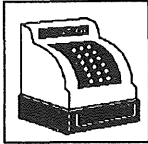
Title	CH	HF	SF	Page
Ag., Transportation, Semi-State—omnibus bill	684	2788	2565*	118
Arts board—funds distribution	560	2186	2097*	120
Health and Human Services—omnibus bill	689	2126*	1680	120
Higher Education—finance bill	703	2459	2569*	123
K-12 Education—omnibus bill	718	2245*	2095	125
State claims bill	706	1981*	1863	128
State Departments—omnibus bill	686	2344*	2572	128



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Interstate banking	616	0125	0203*	26
Safe deposit boxes—access	581	1790*	1768	26
Savings and loans—regulation, recodification	666	2201	1956*	26

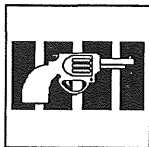




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Barber licenses—requirement change	476	1534*	1469	28
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Cemeteries, mausoleums, funeral services—regulation	509	1996	1867*	28
Child passenger restraints—motor vehicle lessors	415	1816*	1962	29
Corporate filing—simplification	682	2095	1788*	29
Corporate takeover law—changes	692	2253*	1892	30
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Minnesota Agricultural Equipment Dealership Act	511	2309	2096*	32
Motor vehicle franchise—contract nonrenewals	611	2049*	1844	32
Repair shops—storage fee disclosure requirements	444	1940*	1801	32
Self-service storage facilities—property lien	425	0181	0187*	32
Used car sales—regulation	634	0085*	0018	33

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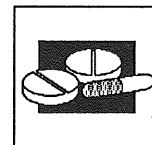


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Bias crimes—reporting, training requirements	643	2340*	2124	34
Burn injuries—reports	548	0090	0030*	35
Cable communications—unauthorized connections	410	1886*	1694	35
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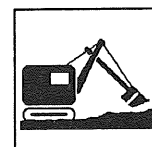
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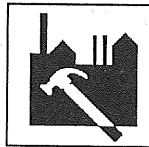
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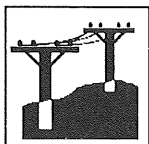
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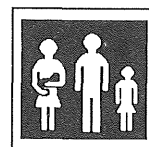
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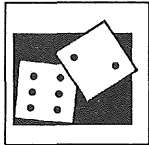
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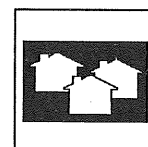
Health/Human Services

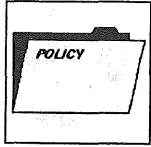
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Pharmacy Practice Act of 1988	550	0812	0752*	75
Physical therapists—regulation, authorization	549	0926	0335*	75
Regional treatment centers—mission statement	464	2372*	2273	76
Regional treatment centers—work activity programs	532	2080	1620*	76
School immunizations—technical changes	430	2083*	1588	76
Service dogs—access, definition	637	1748*	1972	76
Vocational rehabilitation—program, location choice	512	2620	2243*	76



Housing/Real Estate

Title	CH	HF	SF	Page
Energy policy task force—low-income persons	562	2667	2456*	77
Housing trust fund	654	2019	1462*	77
Housing, redevelopment authorities—interest program	551	2159	1672*	77
Landlord penalties—renting condemned property	526	2224*	2170	77
Landlord repair—tenants' rights	470	1872	1819*	77
Low-income housing credits	542	2063*	1805	77
Real estate closing services	695	2526*	2489	78
Real property—advertised foreclosure notices	421	1767*	none	78
Real property—variance filing requirement	583	1966*	2177	78





Insurance

Title	CH	HF	SF	Page
HMO consumer protection	434	2012	1861*	78
HMO cov.—cleft palate, ventilator-dependent person	656	1794	1646*	79
HMO solvency—requirements	612	2127*	2008	80
Medical coverage—increase	704	0464*	0579	80
Minnesota Insurance Guaranty Assn.—regulations	541	1897*	1802	80
Nursing practitioners—health plan payments	441	1853*	1758	81

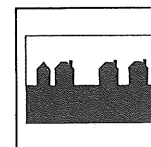


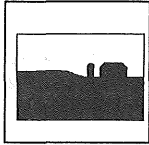
Legal/Judiciary

Title	CH	HF	SF	Page
Architects, builders—statute of limitations	547	2508*	2257	81
Child support—automatic withholding changes	693	2341*	2506	82
Contracts for deed—recording assignments	566	2134*	2023	82
Courts—referee's orders, financing study	582	1844*	2279	82
Data Practices Act—amendments	670	2235	2122*	82
Debtor exemptions	490	2422*	2278	83
Future damages—computation	503	1493*	1675	83
Gender references	429	0320*	0622	83
Guardianship—appointment changes	456	1971*	2068	83
Human Rights Act—amendments	660	2054	1769*	84
Judgment document—filing satisfaction	484	2000*	1741	84
Marital assets—marriage dissolution	590	1672	0462*	84
Minnesota Statutes—chapter number assignments	479	1773*	1907	84
Minnesota Statutes—revisor's changes	469	1852	1644*	84
Pension benefits—marriage dissolution	619	2381	1652*	85
Probate—sentimental property	417	2310	0896*	85
Real property—conditions restriction	477	1589*	1615	85
Six-member juries—constitutional amendment	716	2518	2321*	85
Statute of limitations—real property improvements	607	1681*	1532	85
UCC computerized filing system—changes	589	2520*	2382	85
Uniform Statutory Rule Against Perpetuities	482	1961*	2394	85
Waste facilities—records inspection	521	1846*	1725	86

Local Bills—Cities/Towns

Title	CH	HF	SF	Page
Big Fork—land conveyance	472	2585	2090*	86
Bloomington, W. St. Paul—flood mitigation expend.	473	2540	2355*	86
Brooklyn Center—state land conveyance	461	2252*	2160	86
Cambridge Memorial Hospital Assn.—land purchase	432	2270*	1994	86
Cities, towns—hospital contributions	567	2190*	2046	86
Cook County—economic development authority	516	1224*	1186	87
Duluth—Western Waterfront Trail Construction	614	2434*	2198	87
East Grand Forks—land sale	507	2358*	2213	87
Economic development authorities—oper. licenses	465	2402*	2192	87
Falcon Heights—election precinct consolidation	500	2539	2264*	87
Farmington—tax-forfeited land sale	528	2637*	2410	87
Hospital districts—cities, townships	645	2481*	2259	87
Irondale—town levy limit removal	475	1459*	1305	88
Jordan—tax anticipation certificates	540	1864*	1565	88
Liquor license —dinner boats	539	1831*	1667	88
Liquor license —midsummer festival	468	2703*	2471	88
Liquor licenses—St. Cloud, Douglas Cty., Red Wing	552	1822	1673*	88
Local government bonding powers	702	2067	1963*	88
Local government—city reserve fund	419	0081*	0484	89
Minneapolis—employee appointments, compensation	433	1862	1607*	89
Owatonna—state land purchase	459	2046*	1931	90
Pheasant Ridge Music Center—liquor license	488	2254*	2357	90
Proctor—municipal liquor store profit exemption	478	1731*	2033	90
St. Paul—capital improvement bonds	513	0289*	0510	90
State lands—Basilica of St. Mary deed	416	2056*	1920	90
Town boards—emergency services	422	1926*	2234	90
Town boards—law enforcement agencies	563	1659*	2094	90
Town officers' duties—changes	639	1851*	1760	91
Town special meeting—lodging tax vote	414	1766*	1634	91
Towns—local improvements	564	1850*	1858	91
White Bear Twp.—economic development authority	678	1865*	1971	91



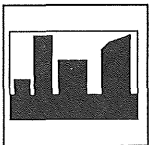


Local Bills—Counties

Title	CH	HF	SF	Page
Aitkin County—land use ordinance	658	1986	1711*	92
Aitkin County—tax-forfeited land sale	640	1943*	1722	92
Beltrami County—land conveyance	412	1884*	1806	92
Carlton County—tax-forfeited land sale	555	1898	1713*	92
Cook County—land exchange, sale	492	2489*	2216	92
County bonds—election exemption requirements	519	1796*	1877	92
County equipment rental contracts	409	1942	1715*	93
Itasca County—DNR land sale	463	2312*	2162	93
Itasca County—economic development	517	1302*	1224	93
Itasca County—liquor licenses	443	1904*	1793	93
Kittson County—land transfer	466	2490*	2238	93
Pine County—property sale	407	1211	1184*	93
Ramsey County—highway land space, charter comm.	622	1745	1955*	93
St. Louis County—board administrator duties	491	2446*	2299	94
St. Louis County—land sale	446	2045*	1947	94
St. Louis County—polling place	451	2210	2134*	94
St. Louis County—private land sale	460	2109*	1983	94
St. Louis County—private sale, tax-forfeited land	494	2551*	2215	94
St. Louis County—tax-forfeited land sale	458	2025*	1982	94
Washington County—county board expenses	454	1867*	1699	95
Water management organization—erosion control	497	1953	1632*	95
Watershed improvement—metro payments	533	1857	1700*	95

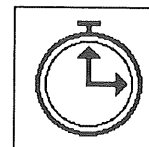
Local Bills—Metro

Title	CH	HF	SF	Page
Fridley Assembly of God Church—renovation	418	1863	1772*	95
Gillette Children's Hospital—nonprofit status	599	2400	2017*	95
Metro Airports Commission—borrowing authority	664	1874	1900*	96
Metro government—agency requirements; lt. rail transit	675	2514	2491*	96
Metropolitan agencies—affirmative action	680	2596*	2513	97
Minneapolis Park Board—compensation	574	2234	2102*	97
Minneapolis—contractor bond requirements	572	1860	1749*	97
Minneapolis—development laws update	594	1739	1608*	97
Minneapolis—trade, craft service contracts	471	2115	1875*	98
Mounds View—land transfer	601	2475	2217*	98
Robbinsdale—surface water regulation	538	1585*	1427	98
Vehicle emission inspections—requirements	661	1803	1783*	98



Pensions/Retirement

Title	CH	HF	SF	Page
Retired state employees—insurance	605	0257*	0373	99
Retirement laws—changes	709	2477*	2175	100



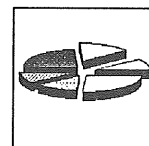
Resolutions

Title	CH	HF	SF	Page
Commercial aircraft modernization—resolution	Res 13	0681	0974*	101
Diesel fuel tax exemption—resolution	Res 14	2621	2376*	101
Employment Retirement Security Act—resolution	Res 11	1189*	1421	101
Farmer-owned reserve grains—resolution	Res 12	2735*	2528	101
National health insurance—resolution	Res 15	2176	2525*	101
Olympic games bid—resolution	Res 16	2763	2546*	102



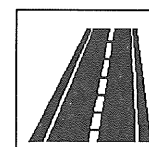
Taxes

Title	CH	HF	SF	Page
Debt financing, bonding authority—technical changes	586	2117*	1964	102
Minnesota Public Facilities Authority—bonding	546	2306*	2016	102
Propane fuel—tax exemption	450	1538	0852*	102
Taxes—omnibus bill	719	2590*	2260	103



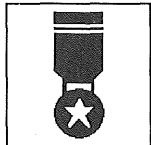
Transportation

Title	CH	HF	SF	Page
Advertising—rural highways	595	1736	1610*	113
Depts. of Transportation, Public Safety—changes	698	1954	1590*	113
Drivers' license—stepparent approval	558	2016	1948*	113
Duluth Transit Authority—school transportation	573	2024	1940*	113
Highway funding—fuel tax increase; MVET transfer	603	1749*	1592	113
Highways—AMVETS memorial, route changes	565	1980*	2344	114
License plates—seven-year renewal, fees	647	0080	0063*	114
Motor carrier housekeeping bill	544	2192*	1876	114
Motor vehicles—ATVs, special licenses, brakes	636	1526*	1060	115
Motor vehicles—division of overweight fines	606	1656*	1517	115
Motor vehicles—salvage dealer licensing	496	1130	1121*	115
Motorcycle—endorsement fee increase	715	1933	2221*	116
Railroads—caboose requirements	697	0428	0449*	116
State park road account	635	1277*	1141	117



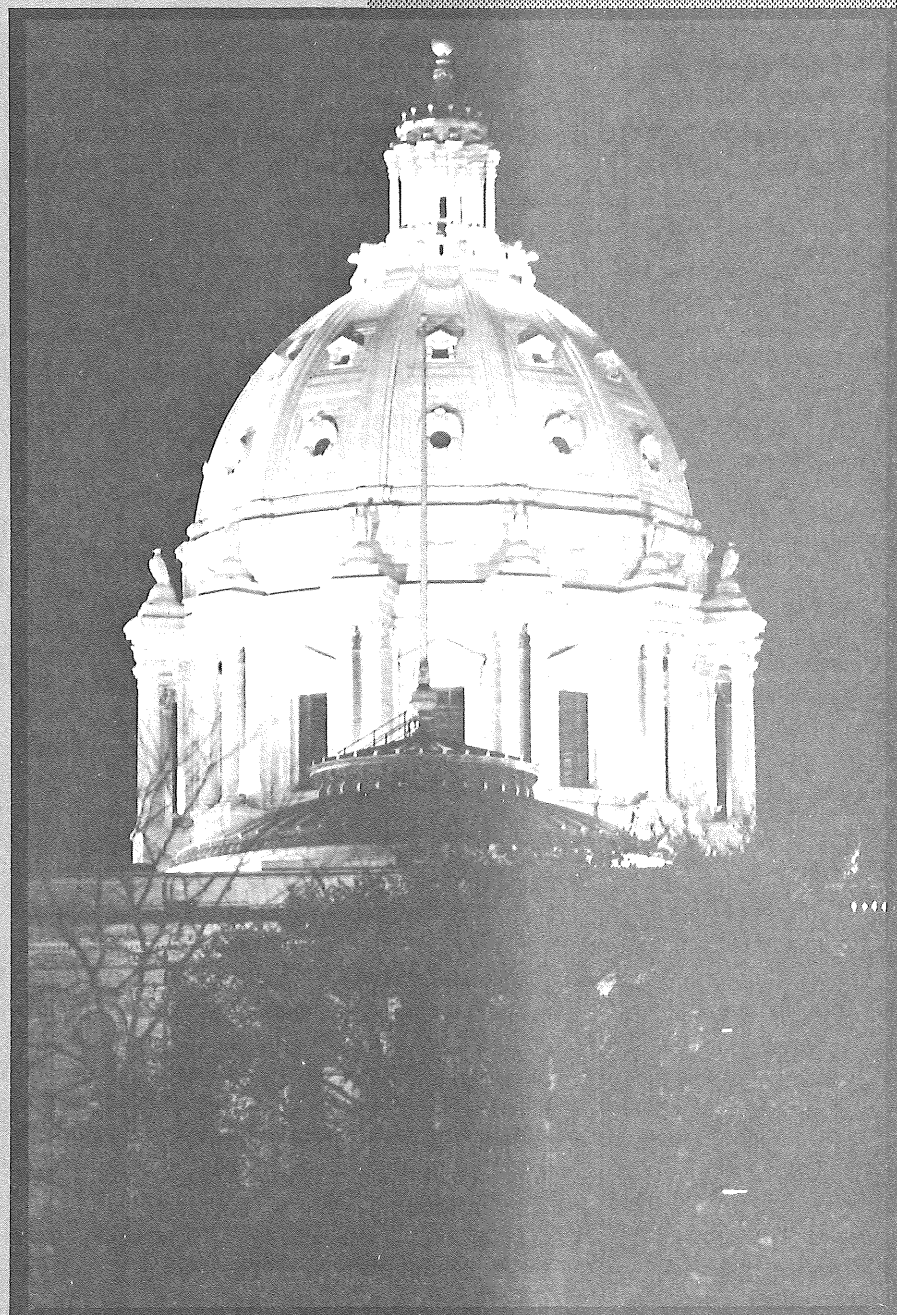
Trunk highway—Olof Hanson Drive designation	438	2511	2358*	117
Vehicles—transporting firewood	518	1469*	1336	117
Vending machines—rest areas	570	1952	1587*	117

Veterans/Military



Title	CH	HF	SF	Page
State armory—bonding	710	2255	1618*	118
Veterans homes—control	699	1746	1595*	118

SUMMARY



by Paul Battaglia

Bills are in alphabetical order by subject title under the alphabetical listing of major topic categories such as Agriculture, Banking, Commerce/Consumer Affairs, and others (see Contents). The Appropriations section is at the end of the alphabetical listing.

Key

HF—House File

SF—Senate File

* —Bill the House and Senate passed

CH—Chapter in *Laws of Minnesota 1988*

R—Resolution

filed—the date a chapter/resolution was filed with the secretary of state

veto—the governor didn't approve the bill

enactment—the date the governor signed (approved) the bill

effective—each act takes effect at 12:01 on the day it becomes effective, unless the act specifies a different time. Examples:

—**Aug. 1, 1988**

Each act the governor signs into law, except those that make appropriations, takes effect on Aug. 1 following its final enactment, unless the act specifies a different date. (See *Minnesota Statutes* 645.02)

—**upon local approval**

A special law requiring approval from the local government unit it affects becomes effective the day after the local government unit's governing body files a certificate of approval with

the secretary of state, unless the act specifies a later date. (See *Minnesota Statutes* 645.021)

—**July 1, 1988**

An appropriation act, or an act having appropriation items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a later date. (See *Minnesota Statutes* 645.02)

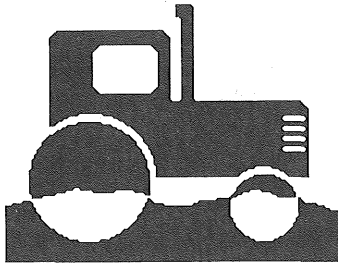
—**various dates**

Different parts of the bill have different effective dates (which are usually included within the bill summary)

—**constitutional amendments**

A proposed amendment to Minnesota's Constitution will appear on the first general election ballot (usually in November) following its approval from the Legislature. If a majority of voters at the election vote to ratify the amendment, it becomes part of the Constitution, and becomes effective as stated in the question. (See *Constitution of the State of Minnesota*, Article 9, Section 1)

Agriculture



Agriculture—omnibus bill
HF1000*—Krueger, Wenzel,
 Bauerly, C. Nelson, Winter
SF0655—Davis, Stumpf, Knaak,
 Bertram, Morse

Chapter 688:

Article 1—Minnesota Agricultural Products

- instructs the commissioner of administration to encourage the identification and purchase of food products grown in Minnesota; requires the commissioner to report at the end of each biennium on the quantities of Minnesota-grown food purchased under state contracts; applies to contracts the state enters after June 30, 1988;
- instructs the commissioner of agriculture to explore opportunities for increasing the amount of Minnesota-grown foods restaurants and fast food chains use in the state;
- sets effective date as the day after enactment.

Article 2—Rural Health and Safety Program

- establishes a rural health and safety program within the Minnesota Extension Service.

Article 3—Dairy Task Force

- establishes a dairy task force of nine voting members including five dairy farmers and two nonvoting members; charges the task force with research on improving the profitability of dairying

in Minnesota; allows the task force to sponsor pilot projects on dairy farms to demonstrate ways of increasing profitability; requires a report by Feb. 1, 1989; sets ending date for the task force at June 30, 1990;

- sets effective date at July 1, 1988.

Article 4—Minnesota Grown Label

- directs the commissioner of agriculture to develop logos or labeling statements that apply to specific marketing or promotional needs for Minnesota-grown raw agricultural products; requires one version of a labeling statement to identify Minnesota organically grown food products;
- sets effective date as the day after enactment.

Article 5—Soil Test Laboratory Certification

- establishes a testing and certification program for laboratories that perform soil tests; requires that a soil testing laboratory provide recommendations with its test results;
- sets effective date as the day after enactment.

Article 6—Grain Marketing

- establishes a method for checking the accuracy of grain-testing equipment and equipment operators at county elevators; allows a purchaser or seller of grain to request the commissioner to perform a review;
- releases the state from liability for losses that result from erroneous tests or analysis by test equipment or operators if the commissioner and the department have exercised due care in the scheduling and conduct of grain-testing equipment reviews;
- requires a licensed business that tests or analyzes grain before purchase or storage to post a notice informing people selling or delivering grain of their right to have a sample of the grain sent to the grain inspection division for analysis;
- requires purchasers of corn, soybeans, and wheat who discount such commodities when those commodities fall below their standard test weights, standards for foreign material, or total damaged kernels to offer an equal or

greater premium when those commodities have higher than required standards in weights, less foreign material, and fewer damaged kernels;

- sets various effective dates.

Article 7—By-Product Soil Buffering Materials

- establishes a project under the Department of Agriculture to identify beneficial methods of applying industrial by-product soil buffering materials on farmland as a substitute for agricultural lime; allows the commissioner and his/her agents to sample, inspect, and analyze the project's soil buffering materials; requires the commissioner to provide the owner, operator, or agent in charge with a description of the samples and a copy of the analysis results; repeals these provisions June 30, 1991;
- sets effective date as the day after enactment.

Article 8—Organic Certification

- requires the commissioner of agriculture to designate one or more organic food growers', manufacturers', or sellers' organizations in the state to certify organically grown seeds, products, and food; requires the commissioner to set certification fees.

Article 9—Crop Hail Insurance Rate Filing

- requires insurers issuing insurance policies against hail crop damage in Minnesota to file their insurance rates with the commissioner of commerce before April 1 of the year in which they issue a policy.

Article 10—Rural Finance Authority

- defines seller-sponsored loans as those in which a loan from the seller, who is a natural person, a partnership, or a family farm corporation, finances all or part of the price of a farm; specifies that loan security must be a real estate mortgage evidenced by one or more notes that may carry different interest rates or by a contract for deed; excludes from the definition, seller-sponsored loans between persons within the second degree of kindred;

- allows the Rural Finance Authority to establish and implement a beginning farmer program which may include assistance for persons entering or re-entering farming through the use of seller-sponsored loans; allows the state to participate in a new real estate loan to a beginning farmer up to 35 percent of the principal amount of the loan or \$50,000, whichever is less.

Article 11—Interest Rate Buydown Adjustment

- clarifies provisions of the 1987 interest buydown program (Program B) to make the program compatible with Farmers Home Administration (FmHA) requirements and dates (Legislature didn't extend the interest buydown program for 1988, and didn't appropriate money for it);
- sets effective date as day after enactment.

Article 12—Extension of Deadline for Seed Potato Standards

- delays by one year (to Jan. 1, 1990) the deadline for adopting seed potato standards.

Article 13—Agricultural Contract Task Force

- establishes an advisory task force to review the security of bankrupt farmers who produce agricultural crops and livestock under contract.

Article 14—Dry Edible Beans

- adds dry edible beans to the statutory definition of "grain"; requires grain warehouse operators to deliver dry edible beans as a warehouse receipt holder requests, in bags or bulk; limits the maximum charge for the redelivery of beans to \$3 per hundredweight.

Article 15—Sustainable Agriculture Loans and Grants

- directs the commissioner of agriculture to develop a shared savings loan program to provide loans to purchase new and used machinery, install equipment, and for projects that make more efficient farm energy use; limits loans to \$15,000 per individual applying for a loan; allows seven years for loan repayment, and limits interest

- to 6 percent; requires making loan applications to the commissioner;
- directs the commissioner to establish a grant program for sustainable agriculture methods that demonstrate best management practices, such as farm input reduction, energy efficiency, or usable on-farm energy production; limits grants to farmers, educational institutions, or nonprofit organizations; limits grants to \$25,000 unless the applicant's cash or in-kind land use contribution matches the portion over that amount; requires loan making applications to the commissioner.

Article 16—School Milk Program

- establishes a program to provide no cost or low cost milk for kindergarteners in public and nonpublic schools; suggests a voluntary program for school districts; suggests that districts submit bids to participate in the program.

Article 17—Degradable Plastics

- establishes a task force to study the feasibility and consequences of requiring that certain products be made of biodegradable plastic; prohibits, after Jan. 1, 1989, the use or sale of nondegradable plastic beverage rings; prohibits public agencies from purchasing or using nondegradable polyethylene disposal bags after July 1, 1990.

Article 18—Ethanol Development

- assures continued funding from the ethanol development fund until July 1, 2000, for ethanol plants in operation or under construction by Jan. 1, 1990.

Article 19—Livestock Report Deadline

- changes deadline for report to Legislature from Feb. 1, 1989 to Aug. 1, 1989.

Article 20—Laboratory Services Account

- establishes a laboratory service account in the state treasury.

Article 21—Appropriations

- appropriates funds for control of the noxious loosestrife weed and funds for beginning farmer and farm business management education programs.

Enactment: April 28, 1988

Effective: various dates

Anhydrous ammonia—sales regulation

HF2469*—E. Olson, Wenzel, Sparby, Schafer, Tunheim
SF2354—Stumpf

Chapter 448:

- allows the sale of anhydrous ammonia at the retail level to any buyer using a temperature correctable liquid meter.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Animal disease control—Board of Animal Health

HF2018*—Dille, Krueger, Wenzel, Kalis, Quist
SF1786—Berg, Renneke, Vickerman, D.J. Frederickson, D.R. Frederickson

Chapter 485:

- makes anyone who transports diseased livestock, or participates in the transportation, sale, exchange, or shipment of diseased livestock liable for the full amount of any damage occurring to another person because of their actions;
- allows the Board of Animal Health and its agents access to sites where the board has reason to believe a violation is occurring or has occurred; empowers the board to issue cease and desist, stop-sale, or other special orders it believes are in the public interest;
- makes the county attorney responsible for prosecuting violations occurring in his/her county;

- makes a person who violates the law concerning diseased animals, or who violates a special order, stipulation, agreement, or schedule of compliance of the board, guilty of a misdemeanor (a gross misdemeanor if his/her action endangers humans), and subject to a civil penalty up to \$10,000 as the court determines.

Enactment: April 12, 1988

Effective: Aug. 1, 1988

Blueberry muffin

HF2364—Murphy, Brown,
Cooper, Dauner, Ogren
SF1686*—Chmielewski

Chapter 657:

- designates the blueberry muffin as the official state muffin.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Eviction protection— foreclosed agricultural land

HF2121—Sparby
SF1622*—Stumpf, Davis,
Berg, DeCramer, Beckman

Chapter 474:

- clarifies mediation terms of the Farmer-Lender Mediation Act;
- provides that a debtor who owns and leases fewer than 60 acres is ineligible for mediation if that debtor has less than \$20,000 in gross sales of agricultural products the preceding year;
- states that it is and has been the Legislature's intent that a debtor who owns and leases 60 acres or more is eligible for mediation regardless of the amount of gross income from agricultural products.

Enactment: April 7, 1988

Effective: day after enactment

Family Farm Security Act— benefit extension

HF2297—Winter, McDonald,
Dauner, K. Olson
SF2255*—Vickerman

Chapter 672:

- extends certain benefits under the Family Farm Security Act;
- provides a simplified tax formula to rectify the effect of 1987 tax changes for people who sold property to beginning farmers between the late 1970s and early 1980s;
- classifies as private data, under the Data Privacy Act, individuals' personal financial information, credit reports, tax refund calculations, and financial and net worth statements the commissioner of agriculture receives or prepares on any family farm security loans.

Enactment: April 26, 1988

Effective: day after enactment

Farm implement retailers— stock payment

- (See Commerce/Consumer Affairs)

Farmer-owned reserve grain— resolution

- (See Resolutions)

Farming—limited partnerships

HF2041*—Brown, Wenzel, Cooper,
Steensma, Dauner
SF1996—Davis

Chapter 610:

- empowers the commissioner of agriculture with the attorney general's approval to convey state land, without consideration, to correct legal descriptions and boundaries; requires that conveyance be through quitclaim deed

or an approved release from the attorney general;

- includes in the definition of "authorized farm corporation":

- shareholders owning 51 percent or more of the interest in the corporation who live on the farm or are actively engaged in farming;

- a corporation that owns, directly or indirectly, no more than 1,500 acres of real estate used for farming; and

- shareholders who don't own shares in more than one authorized farm corporation having a combined acreage over 1,500 acres;

- defines a "family farm partnership" as a limited partnership established for the purpose of farming, in which:

- partners who are relatives within the third degree of kindred according to civil law hold the majority of interests in the partnership and land;

- at least one of the related persons is living on or actively operating the farm; and

- none of the partners are corporations;

- defines "authorized farm partnership" as a limited partnership which has:

- a certificate from the secretary of state or has registered with the county recorder, with farming and the ownership of agricultural land as the stated purpose of business;

- fewer than five partners;

- only individuals as partners (i.e., no corporations or other business entities);

- revenues from rent, royalties, dividends, interest, and annuities that don't exceed 20 percent of the partnership's gross revenues;

- general partners who hold at least 51 percent of the interest in the partnership's land assets, live on the farm and actively engage in farming not more than 1,500 acres as a general partner in an authorized limited partnership;

- limited partners who don't participate in the business of the limited partnership, including operating, managing, or directing management of farming operations;
- no direct or indirect ownership or interest in title to more than 1,500 acres of real estate used for farming or could be used for farming in Minnesota; and
- no limited partner who directly or indirectly owns more than 1,500 acres of land used or capable of being used for farming in Minnesota;
- prohibits pension or investment funds, limited partnerships, or corporations from acquiring farmland directly or indirectly, and from engaging in farming unless:
 - they're a family farm corporation, an authorized farm corporation, a family farm partnership, or an authorized, or general farm partnership;
 - they operate the land for research or experimental purposes which they describe in a prospectus with the commissioner of agriculture's approval, and their commercial sales from such operations directly relate to the research or experimental objectives of the operation;
 - their purpose is to raise breeding stock for resale to farmers, or to grow seed, wild rice nursery plants, or sod;
 - they acquired the land as a gift from an educational, religious, or charitable nonprofit corporation; (however, pension funds, limited partnerships, or corporations must, within 10 years, dispose of all land they acquire and don't operate to produce livestock for resale to farmers, or to grow seed, nursery plants, or sod);
 - the pension or investment fund, limited partnership, or corporation acquires the land by process of law in the collection of debts; however, they must dispose of all lands they acquire before May 1, 1988 through debt collection within 10 years or within five

years if they acquire the land after May 1, 1988 (the ownership limitation extends to 10 years if the acquiring entities lease the land to the immediately preceding former owner);

- requires every pension or investment fund, limited partnership, or corporation that isn't a family farm corporation or a family farm limited partnership to file with the commissioner, before April 15, a full description of the operation and its participants; imposes a \$500 civil penalty for failure to report.

Enactment: April 24, 1988
Effective: May 1, 1988

Minnesota Agricultural Equipment Dealership Act
 • (See Commerce/Consumer Affairs)

State Agriculture Society—membership addition
 HF2022*--Lasley, Wenzel, Dille, Jennings
 SF1936—Davis

Chapter 522:

- includes the Minnesota Dairy Goat, North American Dairy Sheep, Minnesota Hampshire, and Minnesota Suffolk associations in the State Agricultural Society.

Enactment: April 14, 1988
Effective: Aug. 1, 1988

Time-price offer—foreclosed farmland
 HF1991—Sparby, Redalen, Wenzel
 SF1742*—Berg, Davis

Chapter 700:

- requires a seller to provide written notice of a property sale to the immediately preceding former owner at least 14 days before offering

agricultural land or a farm homestead for sale;

- defines "immediately preceding former owner" as the entity holding record legal title to the land or homestead before foreclosure; specifies actions the former owner may take;
- defines "time-price offer" as an offer the seller partially or entirely finances and includes an offer to purchase under a contract for deed or mortgage (doesn't require an equivalent cash offer if the state participates in an offer to a third party through the Rural Finance Authority);
- prohibits foreclosed owners from selling land they repurchased in a time-price offer to a third party under an agreement they made in advance of accepting the time-price offer, unless the seller waits 180 days, or sells the property to his or her spouse, father or mother, or to a son or daughter;
- clarifies applicable lien laws and procedures;
- requires appraisal by an accredited appraiser within 45 days in case of a dispute over the market value of real property involved in mediation.

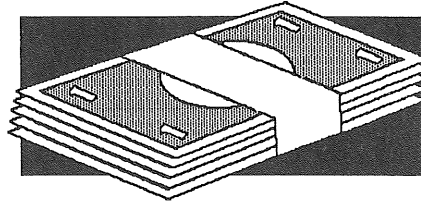
Enactment: April 28, 1988
Effective: various dates



Appropriations

See page 118.

Banking



Bank assets—charitable trusts

HF0445—Krueger, McKasy, Kelly,
G. Anderson, Voss
SF1086*—Pehler, DeCramer, Berg,
D.E. Johnson, Samuelson

Chapter 591:

- provides that a charitable trust may dispose of certain bank assets or stock it owns to a bank holding company, bank, or other entity within the limitations of banking law without regard to whether the financial institution acquiring the stock or assets is in a reciprocating banking state;
- places an exception to the interstate banking law in the State Charitable Trusts Act which allows a bank holding company that directly or indirectly gains control of a Minnesota bank to acquire additional bank assets at a rate of expenditure up to 5 percent of the acquired bank's Minnesota assets as of Dec. 31 of the preceding year.

Enactment: April 21, 1988

Effective: day after enactment

Credit unions—

administrative changes

HF2010—Scheid, McKasy,
Osthoff, Vellenga
SF1708*—Dahl, Solon

Chapter 597:

- permits a full-time manager of a credit union to be a director of a credit union;

- permits the credit union board of directors to adopt a procedure to expel members for nonparticipation in the credit union's affairs if the member:
 - fails to purchase and maintain at least one credit union share, or to pay entrance or membership fees; or
 - causes monetary loss to the credit union;
- requires the credit union to mail written notice of the policy and its effective date to each credit union member no fewer than 30 days before the effective date, if the board adopts a policy.

Enactment: April 21, 1988

Effective: Aug. 1, 1988

Financial institutions—

leasing investments, other

HF2605—Bertram, Wenzel,
Neuenschwander, Hartle
SF2323*—Wegscheid, Solon

Chapter 631:

- authorizes banks to acquire personal property for leasing to customers if the total investment in this property doesn't exceed 200 percent of the bank's capital actually paid in cash and its actual surplus fund;
- allows the Minnesota Export Finance Authority to secure or cover loans or obligations by guarantees, commitments, or agreements to take over or purchase the loans;
- allows any bank to invest in voting stock of the Federal Agricultural Mortgage Corporation (FAMC) up to 10 percent of the bank's capital and surplus, or the amount the FAMC requires for the bank to qualify for participation in the corporation's programs.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Interstate banking

HF0125—Skoglund, McLaughlin, Knickerbocker
SF0203*—Freeman, Luther, Solon, Purfeerst, Anderson

Chapter 616:

- extends interstate banking to the following additional reciprocating banking states: Colorado, Idaho, Illinois, Kansas, Missouri, Montana, Nebraska, Washington, and Wyoming (current law limits reciprocating states to Iowa, North Dakota, South Dakota, and Wisconsin);
- empowers the commissioner of commerce to disapprove any Minnesota bank acquisition if:
 - a subsidiary of the acquiring bank holding company fails to meet Federal Community Reinvestment Act requirements; or
 - as a result of the acquisition, Minnesota banks that out-of-state banks own and operate will hold over 30 percent of Minnesota's total deposits in financial institutions;
- prohibits nonreciprocating bank holding companies from inadvertently acquiring and maintaining control of a bank a reciprocating bank once held; requires nonreciprocating banks to divest themselves of such a bank within two years;
- requires local banks that interstate bank holding companies own to provide a level of developmental loans; empowers the commissioner to set that level.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Safe deposit boxes—access

HF1790*—Skoglund, Winter, L. Carlson, Carruthers, Blatz
SF1768—Solon, Metzen

Chapter 581:

- provides that upon receiving satisfactory proof of death, and an affidavit from an interested person, a safe

deposit company may open a deceased person's safety deposit box;

- defines an "interested person" as
 - a personal representative in a purported will of the deceased;
 - a deputy of the deceased;
 - the surviving spouse;
 - an heir of the deceased;
 - a devisee of the deceased; or
 - a person the deceased designated in writing before his/her death;
 - requires the affidavit to state that the interested person believes the box contains a will, a deed to a burial lot, or burial instructions;
 - prohibits a safe deposit company from opening a box if it has received a copy of letters of office from the representative of the deceased lessee's estate, or other applicable court orders;
 - requires the company to remove from a safe deposit box any document that appears to be a will, mechanically copy it, put the copy in the box, and give the original document to the county clerk of court;
 - provides that the safe deposit company need not verify the truth of any statement in the affidavit.
- Enactment:** April 21, 1988
Effective: day after enactment

Savings and loans—regulation, recodification

HF2201—Scheid, Bertram, McKasy, Boo, Voss
SF1956*—R.W. Peterson, Wegscheid, Belanger, Metzen, Anderson

Chapter 666:

- permits a person to enter into a credit sale or service contract for sale to a state or national bank doing business in Minnesota; allows purchasing bank to enforce the contract;
- clarifies definitions of financial terms to coincide with Savings Association Act definitions;
- states that laws covering financial corporations govern the incorporation, formation, and corporate governance

of capital stock associations, with certain exceptions;

- strikes provisions prohibiting commissions, fees, or other remuneration (compensation) when selling shares of capital stock of a stock charter association;
- restricts a person a court adjudicated bankrupt or convicted of a criminal offense involving dishonesty or a breach of trust from being eligible for election or serving as director of a stock or mutual association, except with the written consent of the commissioner of commerce;
- requires that the name of every association include the word "saving" or "savings"; prohibits using the words, "national," "federal," or "United States," or any form of these words, separately or in combination with other words, as part of the corporate name of a capital stock savings association, or a savings and loan association;
- requires an association to obtain the commissioner's approval before changing its location or opening a branch office;
- prohibits direct or indirect conversion of an association unless applicable laws authorize such action; defines terms of acceptable conversions; allows the commissioner to approve or disapprove conversion plans;
- reduces the required majority for approval of a reorganization, merger, or consolidation from "51 percent or more" to "more than 50 percent" of the total number of votes;
- specifies the people who have the right to inspect or examine an association's books and records, including those pertaining to loans and accounts;
- changes "principal office" to "home office" for record storing purposes;
- changes from one-fourth to one-half the aggregate amount of its total assets an association may borrow on the date of the borrowing; requires commissioner's approval to borrow additional sums;

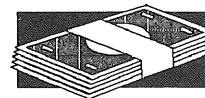
- allows a savings association to:
 - make, sell, purchase, invest in, and participate or otherwise deal in loans and conditional sales contracts and other forms of indebtedness and leases, and to take any manner of security for the loans and contracts;
 - acquire or own real property to conduct the business of the association (including stock of a subsidiary corporation which owns and manages the property); limits the association's investment to 5 percent of its net assets, without the commissioner's approval;
- allows a savings and loan to service loans and investments for others;
- allows an association to:
 - act and receive compensation as a trustee of a trust formed as part of a stock bonus, pension, or profit sharing plan that qualifies under the Internal Revenue Code;
 - act as a trustee for individual retirement accounts under the Internal Revenue Code if the invested funds are only in association savings accounts or in obligations or association-issued securities;
 - own or use automated teller machines and establish electronic financial terminals;
 - contract with an employer to solicit, collect, and receive savings by payroll deduction on behalf of employees who may voluntarily participate in a payroll deduction plan; provides for the direct deposit of wages or salary the employer pays to the employee's account in a financial depository institution; allows electronic or other medium transactions;
- allows a capital stock association to pay interest, if any, on its savings accounts according to the terms of the account contract;
- allows associations to invest in capital stock or other securities of service organizations; limits the aggregate of such investments to no more than 3 percent of its liabilities;
- permits an association to make organizational, agricultural and consumer loans, and personal business loans;
- prohibits a mutual or stock association from making a loan to a borrower if the amount of the loan and the total of outstanding loans the borrower owes the association exceed 10 percent of the association's savings liability or equals the sum of the association's reserves for losses and undivided profits, whichever amount is less;
- provides that borrowers may prepay all loans in part or in full at any time; allows an association to charge a borrower a prepayment fee on any nonconsumer loan; allows, unless otherwise agreed in writing, the association to apply a principal prepayment to the final installment of the note until fully paid, or apply the payments wholly or partially to offset payments which subsequently accrue under the loan contract;
- provides that the borrower may prepay in full the unpaid balance of a consumer loan or contract at any time without penalty;
- requires that a loan note or document contain the method of calculating the rate of interest on a variable loan;
- provides that an association may purchase a conditional sales contract from a third party and enforce such a contract if the annual percentage rate doesn't exceed certain specified limits;
- permits an association to charge up to 19 percent annually on certain loans, and up to 18 percent annually on credit cards;
- allows an association to collect certain specified charges such as delinquency charges or service charges for returned checks in addition to the finance charges;
- provides for borrower payment of attorneys' fees arising from foreclosure or collection;
- requires associations to comply with the Federal Truth in Lending Act in making consumer loans or credit sales;
- allows a borrower to recover damages if an association violates any provision of this Act as it applies to

collection of finance or other charges;

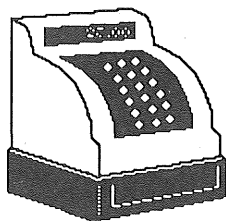
- provides that an association isn't liable for violations the association commits in the collection of finance or other charges if it notifies the borrower of the violation before the borrower notifies the association, in writing, of the violation, or brings an action under this legislation.

Enactment: April 26, 1988

Effective: day after enactment



Commerce/ Consumer Affairs



Animal kennels, dealers— regulation

HF2187—O'Connor
SF2191*—Pogemiller

Chapter 537:

- includes in the definition of “dealers” a person or company that sells or transfers dogs or cats to institutions or other dealers who sell or transfer such animals to institutions;
- stipulates that humane agents can't enter a licensed veterinarian's premises that functions as a kennel;
- deletes certain kennel posting and advertising requirements.

Enactment: April 14, 1988
Effective: Aug. 1, 1988

Barber licenses— requirement change

HF1534*—Welle, Clark, Price
SF1469—Pogemiller, Stumpf

Chapter 476:

- certifies a person to practice barbering after serving as a registered apprentice for 12 months under the immediate supervision of a registered barber;
- requires applicants for certificates of registration who fail the barber examination to practice as an apprentice for two additional months before again taking the exam;

- allows a person who has six years of continuous experience (currently 10 years) as a barber to own and operate a barber school;
- allows the Board of Barber Examiners to give examinations six times a year and requires the examination to include a practical demonstration;
- changes certain fee distributions.

Enactment: April 12, 1988

Effective: Aug. 1, 1988

Cable television— franchises, utility bias

HF2232*—Jacobs, Redalen,
Minne, Stanius, Beard
SF2244—Dicklich, Novak,
D.E. Johnson, Storm, Marty

Chapter 568:

- clarifies the definition of a “cable communications system”;
- requires any new cable system to be granted on the same terms and conditions as an existing franchise, unless the current franchise holder is not actually providing cable service to the area the new franchise would serve;
- prohibits electric utilities from unfair competition practices that favor a cable system affiliated with the utility;
- allows courts to grant injunctive relief and award actual damages to unaffiliated cable companies, if unfair competition can be proven.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

Cemeteries, mausoleums, funeral services—regulation

HF1996—Reding, Jensen, S. Olsen
SF1867*—Piper, Solon,
Pogemiller, Marty

Chapter 509:

- requires sellers of prepaid personal property and funeral services to tell buyers where their funds are held and provide account numbers;

- requires licensed funeral directors to file an annual report disclosing the state of the trust fund with the commissioner of health;
- requires other sellers to file an annual report with county auditors disclosing the state of the trust fund;
- requires the county auditor and the commissioner to review the reports and to report their findings to the state auditor who must audit those entities that have violated state laws;
- sets a \$15 filing fee for each report;
- requires sellers to notify the commissioner or the county auditor if a fund's trustee changes;
- requires sellers to retain records in Minnesota until three years after the death of the client or three years after return of the client's money;
- makes sellers who violate the reporting and recordkeeping requirements guilty of a misdemeanor and makes second-time offenders guilty of a gross misdemeanor;
- makes various changes to the laws governing public cemeteries;
- requires people who sell cemetery lots and mausoleum or columbarium space to tell buyers where the permanent care and improvement funds are held and provide account numbers;
- requires sellers to file an annual report disclosing the state of the fund with county auditors;
- sets a \$15 filing fee for each report;
- requires sellers to notify the county auditor if a fund's trustee changes or when a transfer or withdrawal of any amount of the fund occurs;
- requires cemetery associations and sellers of mausoleums or columbariums space to permanently retain records of the trust account;
- makes associations and sellers who violate the reporting and recordkeeping requirements guilty of a misdemeanor and makes second-time offenders guilty of a gross misdemeanor;
- provides that the above provisions don't apply to cemeteries, mausoleums, or columbariums that a municipality, church, religious corporation or association owns or operates;

- requires people who sell burial space in mausoleums or columbariums prior to construction to get and file a performance bond with the county auditor before making any sales;
- sets a \$15 filing fee;
- provides that the bonding requirements don't apply to cemeteries, mausoleums, or columbariums that a municipality, church, religious corporation or association owns or operates;
- makes sellers who violate the bonding requirements guilty of a misdemeanor, and makes second-time offenders guilty of a gross misdemeanor;
- requires sellers who have permanent care and improvement funds and/or performance bonds to annually submit a certified letter or independent audited financial statement on the fund and/or bond;
- makes sellers who fail to provide the county auditor with an audit statement guilty of a misdemeanor and makes second-time offenders guilty of a gross misdemeanor;
- requires county auditors to review reports and report their findings to the state auditor who must then audit those entities that have violated state laws.

Enactment: April 13, 1988

Effective: Aug. 1, 1988

Child passenger restraints— motor vehicle lessors

HF1816*—Jefferson, Trimble, Orenstein, A. Johnson, Forsythe
SF1962—Frank, Pogemiller, Lantry, Novak, Laidig

Chapter 415:

- requires people who rent or lease vehicles to provide customers with child restraint seats, upon request; allows a reasonable fee for the use of the restraining device.

Enactment: March 25, 1988

Effective: Aug. 1, 1988

Corporate filing— simplification

HF2095—Carruthers

SF1788*—R.W. Peterson, Dahl

Chapter 682:

- establishes a standardized fee for copies of specified documents filed with the secretary of state;
- removes the notarization requirements for various documents filed with the secretary of state and imposes penalties for false or unauthorized signatures on documents;
- allows for the filing of articles of correction; specifies article contents and establishes a \$25 filing fee;
- removes the notarization requirements in laws governing corporations and financial institutions; conforms filing fees for these entities with the fees for current business corporations;
- removes notarization requirements in the current business corporations law; permits such corporations to file either an annual registration document or an active status report;
- removes certain required information that corporations had to include in their articles of amendments;
- clarifies that corporations must file a registration once per calendar year;
- conforms the Business Corporation Act with the Uniform Fraudulent Conveyances Act;
- removes certain required information that foreign corporations had to submit with registration; requires such corporations to give the secretary of state a certificate of existence;
- provides that whenever a foreign corporation changes its name, dissolves, or merges with another corporation, the foreign corporation must file a certificate with the secretary of state;
- removes the notarization requirements for corporations incorporated outside of Minnesota;
- removes certain information that foreign corporations are required to include in their annual report filed with the secretary of state;
- provides that cemetery corporations no longer have to file amendments with the secretary of state;

- removes the notarization requirements for cooperative associations; reduces the required number of people to incorporate as a cooperative from five to one; increases the fees for filing certificates of incorporation, amendments, and mergers to conform with other corporations; reduces the number of signatures on such documents;
- increases the fees for electing to file as a nonprofit corporation to conform with other fees for nonprofit corporations; removes notarization requirements for various documents nonprofit corporations file with the secretary of state;
- removes certain information that nonprofit corporations must include in their articles of amendments;
- eliminates the requirement that the surviving nonprofit corporation in a merger submit its articles of incorporation as part of the merger documents that must be on file with the secretary of state;
- provides that when a nonprofit corporation dissolves, the liquidating receivers must file with the secretary of state, a copy of the court order that appoints a liquidating receiver;
- removes notarization requirements in the Business Trusts Act; removes the requirement that all amendments to the certificate of limited partnership contain the date of the original formation of the partnership; reduces the number of required signatures on the certificate of amendment on file with the secretary of state;
- removes notarization requirements in the Foreign Limited Partnerships Act and requires appointment of an agent for the foreign corporation;
- changes the period of time during which audits of legal newspapers may occur;
- removes the notarization of documents for assumed names; increases the penalty from \$50 to \$250 when a person doesn't file for an assumed name;
- removes the notarization of documents in the Trademarks Act; changes the notification date for the renewal of trademarks.

Enactment: April 27, 1988

Effective: Aug. 1, 1988

Corporate takeover law—changes

HF2253*—Simoneau, Heap
SF1892—Reichgott, Luther, Dahl

Chapter 692:

- makes numerous technical changes to the 1987 Corporate Takeover Act;
- requires a person who is making a takeover offer to send the material terms of the proposed offer to all beneficial owners residing in Minnesota as soon as possible after the filing;
- makes the disclosure requirements for takeover offers consistent with the disclosure requirement in the laws governing business corporations;
- excludes certain shareholders from the definitions of “acquiring person” and “interested shareholders”; modifies definitions of “market value,” “disinterested persons,” “interested shares,” and “share acquisition”;
- provides that when two or more people act or agree to act as a group to acquire, own, or vote on corporation shares or other securities, all members are deemed as a person;
- excludes the following from the definition of “business combination”:
 - certain mergers that involve wholly owned subsidiaries,
 - certain corporation share exchanges with an interested person,
 - certain vendor-vendee transactions that take place in the ordinary course of business, and
 - certain cash dividends or distributions made on the pro rata basis to all shareholders of the issuing public corporation;
- adds to the definition of “business combinations” any issuance or transfer of shares to facilitate a subsequent transaction that would have constituted a business combination if dividends or distributions have been made;
- extends from July 1, 1989 to July 31, 1990, the applicability of both the Control Share Acquisition Act and the Business Combination Act;
- requires that the background of the acquiring person be in the information

statement which the acquiring company must deliver to the issuing public corporation’s executive office;

- makes changes to provisions governing shareholders’ meetings and provides that the record date of the special shareholders’ meeting must be at least 30 days prior to the meeting; requires an issuing public corporation to promptly mail to shareholders any additional amendments to the information statement it receives;
- clarifies voting rights and eliminates the five-year restrictions on certain business combinations; provides that the law would limit business combination only for the first five years after a person becomes an interested shareholder;
- makes other changes regarding the application of the law.

Enactment: April 28, 1988

Effective: Aug. 1, 1988

Farm implement retailers—stock payment

HF2567—Sparby, G. Anderson, McDonald, Wenzel, Steensma
SF2384*—Schmitz

Chapter 502:

- requires a franchisor’s successor in interest to buy back a farm implement dealer’s stock and spare parts inventory if the dealership goes out of business for economic reasons;
 - stipulates that if a farm implement manufacturer, wholesaler, or distributor fails or refuses to pay a retailer, upon the cancellation of a contract by either party, the manufacturer, wholesaler, or distributor is liable in civil actions by the retailer for 85 percent of the current net price of repair parts.
- Enactment:** April 12, 1988
Effective: day after enactment; applies to contracts now in effect that have no expiration date and are a continuing contract, and all other contracts entered into or renewed after the day of enactment; any contract in force and effect on the day of enactment, which

will end on a date after that, and which is not renewed, is governed by the law as it was before the day of enactment

Franchise regulation

HF2491—Segal
SF2347*—Solon

Chapter 561:

- modifies the definition of “franchise” to include an oral or written contract or agreement, either expressed or implied, under which a manufacturer selling security systems through dealers or distributors in this state, requires regular payments as royalties or residuals for products the dealer or distributor purchases and pays for;
 - allows any burglar alarm manufacturer who has sold products to a Minnesota distributor for at least five years to establish itself as a franchisor;
 - provides that the franchisor may require distributors to pay an annual franchise and/or sign up fee for operations in the state, provided the manufacturer gives an existing nonfranchised distributor 10 years notice of intent to set up a franchisor/franchisee relationship; grants an automatic extension of the existing distributor contractual arrangement during the notice period;
 - prohibits a manufacturer from establishing a business in Minnesota in competition with the distributor during the notice period;
 - provides that any manufacturer who terminates an existing burglar alarm distributor contract in Minnesota must wait 10 years before opening a distributorship in Minnesota.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

Hearing aids—sales, repair regulation

HF2559*—Beard, Sarna, Bennett,
Price, Bauerly
SF2288—Davis, Solon, Wegscheid,
Anderson

Chapter 495:

- provides that the buyer's 30-day written money-back guarantee under current law must:

- permit buyers to cancel the purchase within the first 30 days the buyer has the hearing aid; and
- allow sellers to keep up to 10 percent of the payment as a cancellation fee;

- requires sellers to include a statement of the buyer's right to cancel in the written receipt or contract;

- requires any person or company doing repair work on a hearing aid to give the owner an itemized billing for all parts and labor charges;

- exempts from the itemized billing requirement:

- any person or company that repairs a hearing aid under a warranty that covers the entire hearing aid and all repair costs; and

- any person or company that repairs a hearing aid and the repair is expressly warranted for the entire hearing aid for at least six months;

- requires repair guarantees to be in writing and delivered to the owner of the hearing aid stating the repairer's name, address, telephone number, length of guarantee, the hearing aid model and serial number, and all other terms and conditions of the guarantee.

Enactment: April 12, 1988

Effective: Aug. 1, 1988

Homeowners' rights/

Service station alteration payment

HF1979—Solberg, Sparby, Milbert,
R. Anderson, Bennett
SF1885*—D.C. Peterson, Solon,
Metzen, Frederick, Freeman

Chapter 663:

Homeowners

- gives homeowners the right to cancel contracts with a public adjuster within 48 hours after signing the contract;

- requires homeowners to give public adjusters written notices of cancellation and requires public adjusters, before entering into a contract, to give homeowners a written notice of their right to cancel a contract; specifies notice contents;

- requires public adjusters to return the homeowner's money within 10 days after a contract cancellation; provides for compensation for emergency services the public adjuster performed within the 48-hour period;

Service stations

- requires payment to a motor fuel franchisee if the franchisor eliminates a service bay from the station during the term of a motor fuel franchise agreement entered into, extended, renewed, or modified after the effective date of this act;

- provides for an arbitration process if the franchisee and franchisor are unable to agree on the amount of compensation;

- repeals state law that prohibits franchisors from eliminating service bays at full-service stations without the consent of the franchisees.

Enactment: April 26, 1988

Effective: day after enactment for section on service stations; Aug. 1, 1988 for section on homeowners

Membership camping— contract applications

HF2546*—Sparby, O'Connor,
Beard, Bennett, Murphy
SF2300—Solon, Samuelson,
D.C. Peterson, Freeman, Anderson

Chapter 493:

- removes the requirement that a camping application for registration must include a copy of each item of advertising material;

- requires such applications to include a financial statement of the operator's finances, and requires a public accountant to prepare the statement and the camping operator to certify it;
- prohibits certain specified misleading or deceptive devices and sales presentations;

- requires subdivider qualification statements to include a financial statement, and requires a public accountant to prepare the statement and the subdivider to certify it;
- provides that a subdivider doesn't have to submit a financial statement an independent accountant prepared if the developer pays for all the subdivision's improvements and the purchaser gets a clear title following the closing;

- prohibits subdivided land sellers from accepting advance payments for services an agent renders in connection with the resale of a time share property interest;

- repeals provision that requires operators to file a sample of membership camping advertisements with the commissioner of commerce before publishing such advertisements.

Enactment: April 12, 1988

Effective: day after enactment

Job listing services—regulation

- (See Employment/Labor)

Minnesota Agricultural Equipment Dealership Act
HF2309—Sparby, McDonald, Cooper, G. Anderson, Frederick
SF2096*—Schmitz, Dahl, Frederick

Chapter 511:

- provides that no farm equipment manufacturer may terminate, cancel, refuse to renew, or substantially change the competitive circumstances of a dealership agreement without good cause;
- lists circumstances that constitute good cause;
- requires manufacturers to give dealers a 90-day written termination, cancellation, or nonrenewal notice stating all reasons for termination or cancellation; requires the notice to inform dealers of their right to correct any claimed deficiencies; provides that if the dealer corrects the deficiencies within 60 days of receiving the notice, the notice is void;
- prohibits manufacturers from coercing dealers to accept equipment and parts they didn't order and makes such actions illegal; lists other illegal actions;
- makes dealership agreements that are inconsistent with this act void and unenforceable;
- allows for actions for damages and injunctive relief by dealers, and awards attorney fees.

Enactment: April 13, 1988

Effective: day after enactment; applies to all dealership agreements now in effect which have no expiration date and which are continuing contracts, and all other contracts entered into, amended, or renewed after the day of enactment; any contract in force and effect on the day of enactment, which by its terms will end on a later date and which is not renewed, is governed by the law as it was before the day of enactment

Motor vehicle franchise—contract nonrenewals
HF2049*—Sparby, O'Connor, McKasy, Bertram, Milbert
SF1844—Dahl, Wegscheid, Adkins

Chapter 611:

- requires personal automobile insurance policies that companies issue in Minnesota to provide all of the obligation for damage and loss of use to a rented vehicle in the property damage liability portion of the plan; requires that the available coverage equal \$25,000;
- prohibits manufacturers from refusing to renew a franchise relationship with a licensed new motor vehicle dealer without good cause;
- lists circumstances that constitute good cause;
- requires a manufacturer to give a dealer a written 90-day nonrenewal notice and to compensate a dealer for specified items such as inventory or equipment if the manufacturer doesn't renew the dealer's franchise;
- makes it an unfair practice for a manufacturer to threaten to modify or replace a franchise with a succeeding franchise that would adversely alter rights or obligations of a dealer under an existing franchise, or that substantially impairs sales or service obligations or investments of the motor vehicle dealer;
- prohibits an agreement between a manufacturer and dealer that's designed to waive, nullify, or modify statutory regulation.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Real property—advertised foreclosure notices
 • (See Housing/Real Estate)

Repair shops—storage fee disclosure requirements
HF1940*—O'Connor, Sarna, McEachern, Beard, Bishop
SF1801—Spear, Dahl

Chapter 444:

- requires written repair estimates to include any storage fees the repair shop charges;
- requires repair shop owners, when giving customers written estimates, to inform them that storage or care charges are in addition to the estimated price for repairs;
- requires invoices to include any storage or care fees the shop charges;
- requires repair shops to conspicuously post signs that tell customers about their storage and care fees.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Self-service storage facilities—property lien
HF0181—Ogren, Sparby, McEachern, Price, Bishop
SF0187*—R.W. Peterson, Adkins, Spear, Luther

Chapter 425:

- allows owners of a self-service storage facility to file a lien against personal property the occupant has stored at the facility to cover any unpaid bills; provides for the enforcement and attachment of such liens;
- prohibits storage owners from filing a lien against an occupant's belongings if the owner has a security deposit which he/she could use to pay the unpaid bills;
- requires storage owners to mail a default notice to the occupant at his/her last known address; stipulates that the notice must contain certain information, such as the occupant's right to remove certain items such as personal papers, health aids, or clothing, provided the goods don't cost more than \$50 per item, or that the occupant may be denied access to his/her belongings after a certain date;

- gives storage owners the right to deny delinquent occupants access to their belongings under certain circumstances;
- requires notices of personal property sale to include a notice of denial of access to the personal property until the owner's claim has been satisfied;
- requires rental agreements to disclose the following information:

- the owner's right to a lien against the occupant's property;
- the owner's right to deny access to certain property stored in the facility; and
- any insurance the owner carries that covers the occupant's property;

- requires storage owners to disclose other information such as the name and address of the facility's owner, manager, or authorized agent, either in the rental agreement or otherwise in writing prior to the beginning of the occupancy; requires owners to inform occupants that he/she prohibits the storage of hazardous materials;
- requires owners to post, in a conspicuous place on the premises, a notice that informs occupants of the disclosure requirements this act calls for;
- prohibits storage owners from suing to recover rent or possession of the premises unless:
 - the owner has disclosed to the occupant the information this act requires; or
 - the occupant is otherwise aware of the required information at least 30 days before the suit begins; requires the venue of such cases to be in the county where the facility is; places the burden of proof on the storage owner if an occupant sues to recover property he/she has stored at the facility;
- allows owners to begin unlawful detainer actions if an occupant defaults in the payment of rent or otherwise breaches the rental agreement;
- prohibits owners or occupants from waiving or modifying the provision of this act;
- provides that only owners who are licensed and bonded under the state's

Warehousing Licensing and Regulatory Act can use the word "warehouse" in advertisements.

Enactment: March 29, 1988

Effective: Aug. 1, 1988; applies to rental agreements entered into on or after that date

Used car sales—regulation

HF0085*—Begich, Larsen, Battaglia, Quinn, Sarna
SF0018—Dahl, Frank, Davis, Marty, Wegscheid

Chapter 634:

- exempts people who arrange motor vehicle sales from licensing requirements;
- prohibits people from soliciting, accepting, selling, or offering to sell motor vehicles for consignment, unless they're licensed new or used motor vehicle dealers, wholesalers, or auctioneers; exempts from this requirement licensed auctioneers selling motor vehicles at an auction where the sale is incidental to the selling of other real or personal property;
- allows an individual who makes isolated or occasional sales or leases (five or fewer car sales per year) to do so without a license;
- requires new and used car dealers and vehicle lessors to conspicuously post signs in their shops that state their names and business hours; requires them to have a display area, either indoors or outdoors, for the vehicles they sell or lease;
- requires motor vehicle lessors to get a county license to sell a used vehicle in a county outside the seven-county metropolitan area;
- requires dealer license applications to include a street address rather than post office box and allows the registrar of motor vehicles to approve such applications and notifications;
- allows the registrar to cancel a dealer's license without a hearing if the registrar has proof that the dealer

- doesn't have a surety bond or insurance that state law requires; requires surety companies and insurers to promptly notify the registrar of canceled surety bonds or insurance coverage;
- requires all advertisements to identify the dealer by name or use the term dealer or abbreviation "DLR";
- prohibits issuing a certificate of title or registration for vehicles that don't comply with federal emission standards and safety regulations, unless the applicant gives the agent certain information such as a bond release letter from either the U.S. Department of Transportation or the Environmental Protection Agency stating that the vehicle has been tested and conforms with federal emission standards and safety requirements;
- allows dealers who, under state law, must return excise taxes to a consumer to seek a refund from the Department of Public Safety;
- requires 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 made inoperative;
- requires all motor vehicle dealers to provide an express warranty at two levels:
 - for vehicles having fewer than 36,000 miles, a warranty for 60 days or 2,500 miles, whichever comes first; and
 - for vehicles having between 36,000 and 72,000 miles, a warranty for 30 days or 1,000 miles, whichever comes first;
- requires dealers to repair or replace parts the warranty covers, or allow consumers to return the vehicle for a refund;
- specifies the parts each warranty must cover;
- requires dealers to inspect and repair defective vehicle parts after the warranty period expires, if the buyer reported the defect or problem to the dealer within the applicable warranty period and the buyer brings the vehicle in for inspection or repair within a reasonable time;

- requires dealers who don't have a repair facility to designate a facility where buyers can take vehicles for inspection and repairs;
- allows consumers, with the dealer's consent, to get vehicles inspected and repaired at a facility other than the dealer's if the consumer's vehicle breaks down somewhere that makes it impossible or unreasonable to return to the dealer's repair facility; prohibits dealers from unreasonably withholding consent to do so;
- stipulates that used car dealers and lessors don't have to replace or repair parts a manufacturer's new car warranty covers;
- stipulates that auto warranties don't cover defects or repair problems which result from collision, abuse, negligence, or lack of adequate vehicle maintenance;
- requires dealers to clearly and conspicuously disclose warranty terms in the front of the Buyers' Guide;
- exempts from the warranty requirement vehicles that:
 - sell for less than \$3,000;
 - use diesel fuel;
 - weigh more than 9,000 lbs.;
 - are custom-built or modified for show or racing;
 - are eight years old or older;
 - come from a manufacturer who has never made more than 10,000 vehicles in any one year;
 - have 75,000 miles or more; or
 - don't comply with federal emissions standards;
- allows consumers to waive the express warranty for a covered part under certain circumstances; provides for an automatic warranty if a dealer fails to give the consumer an express warranty;
- makes dealers responsible for one additional warranty period for any parts under warranty that they have repaired or replaced; allows dealers to limit the duration of implied warranties to the duration of the express warranty;
- sets up a refund formula if dealers opt to refund rather than repair;
- sets a one-year statute of limitations for private action;

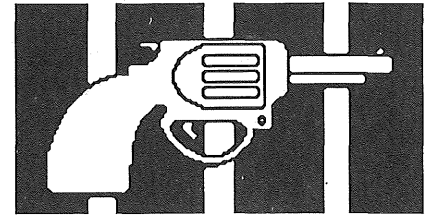


- stipulates that dealers who violate this act are subject to penalties and civil remedies.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Crime/ Corrections



Abused children—intermediaries
• (See Families/Juveniles)

Animals—unauthorized release
HF2057—Bertram, Redalen, Dille, Wenzel, K. Olson
SF1879*—Wegscheid, Davis, D.J. Frederickson, Mehrkens, Berg

Chapter 535:

- provides that a person who intentionally and without permission releases an animal lawfully confined for science, research, commerce, or education is guilty of a misdemeanor; makes that person liable for damages and costs of again confining the animal.

Enactment: April 14, 1988

Effective: Aug. 1, 1988; applies to unauthorized releases committed on or after that date.

Bias crimes—reporting, training requirements
HF2340*—Orenstein, Clark, Bishop, Jefferson, Kelly
SF2124—Spear, Knutson, Marty, Hughes

Chapter 643:

- requires peace officers to report whenever they have reason to believe

a victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation, motivated an offender to commit a crime (bias crime);

- requires law enforcement agencies to file monthly reports describing crimes officers report under this law with the Department of Public Safety; requires the commissioner of public safety to report annually to the Legislature and the Department of Human Rights;
- requires the Peace Officer Standards and Training (POST) Board to prepare a training course to assist officers in identifying, responding to, and accurately reporting bias crimes;
- prohibits the board from licensing a peace officer after Aug. 1, 1990 unless the officer has received the training.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Burn injuries—reports

HF0090—Haukoos, Vellenga, Kalis, Pappas, Dempsey
SF0030*—Belanger

Chapter 548:

- requires health professionals to report certain burn injuries by telephone, and within 72 hours in a written report, to the state fire marshal on a form the fire marshal provides.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Cable communications— unauthorized connections

HF1886*—Orenstein, Blatz, Carruthers, Kelly, Tjornhom
SF1694—Reichgott, Spear, Cohen, Marty, Ramstad

Chapter 410:

- provides a misdemeanor penalty for anyone who intentionally and purposely lends, offers, or gives to another person any instrument or device designed to make an unauthor-

ized connection, without receiving or seeking to receive anything of value in exchange;

- provides a felony penalty (up to three years in prison and/or a fine up to \$5,000) for anyone who sells or rents any instrument or device designed to make an unauthorized cable TV connection to a licensed cable communications system or instructions for making an unauthorized connection.

Enactment: March 16, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Child abuse laws—amendments

- (See Families/Juveniles)

Child abuse— emotional harm element

- (See Families/Juveniles)

Child abuse—social service assessment, records retention

- (See Families/Juveniles)

Controlled substance violations/Restitution

HF1848—Jefferson, Clark, Dawkins
SF2071*—Pogemiller, Kroening, D.C. Peterson, Berglin, Lantry

Chapter 669:

Controlled substance

- requires people who prepare presentence investigation reports for controlled substance law violators to include a description of any adverse social or economic effects the offense has had on residents of the neighborhood where the offense occurred;

Restitution

- allows a judge to order that a money bail deposit, and any fine the court imposes on a defendant, may pay for restitution; provides if the fine or restitution is less than the deposit, the judge may order payment of the balance to the defendant.

Enactment: April 26, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Crime victims laws— amendments

HF1754*—Kelly, Wagenius, Peterson, Vellenga, Bishop
SF1693—D.C. Peterson, Spear, Pogemiller, Laidig, Cohen

Chapter 638:

- provides that revenue recapture provisions apply to restitution a court orders in a juvenile delinquency proceeding;
- requires recording of all domestic abuse proceedings;
- requires a prosecutor to make every reasonable effort (over the phone or through the mail) to notify a domestic assault victim that the prosecutor has decided not to prosecute the case or has decided to dismiss criminal charges against the defendant;
- allows the Crime Victims Reparations Board to pay a parent's reasonable expenses to bring his/her abducted child back home; limits reimbursable expenses to transportation costs, meals, and lodging, from the time the child was found until he/she returns home;
- amends the "Son of Sam" law as follows:

—replaces the judicial procedure (where victims have the right to file a claim for funds offenders deposited with the board under the law) with an administrative procedure which allows the board to pay claimants directly out of the funds;

—clarifies that "contract" means

an agreement to re-enact an offender's crime in a movie, book, newspaper or magazine article, radio or TV presentation, or live or recorded entertainment of any kind, or in expressing the offender's thoughts, feelings, opinions, or emotions about the crime;

—requires anyone in Minnesota who enters into a contract with an offender convicted anywhere in the United States to comply with this law if the person enters the contract during the 10 years after a court convicts the offender or finds him/her not guilty by reason of insanity;

—requires a person subject to this law to immediately notify the board of the contract's existence, and pay the board money due the offender under the contract's provisions;

—permits the board to directly deduct from the offender's deposited funds any reparations the board previously paid to the offender's victim;

—permits the board to allocate and retain up to 10 percent of the contract payments for the benefit of the offender's minor dependent children; requires the board to disburse the funds when the children or their representative make a claim if it's clear the funds won't go to benefit the offender;

—permits the board to make certain types of reparations awards from the offender's deposited funds to victims of the offender's crime, if the victim files a claim within five years of the date on which the board received the funds;

—allows the board to use the funds to pay reparations to victims of other crimes in certain circumstances; and

—provides a gross misdemeanor penalty for anyone who willfully fails to notify the board of a contract's existence;

• changes the crime victim ombudsman law to:

- provide that any confidential or otherwise restricted information the ombudsman receives retains its data classification while in the ombudsman's possession; and
- require the ombudsman to forward his/her investigative findings to the appropriate court when the complaint involves a criminal justice system professional's conduct relating to a civil or criminal proceeding.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Crime victims' rights

HF0336—Seaberg, Vellenga, McKasy, Kelly, Clark

SF0232*—Cohen, Lantry, Luther, Laidig

Chapter 649:

- expands the crime victims' bill of rights to cover victims of local ordinance violations where loss or harm to an individual has occurred;
- requires the commissioner of public safety to develop a notice of crime victims' rights;
- states that a preliminary victim impact summary is a concise statement of immediate and expected damage to the victim as a result of the crime; requires a victim who wants to file a summary to do so with the investigating officer within five days after the victim receives notice from a peace officer;
- requires a peace officer who takes a formal statement from a victim to notify the victim of his/her rights (including the right to request restitution) to receive notification of any plea negotiations, and to be present at sentencing and object orally or in writing to a proposed agreement or disposition;
- states that a victim has the right to submit an oral or written impact statement to the court at the time of sentencing or dispositional hearing;

• classifies as private data, a victim's written request to be notified of the offender's release from confinement.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Crimes—police pursuits, replica firearms, others
HF1873—Segal, Kelly, Scheid
SF1821*—Reichgott, Spear, Ramstad, Marty, Dahl

Chapter 712:

Police pursuits

- requires the commissioner of public safety to include in each driver's manual edition the department publishes, information on criminal sanctions and vehicle forfeiture provisions for drivers who flee a peace officer;
- makes it a felony for anyone who flees or attempts to flee a peace officer in a motor vehicle two or more times; provides penalties of up to one year and one day in prison and/or a fine up to \$3,000;
- requires law enforcement departments to report incidents of police officers pursuing fleeing suspects;
- requires local governments and the Peace Officers Standards and Training (POST) Board to establish written procedures and training requirements to govern peace officers' conduct when pursuing fleeing suspects; imposes licensing sanctions for failure to adopt procedures and training requirements by Oct. 1, 1989.

Replica firearms

- defines "replica firearm" as a device or object that's a toy version, or appears to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm;
- prohibits anyone from offering to sell or selling a replica firearm unless a warning label, clearly visible to the buyer, is on the item or package; requires the label to explain state

criminal penalties that may arise from misusing the replica firearm, and to describe prohibited activities;

- expands the crime of aggravated robbery to include anyone who commits a robbery armed with any article the victim reasonably believes is a dangerous weapon;
- expands the crime of first degree burglary to include anyone who enters a building without consent and commits a burglary armed with any article the victim reasonably believes is a dangerous weapon;
- amends the crime of "terroristic threats" to provide penalties of up to one year in prison and/or a fine up to \$3,000 for anyone who displays, exhibits, brandishes, or otherwise uses a replica firearm in a threatening manner if the actor:

- causes or attempts to cause terror in another person; or
- acts in reckless disregard of the risk of causing terror in another person.

Theft law changes

- makes technical corrections to theft and theft-related offenses;
- provides a penalty of up to 20 years in prison and/or a fine up to \$100,000 for anyone who:
 - uses a forged check (or checks) to obtain, or attempt to obtain, property or services of more than \$35,000; or
 - passes a forged check (or checks) totaling more than \$35,000;
- provides a penalty of up to 20 years in prison and/or a fine up to \$100,000 for anyone who fraudulently uses a financial transaction card to:
 - obtain or attempt to obtain property valued at more than \$35,000;
 - make several transactions totaling more than \$35,000.

Other burglary law changes

- expands the crimes of first, second, third, and fourth degree burglary to include anyone who enters a building without consent and commits a crime while in the building;

- provides a penalty of up to three years in prison and/or a fine up to \$5,000 for anyone who possesses any device, explosive, or other item and intends to use it to commit theft.

Enactment: May 4, 1988

Effective: Jan. 30, 1989 for provision requiring warning labels on replica firearms; Aug. 1, 1988 for remaining provisions; applies to crimes committed on or after that date

Criminal prosecutions—proof of prior convictions

HF1836*—Swenson, Vellenga, Marsh, Pappas, Kelly
SF1792—Laidig, Dahl

Chapter 520:

- provides that if a defendant contests the existence of or factual basis for a prior conviction, competent and reliable evidence, including a certified court record of the conviction, will establish proof of such conviction in:
 - the calculation of his/her criminal history score; and
 - a criminal prosecution in which the degree of the crime or the penalty depends on proof of a prior conviction.

Enactment: April 14, 1988

Effective: Aug. 1, 1988

Criminal sexual conduct—consent definition

HF1740*—Vellenga, Wagenius, Swenson
SF1738—D.C. Peterson, Pogemiller

Chapter 413:

- clarifies that "consent" in the criminal sexual conduct law means voluntary, uncoerced present agreements to perform a particular sexual act "with the actor."
- Enactment:** March 25, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Criminal sexual conduct—fifth degree

HF1070—Rest, Blatz, Wagenius, Greenfield
SF1018*—D.C. Peterson, Reichgott, Pogemiller, Marty

Chapter 529:

- creates a crime of fifth degree criminal sexual conduct; states that a person is guilty of such a crime if the person engages in nonconsensual sexual contact;
 - provides a gross misdemeanor penalty for offenders of up to one year in prison and/or a fine up to \$3,000.
- Enactment:** April 14, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Dishonored checks—penalties

HF2470*—Beard, Price, Kelly, Osthoff, Stanius
SF2472—Diessner

Chapter 527:

- requires city attorneys to prosecute gross misdemeanor dishonored check violations;
 - provides the following penalties for anyone the court convicts of issuing a dishonored check:
 - up to one year in prison and/or a fine up to \$3,000, if the dishonored check's value is \$250 or more; or
 - up to 90 days in prison and/or a fine up to \$700, if the dishonored check's value is \$250 or less;
 - allows a prosecutor to combine a violator's charges over a six-month period and charge the violator based on the checks' combined value;
 - provides that when a person commits two or more offenses in two or more counties, a prosecutor from one of the counties where the person issued a dishonored check may combine the charges and prosecute for all the counties involved.
- Enactment:** April 14, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Dogs, potentially dangerous— regulation

HF2430—Scheid, McKasy
SF1744*—Berg, Lantry, McQuaid,
Ramstad, Davis

Chapter 711:

- defines “dangerous dog” as one that:
 - causes substantial bodily harm to a person for no reason;
 - kills a domestic animal for no reason while off the owner’s property; or
 - is potentially dangerous and aggressively bites, attacks, or endangers the safety of humans or domestic animals;
- defines “potentially dangerous dog” as any dog that bites, chases, or has a tendency to attack people or domestic animals for no reason;
- prohibits a person from owning a dangerous dog unless the owner registers the dog with the county;
- directs the county to give the owner of a dangerous dog a certificate of registration if the owner has evidence that:
 - the dog is properly enclosed;
 - a warning sign appears on the premises; and
 - he/she has a surety bond or liability insurance for at least \$50,000;
- defines “proper enclosure” as being securely confined indoors or in a securely enclosed and locked pen or structure suitable to prevent the animal from escaping and providing the dog protection from the elements;
- requires owners of a dangerous dog to keep the dog properly enclosed, or if outside the enclosure, muzzled, chained or leashed, and under the physical restraint of a responsible person;
- makes people who fail to register dangerous dogs with the county or to keep the dogs properly enclosed guilty of a misdemeanor;
- provides that if an owner of a dangerous dog is convicted of a misdemeanor and the owner’s dog causes bodily injury to a person, the owner is guilty of a gross misdemeanor and could go to jail for up to

one year and/or pay a fine of up to \$3,000;

- provides for the destruction of a dangerous dog under certain circumstances;
 - allows the county to charge owners an annual registration fee and provides that the fee is separate from dog licensing fees;
 - requires owners of dangerous dogs who reside in a county that doesn’t have a dog licensing system to get a certificate from the county auditor;
 - authorizes any statutory or home rule charter city or county to regulate potentially dangerous dogs;
 - requires counties to immediately confiscate a dangerous dog if:
 - the dog isn’t validly registered;
 - the owner doesn’t have the proper liability insurance or surety coverage;
 - the dog isn’t properly enclosed, or is outside the enclosure without a muzzle and not under restraint;
 - exempts from this act:
 - dangerous dogs that law enforcement officers use for police work; or
 - a dog that attacks a person who is willfully trespassing on the dog owner’s property, committing or attempting to commit a crime, or abusing or assaulting the dog;
 - prohibits pet owners from leaving dogs and cats in a closed or parked car in a way that endangers the animals’ health or safety and fines those who do \$25;
 - allows humane agents, dog wardens, or volunteer fire, police, or rescue officers to remove the animals with reasonable force, and doesn’t hold animal rescuers liable for any damages.
- Enactment:** May 4, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

DWI, BWI— chemical compounds

HF0408—Jacobs
SF0321*—Merriam, Diessner

Chapter 650:

- expands the crimes of driving a motor vehicle (DWI) or a motorboat (BWI) while under the influence of alcohol or certain chemical compounds or controlled substances.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

DWI—mandatory minimum penalties

HF1165—D. Nelson, Rest,
Vellenga, Welle, Marsh
SF0537*—Jude, Ramstad, Cohen,
Spear, D.C. Peterson

Chapter 408:

- requires a judge to sentence a multiple driving-while-intoxicated (DWI) offender (anyone the court has convicted of DWI or aggravated DWI and who violates those laws again once within five years after the first conviction or two or more times within 10 years) to a minimum sentence of 30 days in prison or to eight hours of community work service for each day less than 30 days that the court orders the person to serve in jail;
- requires the judge to execute the sentence unless, before sentencing, the prosecutor files a motion to have the court sentence the offender without regard to the mandatory minimum sentence and includes a statement explaining why the judge should set aside the required sentence;
- requires the judge to impose a sentence proportional to the offender’s prior criminal and moving traffic violation record if the court sets aside the mandatory minimum sentence;
- requires the State Planning Agency to monitor implementation and use of

mandatory minimum sentencing provisions and report findings and recommendations to the Legislature by Jan. 1, 1990.

Enactment: March 16, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

DWI—plate impoundment; other amendments

HF0704—Rest, Kelly, Welle, Blatz, Wagenius

SF0392*—Spear, Jude, Marty, Ramstad, Morse

Chapter 681:

- requires that when a court convicts an individual of driving a motor vehicle after suspension, revocation, or cancellation of his/her driver's license, the court must impound the motor vehicle's registration plates and certificates;

- requires the court to issue an impoundment order when the judge revokes a person's driver's license under the driving-while-intoxicated (DWI) or implied consent law a third time within five years, or a fourth or subsequent time within 10 years;

- requires the court to impound registration plates and certificates from:

- motor vehicles the violator owns, leases, or has registered in his/her name, or in the joint names of the violator and his/her spouse; or

- a motor vehicle involved in the violation if the vehicle owner is a passenger when the violation occurs and knew or should have known of the revocation; exempts "rent-a-cars" from this provision;

- requires the violator or owner to surrender the plates to the court either three days after the judge issues the order or on a date the judge sets, whichever is later; requires the court to forward the surrendered registration certificates to the registrar of motor vehicles within seven days; allows the court to destroy the impounded plates;

- allows the violator to seek administrative review of an impoundment order, and requires the commissioner of public safety to make a decision within 15 days of the review request;

- requires the registrar to issue a new certificate and plates at no cost if the court rescinds a driver's license revocation;

- allows the commissioner to authorize the issuance of special plates, with a special series of numbers or letters, at a cost of \$25 per vehicle, if a member of the violator's household has a valid driver's license or if the violator or owner has a limited license;

- regulates sales of vehicles under an impoundment order or those with special plates;

- provides misdemeanor penalties for anyone who fails to:

- surrender plates or certificates a court orders impounded; or

- inform the registrar of an impoundment order when applying for new plates;

- requires the Department of Public Safety (DPS) to issue new plates after a person's driver's license is reinstated, and notify the owner of a motor vehicle subject to an impoundment order if the owner isn't the violator;

- requires DPS to monitor and evaluate the impoundment law's implementation and effects, and report findings and recommendations to the Legislature by Jan. 1, 1990;

- requires courts to collect and forward to the commissioner of finance the total amount of chemical dependency assessment charges within 60 days after sentencing or explain in writing a failure to do so;

- clarifies that a court may, on its own motion, ignore the mandatory minimum prison term when sentencing a DWI defendant if the court:

- finds that substantial mitigating factors exist; and

- includes a statement explaining the sentencing departure;

- removes language from traffic laws relating to the requirement that a traffic law violator sign a "written promise to appear" on the traffic citation; authorizes the commissioner

to revise the uniform traffic ticket as necessary and proper to conform with state and federal law; sets effective date at July 1, 1988;

- requires people who hold limited licenses to have their driver's licenses at all times when operating a motor vehicle; sets effective date at July 1, 1988;

- changes from a misdemeanor to a gross misdemeanor, the criminal penalty for anyone who falsely identifies himself/herself to a police officer;

- requires DPS to study the use of ignition interlock devices in other states and report its findings to the Legislature by Jan. 1, 1989; sets effective date at July 1, 1988;

- appropriates \$91,000 to the commissioner of public safety for the license plate impoundment program; sets effective date at July 1, 1988.

Enactment: April 27, 1988

Effective: Aug. 1, 1988 unless otherwise noted; applies to crimes committed on or after that date

Environmental law violations— penalties

- (See Environment/Natural Resources)

Fireworks— possession, penalties

HF2036*—Carruthers, Swenson, Bertram, Kelly

SF1934—Luther, Marty, Ramstad

Chapter 584:

- clarifies the crime of obstructing legal process or arrest to include anyone who obstructs or resists a peace officer while the officer is performing official duties;

- makes it a crime to possess fireworks, with certain exceptions;

- provides the following criminal

penalties for fireworks law violations:

- up to a year in prison and/or up to a \$3,000 fine for explosive fireworks 35 pounds or more;
- up to 90 days in prison and/or up to a \$700 fine for explosive fireworks 35 pounds or less;
- up to 90 days in prison and/or up to a \$700 fine for any amount of fireworks other than explosive fireworks.

Enactment: April 21, 1988

Effective: day after enactment for provision on obstructing or resisting a peace officer; Aug. 1, 1988 for remaining provisions and applies to crimes committed on or after that date

Forfeiture laws—changes

HF2193—Jefferson, Bishop, Solberg, Kelly, Clark
SF1937*—Freeman, Luther, Knaak, Pogemiller, Dahl

Chapter 665:

- allows Hennepin County to include up to \$1 per day for building repairs in the per diem calculation for inmates municipalities incarcerate in the county jail; effective after receiving approval from the Hennepin County Board of Commissioners;
- authorizes the board of county commissioners in any county to increase county sheriffs' contingent funds from \$3,000 to \$10,000;
- adds a definition of "controlled substance" to the forfeiture law;
- directs courts to interpret the forfeiture law liberally to achieve certain remedial purposes;
- expands circumstances under which law enforcement officials may seize forfeitable property;
- provides that all rights, title, and interest in forfeitable property vests in the law enforcement agency when a person commits an illegal act;
- allows a law enforcement agency to require the State Board of Pharmacy to take custody of a seized controlled substance and remove it to an appropriate place for disposition;

- allows an owner of seized property to post security or a bond for the property's retail value, and thus get it back;
 - states that a forfeiture action is a civil action, independent of any criminal prosecution; requires that a law enforcement agency must use clear and convincing evidence to prove the basis for forfeiture; permits forfeiture in controlled substance cases even if the defendant isn't convicted;
 - provides that a criminal conviction for certain offenses creates a presumption that any property a person acquired during or after committing the offense is subject to forfeiture; prohibits a court from issuing a forfeiture order while the alleged property owner is in custody and faces related criminal proceedings;
 - places certain limits on the forfeiture of property associated with controlled substances; requires that real property (real estate) contain \$5,000 or more of a controlled substance, and a vehicle contain \$500 or more, before either is subject to forfeiture; provides that property a third party owns isn't subject to forfeiture if the third party either didn't know about its unlawful use or took reasonable steps to terminate the offender's use;
 - provides for forfeiture of books, records, and research products and materials associated with controlled substance violations, as well as all property, real or personal, derived from or traceable to a controlled substance;
 - provides for forfeiture of personal property associated with committing a designated offense; states that proceeds of the designated offense are also subject to forfeiture;
 - outlines judicial and administrative forfeiture procedures;
 - provides for the disposition of forfeited property, and the summary (immediate) forfeiture of certain property.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988; applies to crimes committed on or after that date

**Homicide laws—
crying child defense**

HF0010*—Wenzel, Sparby, Clark, Pelowski, Marsh
SF0101—Jude, Dahl, Laidig, Ramstad, Wegscheid

Chapter 604:

- clarifies that a child's crying doesn't constitute provocation, and therefore isn't a defense to first degree manslaughter.

Enactment: April 24, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Juveniles—adult prosecution

HF1111*—Otis, Kelly, Carruthers, Marsh, McKasy
SF1513—Freeman

Chapter 515:

- provides that if a juvenile, 16 years old or older, is alleged to have committed an aggravated felony against a person to further an organized gang's criminal activity, it's prima facie (presumed) that the juvenile would be referred to adult court for prosecution;
- defines "organized gang" as a group of five or more members having an established hierarchy, and formed to either encourage gang members to commit crimes or provide support to gang members who do;
- provides that if a person in the custody of a juvenile institution for an alleged delinquent act escapes from custody while 18 years of age, sentence for the escape shall begin on the person's 19th birthday or on the day the institution discharges the person, whichever occurs first; provides that if the court convicts a person after reaching age 19 and after the institution's discharge, the sentence shall begin when the court imposes it;

- makes county sheriffs responsible for county jail operations and conditions; requires sheriffs to separate:

- minors under age 18 from prisoners 18 years old and older;
- an insane prisoner and another prisoner;
- a prisoner awaiting trial and a prisoner the court has convicted of a crime;
- two prisoners awaiting trial unless consistent with their safety, health, and welfare;
- a female prisoner and a male prisoner.

Enactment: April 14, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Obscene works— prohibition

HF0402—Reding, Swenson,
Forsythe, Vellenga, Steensma
SF0236*—Waldorf, Merriam,
Jude, Laidig, Knaak

Chapter 406:

- defines “obscenity” in Minnesota the same as in U.S. Supreme Court case law;
- provides a gross misdemeanor penalty (up to one year in prison and/or up to a \$3,000 fine) for anyone who knowingly or with reason to know, exhibits, sells, publishes, distributes, produces, directs, or participates in obscene works;
- provides a felony penalty (up to two years in prison and/or up to a \$10,000 fine) for anyone who commits a second or subsequent offense within five years of a previous conviction;
- extends these provisions to include anyone who produces, presents, directs, or participates in an obscene play, motion picture, dance, or other exhibition performed before an audience.

Enactment: March 10, 1987

Effective: June 1, 1988; applies to crimes committed on or after that date

Search warrant laws— crime definition

HF2419*—Pappas, Greenfield,
Swenson
SF2156—Spear

Chapter 447:

- defines “crime” in the law governing issuance of search warrants to include misdemeanor violations of municipal ordinances.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Seat belt law— violation penalty

HF1228—Vellenga, Forsythe,
Battaglia, Bennett, Morrison
SF0121*—Frank, Lantry, Diessner,
Hughes, Laidig

Chapter 648:

- clarifies that a passenger between the ages of three and 11 riding in any seat of a passenger vehicle must wear a seat belt;
- provides a \$10 penalty for anyone 15 years old or older who doesn’t wear a seat belt while driving or riding in the front seat of a passenger vehicle;
- provides a \$10 penalty for a driver if his/her child under age 15, or any child under age 11, doesn’t wear a seat belt;
- prohibits:
 - peace officers from issuing seat belt violation citations unless an officer lawfully stopped the driver for a moving violation other than motor vehicle equipment violations; or
 - the Department of Public Safety (DPS) from recording seat belt violations on a person’s driving record;
- sets effective date for above provisions at May 1, 1988;
- requires DPS to deposit one-half the fines collected from violators (up to \$750,000 annually) in the Emergency Medical Services Relief Account in the state treasury;
- appropriates the funds to the commissioner of health for personnel

education and training, equipment and vehicle purchases, and operational expenses of emergency life support transportation services; sets effective date at July 1, 1988.

Enactment: April 26, 1988

Effective: various dates

Sentencing Guidelines

Commission—membership
HF1643—Marsh, Clausnitzer,
Kelly, Orenstein, Solberg
SF1540*—Laidig, Jude

Chapter 618:

- reduces from two to one the number of district judges who are members of the Sentencing Guidelines Commission;
 - increases from two to three the number of public members on the commission;
 - requires an appointing authority, when selecting individuals for commission membership, to make reasonable efforts to appoint qualified members of certain protected groups.
- Enactment:** April 24, 1988
- Effective:** when either the current term of office expires, or the chief justice of the state Supreme Court appoints a district judge to the commission, whichever is earlier

Sentencing issues study

HF1983*—Kelly, Pappas, Seaberg
SF2125—Spear, Merriam

Chapter 483:

- requires the Sentencing Guidelines Commission to study certain issues and submit a written report to the Judiciary committees of the House of Representatives and Senate by Feb. 1, 1989;
- requires the commission to study whether the Legislature and/or the commission:

—should develop criteria and procedures to limit a judge's discretion to impose prison sentences longer than guideline sentences;
 —can develop or improve criteria and procedures to minimize or eliminate use of social and economic factors in sentencing decisions; and
 —should develop probation guidelines, and if so, to what extent.

Enactment: April 12, 1988

Effective: day after enactment

Sexually explicit materials—display prohibition

HF1710*—Vellenga, Wagenius, Quinn, Kelly, Blatz
 SF1736—D.C. Peterson, Solon, Stumpf

Chapter 452:

- prohibits anyone from commercially and knowingly exhibiting or displaying in any public place where minors are or may be present and able to view the material:

- any material which is harmful to minors in its content unless each item is in a sealed wrapper at all times; or

- any material the cover or packaging of which, standing alone, is harmful to minors unless an opaque cover blocks each item from view;

- provides a misdemeanor penalty for violators of the above provisions;
- states that these provisions don't apply to any exhibition or display of materials harmful to minors under circumstances where minors aren't present or aren't able to view the material, the material's cover, or packaging; allows a person to comply with this provision if he/she:

- physically segregates the material to physically prohibit minors' access and viewing;

- posts a specific warning at the entrance to the restricted area; and
- enforces the restriction.

Enactment: April 6, 1988

Effective: Aug. 1, 1988; applies to crimes committed on or after that date

Status offenders—

Juvenile Code changes

- (See Families/Juveniles)

Theft, personal property—civil liability

HF1923*—Kelly, Marsh, Pappas, Miller, Swenson
 SF1668—Spear, Reichgott, Taylor, Laidig, Cohen

Chapter 481:

- makes a person who steals personal property civilly liable to the property owner for its value at the time of the theft, plus punitive damages of either \$50 or up to 100 percent of its value then, whichever is greater; states that if the property is merchandise from a retail store, its value is the retail price of the merchandise in the store when the theft occurred;
- requires a store to have posted a conspicuous notice describing liability for theft of a shopping cart in order to recover the value of the cart;
- provides that a minor's parent or guardian is responsible for any violations the minor commits under these provisions;
- states that filing a criminal complaint, conviction, or guilty plea isn't a prerequisite to liability under these provisions;
- states that recovering stolen property doesn't affect the perpetrator's liability under this section, other than liability for the property's value;
- allows a person to make a written demand for payment for liability under these provisions before beginning an action, including a copy of this section

and a description of the liability the section contains.

Enactment: April 12, 1988

Effective: Aug. 1, 1988

Wiretap law—update

HF2594—Carruthers, Kelly, Vellenga

SF2402*—R.W. Peterson

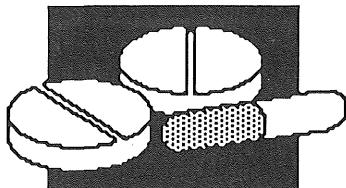
Chapter 577:

- updates the wiretap law to conform to modern electronic communication technologies;
- provides procedures to intercept wire, electronic, or oral communication;
- regulates the use of pen registers and trap and trace devices;
- sets penalties;
- repeals current laws governing privacy of communications.

Enactment: April 20, 1988
Effective: Aug. 1, 1989 for provision repealing laws; Aug. 1, 1988 for remaining provisions; applies to crimes committed on or after that date



Drugs/Alcohol



Alcohol importers—definition
HF2529*—Jacobs, Ogren
SF2352—Solon

Chapter 449:

- amends the definition of "brewer" in the state Liquor Act to include licensed importers of beer.
- Enactment:** April 4, 1988
Effective: Aug. 1, 1988

**Alcohol tests—
medical facilities**
HF2197—Rose, Pappas,
Wynia, Begich, McKasy
SF2117*—Diessner

Chapter 536:

- amends the current drug testing law so that an employer can send an employee or job applicant to a medical facility, rather than a testing laboratory, for an alcohol breath test, if the breath test and any confirming test complies with the law;
- allows employers to use a breath test to serve as an initial screening test for alcohol, if a blood analysis confirms the results.

Enactment: April 14, 1988
Effective: day after enactment

**Chemical abuse records—
destruction**
• (See Education)

**DWI—mandatory minimum
penalties**
• (See Crime/Corrections)

Itasca County—liquor licenses
• (See Local Bills—Counties)

**Liquor license revocation—
procedural changes**
HF2112—Forsythe, Skoglund,
Boo, Jacobs, Knickerbocker
SF1795*—Storm

Chapter 534:

- increases the time period from 10 to 30 days for insurance companies or policy holders to notify licensing authorities about their intention to cancel liability insurance at a retail liquor establishment;
- retains the 10-day notification requirement only when the cause is nonpayment of premium;
- specifies that an administrative hearing officer need not be present at license suspension or revocation hearings.

Enactment: April 14, 1988
Effective: Aug. 1, 1988

Liquor license—dinner boats
• (See Local Bills—Cities/Towns)

Liquor license—midsummer festival
• (See Local Bills—Cities/Towns)

**Liquor licenses—St. Cloud,
Douglas County, Red Wing**
• (See Local Bills—Cities/Towns)

Liquor retailers—sign expense
HF2091—Jacobs, Quinn, Bennett
SF1822*—Solon, Wegscheid

Chapter 556:

- permits brewers or malt liquor wholesalers to furnish, lend, or rent to retailers, outdoor signs costing up to \$400 annually, or indoor signs and other promotional material costing up to \$300 annually.

Enactment: April 18, 1988
Effective: day after enactment

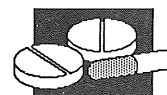
**Liquor sales—
Thanksgiving Eve hours**
HF1732*—Jacobs, Bennett, S. Olsen
SF1692—Solon

Chapter 420:

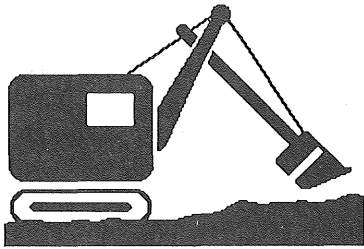
- allows licensed establishments in Minneapolis, St. Paul, and Duluth, or in cities in the same counties within 15 miles of these cities, to sell liquor until 10 p.m. instead of 8 p.m. on the day before Thanksgiving.
- Enactment:** March 29, 1988
Effective: Aug. 1, 1988

**Pheasant Ridge Music Center—
liquor license**
• (See Local Bills—Cities/Towns)

**Proctor—municipal liquor store
profit exemption**
• (See Local Bills—Cities/Towns)



Economic Development



Economic development authorities—operating licenses
• (See Local Bills—Cities/Towns)

Economic development loans—secondary market
HF1399*—Otis, Trimble
SF1417—Dahl

Chapter 580:

- permits the Minnesota Agricultural and Economic Development Board, housing and economic development authorities, community development corporations, and port authorities to participate in secondary markets (markets in which securities are traded among investors and proceeds go to these investors, not to the companies that originally issued the securities);
 - specifies that securities for this purpose originate from loans made for economic development, job creation, redevelopment or community revitalization projects;
 - allows the board to select an organization to carry out secondary investments secured by loans made for economic development purposes;
 - authorizes the board to grant up to \$500,000 from its fund to the selected organization for a credit reserve to support a secondary market for economic development loans.
- Enactment:** April 21, 1988
Effective: Aug. 1, 1988

Nonprofit organizations—economic development
HF2246*—Clark, Otis, Dawkins, Frerichs
SF2405—Cohen, Marty, Brandl

Chapter 545:

- includes labor organizations and community groups among those eligible for assistance from the Enterprise Development Partnership Program and Southwest State University's Science and Technology Resource Center, and for customized training through Minnesota's technical institutes.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

Set-aside program—local small business
HF2468*—G. Anderson, Sparby, Lasley, C. Nelson, Frerichs
SF2196—D.J. Frederickson, DeCramer, Beckman, Vickerman

Chapter 644:

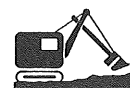
- requires an annual legislative report regarding the geographical distribution of small business set-aside awards;
 - amends the definition of a "socially or economically disadvantaged person" to include a person working in a county where the median income for married couples is less than 70 percent of the state median income for married couples;
 - sets a 120-day transition period for ending an area's federal designation as a "labor surplus area."
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988

Small business development—loan limit exemption
HF2568*—K. Olson, Otis, Cooper, Brown
SF2345—Beckman, D.J. Frederickson, Vickerman

Chapter 615:

- sets terms and compensation for members of the Minnesota Agricultural and Economic Development Board; sets effective date as the day after enactment;
 - allows the board to lift the \$1.0m cap on loans if it decides an enterprise qualifies for special assistance;
 - defines criteria for determining special assistance;
 - mandates a \$3.0m reserve in the Small Business Development Loan program, until July 1, 1989, for making loans less than \$250,000;
 - permits Indian tribal councils, cities, and unincorporated county areas to use unencumbered money in their general funds to provide the match for establishing local revolving loan funds;
 - allows Indian tribal councils, cities, and unincorporated county areas to use revenues from certain tax increments to provide the match for additional revolving funds.
- Enactment:** April 24, 1988
Effective: Aug. 1, 1988 unless otherwise noted

Youth jobs program—all-year expansion
• (See Families/Juveniles)



Education



Chemical abuse records— destruction

HF2228*—Kelly
SF2277—Cohen

Chapter 691:

- sets a records destruction schedule for schools' chemical abuse preassessment teams;
- requires law enforcement agencies to report to schools' preassessment teams certain recent drug incidents;
- protects teachers from any action for damages arising after they comply with the law and report certain student drug and alcohol incidents to the school's chemical abuse preassessment team;
- clarifies that teachers and school staff are free to report any law violations they witness to law enforcement agencies.

Enactment: April 28, 1988
Effective: Aug. 1, 1988

**Child care—
higher education task force**
HF1989*—Trimble, Dorn,
Boo, Jaros, Long
SF1705—Pehler, Decker,
Langseth, Morse, Lantry

Chapter 439:

- establishes a task force to determine the state's goals and needs for child

care in higher education;
• requires the governor to appoint the task force members; allows the chair of the Student Advisory Council and members of the Higher Education Advisory Council to make recommendations for appointment; sets membership requirements; requires the task force to submit recommendations to the Legislature by Jan. 15, 1989.
Enactment: April 4, 1988
Effective: Aug. 1, 1988

**College savings bond
program—establishment**
HF2396*—L. Carlson, Price,
Bauerly, Rose, Haukoos
SF2105—Freeman, Pehler, Dahl

Chapter 694:

- appropriates up to \$60,000 to the commissioner of finance to study, with help from the Higher Education Coordinating Board (HECB), the potential for a college savings bond program;
 - specifies items the study should cover, including the impact on a student's financial aid eligibility, parental interest, and potential bond purchase by profit and nonprofit corporations;
 - requires a legislative report and recommendations by Sept. 1, 1988; authorizes the college savings bond program after legislative approval;
 - permits the commissioner to issue a portion of the state's general obligation bonds as serial maturity bonds, zero coupon bonds, or a combination of the two;
 - requires the commissioner and the HECB to develop a marketing plan for the bond program;
 - sets procedures and requirements for issuing and selling bonds.
- Enactment:** April 28, 1988
Effective: day after enactment

**Education financing—
technical changes**
HF2029*—K. Nelson, Bauerly,
S. Olsen, McEachern, Ozment
SF1911—R. W. Peterson,
Pehler, Wegscheid

Chapter 486:

- corrects erroneous, ambiguous, and obsolete language in K-12 education financing laws to reflect 1987 legislative changes;
 - changes the terms "foundation formula" and "foundation aid" to "general education formula" and "general education aid."
- Enactment:** April 12, 1988
Effective: various dates

HECB—student vote
HF0632—Kinkel, Otis, R. Johnson,
Omann, Tjornhom
SF1228*—Morse, D.C. Peterson,
Reichgott, R.D. Moe, Pogemiller

Chapter 653:

- amends the makeup of the Higher Education Coordinating Board (HECB) so that one of the three at-large voting members is a full-time postsecondary student;
 - sets the student's board term at two years instead of six.
- Enactment:** April 26, 1988
Effective: day after enactment

Higher Education—finance bill
• (See Appropriations)

**Independent School District
No. 710—revenue use**
HF2317*—Begich, Rukavina
SF1817—D.J. Johnson, Dicklich

Chapter 489:

- amends a 1982 law so Independent School District No. 710 in St. Louis

County can use certain revenues to retire refunding issues that occurred after May 1, 1981.

Enactment: April 12, 1988

Effective: day after enactment

Joint vocational board—meetings

HF2120*—G. Anderson, Steensma, Winter, Miller

SF1859—DeCramer, D.J. Frederickson

Chapter 431:

- allows the board of a joint vocational technical district to hold meetings at any location convenient to the member districts and the public, and allows the location to be outside the member districts' boundaries;

- requires the joint board to establish and maintain a schedule of the time and place of its meetings and to give notice of regular and special meetings as other public bodies must do.

Enactment: March 30, 1988

Effective: July 1, 1988

K-12 Education—omnibus bill

- (See Appropriations)

School consolidation—noncontiguous districts

HF2554*—Begich

SF2210—D.J. Johnson, Dicklich

Chapter 569:

- removes a provision in law that allows only neighboring school districts to consolidate, thereby permitting noncontiguous school districts to consolidate.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

School health services—staff, drug administration

HF2441—Kelso, Vellenga, Dille, Sviggum

SF2137*—Pehler, D.C. Peterson, Reichgott

Chapter 626:

- requires schools to provide student health services if their districts have an average daily enrollment of at least 1,000 pupils in early childhood family education, preschool handicapped, elementary, and secondary programs;

- mandates that these schools:

- employ at least one full-time equivalent licensed school nurse or continue to employ a registered nurse, if the registered nurse is enrolled in a program that would lead to school nurse certification within four years;

- contract with a public or private health organization for appropriate public health nursing services; or

- make another arrangement with the State Board of Education;

- allows school personnel to administer drugs or medicine to pupils at the request of parents;

- allows school personnel to administer drugs or medicine to handicapped children as individual education plans permit;

- sets exclusions and limits school personnel administration of drugs or medicine;

- requires each school board to develop drug administration procedures with assistance from its health service provider.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

School milk substitutes—lactose intolerant children

HF1849—Jefferson, Dawkins, Trimble

SF1882*—Spear, D.C. Peterson, Berglin, Pehler

Chapter 510:

- directs all schools and school districts, public and private, to make milk substitutes available to lactose intolerant pupils upon written request from parents, if those schools or districts receive school lunch aid or participate in the school breakfast program;

- specifies that milk substitutes are:

- lactose reduced milk;

- milk fortified with lactace in liquid, tablet, granular, or other form; or

- milk mixed with lactobacillus acidophilus;

- permits schools to serve lactose reduced milk from a large container.

Enactment: April 13, 1988

Effective: Aug. 1, 1988

Special education—

aversive, deprivation tactics

HF2078—Otis

SF1695*—D.C. Peterson, Marty

Chapter 554:

- requires the State Board of Education to adopt rules governing school district employees' use of aversive and deprivation procedures; defines terms and specifies the rules' contents.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Student athletes— agent contract regulation

HF2167—Seaberg, McKasy, Kelly
SF1830*—Ramstad, R.D. Moe,
Benson, Luther, Reichgott

Chapter 701:

- provides that a student athlete's waiver of intercollegiate athletic eligibility isn't effective until he/she files a waiver form with the secretary of state and his/her college athletic director for seven days;
- prohibits any person, before the waiver's effective date, from entering into a written or oral contract with a student athlete to:
 - serve as the student athlete's agent in obtaining a professional sports contract; or
 - represent the student athlete, or a professional sports organization, in obtaining a professional sports contract for or with a student athlete;
- imposes a civil penalty on violators of up to \$100,000, or three times the amount of the inducement, whichever is greater;
- prohibits any person from offering anything of value to an employee of an educational institution with the intent that the employee will:
 - influence a student athlete to enter into a contract with the person to serve as the athlete's agent or to enter into a professional sports contract; or
 - refer student athletes to the person;
- imposes a civil penalty on violators of up to \$100,000, or three times the value of the agreement, whichever is greater;
- allows a student athlete to void (cancel) a contract with an athletic agent; requires the agent to repay the athlete any money he/she received under the contract before the athlete voided it.

Enactment: April 28, 1988

Effective: Aug. 1, 1988; applies to violations committed on or after that date

Student health service fee— cap elimination

HF1925*—Segal, L. Carlson, Price
SF2093—Morse, DeCramer, Decker

Chapter 609:

- removes the \$75 cap on the yearly fee that the State University Board can charge state university students for health services.

Enactment: April 24, 1988

Effective: day after enactment



Elections



Campaign financing limits— clarification

HF2008*—A. Johnson, Osthoff,
Scheid
SF1780—Frank

Chapter 707:

- requires that a political fund or committee must report contributions it solicited and received from individual members of the fund or committee as attributable to the fund or committee and counted toward contribution limits;
- specifies that campaign financing limits apply only to candidates whose opponents agree to those same limits;
- changes the base year of the consumer price index from 1967 to 1982;
- clarifies that the public financing candidates need to return is any amount in excess of 25 percent of the spending limit or \$15,000, whichever is less.

Enactment: May 4, 1988

Effective: day after enactment

Fair Campaign Practices—changes

HF0236*—Scheid, Kostohryz,
Osthoff, Knickerbocker, Shaver
SF0247—D.C. Peterson, Hughes,
Dahl, Morse

Chapter 578:

Article 1

- sets a misdemeanor penalty for any county attorney who fails to promptly investigate alleged election violations;

requires a county attorney convicted of this violation to forfeit office;

- sets a misdemeanor penalty for any employer or person who directly or indirectly interferes with an employee's voting right; requires the county attorney to prosecute.

Article 2

- sets a schedule for candidates or campaign committees to report contributions and disbursements; defines information that must be in the financial statement;
- allows congressional candidates to substitute financial disclosures federal law requires for the state's financial statements;
- clarifies that the state's financial statements and reporting requirements are in addition to any municipality's election requirements;
- sets a misdemeanor penalty for:
 - candidates or campaign committee members who intentionally fail to file required financial statements; or
 - election officers who issue certificates of election to candidates, knowing that the candidates haven't filed required financial statements;
- specifies procedures for notifying candidates when financial statements are overdue;
- authorizes the county attorney to proceed with an investigation if the candidate doesn't submit an overdue report within 10 days after receiving notice;
- sets a misdemeanor penalty for campaign committee treasurers, or other committee members, who fail to keep correct accounts of money they receive;
- specifies circumstances when candidates must forfeit their nomination or office for election violations; disqualifies these candidates from various other appointments;
- applies to school district elections after Jan. 1, 1989.

Article 3

- prohibits anyone, including candidates, from falsely stating or implying that a major political party, a party unit, or an organization supports a candidate or ballot question; requires a candidate to obtain written permission to publish an endorsement;
- requires campaign advertisements and materials to include a disclaimer that states, "Paid for by....";
- requires the media to print or air the "Paid Advertisement" disclaimer in all political ads and charge uniform rates, comparable to other types of advertising, for all political issues and candidates;
- sets a gross misdemeanor penalty for people who intentionally prepare, print or broadcast false information in paid political advertisements or campaign materials;
- sets a misdemeanor penalty for people who write letters to the editor, intentionally including false information about a ballot question's effect or a candidate's character;
- sets a gross misdemeanor penalty for people who directly or indirectly threaten, coerce, or use any undue influence to affect another person's vote;
- sets a felony penalty for bribing voters;
- defines situations in which religious, charitable, and educational organizations can and cannot solicit contributions from candidates;
- prohibits public employees from using their official authority to convince someone to join a political organization, contribute to a political cause, or take part in a political activity;
- prohibits anyone from paying or rewarding a candidate for withdrawing from a campaign;
- requires employers to grant time off work, with or without pay, to employees who have been elected to public office; encourages employers to find ways to let the employees make up the time;

- sets petty misdemeanor penalties for the following election day violations:
 - displaying campaign materials or soliciting contributions in or within 100 feet of a polling place;
 - broadcasting or distributing campaign materials on election day; or
 - influencing voters when transporting them to polling places;
- defines permitted campaign expenses, including salaries, space rental, and advertising;
- sets penalties for corporations that help finance a candidate's election or defeat; allows corporations to express views on issues of public concern and contribute to efforts to promote or defeat ballot questions, if they file proper reports with the secretary of state;
- prohibits denying candidates access to multiple unit dwellings under specified circumstances.

Enactment: April 21, 1988

Effective: July 1, 1988

Optical scan voting systems—equipment testing

HF2558*—Scheid, Osthoff
SF2224—D.C. Peterson

Chapter 424:

- requires the official in charge of elections to test the automatic tabulating equipment so the equipment will correctly count all votes; testing must be complete within five days prior to election day for electronic voting systems or within 14 days prior to election day for optical scan voting systems.

Enactment: March 29, 1988

Effective: Aug. 1, 1988

Voter registration— computerization

HF2536*—Orenstein, Price,
Minne, Shaver

SF2398—Luther, Hughes

Chapter 646:

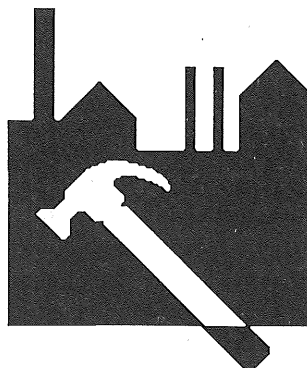
- clarifies that the statewide computerized voter registration system must meet requirements for a duplicate registration file;
- establishes a voter registration account in the state treasury;
- corrects erroneous, ambiguous, redundant, and obsolete language in laws relating to voter registration, ballots, and elections;
- prohibits voters' birth dates from appearing on voter registration lists that are available for public inspection or purchase.

Enactment: April 26, 1988

Effective: Aug. 1, 1988



Employment/ Labor



Alcohol tests—medical facilities

- (See Drugs/Alcohol)

Boiler operation regulation/ Workers' comp reform

HF1999*—Murphy, Heap,

O'Connor, Dauner, Begich

SF1718—Chmielewski

VETOED

Provisions would have:

- changed regulations for boiler operations and inspections, and workers' compensation insurance and benefits;
- abolished the Workers' Compensation Court of Appeals and transferred its jurisdiction to the Court of Appeals.

Charitable contributions— employee rights

HF1913*—Pappas, Sarna, Scheid,
Sviggum, Dille

SF2054—Marty, D.C. Peterson,
Piper

Chapter 455:

- prohibits employer reprisals against employees who don't take part in charitable fund drives;
- allows employees to sue for violation of their rights under this act.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

Credit unions— administrative changes

- (See Banking)

Debtor exemptions

- (See Legal/Judiciary)

Dept. of Employee Relations— changes

- (See Governmental Operations)

Employee—work breaks

HF2251—Trimble, A. Johnson,
Beard, Murphy

SF1958*—Lantry, Piper, Frank,
Marty

Chapter 559:

- requires an employer to give employees a break once every four hours to use the nearest restroom, unless the parties agree otherwise;
- makes those employers who refuse to provide work breaks guilty of a misdemeanor.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Job listing services—regulation
HF2584—Pappas
SF1721*—Chmielewski, Wegscheid

Chapter 659:

- clarifies the parental leave law to insure that employees taking parental leave cannot use accrued sick leave;
- clarifies that an employer cannot discharge or penalize an employee who refuses to comply with an order, if the employee knows the order is illegal and informs the employer that he/she is refusing the order for that reason;
- excludes from the definition of "job listing service": resume service, newspaper, magazine, trade or professional journal, or similar general circulation information publications;
- includes job listing services in the definition of "employment agencies";
- prohibits employment agencies from collecting fees until the job applicant actually begins employment, unless a job applicant has agreed to a concurrent fee arrangement;
- requires employment agencies to keep certain records and include certain information on their client contracts.

Enactment: April 26, 1988

Effective: day after enactment for the parental leave provisions; Aug. 1, 1988 for remaining provisions

Labor-management committee—grant program
HF1877*—Simoneau
SF1732—D.C. Peterson

Chapter 480:

- modifies the definition of "area labor-management committee" to mean a committee within a geographic area or statewide employment sector that works to enhance labor relations or economic development within that area or sector;
- changes the designation of the director of the Bureau of Mediation to the commissioner of the Bureau of

Mediation and stipulates that the commissioner shall administer the committee grant program;

- requires grant applicants to submit applications to the bureau according to rules the commissioner adopts;
- allows the commissioner to establish a schedule for grant applications;
- limits maximum grants to \$75,000 per year;
- retains the 50 percent limit on state and nonstate funding for third and subsequent years of a grant and eliminates the 30 percent state/70 percent nonstate funding limits for the fourth year of a grant;
- limits technical assistance services to 10 percent of a grant;
- repeals statutory limits on the number of grants and work plan requirements.

Enactment: April 12, 1988

Effective: day after enactment

Metropolitan agencies—affirmative action
*** (See Local Bills—Metro)**

Occupational disease—definition
HF1164—Trimble, Murphy, Begich, Kelso, Stanius
SF0994*—Lantry, Merriam, Ramstad

Chapter 652:

- establishes a presumption of occupational disease for workers' compensation for medical care workers, licensed police officers, firefighters, paramedics, emergency medical technicians, and licensed nurses who contract a communicable or infectious disease while providing emergency services outside a hospital.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Occupational Safety and Health Act—fine increase
HF2221—A. Johnson, Pappas
SF1719*—Chmielewski, Marty

Chapter 620:

- increases the fine from \$10,000 per violation to \$20,000 for employers who willfully or repeatedly violate the Occupational Safety and Health Act (OSHA);
- increases the fine from up to \$1,000 per violation to up to \$2,000 for employers who get an OSHA citation for a serious violation; provides that if such violation causes or contributes to the death of an employee, the employer could pay a fine of up to \$10,000;
- increases the fine from up to \$1,000 per violation to up to \$2,000 for employers who:

—get an OSHA citation for a non-serious violation;

—fail to correct a cited violation within a specified time period;

—violate posting requirements;

—request or require an employee to waive her/his rights under OSHA and increases the civil punitive damages available to an employee in such circumstances from \$200 to \$400;

- allows the commissioner to increase unpaid fines by 125 percent if the employer fails to pay within 60 days of the final order; provides that after 60 days, unpaid fines will accrue an additional penalty of 10 percent per month until the employer pays the fine.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Rail acquisitions—reporting, disclosure requirements
HF1486*—Beard, Tjornhom, Begich, Ogren, Solberg
SF1442—Pehler, Adkins, Frank

Chapter 676:

- requires acquiring carriers to file notices of exempt transaction with the

attorney general and the commissioner of transportation at least 14 days before filing such notices with the Interstate Commerce Commission (ICC);

- requires such notices to include the complete identity of the acquiring and divesting carriers and a thorough description of the railroad line;
- requires acquiring and divesting carriers to attend conferences with the attorney general or the commissioner before filing a notice of exemption with the ICC;
- requires such carriers to answer questions and provide information (e.g., sale contracts, market studies, and other financial data about the acquiring carrier) necessary to determine whether the proposed transaction is consistent with the Interstate Commerce Act and other federal and state laws;
- binds the acquiring carrier to all contracts, agreements, and understandings between the divesting carrier and any shipper within Minnesota and any governmental subdivision for the term of the contract or six months, whichever is greater;
- requires the acquiring carrier to give hiring priority to employees of the divesting carrier.

Enactment: April 27, 1988

Effective: Aug. 1, 1988

Retired state employees—insurance

- (See Pensions/Retirement)

State employees, part-time—study

HF2220—Riveness, Simoneau, Rest, R. Anderson, Lasley
SF1987*—Marty, Lantry, Piper, Jude

Chapter 713:

- requires the commissioner of employee relations to study the use of part-time employees in the executive

branch work force and report to the Legislature by Jan. 15, 1989.

Enactment: May 4, 1988

Effective: Aug. 1, 1988

State employees—

labor agreements ratification

HF2108*—Simoneau, Knickerbocker
SF2002—D.M. Moe, Merriam, Wegscheid, Anderson

Chapter 585:

- ratifies certain labor agreements, compensation plans, and salaries for state employees and certain metropolitan agencies' employees.

Enactment: April 21, 1988

Effective: day after enactment

University of Minnesota—employee job classifications

HF2388*—Rice, Simoneau
SF2414—Kroening

Chapter 632:

- reassigns a University of Minnesota job classification, "radio and television broadcast technicians," from the technical unit to the crafts and trades unit.

Enactment: April 25, 1988

Effective: Aug. 1, 1988

Workers' comp insurance fund—powers, name change

HF2212—Simoneau, Begich
SF1710*—Chmielewski

Chapter 427:

- clarifies that the state compensation insurance fund has the ability to pledge or mortgage its property (in addition to its current ability to rent, lease, buy, or sell property); provides that the fund may issue surplus notes and other instruments, and borrow

money at any rate of interest on terms the board of directors approves;

- provides that new debt of the fund will have equal status with money previously advanced to the fund and provides pro rata repayments if funds are insufficient;
- requires current holders of debt instruments to exchange them for new certificates; requires interest accrual if the surplus requirement delays repayment;
- instructs the revisor to change all references in *Minnesota Statutes* from "State Compensation Insurance Fund" to "State Fund Mutual Insurance Company."

Enactment: March 29, 1988

Effective: day after enactment

Workers' compensation—

bomb disposal; occupational disease

HF2478—Kelly
SF2452*—Metzen, Merriam

Chapter 717:

- includes in the definition of "state employee," bomb disposal workers who dispose of or neutralize bombs or other similar hazardous explosives outside their employers' municipal jurisdiction, but within Minnesota, for purposes of tort claims and workers' compensation;
- establishes a presumption that certain active-duty firefighters who are unable to perform their duties because of a disabling cancer, cause of which is exposure to heat, radiation, or a certain known or suspected carcinogen, have an occupational disease for purposes of workers' compensation.

Enactment: May 4, 1988

Effective: Aug. 1, 1988

Workers' compensation—changes
 HF2286—Tunheim, Kelso, Dauner,
 Pelowski, Cooper
 SF2235*—Stumpf, Langseth,
 Chmielewski, Berg, Benson

VETOED

Provisions would have:

- changed regulation of workers' compensation benefits and insurance;
- provided for the appointment of actuaries;
- abolished the Workers' Compensation Court of Appeals and transferred its jurisdiction to the Court of Appeals.

**Workers' compensation—
 self-insurer regulation**
 HF2688—Simoneau, Sviggum
 SF2473*—Chmielewski, Pehler

Chapter 674:

- sets criteria to qualify as self-insurers and group self-insurers;
- requires employers who want to become self-insurers to apply and submit specified financial information to the commissioner of commerce; gives the commissioner 60 days to act on an application;
- requires self-insurers to have a net worth that equals the greater of 10 times their retention limit with the Workers' Compensation Insurance Association (WCIA) or one-third of the self-insurer's current annual modified premium;
- requires self-insurers to have assets, net worth, and liquidity to meet obligations under the workers' compensation law;
- permits the commissioner to allow a company that doesn't meet the financial requirements to self-insure, if an affiliated company, which meets the requirements, guarantees to pay any workers' compensation obligations the company incurs;
- allows two or more employers who want to become a self-insurance group to apply and submit a copy of the

bylaws or operating plans to the commissioner;

- requires the group to submit a liability agreement, providing for joint and several liability for all compensation claims, and to have a certified accounting audit performed;
- requires group self-insurers to have a combined net worth of at least the greater of 10 times their retention limit with the WCIA or its current annual modified premium of the members;
- requires group self-insurers to have sufficient assets, net worth, and liquidity to meet obligations under the workers' compensation law;
- requires annual certified audits of group self-insurance funds; makes all members of a private self-insurance group jointly and severally liable for the obligations for any member;
- establishes procedures for processing applications and requires the groups to file various reports on claims, losses, or payroll classifications with the commissioner;
- establishes a five-member self-insurers' advisory committee who must review each application for self-insurance and advise the commissioner on whether the employer meets the requirements to self-insure;
- requires every private self-insuring employer to make annual security deposits either by renewing the prior year's security deposit or by making a new deposit;
- sets the minimum deposit of 110 percent of the private self-insurer's estimated future liability and stipulates acceptable types of security;
- provides procedures for the commissioner to perfect security interests;
- permits the commissioner to use the security deposit to pay workers' compensation benefits if the private self-insurer becomes bankrupt or insolvent, or if the commissioner issues a certificate of default;
- establishes a self-insurers' security fund to pay benefits to employees of self-insurers who have become bankrupt or insolvent;
- makes the security fund a nonprofit corporation, with all self-insured members; provides for a nine-member

board of trustees, with representation of self-insurers and group self-insurers; requires bylaws and a commissioner-approved plan of operation;

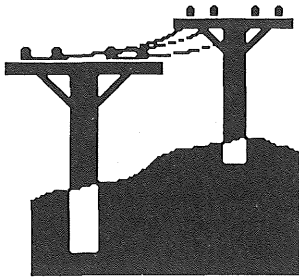
- permits the fund to obtain reimbursement from the insolvent self-insurer; provides payment of the security deposit to the fund and legal remedies that the fund may use; provides for fund audit;
- permits the commissioner to establish rules to carry out the act.

Enactment: April 26, 1988
Effective: July 1, 1988

**Youth jobs program—
 all-year expansion**
 • (See Families/Juveniles)



Energy/Utilities



**Energy policy task force—
low-income persons**
• (See Housing/Real Estate)

Pipeline safety
HF2098—Knuth, Rice, Jacobs,
Simoneau, Bishop
SF2111*—Novak, Merriam, Piper,
Dicklich, D.E. Johnson

Chapter 624:

- corrects erroneous, ambiguous, and obsolete language in the Pipeline Safety Act;
- permits the Department of Public Safety's Office of Pipeline Safety to recover inspection costs through fees;
- expands inspection authority of the Office of Pipeline Safety to include intrastate hazardous liquid pipelines;
- mandates that the commissioner of public safety adopt federal safety standards for intrastate pipeline facilities;
- allows the commissioner to adopt additional state standards that are compatible with federal standards;
- sets rules regarding intrastate pipeline investigations and recordkeeping;
- requires that the commissioner file an annual certification report, including accidents, maintenance, and inspections, with the secretary of the federal Department of Transportation;

- requires that the commissioner study the need for and possible management of hazardous materials response teams and report results to the Legislature by Dec. 31, 1988.

Enactment: April 24, 1988

Effective: various dates

Public Utilities Commission— procedural changes

HF2020*—Jacobs, Minne, Quinn,
Redalen, Osthoff
SF1751—Dicklich, D.J. Johnson,
Marty, Piper

Chapter 457:

- requires the Office of Administrative Hearings to convene a settlement conference before holding a contested case hearing whenever a public utility or telephone company submits a general rate filing;
 - specifies procedures for acceptance, modification, or rejection of settlements;
 - allows the Public Utilities Commission (PUC) to suspend any rate change past the current 10-month deadline if PUC's work load leaves too little time to make a final determination;
 - expands rules on interim rate assignment to accommodate rate cases the above extension affects.
- Enactment:** April 6, 1988
Effective: day after enactment;
applies only to general rate cases filed on or after that date

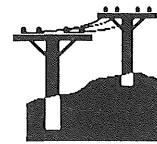
Water standby charges— prohibition

HF1938—Haukoos, Vanasek,
Jacobs, Jennings, Hartle
SF1834*—Bertram, Benson

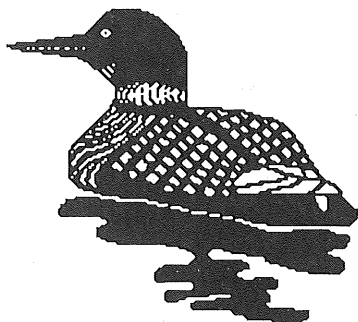
Chapter 499:

- clarifies that water utilities can charge building owners only for the amount of water their buildings actually use, and the cost of installing, inspecting, and maintaining fire

- protection systems such as stand pipes, hydrants, or automatic sprinklers;
 - prohibits water utilities from imposing water availability charges or standby fees for fire protection systems;
 - allows water utilities to recover the cost of supplying water to an area, as long as they spread the cost proportionately among the area's users.
- Enactment:** April 12, 1988
Effective: Aug. 1, 1988



Environment/ Natural Resources



**Air pollution—PCA
notice requirement**
HF2527—Ozment, Milbert,
Knuth, Seaberg, Orenstein
SF2165*—Dahl

Chapter 600:

- requires a person who controls the source of an air pollution emission to notify the Pollution Control Agency (PCA):
 - immediately of certain excessive or abnormal unauthorized emissions; or
 - when an event occurs that he/she knows will lead to such emissions;
 - requires that person to take immediate and reasonable steps to minimize the emissions or abate the air pollution and obnoxious odors the emissions cause;
 - exempts certain emissions from the above requirements;
 - exempts from criminal prosecution a person who notifies the PCA of emissions and takes steps to minimize and abate them.
- Enactment:** April 21, 1988
Effective: Aug. 1, 1988

Bear baiting—prohibitions
HF1719—D. Carlson, Schafer
SF1561*—D.R. Frederickson,
Davis, Berg

Chapter 531:

- prohibits using any of the following to bait bears:
 - meat from mammals, if it contains bones;
 - bones of mammals;
 - solid waste containing bottles, cans, plastic, paper, or metal;
 - materials that aren't readily biodegradable; or
 - any part of a swine.

Enactment: April 14, 1988
Effective: Aug. 1, 1988

**CFC-processed food packages—
prohibition**
HF2248—Trimble, Rukavina,
D. Carlson, Munger, Cooper
SF2131*—Dahl, Marty

Chapter 671:

- prohibits the state and local governments from purchasing or otherwise obtaining chlorofluorocarbon-processed packaging (CFC-processed, which includes some styrofoam products), with certain exceptions; sets effective date at Jan. 1, 1989;
- prohibits anyone from purchasing, manufacturing, selling, or distributing packaging the person(s) knows is CFC-processed; sets effective date at Jan. 1, 1990;
- allows the Pollution Control Agency (PCA) to adopt rules to exempt certain packaging from the above requirements under certain conditions; sets effective date as the day after enactment;
- provides a \$500 civil penalty for violators;
- requires the PCA to study and report findings to the Legislature by Dec. 1, 1988, on ways to eliminate sources of CFC in Minnesota; sets effective date as the day after enactment;
- appropriates \$25,000 from the

general fund to the PCA to implement the prohibitions and for study costs.
Enactment: April 26, 1988
Effective: various dates

**Chippewa Indians—
memorandum ratification**
HF2216*—Battaglia, Munger,
G. Anderson, Vanasek, Schreiber
SF2141—D.J. Johnson, R.D. Moe,
Merriam, Gustafson, Luther

Chapter 525:

- ratifies a Memorandum of Agreement between the commissioner of natural resources and the Grand Portage, Bois Forte, and Fond du Lac bands of Chippewa Indians over hunting, fishing, trapping, and gathering rights which the U.S. government ratified in an 1854 treaty;
 - amends the memorandum to allow any parties to the agreement to withdraw their approval upon one year's written notice to the other parties;
 - requires the commissioner to carry out the state's duties and obligations arising from the memorandum;
 - appropriates \$5.1m to the commissioner to carry out the agreement.
- Enactment:** April 14, 1988
Effective: day after enactment

**Dept. of Natural Resources—
land sale, exchange**
HF2349—Jennings, Munger,
R. Johnson, Rose
SF2214*—Merriam

Chapter 628:

- authorizes the commissioner of natural resources to sell certain surplus lands to local governments for local recreation or natural resource purposes;
- clarifies road easements across state lands;

- authorizes the commissioner to:
 - release a flowage easement the local entity no longer needs to a landowner when the landowner pays a price the commissioner determines; and
 - sell surplus lands not needed for state trails to adjoining landowners;
 - includes survey, appraisal, and associated administrative costs in the sum when a purchaser buys state land;
 - removes the county treasurer and auditor from duties and payments of a certificate of sale, and assigns those duties to the commissioner;
 - requires the commissioner to offer leases of land at public or private sale; allows leases of longer than 10 years with Executive Council approval;
 - allows the exchange of school trust land within a state park; requires the Permanent School Fund Advisory Committee to be trustee of school trust land in an exchange with state land;
 - requires a private landowner or governmental unit to pay up to one-half the appraisal and survey costs in a land exchange with the state;
 - amends waterbank laws to change the value of easement payments for limited duration easements.
- Enactment:** April 23, 1988
Effective: Jan. 1, 1989 for provision including administrative costs in state land sale cost; Aug. 1, 1988 for remaining provisions

DNR—controlled burning; muskellunge waters
 HF1973—Kinkel, Solberg, D. Carlson, Begich, R. Johnson
 SF2079*—Lessard

Chapter 714:

- allows the commissioner of natural resources to establish a controlled burning program on public and private land to breed wildlife requiring new vegetative growth and brush habitats, manage the prairie, and reduce the wildfire hazard;

- prohibits conducting a controlled burn without a permit;
- allows the commissioner to provide financial and technical assistance to people who want to conduct approved controlled burns;
- allows the commissioner to designate muskellunge waters after preparing a statement of need and reasonableness and holding a public meeting; prohibits the commissioner from designating certain sized lakes that are wholly or partially within an Indian reservation as muskellunge waters.

Enactment: May 4, 1988

Effective: day after enactment

Environmental law violations—penalties

HF2101—D. Nelson, Kelly, Bishop
 SF1674*—Dahl

Chapter 553:

- transfers criminal penalties for water pollution control violations from the section of law governing water pollution to the section that governs criminal penalties; doesn't change the penalties.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Environmental Quality Board—amendments

HF2087—Knuth, D. Nelson, Rukavina, Rose, Simoneau
 SF2286*—R.W. Peterson

Chapter 501:

- prohibits Environmental Quality Board (EQB) members from delegating their responsibilities;
- allows EQB to enter into and enforce stipulation agreements it makes to enforce laws and rules;
- clarifies that EQB must act on a petition for an environmental assessment or impact statement a governmental agency files with the board before physical construction can occur

- or a governmental unit can make a final decision;
- clarifies that the attorney general can bring an action to enforce a requirement for an environmental assessment or impact statement if EQB or its chair so requests;
- requires a governmental unit that requests an environmental impact statement (EIS) to assess the project proposer for reasonable preparation and distribution costs; requires the project proposer to pay the assessed cost;
- prohibits a governmental unit from beginning to prepare an EIS until the project proposer pays at least one-half the assessed cost of the EIS;
- repeals the law requiring a minimum project cost of \$1.0m to qualify for an EIS assessment.

Enactment: April 12, 1988

Effective: Aug. 1, 1988

Environmental trust fund, lottery—const. amendments
 HF2182*—Munger, Rose, G. Anderson, Vanasek, Redalen
 SF2000—R.D. Moe, Lessard, Novak, Merriam, D.R. Frederickson

Chapter 690:

Article 1

- proposes to amend Minnesota's Constitution to:
 - establish a permanent environment and natural resources trust fund in the state treasury for environmental, natural resources, and wildlife purposes; and
 - permit the Legislature to authorize a state-operated lottery;
- transfers responsibility for the acid rain assessment on utilities work plan and budget review from the Legislative Commission on Minnesota Resources (LCMR) to the Legislative Commission on Waste Management;
- states legislative findings that all Minnesotans share the responsibility to take care of Minnesota's environment and natural resources for current and future generations;

- prohibits using the Minnesota Environment and Natural Resources Trust Fund as a substitute for traditional environmental and natural resources activity funding; requires using the trust fund to support long-term activities;
- provides for trust fund establishment, if voters approve the constitutional amendment question;
- provides for lottery proceeds distribution, if voters approve the constitutional amendment question; requires the commissioner of finance, during the first five fiscal years, to distribute one-half the net proceeds to the trust fund, and after that, up to one-half the net proceeds, as the Legislature determines;
- allows the trust fund to accept gifts and donations;
- creates a 16-legislative member Minnesota Future Resources Commission and directs it to develop a budget plan for trust fund expenditures and adopt a strategic plan;
- creates an 11-member citizen advisory committee to aid the commission in the budget planning process;
- requires the commission to convene a resources congress at least once every two years to collect public input to develop a trust fund strategic plan;
- allows trust fund expenditures for only certain purposes; prohibits expenditures for certain purposes;
- requires the commission to adopt a strategic plan for trust fund expenditures and update it every two years; requires it to identify priority funding areas for the next six years;
- requires the commission to develop and adopt a budget plan for trust fund expenditures, and submit it to the governor so the governor can include the plan in the biennial and supplemental budgets he/she submits to the Legislature;
- requires a peer review panel to review all research proposals before they receive an appropriation from the trust fund; requires the commission to select between five and 11 people who are knowledgeable in environmental or general research to be peer review panel members;

- provides personnel and staff support for the commission; requires state agency liaison officers to work with the commission; requires the commission to obtain and appraise information from private and public groups; authorizes administrative expense reimbursement for the advisory committee and commission; requires the commission to provide detailed biennial trust fund expenditure reports to the governor, Legislature, and the general public;
- provides that the trust fund owns any royalties, copyrights, or patents resulting from projects it supports;
- allows the Legislature to spend annually only certain amounts of trust fund money;
- allocates current LCMR cigarette-tax funding (two cents tax per pack) to the Minnesota Future Resources account for natural resources acceleration and outdoor recreation purposes;
- transfers from LCMR to the Minnesota Future Resources Commission all personnel and positions, and rights and obligations under existing contracts;
- repeals most laws governing LCMR;
- sets effective date as the day after enactment for provisions proposing the constitutional amendments; remaining provisions are effective the day after voters approve the environmental trust fund amendment.

Article 2—Greater Minnesota Corporation

- removes law that prioritizes budget allocations if the general fund has a positive unrestricted balance at the end of each biennium;
- requires the Greater Minnesota Corporation (GMC) to return \$80.5m to the general fund from its 1987 appropriation;
- requires crediting one-half of net lottery proceeds for the first five years to the GMC fund, and after that, up to one-half the net proceeds, as the Legislature determines;
- sets effective date as the day after enactment for provisions removing budget priorities and requiring GMC to return money to the general fund;

remaining provision is effective the day after voters approve the lottery amendment.

Enactment: April 28, 1988

Effective: various dates

Fish, game—omnibus bill
HF2265*—Reding, Munger,
 Battaglia, Rose
SF2469—Berg, Bernhagen, Lessard

Chapter 588:

- removes crows from the list of unprotected birds; requires the commissioner of natural resources to establish a 124-day hunting season for crows;
- changes the season for hunting in private shooting preserves to July 15 through April 15 (formerly Sept. 1 through March 31); allows private shooting preserves to hold sanctioned registered field trials from April 16 to July 14 after notifying the commissioner;
- sets release requirements for private shooting preserves licensed to release pheasants;
- removes the age limit from the law governing issuance of turkey hunting licenses if the hunter possesses a firearms safety certificate;
- provides that nursing home residents don't need a license to fish;
- allows the commissioner to issue a special permit, without a fee, to allow certain physically handicapped people to hunt deer or turkey with a cross-bow;
- exempts people who hunt pheasant on licensed private shooting preserves anywhere in Minnesota (formerly in certain counties) from having a pheasant stamp in their possession;
- allows anglers to use a landing net to net a fish; allows anglers to use a battery-powered landing net that discharges an electric current if the net is designed to temporarily immobilize fish for later release, with certain restrictions; requires the commissioner to study affects of electric landing nets on fishery resources;

- limits the number of walleyes anglers may take from Rainy River to six per day, and allows only one of those fish to be longer than 19-1/2 inches;
- allows anglers to take walleyes under 19-1/2 inches from the Rainy River from March 1 until April 14;
- requires the commissioner to attempt to negotiate an agreement with Ontario, Canada to:
 - establish walleye seasons and limits that go along with the above provisions, and
 - close the Rainy River on both the Minnesota and Ontario sides during the spawning season between March 1 and April 14;
- allows the commissioner to order limits and seasons to comply with any agreement the parties reach;
- includes people who raise or process minnows at a private fish hatchery under the law that requires the commissioner to license private fish hatcheries;
- allows the commissioner to apply tougher requirements to fish or sources of fish from outside Minnesota than he/she applies to fish and sources of fish from within Minnesota;
- allows a person with a private fish hatchery license to transport minnows from contiguous states to the private fish hatchery if he/she uses the minnows for processing or feeding hatchery fish; allows the commissioner to inspect transported minnows from outside Minnesota;
- makes the net size restriction on taking ciscoes apply statewide (formerly applied only to fish from Lake Superior);
- allows a riparian landowner (one who owns land on a lake or river) to aerate (circulate air through) public waters with a permit if the waters don't have a public access and the person aerating the waters owns all the riparian land or all the possessory rights to it;
- repeals provisions that:
 - allowed anglers to use electric land nets, as of Dec. 1, 1990;
 - regulated issuance of crossbow permits to physically handicapped people; and

—closed the walleye season on the Minnesota side of the Rainy River annually on Feb. 28.
Enactment: April 21, 1988
Effective: day after enactment

Forestry laws—changes
HF2272*—Solberg, Neuenschwander, D. Carlson, R. Johnson, Kinkel
SF1687—Lessard, Bernhagen, Stumpf, Dicklich, D.J. Johnson

Chapter 462:

- removes obsolete language that penalizes a state forestry employee's neglect or refusal to perform duty; applies to crimes committed on or after Aug. 1, 1988;
 - adds forestry administrative tracts, no longer needed as state forests, to lands the commissioner of natural resources may sell;
 - allows the commissioner to contract with a state timber purchaser for forest regeneration in the sale area;
 - eliminates a certain administrative site from the George Washington State Forest in Itasca County.
- Enactment:** April 6, 1988
Effective: Aug. 1, 1988

Game, fish license fee—transfer repeal
HF2521—Kahn
SF2367*—Stumpf

Chapter 428:

- repeals a provision in a 1987 law that transfers certain game and fish license fee money to the commissioners of agriculture and natural resources for certain administrative expenses.
- Enactment:** March 29, 1988
Effective: day after enactment

Game, fish stamps—issuance fee
HF1841—Battaglia, Rose, Kahn, Rukavina, Reding
SF1575*—Berg

Chapter 437:

- clarifies when anglers must have trout and salmon stamps;
 - requires people the Department of Natural Resources (DNR) authorizes to sell hunting licenses to collect a \$1 issuance fee for a bear hunting license;
 - allows people DNR authorizes to sell angling or sporting licenses to collect a 50-cent issuance fee for a trout or salmon stamp they issue separately from an angling or sporting license; prohibits collecting an issuing fee if the seller issues a trout or salmon stamp along with the related angling or sporting license;
 - requires designated authorities to remove deer motor vehicles kill on public roads;
 - repeals a provision in 1987 law that allows people age 65 or older to fish without a license.
- Enactment:** April 1, 1988
Effective: day after enactment

Hazardous waste containment center—state ownership
HF2542—Munger, Price, G. Anderson, Rose, Winter
SF2289*—Merriam, D.J. Johnson, Lessard, Stumpf, D.R. Frederickson

Chapter 683:

- authorizes the Waste Management Board (WMB) to enter into agreements to develop and operate a wholly or partially state-owned hazardous waste stabilization and containment facility;
- requires WMB to submit a copy of any agreement with a facility developer to the Legislative Commission on Waste Management by Jan. 15, 1989, along with their recommendations for necessary legislative actions, including appropriate financial assurance requirements;

- provides that a person responsible for petroleum tank releases must repay certain cleanup expenses to the Petroleum Tank Release Compensation Board; allows a person who has taken corrective action and incurred costs after June 4, 1987, in response to a release, to apply to WMB for partial reimbursement; requires WMB to provide full reimbursement in certain circumstances.

Enactment: April 27, 1988

Effective: day after enactment for provision allowing WMB to enter agreements; Aug. 1, 1988 for remaining provisions

Hazardous waste—cleanup liens

HF0297—Long, Munger, Pauly,
Knuth, D. Nelson
SF0412*—Luther, Willet,
R.W. Peterson, Morse, Knaak

Chapter 651:

- creates a lien against real property where the state has incurred cleanup expenses and the owner is liable for the expenses under Minnesota law;
- provides that an environmental lien attaches (takes effect) when:
 - the state first incurs cleanup costs;
 - the person considered liable for the cleanup costs receives written notice of his/her potential liability; and
 - the Pollution Control Agency (PCA) files a lien notice with the registrar of titles in the county where the property is;
- provides that the lien continues until the person considered liable pays the cleanup costs, or the statute of limitations on the action runs out (six years from the date the cause of action begins), or the PCA commissioner releases the lien;
- establishes the lien's priority relative to other liens on the property;
- requires the commissioner to release the lien in certain instances; allows him/her to release the lien if it's not in the public interest; provides that a lien

- is unenforceable in certain instances;
 - sets requirements for environmental lien notice contents; sets procedures to file any notice, release, or other document with the registrar of titles in the county where the property is;
 - prohibits the commissioner from filing a lien notice until he/she gives notice to and receives approval from certain people;
 - provides that the lien provisions don't affect the PCA's right to use other remedies to recover cleanup expenses;
 - requires the PCA to deposit all amounts it receives to satisfy environmental liens in the state treasury and credit them to the Superfund.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988

Heartland, Paul Bunyan trails—amendments

HF2155*—Kinkel, R. Johnson,
Wenzel
SF2212—Samuelson, Lessard,
R.D. Moe

Chapter 679:

- makes technical changes to laws governing the Heartland Trail in Hubbard and Cass counties;
 - establishes the Paul Bunyan Trail in Crow Wing, Cass, Hubbard, and Beltrami counties.
- Enactment:** April 27, 1988
Effective: day after enactment

Hunting laws—bear, waterfowl

HF1817*—Stanisus, Rose, Sparby,
Begich, Kahn
SF1698—Wegscheid

Chapter 677:

- prohibits hunters from using any of the following to attract bear:
 - a mammal's carcass, if more than 25 percent of the carcass remains intact;
 - solid waste containing bottles,

- cans, plastic, paper, or metal; or
 - materials that aren't readily biodegradable;
 - changes laws regulating hunters who place waterfowl decoys in public waters or on public lands to allow placement one hour before lawful shooting hours (currently one hour before sunrise);
 - requires hunters using duck boats to have personal flotation or lifesaving devices in the boat.
- Enactment:** April 27, 1988
Effective: Aug. 1, 1988

Hunting laws—deer, waterfowl

HF2185*—Sparby, D. Carlson,
Tunheim, Neuenschwander, Stanisus
SF2199—Stumpf, Lessard

Chapter 587:

- changes the height of deer stands from 9 to 16 feet above ground;
 - changes laws regulating hunters who place waterfowl decoys in public waters or on public lands to allow placement one hour before lawful shooting hours (currently one hour before sunrise).
- Enactment:** April 21, 1988
Effective: Aug. 1, 1988

Jay Cooke State Park—land addition

HF1900—Ogren, Murphy
SF1717*—Chmielewski, Gustafson,
Wegscheid

Chapter 498:

- adds certain land to Jay Cooke State Park in Carlton County.
- Enactment:** April 12, 1988
Effective: Aug. 1, 1988

**Lake improvement districts—
meeting notices**

HF0521*—Jennings, R. Johnson,
Munger, Battaglia
SF2445—R.W. Peterson

Chapter 504:

- requires lake improvement districts to provide a two-week published advance notice of their annual meetings to the county board or joint county authority, town boards, statutory or home rule charter cities, and all property owners within the assessment area, for any project the district proposes that would cost more than \$5,000 (former law requires the districts to mail a written notice at least 10 days in advance of the meeting to only the Pollution Control Agency (PCA) and the commissioner of natural resources);
 - requires a lake improvement district board of directors to file an annual financial report with affected local municipalities, the PCA, and the commissioner no later than four months after the annual meeting.
- Enactment:** April 13, 1988
Effective: June 1, 1988

**Mine pits, shafts—
fencing requirements**

HF1082—Begich
SF1328*—Dicklich, D.J. Johnson

Chapter 530:

- declares that the state and its employees aren't liable for losses on undeveloped state land that contains idled or abandoned mine pits or shafts;
- provides that private landowners aren't liable to users of their property where there are idled or abandoned water-filled mine pits whose pit walls may slump or cave, and which the public can reach from a water access site a public entity operates;
- allows the county board in any county that has active, inactive, or idled mines, and no appointed county mine inspector, to designate an appropriate county officer or employee

- to discharge the inspector's duties;
 - requires current and former mining operators to erect and maintain at least a three-strand wire fence around any excavation, open pit, or mine shaft where mining operations stopped at least six months earlier; allows the inspector to require more secure fencing to reduce the possibility of accidental falls;
 - requires the inspector to notify mining operators to post warning barriers and signs around idle or abandoned shafts, caves, or open pits; requires the operator to erect the barrier and signs if the mine has been idle or abandoned for more than 10 years;
 - provides penalties under theft laws for anyone who removes such warning signs.
- Enactment:** April 14, 1988
Effective: Aug. 1, 1988

**Motor vehicles—
pollution control equipment**

HF2086*—Simoneau
SF1980—Wegscheid, Frederick,
Novak

Chapter 487:

- defines "motor vehicle" and "air pollution control system" in the law regulating motor vehicle pollution control systems and restricted fill pipes;
- prohibits:
 - tampering with a motor vehicle's air pollution control system; or
 - manufacturing or offering to sell a nonfunctional air pollution control device;
- prohibits transferring a motor vehicle without:
 - an air pollution control system in place or with a nonfunctional air pollution control system; and
 - certifying in writing to the transferee that the vehicle's air pollution control systems, including the restricted gasoline fill pipe, haven't been removed,

- altered, or rendered inoperative; exempts from this requirement any motor vehicle anyone sells or transfers for scrapping, dismantling, or destruction.

Enactment: April 12, 1988
Effective: Aug. 1, 1988

**Rice Creek Watershed—
levy authorization**

HF1473—Quinn, Voss, Munger,
Simoneau, Swenson
SF0678*—Novak, Dahl

Chapter 426:

- authorizes the Rice Creek Watershed District to levy up to \$200,000 to increase the administrative fund.
- Enactment:** March 29, 1988
Effective: Aug. 1, 1988

**Sanitary districts—
Waste Management Board aid**

HF2092*—Ogren, Munger,
Murphy, Boo, Jaros
SF1952—Gustafson, Solon,
Chmielewski

Chapter 524:

- authorizes sanitary districts to apply for and receive assistance from the Waste Management Board for certain solid waste programs.
- Enactment:** April 14, 1988
Effective: Aug. 1, 1988

Severed mineral interests—lease

HF2629*—Begich, Battaglia,
Minne, Rukavina, Solberg
SF2340—D.J. Johnson, Dicklich

Chapter 508:

- authorizes the commissioner of natural resources to lease certain severed mineral interests.
- Enactment:** April 13, 1988
Effective: day after enactment

**Waste facilities—
records inspection**
• (See Legal/Judiciary)

**Waste Management Act—
amendments**

HF2031*—D. Nelson, Long,
Larsen, Ozment, R. Anderson
SF1891—Merriam, Dahl, Davis,
Pehler, McQuaid

Chapter 685:

- requires a building in which the state leases at least 5,000 square feet for at least 30 days for agency operations to provide suitable space for recycling materials; requires the state building code to require certain new or significantly remodeled structures to provide suitable space for separating, collecting, and temporarily storing recyclable materials;
- states that refuse-derived fuel or other incinerated material isn't recyclable material; removes the requirement that the generator or collector separate recyclable material from other waste (allows mechanical separation of recyclables);
- clarifies duties of the Legislative Commission on Waste Management (LCWM);
- amends the Waste Management Board's (WMB) authority to make waste containment feasibility studies eligible for grants;
- amends the Agriculture and Economic Development Authority's loan program to make industrial waste facilities eligible for loans;
- amends WMB's grant program to make compost market and facility development eligible for grants;
- permits WMB to approve certain recycling facility plans or grants;
- establishes temporary and permanent programs to plan and manage mixed municipal solid waste incinerators and the resulting ash and residuals;
- amends the waste tire program to broaden its scope, and authorizes WMB to contract with counties to abate waste tire nuisances;

sets effective date as the day after enactment;

- creates new law to:

- transfer the waste tire loan and grant program to WMB administration;
- expand the grant program to cover market development for tire-derived products;
- allow WMB to make grants to local governments for waste tire collection and transportation;
- authorize WMB to conduct feasibility studies of waste tire uses, and public education on proper waste tire management;
- require WMB to report annually to LCWM on waste tire management; sets effective date as the day after enactment;
- prohibits placing used oil in or on the land without Pollution Control Agency (PCA) approval;
- transfers authority to make loans and grants for used oil processing and storage tanks from Economic Development Authority to WMB;
- removes the 25-cents per cubic yard cap on the fee a metropolitan county may charge to dispose of mixed municipal solid waste; allows cities and towns to charge up to 35-cents per cubic yard of waste; requires distributing collected fees to local landfill abatement projects and the general fund;
- prohibits disposing of yard waste (garden wastes, leaves, lawn cuttings, weeds, and prunings) in mixed municipal solid waste, a disposal facility, or a resource recovery facility (except for composting) after Jan. 1, 1990 in the metropolitan area, and after Jan. 1, 1992 outside the metropolitan area;
- creates new law to temporarily freeze metropolitan solid waste disposal facilities' fees; requires the PCA, WMB, LCWM, the Public Utilities Commission (PUC), and other interested parties, to recommend a schedule regulating fees to the Legislature by Dec. 31, 1988; sets effective date as the day after enactment;

- authorizes PCA to recover costs of determining whether a piece of land contains hazardous substances from anyone who asks for the information; sets effective date as the day after enactment;
- requires PCA to notify an affected county and town before granting a permit for a solid waste facility, or allowing a significant alteration of permit conditions or facility operation, or allowing changes of a facility permittee;
- prohibits anyone from selling, offering to sell, or giving away beverages in plastic cans in Minnesota, or beverages or motor oil containers held together by nondegradable plastic material; provides a misdemeanor penalty for violators; sets effective date at July 1, 1989;
- requires WMB to adopt rules by March 31, 1989, requiring labeling of plastic containers;
- requires automotive tire retailers to accept waste tires from customers for collection and recycling; sets effective date at April 1, 1989;
- allows the Metropolitan Council, at a county's request, to remove from its inventory certain solid waste disposal facility property; requires prospective waste disposal site developers to provide certain information to the council; sets effective date as the day after enactment;
- allows the council to spend money from the metropolitan landfill abatement fund to pay for disposal site cleanup costs resulting from environmental impact statements the PCA conducts; sets effective date as the day after enactment;
- increases from \$4,000 to \$6,000 per month the additional local government aid a county's eligible to receive when it negotiates a contract with WMB to locate and develop a commercial hazardous waste disposal facility; sets effective date at July 1, 1988;
- forgives a WMB solid waste loan to Pennington County; sets effective date as the day after enactment;

- amends the 1987 WMB appropriation to allow WMB to spend money to develop markets for both recyclables and compost;
 - amends the 1987 appropriation for waste tire dump cleanup to make money available for broader waste tire programs; sets effective date as the day after enactment;
 - reduces a 1987 fund transfer from the motor vehicle transfer fund (MVTF) to the general fund from \$2.9m to \$2.6m; sets effective date as the day after enactment;
 - appropriates (effective day after enactment):
 - \$821,300 from MVTF to WMB for the waste tire management programs and waste oil loans and grants and market feasibility studies; adds six positions to WMB;
 - \$238,500 from the environmental response, compensation, and compliance fund to the PCA to assist interested people in determining whether a piece of land contains hazardous substances (available until June 30, 1989); adds six positions to PCA.
 - repeals the June 30, 1992 expiration date for LCWM.
- Enactment:** April 28, 1988
Effective: various dates

**Watershed districts—
borrowing authority**
HF1950*—Price, Solberg
SF1897—Diessner

Chapter 445:

- increases from \$50,000 to \$200,000 the borrowing authority of watershed districts;
 - requires all proceedings for the construction or improvement of drainage systems in the district to conform with general drainage provisions.
- Enactment:** April 4, 1988
Effective: Aug. 1, 1988

Willard Munger Trail—designation
HF1858*—G. Anderson, Rose, Kahn, Jaros, D. Carlson
SF1731—Merriam, R.D. Moe, Novak, Solon, Gustafson

Chapter 436:

- renames the Minnesota-Wisconsin Boundary Trail in Ramsey, Anoka, Washington, Chisago, Pine, and Carlton counties as the Willard Munger Trail.

Enactment: April 1, 1988

Effective: Aug. 1, 1988



Families/Juveniles



Abused children—intermediaries
HF2148—Carruthers, D. Nelson, Jefferson, Pappas, Seaberg
SF2266*—Cohen

Chapter 630:

- requires the commissioner of human services to develop a program of competency-based preservice and probationary training for child protection workers if the Legislature appropriates funds for this purpose;
- allows a county board until July 1, 1989 to establish a three-year pilot project authorizing the appointment of a child intermediary, setting forth criteria for selecting and training the intermediary, and monitoring the program;
- allows district courts, in counties that have such a program, to appoint a child intermediary when a prosecutor files a criminal charge alleging that an adult who has a significant relationship with a child committed abuse against the child;
- specifies a child intermediary's powers and duties; prohibits courts from requiring child intermediaries to testify about any opinion or information he/she receives from or about the child victim while serving as an intermediary.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Chemical abuse records— destruction

- (See Education)

Child abuse laws—amendments

HF1956—Blatz, Kelly, Vellenga,
Wagenius, Bishop
SF1871*—Ramstad, Spear,
Wegscheid, Pogemiller

Chapter 662:

- requires a court to consider evidence of falsely reported child abuse in determining the best interest of a child for custody purposes;
 - expands the crime of first degree murder to include people who cause a minor's death while committing or attempting to commit child abuse, where the perpetrator has a past pattern of child abuse on the child and death occurs under circumstances indicating an extreme indifference to human life;
 - provides a misdemeanor penalty for anyone who:
 - informs another person that someone has committed sexual or physical abuse or neglect of a child;
 - knows the allegation is false; and
 - intends that the information influence a child custody hearing;
 - requires certain officials involved in health care, child care, education, or law enforcement, or certain members of the clergy, to report immediately on suspected child abuse victims to their local welfare agency, police department, or sheriff.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988

Child abuse—emotional harm element

HF1792—Kelly, Blatz, Greenfield,
DeRaad
SF1643*—Reichgott, Spear,
D.C. Peterson, Pogemiller, Laidig

Chapter 655:

- eliminates the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child;
 - clarifies that malicious punishment of a child occurs when a parent, legal guardian, or caretaker, through an intentional act or a series of intentional acts toward a child, evidences unreasonable force or cruel discipline that is excessive under the circumstances.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988; applies to violations committed on or after that date

Child abuse—social service assessment, records retention

HF2021—Blatz, Kelly, DeRaad,
Rest, Vellenga
SF2119*—Spear, Reichgott

Chapter 625:

- amends the Data Practices Act to make certain child abuse investigative data private or confidential;
- requires a local welfare agency, after concluding an assessment or investigation, to find whether a child was maltreated, and if the child needs protective services;
- requires the agency to notify the child's parent or guardian of the findings within 10 working days after concluding an assessment; requires the agency to notify the person alleged to have maltreated the child, the facility director, and the child's parent or guardian of the findings within 10 working days after concluding an investigation;
- classifies child abuse investigative data as confidential until authorities have made an arrest or have filed a criminal charge against an alleged

child abuser; changes the classification after certain events occur;

- requires local welfare agencies, law enforcement agencies, and schools to destroy child abuse records after certain specified times have passed.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Child support, maintenance— enforcement

HF1896—Jennings
SF1582*—Berglin

Chapter 593:

- provides when a parent is liable for child support under Minnesota law, a court must determine his/her ability to pay according to laws governing marriage dissolution;
- requires orders for child support to give notice to the obligor (parent responsible to pay) that if he/she fails to make a payment, such payment becomes a judgment (legal duty) by operation of law, and will be entered and docketed (recorded) according to judgment laws;
- requires maintenance orders to give notice to the obligor that if he/she fails to make a payment, the obligee (parent who should receive payment) or public agency responsible for maintenance enforcement may obtain docketing of a judgment for the unpaid amount under judgment laws;
- provides that when a welfare recipient assigns support rights, and arrearages (payments owed) are reduced to judgment in situations where support and maintenance judgment laws don't apply, the court must grant judgment in favor of the public agency responsible for support enforcement, to the extent the arrearages are assigned;
- amends laws on docketing support or maintenance judgments:
 - makes an overdue payment a judgment by operation of law on and after the date it's due, entitled to full faith and credit in this state and any other;

- provides that interest accrues from the date the judgment is entered at the annual statutory rate for judgments; and
- allows a court to modify a payment that becomes a judgment by operation of law between the date on which a party served notice of a modification motion and the date of the court's modification order;
- establishes new requirements for docketing support judgments, including:
 - a description or copy of the judgment;
 - an affidavit (certification) of default; and
 - an affidavit of service in person or by mail;
- requires a court administrator, after receiving the documents, to enter and docket the judgment for the amount the affidavit of default specifies; provides that, from the time of docketing, such judgment is a lien on all the debtor's real property in the county, and the judgment survives and the lien continues for 10 years after the date the judgment was docketed;
- allows a person who owes child support to:
 - request a hearing under the Rules of Civil Procedure on whether the judgment has been paid;
 - move (ask) the court for an order directing the court administrator to vacate (cancel) the judgment on the docket and register in any county or other jurisdiction where it was entered; requires the court to grant such a motion if it determines there's no default;
- repeals this act if the state receives a waiver from the federal government.

Enactment: April 21, 1988
Effective: Aug. 1, 1988

**Child support—
automatic withholding changes**

- (See Legal/Judiciary)

**Child support—collection,
enforcement modification**
 HF2118—Vellenga, Rest,
 Kelly, Clark
 SF2009*—Berglin, Reichgott,
 Spear, Lantry, Brandl

Chapter 668:

Child custody

- requires custody orders to notify the parties that each parent, upon presenting a copy of the custody order, has the right of access to records on the child; requires each parent to inform the other where the child is attending school and when the child has a serious accident or illness; gives each parent the right to attend school conferences, and the right to access and telephone contact with the child; allows the court to waive all or part of this notice to protect the welfare of a party or child;
- gives a noncustodial parent, upon his/her request, the right of access to school records and information, to receive copies of that information, to attend conferences, and to be informed about the child's welfare, educational progress, and status; provides that a school isn't required to hold a separate conference for each parent.

Child support, withholding

- requires employers and utility companies to assist support enforcement agencies in identifying and locating individuals who owe or may owe child support;
- makes child support enforcement remedies available for medical support (insurance premiums or medical services payments);
- requires an enforcement authority to notify the obligor (person who owes child support) and obligee (person who receives child support) of its intent to end automatic income withholding when a support obligation ends; allows withholding to end when the enforcement authority, in writing, notifies the payor of funds.

Child visitation

- permits a court to order visitation for grandparents in actions for legal separation, annulment, or parentage determination, and in marriage dissolutions.

Dissolution reopening

- permits a court to reopen certain provisions of a decree entered under marriage dissolution laws (property division, or child support or maintenance awards) in certain instances; requires the party who wishes to reopen the decree to make a motion to do so within one year after the court entered the decree.

Maintenance orders

- allows cost-of-living adjustments in maintenance orders.

Pension laws

- amends pension laws to clarify that pension benefits are subject to garnishment or attachment for overdue child support and maintenance.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

**Guardianship—
appointment changes**

- (See Legal/Judiciary)

**Homicide laws—
crying child defense**

- (See Crime/Corrections)

Juveniles—adult prosecution

- (See Crime/Corrections)

Parental rights deprivation laws—changes

HF2059*—Pappas, Vellenga
SF1820—D.C. Peterson

Chapter 523:

- clarifies the affirmative defenses to the crime of depriving another of parental rights ("parental abduction" crime), which a defendant must prove by a preponderance of the evidence; requires that:

- the person reasonably believed the action was necessary to protect the child from physical or sexual assault or substantial emotional harm, or to protect the person taking the action from physical or sexual assault;
- a parent, stepparent, or legal custodian seeking prosecution consented to the action, or a court order issued prior to the action authorized the action.

Enactment: April 14, 1988

Effective: Aug. 1, 1988 with certain exceptions; applies to crimes committed on or after that date

Parental rights termination law—clarification

HF0577*—Rest, Seaberg, Vellenga, Wagenius, Kludt
SF0964—Marty, Berglin

Chapter 514:

- requires a social service agency to return a child home or file an appropriate court petition within 12 (currently 18) months after the child enters voluntary foster care;
- provides for the review of emotionally handicapped children agencies have placed in a residential facility;
- states the purpose of laws relating to termination of parental rights; provides that the most important consideration in all such proceedings is the child's best interests;
- clarifies the juvenile court's responsibilities in dependency and neglect cases;

- defines "neglected child" to include a victim of domestic child abuse;
- allows a child to informally testify in proceedings to terminate parental rights;

- requires a court to consider whether a parent has visited his/her child in the three-month period (currently nine months) before the filing of a neglect petition unless extreme financial or physical hardship, treatment for mental disability or chemical dependency, or other good cause prevented the parent from visiting the child;
- creates a presumption of abandonment in certain situations;

- creates a presumption that reasonable efforts to correct conditions leading to a determination of neglect or dependency have failed in certain situations;
- clarifies that termination of parental rights does not require a prior judicial finding of dependency, neglect, or neglected and in foster care, with certain exceptions;

- provides that in any proceedings involving an American Indian child, the best interest of the child must be consistent with the federal Indian Child Welfare Act of 1978;

- provides that the child's best interests are paramount, and if the parent's and child's interests conflict, the child's interests control;
- requires the commissioner of human services to study and make recommendations to the Legislature on what constitutes a social service agency's reasonable efforts to provide families with placement prevention and family reunification services, and under what circumstances parents should get information and notice.

Enactment: April 14, 1988

Effective: Aug. 1, 1988; applies to petitions for termination of parental rights filed and placements begun on and after that date

Special education—aversive, deprivation tactics

- (See Education)

Status offenders—

Juvenile Code changes

HF1251—Pappas, Seaberg, Vellenga, Bishop, Clark
SF2275*—Cohen

Chapter 673:

CHIPS jurisdiction

- replaces current definitions of "dependent" and "neglected" child with the term "child in need of protection or services" (CHIPS);
- defines CHIPS to include previous definitions of dependent and neglected, and:

- child abuse victims;
- children under age 10 alleged to have committed a delinquent act; and
- habitual truants and runaways.

Disobedient children

- removes the juvenile court's jurisdiction over "habitually disobedient" children.

Truants, runaways

- permits a law enforcement official to use a citation, instead of a petition, to initiate a juvenile court proceeding against an alleged truant or runaway child;
- gives the juvenile court the same dispositional alternatives available for truants and runaways that it has under current law, including probationary supervision and certain types of correctional placements;
- prohibits the juvenile court from exercising its continuing jurisdiction over adjudicated truants past the child's 17th birthday (current law allows the court jurisdiction until the child is 19);
- clarifies peace officers' current authority to take suspected runaways into temporary custody.

Petty offenses

- combines into one "petty offense" category all petty offenders and juvenile alcohol or controlled substance offenders.

CHIPS dispositions

- authorizes the juvenile court to order, as a disposition in CHIPS cases, that a child may live independently under court supervision if the child is 16 or older and has sufficient maturity and judgment; permits such a disposition only if the county board of commissioners authorizes it.

Juvenile court authority

- creates new law which:
 - grants juvenile court jurisdiction over the parents, guardians, and custodians of a child under its jurisdiction if the adult otherwise has a right to notice of, or to participate in, juvenile court proceedings concerning the child; and
 - authorizes the juvenile court in CHIPS cases to order the appropriate social service agency to prepare a case plan outlining the duties and responsibilities of the child and the parents, and the services the agency will provide;
- prohibits a court from adjudicating a child, under its continuing jurisdiction for reasons other than delinquency, as a delinquent solely because the child has disobeyed or interfered with a court order.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Youth jobs program— all-year expansion

HF2038*—McLaughlin, Clark, Jefferson, Dawkins, Sparby
SF2039—Freeman, Knutson, Pogemiller, Chmielewski, Dicklich

Chapter 641:

- removes the 12-week limitation for employment under the youth jobs program so the program can operate throughout the year instead of only in the summer;
- caps administrative costs at 15 percent of the appropriation for the youth jobs program;

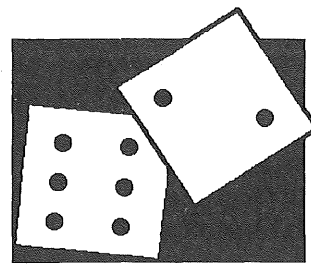
- sets the maximum number of hours of employment for a youth jobs program worker at 480 hours;
- specifies that employers can't terminate, lay off, or reduce the working hours of an existing employee to hire someone through the youth jobs program;
- sets pay for youth jobs workers at either state or federal minimum wage, whichever is higher;
- authorizes the commissioner of administration, in consultation with the Department of Jobs and Training, to buy and sell real estate so the department's offices can relocate to areas that are more accessible to Minneapolis residents and co-locate with other social service agencies.

Enactment: April 26, 1988

Effective: day after enactment



Gaming



Charitable gambling— local licensure extension

HF1941*—Dawkins, Kostohryz, Rose, Voss, Dauner
SF1764—Lantry

Chapter 705:

- increases the time period from 30 to 60 days for cities and counties to review charitable gambling licenses;
 - excludes a program of chance (random) prizes to promote payroll deduction campaigns from the definition of a lottery as long as the total amount the program spends during the year doesn't exceed \$500.
- Enactment:** May 4, 1988
Effective: Aug. 1, 1988

Charitable gambling— real property profit

HF1921—Reding, Boo, Kostohryz
SF1661*—Lantry, Berg, Davis, Samuelson, Anderson

Chapter 596:

- excludes from the definition of "lawful purpose," the erection, acquisition, improvement, expansion, repair, or maintenance of any real property the charitable organization owns or leases;
- prohibits anyone from leasing a facility to more than one licensed organization to conduct bingo without

having obtained a bingo hall license, unless the person is a licensed organization;

- prohibits issuing a license to a person, corporation, firm, or partnership which has an officer, director, or other person in a supervisory or management position, who:
 - has been convicted of a felony within the past five years or who has a felony charge pending; or
 - has been convicted of a gambling-related offense within 10 years of the date of license application;
- requires bingo halls to pay a \$250 annual fee;
- allows the Charitable Gambling Control Board to request Bureau of Criminal Apprehension assistance in investigating the background of an applicant for a bingo hall license and to reimburse the bureau for costs;
- prohibits any bingo hall licensee from also being a licensed distributor or registered manufacturer or affiliate;
- sets restrictions on bingo halls and affiliates;
- requires that the lease must state all payments the lessor receives from the organization for the conduct of lawful gambling;
- allows the Charitable Gambling Control Board to suspend a license for a violation of law or board rule or for failure to meet the specified qualifications, or revoke a license for a determined pattern of willful violations;
- requires that an organization, which conducts bingo on premises it doesn't own, provide the board with the name of the owner and lessor of the premises, copies of all agreements between the organization and the owner or lessor, and names of employees of the owner or lessor who will be responsible for the premises during bingo;
- provides that an organization that holds bingo on premises it doesn't own, is responsible for:
 - staffing the bingo;
 - conducting lawful gambling during bingo;

- acquiring, storage, inventory control, and reporting all gambling equipment the organization uses; and
- receipt, accounting, and all expenditures of gross receipts from lawful gambling;
- requires the Senate General Legislation and Public Gaming Committee and the House General Legislation, Veterans Affairs, and Gaming Committee to conduct a joint study by Jan. 15, 1989 to examine whether:
 - authorities are properly enforcing charitable gambling laws;
 - the amount charitable gambling is devoting to charitable purposes is appropriate; and
 - taxes due on charitable gambling are being collected.

Enactment: April 21, 1988

Effective: day after enactment for provision on lawful purpose; Aug. 1, 1988 for remaining provisions

Racetracks—financial reports
HF2537*—Kelso, Kostohryz,
 Redalen, Reding
SF1765—Lantry

Chapter 696:

- defines "average daily handle" as the total amount bet in all parimutuel pools at a licensed racetrack during the racing meeting divided by the number of days the track actually conducted races during the racing meeting;
- sets minimum required purses at:
 - 4 percent of the handle when the average daily handle is \$500,000 or less;
 - 6 percent of the handle when the average daily handle is more than \$500,000 but less than \$750,000;
 - 8.4 percent of the first \$1.0m in the average daily handle when the average daily handle is more than \$750,000;

- simplifies the tax on parimutuel pools so that it imposes a flat:
 - 6 percent on the total amount withheld from all parimutuel pools; and
 - 1 percent on the total amount bet on each racing day for deposit in the Minnesota breeders' fund;
 - requires racetrack licensees to file financial reports with the racing commission within 100 days of the end of the calendar year instead of 100 days of the end of the racing meeting;
 - allows use of breeder's fund contributions from harness racing for nonparimutuel harness races and tracks;
 - replaces the 40-cent state admissions tax with a sales tax on racetrack admissions;
 - abolishes the present tax on the total parimutuel handle and the present separate tax on breakage.
- Enactment:** April 28, 1988
Effective: day after enactment



Governmental Operations



Amateur Sports Commission—amendments

HF2691—Voss, Rukavina, G. Anderson, Kahn, Bishop
SF2465*—Luther, D.J. Johnson, Pehler, R.D. Moe, Novak

Chapter 633:

- exempts the Minnesota Amateur Sports Commission (MASC) procedural rules from the Administrative Procedures Act;
- allows MASC to establish fees without going through the process that state agencies must follow to establish fees;
- permits MASC, and any other state office, agency, or board that owns or operates a sports facility the sport's national governing body designates as an official training center, to establish nonprofit corporations and charitable foundations;
- allows MASC to pay certain costs an amateur sports facility incurs when hosting and operating certain events at the facility;
- provides a standing appropriation of specific tax receipts to the general fund; amends the 1987 appropriation to MASC to refer to the general fund (formerly the special revenue fund), and broadens the purpose for which MASC can spend the appropriation;
- directs the MASC chair to appoint an advisory task force to prepare and

recommend rules necessary for the safety of nonfull-contact martial arts instruction.

Enactment: April 25, 1988

Effective: Aug. 1, 1988

Dept. of Administration—changes
HF2291*—Lasley, Larsen, R. Johnson, Rukavina, Dille
SF2059—D.M. Moe

Chapter 613:

- allows state agencies to pay telephone bills in advance, rather than in arrears;
- allows the commissioner of administration, with the finance commissioner's approval, to transfer from an internal service or enterprise fund account to another internal service or enterprise fund account, any contributed capital the Legislature appropriated, to provide working capital or cash flow;
- allows the commissioner to:
 - add new products to existing contracts to permit upgrades or changes in technology;
 - negotiate and/or extend contracts for any period up to five years; and
 - negotiate contracts and/or purchases upon a bidder's response to a request for proposal, instead of seeking competitive bids;
- broadens the definition of "responsible bidder" to include a more in-depth evaluation of vendors' past or predicted performance;
- allows the commissioner, in certain circumstances, to award more than one contract per request for bid;
- prohibits smoking in state buildings except in designated smoking areas; requires state agencies to adopt smoking policies for the spaces they occupy, and to report such policies and implementation plans to the commissioners of administration, employee relations, and health, by Jan. 1, 1989;
- requires the commissioner to consider including space for child care

services in all state office space that is leased, purchased, or substantially remodeled after Aug. 1, 1988; requires the commissioner to include such space if he/she determines it's needed and if the cost is reasonable;

- creates a "materials distribution fund" to consolidate sales of federal surplus property and resource recovery enterprise fund programs to local governmental units and nonprofit organizations;
- extends to June 30, 1993, the expiration date of the Intergovernmental Information Systems Advisory Council;
- allows the Department of Administration's Management Analysis Division to provide consulting services to local government units;
- requires state employees to obtain prior approval from their agency head, rather than the commissioner, when using a state vehicle to travel between home and work;
- removes the Department of Employee Relations' involvement in the municipal building code officials' certification process;
- clarifies that a building code application appeal must be heard as a contested case under the Administrative Procedures Act; increases the fee that goes along with a request for an appeal from \$20 to \$70; requires the party that doesn't prevail to pay contested case costs;
- clarifies the state's risk management responsibilities, and broadens the areas in which the state may self insure;
- allows the commissioner to sign and issue a quitclaim deed to a purchaser of state surplus real property (removes the governor's responsibility to do so);
- eliminates the requirement that two members of the State Board for Community Colleges must be community college graduates; allows the board to obtain technical educational equipment for state community colleges either by brand designation or according to standards the board establishes;
- allows the commissioner of finance, upon a community college employee's (or board employee's) written request,

to deduct from the employee's salary or wages (payroll deduction) an amount that he/she wishes to pay to a nonprofit community college foundation;

- requires the board, when considering bids for capital projects, to establish practices that will assist in the economic development of small businesses, and small businesses minorities own and operate;
- permits the state to use decals to identify state vehicles;
- removes a law requiring the commissioner to help nonhealth related occupational licensing boards prepare biennial reports to the Legislature.

Enactment: April 24, 1988
Effective: day after enactment for provision allowing the commissioner to transfer appropriations among funds; Jan. 1, 1989 for provisions regarding smoking in state buildings; July 1, 1988 for remaining provisions

Dept. of Employee Relations—changes

HF2250—Jefferson, Simoneau
 SF2003*—D.M. Moe, Wegscheid

Chapter 667:

- adds the ombudsman for corrections and the ombudsman for mental health and retardation to the list of executive branch agency heads whose salaries the governor sets, with legislative approval, within specified ranges;
- permits the chief workers' compensation settlement judge at the Department of Labor and Industry to receive an annual salary up to 5 percent greater than the salary of other workers' compensation settlement judges;
- changes dates for the commissioner's reports listing appointments to the state's classified and unclassified service from Jan. 1 and July 1 to Feb. 1 and Aug. 1 of each year;
- permits the commissioner of employee relations to extend emergency appointments to the state civil service an additional 15 working days (the

original emergency appointment is for up to 30 working days in any 12-month period);

- provides that deferred compensation and payroll allocations to purchase an individual annuity contract for certain local government employees are included in the employee's salary for purposes of calculating the salary cap;
- amends laws governing the content of the statewide affirmative action program to refer to goals (currently "long-range" and "interim goals"); requires the program to include annual objectives; changes the due date for the commissioner's affirmative action report from Feb. 1 to March 1 of each year;
- permits the commissioner to refuse to allow a health maintenance organization (HMO) to be a carrier under the state insurance plan (removes language that allowed the commissioner to drop an HMO if fewer than 200 employees selected the plan in the preceding benefit year);
- allows the commissioner of employee relations (currently the commissioner of labor and industry) to contract with carriers for certain workers' compensation insurance coverage;
- amends laws governing insurance coverage for certain retired state employees to allow them to purchase coverages "that are actuarially equivalent" to coverage that's available to active state employees;
- allows certain state university food service employees to enroll themselves and their dependents at their own or their employer's expense in certain state insurance plans;
- amends the definition of "employee" under the 1987 statewide public employee insurance plan to provide that the plan covers only insurance-eligible employees;
- makes members of the public employee insurance plan labor-management committee eligible for expense reimbursement;
- amends public employee insurance plan laws to:
 - require the commissioner to establish retirees' premiums;

- grant participation rights to spouses of deceased persons who were active employees in the plan at the time of death; and
- exempt the plan from laws governing group insurance plans local governments offer;

- provides that job coaches under the state civil service supported work program aren't state employees unless they're employed elsewhere in state service;
- clarifies that the World Trade Center president's salary may not exceed the top of the finance commissioner's salary range;
- allows the commissioner of labor and industry to designate a worker's compensation settlement judge at the Department of Labor and Industry to serve as chief workers' compensation settlement judge; allows the commissioner to revoke the designation at any time, but provides that a revocation wouldn't affect the designee's status as a worker's compensation settlement judge;
- provides that the commissioner of employee relations (currently the commissioner of labor and industry) will:

- represent the state in the Workers' Compensation Reinsurance Association; and
- handle responsibilities of the state employee workers' compensation revolving fund;

- clarifies that Department of Natural Resources regional enforcement officers may break off from their bargaining unit;
- clarifies the procedure for the Legislature to approve a proposed salary increase for the Board of Medical Examiners' executive director;
- transfers most Waste Management Board employees from unclassified to classified civil service.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

**Dept. of Public Service—
miscellaneous changes**

HF1188—C. Nelson, Battaglia,
Sarna, Ous, R. Anderson
SF1268*—Marty, Dicklich

Chapter 617:

- allows the commissioner of public service to use money from certain legal settlements to make loans, grants, or other financial aid;
 - authorizes the commissioner to permit homeowners, 65 years or older, to use decorative gas lamps, if they ask for a variance before Aug. 1, 1992;
 - requires the commissioner to adopt rules establishing minimum energy efficiency standards for fluorescent lamp ballasts by Jan. 1, 1989;
 - prohibits the sale or installation of any fluorescent lamp ballast, after Jan. 1, 1991, if the ballast doesn't comply with the state's energy efficiency standards;
 - clarifies language regarding community energy councils;
 - adds Indian tribal governments to entities permitted to establish community energy councils.
- Enactment:** April 24, 1988
Effective: various dates

**Government data practices—
employment, training data**

HF2011—Clark
SF1727*—Piper, Marty, Freeman,
Pogemiller, Mehrkens

Chapter 598:

- changes definitions relating to government data practices;
- amends "personnel data" to exclude individuals who apply for or are enrolled in employment and training programs;
- defines "employment and training data" to mean data necessary because an individual applies for and is currently enrolled in government-funded employment training programs;
- defines "employment and training service provider" as an administrative

entity the commissioner of jobs and training certifies to deliver employment and training services;

- allows the release of private employment and training data on individuals only to:

—other employment and training service providers to coordinate the employment and training services or to determine eligibility or suitability for services from other programs; or
—local and state welfare agencies to monitor the eligibility of the participant for assistance programs, or for any employment or training program those agencies administer.

Enactment: April 21, 1988
Effective: June 1, 1988

**Hispanic Quincentennial
Commission**

HF0682—Pappas, Simoneau,
Gruenes, Uphus, Clark
SF1223*—Spear, Merriam, Lantry,
D.M. Moe, Pogemiller

Chapter 442:

- creates a seven-member Minnesota Hispanic Quincentennial Commission to promote greater awareness of the meaning of 500 years of Hispanic culture in the United States, and design appropriate quincentennial projects.

Enactment: April 4, 1988
Effective: Aug. 1, 1988

Indian tribes—state contracts

HF2429—Peterson, Wenzel
SF2150*—Davis, DeCramer

Chapter 627:

- prohibits the state from requiring an Indian tribe or band to deny their sovereignty as a requirement or condition of a contract with the state or a state agency.

Enactment: April 24, 1988
Effective: day after enactment

IRRRB—fire insurance coverage

HF2463*—Begich, Battaglia,
Minne, Rukavina, Solberg
SF2509—D.J. Johnson, Dicklich

Chapter 423:

- allows the Iron Range Resources and Rehabilitation Board (IRRRB) to purchase fire insurance to cover facilities the board operates.
- Enactment:** March 29, 1988
Effective: Aug. 1, 1988

Library service levies

HF2502—D. Carlson
SF2292*—Chmielewski

Chapter 720:

- excludes library services levies from certain levy limitations.
- Enactment:** May 7, 1988
Effective: Aug. 1, 1988

**Probation officers—
state employment**

HF2039*—Cooper, Lasley, Winter,
Dille, Simoneau
SF1939—D.J. Frederickson,
Beckman, DeCramer

Chapter 505:

- requires the commissioner of corrections to employ county probation officers and other employees when the commissioner, rather than the county, furnishes probation services to the district court;
- requires the commissioner to:
 - give transferred employees full credit for years of service in the county probation office for purposes of vacation and sick leave in the state system, and allow them to retain sick leave and vacation benefits they earned and accrued while employed in the county probation office;
 - allow employees to transfer into state service with full credit for total years of service in the

county probation department, without salary reduction; and —consider the employees as permanent state employees if they've satisfactorily completed a six-month probationary period with the state; provides an appeal procedure for employees the state doesn't hire after they've served a probationary period; requires the state to negotiate with the employees' representative to establish seniority for transferred employees;

- defines "local correctional service" for purposes of the Community Corrections Act (CCA), and includes local government probation officers in the class of employees with protected jobs when counties acting under CCA take over services.

Enactment: April 13, 1988

Effective: retroactive to Jan. 1, 1987 for provision requiring the commissioner to employ county probation officers; Aug. 1, 1988 for remaining provisions

Public defenders—state employment
HF2597—Solberg, Brown
SF2451*—Luther

Chapter 602:

- clarifies that a public defender the State Board of Public Defense appoints, or a court-appointed guardian ad litem, is an employee of the state.

Enactment: April 21, 1988

Effective: day after enactment

State advisory councils, committees
HF2292—Knuth
SF2226*—Pogemiller, Wegscheid, D.M. Moe, Benson

Chapter 629:

- extends the expiration date for most state advisory councils and committees from June 30, 1988 to June 30, 1993;

- allows state commissioners to create certain groups as task forces rather than advisory councils;

- authorizes state agencies that provide funding for advisory councils or committees to compensate members up to \$55 per day for council or committee work;

- requires the Environmental Quality Board to create a task force on genetically engineered organisms, and directs it to study and report on certain issues;

- repeals authority for certain task forces and advisory groups.

Enactment: April 24, 1988

Effective: day after enactment for provisions on the genetically engineered organisms task force; June 30, 1988 for remaining provisions

State Board of Investment—changes
HF1806*—Simoneau
SF1784—D.M. Moe, Wegscheid

Chapter 453:

- changes requirements for information the State Board of Investment (SBI) includes in the prospectus of the Supplemental Investment Fund (SIF); amends language to conform with current practice;

- authorizes SBI to purchase:
 - guaranteed investment contracts from banks as well as insurance companies; and
 - international securities as an authorized investment, subject to certain restrictions;

- provides the following changes to the Teachers Supplemental Retirement Program, Unclassified Employees Retirement Plan, and the Ambulance Service Personnel Retirement Plan:

- adds the Guaranteed Return Account (GRA) in the SIF as an investment option;
- establishes requirements for contributions, transfers, and withdrawals from the GRA; and
- allows additional flexibility in transferring existing balances between accounts.

Enactment: April 6, 1988

Effective: day after enactment, with certain restrictions

State building code—
day care, deadbolt locks
HF1795*—Ogren, DeBlieck, Simoneau, Morrison, Osthoff
SF1617—Berglin

Chapter 608:

- establishes a task force to determine occupancy standards related to family and group family day care homes and to examine hindrances to implementing such day care facilities in rural Minnesota;
- prohibits the state building code from banning double cylinder deadbolt locks for single family homes and first floor units in residential duplexes; requires promotional materials for the locks to include a warning about potential fire danger and provide procedures to minimize that danger;
- permits the commissioner of human services to grant building code variances to rules that don't affect the health or safety of persons in licensed day care programs, under certain conditions;
- mandates licensing child day care programs under rules governing family day care or group family day care if license holders are primary care providers and the programs are in buildings on residential lots, but not in the licensees' homes;
- extends the minimum requirements for staff in child day care centers until July 1, 1991.

Enactment: April 24, 1988

Effective: day after enactment

**State investment policy—
Northern Ireland**
HF0453*—O'Connor, Rice,
McKasy, Reding, Greenfield
SF0722—Hughes

Chapter 687:

- requires the State Board of Investment (SBI) each year to:
 - compile a list of corporations doing business, directly or through a subsidiary, in Northern Ireland in which the board has invested; and
 - determine whether each corporation on the list has, during the preceding year, taken affirmative action to eliminate religious or ethnic discrimination in Northern Ireland;
 - sets criteria for board consideration when making such a determination;
 - requires the board, whenever feasible, to sponsor and support shareholder resolutions designed to encourage corporations in which the board has invested to pursue a policy of affirmative action in Northern Ireland;
 - states that nothing in this act requires the board to dispose of existing investments or to make future investments that violate sound investment policy for public pensions.
- Enactment:** April 28, 1988
Effective: Aug. 1, 1988

**Volunteers, state, local
government—liability**
HF2407*—Cooper, Winter,
O'Connor, Milbert
SF2426—Luther, Wegscheid,
Pehler, D.M. Moe, Ramstad

Chapter 708:

- provides that state tort claims laws cover World Trade Center employees;
- provides that the Greater Minnesota Corporation (GMC) is a state agency for purposes of state tort claims, and that state tort claims laws cover GMC employees;

- exempts unpaid directors or trustees of a legally established public corporation that isn't a municipality, from civil liability for acts or omissions done in good faith within the scope of their duties that do not constitute willful or reckless misconduct;
 - requires nonprofit corporations to:
 - notify their members if they permit proxies at a meeting and state the procedure for appointing proxies; and
 - provide to any voting member, within 10 days after receiving a request, a statement showing the number of members the corporation requires to call a meeting, if the articles or bylaws permit a specified percentage of members to call a board or membership meeting; makes the statement binding on the corporation;
 - provides that state tort claims laws cover municipal volunteers;
 - clarifies that volunteer athletic coaches and officials are immune from civil liability to spectators.
- Enactment:** May 4, 1988
Effective: Aug. 1, 1988



Health/ Human Services



**Adult protection teams—
establishment**
HF2486—Blatz
SF2203*—Benson

Chapter 575:

- allows counties to establish a multi-disciplinary adult protection team made up of the local welfare agency director, county attorney, county sheriff, and health care representatives; allows adding representatives of mental health or human service agencies and adult advocate groups;
- provides that the team:
 - may provide public and professional education;
 - develop resources for prevention, intervention, and treatment; and
 - provide case consultation to the local welfare agency to better enable the agency to carry out its adult protection functions and the Community Social Services Act, and to meet the community's needs for adult protection;
- permits case consultation by a committee of the team; requires the committee to include team members representing social services, law enforcement, county attorney, health care, and persons directly involved in an individual case;
- allows the local welfare agency to share certain records with team members for case consultation; provides that members whom federal

or state law prohibits from disclosing patient information seek consent from each patient, resident, or guardian for the disclosure of data to the case consultation committee.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

Board of Medical Examiners—physician information

HF1890—Greenfield, Onnen,

Stanis, Gruenes, Ogren

SF1904*—Piper, Brandl,

Vickerman, Berglin, Wegscheid

Chapter 557:

- exempts certain disciplinary actions from the Board of Medical Examiners' publication requirement; repeals this provision Aug. 1, 1990;

- expands the grounds for disciplinary action against physicians;

- allows the board to issue temporary permits to practice physical therapy, and to disseminate certain data to other states.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Child health services—nondeductible

HF1932—Riveness, Peterson,

Skoglund, Milbert, Quinn

SF1681*—Freeman, Luther,

Marty, Morse, Piper

Chapter 571:

- prohibits issuance, renewal, continuance, or delivery of certain individual, group health, and insurance policies in Minnesota unless they specifically exempt reasonable and customary charges for child health supervision services and perinatal care services from a deductible, co-payment, or other co-insurance, or dollar limitation requirement;

- defines "child health supervision" as pediatric preventive services, appropriate immunizations, developmental

assessments and laboratory services appropriate to the age of a child from birth to age six;

- defines "perinatal care services" as a comprehensive package of medical and psychosocial support throughout the pregnancy, labor, delivery, and postpartum period including risk assessment, serial surveillance, prenatal education, use of specialized skills and technology, observation of the mother and infant, preparation for discharge, and followup during the postpartum period.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

Chiropractic services—licensure

HF2269*—Carruthers, Ogren,

Clausnitzer, Kelso, Rodosovich

SF2145—Wegscheid, Solon,

Chmielewski, Samuelson

Chapter 642:

- clarifies that insurance subscribers are entitled to equal access to their current benefits if they receive treatment from a doctor of chiropractic;

- requires health insurance companies, in making claim determinations, to have properly licensed chiropractors review and judge the value of chiropractic services;

- mandates that every health insurance policy, plan, certificate, or contract insurers renew or issue after Aug. 1, 1988, provide coverage for routine cancer screening, including mammograms and Pap smears;

- allows chiropractors educated outside the U.S., as of Jan. 1, 1988, to qualify for Minnesota licensure if their country and college have a reciprocal agreement with the Council on Chiropractic Education;

- allows licensed chiropractors to issue statements of disability for physically handicapped people who apply to the Department of Public Safety for special parking certificates;

- permits health insurance companies to provide for a return of premium benefits under certain circumstances.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

Emergency medical centers—temporary license

HF2615*—Tompkins, Ogren,

Ozment, Milbert, Morrison

SF2348—Wegscheid, Knutson

Chapter 467:

- provides a temporary license for freestanding 24-hour emergency medical centers until permanent rules are adopted; allows the commissioner of health to issue the licenses to any medical clinic or professional association that was in operation as a freestanding 24-hour emergency medical care center on Feb. 1, 1988, provided the commissioner receives specified information;

- provides that the temporary license is effective until 60 days after the date of permanent rule adoption.

Enactment: April 6, 1988

Effective: day after enactment

GA recipients—drug dependency

HF2132*—Clark, Ogren,

Jefferson, Ozment

SF2018—Berglin, Spear, Piper

Chapter 506:

- authorizes a representative payee to manage the general assistance (GA) grant of a drug-dependent person; allows a representative payee to decide the best way to use the GA benefits to meet the person's needs; requires annual review of the assignment.

Enactment: April 13, 1988

Effective: Aug. 1, 1988

Handicapped children—county plan for early intervention
 HF2370—Vellenga
 SF2206*—D.C. Peterson

Chapter 576:

- requires the biennial community social services plan the county publishes to include a statement describing how the county is fulfilling its responsibility to establish a comprehensive and coordinated system of early intervention services for handicapped children.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

Health and Human Services—omnibus bill

- (See Appropriations)

Health Dept. subpoenas—authority
 HF0421*—Ogren, Orenstein
 SF0951—Chmielewski

Chapter 579:

- authorizes the commissioner of health, as part of an investigation of whether a health threat exists or to find people who may have been exposed to an agent which can seriously affect their health, to issue subpoenas to require witnesses to attend, testify, and produce books, records, correspondence, and other information relevant to the investigation;

- makes failure to comply with a court order punishable as contempt of court.

Enactment: April 21, 1988

Effective: day after enactment

Hearing impaired—telephone assistance
 HF1812—Clark, Jacobs, Ogren, McLaughlin, Greenfield
 SF1809*—Marty, Dicklich, Berglin, Dahl

Chapter 621:

- gives local telephone companies the option to combine surcharges for emergency telephone service (9-1-1), Telephone Access for Communication Impaired Persons (TACIP), and the Telephone Assistance Plan (TAP);
- requires the Department of Administration to separate and deposit surcharges in appropriate accounts;
- transfers TACIP program administrative duties from local telephone companies to the commissioner of human services;
- makes technical changes in the TACIP program;
- provides for reimbursements to state agencies and local telephone companies for purchases they made, services they provided, and their administrative expenses;
- adds low-income disabled persons to those eligible for TAP and clarifies TAP eligibility;
- requires local telephone companies to mail this notice to subscribers, annually: "You may be eligible for assistance in paying your telephone bill if you meet certain household income limits, and you are 65 years of age or older or are disabled. For more information or an application form please contact...."

Enactment: April 24, 1988

Effective: day after enactment

HMO consumer protection
 • (See Insurance)

HMO coverage—cleft palate, ventilator-dependent person
 • (See Insurance)

HMO solvency—requirements
 • (See Insurance)

HMO/Medicare consumer—bill of rights
 HF1498—Clark
 SF1388*—Berglin

Chapter 592:

- requires that all Health Maintenance Organization (HMO) contracts and consumer coverage materials include this cover statement: "Important Consumer Information and Enrollee Bill of Rights";
- requires that consumer materials include specific information on covered services, providers, referrals, emergency services, exclusions, and continuation and cancellation of coverage;
- defines the Enrollee Bill of Rights;
- allows Medicare enrollees to disenroll from the HMO;
- prohibits others from asking or encouraging Medicare enrollees to disenroll from the HMO, unless federal law specifies otherwise;
- states that Medicare enrollees have the right to clear descriptions of nursing home and home care benefits the HMO covers;
- requires HMO marketing materials to state all exclusions and limits on covered services;
- mandates that all marketing materials include this message: "This health care plan may not cover all your health care expenses; read your contract carefully to determine which expenses are covered";
- requires HMOs to provide consumers with telephone numbers to call for:
 - specific information about access to providers; and
 - questions about coverage and policy procedures;
- requires HMOs to give information to an enrollee or an enrollee's representative on how to obtain referrals, prior authorization or second opinions, in person or by telephone, within one

business day following the day the request is made;

- requires HMOs to issue membership cards to enrollees;
 - requires HMOs to give enrollees written statements, within a reasonable time, detailing the reason services were refused and explaining complaint or Medicare appeal procedures;
 - prohibits HMOs from denying or limiting coverage of a service, which the enrollee has already received, if:
 - the HMO would have covered the service had the enrollee obtained prior authorization or second opinion;
 - a participating provider ordered it;
 - the HMO would have otherwise covered the service; and
 - the HMO didn't give the enrollee prior written notice that it wouldn't cover the service by a nonparticipating provider;
 - prohibits an HMO from taking retaliatory action against a provider who gives accurate information about the HMO's benefit coverage and limits or accurate interpretations of the provider agreements;
 - prohibits HMOs or other health care providers, when attempting to collect delinquent accounts, from implying or suggesting that the HMO or provider will withhold emergency health care services if payment is not received;
 - requires the commissioner of health to report to the Legislature before Jan. 15, 1989 about the state's efforts to assess and improve HMO quality assurance standards;
 - requires the commissioner of human services to contribute information and data from the state's programs to enroll medical assistance recipients in prepayment plans;
 - requires the Commission on Health Plan Regulatory Reform to investigate consumer choice and access issues related to health insurance.
- Enactment:** April 21, 1988
Effective: various dates

Human Services Licensing Act—modifications

HF2123—Greenfield, Clark
 SF1594*—Lantry

Chapter 411:

- includes a natural child, adopted child, or stepchild as a "related individual" for purposes of the Human Services Licensing Act;
 - modifies exclusions from licensure to:
 - exempt certain school programs;
 - change board and lodging exemptions to include facilities with five or more people with mental illness who've refused an appropriate residential program a county agency offers (this exclusion expires July 1, 1989); and
 - exempt nonresidential programs for nonhandicapped children;
 - requires the commissioner to obtain a court order or consent of the subject of the records, or parents or legal guardian of the subject, before photocopying hospital medical records;
 - requires the commissioner of health to recommend to the Legislature, by Jan. 1, 1989, an appropriate method for enforcing licensing requirements for residential programs for five or more mentally ill persons;
 - relieves the state's obligation to defend, compensate, or reimburse a municipality for inspections or investigations relating to licensing to the extent of a municipality's liability insurance.
- Enactment:** March 22, 1988
Effective: Aug. 1, 1988

Indian health facilities—rate exemptions, changes

HF2415—Dauner, McLaughlin, Cooper, Greenfield
 SF1970*—R.D. Moe, Langseth

Chapter 435:

- exempts Indian health service facilities from rate establishment; requires rate establishment for out-of-state hospitals.
- Enactment:** March 30, 1988
Effective: day after enactment

Mental health ombudsman—duty clarification

HF2138*—Greenfield, Segal, Wynia, Forsythe, Kelso
 SF1628—Berglin, Samuelson, D.C. Peterson, Benson, Piper

Chapter 543:

- clarifies and revises the role of the ombudsman for mental health and mental retardation;
 - extends the ombudsman's authority to serve people with mental illness, mental retardation or related conditions, chemical dependency, or emotional disturbances;
 - specifies, defines, and clarifies duties, terms, and responsibilities of the ombudsman and ombudsman's office;
 - transfers a 1987 appropriation from the Welsch consent decree monitor's office to the ombudsman for mental health and mental retardation.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

National health insurance—resolution

- (See Resolutions)

Nurse-midwives prescriptions— certification

HF1784*—McLaughlin, Wynia,
Dauner, Greenfield, Stanius
SF1663—Lantry, Brandl, Berglin,
Brataas, Benson

Chapter 440:

- allows a certified nurse-midwife to prescribe and administer drugs and therapeutic devices;
- allows an appropriately certified and licensed health care professional to prescribe legend drugs and controlled substances.

Enactment: April 4, 1988

Effective: day after enactment

Nursing practitioners— health plan payments

- (See Insurance)

Outpatient treatment— by court order

HF2130—Vellenga, Segal, Sparby,
Stanis, Wynia
SF2055*—Berglin, D.C. Peterson,
Diessner, Brandl, Storm

Chapter 623:

- requires annual reviews in the three-year judicial review of mentally retarded persons courts have committed for an indeterminate period of time;
- requires the court, when considering judicial commitment for mentally ill, mentally retarded, or chemically dependent persons, to decide upon the least restrictive program; requires the court to consider a range of treatment alternatives, including community-based nonresidential treatment, community residential treatment, partial hospitalization, acute care hospital and regional treatment center services; requires the court to consider a proposed patient's willingness to have treatment;

- details the contents of a court order for committing a person to community-based treatment;
- outlines procedures and rules for commitment to community-based treatment;
- requires the court to appoint a case manager when committing a person to community-based nonresidential treatment; specifies manager's duties;
- specifies conditions for releasing a person after the commitment hearing, but before the court issues a commitment order;
- requires the court to appoint a case manager after a patient's provisional discharge from a regional treatment center; specifies manager's duties;
- requires notifying the patient's attorney when revocation of a provisional discharge is likely;
- transfers certain duties from the head of the treatment facility to the case manager, including authority to revoke provisional discharges within 60 days of release and authority to apply for a court order directing the return of a patient to the facility;
- allows the heads of treatment facilities to discharge any person the facility admitted as mentally retarded if a preliminary assessment determines that community services can fulfill the person's needs and a plan is developed to ensure that will happen;
- repeals current law governing release before commitment;
- appropriates \$60,000 to the commissioner of human services to implement this act.

Enactment: April 24, 1988

Effective: Jan. 1, 1989

Pharmacy Practice Act of 1988

HF0812—Welle, L. Carlson,
Battaglia, Vellenga, Stanis
SF0752*—Reichgott, Solon,
Wegscheid, Piper, Knutson

Chapter 550:

- clarifies the Board of Pharmacy's powers and duties;
- requires the board to provide for the annual registration of:

- nonresident special pharmacies;
- nonlicensed retailers that sell or distribute certain federally restricted medical items; and
- drug manufacturers and wholesalers;
- regulates a veterinarian's sale or distribution of drugs;
- prohibits:
 - dispensing certain drugs without a prescription; or
 - conducting a pharmacy or making certain retail sales without proper registration.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Physical therapists— regulation, authorization

HF0926—Clark, Battaglia,
McLaughlin, Redalen, Vellenga
SF0335*—Brandl, Chmielewski,
Solon, Knutson, Wegscheid

Chapter 549:

- requires the Board of Medical Examiners to regulate continuing education requirements for physical therapists, and collect fees to cover administrative costs of physical therapy laws;
- specifies certain grounds for disciplinary action;
- prohibits certain business relationships in the practice of physical therapy;
- regulates use of physical therapy treatment without a physician's referral.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

**Regional treatment centers—
mission statement**

HF2372*—Rodosovich, Welle,
Lasley
SF2273—Berglin, Samuelson,
Chmielewski, D.R. Frederickson,
D.E. Johnson

Chapter 464:

- sets goals for regional treatment centers (RTCs) and recognizes that the centers are an integral part of the continuum of care for the mentally ill;
- requires the commissioner of human services to monitor the center's goals and to implement the goals and objectives by June 30, 1993; report to the Legislature by Feb. 15, 1989, and annually thereafter.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

**Regional treatment centers—
work activity programs**

HF2080—Dorn
SF1620*—Piper, Berglin

Chapter 532:

- authorizes the commissioner of human services in cooperation with the commissioner of jobs and training, to establish therapeutic work activity programs in regional treatment centers (RTCs) and to avoid duplication of services;
- requires certain American Indian chemical dependency programs on federally recognized tribal lands to have licenses from the tribal government before they can be vendors eligible for reimbursement under the Consolidated Chemical Dependency Treatment Fund.

Enactment: April 14, 1988

Effective: day after enactment

**School immunizations—
technical changes**

HF2083*—Orenstein, Ogren,
Greenfield, Gruenes, Clark
SF1588—Vickerman, Beckman

Chapter 430:

- makes technical changes in the immunization law, some of which:
 - allow a person over two months old to enroll or remain enrolled in any elementary or secondary school or day care facility, provided the school or facility has the appropriate statement from a physician or public clinic;
 - change the age after which red measles immunizations should be given from 11 months, 15 days to 12 months;
 - define requirements for primary immunization schedules; and
 - require school and day care facility administrators to file a report with the commissioner of human services that includes immunizations on all enrolled children.

Enactment: March 30, 1988

Effective: Jan. 1, 1989

Service dogs—access, definition

HF1748*—D. Carlson,
S. Olsen, Tjornhom
SF1972—Solon, Wegscheid,
Diessner, Laidig, Brataas

Chapter 637:

- changes the term "guide dog" to "service dog";
- mandates equal access to housing for physically handicapped people with service dogs.

Enactment: April 26, 1988

Effective: Aug. 1, 1988

**State building code—day care,
deadbolt locks**

- (See Governmental Operations)

**Vocational rehabilitation—
program, location choice**

HF2620—Dorn, Rodosovich,
Kelso, Welle, Tompkins
SF2243*—Berglin, Solon, Piper,
Knutson, Benson

Chapter 512:

- allows a disabled person eligible for extended employment services the right to choose the location of the extended employment program, even if the program is outside the county of financial responsibility.

Enactment: April 13, 1988

Effective: Aug. 1, 1988



Housing/ Real Estate



Energy policy task force— low-income persons

HF2667—Dawkins, Trimble, Otis
SF2456*—Solon, Samuelson,
Frank, Marty, Kroening

Chapter 562:

- creates a 10-member advisory task force on energy policy for low-income Minnesotans;
 - requires the task force to study the energy needs of low-income people and to review the efficiency, coordination, and effectiveness of existing energy-related programs;
 - lists other areas the task force must also study;
 - requires the task force to submit a report on its findings and recommendations to the governor and Legislature by Jan. 15, 1989;
 - repeals this act May 1, 1989.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

Housing trust fund

HF2019—Clark, Jefferson,
McLaughlin, Dawkins
SF1462*—Dahl, Pogemiller,
Merriam, Luther

Chapter 654:

- creates a housing trust fund from interest from accounts realty brokers set up to pool real estate clients' funds,

including earnest monies;

- specifies procedures and regulations regarding such real estate accounts and allows real estate clients to retain the interest from their monies as part of their purchase agreement;
 - specifies that housing trust fund money go to provide loans and grants to projects that supply certain low-income housing throughout the state;
 - permits the use of housing trust fund money to match federal, local, or private money earmarked for such low-income housing projects;
 - establishes an advisory committee to help manage the housing trust fund;
 - mandates the transfer of 5 percent of the housing trust fund twice a year to the real estate education, research, and recovery fund;
 - requires an annual legislative report on the use of the housing trust fund.
- Enactment:** April 26, 1988
Effective: day after enactment for provisions creating the housing trust fund; Aug. 1, 1988 for provisions related to real estate monies

Housing, redevelopment authorities—interest program

HF2159—Gruenes
SF1672*—Pehler, Pogemiller,
Reichgott, Stumpf

Chapter 551:

- removes the Jan. 1, 1989 sunset date on housing and redevelopment authorities' interest reduction assistance program.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

Landlord penalties—

renting condemned property
HF2224*—Jefferson, Clark
SF2170—Kroening, Cohen, Marty

Chapter 526:

- penalizes landlords who rent condemned property by making them

liable to their tenants for three times the amount of all money they collect after the date of condemnation, plus costs and attorney fees.

Enactment: April 14, 1988

Effective: Aug. 1, 1988

Landlord repairs—tenants' rights
HF1872—Jefferson, Dawkins, Clark
SF1819*—Marty, Berglin, Luther,
Pogemiller

Chapter 470:

- provides timely recourse to tenants when utilities disconnect their service because their landlords failed to pay the bills;
- allows tenants, with proper notification, to pay for disconnected utilities and deduct the amount from rent due;
- makes similar provisions for tenants who use oil or propane to heat their homes.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

Low-income housing credits

HF2063*—Jefferson, Dawkins,
Tjornhom, Ogren, Murphy
SF1805—Morse, D.C. Peterson,
Marty, Stumpf

Chapter 542:

- authorizes the Minnesota Housing Finance Agency to refinance obligations on residential housing for low and moderate incomes if the agency determines that refinancing is necessary to provide and maintain the supply of affordable housing;
- changes the formula for determining the amount of low-income housing credits to reserve for cities and counties;
- requires a housing and redevelopment authority to prepare a housing plan and program, and submit them for Metropolitan Council review and approval before issuing bonds or

obligations for a project.

Enactment: April 18, 1988

Effective: Aug. 2, 1988 for provision on housing plan and program bonding process; day after enactment for remaining provisions

Real estate closing services

HF2526*—Price, Sparby, Schreiber, Sarna, Vanasek

SF2489—Metzen, Solon, R.D. Moe, Benson

Chapter 695:

- defines "closing agents" or "real estate closing agents" as title company agents, licensed attorneys, real estate brokers, or salespeople who directly or indirectly provide closing services incident to the sale, trade, lease, or loan of residential real estate for or without a commission or fee;
- allows licensed attorneys, real estate brokers, salespersons, or closing agents to perform residential real estate closing services and to charge a fee for their services; prohibits such charges if the person who performs the closing fails to inform the party in writing of the charges five business days before the closing;
- provides that if a real estate broker, salesperson, or closing agent performs closing services, these regulations apply:
 - the written contract for closing services must state that the broker, salesperson, or closing agent cannot and did not express opinions regarding the legal effect of the closing documents or of the closing itself; and
 - these people may not charge a closing fee if the closing occurs without either a mortgagee's or owner's title insurance commitment or a legal opinion on the status of title;
- prohibits financial institutions, or others making a mortgage loan, from requiring borrowers to get a particular attorney, real estate broker, salesperson, or closing agent to perform

residential closing services.

Enactment: April 28, 1988

Effective: various dates

**Real property—
advertised foreclosure notices
HF1767***—R. Anderson
no companion

Chapter 421:

- requires notices of foreclosure by advertisement to include the name of each owner who has been released from financial obligation on the mortgage and a statement to that effect.

Enactment: March 29, 1988

Effective: Aug. 1, 1988

**Real property—
conditions restriction
• (See Legal/Judiciary)**

**Real property—
variance filing requirement
HF1966***—Blatz
SF2177—Bellanger, McQuaid, Schmitz, Adkins

Chapter 583:

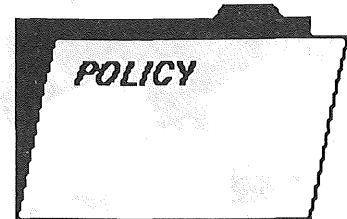
- requires filing of certified copies of every variance to abstract or registered property granted under the Municipal Planning Act with either the county recorder or registrar of titles.

Enactment: April 21, 1988

Effective: Aug. 1, 1988



Insurance



HMO consumer protection

HF2012—C. Nelson, R. Anderson, Bertram, Bauerly, Cooper

SF1861*—Pehler, R.D. Moe, Bertram, Adkins, D.E. Johnson

Chapter 434:

- requires group health maintenance organizations (HMOs) to provide Minnesota policyholders who move from an HMO service area, but who remain residents of the state, with acceptable alternative coverage; also provides:
 - alternative coverage at the enrollee's option and expense, and that such coverage be available without further evidence of insurability, and without interruption of coverage (formerly, replacement coverage was available only to group contracts);
 - that if such alternative coverage is not available at reasonable rates, HMOs will make enrollees aware of health plans available in other service areas; and
 - 90 days' notice to those enrollees eligible for alternative coverage;

- entitles Minnesota HMO residents to evidence of coverage or contract; prohibits issuing evidence of coverage or contract until the commissioner of health has reviewed a copy;
- requires a clear and complete statement of enrollee's rights on the contract's cover page regarding covered services, providers, referrals,

emergency services, exclusions, continuation, and cancellation conditions; sets effective date at Jan. 1, 1989;

- requires HMO contracts to state that enrollees will get 30 days' advance notice of any change in fees or benefits;
- entitles enrollees to a 31-day grace period to pay each premium that falls due after payment of the first premium; requires HMO contracts to clearly state the existence of the grace period;
- allows an enrollee to cancel an HMO contract within 10 days of purchase and receive a full refund;
- requires that the HMO deliver individual contracts to enrollees no later than the first day of coverage, and provide a Department of Health telephone number so enrollees may file complaints;
- requires HMOs to issue to the commissioner an annual report including a separate report concerning health maintenance contracts they sell to individuals who have certain Medicare coverage;
- requires HMOs issuing contracts to persons who have Medicare coverage to give applicants a description of benefits, coverage, exceptions, reductions, and limitations in the contract, including a description of nursing home and home care benefits the HMO does and does not cover;
- requires a statement, when applicable, that an enrollee's HMO coverage will change the enrollee's Medicare coverage;
- requires HMOs to provide enrollees with a list of the names and locations of participating providers to whom enrollees have direct access without referral;
- increases from seven to 120 days (before the effective date) the time in which an HMO shall report to the commissioner a cancellation between the HMO and a participating health provider; requires three-day notification to the commissioner when a provider's termination is due to death, disability, or loss of license;

- requires that HMOs give enrollees 30 days' notice of any cancellation or nonrenewal;
- prohibits terminating coverage of a former spouse and dependent children because of divorce; requires continuation of coverage for the former spouse until the earlier of the following dates:
 - the enrollee's former spouse gets coverage under another group plan; or
 - the date of coverage would otherwise terminate under the HMO contract;
- requires HMO contracts covering an enrollee's spouse and children to permit the spouse and dependent children to continue coverage when the enrollee qualifies for benefits under Medicare;
- requires HMOs to permit dependent children to continue coverage when they cease to be dependent children;
- requires HMOs to provide "replacement" coverage to any enrollee whose coverage terminates for any reason other than:
 - failure to pay the premium or co-payment the plan requires;
 - the enrollee moves from the service area; or
 - the enrollee falsifies membership information;
- requires HMOs to offer such replacement coverage without evidence of insurability, pre-existing condition exclusions, and interruption of coverage;
- limits the cost of HMO replacement coverage to 125 percent of the cost of the average fee the HMO charges; sets standards for replacement coverage if an HMO doesn't provide it;
- requires HMOs to give 90 days' notice to enrollees before canceling a policy; prohibits giving notice of cancellation until the HMO has filed a replacement policy and received approval or disapproval from the commissioner;
- provides that the commissioner's disapproval entitles the enrollee to coverage under the Minnesota Comprehensive Health Association (MCHA);

- empowers the commissioner to compel mediation between HMOs and health care providers when an impending contract default by one or the other may result in loss of health care services to the public;
 - prohibits any action to terminate provider or enrollee contracts while the dispute is in mediation; prohibits notification of termination of provider agreements no earlier than 31 days after the first day of mediation;
 - provides that an HMO that terminates individual health coverage for reasons other than nonpayment of premiums, enrollee moving from service area, or falsified information, and doesn't provide replacement coverage, shall pay a special assessment to the state plan based upon the number of individuals who join the state plan (MCHA);
 - makes terminating HMOs liable for the costs of any pre-existing conditions of their former enrollees who get treatment during the first six months of coverage under the state plan;
 - provides that an HMO terminating enrollee coverage because of a loss of health care providers will receive special review from the commissioner to determine whether the special assessment to MCHA will adversely affect the HMO and its other enrollees.
- Enactment:** March 30, 1988
Effective: day after enactment with certain exceptions

HMO coverage—cleft palate, ventilator-dependent person
HF1794—DeBlieck, Skoglund, Waltman, Winter, Clark
SF1646*—DeCramer, Luther

Chapter 656:

- clarifies that coverage for the newborn in individual family HMOs and accident and health policies covers inpatient and outpatient expenses, including dental and other treatments of cleft lip and cleft palate;
- requires coverage for certain services by a private duty nurse or personal

care assistant to a ventilator-dependent person;

- requires that coverage must include adopted children on the same basis as other dependents;
- allows the state or county to collect for medical care or services from private insurance coverages for inmates of state or local correctional facilities.

Enactment: April 26, 1988

Effective: day after enactment for provisions on coverage for adopted children; Aug. 1, 1988 for remaining provisions; applies to policies issued or renewed on or after that date

HMO solvency—requirements

HF2127*—Greenfield, Wynia,
R. Anderson, Ogren, Orenstein
SF2008—Brandl

Chapter 612:

- requires new and existing HMOs to carry insurance against insolvency;
- requires that HMOs applying for a certificate of authority after April 25, 1988, must deposit \$500,000 in a financial institution and provide the commissioner of health with evidence of the deposit before such HMOs may receive a certificate of authority;
- requires that HMOs, after 12 months of operating under certificates of authority, maintain certain amounts on deposit in subsequent years;
- allows a letter of credit from a financial institution to satisfy one-half an HMO's deposit obligation;
- provides for a net worth phase-in period;
- allows the commissioner to determine whether a guaranteeing organization can better satisfy the net worth requirements of some HMOs;
- requires that if the HMO's working capital or net worth is less than the required minimum, the HMO must adjust operations to correct the organization's net worth or working capital;
- restricts the investment of HMO

funds to certain securities and property; sets effective date at Jan. 1, 1990;

- requires an HMO to submit unaudited financial statements on a quarterly basis to the commissioner;
- states that the providers (doctors, clinic, hospitals) may not bill enrollees for amounts higher than those specified in the evidence of coverage of the enrollees' policies, nor can the HMO bill enrollees for amounts above those specified in the evidence of coverage as the periodic prepayment, or copayment, for health care services;
- requires contracts between health providers and HMOs to contain a provision in which the provider agrees not to seek any type of payment from enrollees, or a person acting in their behalf, for covered services, even if after they've rendered the services, the HMO becomes insolvent, the HMO-provider contract is breached, or the HMO fails to pay the provider;
- requires the provider to participate in the HMO's quality assurance program, dispute resolution procedure, and utilization review program;
- requires providers to give HMOs 120 days' notice of termination of the HMO-provider contract, if the provider decides to terminate without cause;
- states that if the HMO's payments to the health provider are delayed beyond the contract payment date, the provider may notify the commissioner who shall consider that information in assessing the HMO's solvency;
- states that the commissioner of health (formerly commissioner of commerce) may independently order the rehabilitation or liquidation of HMOs; states that insolvency of an HMO exists when the HMO cannot satisfy its financial obligations, or when the HMO fails to correct net worth deficiencies because its working capital is below the needed amount;
- gives the liquidator power to transfer enrollee coverage obligations to a solvent HMO and to assign health provider contracts to that HMO;
- states that the premium for alternative coverage the Minnesota Comprehensive Health Association (MCHA)

provides, must not exceed 80 percent of the premium for similar coverage the organization offered;

- entitles a member of an insolvent HMO, alternative coverage under the MCHA if the person is and has been a Minnesota resident for six months, had individual or group coverage through an HMO that has become insolvent, and has not been able to obtain alternative health coverage; allows qualifying persons to receive health coverage from MCHA without limitations on pre-existing conditions;
- states that enrollees of (insolvent) individual HMO plans may receive MCHA coverage for 90 days; states that former enrollees of (insolvent) group HMO plans may receive coverage for 90 days or the length of time remaining in the group contract, whichever is greater.

Enactment: April 24, 1988

Effective: day after enactment

Medical coverage—increase

HF0464*—L. Carlson, Skoglund,
Greenfield, Carruthers, Haukoos
SF0579—Luther

Chapter 704:

- increases the maximum lifetime benefit for major medical coverages from \$250,000 to \$500,000.

Enactment: May 4, 1988

Effective: Aug. 1, 1988

Minnesota Insurance

Guaranty Assn.—regulations

HF1897*—Scheid, McKasy, Quinn,
Carruthers, Skoglund
SF1802—Spear, Solon, Cohen,
D.C. Peterson, Anderson

Chapter 541:

- excludes investment risks insurance from Minnesota Insurance Guaranty Association (MIGA) coverage;
- restricts MIGA coverage to Minnesota corporations whose principal

place of business is in Minnesota or to corporations whose principal place of business is in Wisconsin, Iowa, North Dakota, or South Dakota, but who maintain substantial business in Minnesota;

- defines "affiliate" to exclude affiliates of insolvent insurers from recovering from MIGA;
- directs MIGA to return monies recovered from the estate of an insolvent insurer to the account which covered the loss, and to use this money if necessary to cover future claims;
- sets effective date at Aug. 1, 1988;
- provides that a covered claim doesn't include claims filed with MIGA after the final date the court sets for filings, except for certain excluded late filings;
- excludes from MIGA coverage, other insurance companies' subrogation (substitute) claims, or claims against those whom the MIGA-covered insolvent company insured;
- provides for coordinating out-of-state workers' compensation claims with the claimant's state of residence;
- changes the MIGA board's duty from monitoring and policing competing members' financial condition to assisting the commissioner of commerce by responding to requests and making recommendations;
- requires MIGA-covered insurers to include, in their rates and premiums, amounts sufficient to recoup assessments the insurer paid in Minnesota, and to state on either a billing notice or policy declaration they send to an insured, the percentage and/or dollar amount portion of the premium they used to recoup such assessments;
- provides for staggered terms for MIGA board members; sets effective date at Aug. 1, 1988.

Enactment: April 18, 1988

Effective: day after enactment unless otherwise noted; applies to all unsettled current or existing and future claims paid after that date arising out of any past or future member insolvency

Nursing practitioners— health plan payments

HF1853*—Voss, Skoglund, Otis,
G. Anderson, Knickerbocker
SF1758—D.C. Peterson, Metzen,
Samuelson, Luther, Spear

Chapter 441:

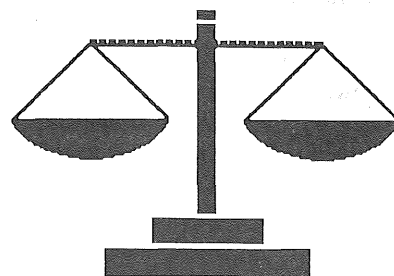
- clarifies an existing statute requiring insurance plans to cover the services of a registered nurse in advanced nursing practice to the same extent that they cover services of a physician;
- includes, among covered services, those of nurse practitioners, or clinical specialists in psychiatric or mental health nursing;
- requires every policy, plan, certificate, or contract issued after Aug. 1, 1988, to provide coverage for routine screening procedures for cancer, including mammograms and Pap smears, when a physician orders or performs them according to standard medical practice;
- clarifies that all accident and health insurance policies, health maintenance contracts, and health benefit certificates a fraternal beneficiary association offers, and group subscriber contracts that nonprofit health service plan corporations offer must include coverage for routine procedures; excludes certain specialty policies from this requirement.

Enactment: April 4, 1988

Effective: Aug. 1, 1988



Legal/Judiciary



Architects, builders— statute of limitations

HF2508*—Voss, Knuth
SF2257—Novak

Chapter 547:

- allows anyone who brought a lawsuit which the 1976 limitation period on actions against architects and builders originally limited, to bring the lawsuit under the 1986 version of the law, even though the 1986 law would otherwise prohibit the lawsuit.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Charitable gambling— real property profit

- (See Gaming)

Child support, maintenance— enforcement

- (See Families/Juveniles)

Child support—**automatic withholding changes**

HF2341*—Forsythe, Greenfield,
Clausnitzer, Vellenga, Blatz
SF2506—Pogemiller, Ramstad

Chapter 693:

- allows an obligee (person who receives maintenance or child support payments), or the public authority responsible for child support enforcement, to petition certain courts (in counties that have automatic withholding programs) for an order requiring automatic withholding, if the court modifies a maintenance or child support obligation the court determined prior to the effective date of this act;
- requires the court to grant the order if it finds that the obligor (person who owes the payments), without good cause, has failed to pay within 10 days of the due date at least twice in the three months immediately preceding the date of the motion;
- requires the court to stay (cancel) an automatic withholding order if the court finds the obligor isn't behind in maintenance or child support payments, and he/she establishes an escrow (savings) account equal to two months' payments and authorizes only the public authority to draw out those funds;
- requires the public authority to draw on such funds if:
 - the obligor fails to pay the support amount to the obligee or the public authority within 10 days of its due date;
 - the obligee transmits a default notice and applies to the public authority for child support and maintenance collection services; and
 - the public authority mails a copy of the default notice and a notice of intent to begin income withholding to the obligor within three working days of receiving the obligee's notice;
- requires the public authority to release the funds (with interest) when the obligation for maintenance or child

support ends and the funds haven't been released previously;

- requires the commissioner of human services to report on administration costs of automatic withholding programs, and separately identify case statistics and costs of the escrow option.

Enactment: April 28, 1988

Effective: day after enactment with certain exceptions

Contracts for deed—**recording assignments**

HF2134*—Wagenius, Long,
SF2023—Berglin, D.C. Peterson,
Spear

Chapter 566:

- requires recording an assignment of a contract for deed as well as the contract itself;
- increases the civil penalty for failure to record, and decreases the time allowed for recording;
- requires a city or county to give 14 days' notice before taking action to enforce a person's duty to record;
- requires parties to the contract for deed or the property subject to the contract for deed to disclose their identities.

Enactment: April 20, 1988

Effective: Aug. 1, 1988

**Courts—referee's orders,
financing study**

HF1844*—Vellenga, Trimble,
Pappas, Kelly
SF2279—Cohen

Chapter 582:

- provides that a court referee's recommended orders and findings become effective when a judge countersigns them; provides that such orders remain effective during review unless a judge expressly states the order's effect, changes the order, or

changes or vacates the order after completing a review;

- requires the Minnesota Supreme Court to appoint a task force to study the relationship between the district court and Minnesota counties; requires the task force to make recommendations regarding control and financing of district courts to the Legislature by Feb. 1, 1989.

Enactment: April 21, 1988

Effective: Aug. 1, 1988

Data Practices Act—amendments

HF2235—D. Nelson
SF2122*—R.W. Peterson, Merriam,
Cohen, Knaak

Chapter 670:

- requires the commissioner of administration to attempt to resolve a data dispute through education, conciliation, or mediation, before using the contested case method;
- amends the law on government records administration to allow a government entity that successfully challenges data under the Data Practices Act, to alter, modify, or destroy the data;
- classifies as nonpublic data, claims experience and all related information the Department of Employee Relations (DOER) receives from carriers and claims administrators participating in either the state group insurance plan or the public employees insurance plan, except when the department determines that releasing the data won't be detrimental to the plan; sets effective date as the day after enactment;
- allows the commissioner of jobs and training to release the name, business address, and business telephone number of any individual licensed under laws governing blind and visually handicapped people; sets effective date as the day after enactment;
- specifies that certain data regarding the Minnesota Zoo is private or nonpublic;

- allows certain correctional authorities to release private or confidential court services data about criminal acts to:

- any law enforcement agency, if necessary for law enforcement purposes; or

- a crime victim, where the data is necessary for the victim to assert his/her legal right to restitution;

- requires health care providers to furnish a patient's health record information to the patient upon his/her written request; allows the provider to furnish only a summary if the patient agrees, and exclude from the health record written speculations about the patient's health condition, with certain exceptions;

- requires the commissioner of public safety to destroy all records of a driver's license revocation or suspension when the revocation or suspension is rescinded; sets effective date as the day after enactment;

- allows the commissioner of transportation to provide to the Transportation Regulation Board information about a petitioner or carrier subject to the board's jurisdiction; requires the commissioner to notify the petitioner or carrier in writing when he/she provides such data to the board;
- clarifies that court services or law enforcement agencies may exchange information on juveniles if the requesting agency needs the information to initiate, further, or complete an investigation;

- allows a charging party access to data he/she provides under human rights laws; sets effective date as the day after enactment.

Enactment: April 26, 1988

Effective: Aug. 1, 1988 unless otherwise noted

Debtor exemptions

HF2422*—Simoneau, Kelly

SF2278—Cohen

Chapter 490:

- provides for purposes of the exemption from attachment, garnishment, or sale on any final process of agricultural land, that when the debtor is a partnership of spouses or of certain relatives, the partners may elect to treat the partnership assets as assets of individual partners;

- exempts from attachment, garnishment, or execution, an employee's benefits under a stock, bonus, pension, profit sharing, annuity, IRA or similar plan which pays benefits because of illness, disability, death, age, or length of service.

Enactment: April 12, 1988

Effective: day after enactment

Future damages—computation

HF1493*—Dempsey, Gruenes,

Milbert, Orenstein, Heap

SF1675—Spear, Merriam

Chapter 503:

- removes the 8 percent minimum interest rate on judgments and references to setting the discount rate; sets effective date as the day after enactment; applies to all cases pending or brought on or after that date;

- creates new law to encourage the court to raise the option of periodic payment of future damages;

- limits the total liability of a joint defendant who is 15 percent or less at fault to a percentage of the whole award representing no more than four times the percentage of fault;

- clarifies that the joint liability limit and the liability limit for governmental units includes any amount reallocated as periodic payments;

- requires the Legislature to appoint a six-member commission to study the civil justice system and current and alternative methods of compensating injured persons; requires the commis-

sion to report findings and recommendations by Jan. 1, 1990;

- repeals the law providing discounting of future damages; sets effective date as the day after enactment; applies to all cases pending or brought on or after that date.

Enactment: April 12, 1988

Effective: Aug. 1, 1988 unless otherwise noted; applies to causes of action arising on or after that date

Gender references

HF0320*—Scheid, Kostohryz,

Segal, Minne, Morrison

SF0622—Samuelson,

D.J. Frederickson, Laidig,

Benson, Reichgott

Chapter 429:

- removes laws regulating public restrooms statutory cities and cities of the fourth class maintain.

Enactment: March 30, 1988

Effective: Aug. 1, 1988

Guardianship— appointment changes

HF1971*—Gruenes, Vellenga,

Carruthers, Dempsey

SF2068—Knaak

Chapter 456:

- permits a court to appoint:

- more than two guardians or conservators for a ward or conservatee;

- an out-of-state guardian or conservator if he/she is able to maintain a current understanding of the ward or conservatee's physical and mental status and needs.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

Hazardous waste—cleanup liens

• (See Environment/Natural Resources)

Human Rights Act—amendments

HF2054—Solberg, Orenstein, Bishop, Dawkins

SF1769*—Reichgott, Piper, Pogemiller, Spear, Cohen

Chapter 660:

- defines “marital status” in the Human Rights Act to mean discrimination because of a person’s spouse’s (or former spouse’s) identity, situation, action, or beliefs;
- requires manufactured home parks (to qualify for an exemption from the law on familial status discrimination) to comply with certain provisions of the manufactured housing law when adopting or amending a rule on residents’ familial status;
- entitles a totally or partially blind, physically handicapped, or deaf person with a service dog to full and equal access to real property; prohibits anyone from requiring such a person to pay extra charges for the service dog; makes the person liable for any damages the dog may cause;
- allows the commissioner of human services to bring an action for default if a respondent fails to answer a party who files charges with the commissioner within 30 days;
- extends from 300 days to one year, the time limit for filing a charge on a civil suit under the Human Rights Act;
- increases from \$6,000 to \$8,500 the maximum amount of punitive damages an administrative law judge or court may award an aggrieved party for discrimination;
- prohibits the state from “receiving” or “entering,” as well as accepting, any bid or proposal for a contract with a party who doesn’t have an affirmative action plan;
- gives the commissioner discretion to accept evidence that a vendor has satisfied local or federal affirmative action requirements;

- removes a provision requiring the court to examine all the evidence in the record before granting enforcement in a proceeding where the commissioner seeks court enforcement of an order;
 - extends attorney/client confidentiality privilege to communications between the state attorney general and charging parties involved in human rights actions;
 - permits the Department of Human Rights (DHR) to bring a civil action in district court for redress (relief) of an unfair discriminatory practice;
 - authorizes the court to award attorney fees to DHR when the department wins a case;
 - requires a party raising a human rights issue in an appeal to the Minnesota Supreme Court or Court of Appeals to notify the commissioner and give the clerk of the appellate courts proof of the notice.
- Enactment:** April 26, 1988
Effective: Aug. 1, 1988

Judgment document—filing satisfaction

HF2000*—Shaver
SF1741—Ramstad, Jude, Luther

Chapter 484:

- requires a judgment creditor to file satisfaction of judgment documents with the court administrator;
 - requires the prevailing party in a civil action to pay \$5.50 to file a satisfaction of the judgment.
- Enactment:** April 12, 1988
Effective: Aug. 1, 1988

Marital assets—marriage dissolution

HF1672—Kludt, Kelly
SF0462*—Cohen

Chapter 590:

- provides a date for valuing marital assets in cases of marriage dissolution;

- requires parties to file a statement of assets and liabilities;
 - provides that parties are responsible to one another for any profit or loss derived from a transaction or use of marital assets while a marriage dissolution or annulment proceeding is pending;
 - allows the court to order a partial distribution of marital assets while a marriage dissolution or annulment proceeding is pending for emergency or compelling reasons, or if both parties so request.
- Enactment:** April 21, 1988
Effective: Aug. 1, 1988; applies to dissolution and annulment proceedings commenced on or after that date

Minnesota Statutes—chapter number assignments

HF1773*—Kelly
SF1907—Luther, Marty, D.M. Moe, Ramstad

Chapter 479:

- directs the revisor of statutes to assign chapter numbers to enrollments and publish bills in *Laws of Minnesota* in chapter number order;
 - provides for showing the time of final enactment of bills on enrollments and publications;
 - maintains existing law on determining final enactment despite changing the numbering method for enrollment and publication chapters.
- Enactment:** April 12, 1988
Effective: Jan. 1, 1989

Minnesota Statutes—revisor’s changes

HF1852—Rest, Carruthers, Bishop
SF1644*—Marty, Jude, Belanger

Chapter 469:

- revises the text of certain laws to remove redundant and obsolete language, simplify grammar and syntax, and improve the language style

without causing changes in the laws' meaning.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

**Pension benefits—
marriage dissolution**

HF2381—Kludt

SF1652*—Knaak, Cohen,
Freeman, Knutson, Jude

Chapter 619:

- permits a court to appoint a qualified person with experience in valuing pension benefits and rights to function as an expert witness in marriage dissolution cases.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

Probate—sentimental property

HF2310—Carruthers, Milbert,

McKasy

SF0896*—Luther

Chapter 417:

- provides that a child's right to receive sentimental property is available to children of a prior marriage who are successors under the will, if the decedent had a will;
- defines property with "sentimental value" as property which obtains its significance from the child's relationship with either the decedent or the decedent's prior spouse who is the child's parent;
- specifies certain types of property ineligible for award under these provisions;
- requires a spouse who is selecting his/her personal property to send a written list of that property to every eligible child, unless the spouse has already made an award of sentimental property;
- allows an eligible child to petition a court to award sentimental property.

Enactment: March 25, 1988

Effective: Aug. 1, 1988; applies to estates of decedents who die on or after that date

**Real property—
conditions restriction**

HF1589*—S. Olsen

SF1615—Jude, Knaak

Chapter 477:

- states that private covenants, conditions, and restrictions on the title or use of real property cease to be valid 30 years after the date of creation, with certain exceptions;
- provides that the filing fee for notices under these provisions is the same as the fee for notice of lis pendens (pending suit) of similar length;
- provides that discharge of the notice may be in the same manner as a notice of lis pendens, and when discharged, ceases to constitute either actual or constructive notice;
- exempts real property in the City of North Oaks from these provisions.

Enactment: April 12, 1988

Effective: upon local approval for provision exempting North Oaks; Aug. 1, 1988 for all other provisions

**Six-member juries—
constitutional amendment**

HF2518—Kelly, Blatz

SF2321*—Spear

Chapter 716:

- proposes to amend the Minnesota Constitution to allow the use of juries of fewer than 12 members in civil and nonfelony cases;
- allows the Legislature to specify the number of jurors (requires at least six) for civil or nonfelony cases;
- requires a 12-member jury for felony cases.

Enactment: May 4, 1988

Effective: day after voters approve the amendment

**Statute of limitations—
real property improvements**

HF1681*—Kludt

SF1532—Luther

Chapter 607:

- clarifies the statutes of limitations for:
 - damages based on services or construction to improve real property; and
 - asbestos actions.

Enactment: April 23, 1988

Effective: day after enactment; applies to matters pending on or instituted on or after the effective date

**UCC computerized filing
system—changes**

HF2520*—Milbert

SF2382—R.W. Peterson

Chapter 589:

- requires a filing officer to conduct searches for Uniform Commercial Code (UCC) financing statements in the new statewide computerized UCC database upon request;
- adds state and federal tax lien notices to the information that the secretary of state keeps on the system;
- permits the secretary of state to give private parties and county recorders electronic-view-only access to computerized records;
- requires county recorders to forward filing and search surcharges to the secretary of state each quarter.

Enactment: April 21, 1988

Effective: Aug. 1, 1988

**Uniform Statutory Rule Against
Perpetuities**

HF1961*—Blatz, Quinn

SF2394—Luther

Chapter 482:

- delays the effective date from Aug. 1, 1988 to Jan. 1, 1990 for the Uniform Statutory Rule Against Perpetui-

ties, which the 1987 Legislature passed.

Enactment: April 12, 1988

Effective: Jan. 1, 1990

**Waste facilities—
records inspection**

HF1846*—Price, Swenson,

D. Nelson, Beard, Bishop

SF1725—Diessner, Vickerman,

Marty, Jude, Laidig

Chapter 521:

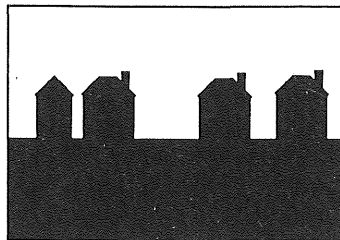
- permits people whom counties authorize, upon presenting their identification and without a search warrant, to inspect or copy a waste facility owner's or operator's records of specified information;
- provides a misdemeanor penalty for anyone who fails to open such records for inspection and copying.

Enactment: April 14, 1988

Effective: Aug. 1, 1988



Local Bills— Cities/Towns



Big Fork—land conveyance

HF2585—Neuenschwander

SF2090*—Lessard

Chapter 472:

- authorizes the commissioner of natural resources to convey certain property to the City of Big Fork in Itasca County.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

**Bloomington, W. St. Paul—
flood mitigation expenditures**

HF2540—Riveness, Blatz, Himle,

McKasy

SF2355*—Belanger, Freeman

Chapter 473:

- authorizes the cities of Bloomington and West St. Paul to spend or lend public funds for flood mitigation measures to protect residential structures in flood-prone areas.

Enactment: April 6, 1988

Effective: upon local approval

Upon local approval means:
effective upon compliance with
Minnesota Statutes, section 645.021

**Brooklyn Center—
state land conveyance**

HF2252*—Carruthers, Scheid

SF2160—Luther

Chapter 461:

- directs the state to convey certain land to the City of Brooklyn Center in Hennepin County.

Enactment: April 6, 1988

Effective: day after enactment

**Cambridge Memorial Hospital
Assn.—land purchase**

HF2270*—Lasley, Peterson,

Jennings

SF1994—R.W. Peterson

Chapter 432:

- allows the commissioner of administration to sell certain land to the Memorial Hospital Association, Inc. of Cambridge, Minnesota.

Enactment: March 30, 1988

Effective: day after enactment

**Cities, towns—
hospital contributions**

HF2190*—Winter, K. Olson

SF2046—Vickerman

Chapter 567:

- allows the cities of Dovray, Jeffers, Storden, Walnut Grove, and Westbrook, and the towns of Amboy, Amo, Ann, Belfast, Bondin, Dale, Des Moines River, Dovray, Germantown, Highwater, Holly, Lime Lake, North Hero, Rose Hill, Shetek, Southbrook, Springdale, Springfield, Storden, and Westwood to contribute gifts to the Schmidt Memorial Hospital in Westbrook;
- allows the cities of Comfrey and Darfur, and the towns of Bashaw, Selma, Stately, Mulligan, Delton, and Adrian to contribute gifts to the Comfrey Hospital;
- allows the city of Mountain Lake, and the towns of Midway, Selma,

Mountain Lake, Lakeside, and Carson to contribute gifts to the Mountain Lake Hospital.

Enactment: April 20, 1988

Effective: day after enactment

Cook County—economic development authority

HF1224*—Battaglia, Begich,

Rukavina

SF1186—D.J. Johnson

Chapter 516:

- creates the Cook County/Grand Marais joint economic development authority that would have statutory powers of an economic development authority covering all of Cook County; requires the Grand Marais City Council to approve certain projects or economic development districts underway in the city;

- authorizes both Cook County and Grand Marais to exercise the powers and duties of a city and a city council; authorizes the joint authority to exercise limited powers and duties of a port authority;

- provides for the appointment, terms, compensation, reimbursement, and removal of the joint authority commissioners;

- authorizes the joint authority to issue general obligation bonds and authorizes Cook County to levy taxes for the benefit of the authority.

Enactment: April 14, 1988

Effective: upon local approval

County bonds—election exemption requirements

- (See Local Bills—Counties)

Debt financing, bonding authority—technical changes

- (See Taxes)

Duluth—Western Waterfront Trail Construction

HF2434*—Munger, Jaros

SF2198—Solon, Gustafson

Chapter 614:

- authorizes the City of Duluth to spend up to \$236,859 for the Duluth Western Waterfront Trail.

Enactment: April 24, 1988

Effective: day after enactment

East Grand Forks—land sale

HF2358*—Lieder

SF2213—R.D. Moe

Chapter 507:

- authorizes Polk County to sell certain tax-forfeited land in East Grand Forks.

Enactment: April 13, 1988

Effective: day after enactment

Economic development authorities—operating licenses

HF2402*—O'Connor, Boo, Jacobs, Battaglia, Sarna

SF2192—Frank, Lantry, Dicklich, Solon, Kroening

Chapter 465:

- permits municipal development authorities or redevelopment agencies to hold necessary operating licenses, including food and liquor licenses, in their own names under certain circumstances.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

Falcon Heights—election precinct consolidation

HF2539—Rose, Wynia

SF2264*—Marty

Chapter 500:

- allows the City of Falcon Heights to establish new election precincts in

1988 by consolidating its four existing precincts into two new election precincts; requires re-establishing boundaries by May 10, 1988;

- sets specific conflict of interest rules for Ramsey County employees.

Enactment: April 12, 1988

Effective: upon local approval

Farmington—tax-forfeited land sale

HF2637*—Tompkins, Kelso, Ozment

SF2410—Wegscheid

Chapter 528:

- allows the City of Farmington to sell certain tax-forfeited property.

Enactment: April 14, 1988

Effective: day after enactment

Fridley Assembly of God Church—renovation

- (See Local Bills—Metro)

Hospital districts—cities, townships

HF2481*—Battaglia, Begich

SF2259—D.J. Johnson, Dicklich

Chapter 645:

- authorizes the establishment of a hospital district in the cities of Cook and Orr and other townships in Koochiching and St. Louis counties;

- exempts the newly established hospital district from contiguity requirements;

- sets forth the composition of the hospital board;

- places a limit of 2 mills on the tax the hospital district may levy; stipulates that the district may use the tax for acquisition, betterment, and maintenance of the district's hospital and nursing home, and not for administrative or salary expenses;

- authorizes the City of Cook to transfer its hospital and nursing home

to the district without consideration and stipulates that all hospital debt the facilities incurred prior to the transfer remains with the city.

Enactment: April 26, 1988

Effective: upon local approval

Irondale—town levy limit removal

HF1459*—Wenzel

SF1305—Samuelson

Chapter 475:

- repeals a tax levy limitation on the Town of Irondale.

Enactment: April 12, 1988

Effective: upon local approval

Jordan—tax anticipation certificates

HF1864*—Jensen, Kelso, Reding

SF1565—Schmitz

Chapter 540:

- authorizes the City of Jordan, by resolution and without public referendum, to issue tax anticipation certificates;
- requires that the total of such certificates not exceed the amount of current uncollected taxes;
- limits tax levies to \$375,000 in 1987 and \$300,000 in 1988;
- stipulates that certificates are not included in the computation of the city's net debt.

Enactment: April 18, 1988

Effective: day after enactment; applies to certificates issued in anticipation of taxes levied in 1987 and 1988

Liquor license—dinner boats

HF1831*—Poppenhagen

SF1667—Larson

Chapter 539:

- authorizes Becker County, with the public safety commissioner's approval, to issue a liquor license to a 100-passenger dinner boat that cruises

on Detroit Lake;

- authorizes the commissioner to grant a liquor license to a dinner boat at Fort Snelling;

- permits boat operators to sell and serve alcohol only while the boats are cruising, or moored or anchored offshore.

Enactment: April 18, 1988

Effective: upon local approval for Becker County license; Aug. 1, 1988 for Fort Snelling license

Liquor license—midsummer festival

HF2703*—Himle, Riveness,

Blatz, Jacobs

SF2471—Belanger

Chapter 468:

- allows the City of Bloomington to issue a temporary on-sale intoxicating liquor license to Midsummer, A Festival of Music;
- permits the governing body of Midsummer, A Festival of Music to contract a catering service to dispense the liquor, if the catering service has a Bloomington liquor license;
- limits dispensing of intoxicating liquor to licensed festival premises and people attending Midsummer, A Festival of Music.

Enactment: April 6, 1988

Effective: upon local approval

Liquor licenses—St. Cloud,

Douglas County, Red Wing

HF1822—Gruenes, Marsh, Bertram,

Bauerly, Jacobs

SF1673*—Pehler

Chapter 552:

- allows the City of St. Cloud to sell intoxicating liquor at the St. Cloud Civic Center without a license, and to authorize certain liquor retailers to sell intoxicating liquor at certain civic center events;
- authorizes the Douglas County Board to issue an additional liquor license to

a certain business establishment on Lake Le Homme Dieu in Douglas County;

- authorizes the City of Red Wing to issue a liquor license for the T.B. Sheldon Memorial Auditorium.

Enactment: April 18, 1988

Effective: upon local approval

Local government bonding powers

HF2067—Rest, Voss

SF1963*—Pogemiller, Reichgott

Chapter 702:

- authorizes a home rule charter city to issue capital notes in the same manner as statutory cities, unless the city's home rule charter prohibits issuing such notes; sets effective date at May 15, 1988;
- allows housing and redevelopment authorities to invest their funds in the manner the general bond code provides for debt service funds;
- exempts housing projects from competitive bidding if:
 - revenue bonds finance the project (bonds which revenue from the project will support);
 - the authority issuing the bonds owns the land;
 - the developer contracts for the construction or rehabilitation; and
 - the authority finds competitive bidding isn't economical; sets effective date as the day after enactment;
- exempts the Bloomington Port Authority from competitive bidding requirements for certain structured parking facilities related to a tax increment financing project;
- enables a municipality to sell warrants that give their holders the right to purchase refunding bonds at the call date (when bonds become due);
- authorizes municipalities to issue certificates of indebtedness and lend the proceeds to nonprofit hospitals in anticipation of receiving revenues, including federal or state aid pay-

ments; limits the certificate's principal amount and further issuance; requires the hospital and city to enter into a revenue agreement before the city may issue certificates; provides for default;

- requires using revenue proceeds, future state and federal aid, and other available hospital funds to repay certificates; allows the municipality to secure certificates through a trust agreement with a corporate trustee (trust company or bank); requires a municipality to report to the commissioner of health within 30 days of issuing certificates;
- allows an entitlement issuer (certain cities of the first class), with the mayor's approval, to enter into an agreement with a nonentitlement issuer (cities other than first class) to issue mortgage bonds up to \$100,000; sets effective date as the day after enactment;
- exempts obligations from the "five times rule" if the issuing municipality estimates pledged revenues (other than property taxes) will pay in full the obligations (the "five times rule" prohibits principal payments in any year that exceed five times the smallest amount of principal paid in a preceding year); sets effective date at May 15, 1988;
- amends laws governing published notice of bond sales;
- expands the authority to invest debt service funds (cash required to pay interest and principal on outstanding debt during a certain period) in:
 - tax exempt securities and reverse repurchase agreements;
 - mutual funds that national bond rating services (Standard & Poors, or Moodys) rate at certain levels;
 - guaranteed investment contracts (GICs) that U.S. commercial banks, certain foreign banks doing business in the U.S., or certain Canadian or U.S. insurance companies issue; sets effective date as the day after enactment;
- eliminates the requirement to include the discount in computing the savings test when issuing general obligation

refunding bonds; sets effective date at May 15, 1988;

- permits investment of crossover refunding bonds proceeds in GICs meeting standards listed above; permits issuing crossover refunding bonds payable solely from the funds deposited in an escrow account until the original bonds are retired; sets effective date as the day after enactment;
 - requires a governmental subdivision (home rule charter city or county) that employs at least 10 people and hasn't submitted a pay equity compliance report to the commissioner of employee relations to do so by Oct. 1, 1988; requires the plan to include ways to carry out its provisions by Dec. 31, 1991; provides levy limit penalties for governmental subdivisions that don't meet the deadlines;
 - permits the Ramsey-Washington Metro Watershed District to annually levy an ad valorem tax up to \$200,000 on taxable property within the district for an administrative fund, effective for taxes levied in 1988 and payable in 1989 or thereafter;
 - allows the cities of Cannon Falls and Redwood Falls to each establish a port authority using an enabling (written) resolution; sets conditions and limitations for an enabling resolution; requires each city council to hold a public hearing before adopting such resolution; makes provision effective upon local approval in each city;
 - repeals a 1987 law that requires the export finance authority working capital account to maintain a \$1.0m balance.
- Enactment:** April 28, 1988
Effective: Aug. 1, 1988 unless otherwise noted

**Local government—
city reserve fund**
 HF0081*—Stanis
 SF0484—Knaak

Chapter 419:

- allows local governments to use funds from the city reserve to replace

sidewalks and trees.

Enactment: March 29, 1988

Effective: Aug. 1, 1988

Minneapolis Park Board— compensation

- (See Local Bills—Metro)

Minneapolis— development laws update

- (See Local Bills—Metro)

Minneapolis—employee appointments, compensation

HF1862—K. Nelson, Otis,
Greenfield

SF1607*—D.C. Peterson, Berglin,
Spear, Pogemiller, Brandl

Chapter 433:

- provides for the appointment, compensation, and liability of certain Minneapolis city employees and contractors.

Enactment: March 30, 1988

Effective: upon local approval

Minnesota Public Facilities Authority—bonding

- (See Taxes)

Mounds View—land transfer

- (See Local Bills—Metro)

Owatonna—state land purchase
HF2046*—Hartle
SF1931—Frederick

Chapter 459:

- directs the governor, with the commissioner of administration's recommendation, to offer to quitclaim and convey certain state-owned land to the City of Owatonna.

Enactment: April 6, 1988

Effective: Aug. 1, 1988

Pheasant Ridge Music Center—liquor license
HF2254*—Quinn, Jacobs
SF2357—Frank

Chapter 488:

- allows the City of Blaine to issue an on-sale intoxicating liquor license to the Pheasant Ridge Music Center;
- allows dispensing of intoxicating liquor to people attending events at the music center, beginning one hour before each event and ending one-half hour after each event;
- prohibits liquor sales when the music center holds athletic events.

Enactment: April 12, 1988

Effective: upon local approval

Proctor—municipal liquor store profit exemption
HF1731*—Murphy
SF2033—Gustafson, Solon

Chapter 478:

- allows the City of Proctor to operate its municipal liquor store for five more years without complying with a law that requires a public hearing and a voter referendum when the store sustains net losses for more than two out of three consecutive years.

Enactment: April 12, 1988

Effective: upon local approval

Robbinsdale—surface water regulation
 • (See Local Bills—Metro)

St. Paul—capital improvement bonds
HF0289*—Kelly, Vellenga, Orenstein, Trimble, Norton
SF0510—Lantry, Cohen, Marty, D.M. Moe

Chapter 513:

- authorizes the City of St. Paul to issue bonds for its capital improvement program through 1993; stipulates bond amounts for each year and the use of bond proceeds.

Enactment: April 14, 1988

Effective: upon local approval

State lands—Basilica of St. Mary deed
HF2056*—Long, Jefferson
SF1920—Spear, Wegscheid

Chapter 416:

- requires the governor to issue a corrective deed to the Basilica of St. Mary of Minneapolis for lands the state conveyed under 1969 law.

Enactment: March 25, 1988

Effective: Aug. 1, 1988

Town boards—emergency services
HF1926*—S. Olsen, Jennings, R. Anderson, Lieder, Valento
SF2234—Stumpf, McQuaid

Chapter 422:

- allows the governing body or town board of a political subdivision, to authorize an officer to dispatch equipment and personnel outside the subdivision in cases of danger of fire, hazard, or casualty when it would be

impractical for the governing body itself to act.

Enactment: March 29, 1988

Effective: Aug. 1, 1988

Town boards—law enforcement agencies
HF1659*—Murphy, Stanius
SF2094—Gustafson, D.J. Johnson

Chapter 563:

- amends the definition of "constable" to mean any individual a political subdivision employs or appoints and whom the Board of Peace Officer Standards and Training (POST) licenses on or before April 21, 1988;

- authorizes town boards, upon majority vote of town electors, to form law enforcement agencies and to appoint enforcement officers (either peace officers or up to three part-time officers);

- authorizes the board of supervisors to appoint reserve officers and to designate one of the law enforcement officers as the chief officer;

- stipulates that towns that have either peace officers or constables, or both, as of April 21, 1988, have met the requirement for forming a law enforcement agency;

- authorizes POST to issue peace officer licenses to licensed constables who apply to the board for licensing;

- abolishes all constables positions and cancels constable licenses on April 21, 1988;

- clarifies deputy constables powers and duties and repeals the following:

- the authority to arrest a person who, in the deputy constable's presence, violates the state

- Intoxicating Liquor Act; and

- the authority to provide traffic or crowd control assistance;

- prohibits a person from becoming a deputy constable unless the person has satisfied a criminal records check;

- allows peace officers to take on the investigations, law enforcement matters, and other business constables undertake;

- repeals various sections of state law that pertain to the licensing of constables, deputy constables, and peace officers, the responsibilities of each of these groups, the appointment of law enforcement officers, and POST rules.

Enactment: April 20, 1988
Effective: day after enactment

Town officers' duties—changes
HF1851*—Bauerly, Jennings, D. Carlson, Battaglia, V. Johnson
SF1760—Vickerman, Adkins, Schmitz, Renneke, D.R. Frederickson

Chapter 639:

- removes town board members from some noxious weed control penalties;
- changes town officer optional plans so all towns can combine the offices of clerk and treasurer and make the combined office an elective or appointive position; requires the ballot question to state whether the combined office is an elective or appointive position;
- strikes the words "clerk treasurer" from an option which calls for the appointment of the town clerk and treasurer;
- authorizes towns to purchase real or personal property by installment or lease purchase agreements;
- repeals statutory provision that no town shall possess or exercise any corporate powers except those state law allows.

Enactment: April 26, 1988
Effective: Aug. 1, 1988

Town special meeting—lodging tax vote
HF1766*—Battaglia, Solberg, D. Carlson
SF1634—D.J. Johnson

Chapter 414:

- permits towns to impose a lodging tax by affirmative vote of the electors

at the annual town meeting or special town meeting.

Enactment: March 25, 1988

Effective: Aug. 1, 1988

Towns—local improvements
HF1850*—Jennings, Battaglia, Bauerly, D. Carlson, Dempsey
SF1858—Adkins, Vickerman, Renneke, D.R. Frederickson, Schmitz

Chapter 564:

- allows towns, other than urban towns, to make local improvements without approval of town electors.

Enactment: April 20, 1988
Effective: Aug. 1, 1988

Water management organization—erosion control
 • (See Local Bills—Counties)

Watershed improvement—metro payments
 • (See Local Bills—Counties)

White Bear Twp.—economic development authority
HF1865*—Stanislaus, Bennett
SF1971—Knaak

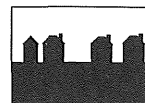
Chapter 678:

- authorizes the Town of White Bear to establish an economic development authority and gives the authority all the same statutory powers of an economic development authority, including tax increment financing;
- grants the town all the powers and duties of a city and city council, including the power to levy taxes;
- allows the town to establish one or

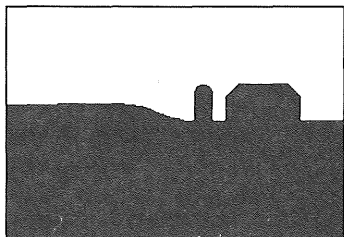
more economic development districts to facilitate development within the town.

Enactment: April 27, 1988

Effective: upon local approval



Local Bills— Counties



Aitkin County—land use ordinance
HF1986—Ogren, D. Carlson
SF1711*—Chmielewski

Chapter 658:

- allows the Aitkin County Board of Commissioners to regulate by ordinance, lands adjacent to public waters dedicated for public use but which the state or any other political subdivisions doesn't own;
 - regulates certain Carlton County employee benefits.
- Enactment:** April 26, 1988
Effective: upon local approval

**Aitkin County—
tax-forfeited land sale**
HF1943*—Ogren, D. Carlson
SF1722—Chmielewski

Chapter 640:

- allows Aitkin, McLeod, and Pine counties to sell certain tax-forfeited lands that border public waters;
- allows Aitkin County to exchange certain tax-forfeited peat land;
- permits Chisago, Kanabec, Pine, and Carlton counties to levy an annual tax up to 0.75 mills to pay for their

Upon local approval means:
effective upon compliance with
Minnesota Statutes, section 645.021

historical societies; allows county residents in each of these counties to petition for a reverse referendum to submit the question of the proposed tax levy to county residents.
Enactment: April 26, 1988
Effective: Jan. 1, 1989 for provisions on a tax levy to pay for certain county historical societies; day after enactment for other provisions

Beltrami County—land conveyance
HF1884*—R. Johnson, Tunheim
SF1806—Stumpf, Decker

Chapter 412:

- allows Beltrami County to convey certain tax-forfeited land to certain private individuals.
- Enactment:** March 22, 1988
Effective: day after enactment

**Carlton County—
tax-forfeited land sale**
HF1898—Ogren, Murphy
SF1713*—Chmielewski

Chapter 555:

- authorizes Carlton County to sell certain tax-forfeited land to Independent School District No. 95.
- Enactment:** April 18, 1988
Effective: day after enactment

Cook County—land exchange, sale
HF2489*—Battaglia, Begich,
Simoneau, Trimble, Rose
SF2216—D.J. Johnson, Novak

Chapter 492:

- authorizes an exchange of certain state lands in the Boundary Waters Canoe Area Wilderness in Cook County and allows waiver of condition that they must be subject to public travel reservations, under certain conditions;

- authorizes the commissioner of natural resources to sell specified land in Cook County.
- Enactment:** April 12, 1988
Effective: day after enactment

**County bonds—election
exemption requirements**
HF1796*—Rest, Voss, Dauner,
C. Nelson
SF1877—Novak, Merriam,
D.J. Johnson, D.C. Peterson, Benson

Chapter 519:

- extends to St. Louis and Hennepin counties the authority to maintain and levy for a building fund, subject to general levy limits (current law gives this authority to all counties other than St. Louis and Hennepin);
- exempts bonds counties issue to finance improvements under a capital improvement plan (CIP) from the bond code's referendum requirements; requires the county board to approve a bond by at least a three-fifths vote (two-thirds approval for metropolitan county boards), after holding a public hearing;
- allows a county to issue bonds only after receiving voter approval if 5 percent of the voters sign a petition requesting such a vote (reverse referendum) and file the petition with the county auditor within 30 days after the public hearing;
- allows counties to adopt CIPs; requires that a CIP cover at least a five-year period and include the timing, costs, need, and repayment sources for the proposed improvements;
- requires the commissioner of trade and economic development to approve a CIP; considers a CIP approved and effective if the commissioner hasn't disapproved it within 90 days;
- prohibits counties (other than Hennepin) from issuing CIP bonds if the highest amount of principal and interest due in any year on all the county's CIP bonds exceeds 1 mill times the county's current taxable value; prohibits Hennepin County

from issuing CIP bonds if the principal and interest due on all the county's CIP bonds exceeds 0.5 of 1 mill times the county's current taxable value;

- clarifies that this act itself doesn't authorize counties to issue bonds, and that CIP bonds counties issue must comply with provisions already in law except for the election (referendum) requirement;

- authorizes a county (other than Hennepin) to annually levy up to 1 mill outside of levy limits to provide current (rather than debt) financing for CIP improvements (Hennepin County may levy up to 0.5 of 1 mill);

- sets a July 1, 1993 expiration date for the provisions above;

- expands and clarifies the county bonding authority under current law to include issuing bonds to finance county administrative buildings, health or social service facilities, correctional facilities, law enforcement centers, parks, and elections and voting equipment;

- authorizes Hennepin County to issue up to \$16.0m in general obligation bonds for a health services building outside the referendum requirements; provides that the amount of bonds issued under this provision reduces the county's authority under the general CIP bonding provisions above.

Enactment: April 14, 1988

Effective: upon county board approval for provision authorizing Hennepin County to issue bonds for a health services building; Aug. 1, 1988 for remaining provisions

County equipment rental contracts
HF1942—Ogren, Battaglia,
D. Carlson, V. Johnson
SF1715*—Chmielewski

Chapter 409:

- allows county boards to negotiate county equipment rental contracts that total \$60,000 or less by obtaining two or more quotations;
- requires county boards to keep all quotations on file for at least a year after their receipt.

Enactment: March 16, 1988

Effective: Aug. 1, 1988

Itasca County—DNR land sale
HF2312*—Ozment
SF2162—Wegscheid

Chapter 463:

- authorizes the commissioner of natural resources to sell certain lands in Itasca County.

Enactment: April 6, 1988

Effective: day after enactment

Itasca County—economic development
HF1302*—Solberg, Neuenschwander
SF1224—Lessard

Chapter 517:

- allows the Itasca County Board to annually levy a tax of 1 mill for economic development if an organization or foundation matches the funds;

- prohibits direct loans or grants to individuals or for-profit enterprises;

- provides that the levy is not subject to levy limits;

- provides for a reverse referendum if 5 percent of the voters in the most recent general election sign a petition calling for the referendum.

Enactment: April 14, 1988

Effective: upon local approval

Itasca County—liquor licenses
HF1904*—Solberg, Neuenschwander
SF1793—Lessard

Chapter 443:

- amends the definition of "restaurant" in the State Liquor Act so that establishments in unincorporated or unorganized territories in Itasca County can qualify for county liquor licenses if they have a seating capacity of 50 instead of 100.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Kittson County—land transfer
HF2490*—Tunheim
SF2238—Stumpf

Chapter 466:

- directs the commissioner of natural resources to transfer the state's interests in certain land in Spring Brook Township in Kittson County.

Enactment: April 6, 1988

Effective: day after enactment

Local government bonding powers
• (See Local Bills—Cities/Towns)

Minnesota Public Facilities Authority—bonding
• (See Taxes)

Pine County—property sale
HF1211—D. Carlson
SF1184*—Chmielewski

Chapter 407:

- authorizes the governor to transfer and convey certain lands in Pine County to the Amherst H. Wilder Foundation to operate a residential human service facility serving individuals the court, county, or other social service agencies refer there.

Enactment: March 10, 1988

Effective: day after enactment

Ramsey County—highway land space, charter commission
HF1745—Knuth
SF1955*—Novak, Knaak

Chapter 622:

- authorizes Ramsey County to use certain open space lands for highway purposes; authorizes Ramsey County

to sell specified land to a private party; allows a private negotiated sale for a price not less than the land's appraised value;

- extends deadline from Dec. 31, 1988 to Dec. 31, 1989 for the Ramsey County Charter Commission's report on county government or a proposed charter.

Enactment: April 24, 1988

Effective: Aug. 1, 1988

St. Louis County—board administrator duties

HF2446*—Rukavina, Munger,

Minne, Battaglia, Boo

SF2299—Solon, Gustafson,

Dicklich, D.J. Johnson

Chapter 491:

- removes compensation limits for civil service commissioners;
- modifies civil service director duties and authorizes the director to certify the names of seven persons on the re-employment or promotion list for filling vacant positions;
- requires the director to add the name of the highest ranking individual on the employment list who is in a protected group (minorities, females, or handicapped persons) if no such person is among the first seven candidates on the employment list;
- makes the following positions unclassified civil service:
 - clerks serving the county board and administrator; and
 - two administrative assistants in the county administrator's office;
- authorizes the county board to act as the county housing and redevelopment authority or appoint a seven-member authority;
- increases the county board's contingent fund from \$1,000 to \$5,000;
- authorizes the county to clean and/or repair certain drainage systems and removes the \$10,000 annual limit for cleaning or repairing drains or ditches;
- authorizes the St. Louis County attorney to appoint assistant county attorneys and clerks;

- gives St. Louis County the authority to perform other duties such as appropriating monies for certain improvements, certifying employees, or bonding deputy sheriffs;
- authorizes the county to remove snow from private roadways and establishes procedures;
- increases from \$15,000 to \$75,000 the money the board can spend annually for recreational facilities;
- removes the \$10,000 annual limit which the board may use for water improvements;
- allows the St. Louis County auditor to search records and certificates;
- removes other provisions that relate to delayed assessments;
- repeals various obsolete sections of law relating to St. Louis County.

Enactment: April 12, 1988

Effective: upon local approval

St. Louis County—land sale

HF2045*—Minne

SF1947—Dicklich

Chapter 446:

- authorizes St. Louis County to sell certain tax-forfeited land to a private individual.

Enactment: April 4, 1988

Effective: day after enactment

St. Louis County—polling place

HF2210—Rukavina

SF2134*—Dicklich

Chapter 451:

- requires St. Louis County to provide a polling place at the Evergreen fire hall for each primary and general election, if a majority of the voters in the county vote yes on the ballot question: "Beginning in 1990, shall St. Louis County provide a polling place at the Evergreen Fire Department fire hall for each primary and general election?"

- places the question on the ballot in the 1988 general election.

Enactment: April 4, 1988

Effective: upon local approval

St. Louis County—private land sale

HF2109*—Begich

SF1983—D.J. Johnson

Chapter 460:

- authorizes St. Louis County to sell certain tax-forfeited land to a private individual.

Enactment: April 6, 1988

Effective: day after enactment

St. Louis County—private sale, tax-forfeited land

HF2551*—Battaglia

SF2215—D.J. Johnson, Novak

Chapter 494:

- allows the commissioner of revenue to sell certain tax-forfeited land in St. Louis County to a private individual.

Enactment: April 12, 1988

Effective: day after enactment

St. Louis County—tax-forfeited land sale

HF2025*—Begich

SF1982—D.J. Johnson

Chapter 458:

- authorizes St. Louis County to sell and convey certain tax-forfeited land to a private individual.

Enactment: April 6, 1988

Effective: day after enactment

**Washington County—
county board expenses**
HF1867*—Price, Beard
SF1699—Diessner, Vickerman

Chapter 454:

- repeals a provision in a 1965 law that limited expenses for members of the Washington County Board.

Enactment: April 6, 1988

Effective: upon local approval

**Water management
organization—erosion control**
HF1953—Bennett, Stanius, Osthoff,
Valento
SF1632*—Knaak, Jude

Chapter 497:

- requires the Ramsey County Soil and Water Conservation District to develop and implement, by Jan. 1, 1989, a pilot program that includes a model ordinance and conservation specifications for soil erosion and sediment deposition control; requires the district to seek advice of appropriate state and federal agencies to assist in developing the project;

- requires the district pilot program to include relevant physical and developmental information concerning the region, such as data on land use, soils, hydrology, geology, bodies of water and other regional information.

Enactment: April 12, 1988

Effective: upon local approval

**Watershed improvement—
metro payments**
HF1857—Price, Beard, Swenson,
Brown, Osthoff
SF1700*—Diessner, Laidig,
DeCramer

Chapter 533:

- requires county boards to notify cities, towns, and other counties wholly or partly within their watershed management district of the date of

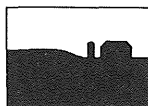
hearings on proposed watershed improvements; requires county boards to determine the costs of such improvements, and to certify the cost to the county or counties for payment;

- requires each county to promptly pay, after Sept. 30, its proportionate share of watershed improvement costs for improvements during the preceding 12 months;

- applies to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

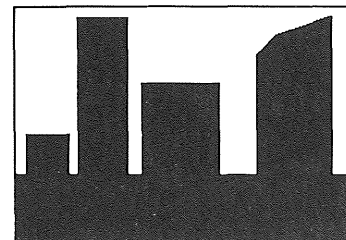
Enactment: April 14, 1988

Effective: Aug. 1, 1988



Upon local approval means:
effective upon compliance with
Minnesota Statutes, section 645.021

Local Bills— Metro



**County bonds—election
exemption requirements**
• (See Local Bills—Counties)

**Fridley Assembly of God
Church—renovation**
HF1863—A. Johnson, Knuth,
Simoneau, Voss
SF1772*—Frank

Chapter 418:

- authorizes the North Suburban Hospital District to renovate the Fridley Assembly of God Church and use or lease the property for community health or social service programs.

Enactment: March 25, 1988
Effective: upon local approval

**Gillette Children's Hospital—
nonprofit status**
HF2400—Simoneau, Wynia,
Dawkins, Cooper, Morrison
SF2017*—Berglin, Lantry, Brandl,
Wegscheid, Knutson

Chapter 599:

- authorizes the Gillette Children's Hospital Board to incorporate as a nonprofit corporation and terminate its status as a public corporation;

- clarifies that employees of the nonprofit corporation aren't state employees;
- transfers ownership of hospital property to the City of St. Paul;
- allows a certain St. Paul school district employee to repay a Public Employees Retirement Association (PERA) refund;
- repeals laws creating the Gillette Children's Hospital Board as a public corporation.

Enactment: April 21, 1988

Effective: repealer effective when the board files the articles of nonprofit incorporation with the secretary of state; day after enactment for other provisions

Metro Airports Commission— borrowing authority

HF1874—Simoneau, Vanasek,
G. Anderson, Schreiber, Voss
SF1900*—Adkins, Benson,
R.D. Moe, Wegscheid

Chapter 664:

- limits to \$150.0m the amount of bonds the Metropolitan Airports Commission (MAC) may issue over and above outstanding bonds as of Jan. 15, 1988;
- provides that one of the purposes of MAC is to promote overall goals of the state's environmental policies and to minimize the public's exposure to noise and safety hazards around airports;
- requires MAC to prepare environmental assessment worksheets of the environmental effects of projects in the commission's seven-year capital improvement program and plan at each airport the commission owns and operates; limits the scope of the worksheets to projects that meet certain conditions, for example:
 - a scheduled project is part of an expenditure of \$5.0m or more at Minneapolis-St. Paul International Airport or \$2.0m or more at any other airport;

- a project that involves the construction of a new or expanded structure for handling passengers, cargo, vehicles, or aircraft; or the construction of a new or extension of an existing runway or taxiway;
 - requires MAC to hold public meetings before adopting a capital improvement plan and program; allows the commission to consolidate hearings;
 - mandates MAC to report to the Legislature by Jan. 1, 1989 on attached or proposed conditions to action on projects in the capital improvement plan to advance the commission's noise control program.
- Enactment:** April 26, 1988
Effective: day after enactment; applies to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

Metro government—agency requirements; light rail transit

HF2514—Carruthers, Stanius,
Jefferson
SF2491*—Luther, Schmitz,
Wegscheid

Chapter 675:

- requires the Metropolitan Council's Oct. 1 budget to include a detailed statement of expenditures for all planned programs, an estimate of all capital expenditures for the budget year which is based on a five-year capital program the council adopts and sends to the Legislature;
- requires the council to review program budget overruns of more than \$10,000 before authorizing additional funds;
- mandates that the council's budget procedure include an assessment and evaluation of and quantitative information on each significant program; requires annual reports to the Legislature;
- requires a statement of metro area transportation needs and problems of demand, constraints, and access in business and major activity centers

and a detailed statement every two years of timing and priorities for improvements and costs on the metro highway system;

- provides that the council shall develop the nontransit element in consultation with the Transportation Advisory Board and report to the Department of Transportation;
- requires the council and each metro agency to include:
 - in the annual budget, a statement of reserve or fund balances, a comparison of budgeted and actual expenditures, existing program budgets for at least two preceding fiscal years, and a listing of proposed or anticipated consulting needs and their amounts; and
 - in the employee salaries report, details of lump sum payments or bonuses, expense accounts, allowances, including travel, and other benefits not generally available to employees;
- permits the council to levy a property tax for the right-of-way acquisition loan fund and details specifics governing the tax; requires the commissioner of revenue to review the tax annually; allows the commissioner to estimate current market valuations if the county fails to provide the information on time;
- requires the council and the Regional Transit Board (RTB) to review and comment on comprehensive light rail transit and the regional railroad authority's preliminary design plans before the authority prepares final plans; specifies other contents of the review; requires a report to the Legislature;
- permits a tax for general purposes; specifies limits and certification and collection procedures; requires annual review by the commissioner of revenue;
- prohibits RTB from:
 - acquiring or holding permanent or temporary rights, title, or interest in or to transit vehicles;
 - receiving federal operating or capital assistance through a formula or block grant and federal

discretionary capital grants for light rail and other transit systems; and

—owning or operating transit services;

- sets amounts for property tax the Metro Mosquito Control Commission levies; requires the commissioner of revenue's annual review and permits the commissioner to estimate market valuations under certain conditions.

Enactment: April 26, 1988

Effective: day after enactment; applies to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties

Metropolitan agencies—affirmative action

HF2596*—McLaughlin, Dawkins, Pauly, Swenson, Jefferson
SF2513—Marty, Luther

Chapter 680:

- requires and prescribes the contents of affirmative action plans for the Metropolitan Council and metropolitan agencies which they must submit to the commissioner of employee relations for approval; includes Metropolitan Mosquito Control Commission;
- requires that Metropolitan Council and certain agencies have affirmative action plans and anti-harassment policies by Jan. 1, 1989;
- requires purchases from businesses whose owners are socially or economically disadvantaged persons; includes attempts to award at least 6 percent of the value of consultant, professional, or technical services;
- requires each metropolitan agency to adopt written sexual and racial harassment policies;
- requires certain contractors to have affirmative action plans;
- requires agencies to designate a person responsible for directing and implementing the affirmative action program;
- requires the evaluation of managerial and supervisory personnel including

evaluation of performance in implementing the agency's affirmative action plan and in preventing discrimination in the workplace;

- amends current law governing the Metropolitan Transit Commission's set-aside program to conform to the requirement for sexual and racial harassment policies;
 - mandates an annual report to the Legislature from the commissioner of employee relations summarizing information from metropolitan agencies; specifies report's required contents;
 - requires the council and each agency to provide the Legislature access to computerized records and public data to allow for legislative oversight.
 - applies to Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.
- Enactment:** April 27, 1988
Effective: Jan. 1, 1989 for provisions on socially and economically disadvantaged businesses; applies only to contracts for which notice of invitation to bid or requests for proposals are issued after the effective date of the section

Minneapolis Park Board—compensation

HF2234—K. Nelson
SF2102*—Kroening

Chapter 574:

- permits the Minneapolis Park and Recreation Board to set the compensation for board members as operating expenses; subjects board compensation to mayoral approval (currently, the maximum amount for such compensation is \$3,600 per year for each board member);
- provides a possibility for an additional pension benefit payment for Minneapolis police and firefighters from excess funds that retirement fund investments have earned; requires dividing such excess funds: one-third to retired members, one-third to reduce the state aid payment to those funds,

and one-third to reduce the city contribution to the funds.

Enactment: April 20, 1988

Effective: upon local approval

Minneapolis—contractor bond requirements

HF1860—Sarna, Long, Jefferson
SF1749*—Pogemiller, D.C. Peterson

Chapter 572:

- requires that contractors having bid successfully provide the City of Minneapolis or the Minneapolis Community Development Agency with a conditional bond at the time of contract execution;
- provides a possibility of an additional pension benefit payment for Minneapolis police and firefighters obtained from excess funds that have been earned through retirement fund investments; requires that such excess funds be divided: one-third to retired members, one-third to reduce the state aid payment to those funds, and one-third to reduce the city contribution to those funds.

Enactment: April 20, 1988

Effective: upon local approval

Minneapolis—development laws update

HF1739—Otis, Long, Skoglund
SF1608*—Pogemiller, D.C. Peterson, Brandl

Chapter 594:

- updates references to Minneapolis' development laws in general laws of economic development;
- allows the city council or government agency to make or guarantee working capital loans, not exceeding \$450,000 outstanding at any time, to expanding small businesses in the city to increase the tax base and provide jobs within the city;

- clarifies that the loans are subject to city ordinance terms and conditions.

Enactment: April 21, 1988

Effective: upon local approval

Minneapolis—trade, craft service contracts

HF2115—McLaughlin,

K. Nelson, Rice

SF1875*—D.C. Peterson,

Pogemiller, Berglin, Spear, Kroening

Chapter 471:

- authorizes the City of Minneapolis to negotiate labor agreements with local labor organizations relating to employment of skilled trade and craft workers and their apprentices;
- provides that the city may negotiate agreements for use of the labor organization's hiring hall services;
- provides that the city may make pension contributions and other fringe benefit contributions to building trades unions' employee benefit funds on the basis of employee hours worked, and in accordance with the labor agreement;

- states that persons under labor agreements who provide services for the city are not:

- public employees entitled to pension benefits, or
- "at will" employees of the city subject to release from their positions according to the terms of the collective bargaining agreement;

- provides for a grievance procedure for resolving disputes under the agreement;
- states that this act won't apply to persons working for the City of Minneapolis on the law's effective date or other date agreed to by the parties, nor will it affect any vested or accumulated rights, liabilities, or terms or conditions of employment of those current employees;
- supersedes any inconsistent provisions of the Minneapolis City Charter.

Enactment: April 6, 1988

Effective: day after enactment

Minnesota Public Facilities

Authority—bonding

- (See Taxes)

Mounds View—land transfer

HF2475—Voss, Knuth

SF2217*—Novak

Chapter 601:

- authorizes a transfer of certain state lands in Ramsey County to the City of Mounds View;
- requires Ramsey County and the City of St. Paul to enter into a joint powers agreement before the county issues certain bonds;
- authorizes Ramsey County to assume certain debt.

Enactment: April 21, 1988

Effective: Aug. 1, 1988 for land transfer; upon local approval for other provisions

Real property—conditions restriction

- (See Legal/Judiciary)

Robbinsdale—surface water regulation

HF1585*—L. Carlson

SF1427—Reichgott

Chapter 538:

- designates a basin of Twin Lake within the City of Robbinsdale as a separate basin, South Twin Lake.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Vehicle emission inspections—requirements

HF1803—D. Nelson, Wynia, Rose, Long, Osthoff

SF1783*—Reichgott, Purfeerst, Merriam

Chapter 661:

- requires, beginning no later than July 1, 1991, mandatory annual inspection of motor vehicle emission control equipment on passenger automobiles, station wagons, pickup trucks, or vans owners register in the metropolitan area;
- prescribes powers and duties of the Pollution Control Agency (PCA) and the Department of Public Safety (DPS);
- requires inspection to take place at a public or fleet inspection station (station the PCA licenses) within 90 days before the registration deadline;
- exempts from emission control equipment inspections, vehicles:
 - manufactured before the 1976 model year or with an engine manufactured before that date;
 - registered as classic, pioneer, collector, or street rod;
 - exempt under PCA rules because the vehicle is customarily housed outside of the metropolitan area; and
 - of any class that PCA rule exempts because the vehicles present inspection problems or are inappropriate for inspection;
- requires PCA to establish, administer, and adopt rules for a testing and inspecting program; specifies standards and procedures the rules must establish;
- requires PCA to contract with private entities for design, construction, equipment, establishment, maintenance, and operation of public inspection stations and related services and functions; specifies who contractors may be;
- requires PCA to design, prepare, and implement a public information program for the motor vehicle inspection program and ensure that the

public is aware of the public information service; states that the PCA may contract for the service;

- specifies who may apply for a fleet inspection station license and requirements for licensing;
- permits one-year certificates of waiver under certain conditions;
- allows PCA to apply for and accept federal or other grants for motor vehicle pollution control programs;
- prohibits certification if an owner hasn't had the vehicle inspected according to PCA rules;
- forbids employees, owners, or operators of a public inspection station to furnish any information other than what the state provides about the name or description of parts, or places to obtain parts, repairs, or adjustments to motor vehicles;
- prohibits people from providing false repair information to a public inspection station or agency;
- establishes, beginning Jan. 1, 1991, an annual \$10 per vehicle inspection fee, payable to the registrar at the time of vehicle registration, or reregistration, or for certain vehicles, at a time the PCA sets;
- establishes a vehicle emission inspection account; appropriates \$200,000 to PCA from the motor vehicle transfer fund for transfer to the vehicle emission inspection account; requires repayment to the transfer fund;
- requires PCA to study and report to the Legislature on effectiveness, costs, and benefits of requiring the use of alternative fuels and extending inspection requirements to other vehicles owners register in the metropolitan area and to other pollution by these vehicles.

Enactment: April 26, 1988

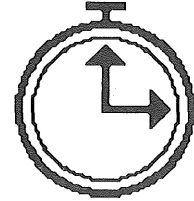
Effective: day after enactment; July 1, 1988 for provision on appropriations

Water management organization—erosion control

• (See Local Bills—Counties)



Pensions/ Retirement



Child support—collection, enforcement modification

• (See Families/Juveniles)

Employment Retirement Security Act—resolution

• (See Resolutions)

Pension benefits—marriage dissolution

• (See Legal/Judiciary)

Retired state employees—insurance

HF0257*—Simoneau, R. Johnson, Rukavina, DeBlieck, Jefferson
SF0373—D.M. Moe, D.C. Peterson, Samuelson, R.W. Peterson

Chapter 605:

- makes certain retired state employees eligible for employer-paid insurance;
- allows an employer's contribution under the Public Employee Insurance Plan to continue past age 65; allows employers to have personnel policies under which they agree to pay some insurance coverage expenses for retired employees;

- allows school boards that pay hospital and medical premiums for retired employees to continue the payments past age 65;
- includes employer payments of, or contributions to, premiums for retired employees' group insurance coverage and severance pay as terms and conditions of employment under the Public Employees Labor Relations Act (PELRA); makes these options eligible for collective bargaining;
- allows public employers and employees to bargain over employer contributions to deferred compensation;
- states that failure to reach agreement on employer payment of retired employees' premiums isn't subject to interest arbitration;
- provides that neither contracts, nor personnel policies, may obligate employers to fund health care benefits for a former employee beyond the contract's duration;
- authorizes public employee personnel policies or bargaining agreements to permit employer contributions to the state deferred compensation plan; limits employer contributions annually to \$2,000 per employee;
- provides that severance pay doesn't include compensation for accumulated sick leave or other periodic contributions an employer makes toward premiums for a former employee's group insurance policies;
- requires local governments that pay health insurance benefits for retired employees to account for those payments in a manner similar to the method school districts use; requires local governments to coordinate health care benefit coverage with the Medicare program;
- repeals current law that prohibits reducing the value of health insurance benefits to retired employees unless the individual employee agrees to the reduction; applies only to employees who retire after this provision becomes effective;
- validates contracts and personnel policies in effect before the effective date of provisions allowing employers to use accumulated sick leave to fund

health insurance or pay health care benefits for retirees; applies retroactively to Aug. 1, 1986.
Enactment: April 24, 1988
Effective: day after enactment unless otherwise noted

Retirement laws—changes
HF2477*—Simoneau, Reding
SF2175—Wegscheid, Pogemiller

Chapter 709:

Article 1—Teachers Retirement Association

- permits the Teachers Retirement Association (TRA) director to redeem shares in the Minnesota supplemental retirement investment fund;
- sets effective date at July 1, 1988.

Article 2—Historical Society Employees

- allows county historical societies' employees to join the Public Employees Retirement Association (PERA), if the county agrees;
- sets effective date at Aug. 1, 1988.

Article 3—Purchases of Prior Service and Related Provisions

- authorizes certain individuals to purchase credit for certain periods of prior service from designated retirement funds;
- sets effective date as the day after enactment.

Article 4—Transit Commission Employees

- clarifies that disability and survivor coverage for certain Metropolitan Transit Commission (MTC) employees involved in consolidation with the Minnesota State Retirement System (MSRS) doesn't apply to employees MTC hired after the consolidation (Dec. 31, 1977);
- applies in Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington counties.

Article 5—Public Employees Retirement Association

- makes administrative changes and corrections to PERA laws;
- clarifies the starting date and who is eligible to participate in the correctional officers plan; sets contribution rates and reduces vesting from 10 years to 5 years for the plan;
- sets effective date at July 1, 1988.

Article 6—Medicare Coverage Referendum

- authorizes optional Medicare coverage for certain public employees; provides for a special referendum;
- sets effective date as the day after enactment.

Article 7—Volunteer Firefighters Relief Associations

- prohibits an insurance company that issues single premium annuity contracts from entering into an annuity contract with a volunteer firefighters relief association unless the commissioner of commerce authorizes the company to conduct this type of business;
- authorizes volunteer fire relief associations to purchase annuity contracts with retiring members' service pensions, instead of making a lump-sum payment;
- sets effective date as the day after enactment for above provisions;
- provides for combined service annuities for volunteer fire relief associations; sets effective date at July 1, 1988, and applies to volunteer firefighters serving on or after that date.

Article 8—Local Police and Fire Relief Associations

- provides survivor benefits for the Virginia Firefighters Relief Association;
- provides a benefit increase for retired Eveleth police and firefighters;
- allows Fridley volunteer firefighters to convert their defined benefit plan to a defined contribution plan;
- provides a St. Paul police member a nonduty disability benefit;

- excludes Minnetonka volunteer firefighters from PERA police and fire plan;
- validates previous service pensions payments the Thief River Falls Volunteer Firefighters Relief Association made to retiring members under age 50;
- makes above provisions effective upon local approval;
- provides five-year vesting for St. Paul Teachers Retirement Fund Association basic members;
- provides a Minneapolis Teachers Retirement Fund Association bylaw amendment to clarify payment of new post-retirement increase;
- sets effective date as the day after enactment for above provisions.

Article 9—Other Retirement Issues

- allows local elected officials to participate in a deferred compensation plan; authorizes employer contributions to the plan;
- provides a five-year vesting period for judges;
- sets effective date at July 1, 1988.

Article 10—Uniform Judicial Retirement Plan

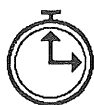
- increases judges' retirement fund contributions and provides certain optional annuities;
- sets effective date at July 1, 1988.

Article 11—Individual Retirement Account Plan

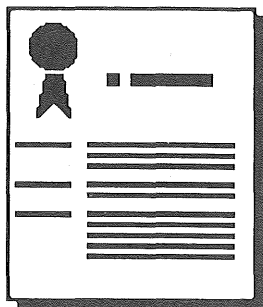
- provides a defined contribution plan for state college and state university faculty; limits plan membership to people hired after June 30, 1988;
- sets effective date at July 1, 1988.

Enactment: May 4, 1988

Effective: various dates



Resolutions



Commercial aircraft modernization—resolution

HF0681—Skoglund, Wagenius, McLaughlin, Riveness, Orenstein
SF0974*—Brandl, Freeman, D.C. Peterson, Belanger, Cohen

Resolution 13:

- memorializes the president, Congress, and the Federal Aviation Administration to require airlines to use quieter Stage 3 aircraft to accelerate the modernization of commercial aircraft fleets operating in and to the United States.

Filed: April 6, 1988

Diesel fuel tax exemption—resolution

HF2621—Bertram, Bauerly, Dauner, Winter, Steensma
SF2376*—Bertram

Resolution 14:

- memorializes Congress to reinstate diesel fuel tax exemptions for farmers and other off-road users.

Filed: April 6, 1988

Filed means:

the date a resolution/chapter was filed with the secretary of state.

Employment Retirement Security Act—resolution

HF1189*—Wynia, Greenfield, Begich, Skoglund, Voss
SF1421—Solon, R.D. Moe

Resolution 11:

- memorializes Congress to amend the Employment Retirement Security Act to permit direct regulation of self-insured health care plans.

Filed: April 6, 1988

Farmer-owned reserve grains—resolution

HF2735*—K. Olson, Hugoson, Sparby, Wenzel
SF2528—Vickerman, D.J. Frederickson, Davis, Beckman

Resolution 12:

- memorializes the president to immediately direct the secretary of agriculture to halt the forced movement of farmer-owned reserve grains to commercial warehouses.

Filed: April 6, 1988

National health insurance—resolution

HF2176—Jaros, Munger, Rukavina, R. Anderson, Ogren
SF2525*—Berglin, Marty

Resolution 15:

- memorializes the president and Congress to enact a program of national health insurance.

Filed: April 13, 1988

Olympic games bid—resolution
HF2763—Pappas, K. Nelson, Blatz,
 Voss, Munger
SF2546*—Berglin, R.D. Moe,
 Lantry, Solon, Belanger

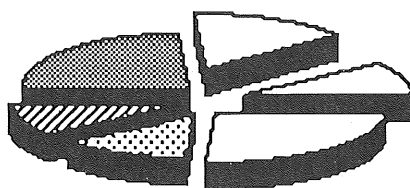
Resolution 16:

- memorializes the United States Olympic Committee of the state's support for the bid for the games of the XXVI Olympiad.

Filed: April 27, 1988



Taxes



Debt financing, bonding authority—technical changes
HF2117*—Rest, Voss
SF1964—Reichgott

Chapter 586:

- eliminates the requirement that entitlement issuers, such as state agencies and first class cities, submit a letter to the Department of Trade and Economic Development if they want to withhold an unused allocation after the first Monday in September; advances by two months the timing of reallocation of returned entitlements (current law allows allocation of returned entitlement through the multifamily housing pool through October; the new chapter advances this to August);
- allows separate pool allocation for manufacturing, multifamily, and public facilities pools only through the month of August (current law allows through October);
- advances the timing from reallocation of returned pool allocations; reallocates funds returned before September, and those returned from September through November, through the multifamily housing pool; reallocates funds returned in December to the Minnesota Housing Finance Agency (MHFA);
- reallocates unallocated bonding authority from the manufacturing, multifamily housing, and public facilities pools to the unified pool after the last Monday in August, rather than October; prohibits MHFA from applying for allocations of mortgage

bonds from the pool until October; permits, after Oct. 1, an MHFA allocation of mortgage bonds notwithstanding the 40 percent allocation limit to any one issuer, the prohibition on mortgage bond allocations after Oct. 1, or the dollar amount reservations for manufacturing and public facility bonds;

- eliminates the priority for unified bond allocations after Oct. 1; reserves for manufacturing projects the lesser of \$20.0m or the remaining unissued amounts of the manufacturing project pool allocations; reserves \$5.0m for public facilities; recognizes MHFA's right to apply for and receive these amounts, notwithstanding the reservations.

Enactment: April 21, 1988

Effective: Aug. 1, 1988

Minnesota Public Facilities Authority—bonding

HF2306*—Long, Munger,
 Schreiber, Rest, Voss
SF2016—Pogemiller, R.D. Moe,
 D.R. Frederickson, Wegscheid,
 Diessner

Chapter 546:

- authorizes the Minnesota Public Facilities Authority to issue revenue bonds up to \$100.0m for municipal water projects, and make loans to municipalities or purchase their bonds for wastewater treatment and water supply systems.

Enactment: April 18, 1988

Effective: day after enactment

Propane fuel—tax exemption

HF1538—Neuenschwander, Blatz,
 Frerichs, Scheid, Osthoff
SF0852*—Metzen, D.J. Johnson,
 Schmitz, Stumpf, Laidig

Chapter 450:

- exempts propane fuel for vehicles operating under an alternate fuel

permit from gasoline excise tax (current law exempts only vehicles operating under compressed natural gas); instead, imposes a fee based on the vehicle's gross weight and annual mileage.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Taxes—omnibus bill

HF2590*—Voss, Vanasek, Wynia

SF2260—D.J. Johnson, Novak

Chapter 719:

Article 1—Individual Income Tax

- clarifies that "trust" has the meaning as used in the Internal Revenue Code of 1986, as amended through Dec. 31, 1987; becomes effective for taxable years beginning after Dec. 31, 1986;
- provides that spouses of members of the armed forces and individuals that reciprocity agreements cover aren't subject to the physical presence residency test; becomes effective for taxable years beginning after Dec. 31, 1986;
- clarifies that dividends from a Minnesota series of a tax exempt mutual fund aren't added to federal taxable income in computing Minnesota taxable income; provides that the capital gain portion of those lump sum distributions the federal taxable income doesn't include must be added in computing Minnesota taxable income; becomes effective for taxable years beginning after Dec. 31, 1986;
- allows a subtraction from federal taxable income for distributions from individual retirement accounts (IRAs), Keogh Plans, and governmental pension plans to the extent that contributions to those plans were subject to Minnesota income tax in the year made;
- allows a subtraction from federal taxable income for the amount of federal Accelerated Cost Recovery System (ACRS) allowances that were added back in computing the Minnesota tax; allows the subtraction in five

equal annual installments beginning in the first year after the end of the federal recovery period or tax year 1988, whichever is later; allows a deduction to shareholders of an S corporation that converted from a C corporation which wasn't allowed the full federal ACRS deductions under state law;

- modifies the tax rate schedules to provide that:

- surviving spouses are taxed under the married joint schedule;
- married people who file separately will pay under a rate schedule with bracket widths one-half of the married joint schedule; and

- the surtax will be computed using Minnesota taxable income instead of a percentage of the federal surtax amount (the change will permit including surtax in tax tables and will eliminate the need for a special deduction for U.S. bond interest to the extent included in federal surtax amount);

- applies an 0.5 percent surtax to Minnesota taxable income for people who file:

- married joint
\$75,500 - \$165,000
- married separate
\$37,750 - \$82,500
- single
\$42,700 - \$93,000
- head of household
\$64,300 - \$135,000

- requires an individual who isn't a full-year resident to allocate the child and dependent care credit based on the ratio of Minnesota-source earned income to total earned income;
- allows a subtraction from federal taxable income for individuals age 65 or older or disabled; provides that the subtracted amount equal the following base amount, depending on filing status:

- married joint, one over 65
\$10,000
- single, over 65
\$8,000
- married separate
\$5,000

- requires a reduction of the above amounts by subtracting:

- 1) nontaxable social security, and other tax-exempt retirement income (except tier one railroad retirement benefits); and

- 2) one-half of adjusted gross incomes over the following amounts:

- married joint, both over 65
\$15,000
- single or married joint,
and one spouse is over 65
\$12,000
- married separate
\$7,500

- applies the subtraction from federal taxable income to income regardless of its source, i.e., pensions, interest, dividends, or wages and salaries; limits the subtraction for those under 65 years who qualify on the basis of disability to the amount of disability pension income; married couples may file separate returns and qualify for this deduction only if they don't live together;

- provides that all income on lawful charitable gambling shall be assigned to Minnesota and that capital gain on S corporation stock is allocable to Minnesota in the same manner that applies to partnership interests; becomes effective for taxable years beginning after Dec. 31, 1987;
- provides that a spouse the Federal Internal Revenue Code relieves of responsibility for underpayment is also relieved of state tax liability; becomes effective for taxable years beginning after Dec. 31, 1984;

- allows partnerships with five or more nonresident partners to file composite returns for those nonresident partners who have no other Minnesota-source income; provides that such income computation allows no personal deductions and is taxable at the highest applicable rate; becomes effective for taxable years beginning after Dec. 31, 1987;

- requires reporting income and withholding tax information to the state on the same media (such as magnetic tape) as used to report to the Internal Revenue Service; becomes

effective for taxable years beginning after Dec. 31, 1987;

- exempts from taxation income from the sale or exchange of a farm business' agricultural production property if the taxpayer was insolvent at the time of the sale and the proceeds went solely to satisfy indebtedness which the property secured; becomes effective for taxable years beginning after Dec. 31, 1986;
- provides that an employer willfully supplying false information on non-resident employees is guilty of a gross misdemeanor;
- requires notifying recipients of unemployment compensation that such benefits may be subject to income tax; allows recipients to have income taxes withheld from such benefits;
- provides that for tax year 1987, the percentage of actual tax liability that's payable in estimated tax to avoid a penalty is 80 percent instead of 90 percent;
- repeals the elderly credit and the tax on a decedent's income that's transferred to a nonresident; becomes effective for taxable years beginning after Dec. 31, 1987.

Article 2—Business Taxes

• reduces the insurance premiums tax on mutual insurance companies' property and casualty premiums, if the company has assets of less than \$1.6b or isn't primarily engaged in writing workers' compensation insurance (current tax rate is 2 percent); sets new tax rates, effective Jan. 1, 1988, for calendar years:

—1988	1.5 percent
—1989-91	1.0 percent
—1992	0.5 percent

- requires agents and brokers to collect the premiums tax on risk retention groups; clarifies that such groups are subject to the same interest and penalties as surplus line agents;
- exempts from the premiums tax those premiums the Minnesota Comprehensive Health Association's writing carrier receives;
- provides that firefighters' pension funds will continue to receive the full amount of state aid payments despite

the reduction in the premium tax; becomes effective Jan. 1, 1988;

- defines "domestic corporation" as a corporation organized in the United States, other than a U.S. possession; defines foreign sales corporations (FSCs) and domestic international sales corporations (DISCs) as domestic corporations; eliminates the need to distinguish between Minnesota and non-Minnesota corporations because the franchise tax applies to corporations organized in and outside Minnesota; becomes effective for taxable years beginning after Dec. 31, 1990;
- defines a "foreign corporation" as a corporation other than a domestic corporation;
- defines a "foreign operating corporation" as a domestic corporation which is part of a unitary business with less than 20 percent of its average property and payroll in the United States, or which has a valid election in effect under Internal Revenue Code, Section 936;
- allows regulated investment companies to deduct capital gain and exempt-interest dividends paid in computing their taxable income;
- clarifies that three-year carrybacks and five-year carryovers are allowed for capital losses occurring in tax years before 1987 (capital losses occurring in tax year 1987 and later qualify for a 15-year carryforward); provides that deductions are allowed from federal taxable income for enterprise zone credits and refunds of other states' franchise and income taxes; allows a percentage subtraction of royalties, fees, and other similar income from a foreign operating corporation or foreign corporation that's part of the recipient corporation's unitary group; provides a 50 percent subtraction for tax years beginning after Dec. 31, 1988, and 80 percent for tax years beginning after Dec. 31, 1991;
- requires corporations maintaining a place of business, employees, independent contractors, or property (leased or owned) in Minnesota to pay the corporate franchise tax; requires that corporations regularly soliciting business in Minnesota also pay the

corporate franchise tax; defines methods to solicit business in Minnesota;

- provides that purchasing intangible or tangible personal property or services from a Minnesota business doesn't subject the purchaser to Minnesota tax unless the purchaser uses the property to solicit Minnesota business, or to provide service after the sales are made;
- exempts from the Administrative Procedures Act the corporate franchise tax rate adjustment in tax year 1990 to compensate for the expiration effect of the factors of Alternative Minimum Tax (AMT);
- apportions the property factor under AMT factors for short taxable years; requires apportioning the \$5.0m AMT exemption for corporations that are part of a unitary group; provides that each corporation in the unitary group gets a proportion of the exemption based on its share of the unitary group's Minnesota factors;
- defines a new business for purposes of the five-year AMT exemption for new businesses' property and payroll; excludes from the exemption corporations that are:
 - part of a unitary group in which one or more members have existed five or more years;
 - the result of a reorganization of another corporation; or
 - a professional service corporation;
- allows a net operating loss transition rule deduction for large banks (assets over \$500.0m) that lost the deduction for bad debt reserve funds under 1986 federal changes and 1987 Minnesota law; allows a three-year carryback and five-year carryover for net operating losses attributable to the bad debt deduction;
- clarifies that expenses incurred to generate foreign deemed dividend and royalty income are deductible, even though the income derived from the deductible expenditure is only partially subject to tax;
- excludes net income and apportionment factors of foreign corporations and other foreign entities which are

part of a unitary business from the net income or the apportionment factors of the unitary business, and doesn't allow them on a combined tax return with the unitary business; allows as a deduction any taxes paid or owed a foreign government, Puerto Rico, or a U.S. possession in computing deemed dividend income; provides that the adjusted net income of a foreign operating corporation is considered a dividend paid to each shareholder;

- includes in the sales factor, sales, rents, royalties connected with real property, and lease payments connected with tangible personal property, in addition to the sales of personal property; attributes such intangible personal property to the state where the property is; provides that moving property is in Minnesota if it operates entirely within Minnesota or from a base operation in the state;

- allows a charitable deduction for contributions to foundations outside Minnesota; however, the amount of this deduction depends on applying a formula that considers the foundation's contributions to Minnesota charities; becomes effective for taxable years beginning after Dec. 31, 1987;

- modifies the dividend received deduction to conform with federal provisions reducing the deduction from 80 percent to 70 percent, if the dividend recipient owns less than 20 percent of the payor's stock; makes the 80 percent deduction available to corporations owning 20 percent or more of the payor's stock;

- provides that reinsurance premiums Minnesota-based insurers paid are included in the Minnesota apportionment factor only to the extent that they represent reinsurance of Minnesota risks;

- allows subtracting payments to another phone company for connecting, switching, and access charges from the paying company's gross earnings in computing the telephone gross earnings tax for calendar years 1984, 1985, and 1986; becomes effective on the day after enactment;

- allows mining companies a 15-year net operating loss (NOL) carryover deduction in computing occupation tax based on the corporate franchise tax; pre-1986 NOLs qualify for a five-year carryforward only;

- limits the royalty tax to taconite and iron ore; repeals the royalty tax on copper-nickel and the apportionment of income under the occupation tax.

Article 3—Federal Update

- modifies the definition of "corporation" for purposes of the corporate franchise tax to include publicly traded partnerships now taxable as corporations under federal law; adopts the 1987 federal changes and provides that provisions of the Budget Reconciliation Act are effective at the same time as they are for purposes of federal law; some of these changes include:

- new rules for deducting home mortgage and home equity loan interest;
- allowing the passing of the miscellaneous business expense deduction through to mutual funds' shareholders without regard to the 2 percent floor;
- disallowance of overnight camp expenses under the dependent care credit;
- changes in accounting provisions, installment sales, and related items;

- adopts federal restrictions on carryover of net operating losses after corporate acquisitions which impose restrictions on "mirror transactions" used to avoid the effect of restrictions in the Tax Reform Act of 1986 on the General Utilities Doctrine;

- requires corporations with tax liabilities in excess of \$500 to make estimated declaration payments; repeals law requiring corporations with liabilities in excess of \$1,000 to make estimated payments;

- adopts the new federal 1987 corporate estimated tax payment provisions;
- updates the Internal Revenue Code reference in the property tax refund;

repeals the following provisions:

- accounting rules;
- use of inventories to determine income;
- gain or loss on disposition of property;
- effects on recipient of corporate distributions, liquidations, dividends, and others;
- carryovers and corporate acquisitions; and
- corporate estimated tax payments;
- provides various effective dates.

Article 4—Property Tax Refund

- modifies the definition of income for the purposes of the property tax refund to:

- include scholarships as income;
- allow a deduction equal to the federal exemption amount of \$1,950 for 1989 filings, and \$2,000 for 1990 filings for the first five dependents; provides one additional exemption amount if the claimant or spouse is age 65 or older or disabled; provides that the deduction of the federal exemption amount for dependents is multiplied by the following factors:

—first dependent	1.4
—second dependent	1.3
—third dependent	1.2
—fourth dependent	1.1
—fifth dependent	1.0

(This multiplication factor is to adjust for the decline in the cost of providing for additional children as the number of children in the family increases, as reflected in the federal poverty guidelines); becomes effective for claims based on rent paid in 1988 and thereafter, and claims based on property taxes payable in 1989 and thereafter;

- adopts the federal income tax definition of "dependent";
- provides for computing the property tax refund using gross property tax before subtracting the homestead credit for taxes payable in 1989, rather than net tax (with the elimination of

the homestead credit payable in 1990, the property tax refund will be based on net tax);

- requires all claimants to file under the current schedule for claimants with dependents or who are disabled or age 65 or older; provides for deducting the homestead credit in computing the amount of property tax refund payment for taxes payable in 1989; provides that the new schedule is effective with property taxes payable in 1989;

- eliminates the requirement to file a copy of the federal income tax return with the property tax refund claim for property taxes payable in 1988; provides that if the net property taxes payable on a homestead in 1989 increase more than 10 percent over the net property taxes payable in 1988, and the increase is more than \$40, a homeowner will get an additional refund equal to 75 percent of the amount by which the increase exceeds 10 percent, up to \$250; requires homeowners pursuing this refund to file a copy of the property tax statement for taxes payable in the preceding year, or other required documents, with the property tax refund return;
- provides that claims paid under the property tax refund will be recognized for financial reporting and state budgeting purposes as adjustments to individual income tax withholding and payments of estimated declaration;
- provides that AFDC recipients will be able to claim property tax refunds under the dependent schedule for 1988 claims;

- provides that the full amount of the calendar year 1987 property tax refund claims will be paid; requires the commissioner of revenue to pay refund claims based on 1986 rent and 1987 property tax payments paid by June 15, 1988; provides that the state will pay no interest on refunds made by June 15 (thereafter, interest payment will be at rates set in law).

Article 5—Property Tax Reform

- provides for the conversion of school district “adjusted assessed values” to “equalized tax capacity rates”;
- provides, for taxes payable in 1990, that:

- the first \$68,000 of a residential homestead’s (class 1a) market value has a net tax capacity of 1 percent of its market value;

- the next \$32,000 of market value will have a tax capacity of 2.5 percent; and

- the market value in excess of \$100,000 will have a tax capacity of 3.3 percent of market value (i.e., a home valued at \$68,000 would have a tax capacity of \$680, or 1 percent times \$68,000; however, a homeowner’s taxes may be higher or lower than the tax capacity depending on local spending);

- extends disabled homestead treatment to disabled persons whose household income is 150 percent or less of the federal poverty level;

- provides that the first \$32,000 of market value of a disabled person’s home (class 1b) will have a net tax capacity of 0.4 percent and gross tax capacity of 0.87 percent of its market value; thereafter, such homes will have a tax capacity of a class 1a home;

- increases the maximum homestead credit from \$700 to \$725 for taxes payable in 1989; provides that the \$68,000 base value remains the same;

- provides that for taxes payable in 1990, homesteaded farms shall be treated as follows:

- the value of the dwelling (house, garage, and surrounding one acre of land) that doesn’t exceed \$65,000 in market value will have a net tax capacity of 0.805 percent of market value; and

- the value in excess of \$65,000 will have a net tax capacity of 2.2 percent;

- provides that if a farm dwelling has a market value less than \$65,000, the value of the dwelling is subtracted from \$65,000, and the remaining value of the land including improvements up

to \$65,000 has a net tax capacity of 1.12 percent of market value for the first 320 acres of land, and 1.295 percent net tax capacity on land in excess of 320 acres;

- provides that farmland and improvements over \$65,000 market value and fewer than 320 acres has a net tax capacity of 1.44 percent of market value, and those over 320 acres will have a net tax capacity of 1.665 percent of market value;

- provides that, for taxes payable in 1989, homesteaded farms shall have a gross tax capacity of 1.75 percent on the first \$65,000 of market value, and 2.25 percent on the excess over \$65,000;

- provides that commercial, industrial, and utility property (class 3a) has a tax capacity of 3.3 percent of the first \$100,000 of market value, and 5.25 percent of market value over \$100,000; provides that for taxes payable in 1991, the 5.25 percent rate will be 5.2 percent, and for taxes payable in 1992 and subsequent years the rate will be 5.15 percent;

- provides that employment property (class 3b) will have a tax capacity of 2.5 percent of the first \$50,000 of market value, and 3.5 percent of market values over \$50,000; provides that employment properties in border cities market valued at \$100,000 will have a tax capacity of 3.3 percent, and 4.8 percent for those over \$100,000;

- provides that apartments (class 4a) containing four or more units will have a tax capacity of 4.1 percent of market value; Title II, Minnesota Housing Finance Agency and Section 8 buildings will have a tax capacity of 3.5 percent of market value;

- provides that noncommercial cabins will have a tax capacity of 2.3 percent of market value, and commercial resorts 2.6 percent;

- requires the commissioner of revenue to approve applications for paraplegic veterans and for “disabled” homestead treatment;

- reinstates the state agricultural credit for taxes payable in 1989 (1987 tax changes eliminated agricultural aid and instituted an agricultural replace-

ment aid); provides that the agricultural credit rates are the same for 1989 as under current law for taxes payable in 1988, except that seasonal recreational property doesn't receive agricultural aid in payable 1989; allocates agriculture credit proportionately to all taxing districts rather than only to school districts as under current law;

- provides local governments with "transition aid" as a replacement for homestead credit and agricultural aid, effective for taxes payable in 1990 and subsequent years; provides allocating aid among local government units in proportion to their levy for taxes payable in 1989; provides that, for taxes payable in 1990, the state will "take over" the remaining unreimbursed county costs of human services programs;
- provides that taxing jurisdictions having an effective tax rate of more than 1 percent (the same as an equalized mill rate of 125 mills) on the first \$68,000 of homestead market value for taxes payable in 1988 will receive disparity reduction aid to distribute among local government units in proportion to their gross levy; freezes the 1989 computed amount of disparity aid for 1990 and subsequent years;
- provides a disparity reduction credit to certain border cities to reduce the levied taxes on apartment property to 3 percent of market value and on commercial property to 3.3 percent of market value;
- provides a homestead and agricultural guarantee that assures a taxing district that the amount they receive from the sum of education aids, transition and disparity aids, local government aid to counties, towns, and cities and human services aids will be greater than the homestead and agriculture credits that discontinue in 1990; provides for additional aid if the aid amounts don't exceed guarantee levels;
- requires that on or before Aug. 1, 1989, each taxing authority shall adopt a proposed taxing authority budget and certify it to the county auditor;

- provides that if the taxing authority proposes a percentage increase in property taxes, the county auditor will figure the proposed gross property tax for each parcel of land for the current year and notify each taxpayer by first class mail of the taxpayer's proposed property taxes;
- requires that on or before Sept. 15 the taxing authority shall advertise in a local newspaper a notice of its intent to adopt a budget and property tax levy at a public hearing;
- requires the taxing authority to hold public hearings to adopt a budget and property tax levy for the following year before Oct. 25; clarifies that all cities, towns and school districts must certify their levy to the county auditor by Oct. 25 (currently Oct. 10);
- requires the county auditor to:
 - reduce each local government's levy by the amount of the transition aid and any additional aid under the homestead and agriculture credit guarantee;
 - adjust the parcel's tax by the disparity reduction aid;
- provides that counties and all cities with populations over 2,500 are subject to the overall levy limitations; allows a local government to appeal to the commissioner of revenue for an adjustment on its levy limit only if it can prove that its levy for payable 1988 (on which the limit is based) was less than it might have been had it not supplemented its expenditures with reserve funds;
- provides that for levied taxes in 1988 and subsequent years, special levies outside the overall levy limits will be levies to:
 - cover unreimbursed county costs for income maintenance and social service (human services);
 - cover principal and interest on bonded indebtedness, certificates of indebtedness, and debt service (includes tax increment financing revenue bonds);
 - correct auditor's errors of omission;

- reduce unfunded accrued pension liability (money owed to pay pensions or to pension funds); and

- reimburse the state for state ordered reassessments;

- provides for the determination of fiscal disparities areawide and local levies by using tax capacity; requires county auditors and assessors to determine commercial-industrial property gross tax capacity as of the Jan. 2, 1971 assessment;
- provides for the determination of city aid, which guarantees each city a minimum base revenue amount of \$160 per household; provides that cities receive an additional \$150 per household for every tenfold increase in the number of households; provides that cities of the first class or cities located outside of the metropolitan area receive an additional \$190 per household in their minimum base revenue amount;
- provides that, for 1989, cities will receive the amount of local government aid they received in 1988, plus an increase of up to 9 percent; limits aid increases to the lesser of 20 percent of the levy for 1988 or the initial aid amount, provided that no city will receive an increase of less than two percent of its 1988 aid;
- appropriates \$4.0m to the commissioner of revenue to assist counties in implementing the new system.

Article 6—Property Tax Technical and Administration

- changes the date from Nov. 1 to Dec. 1 for sending out air flight property taxes; specifies that airport property a governmental unit (other than the Metropolitan Airports Commission or a city over 50,000 population) owns is exempt from property taxes; becomes effective for taxes levied in 1988 and thereafter, payable in 1989 and thereafter;
- exempts from property taxation property certain nonprofit organizations own and use as a transitional housing facility which provides temporary housing services, a continuous self-sufficiency program, and

other support services; becomes effective for taxes levied in 1988 and thereafter, payable in 1989 and thereafter;

- exempts owner of a portion or piece of land being conveyed to the federal government, the state, a home rule charter or statutory city, or other political subdivision from having to certify current paid taxes; becomes effective on the day after enactment;
- provides that if a golf club membership allows more than one adult to use it, the use must be equally available to all adults the membership covers; requires that to qualify for any valuation tax deferment, the taxpayer must submit an affidavit to the county assessor by Sept. 1, 1988 stating that the golf club meets the adult equal-activities membership rules;
- clarifies that the small business property tax transition credit (in effect only for taxes payable 1988) applies only to the market value and property tax attributable to that part of the parcel that has a commercial-industrial or (class 3a) classification;
- prevents an assessor from denying homestead treatment in whole or in part to one spouse if the other spouse is absent due to divorce, separation, or resides in an extended care home; extends full homestead to a first-time buyer who is purchasing property with the intent to claim it as a homestead and is required by the financing agreement to have one or both parents shown on the deed as co-owners; becomes effective for taxes levied in 1988 and thereafter, payable in 1989 and thereafter;
- permits a cooperative association to claim homestead treatment on behalf of all its members instead of each member filing individually; requires social security numbers from each member; becomes effective for taxes levied in 1988 and thereafter, payable in 1989 and thereafter;
- prohibits counties from using county funds to pay court orders if the request wasn't submitted to the county board before the board adopted the county's budget for that year; authorizes counties to pay an order in the first

fiscal year they approve a budget containing an appropriation for the order;

- clarifies that social security numbers are private data and requires counties to protect that data under the Data Practices Act;
- permits the county auditor to make a final certification of prior year adjustments for wetland credits and reimbursement, native prairie credit and reimbursement, and the small business credit in the 1989 abstract of tax lists.

Article 7—Assessors

- establishes a permanent reassessment revolving fund of \$250,000 for the commissioner of revenue to use for the cost of state reassessment;
- gives the State Board of Assessors the power to grant, renew, suspend, or revoke an assessor's license for:
 - failure to complete required training;
 - inefficiency or neglect of duty;
 - unprofessional conduct;
 - conviction of a crime involving moral turpitude; or
 - any other cause that in the board's opinion warrants a refusal to issue, suspension, or revocation of a license;
- extends the senior accreditation date for county assessors and senior appraisers from Jan. 1, 1989 to Jan. 1, 1990; provides that newly appointed or reappointed assessors have one year from the time of their first appointment to attain the senior accreditation;
- prohibits county assessors from making changes in property valuation after the board of review or the county board of equalization has adjourned.

Article 8—Human Services Programs

- establishes state and county guidelines as preparation for the state takeover of the portion of income maintenance programs counties now pay for (i.e., General Assistance, Aid to Families with Dependent Children, Emergency Assistance, Work Readiness, Medical Assistance and others);
- establishes a system for monitoring county compliance, designates how

the counties shall administer each program, establishes penalties for noncompliance with designated rules of program administration, and appropriates \$1.0m for an incentive program to encourage proper administration.

Article 9—Pulltab Tax

- defines "deal" as each separate package or series of packages consisting of one game of pulltabs or tipboards with the same serial number; becomes effective July 1, 1988;
- defines "ideal gross" as the receipts that would result from the sale of all the tickets at face value; becomes effective July 1, 1988;
- defines "ideal net" as the receipts that would result if all tickets are sold at face value, less prize amounts paid out; states that when the prize isn't a monetary one, the ideal net is 50 percent of the ideal gross;
- extends the pulltab tax to tipboards purchased and placed into inventory after June 30, 1988;
- imposes the pulltab tax on the ideal net amount of the deal; effective for deals of tipboards purchased and placed into inventory after June 30, 1988;
- requires distributors to keep records of the pulltabs and tipboards they've purchased and hold at each place of business; requires keeping records for three-and-a-half years; allows the commissioner to inspect the premises and records at any time during regular business hours; permits the commissioner to revoke the permit for failure to allow inspection; becomes effective July 1, 1988;
- includes tipboards in the pulltab tax provisions concerning penalties for possession of untaxed products, reporting requirements, and maintenance of certified inventories; becomes effective July 1, 1988;
- defines "contraband" as unstamped pulltabs and tipboards, containers to display them, cash drawers, registers, and their contents, and devices to transport pulltabs; provides for seizure and disposal of inventories;

- requires distributors to provide purchasers with invoices for pulltab and tipboard sales; becomes effective July 1, 1988;
- makes it a felony to counterfeit pulltab tax stamps, possess untaxed pulltabs, falsify records, or transport unstamped pulltabs; becomes effective July 1, 1988.

Article 10—Sales Tax

- exempts from the sales tax:
 - meals that hospitals, nursing homes, group homes, and other similar facilities furnish without charge to employees if the facilities require employees to eat with the residents or patients, effective on or after Oct. 15, 1987;
 - meals that correctional and detoxification facilities provide to inmates or residents, effective for sales made after June 30, 1988; and
 - security services that off-duty police officers provide within the jurisdictions they serve;
- clarifies that an out-of-state retailer's sales tax payment receipt satisfies the purchaser's "use tax" obligation, unless the purchaser knows that the retailer didn't have a permit to collect the tax; becomes effective June 1, 1988;
- provides that refunds of the sales tax on capital equipment purchases bear interest from the date of filing the claim with the commissioner of revenue, instead of the date of tax payment; becomes effective for all claims filed after June 30, 1988;
- requires out-of-state retailers selling to Minnesota purchasers (by making delivery or sending the goods by common carrier or mail) to register and collect Minnesota sales and use tax; applies only if the retailer systematically solicits sales from Minnesota customers by direct mail, direct telephone, or other electronic solicitation, and/or in certain advertising;
- presumes that a retailer is engaged in regular solicitation of Minnesota business if the retailer makes 100 or more sales within the state over a

consecutive 12-month period; becomes effective June 1, 1988;

- exempts from sales tax:
 - aspirin, acetaminophen (e.g., Tylenol), and ibuprofen (e.g., Advil), and over-the-counter drugs and medicine a physician prescribes; becomes effective for retail sales made after June 30, 1988;
 - sales to the University of Minnesota, state universities, community colleges, technical institutes, and state academies; becomes effective for retail sales made after June 30, 1988;
 - admissions to the State Fair; requires the State Fair to invest tax savings in capital improvements and match the savings with assessments of commercial exhibitors and concessionaires; becomes effective for sales made after Dec. 31, 1988;
 - cross-country ski passes, used motor oils, and bullet proof vests licensed peace officers purchase; becomes effective for retail sales made after June 30, 1988;
- clarifies that each elementary or secondary school organization that carries on sports, educational, or other extracurricular activities is a separate organization and may raise funds up to \$10,000 through the sale of tickets, candy, or other items, without paying sales tax; requires the organization to maintain accounts independent of the school district's accounts to qualify for this exemption; becomes effective for retail sales made after June 30, 1988.

Article 11—Cigarette and Liquor Taxes

- defines "cigarette distributors" as those who sell only to retailers or subjobbers; allows subjobbers to sell other state's stamped cigarettes;
- defines a "prior continuous compliance" taxpayer as one who hasn't been delinquent or deficient in tax payments for a five-year period; exempts such taxpayers from posting a surety bond or certified check in suitable amount to guarantee the tax payment; becomes effective Jan. 1, 1989;

- requires delinquent taxpayers to post bond for two years following their delinquency, after which, the commissioner may reinstate their compliance status to re-establish their tax credibility; becomes effective Jan. 1, 1989;
- allows cigarette distributors to continue using existing stamp meter machines until they wear out (current law requires use of heat-applied stamps beginning in 1989); allows out-of-state banks to set cigarette stamping machine meters;
- establishes a heat-applied cigarette tax stamp revolving account; states that the commissioner of revenue shall:

- use the fund to purchase heat-applied stamps for resale;
- charge purchasers for the costs of the stamps along with the tax value plus shipping costs; and
- deposit the purchase price and shipping costs in this account;
- allows the commissioner to use the account to purchase more stamps;
- requires cigarette distributors to keep records for three years instead of one year; authorizes the commissioner, upon request, to require a physical inventory of all cigarettes in stock, up to twice a year; requires a corporate officer to certify the inventory;
- permits the commissioner to inspect, at any time during normal business hours, cigarette subjobbers' and retailers' premises, cigarette records, and stocks of cigarette and tobacco products to determine if they are complying with the law;
- increases the penalty for failure to file a report or to permit examination of records from a misdemeanor to a gross misdemeanor; provides that selling cigarettes after license revocation is a felony;
- requires manufacturers of tobacco products to report to the commissioner sales of tobacco products to Minnesota distributors, retailers, and subjobbers; provides that failure to file the report is a gross misdemeanor;
- requires the commissioner to assess additional cigarette tax within three years after the return is filed; increases to five years the time for reassessing a

return with a tax omission of over 25 percent; provides that the time runs from the return's due date, not the date of filing; provides for assessment of additional tax on false or fraudulent returns at any time;

- increases the tax credit for small malt beverage brewers from \$4 to \$4.60 per barrel and the maximum credit from \$100,000 to \$115,000; becomes effective for barrels sold after June 1, 1987;
- requires licensed manufacturers and importers of liquor and wine to file monthly information reports with the commissioner;
- clarifies that the tax on beer is on the first sale or importation into Minnesota; requires distributors to file returns and to pay tax if they possess beer on which they know the excise tax is unpaid; requires payment of this tax on or before the 18th day of the month following the month during which the distributor obtained the beer;
- exempts from the excise tax on alcoholic beverages:
 - manufacturers of food or pharmaceutical products purchase to use in preparing other food products or medicines;
 - military clubs buy; and
 - sold to federal agencies exempt under federal law;
- provides that the article is generally effective July 1, 1988 unless otherwise noted.

Article 12—Tax Increment Financing

- provides that towns outside the metropolitan area, or with a population of 5,000 or fewer may not undertake tax increment financing (TIF) projects (current law allows townships with urban powers to use TIF for industrial revenue bond reserve fund projects);
- provides that the original assessed value of a designated hazardous substance site or subdistrict is the assessed value of each parcel on Jan. 2 after the authority has entered into a cleanup agreement, less the amount the development authority certifies as cost of the parcel's cleanup;

- defines "designated hazardous substance site" as an area where the authority has entered into a development agreement providing for the cleanup, or has money available to pay for the cleanup in a development response action plan (a plan the commissioner of the Pollution Control Agency [PCA] commissioner has approved as necessary to protect the public welfare and environment);
- repeals soils condition redevelopment districts and creates districts with shorter duration limits; requires created districts to meet the qualifications under present law for soils redevelopment districts; provides that if the district contains a wetland, the development agreement must provide for the wetland's preservation; requires the proposed development to be consistent with the city's comprehensive land-use plan;
- modifies TIF plans to require:
 - the authority to prepare two estimates of the TIF's fiscal impact on overlapping tax districts; and
 - the plan to identify studies and analysis that lead to it, and all parcels to be included in the TIF district;
- allows counties to require the authority to pay for county road improvements the tax increment project needs;
- requires the authority to provide information on the TIF plan's fiscal and economic effects to the county and school boards at least 30 days before a public hearing;
- requires the authority to retain and make available the facts and rationale that support qualification of a proposed or an enlarged existing TIF district under the redevelopment test;
- authorizes creation of a hazardous substance subdistrict within another tax increment district; requires the municipality to first make a "but-for" finding; allows a municipality or authority that's incurred hazardous waste cleanup costs to recover those costs in action by the attorney general; requires the municipality to reimburse the attorney general for legal expenses

and the PCA for its costs;

- provides that the use of soil district increments is only for:
 - site acquisitions;
 - soils correction; and
 - allocated administrative expenses;
- prohibits land write-downs of parcels in soils districts;
- prohibits use of increments from economic development districts to subsidize developments that consist of 25 percent or more square footage of retail food and beverage service, automobile sales or service, recreation or entertainment facilities, or golf courses, massage parlors, tennis clubs, skating facilities, or racetracks;
- permits using increment revenues from housing districts only to finance housing projects, including related public improvements and allocated administrative expenses; allows housing projects to consist of one-third commercial or other non-housing properties;
- requires using increment revenues from hazardous substance sites solely for costs of cleaning up the hazardous waste or contaminants, and for pollution testing, demolition, soil compaction, and legal and administrative costs;
- specifies other exemptions, charges, and requirements;
- defines original mill rate as the mill rate on the property in the tax year the TIF district was first certified;
- requires distribution to the city, county, and school district, the excess tax amounts resulting when the actual mill rate is higher than the original mill rate as applied against the captured value;
- provides various effective dates.

Article 13—Budget Reserve

- increases the budget and cash flow reserve account transfer to \$265.0m; (former law provides \$250.0m);
- provides that surplus general fund revenues will go to the budget and cash flow reserve account until it reaches \$550.0m;
- requires the Greater Minnesota Corporation to transfer to the general

fund \$80.5m of the amount transferred from surplus revenues as a result of the Jan. 1988 forecast;

- provides that the article becomes effective on the day after enactment.

Article 14—Special Service District Procedures

- defines “city” as a city with a special law authorizing establishment of a special service district (the enabling special law defines “special services” but doesn’t include services the city normally provides only at increased levels);
- allows creating a special service district by ordinance after public hearing; specifies required notice of the meeting;
- allows the district to impose levies and charges only on commercial, industrial, public utility, or vacant land zoned or designated for commercial or industrial use;
- authorizes levying property taxes and imposing service charges to pay for the special services within a district; provides that service charges can’t be a sales tax on liquor, food, or lodging; requires a public hearing before the district imposes a tax or service charge; allows landowner objections and appeals;
- permits expansion of special service districts; provides for collection of taxes, and provides that tax increment financing law and other general property tax computation laws don’t apply;
- authorizes the city to issue bonds for improvements within the district payable from the district’s taxes, special assessments, or other nontax revenues; exempts bond issuance from the referendum requirement and the city’s net debt limit;
- enables the city council to establish an advisory board for each special service district;
- requires a petition to create the district from owners of at least 25 percent of the land area and 25 percent of the value of the proposed district that would be subject to proposed service charges;
- specifies that objection from owners of 35 percent or more of the land area

or 35 percent of the assessed value in the district subject to tax would veto the creation of a district or the levy of a tax on assessed value;

- allows veto of any other service charge if 35 percent or more of individuals and business organizations subject to the charge file an objection;
- prohibits establishing any district during the calendar year in which a veto occurs;
- provides that second and subsequent years’ levies or service charges aren’t subject to the petition and veto provisions if the original action came after providing information about the multiple-year effect.

Article 15—Robbinsdale Special Service District

- defines “special services” as any services the city contracts for and renders, including:
 - repair, maintenance, operation, or construction of capital improvements;
 - parking services; and
 - other services city law or charter authorizes;
- provides for establishing the district by ordinance;
- provides that the article becomes effective upon local approval.

Article 16—Minneapolis Neighborhoods Special Service Districts

- defines “special services” to include:
 - snow and ice removal;
 - sweeping and cleaning of streets, curbs, gutters, sidewalks, and alleys;
 - litter, poster and handbill removal;
 - capital construction, repair, operation, and maintenance;
 - landscaping;
 - security;
 - approval and supervision of special activities;
 - insurance; and
 - administration, coordination, study and preparation of designs;
- provides for:
 - establishment of the district by ordinance;
 - abatement procedure on the

basis of economic hardship for property (owners subject to service charges);

- paying debt service on bonds the district issues primarily from the proceeds of service charges;
- expiration of a district in four years, unless authorities extend it; and
- an advisory board;

- provides that the article becomes effective upon local approval.

Article 17—Minneapolis Downtown Special Service Districts

- defines “special services” to include:
 - snow and ice removal;
 - sweeping and cleaning of streets, curbs, gutters, sidewalks, and alleys;
 - litter, poster, and handbill removal;
 - construction, repair, operation, and maintenance of pedestrian malls;
 - landscaping;
 - security;
 - operation of public transit;
 - information and signs;
 - approval and supervision of special activities; and
 - administration, coordination, study, and preparation of designs;
- defines “pedestrian mall” as an improvement designed and used primarily for the movement, safety, convenience, and enjoyment of pedestrians;
- provides for establishment of the district by ordinance;
- exempts from service charges residential, church, and nonprofit organizations’ property; allows exempt properties to elect to receive special services and pay the charges;
- limits service charges for pedestrian malls to an amount equal to a three-mill levy on the value of property subject to charge; specifies that the city may not pay for more than 50 percent of the costs of a pedestrian mall through service charges or specific assessments;
- provides that the article becomes effective upon local approval.

Article 18—White Bear Special Service Districts

- defines "special services" to include:
 - promotion of the district as a trade or shopping area;
 - parking; and
 - repair, maintenance, operation, and replacement of improvements within the district;
- provides for service charges within the district for the special services;
- requires that:
 - charges may not be a tax on the sale of food, liquor, or lodging;
 - the city must mail notice of a public hearing to property owners before imposing service charges;
 - the notice must include estimated cost of special services and the rate or amount and duration of special service taxes;
 - residential properties are exempt from special service taxes, and the taxes are outside of local levy limitations;
- provides that the article becomes effective upon local approval.

Article 19—Miscellaneous

- appropriates \$263,000 for FY'88 to the commissioner of revenue to administer restoration of property tax refunds;
- appropriates the following amounts for FY'89 to the commissioner of revenue:
 - \$49,000 to prepare income tax samples;
 - \$45,000 to administer property tax refund targeting;
 - \$165,000 to administer property tax reform provisions;
 - \$600,000 to make reimbursement payments to firefighters' relief associations;
- amends laws concerning steam farm traction engines, show boilers and engines to tighten licensing requirements and ensure that a licensed operator is present whenever these engines are demonstrated to the public;
- tightens the licensing standards for Grade A engineers of boilers, steam engines, and turbines;

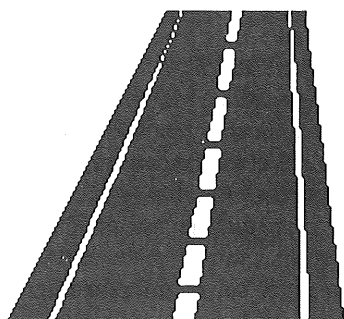
- clarifies language regarding payments nonprofit nursing homes make in lieu of real estate taxes;
- establishes a coordinating committee to oversee preparation of state tax forecasting information;
- specifies sample contents and requires consultation on analysis models among the departments of Revenue and Finance, and House and Senate staffs in developing and maintaining their respective computer models;
- provides that the coordinating committee shall encourage efforts to attain more commonality in the models, greater sharing of program development efforts and programming tasks, and more consistency in resulting analyses;
- clarifies that the commissioner of revenue can levy against property in the possession of law enforcement officials under certain circumstances;
- changes tax rate on certain controlled substances;
- requires the buyer of tax-forfeited land to pay the deed tax; becomes effective for all instruments recorded after May 31, 1987;
- corrects erroneous, ambiguous, redundant, and obsolete language;
- specifies procedures the Iron Range Resources and Rehabilitation Board commissioner must follow in submitting supplemental projects for funding under the Environmental Protection Fund;
- amends laws concerning the taconite municipal aid account to limit per capita amount distribution; becomes effective July 1, 1988;
- increases the amount that a county board can credit to the sheriff's contingency fund from \$3,000 to \$10,000;
- provides for a state-paid, supplemental benefit to volunteer firefighters who receive involuntary lump sum distributions; becomes effective for lump sums paid after Dec. 31, 1986;
- specifies that at least two years must lapse before amending or re-amending an enterprise zone tax credit distribution plan;

- extends the period for recording a contract for deed in certain circumstances;
- states that the project area for the Cook County economic development authority encompasses the entire county;
- allows the City of Little Falls to issue \$3.3m in general obligation bonds to refund the city's 1985 issue of tax increment bonds;
- increases the property tax exemption from 8 years to 10 years for property the City of Hermantown holds for economic development purposes; specifies requirements;
- authorizes Ramsey County to issue up to \$2.0m in general obligation bonds to restore the Union Depot concourse; specifies requirements;
- authorizes the City of Shafer to issue \$40,000 in general obligation bonds to finance a municipal building;
- requires Stearns County to refund taxes the Lake Koronis Assembly Grounds paid in 1986;
- authorizes the Metropolitan Council to make hardship loans to Washington County so the county can give relocation assistance to property owners the Big Marine Park plan affects;
- repeals the gasoline and special fuels tax on railroad and barge fuels, retroactive to July 1, 1987;
- repeals the requirement that the Department of Revenue conduct an audit of property tax refund claims by renters in FY'89;
- provides for various effective dates.

Enactment: May 9, 1988
Effective: various dates



Transportation



Advertising—rural highways

HF1736—Lasley, Kinkel,
C. Nelson, D. Carlson, Cooper
SF1610*—Bertram

Chapter 595:

- provides for specific service signs for rural agricultural businesses and places of worship along trunk highways in rural areas;
- provides that to qualify for a specific service sign, a rural agricultural business must be open year-round for a minimum of eight hours per day, six days per week; allows signs for seasonal businesses if the business is open eight hours per day and six days per week during the normal seasonal period.

Enactment: April 21, 1988

Effective: Aug. 1, 1988

Depts. of Transportation, Public Safety—changes

HF1954—Lieder, Kalis, D. Carlson,
A. Johnson, Seaberg
SF1590*—Vickerman

Chapter 698:

- updates the reference to federal relocation assistance statutes in state eminent domain law;
- authorizes the commissioner of transportation to accept gifts, grants, or contributions for department activities;

- allows star counties to post star county signs along highways that enter the county;
 - exempts highway easement property lessees from the state's use and possession tax;
 - exempts land conveyances to governmental bodies from current tax-paid certification requirements;
 - increases the Department of Public Safety complement and provides necessary appropriations;
 - repeals the statute authorizing the commissioner to continue the Air Transportation Revolving Account.
- Enactment:** April 28, 1988
Effective: July 1, 1988 for provisions that update eminent domain law, and involve the commissioner of transportation; day after enactment for remaining provisions

Diesel fuel tax exemption— resolution

- (See Resolutions)

Drivers' license— stepparent approval

HF2016—Rukavina, Munger,
R. Johnson
SF1948*—Dicklich

Chapter 558:

- allows the spouse of a custodial parent to sign the drivers' license application of a person under age 18.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

**Duluth Transit Authority—
school transportation**
HF2024—Jaros, Munger, Boo,
Price, Marsh
SF1940*—Solon, Gustafson

Chapter 573:

- authorizes the Duluth Transit Authority to transport secondary students to or from school or school-related activities within the city on fixed routes and schedules, or under an agreement with the Independent School District No. 709 in a publicly owned transit bus;
 - repeals this act on Aug. 1, 1991.
- Enactment:** April 20, 1988
Effective: day after enactment

Highway funding—fuel tax increase; MVET transfer

HF1749*—Kalis, D. Carlson,
Lieder, Jensen, Seaberg
SF1592—Purfeerst

Chapter 603:

- increases the tax on gasoline and special fuel from 17 cents to 20 cents per gallon on May 1, 1988;
- provides that the tax on railroad and barge fuel remains at 17 cents per gallon;
- increases the fees for alternate fuel permits;
- increases the share of motor vehicle excise tax (MVET) revenues going to transportation from 5 percent to 30 percent beginning July 1, 1988;
- provides that of the amounts transferred to transportation, 75 percent goes to the highway user distribution fund and 25 percent to the transit assistance fund;
- provides that, after July 1991, all MVET dollars will go into the state trunk highway fund;
- creates a 21-member transportation study board; requires the board to study the state's surface transportation needs into the 21st century and to recommend a program for transportation improvements to meet those needs;

- makes various appropriations and repeals the contingent income tax increase provision.

Enactment: April 23, 1988

Effective: various dates

Highways—AMVETS memorial, route changes

HF1980*—Kalis, Pelowski, K. Olson, Steensma, Bishop
SF2344—Beckman, Morse, Vickerman

Chapter 565:

- designates Interstate Highway 90 as the AMVETS Memorial Highway and requires the commissioner of transportation to erect highway signs;
- replaces Trunk Highway No. 254 with a new route near Blue Earth upon the signing and filing of a transfer agreement between the commissioner and Faribault County;
- removes Trunk Highway No. 231 from the trunk highway system upon the signing and filing of a transfer agreement between the commissioner and the City of Moorhead;
- removes Trunk Highway No. 296 from the trunk highway system upon the signing and filing of a transfer agreement between the commissioner, the City of Rochester, and Olmstead County.

Enactment: April 20, 1988

Effective: day after enactment

License plates—seven-year renewal, fees

HF0080—Simoneau, Seaberg, Rice, Bennett
SF0063*—Lantry, Frederick, Schmitz, Novak

Chapter 647:

- defines "registered owner" in the vehicle registration law as a person, firm, association, or corporation, other than a party with a security interest, having title to a motor vehicle;

- includes in the definition of "registered owner," a person leasing a passenger automobile for 180 days or more;
 - changes references to "owner" to "registered owner" in laws governing vehicle registration;
 - provides that a registration certificate may serve as a certificate of title for vehicles exempt from the certificate of title requirement;
 - requires motorists to replace license plates that are seven years old or older at the time of annual registration beginning Jan. 1, 1989;
 - makes the \$100 fee for personalized license plates a one-time fee and provides for a replacement fee for personalized plates;
 - reduces the automobile license plate fee from \$3 to \$2 beginning Jan. 1, 1989;
 - prohibits the registrar from approving vehicle registration applications or issuing license plates for vehicles unless he/she has received the certificate of title;
 - imposes a \$2 fee on people who fail to file a transfer of vehicle ownership with the registrar within 14 days of the transfer;
 - appropriates \$103,000 to the commissioner of public safety to implement various sections of this act.
- Enactment:** April 26, 1988
Effective: day after enactment for provision on personalized license plates; July 1, 1988 for remaining provisions unless otherwise noted

Metro Airports Commission—borrowing authority

• (See Local Bills—Metro)

Motor carrier housekeeping bill

HF2192*—Jensen, Kalis, Reding
SF1876—Novak, Purfeerst, Schmitz, DeCramer, Bernhagen

Chapter 544:

- provides that a motor carrier rule that's more stringent than state traffic law takes precedence over that law;
- allows the commissioner of transportation to enter into agreements with other states to administer special permits for vehicles that exceed weight and length restrictions;
- exempts certain limousines from motor carrier regulation;
- specifies that certain laws governing motor carrier safety and operations apply only to carriers engaged in intrastate commerce;
- authorizes the commissioner to give the Transportation Regulation Board (TRB) investigative data about a carrier or petitioner subject to board jurisdiction; requires the commissioner to notify the petitioner or carrier that such data has been given to the board;
- specifies that regular route carriers, petroleum carriers, permit carriers, and livestock carriers must file petitions for operating authority with the Minnesota Department of Transportation (Mn/DOT) rather than TRB;
- establishes insurance requirements for motor and interstate carriers and prohibits them from operating a vehicle unless they have the required minimum amount of financial responsibility (e.g., insurance or surety bond);
- requires interstate carriers and certain carriers of hazardous cargo to get insurance or bonds that conform with federal requirements;
- directs TRB to consider the substance of a transaction rather than the form when deciding whether to permit a sale of an operating permit;
- requires an agreement for such a sale to be reported to TRB within 30 days and reduces from 90 days to 30 days the period in which a permit holder may report a transfer of stock;
- requires people who transport hazardous waste to carry a hazardous

waste manifest (list) which conforms to state rules;

- requires people with a canceled permit or certificate to file a petition with the commissioner rather than TRB;
 - requires local cartage carriers to file a petition with Mn/DOT rather than TRB;
 - specifies that a carrier with a canceled permit or certificate must file a petition for new operating authority with Mn/DOT rather than TRB;
 - requires the commissioner to issue annual cab cards to local cartage carriers who've received a permit; requires carriers to keep the cards in the vehicle or power unit;
 - requires interstate carriers and private carriers engaged in interstate commerce to comply with the Federal Motor Carrier Safety Regulations and with the state rules governing inspections, vehicle and driver out-of-service restrictions and requirements, and vehicle, driver, and equipment checklists;
 - authorizes the commissioner to investigate such carriers and their compliance with federal regulations and institute and prosecute proceedings for their enforcement;
 - requires insurers of building movers to give the commissioner, upon request, copies of any building mover insurance policy and all endorsements to the policy;
 - repeals the law which classifies motor vehicle investigative data as protected, nonpublic data.
- Enactment:** April 18, 1988
Effective: Aug. 1, 1988

Motor vehicles—ATVs, special licenses, brakes
HF1526*—Bauerly, Bertram, Jensen, S. Olsen, McEachern
SF1060—DeCramer, Frederick, Bertram, Novak

Chapter 636:

- defines "motor vehicle" to include all-terrain vehicles (ATVs) that:

- have at least four wheels;
- a physically handicapped person owns and operates; and
- have both a physically handicapped license plate and certificate;

- defines "limousine" and provides for a unique registration category for limousines; provides for limousine license plates and insurance and allows tinted rear and side windows on limousines and other vehicles such as a hearse;
 - makes the \$100 fee for personalized license plates a one-time fee and provides for a replacement fee for personalized plates;
 - allows up to seven numbers and letters on personalized license plates;
 - authorizes special license plates for Vietnam, Korean, Pearl Harbor, and World War I and II veterans, and ex-POWs;
 - prohibits a person from towing a farm trailer that doesn't have brakes and that weighs more than 6,000 pounds at a speed in excess of 30 miles per hour;
 - makes exceptions to braking requirements for trailers, semi-trailers, and other vehicles that weigh 1,500 pounds or more;
 - requires service brakes on all wheels of vehicles manufactured after June 30, 1988; makes exception for certain mobile cranes traveling under 45 miles per hour and meets stopping performance standards; provides that front wheel braking requirements do not apply to certain vehicles manufactured before July 1, 1988 that have three or more axles;
 - allows star counties to post star county signs along highways that enter into the county;
 - imposes a tax for collector vehicles in lieu of the motor vehicle excise tax.
- Enactment:** April 26, 1988
Effective: various dates

Motor vehicles—
division of overweight fines
HF1656*—Segal
SF1517—McQuaid

Chapter 606:

- allocates civil fines for overweight trucks so that three-eighths of the civil penalty goes to Hennepin County if the violation occurred in that county and the county sheriff made the arrest or apprehension; allocates the remaining five-eighths to the highway user tax distribution fund.
- Enactment:** April 24, 1988
Effective: day after enactment

Motor vehicles—
salvage dealer licensing
HF1130—A. Johnson, McLaughlin, Wagenius
SF1121*—Stumpf

Chapter 496:

- defines "junk vehicle" as a vehicle graded and stamped "class D" with damage of 70 percent or more of actual cash value and not reparable;
- requires new-and-used-car dealers to get used-vehicle-parts dealer licenses to purchase junked vehicles from a salvage pool, insurance company, or its agent;
- requires people who buy vehicles for processing and selling the metal for remelting to have a scrap metal processor's license; prohibits scrap metal licensees from acquiring junk vehicles for salvaging for scrap or parts unless the licensee also has a used-vehicle-parts dealer licenses;
- requires people who buy vehicles for salvaging for scrap and parts to get used-vehicle-parts dealer licenses;
- requires people who store or display, solicit or advertise junk or damaged vehicles to get a vehicle salvage pool license; prohibits licensees from selling such vehicles to anyone other than a licensed used-vehicle-parts dealer;
- exempts people who make isolated or occasional sales or leases (five or

fewer car sales per year) from licensing requirements;

- requires new-motor-vehicle dealers and vehicle salvage pools to have an area to display motor vehicles; requires used-vehicle-parts dealers and scrap metal processors to have a street address for their place of business; repeals separate place-of-business requirements for motor-vehicle wholesalers;
- provides that dealer plates are not available to scrap metal processors, used-vehicle-parts dealers, and vehicle salvage pools;
- exempts used-vehicle-parts dealers and scrap metal processors from bonding requirements that apply to vehicle salvage pools;
- prohibits the registrar and deputy registrars from imposing a \$3.25 filing fee on permanent surrender of a certificate of title;
- defines the following:
 - a “high-value vehicle” as a vehicle six years or older with an actual value of over \$5,000 before being damaged, or any vehicle with a manufacturer’s rating of over 26,000 gross weight;
 - a “late-model vehicle” as a vehicle manufactured in the current vehicle year or the five model years preceding the current model year;
 - an “older-model vehicle” as a vehicle six years old or older, or a vehicle that’s not a high-value vehicle;
 - a “salvage title” as a certificate of title issued to a vehicle that’s graded and stamped “class C” with damage of 70 percent or more of actual cash value;
- repeals present law that requires the surrender of titles for permanently scrapped, dismantled, or destroyed vehicles;
- establishes a titling system for salvage and rebuilt motor vehicles and requires licensed insurers and dealers who own a late-model and high-value vehicle to stamp and grade the certificate of title as follows:

—class A, with damage of less than 10 percent of actual cash value;

—class B, with damage of 10 percent to 69 percent;

—class C, with damage of 70 percent or more of actual cash value;

—class D, with damage of 70 percent or more of actual cash value and not reparable;

- prohibits the retitling of class D vehicles; requires return of the title of a class D out-of-state vehicle to the Department of Public Safety (DPS); allows a salvage pool to sell a class D vehicle only to a licensed used-vehicle-parts dealer;
 - requires persons other than a dealer or insurer, who acquire a late-model or high-value class C vehicle to surrender the vehicle’s assigned title to DPS and apply for a salvage title;
 - provides that a salvage title authorizes the holder to own, register, transport, and transfer ownership on a vehicle; prohibits the issuance of a title to a vehicle which already has a salvage title unless the application for the title contains a certificate of inspection;
 - requires a dealer who buys an older-model vehicle to dismantle or destroy to report the vehicle’s license and identification numbers along with the seller’s name and driver’s license number to DPS within 30 days; requires a dealer who buys a late-model or high-value vehicle to dismantle or destroy to surrender the certificate of title to DPS and apply for a salvage certificate of title;
 - requires a dealer who sells a salvage vehicle to a person who intends to remove it from the state to report the sale to DPS.
- Enactment: April 12, 1988
Effective: Jan. 1, 1989

Motorcycle— endorsement fee increase

HF1933—S. Olsen, D. Nelson,
Marsh, DeBlicke, Jensen
SF2221*—DeCramer

Chapter 715:

- increases from 50 percent to 60 percent the amount of money in the motorcycle safety fund that the commissioner of public safety may use for motorcycle instructor training and school district reimbursement;
 - increases from \$6 to \$7.50 the fee for a duplicate driver’s license necessary to add a two-wheeled vehicle endorsement, and increases the renewal fee for such licenses from \$4 to \$6;
 - increases from \$300,000 to \$500,000 the portion of the two-wheeled vehicle endorsement license fee dedicated to the motorcycle safety fund.
- Enactment: May 4, 1988
Effective: Aug. 1, 1988

Propane fuel—tax exemption

• (See Taxes)

Railroads— caboose requirements

HF0428—Rice, Welle, A. Johnson,
Munger, D. Carlson
SF0449*—Stumpf, Lessard,
DeCramer, D.E. Johnson, Merriam

Chapter 697:

- requires all freight trains 2,000 feet or longer, transporting hazardous materials or operating without block signals, to have an occupied caboose as its rear car;
- allows a defective car the train’s towing to the nearest repair terminal to be the rear car of such trains;
- exempts from the caboose requirement:
 - trains traveling short distances (two miles or less) from the terminal or running on block signal territory;

—short line railroads the Interstate Commerce Commission classifies as a class III line haul railroad;

—a railroad company that operates a railway in this state and in two adjoining states, if the total trackage of the railroad company is between 950 and 1,000 miles; or

—unit trains hauling grains, taconite, or other mined mineral ore;

- requires cabooses to have a short-wave radio on the same frequency as the radio in the lead locomotive;
- sets a \$350 civil penalty for rail companies that operate trains without cabooses;
- requires caboose cars to have either a marker, flag, lamp, flashing lamp, or reflectorized devices.

Enactment: April 28, 1988

Effective: Aug. 1, 1988

Seat belt law—violation penalty

- (See Crime/Corrections)

State park road account

HF1277*—G. Anderson, Brown
SF1141—D.J. Frederickson,
DeCramer, D.E. Johnson, Adkins,
Vickerman

Chapter 635:

- allows use of state park road account money for construction, improvement, repair, and maintenance of county roads that provide immediate access to public lakes;
- provides that the roads don't have to meet county and state aid highway standards;
- requires the commissioner of natural resources to get written comment on the road project from the county engineer before requesting the county to work on such county roads.

Enactment: April 26, 1988

Effective: July 1, 1988

Trunk highway—

Olof Hanson Drive designation

HF2511—Rodosovich

SF2358*—Purfeerst

Chapter 438:

- designates Trunk Highway No. 299 as the Olof Hanson Drive.

Enactment: April 4, 1988

Effective: Aug. 1, 1988

Vehicles—

transporting firewood

HF1469*—Wenzel, E. Olson,

Beard, D. Carlson, Kalis

SF1336—Samuelson, Anderson,
Lantry

Chapter 518:

- requires all vehicles carrying loads of cut firewood on a trunk highway to cover the load with a material strong enough to prevent escape of the load, if the cargo area has no rear wall and the load is more than three feet long;
- provides that no person shall transport firewood in an unsafe manner;
- makes violation a petty misdemeanor, but allows a peace officer to issue a warning citation for a first offense.

Enactment: April 14, 1988

Effective: Aug. 1, 1988; applies to violations occurring on or after that date

Vending machines—rest areas

HF1952—A. Johnson, Jefferson,
Kalis, Haukoos

SF1587*—Vickerman, Piper

Chapter 570:

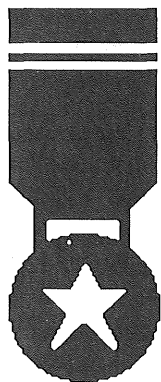
- authorizes vending machines that dispense food, non-alcoholic beverages, or milk in rest areas, tourist information centers, and weigh stations along primary trunk highways.

Enactment: April 20, 1988

Effective: day after enactment



Veterans/ Military



State armory—bonding
HF2255—Quinn, Kostohryz,
 Milbert, Jacobs
SF1618*—Bertram, Wegscheid,
 Vickerman

Chapter 710:

- increases the limit on bonded indebtedness from \$4.5m to \$7.0m for the State Armory Building Commission.

Enactment: May 4, 1988

Effective: day after enactment

Veterans homes—control
HF1746—Kostohryz, Dauner,
 Valento, Wenzel, Scheid
SF1595*—Bertram, Diessner,
 Lessard, Vickerman, Decker

Chapter 699:

- requires the commissioner of veterans affairs to appoint a deputy commissioner for veteran services and specifies powers and duties;
- creates a nine-member board of directors for Minnesota veterans homes, whom the governor will appoint with the Senate's advice and consent; specifies membership, terms, compensation, and duties;

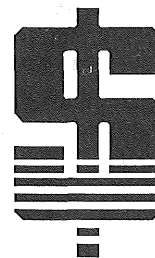
- permits either the board or the commissioner to appoint a deputy commissioner for veterans health care and specifies powers and duties;
- directs the board to work with federal, state, local, and private agencies to develop alternative institutional and noninstitutional care programs for veterans to supplement the homes' mission;
- directs the board to use the case-mix system to assess the appropriateness and quality of care and services to the homes' residents; requires the board to also adopt a preadmission screening program;
- corrects erroneous, ambiguous, redundant, and obsolete language;
- directs the board to develop a geriatric research and teaching mission for the homes in collaboration with the Veterans Administration and other medical, educational, and allied health facilities;
- transfers the duties of the commissioner of veterans affairs relating to management and administration of the Minnesota veterans homes in Minneapolis and Hastings from the commissioner of human services to the board;
- requires the commissioner of health to conduct an on-site review and audit of the two veterans homes and publicize the results before granting licenses to the board;
- appropriates \$30,000 in FY'88 and \$125,000 in FY'89 from the general fund to the board to conduct their duties.

Enactment: April 28, 1988

Effective: day after enactment



Appropriations



**Ag., Transportation,
 Semi-State—omnibus bill**
HF2788—G. Anderson
SF2565*—Merriam

Chapter 684:

\$2,003,000 FY'88

\$1,271,600 FY'89

Total: \$3,274,600

Article 1—Appropriations

Total: \$2.0m; \$1.3m

Transportation Regulation Board

Total: \$36,600 FY'89

- increases the board's complement by one position.

Department of Public Safety

Total: \$1.9m; \$543,000

- Includes:

- \$1.9m in FY'88 for the state share of the flood and tornado disaster relief assistance;

- \$5,000 in FY'89 for the printing of organ donor notices;

- \$430,000 in FY'89 for the Bureau of Criminal Apprehension laboratory activities; and

- \$108,000 in FY'89 for grants to local officials for the cooperative investigation of cross-jurisdictional criminal activity;

- increases the department's complement by eight positions.

Department of Agriculture

Oak Wilt Control:

\$20,000; \$40,000

- increases the department's complement by one position and requires the

department to work cooperatively with the Department of Natural Resources and the University of Minnesota in Oak Wilt control activities.

Board of Water and Soil Resources Comprehensive Local Water Planning:

\$43,000; \$172,000

- increases the board's complement by three positions.

Charitable Gambling Control Board Increased Enforcement:

\$250,000 FY'89

- increases the board's complement by six positions and requires the board to make emergency rules to limit what charitable gambling organizations must pay to rent or lease space for gambling purposes.

Minnesota Historical Society

Total: \$145,000 FY'89

- Includes:
 - \$20,000 for the Minnesota Humanities Commission;
 - \$25,000 for the Lindbergh Interpretive Center;
 - \$40,000 for the Hubert H. Humphrey Institute of Public Affairs;
 - \$40,000 for the St. Anthony Falls Heritage Interpretive Zone and Heritage Board;
 - \$20,000 for the Southwestern Regional Development Corporation.

Board of the Arts

Total: \$75,000 FY'89

- Includes:
 - \$27,800 for regional arts councils;
 - \$47,200 to various groups such as artists in education or series presentors.

Military Order of the Purple Heart Veterans' Assistance:

\$10,000 FY'89

Other Provisions:

- creates a special town road account in the state treasury and requires that, in FY'89, the first \$250,000 in motor vehicle excise tax receipts which would otherwise go into the highway user tax distribution fund go into the town account;
- requires the commissioner of transportation to distribute monies in

the account to towns to help maintain town roads that provide substantial access to a state park, state institution, or unit of the state outdoor recreation system; requires the commissioner to give priority to towns maintaining a road that leads to a state park;

- terminates the account on June 30, 1990 and requires the state treasurer to transfer any monies in the fund at that time to the highway user tax distribution fund; repeals this section of law on July 1, 1990;

- removes language restricting the Voyageurs National Park Council from receiving private funds;
- establishes the St. Anthony Falls Heritage Board and Heritage Zone; provides for board membership, compensation, and duties which include developing a comprehensive interpretive plan for a historical zone and making project assistance grants; requires the board to report its actions to the appropriate legislative policy committees;
- designates the Minnesota Historical Society as coordinator of the Heritage Interpretive Zone and requires the City of Minneapolis and the Minneapolis Park Board to provide dollar-for-dollar matching funds for the project; repeals the sections relating to the St. Anthony Falls Heritage Interpretive Zone on July 1, 1997;

- changes the distribution of drivers' license reinstatement fees so that 15 percent goes into the alcohol-impaired driver education account (currently 25 percent goes into this fund), and 10 percent goes into the Bureau of Criminal Apprehension (BCA) account; directs the commissioner of public safety to give 8 percent of the BCA monies to the BCA laboratory, and to use the remaining 2 percent for grants to local police officials; sets effective date at July 1, 1988;

- permits members of the Crime Victim and Witness Advisory Council to receive expense compensation in the same manner as other councils; permits expense compensation payment to come out of the appropriation for administration of crime victims reparation activities;

- sets effective dates as the day after enactment unless otherwise noted.

Article 2—Transit

Total: \$3.0m; \$14.7m *

Department of Transportation

- Includes:

—Non-Metropolitan Transit Assistance

\$3.6m FY'89

—Light Rail Transit

\$4.2m FY'89

- requires local transit authorities to match state light rail funding on a dollar-for-dollar basis; prohibits spending funds for administrative costs.

Regional Transit Board

- Includes:

—Regular Route Service

\$1.0m; \$692,000

- stipulates that the Regional Transit Board (RTB) may use this money only to either replace federal operating assistance or to improve service levels.

—Metro Mobility

\$2.0m; \$4.0m

- requires RTB to establish policies that require institutions or organizations that use Metro Mobility to participate in its cost; requires RTB to report June 1 and Dec. 1, 1988 to the chairs of House and Senate committees overseeing transit funding and operations on Metro Mobility's performance statistics, policies, and planned changes.

—Social Fares

\$700,000 FY'89

- makes funds available to reimburse regular route providers for lost revenue only if senior fares don't increase.

—New Service

\$1.6m FY'89

* Appropriations for Article 2 are not included in the grand total for Chapter 684. The highway funding bill, Chapter 603, provides the transit funds while this article specifies the distribution.

Other Provisions

- allows the commissioner of transportation to distribute metropolitan account funds to eligible regional rail authorities to plan and design light rail transit; establishes procedures for the commissioner to distribute funds; prohibits the commissioner from giving more than 60 percent of the available funds to one entity; requires the commissioner to review applications and consult with the Metropolitan Council and RTB about the applications before distributing any funds, and to also report to the Legislature on the use and planned distribution of the construction funds;
- requires RTB to cooperate with regional rail authorities in the study, planning, and design of light rail transit;
- permits the Metropolitan Transit Commission to enter into agreements to control light rail transit operations;
- makes Article 2 effective on the day after enactment.

Enactment: April 27, 1988

Effective: various dates

Arts board—funds distribution

HF2186—Rice, Morrison,
Carruthers, Rukavina
SF2097*—Marty, Pogemiller,
D.R. Frederickson

Chapter 560:

- prohibits an individual from serving on an advisory committee to the Board of the Arts if he/she has applied to that committee for a grant, loan, or other assistance;
- requires the board to serve as a fiscal agent to disburse appropriations for regional arts councils throughout Minnesota.

Enactment: April 18, 1988

Effective: Aug. 1, 1988

Health and Human Services— omnibus bill

HF2126*—Greenfield, Wynia,
Stanis, Clark, Rodosovich
SF2568—Merriam

Chapter 689:

\$(17,277,000)* FY'88

\$17,664,300 FY'89

Total: \$387,300

Article 1—Appropriations

Department of Human Services

Total: \$(17.6m); \$11.7m

Social Services:

\$1.2m FY'89

• Includes:

- \$200,000 for Semi-Independent Living Services (SILS) program;
- \$50,000 for Attention Deficit Disorder (ADD) grant;
- \$150,000 for a demonstration grant under the Community Initiatives for Children Program.

Mental Health:

\$(1.3m); \$1.4m

- includes funding for various programs such as the Children's Mental Health Plan, and evaluation of community residential programs for the mentally ill and chemically dependent.

Income Maintenance and Residential Programs:

• Includes:

\$(17.0m); \$5.9m

—Health Care and Residential Programs

\$(11.9m); \$6.3m

- improves payment structure for medical assistance (MA) providers and vendors;
- increases payment to small hospitals under the MA reimbursement system;
- includes \$200,000 for a regional demonstration project to provide health coverage to low-income, uninsured persons.

* Provisions in this bill allocate \$28,394,500 from the general fund for health and human services programs; however, this amount is a reallocation of unspent human services funds. Figures in parentheses represent appropriation reductions.

—Family Support Programs

\$(3.6m); \$(1.4m)

—Other Income Maintenance Activities

\$(1.5m); \$1.0m

- includes funding for the commissioners of human services and employee relations to complete a job evaluation to determine the comparable worth value of direct care staff positions in intermediate care facilities for the mentally retarded, SILS programs, and developmental achievement centers;
 - includes \$150,000 to implement the Federal Nursing Home Reform Act.
- #### Veterans Homes:
- \$763,200; \$3.2m
- transfers funds for the biennium ending June 30, 1989, to the homes' board of directors when the commissioner of health licenses the board;
 - includes \$410,000 to replace electrical transformers and to begin steam retrofitting to comply with utility company requirements.

Ombudsman for Mental Health and Mental Retardation

Total: \$200,000 FY'89

Department of Jobs and Training

Total: \$1.8m FY'89

Employment and Training:

\$100,000 FY'89

Rehabilitation Services:

\$350,000 FY'89

- includes \$150,000 for grants to provide needed services to eligible people on a waiting list for community-based employment services.

Community Services:

\$1.4m FY'89

- includes \$300,000 for Minnesota economic opportunity grants;
- provides grants for development and administration of life skills and employment plans for the homeless.

Department of Corrections

Total: \$7,900; \$521,600

Correctional Institutions:

\$360,000 FY'89

- includes funding to replace a boiler at the Red Wing Correctional Facility.

Community Services:

\$7,900; \$161,600

Department of Health**Total: \$268,900; \$3.4m****Preventive and Protective Health Services:****\$2.2m FY'89**

- Includes:
 - \$700,000 for AIDS prevention grants for certain high-risk groups;
 - \$200,000 to establish the Minnesota Institute for Addiction and Stress Research;
 - \$55,000 to implement the environmental laboratories certification program;
 - funds for the Safe Drinking Water Program; and
 - funds to screen former Conwed Corporation (Cloquet) employees and their families.

Health Delivery Systems:**\$890,000 FY'89**

- includes \$400,000 for poison information center grants;
- establishes training and competency evaluation programs and a registry for nurse aides in nursing homes and boarding care homes certified for participation in the medical assistance or Medicare programs.

Health Support Services:**\$268,900; \$308,300****Project Labor**

- allows human services and corrections institutions to pay wages to employees engaged in construction or repair projects that are short-term and nonrecurring.

Article 2

- requires minority councils, including the Indian Affairs Council, Council on Affairs of Spanish-Speaking People, Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans, to review out-of-home placement data for minority children, and to report to the Legislature by Feb. 1, 1990; Nov. 1, 1990, and Nov. 1 of each year thereafter;
- prohibits health maintenance organizations (HMOs) or health insurers from denying coverage to an employee's dependents on the basis of support provided to the dependent or the dependent's residence, and from denying benefits because the covered

person or dependent is eligible for MA;

- regulates funding allocations and provides for facility governance of vocational rehabilitation services;
- provides that the commissioner of health isn't required to solicit personal information from participants in epidemiologic studies under certain circumstances;
- requires all written program materials from the departments of Health, Human Services, and Jobs and Training to be understandable to a person who reads at the seventh-grade level;
- requires testing of newborn infants for hemoglobinopathy (sickle cell anemia);
- establishes a certification program, fee structure, and state treasury certification account for environmental laboratories;
- changes the minimum staffing standard for nursing personnel in nursing homes to the greater of two hours per resident per 24 hours or 0.95 hours per standardized resident days;
- creates an exception to the nursing home moratorium to allow moving beds from a separate nursing home to a former hospital; allows the certification of certain boarding care facilities and other locations as nursing home beds; requires newly constructed nursing homes to have air-conditioning;
- regulates the sale of hearing aids and establishes a consumer information center for people needing hearing aids;
- prohibits law enforcement officers from removing identification from a disabled person unless the removal is necessary for enforcement purposes or protects the disabled person's safety;
- requires local health agencies to investigate and implement an infant formula cost reduction system;
- allows the commissioner to award grants to local health agencies, boards, councils, or nonprofit corporations to provide evaluation and counseling services for people at risk for Acquired Immunodeficiency (AIDS) virus;

- requires the commissioner to promote measures to prevent businesses from facilitating sexual practices that transmit deadly infectious diseases;
- establishes a research institute to study addictive disorders and stress-related diseases;
- provides fines for rule violations relating to licensing of hotels, restaurants, resorts, and other public accommodations;
- requires negotiation of employment conditions in state-operated, community-based facilities;
- allows the commissioner to establish a veterans home in Silver Bay by renovating a facility, if the city donates the building, and requires the home to meet health requirements and licensing rules;
- defines education, experience, and licensing requirements for case managers and mental health practitioners in mental health programs;
- requires mental health providers to inform clients of case management services and, if the client consents, requires the provider to follow case management referral guidelines;
- requires county boards to establish procedures to ensure that names and addresses of persons receiving mental health services meet data privacy requirements;
- requires the State Advisory Council on Mental Health to establish a subcommittee on children's mental health;
- requires the commissioner of human services to create and ensure a comprehensive children's mental health service system;
- extends foster care insurance to providers of adult foster care;
- establishes a demonstration grant program called Community Initiatives for Children to promote healthy development through a more stable home life;
- expands and improves the quality of child care services; establishes grants for child care services and authorizes counties to fund child care services with special tax revenue or general fund money; requires counties, when

awarding grants for child care training, to give priority to child care workers caring for infants, toddlers, sick children, and children with special needs;

- establishes a system of noninstitutional, state-operated, community-based residential services for the mentally retarded;
- changes rates and requires rate increases for development achievement centers (DAC) vendors whose approved payment rates are 10 percent below statewide median payment rates;
- defines procedures for administering neuroleptic medications for people who are committed as mentally ill or mentally ill and dangerous;
- makes certain revisions in the Aid to Families with Dependent Children (AFDC) program; allows local agencies to recoup overpayments from grants to current recipients through a 3 percent grant reduction, after a computerized client eligibility system has begun; requires local agencies to promptly repay any underpayment;
- requires minor parents who receive AFDC to attend school under certain conditions; requires local agencies to apply sanctions and to refer the minor parent to social services if the minor parent fails to meet attendance requirements without good cause;
- specifies requirements of minor parents who receive AFDC and don't live with adult relatives; allows the local agency, under certain circumstances, to require that the minor caretaker live in a group or foster home or participate in available programs on parenting or independent living;
- provides case management services for pregnant minors and minor parents who receive AFDC;
- requires county agencies to provide public assistance applicants with voter registration cards and assistance in completing them;
- expands the Children's Health Plan to cover children from ages one to nine;
- requires the commissioner of human services to analyze and correct

problems with provider billings for various public assistance programs and to designate a liaison between the department and providers;

- amends state law to allow MA payments for swing beds if the provider is a sole community provider (generally defined as a rural provider in an area where similar facilities are not easily accessible); adds nurse anesthetist services and day treatment services to the list of MA reimbursable services;
- extends MA coverage to include:
 - pregnant women and children up to one year of age who have incomes less than 185 percent of the poverty level;
 - disabled children at risk of institutional placement; and
 - aliens seeking legalization under the Immigration Reform and Control Act of 1986;
- allows continued hospital care for an MA recipient who has been a polio patient in a hospital for at least 25 years;
- increases the personal needs allowance of people residing in medical facilities from \$40 to \$45 per month and provides that when social security or supplemental security income increases, the personal needs allowance also increases proportionately;
- changes several regulations for nursing home rates;
- creates and defines an appeal review process for certain types of MA appeals;
- provides certain exceptions to the moratorium on beds in intermediate care facilities for persons with mental retardation or related conditions (ICFs/MR); requires a study of economic trends affecting ICFs/MR;
- provides continued private duty nursing or personal care assistant services up to 120 hours, for ventilator-dependent recipients on MA, should they need hospital care;
- establishes a rural and urban case management pilot project to improve delivery and reduce MA costs through prepayment;
- adds Crow Wing County to a demonstration project that provides low cost medical insurance to low

income, uninsured people;

- adds new definitions to provisions for the general assistance (GA) program; makes county jail prisoners eligible for GA medical care benefits; defines terms, benefits, services, and eligibility for GA programs;
- makes changes in the Minnesota Supplemental Aid (MSA) program, including:
 - removing authority for undue hardship waivers;
 - permitting the transfer of property restrictions;
 - requiring applicants to apply for federally funded programs for dependents before they can allocate their income to those dependents;
 - allowing recipients an earned income disregard of \$65 plus one-half of the remaining income;
 - allowing recipients the same work expense deduction as in the supplemental security income program; and
 - establishing an MSA gross income limit;
- revises the chronic mental illness grant program to conform with changes in the comprehensive Mental Health Services Act;
- changes the definition of "placement prevention and family reunification services" for purposes of the Permanency Planning Act; requires that services to minorities reflect and support family models acceptable within the minority culture; requires the commissioner of human services to revise rules governing social services, child placement agencies, and foster care providers to meet the requirements of this act;
- requires child-placing agencies to employ more minority recruitment staff; requires the commissioner to implement and enforce the Minority Heritage Protection Act;
- allows the commissioner of jobs and training to develop an interagency inventory, referral, and intake system to coordinate information and services for income maintenance and employment training programs;
- requires counties to keep a waiting list of people applying for the child care sliding fee program and report to

the Department of Human Services; allows the commissioner to reallocate unspent child care money without using the initial allocation formula;

- prohibits use of lead pipe, solders, and flux containing more than 0.2 percent lead and pipes and pipe fittings containing more than 8 percent lead in any plumbing installation which conveys a potable water supply;
- establishes a grant program in the Minnesota Housing Finance Agency (MHFA) to purchase, rehabilitate, and construct residential units for homeless and very low income persons and families;
- establishes at least one program to provide emergency shelter services and support services to battered American Indian women;
- allows construction of 35 new beds in a certain adolescent psychiatric hospital in Rice County that receives more than 70 percent of its patients from outside the state;
- establishes a local income assistance grant program to increase the use of food stamps by seniors, farmers, veterans, unemployed, low-income, battered women in shelters, and the homeless;
- requires the commissioners of human services, health, and commerce to develop a plan for a state-administered health insurance program (Healthspan) for the uninsured, underinsured, or those who don't have access to affordable health insurance; requires a legislative report by Jan. 1, 1989;
- directs the commissioner of human services to establish a demonstration project to help people with epilepsy live independently; directs the State Planning Agency to evaluate the demonstration project and report to the Legislature by Dec. 1, 1989;
- requires the Department of Health to fund a two-year demonstration project on high blood lead levels in pregnant women and children, assist those with high levels, and develop methods of helping them avoid high lead levels;
- requires the commissioner of human services to review the adequacy of payments to a small hospital for

catastrophic cases, and to study the rural hospital system;

- requires the commissioners of human services and jobs and training to establish a pilot program providing medical assistance reimbursement to work activity programs;
- requires the commissioner of human services to report to the Legislature by Feb. 1, 1989 on the status of rulemaking for new ICF/MR payment rates;
- requires the commissioner of health to report to the Legislature by Feb. 15, 1989 on the quality controls and standards for laboratories performing AIDS testing and the level of counseling and education available to those tested for the virus;
- requires the commissioner of human services to study the existing public and private funding sources for child care services and development of child care services;
- directs the Council on Children, Youth, and Families to report to the Legislature by Jan. 1, 1989 on the feasibility and need for a toll-free number to provide information on technical assistance to parents and child care providers;
- establishes a task force to develop a plan to expand use of the Faribault Regional Center; requires a report to the chairs of the House and Senate Health and Human Services committees;
- requires the commissioner of human services to convene a task force to study the use patterns of individuals in the MA and GA medical care programs and the feasibility of managed care; requires the task force to report to the commissioner and the Legislature by Sept. 30, 1988.

Enactment: April 28, 1988

Effective: various dates

Higher Education—finance bill
HF2459—Price, L. Carlson,
 Bauerly, McEachern, Dorn
SF2569*—Merriam

Chapter 703:

\$5,700,000 FY'88

\$18,356,500 FY'89

Total: \$24,056,500

Article 1—Appropriations

Total: \$5.7m; \$18.4m

Higher Education Coordinating Board

Total: \$5.7m; \$1.2m

State Scholarships and Grants:

\$5.7m; \$500,000

- funds the Scholarships and Grants Program shortfall completely in FY'88 and partially in FY'89;
- permits the Higher Education Coordinating Board (HECB) to use certain procedures to ease some of the program's cash flow and deficiency problems.

Study of Statewide

Higher Education Needs:

\$375,000 FY'89

- requires the first phase of study to begin with the population corridor from St. Cloud to Rochester, and the second phase to focus on other regions of the state.

Other Appropriations:

- Includes:

—Quality Assessment

\$150,000 FY'89

—Minority Education Partnership

\$10,000 FY'89

—Model Enterprise Development and Innovation Centers

\$200,000 FY'89

- sets effective date for these provisions as the day after enactment.

State Board of Vocational Technical Education

Total: \$1.9m FY'89

- Includes:

—Curriculum Restructuring

\$450,000

—Increased Enrollment

\$1.0m

- provides a one-time appropriation for enrollment increases that are unfunded because of a lag in the funding formula and stipulates that the monies are for curriculum restructuring.

—State Council on Vocational Technical Education

\$50,000

—Services for Handicapped Students \$400,000

- directs that these funds be spent for noninstructional expenditures.
- sets effective date for these provisions at July 1, 1988.

State Board for Community Colleges

Total: \$6.0m FY'89

- Includes:

—Increased Enrollment

\$5.0m

- provides a one-time appropriation for enrollment increases that are unfunded because of a lag in the funding formula.

—Instructional Equipment and Base Adjustment

\$1.0m

—Wolf Center Program

\$50,000

- requires the Community College Board to approve the Wolf Center's academic program before the center spends the appropriation.
- sets effective date for these provisions at July 1, 1988.

State University Board

Total: \$7.8m FY'89

- Includes:

—Increased Enrollment

\$7.3m

- provides a one-time appropriation for enrollment increases that are unfunded because of a lag in the funding formula.

—Winona State Engineering

- releases \$500,000 for the Winona State Engineering program, if nonstate sources match \$250,000 of that amount, and HECB approves the program.

—Arrowhead Upper Division

\$50,000

- provides funds to study and develop an upper division education compo-

nent within the Arrowhead Community College region through Bemidji State University.

—Southwest State Science and Technology Resource Center

\$400,000

- requires the center to seek future funding from the Greater Minnesota Corporation after the biennium;
- sets effective date for these provisions at July 1, 1988.

Regents of the University of Minnesota

Total: \$1.4m FY'89

- requests the regents to employ their own fiscal and policy staff and to be aware of needs on coordinate campuses in allocating reserve funds.

Special Appropriations:

- Includes:

—Supercomputer Institute

\$1.1m FY'89

- releases funds to the Supercomputer Institute if the regents buy or lease a second supercomputer.

—Rochester Graduate Education

\$300,000 FY'89

- appropriates funds to develop and provide graduate degree programs in Rochester; requires the HECB to review the program delivery;
- sets effective date for these provisions as the day after enactment.

Other Provisions

- includes the University of Minnesota in the list of agencies the legislative auditor must examine;
- allows the regents to manage the University Salt Land Fund and use income as a nonstate match for the Permanent University Fund (PUF) to finance endowed chairs on the Crookston, Duluth, Morris, and Waseca campuses;
- removes a provision that prohibits the system from using a flat tuition rate for different credit loads;
- encourages community service opportunities;
- sets forth programs to address needs of postsecondary American Indian students;
- asks that all postsecondary systems set prices for campus goods and

services that, as close as possible, reflect the cost of providing them;

- sets effective date at July 1, 1988 for above provisions;
- establishes an advisory council to help identify and recruit qualified regent candidates; sets forth committee responsibilities;
- mandates that University of Minnesota regents supply the commissioner of finance with all requested budgetary documents;
- includes state universities and community college systems with agencies that fall under laws relating to blind vendors of vending machines; changes some provisions in the law;
- sets effective date as the day after enactment for above provisions;
- adds Minnesota students in out-of-state optometry and osteopathy programs to the list of students eligible for the Income Contingent Loan Repayment Program; sets effective date at July 1, 1988;
- establishes a faculty exchange program for the 1988-89 academic year so that school districts and postsecondary institutions can exchange faculty on a voluntary, temporary basis;
- requires that all the systems governing boards establish a Loaned Executive Action Program (LEAP) so private sector executives can study management issues and recommend improvements; requires a legislative report by Jan. 15, 1989;
- sets effective date as the day after enactment for above provisions;
- requires each system to assess the effects of recent child care legislation on the needs of their students as part of the work of a child care task force; sets effective date at July 1, 1988.

Article 2—Appropriations for Capital Improvements

Total: \$8.4m FY'89*

Technical Institutes

Total: \$2.7m FY'89

Postsecondary:

\$1.7m FY'89

• Includes:

—Special Intermediate School District No. 917, Dakota County
\$197,600

—Independent School District No. 656, Faribault
\$313,700

—Independent School District No. 578, Pine City
\$328,500

—Independent School District No. 256, Red Wing
\$327,200

—Joint Vocational Technical District No. 900, Southwestern (Granite Falls and Jackson)
\$530,000

Statewide Parking:

\$1.0m

Community Colleges

Total: \$2.8m FY'89

Minneapolis Community College:
\$1.0m FY'89

Systemwide:

\$1.8m FY'89

- specifies that the money is for roof repair, code compliance, asbestos removal, and project planning.

State Universities

Total: \$2.9m FY'89

Mankato Campus:

\$150,000 FY'89

- specifies that the money is for emergency lease of building space to accommodate enrollment growth.

Metropolitan Campus:

\$1.3m FY'89

- specifies that the money is to acquire the former St. John's Hospital site;
- provides that the acquisition agreement require the port authority to

remove hazardous material;

- allows the State University Board to enter an agreement with District Energy St. Paul, Inc. for steam heating, if the estimated cost doesn't exceed that of comparable services.

Systemwide:

\$1.5m

- specifies that the money is to be used to abate hazardous materials and remove PCBs, repair roofs, and make other repairs.

Other Provisions

- requires legislative approval of construction plans and cost estimates before drawing up final plans;
- authorizes certain fund transfers;
- sets effective date for Article 2 as the day after enactment.

Enactment: April 28, 1988

Effective: various dates

K-12 Education—omnibus bill

HF2245*—K. Nelson, McEachern, Vellenga, Ozment, Bauerly
SF2095—R.W. Peterson, Pehler, DeCramer, D.C. Peterson, Reichgott

Chapter 718:

\$6,467,000 FY'88

\$31,533,000 FY'89

Total: \$38,000,000

Article 1—General

Education Revenue

Total: \$6.9m 1988-89 school year

- raises the basic formula allowance by \$20 to \$2,755 per pupil for the 1988-89 school year;
- raises the basic formula allowance to \$2,800 per pupil for the 1989-90 school year;
- defines supplemental revenue and increases the supplemental allowance for both the 1987-88 and the 1988-89 school years;
- sets a general education levy for FY'90 at 35.7 mills, which will yield \$1.1b and make a 2 percent increase over FY'89;

- prohibits the use of general education revenue for motor vehicle insurance premiums;
- clarifies that compensatory revenue may be used to educate low-achieving pupils, not for special education; requires an annual report from school districts detailing how they used compensatory education revenue;
- recommends that the legislative auditor conduct a study to determine the impact of cost of living differences on school districts' expenditures;
- removes a provision that allowed school districts to use reserved revenue for liability insurance;
- makes the provision on 1987-88 supplemental revenue effective for revenue for the 1989-90 school year and thereafter; sets effective date at Aug. 1, 1988 for remaining provisions.

Article 2—Transportation

Total: \$50,000; \$85,000

1987-88 and 1988-89 school year

—Open Enrollment Transportation
\$50,000

1988-89 school year:

—Teen Parent Transportation
\$85,000

- allows school districts to charge a fee to bus pupils who live close to school (and are therefore ineligible for transportation aid), as long as no pupil is denied transportation solely because he/she can't pay;
- mandates transportation aid to and from child care providers for teen parents, if care providers live in the attendance area of the school;
- sets transportation levy for FY'90 at a mill rate that will yield \$72.7m;
- sets effective date as the day after enactment for appropriations provisions; Aug. 1, 1988 for remaining provisions.

* Appropriations for Article 2 are not included in the grand total for Chapter 703

Article 3—Special Programs**Total: \$6.0m; \$246,000****1987-88 school year:**

—Special Education Deficiency
\$6.0m

1988-89 school year:

—Indian Postsecondary
Preparation Grant
\$75,000

—Indian Education Council
\$100,000

—Indian Teacher Program Grants
\$71,000

- changes the hearing schedule in disputes with a school board regarding the education of a handicapped child to allow 30 days instead of 15 days between the local and state level;
- states that “the Legislature recognizes the unique educational and culturally-related academic needs of American Indian people...and is concerned about the lack of American Indian teachers in the state”;
- clarifies that initial and continuing teaching licenses in American Indian language and culture education correspond in length to other initial and continuing licenses;
- directs school boards in districts that enroll at least 10 American Indian children to actively recruit American Indian teachers; permits boards to retain American Indian teachers who have less seniority or are on probation when the board places teachers on unrequested leaves of absence;
- clarifies and expands the membership and duties of Indian parent committees;
- requires the state board to create one or more committees on American Indian education in place of the current task force;
- requires the state board to develop a scholarship program for American Indians who want to be teachers; suggests that the program include partial loan forgiveness once a recipient completes three years of teaching; requires a legislative report on the program by Jan. 1, 1989;

- stipulates that, out of the existing American Indian Scholarship program, the state board use at least \$50,000 in FY'89 for scholarships for students in teacher preparation programs;
- appropriates \$856,400 instead of \$781,400 in FY'89 for American Indian postsecondary preparation grants;
- establishes a 15-member Indian School Council to recommend ways to achieve Indian control of Indian education, possibly through Indian public schools or urban Indian school districts; specifies membership and duties; requires a report by Dec. 1, 1988;
- sets up a grant program to assist American Indian teachers' programs; allows the State Board of Education to give a joint grant to the University of Minnesota-Duluth and the Duluth School District for a cooperative Indian teacher program;
- sets effective date as the day after enactment for provisions on recruiting and retaining American Indian teachers, and special education aid deficiency funding; Aug. 1, 1988 for remaining provisions.

Article 4—Community Education**Total: \$500,000 FY'89****1988-89 school year:**

—Pre-Kindergarten Programs
\$500,000

- permits school boards to offer a community service program, through community education, for public school pupils to promote active citizenship and address community needs through youth service; specifies program requirements;
- permits school boards to offer extended day programs through community education for children from kindergarten through sixth grade; specifies program requirements; allows school districts to charge a sliding fee based upon family income for the program;
- establishes a grant program for pre-kindergarten child development programs; defines an eligible child as one who:

- is at least three years old but not in kindergarten;
- lives in a family whose income is below the poverty level; and
- shows a significant delay in emotional, cognitive, language, physical-motor, or social development;
- sets forth program criteria;
- sets effective date at Aug. 1, 1988.

Article 5—Education Agencies' Appropriations**Total: \$255,000; \$1.6m****1987-88 school year:**

—Secondary Vocational Restructuring
\$100,000
—Personnel Licensing
\$80,000
—Desegregation Cost Study
\$75,000

1988-89 school year:

—Educational Effectiveness Program
\$250,000
—Emerging Uses of Technology Program
\$20,000
—Computer Use by Teachers Program
\$30,000
—Higher Education Coordinating Board (HECB) Technology Task Force
\$30,000
—AIDS Prevention Program
\$900,000
—Metro Open Enrollment
\$150,000
—Planning, Evaluating, and Reporting Assistance
\$60,000
—Adult Basic Education, GED on Television
\$100,000
—Adult Basic Skills Evaluation
\$75,000
• directs the commissioner of education, in consultation with the commissioner of health, to assist school districts in developing and implementing a program to reduce the risk of and prevent acquired immune deficiency syndrome (AIDS); specifies program contents;

- directs the Department of Education, in consultation with the Department of Revenue, to make recommendations about regional public library districts;
- permits the unexpended fund balance for technical assistance for the Comprehensive Arts Planning Program to carry forward;
- permits an unexpended balance from FY'88 to be available in FY'89 for the Minnesota School and Resource Center for the Arts;
- directs the Minnesota Academic Excellence Foundation to arrange funding, beginning in FY'90, for unreimbursed travel expenses school districts incurred by participating in the bicentennial competition;
- sets effective date at Aug. 1, 1988 for provisions on AIDS, library recommendations, the bicentennial competition, educational effectiveness, and the HECB task force; day after enactment for remaining provisions.

Article 6—Other Educational Funding

Total: \$162,000; \$13.2m

1987-88 school year:

- Legislative Commission on Public Education (LCPE) Accountability and Organization Studies
\$150,000
- Hutchinson Competition Expenses
\$12,000

1988-89 school year:

- Desegregation Grants
\$12.0m
- Adult High School Graduation Aid
\$1.0m
- Chisholm Leadership Program
\$20,000
- Northeast Minnesota Technical Consortium
\$50,000
- Northwest Minnesota Technical Group
\$100,000
- grants a maximum of two free years of public high school education to school district residents age 21 or older who haven't completed high school; sets aid formulas; specifies eligibility requirements;

- extends a handicapped child's eligibility for school district instruction and services beyond 21 years of age; allows the child to participate in the high school graduation incentives program;
- specifies requirements for education districts and secondary vocational cooperatives to receive revenue;
- permits the Minneapolis, St. Paul, and Duluth school districts to levy for desegregation programs; appropriates the following grants in FY'89:
 - Duluth, \$981,900;
 - Minneapolis, \$6.0m;
 - St. Paul, \$5.0m;
- directs LCPE to study special education services, education accountability measures, and education organization;
- establishes a 24-member task force, which reports to the LCPE, to consider education organization issues, including curriculum and structure;
- sets effective date as the 1989-90 school year for provisions on aid for education districts and secondary vocational cooperatives; day after enactment for remaining provisions.

Article 7—Miscellaneous

- specifies procedures and requirements for selling Permanent School Fund lands; postpones the sale deadline from July 1992 to Dec. 1993;
- mandates statewide open enrollment in the 1989-90 school year for school districts having more than 1,000 pupils; expands the program to include all school districts in the 1990-91 school year; provisions:
 - require school districts to allow their resident students to attend nonresident districts;
 - permit school districts to decide, by resolution, to exclude nonresident students from attending their schools or programs;
 - allow school districts to limit transfers into or out of the district on the basis of desegregation; and
 - require nonresident districts to accept credits toward graduation that students earned in another district;
- increases the compulsory attendance age from 16 to 18, and requires that

- every child between ages seven and 18 receive instruction for at least 170 days per year, beginning with the 2000-2001 school year;
- sets an aid-reduction penalty for school districts that haven't implemented equitable compensation plans by Dec. 1, 1991 or a date the commissioner of education has approved;
- clarifies that a pupil can participate in the high school graduation incentives program if he/she is absent from school for 15 consecutive days, not 15 total days;
- directs school districts to provide individualized education programs to pupils under age 18 who are pregnant or who are already custodial parents;
- changes laws governing the State High School League by specifying membership of the league's governing board, mandating annual state audits, and directing certain other league policies, including affirmative action and comparable worth;
- allows school districts to receive program improvement grants before consolidating;
- permits Cannon Falls and Red Wing districts in Goodhue County to join Intermediate District No. 917;
- provides for binding arbitration at the request of either the school board or the teachers' representative in districts where no collective bargaining agreement has existed for five years;
- establishes a pilot Learning Year Program to provide year-long instruction; provisions:
 - allow the state education board to designate up to five districts as program sites;
 - guarantee 4,200 hours of instruction for students in grades 9 through 12; and
 - set the length of the pilot program from June 9, 1988 to June 9, 1990;
- authorizes bonding authority to Hibbing, Tower, Virginia, Grand Rapids, and St. Louis County school districts; dedicates money in the Minnesota Economic Protection Trust to retire these bonds when they come due;

- sets effective date as the 1989-90 school year for open enrollment provisions; day after enactment for provisions on land sales, the State High School League, and Intermediate District No. 917; Aug. 1, 1988 for remaining provisions.

Article 8—Education Facilities

- corrects erroneous, ambiguous, redundant, and obsolete language in laws relating to education facilities;
- requires school districts to consult with the commissioner of education concerning any capital project where the estimated cost exceeds \$100,000;
- requires each school board to adopt a capital facility program by two-thirds vote; provides school facilities revenue of up to \$137 per pupil;
- changes the current capital expenditure revenue from \$153 per pupil to \$70 per pupil and renames it "equipment revenue";
- allows school boards to issue certificates of indebtedness, secured by levy, to purchase equipment;
- revises procedures for attaining capital loans, including the approval process and deadlines;
- authorizes \$20.0m of new bonding authority for the maximum effort school loan program;
- increases from \$8.0m to \$16.0m the bond authorization for the Cooperative Secondary Facilities Program;
- authorizes the following capital loans:
 - \$4.8m to Independent School District No. 912, Milaca
 - \$1.0m to Independent School District No. 738, Holdingford
 - \$5.8m to Independent School District No. 637, Redwood Falls
- sets effective date as the day after enactment for capital loans and certain capital loan provisions; the 1989-90 school year for the school board to adopt a capital facility program; Aug. 1, 1988 for remaining provisions.

Enactment: May 6, 1988

Effective: various dates

State claims bill

HF1981*—Kalls, Seaberg, Rodosovich
SF1863—Dahl, Lantry, Merriam

Chapter 706:

- appropriates money from the general fund to make full and final payment to people who made claims against the state.

Enactment: May 4, 1988

Effective: day after enactment

State Departments— omnibus bill

HF2344*—Kahn, Munger, Battaglia, D. Carlson
SF2572—Merriam

Chapter 686:

\$4,358,900 FY'88

\$19,684,400 FY'89

Total: \$24,043,300

Article 1—Appropriations Minnesota Legislature

Total: \$60,000; \$100,000

- Includes:
 - Legislative Coordinating Commission \$60,000 FY'88
 - Legislative Auditor \$100,000 FY'89

Supreme Court

Total: \$158,400; \$387,800

- Includes:
 - Trial Courts Information System \$133,400; \$387,800
 - Study of Tape Recording \$25,000 FY'88

Board of Public Defense

Total: \$70,000 FY'89

- Includes:
 - Space Rental \$15,000
 - Intergovernmental Relations \$55,000

Governor

Total: \$115,000 FY'89

- Includes:
 - Office of Jobs Policy \$115,000

Department of Administration

Total: \$776,300; \$2.5m

- Includes:
 - 9-1-1 Emergency Telephone Service \$119,300; \$488,900
 - System Architecture Conference \$12,000 FY'88
 - Distributive Computing Study \$150,000 FY'89
 - Interactive Technologies \$20,000 FY'89
 - Twin Cities Regional Cable \$40,000 FY'89
 - stipulates that \$20,000 of this grant is for legislative programming.
 - Soybean Oil Ink Study \$2,500 FY'89
 - Community Service and Volunteer Initiatives \$50,000 FY'89
 - Capitol Space Planning \$350,000 FY'88
 - State Office Building \$75,000 FY'88
 - Capitol Restoration \$220,000 FY'88
 - Rent Differential \$1.7m FY'89
 - requires the commissioner to study costs of leasing office space versus constructing new buildings; and the feasibility of making available certain property to Indian communities.

Capitol Area Architectural and Planning Board

Total: \$675,000 FY'88

- Includes:
 - Landscaping and Parking Improvements \$675,000

Department of Finance

- directs that all refunds for taxes agencies paid on motor vehicle fuels go to the agency that paid the tax until June 30, 1989.

Department of Employee Relations**Total: \$6.6m FY'89**

• Includes:

- Public Employees' Insurance Plan \$116,000
- Health Insurance Costs \$6.5m

Department of Revenue**Total: \$194,300 FY'89**

• Includes:

- Charitable Gambling Tax Enforcement \$194,300
- transfers \$17,000 FY'88 and \$81,600 FY'89 from the metropolitan landfill abatement fund and the metropolitan landfill contingency action fund to the department for metropolitan landfill administration costs.

Department of Natural Resources**Total: \$1.1m; \$901,000**

• Includes:

- Forest Nurseries \$400,000; \$490,000
- Hybrid Aspen Operational Studies \$80,000 FY'88
- Statewide Forest Inventory and Analysis \$270,000 FY'88
- Thief Lake Wildlife Management Area \$50,000 FY'89
- Red Lake Wildlife Management Area \$8,000 FY'89
- Tettegouche Camp Buildings \$20,000 FY'89
- Paul Bunyan Trail \$35,000 FY'89
- Hill Annex Mine State Park \$298,000 FY'89
- Conservation Officer Salaries \$109,200 FY'88
- International Wolf Center \$150,000 FY'88
- Wildlife Development \$120,000 FY'88
- requires the commissioner of natural resources to examine the feasibility of a land exchange for the wildlife land adjacent to the former Rochester State Hospital facility;

- requires the commissioner of natural resources to fence the state property line which is part of the Willard Munger Trail;
- requires the commissioners of natural resources and transportation to study the feasibility of connecting St. Croix State Park and the Hinckley Trail;
- requires the commissioner of natural resources to study the feasibility of extending the boundaries of the Split Rock Lighthouse State Park or another park on Lake Superior's North Shore to include sunken ships for underwater interpretation;
- appropriates the necessary amount to pay for emergency firefighting expenses.

Zoological Board**Total: \$1.4m FY'89**

• Includes:

- Exotic Species \$200,000
- Marine Exhibit \$1.2m
- requires the zoo to be open free at least two days a month except for special services;
- eliminates certain classified positions and allows the board to replace them with unclassified positions.

Pollution Control Agency**Total: \$200,000; \$198,000**

• Includes:

- Upgrading Health Lab \$63,000 FY'89
- Emergency Responders Training Academy \$35,000 FY'89
- Municipal Litigation Loans \$100,000 FY'89
- Non-Ferrous Mineral Strategic Planning \$150,000 FY'88
- Thompson Township \$50,000 FY'88
- dedicates \$6.0m of the 1987 appropriation for wastewater treatment construction for supplemental grants to communities that received grants between Oct. 1, 1987 and Sept. 30, 1987.

Department of Trade and Economic Development**Total: \$48,000; \$4.9m**

• Includes:

- Travel Information Centers \$23,000; \$577,000
- World Trade Center Marketing \$50,000 FY'89
- Advanced Integrated Manufacturing Center \$500,000 FY'89
- Symposium on International Technical Innovation and Entrepreneurship \$200,000 FY'89
- Celebrate Minnesota 1990 \$1.0m FY'89
- Minnesota Marketplace \$350,000 FY'89
- Invention and Innovation \$25,000; \$75,000
- Mississippi Regional Park \$600,000 FY'89
- Great River Road \$750,000 FY'89
- Como Park Conservatory \$800,000 FY'89
- authorizes the City of St. Paul to issue bonds to remodel and refurbish the Como Park Conservatory and reconstruct Shepard and Warner roads; prohibits using the bond's proceeds to develop a grade-separated interchange at the intersection of Shepard and Chestnut roads.
- Trout Lake \$50,000 FY'89
- Trade Model
- authorizes \$15,000 of the 1989 appropriation for contract administration.
- Economic Recovery Grants
- allows \$800,000 of the appropriation for manufacturing projects located within the geographic boundaries of at least one local unit of government acting under a joint powers agreement under the Cooperative Secondary Facilities Grant Act.

World Trade Center Corporation**Total: \$430,300 FY'89**

• Includes:

- General Operations \$430,300

Amateur Sports Commission**Total: \$318,000 FY'89**

- Includes:
 - Commission Operations \$168,000
 - Blaine Sports Facility Operations \$150,000
 - instructs the commission to make a concentrated effort to recruit women athletes and athletic events for women to its facilities.

Housing Finance Agency**Total: \$150,000 FY'89**

- Includes:
 - Housing for the Homeless \$150,000

State Planning Agency**Total: \$145,000 FY'89**

- Includes:
 - Information Resources Policy \$10,000
 - Aquaculture \$40,000
 - Planning for Youth Employment \$80,000
 - Cold Weather Testing Task Force \$15,000

Department of Labor and Industry**Total: \$135,000 FY'88**

- Includes:
 - Study of Workers' Compensation Medical Costs \$135,000

Department of Veterans Affairs

- requires the commissioner to study a Morrison County cemetery site and report on its suitability for use as a state veterans' cemetery.

Department of Military Affairs**Total: \$1.2m; \$1.0m**

- Includes:
 - State Cash Bonus Payments \$1.2m FY'88
 - requires the adjutant general to pay a \$100 state cash bonus before June 30, 1989 to National Guard members who have served satisfactorily during the 1988 federal fiscal year.
 - Tuition Reimbursement \$1.0m FY'89

- sets amounts and conditions of reimbursement;
- requires the department to encourage the enlistment of women and minorities.

Department of Human Rights**Total: \$95,000 FY'89**

- Includes:
 - Data and Word Processing \$30,000
 - Investigative Unit \$65,000

Council on the Affairs of Spanish-Speaking People**Total: \$28,000 FY'89****Council on People with Disabilities****Total: \$50,000 FY'89**

- Includes:
 - Handicapped Arts Organizations \$50,000

Other Provisions:

- authorizes the Suburban Hennepin Regional Park District to acquire property for a regional park on Lake Minnetonka; sets effective date at Oct. 1, 1988;
- states that a FY'88 and FY'89 appropriation need not be used for emergency deer feeding;
- establishes supplemental budget guidelines for the 1989-91 biennium; requests the governor to submit capital budgeting requests in the first year for legislative action in the second year of the biennium;
- renames the Legislative Committee on Planning and Fiscal Policy the Legislative Commission on Planning and Fiscal Policy and sets guidelines for its operation;
- removes the requirement that the Council on Affairs of Spanish-Speaking People, Council on Black Minnesotans, and Council on Asian-Pacific Minnesotans reimburse the commissioner of administration for services;
- appropriates the following monies from the "stripper well" oil over-charge:
 - \$8.3m for low-income weatherization assistance program;

- \$282,000 to Lake Isabella Environmental Learning Center;
- \$77,000 to the Natural Resources Research Institute for an energy efficient comparison study of concrete block structures;

- \$2.0m to the Agricultural Utilization Research Institute for grants;
- \$2.0m to the Minnesota Cold Climate Building Research Center;
- \$2.0m to the Center of Transportation Studies;

- \$2.0m to the Center for the Science and Application of Superconductivity;
- \$10,000 to Independent School District No. 625, St. Paul, for a photovoltaic cell project; and

- the remainder to various groups for research that may result in decreased dependence on fossil fuels;

- amends the smoking in state buildings provision from requiring barriers or ventilation systems for "substantially minimizing the toxic effect" to preventing the "presence" of smoke in adjacent nonsmoking areas;
- allows the commissioner of administration to prepare a day care site as a common usage space for the Capitol Complex;

- provides that an owner of nonfederal lands underlying public waters or wetlands isn't required to control purple loosestrife below the ordinary high water level of the water or wetland; states that the commissioner of natural resources is responsible for its control and eradication except for those lands the federal government owns and manages; sets effective date at July 1, 1989;

- adds the Zoo Board to the list of state agencies that may designate additional unclassified positions;

- designates the Hill-Annex Mine as a state park and states provisions for its operations;

- increases the fee for annual state park permits from \$15 to \$16 and the two-day special state park permit from \$3 to \$3.25; raises the two-day special park permit for handicapped persons and those over 65 to \$2 (these fees include state sales tax); sets effective date at May 1, 1988;

- establishes new \$75 permit fees for wetlands drainage, use of state water and dams or barriers; sets permit fees between \$75 and \$500 to work in public waters to drain or divert water for mining; sets effective date at Jan. 1, 1989;
- redefines "responsible person" and the procedure for the transfer of property in the Petroleum Tank Release Cleanup Act; sets effective date retroactively to June 4, 1987;
- provides that employees in the regional tourism offices are unclassified civil service employees;
- adds three members to the Minnesota Council on Productivity and Quality;
- restricts the salary and compensation for the Greater Minnesota Corporation Board and the firms or organizations eligible to receive financial assistance;
- establishes a one-year pilot project to make loans to municipalities with populations less than 1,500 for assistance in litigation relating to wastewater treatment projects;
- removes the provision that reduces the appropriation to the commissioner of revenue if the automated collection system isn't fully operational by Aug. 1, 1988;
- authorizes the commissioner of natural resources to convey to the City of St. Peter the state's interest in land donated to the city for park-related purposes;
- permits the transfer of land in Crow Wing County from the St. Louis Park Lions Club to Volunteers in Partnership, Inc. and stipulates that the land will revert to the state unless the land is used for a youth camp.

Article 2—Celebrate Minnesota 1990

- establishes the Department of Trade and Economic Development's Celebrate Minnesota 1990 grant program and an 11-member, governor-appointed advisory committee; sets repeal date at July 1, 1991;
- establishes the Minnesota Marketplace Program; sets effective date as the day after enactment; sets repeal date at July 1, 1990.

Article 3—Planning for Youth Employment

- requires the State Planning Agency to provide grants to organizations to provide training and education to at-risk targeted youth;
- creates a 13-member advisory committee to help select grantees;
- requires that each program design include education, work experience, and job readiness skills components;
- sets report stipulations and deadlines from the grantees.

Article 4—Forest Roads

- defines "state forest road" as a road the Department of Natural Resources administers to carry out forest resource management policy;
- establishes a Forest Road Advisory Committee for each forestry administrative area that contains a state or county forest road;
- adds state forest roads to the commissioner of natural resource's rulemaking authority;
- creates a county forest access road account in the special revenue fund for distribution to counties to construct and improve county forest access roads;
- credits \$400,000 to the state forest road account and \$275,000 to the county management access road account from the unrefunded gasoline and special fuels taxes in equal payments twice per year; sets effective date at July 1, 1988;
- requires a study of the county forest roads; sets effective date as the day after enactment.

Article 5—Special Revenue Accounts

- requires depositing revenues from various activities of the revisor, the Supreme Court's software products, and the surcharge on civil actions in the general fund instead of their special accounts;
- repeals specific provisions relating to the accounts in the special revenue fund for the revisor, secretary of state, and the Department of Administration;
- sets effective date at July 1, 1989.

Enactment: April 28, 1988

Effective: various dates



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by Tom Olmscheid

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502	2567	2384*	Commerce/Consumer Affairs	30	548	0090	0030*	Crime/Corrections	35
503	1493*	1675	Legal/Judiciary	83	549	0926	0335*	Health/Human Services	75
504	0521*	2445	Environment/Natural Resources	59	550	0812	0752*	Health/Human Services	75
505	2039*	1939	Governmental Operations	69	551	2159	1672*	Housing/Real Estate	77
506	2132*	2018	Health/Human Services	72	552	1822	1673*	Local Bills—Cities/Towns	88
507	2358*	2213	Local Bills—Cities/Towns	87	553	2101	1674*	Environment/Natural Resources	55
508	2629*	2340	Environment/Natural Resources	59	554	2078	1695*	Education	46
509	1996	1867*	Commerce/Consumer Affairs	28	555	1898	1713*	Local Bills—Counties	92
510	1849	1882*	Education	46	556	2091	1822*	Drugs/Alcohol	43
511	2309	2096*	Commerce/Consumer Affairs	32	557	1890	1904*	Health/Human Services	72
512	2620	2243*	Health/Human Services	76	558	2016	1948*	Transportation	113
513	0289*	0510	Local Bills—Cities/Towns	90	559	2251	1958*	Employment/Labor	49
514	0577*	0964	Families/Juveniles	64	560	2186	2097*	Appropriations	120
515	1111*	1513	Crime/Corrections	40	561	2491	2347*	Commerce/Consumer Affairs	30
516	1224*	1186	Local Bills—Cities/Towns	87	562	2667	2456*	Housing/Real Estate	77
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533	1857	1700*	Local Bills—Counties	95	579	0421*	0951	Health/Human Services	73
534	2112	1795*	Drugs/Alcohol	43	580	1399*	1417	Economic Development	44
535	2057	1879*	Crime/Corrections	34	581	1790*	1768	Banking	26
536	2197	2117*	Drugs/Alcohol	43	582	1844*	2279	Legal/Judiciary	82
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538	1585*	1427	Local Bills—Metro	98	584	2036*	1934	Crime/Corrections	39
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541	1897*	1802	Insurance	80	587	2185*	2199	Environment/Natural Resources	58
542	2063*	1805	Housing/Real Estate	77	588	2265*	2469	Environment/Natural Resources	56
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596	1921	1661*	Gaming	65	642	2269*	2145	Health/Human Services	72
597	2010	1708*	Banking	25	643	2340*	2124	Crime/Corrections	34
598	2011	1727*	Governmental Operations	69	644	2468*	2196	Economic Development	44
599	2400	2017*	Local Bills—Metro	95	645	2481*	2259	Local Bills—Cities/Towns	87
600	2527	2165*	Environment/Natural Resources	54	646	2536*	2398	Elections	49
601	2475	2217*	Local Bills—Metro	98	647	0080	0063*	Transportation	114
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607	1681*	1532	Legal/Judiciary	85	653	0632	1228*	Education	45
608	1795*	1617	Governmental Operations	70	654	2019	1462*	Housing/Real Estate	77
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610	2041*	1996	Agriculture	23	656	1794	1646*	Insurance	79
611	2049*	1844	Commerce/Consumer Affairs	32	657	2364	1686*	Agriculture	23
612	2127*	2008	Insurance	80	658	1986	1711*	Local Bills—Counties	92
613	2291*	2059	Governmental Operations	67	659	2584	1721*	Employment/Labor	50
614	2434*	2198	Local Bills—Cities/Towns	87	660	2054	1769*	Legal/Judiciary	84
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616	0125	0203*	Banking	26	662	1956	1871*	Families/Juveniles	62
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621	1812	1809*	Health/Human Services	73	667	2250	2003*	Governmental Operations	68
622	1745	1955*	Local Bills—Counties	93	668	2118	2009*	Families/Juveniles	63
623	2130	2055*	Health/Human Services	75	669	1848	2071*	Crime/Corrections	35
624	2098	2111*	Energy/Utilities	53	670	2235	2122*	Legal/Judiciary	82
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627	2429	2150*	Governmental Operations	69	673	1251	2275*	Families/Juveniles	64
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629	2292	2226*	Governmental Operations	70	675	2514	2491*	Local Bills—Metro	96
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631	2605	2323*	Banking	25	677	1817*	1698	Environment/Natural Resources	58
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706	1981*	1863	Appropriations	128
707	2008*	1780	Elections	47
708	2407*	2426	Governmental Operations	71
709	2477*	2175	Pensions/Retirement	100
710	2255	1618*	Veterans/Military	118
711	2430	1744*	Crime/Corrections	38
712	1873	1821*	Crime/Corrections	36
713	2220	1987*	Employment/Labor	51
714	1973	2079*	Environment/Natural Resources	55
715	1933	2221*	Transportation	116
716	2518	2321*	Legal/Judiciary	85
717	2478	2452*	Employment/Labor	51
718	2245*	2095	Appropriations	125
719	2590*	2260	Taxes	103
720	2502	2292*	Governmental Operations	69
Res 11	1189*	1421	Resolutions	101
Res 12	2735*	2528	Resolutions	101
Res 13	0681	0974*	Resolutions	101
Res 14	2621	2376*	Resolutions	101
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0080	0063*	647	Transportation	114	1486*	1442	676	Employment/Labor	50
0081*	0484	419	Local Bills—Cities/Towns	89	1493*	1675	503	Legal/Judiciary	83
0085*	0018	634	Commerce/Consumer Affairs	33	1498	1388*	592	Health/Human Services	73
0090	0030*	548	Crime/Corrections	35	1526*	1060	636	Transportation	115
0125	0203*	616	Banking	26	1534*	1469	476	Commerce/Consumer Affairs	28
0181	0187*	425	Commerce/Consumer Affairs	32	1538	0852*	450	Taxes	102
0236*	0247	578	Elections	47	1585*	1427	538	Local Bills—Metro	98
0257*	0373	605	Pensions/Retirement	99	1589*	1615	477	Legal/Judiciary	85
0289*	0510	513	Local Bills—Cities/Towns	90	1643	1540*	618	Crime/Corrections	41
0297	0412*	651	Environment/Natural Resources	58	1656*	1517	606	Transportation	115
0320*	0622	429	Legal/Judiciary	83	1659*	2094	563	Local Bills—Cities/Towns	90
0336	0232*	649	Crime/Corrections	36	1672	0462*	590	Legal/Judiciary	84
0402	0236*	406	Crime/Corrections	41	1681*	1532	607	Legal/Judiciary	85
0408	0321*	650	Crime/Corrections	38	1710*	1736	452	Crime/Corrections	42
0421*	0951	579	Health/Human Services	73	1719	1561*	531	Environment/Natural Resources	54
0428	0449*	697	Transportation	116	1731*	2033	478	Local Bills—Cities/Towns	90
0445	1086*	591	Banking	25	1732*	1692	420	Drugs/Alcohol	43
0453*	0722	687	Governmental Operations	71	1736	1610*	595	Transportation	113
0464*	0579	704	Insurance	80	1739	1608*	594	Local Bills—Metro	97
0521*	2445	504	Environment/Natural Resources	59	1740*	1738	413	Crime/Corrections	37
0577*	0964	514	Families/Juveniles	64	1745	1955*	622	Local Bills—Counties	93
0632	1228*	653	Education	45	1746	1595*	699	Veterans/Military	118
0681	0974*	Res 13	Resolutions	101	1748*	1972	637	Health/Human Services	76
0682	1223*	442	Governmental Operations	69	1749*	1592	603	Transportation	113
0704	0392*	681	Crime/Corrections	39	1754*	1693	638	Crime/Corrections	35
0812	0752*	550	Health/Human Services	75	1766*	1634	414	Local Bills—Cities/Towns	91
0926	0335*	549	Health/Human Services	75	1767*	none	421	Housing/Real Estate	78
1000*	0655	688	Agriculture	21	1773*	1907	479	Legal/Judiciary	84
1070	1018*	529	Crime/Corrections	37	1784*	1663	440	Health/Human Services	75
1082	1328*	530	Environment/Natural Resources	59	1790*	1768	581	Banking	26
1111*	1513	515	Crime/Corrections	40	1792	1643*	655	Families/Juveniles	62
1130	1121*	496	Transportation	115	1794	1646*	656	Insurance	79
1164	0994*	652	Employment/Labor	50	1795*	1617	608	Governmental Operations	70
1165	0537*	408	Crime/Corrections	38	1796*	1877	519	Local Bills—Counties	92
1188	1268*	617	Governmental Operations	69	1803	1783*	661	Local Bills—Metro	98
1189*	1421	Res 11	Resolutions	101	1806*	1784	453	Governmental Operations	70
1211	1184*	407	Local Bills—Counties	93	1812	1809*	621	Health/Human Services	73
1224*	1186	516	Local Bills—Cities/Towns	87	1816*	1962	415	Commerce/Consumer Affairs	29
1228	0121*	648	Crime/Corrections	41	1817*	1698	677	Environment/Natural Resources	58
1251	2275*	673	Families/Juveniles	64	1822	1673*	552	Local Bills—Cities/Towns	88
1277*	1141	635	Transportation	117	1831*	1667	539	Local Bills—Cities/Towns	88
1302*	1224	517	Local Bills—Counties	93	1836*	1792	520	Crime/Corrections	37
1399*	1417	580	Economic Development	44	1841	1575*	437	Environment/Natural Resources	57
1459*	1305	475	Local Bills—Cities/Towns	88	1844*	2279	582	Legal/Judiciary	82
1469*	1336	518	Transportation	117	1846*	1725	521	Legal/Judiciary	86

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1849	1882*	510	Education	46	1979	1885*	663	Commerce/Consumer Affairs	31
1850*	1858	564	Local Bills—Cities/Towns	91	1980*	2344	565	Transportation	114
1851*	1760	639	Local Bills—Cities/Towns	91	1981*	1863	706	Appropriations	128
1852	1644*	469	Legal/Judiciary	84	1983*	2125	483	Crime/Corrections	41
1853*	1758	441	Insurance	81	1986	1711*	658	Local Bills—Counties	92
1857	1700*	533	Local Bills—Counties	95	1989*	1705	439	Education	45
1858*	1731	436	Environment/Natural Resources	61	1991	1742*	700	Agriculture	24
1860	1749*	572	Local Bills—Metro	97	1996	1867*	509	Commerce/Consumer Affairs	28
1862	1607*	433	Local Bills—Cities/Towns	89	1999*	1718	Vetoed	Employment/Labor	49
1863	1772*	418	Local Bills—Metro	95	2000*	1741	484	Legal/Judiciary	84
1864*	1565	540	Local Bills—Cities/Towns	88	2008*	1780	707	Elections	47
1865*	1971	678	Local Bills—Cities/Towns	91	2010	1708*	597	Banking	25
1867*	1699	454	Local Bills—Counties	95	2011	1727*	598	Governmental Operations	69
1872	1819*	470	Housing/Real Estate	77	2012	1861*	434	Insurance	78
1873	1821*	712	Crime/Corrections	36	2016	1948*	558	Transportation	113
1874	1900*	664	Local Bills—Metro	96	2018*	1786	485	Agriculture	22
1877*	1732	480	Employment/Labor	50	2019	1462*	654	Housing/Real Estate	77
1884*	1806	412	Local Bills—Counties	92	2020*	1751	457	Energy/Utilities	53
1886*	1694	410	Crime/Corrections	35	2021	2119*	625	Families/Juveniles	62
1890	1904*	557	Health/Human Services	72	2022*	1936	522	Agriculture	24
1896	1582*	593	Families/Juveniles	62	2024	1940*	573	Transportation	113
1897*	1802	541	Insurance	80	2025*	1982	458	Local Bills—Counties	94
1898	1713*	555	Local Bills—Counties	92	2029*	1911	486	Education	45
1900	1717*	498	Environment/Natural Resources	58	2031*	1891	685	Environment/Natural Resources	60
1904*	1793	443	Local Bills—Counties	93	2036*	1934	584	Crime/Corrections	39
1913*	2054	455	Employment/Labor	49	2038*	2039	641	Families/Juveniles	65
1921	1661*	596	Gaming	65	2039*	1939	505	Governmental Operations	69
1923*	1668	481	Crime/Corrections	42	2041*	1996	610	Agriculture	23
1925*	2093	609	Education	47	2045*	1947	446	Local Bills—Counties	94
1926*	2234	422	Local Bills—Cities/Towns	90	2046*	1931	459	Local Bills—Cities/Towns	90
1932	1681*	571	Health/Human Services	72	2049*	1844	611	Commerce/Consumer Affairs	32
1933	2221*	715	Transportation	116	2054	1769*	660	Legal/Judiciary	84
1938	1834*	499	Energy/Utilities	53	2056*	1920	416	Local Bills—Cities/Towns	90
1940*	1801	444	Commerce/Consumer Affairs	32	2057	1879*	535	Crime/Corrections	34
1941*	1764	705	Gaming	65	2059*	1820	523	Families/Juveniles	64
1942	1715*	409	Local Bills—Counties	93	2063*	1805	542	Housing/Real Estate	77
1943*	1722	640	Local Bills—Counties	92	2067	1963*	702	Local Bills—Cities/Towns	88
1950*	1897	445	Environment/Natural Resources	61	2078	1695*	554	Education	46
1952	1587*	570	Transportation	117	2080	1620*	532	Health/Human Services	76
1953	1632*	497	Local Bills—Counties	95	2083*	1588	430	Health/Human Services	76
1954	1590*	698	Transportation	113	2086*	1980	487	Environment/Natural Resources	59
1956	1871*	662	Families/Juveniles	62	2087	2286*	501	Environment/Natural Resources	55
1961*	2394	482	Legal/Judiciary	85	2091	1822*	556	Drugs/Alcohol	43
1966*	2177	583	Housing/Real Estate	78	2092*	1952	524	Environment/Natural Resources	59
1971*	2068	456	Legal/Judiciary	83	2095	1788*	682	Commerce/Consumer Affairs	29

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2101	1674*	553	Environment/Natural Resources	55	2253*	1892	692	Commerce/Consumer Affairs	30
2108*	2002	585	Employment/Labor	51	2254*	2357	488	Local Bills—Cities/Towns	90
2109*	1983	460	Local Bills—Counties	94	2255	1618*	710	Veterans/Military	118
2112	1795*	534	Drugs/Alcohol	43	2265*	2469	588	Environment/Natural Resources	56
2115	1875*	471	Local Bills—Metro	98	2269*	2145	642	Health/Human Services	72
2117*	1964	586	Taxes	102	2270*	1994	432	Local Bills—Cities/Towns	86
2118	2009*	668	Families/Juveniles	63	2272*	1687	462	Environment/Natural Resources	57
2120*	1859	431	Education	46	2286	2235*	Vetoed	Employment/Labor	52
2121	1622*	474	Agriculture	23	2291*	2059	613	Governmental Operations	67
2123	1594*	411	Health/Human Services	74	2292	2226*	629	Governmental Operations	70
2126*	1680	689	Appropriations	120	2297	2255*	672	Agriculture	23
2127*	2008	612	Insurance	80	2306*	2016	546	Taxes	102
2130	2055*	623	Health/Human Services	75	2309	2096*	511	Commerce/Consumer Affairs	32
2132*	2018	506	Health/Human Services	72	2310	0896*	417	Legal/Judiciary	85
2134*	2023	566	Legal/Judiciary	82	2312*	2162	463	Local Bills—Counties	93
2138*	1628	543	Health/Human Services	74	2317*	1817	489	Education	45
2148	2266*	630	Families/Juveniles	61	2340*	2124	643	Crime/Corrections	34
2155*	2122	679	Environment/Natural Resources	58	2341*	2506	693	Legal/Judiciary	82
2159	1672*	551	Housing/Real Estate	77	2344*	2572	686	Appropriations	128
2167	1830*	701	Education	47	2349	2214*	628	Environment/Natural Resources	54
2176	2525*	Res 15	Resolutions	101	2358*	2213	507	Local Bills—Cities/Towns	87
2182*	2000	690	Environment/Natural Resources	55	2364	1686*	657	Agriculture	23
2185*	2199	587	Environment/Natural Resources	58	2370	2206*	576	Health/Human Services	73
2186	2097*	560	Appropriations	120	2372*	2273	464	Health/Human Services	76
2187	2191*	537	Commerce/Consumer Affairs	28	2381	1652*	619	Legal/Judiciary	85
2190*	2046	567	Local Bills—Cities/Towns	86	2388*	2414	632	Employment/Labor	51
2192*	1876	544	Transportation	114	2396*	2105	694	Education	45
2193	1937*	665	Crime/Corrections	40	2400	2017*	599	Local Bills—Metro	95
2197	2117*	536	Drugs/Alcohol	43	2402*	2192	465	Local Bills—Cities/Towns	87
2201	1956*	666	Banking	26	2407*	2426	708	Governmental Operations	71
2210	2134*	451	Local Bills—Counties	94	2415	1970*	435	Health/Human Services	74
2212	1710*	427	Employment/Labor	51	2419*	2156	447	Crime/Corrections	41
2216*	2141	525	Environment/Natural Resources	54	2422*	2278	490	Legal/Judiciary	83
2220	1987*	713	Employment/Labor	51	2429	2150*	627	Governmental Operations	69
2221	1719*	620	Employment/Labor	50	2430	1744*	711	Crime/Corrections	38
2224*	2170	526	Housing/Real Estate	77	2434*	2198	614	Local Bills—Cities/Towns	87
2228*	2277	691	Education	45	2441	2137*	626	Education	46
2232*	2244	568	Commerce/Consumer Affairs	28	2446*	2299	491	Local Bills—Counties	94
2234	2102*	574	Local Bills—Metro	97	2459	2569*	703	Appropriations	123
2235	2122*	670	Legal/Judiciary	82	2463*	2509	423	Governmental Operations	69
2245*	2095	718	Appropriations	125	2468*	2196	644	Economic Development	44
2246*	2405	545	Economic Development	44	2469*	2354	448	Agriculture	22
2248	2131*	671	Environment/Natural Resources	54	2470*	2472	527	Crime/Corrections	37
2250	2003*	667	Governmental Operations	68	2475	2217*	601	Local Bills—Metro	98
2251	1958*	559	Employment/Labor	49	2477*	2175	709	Pensions/Retirement	100

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2489*	2216	492	Local Bills—Counties	92
2490*	2238	466	Local Bills—Counties	93
2491	2347*	561	Commerce/Consumer Affairs	30
2502	2292*	720	Governmental Operations	69
2508*	2257	547	Legal/Judiciary	81
2511	2358*	438	Transportation	117
2514	2491*	675	Local Bills—Metro	96
2518	2321*	716	Legal/Judiciary	85
2520*	2382	589	Legal/Judiciary	85
2521	2367*	428	Environment/Natural Resources	57
2526*	2489	695	Housing/Real Estate	78
2527	2165*	600	Environment/Natural Resources	54
2529*	2352	449	Drugs/Alcohol	43
2536*	2398	646	Elections	49
2537*	1765	696	Gaming	66
2539	2264*	500	Local Bills—Cities/Towns	87
2540	2355*	473	Local Bills—Cities/Towns	86
2542	2289*	683	Environment/Natural Resources	57
2546*	2300	493	Commerce/Consumer Affairs	31
2551*	2215	494	Local Bills—Counties	94
2554*	2210	569	Education	46
2558*	2224	424	Elections	48
2559*	2288	495	Commerce/Consumer Affairs	31
2567	2384*	502	Commerce/Consumer Affairs	30
2568*	2345	615	Economic Development	44
2584	1721*	659	Employment/Labor	50
2585	2090*	472	Local Bills—Cities/Towns	86
2590*	2260	719	Taxes	103
2594	2402*	577	Crime/Corrections	42
2596*	2513	680	Local Bills—Metro	97
2597	2451*	602	Governmental Operations	70
2605	2323*	631	Banking	25
2615*	2348	467	Health/Human Services	72
2620	2243*	512	Health/Human Services	76
2621	2376*	Res 14	Resolutions	101
2629*	2340	508	Environment/Natural Resources	59
2637*	2410	528	Local Bills—Cities/Towns	87
2667	2456*	562	Housing/Real Estate	77
2688	2473*	674	Employment/Labor	52
2691	2465*	633	Governmental Operations	67
2703*	2471	468	Local Bills—Cities/Towns	88
2735*	2528	Res 12	Resolutions	101
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0063*	647	0080	Transportation	114	1421	Res 11	1189*	Resolutions	101
0101	604	0010*	Crime/Corrections	40	1427	538	1585*	Local Bills—Metro	98
0121*	648	1228	Crime/Corrections	41	1442	676	1486*	Employment/Labor	50
0187*	425	0181	Commerce/Consumer Affairs	32	1462*	654	2019	Housing/Real Estate	77
0203*	616	0125	Banking	26	1469	476	1534*	Commerce/Consumer Affairs	28
0232*	649	0336	Crime/Corrections	36	1513	515	1111*	Crime/Corrections	40
0236*	406	0402	Crime/Corrections	41	1517	606	1656*	Transportation	115
0247	578	0236*	Elections	47	1532	607	1681*	Legal/Judiciary	85
0321*	650	0408	Crime/Corrections	38	1540*	618	1643	Crime/Corrections	41
0335*	549	0926	Health/Human Services	75	1561*	531	1719	Environment/Natural Resources	54
0373	605	0257*	Pensions/Retirement	99	1565	540	1864*	Local Bills—Cities/Towns	88
0392*	681	0704	Crime/Corrections	39	1575*	437	1841	Environment/Natural Resources	57
0412*	651	0297	Environment/Natural Resources	58	1582*	593	1896	Families/Juveniles	62
0449*	697	0428	Transportation	116	1587*	570	1952	Transportation	117
0462*	590	1672	Legal/Judiciary	84	1588	430	2083*	Health/Human Services	76
0484	419	0081*	Local Bills—Cities/Towns	89	1590*	698	1954	Transportation	113
0510	513	0289*	Local Bills—Cities/Towns	90	1592	603	1749*	Transportation	113
0537*	408	1165	Crime/Corrections	38	1594*	411	2123	Health/Human Services	74
0579	704	0464*	Insurance	80	1595*	699	1746	Veterans/Military	118
0622	429	0320*	Legal/Judiciary	83	1607*	433	1862	Local Bills—Cities/Towns	89
0655	688	1000*	Agriculture	21	1608*	594	1739	Local Bills—Metro	97
0678*	426	1473	Environment/Natural Resources	59	1610*	595	1736	Transportation	113
0722	687	0453*	Governmental Operations	71	1615	477	1589*	Legal/Judiciary	85
0752*	550	0812	Health/Human Services	75	1617	608	1795*	Governmental Operations	70
0852*	450	1538	Taxes	102	1618*	710	2255	Veterans/Military	118
0896*	417	2310	Legal/Judiciary	85	1620*	532	2080	Health/Human Services	76
0951	579	0421*	Health/Human Services	73	1622*	474	2121	Agriculture	23
0964	514	0577*	Families/Juveniles	64	1628	543	2138*	Health/Human Services	74
0974*	Res 13	0681	Resolutions	101	1632*	497	1953	Local Bills—Counties	95
0994*	652	1164	Employment/Labor	50	1634	414	1766*	Local Bills—Cities/Towns	91
1018*	529	1070	Crime/Corrections	37	1643*	655	1792	Families/Juveniles	62
1060	636	1526*	Transportation	115	1644*	469	1852	Legal/Judiciary	84
1086*	591	0445	Banking	25	1646*	656	1794	Insurance	79
1121*	496	1130	Transportation	115	1652*	619	2381	Legal/Judiciary	85
1141	635	1277*	Transportation	117	1661*	596	1921	Gaming	65
1184*	407	1211	Local Bills—Counties	93	1663	440	1784*	Health/Human Services	75
1186	516	1224*	Local Bills—Cities/Towns	87	1667	539	1831*	Local Bills—Cities/Towns	88
1223*	442	0682	Governmental Operations	69	1668	481	1923*	Crime/Corrections	42
1224	517	1302*	Local Bills—Counties	93	1672*	551	2159	Housing/Real Estate	77
1228*	653	0632	Education	45	1673*	552	1822	Local Bills—Cities/Towns	88
1268*	617	1188	Governmental Operations	69	1674*	553	2101	Environment/Natural Resources	55
1305	475	1459*	Local Bills—Cities/Towns	88	1675	503	1493*	Legal/Judiciary	83
1328*	530	1082	Environment/Natural Resources	59	1680	689	2126*	Appropriations	120
1336	518	1469*	Transportation	117	1681*	571	1932	Health/Human Services	72

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1687	462	2272*	Environment/Natural Resources	57	1802	541	1897*	Insurance	80
1692	420	1732*	Drugs/Alcohol	43	1805	542	2063*	Housing/Real Estate	77
1693	638	1754*	Crime/Corrections	35	1806	412	1884*	Local Bills—Counties	92
1694	410	1886*	Crime/Corrections	35	1809*	621	1812	Health/Human Services	73
1695*	554	2078	Education	46	1817	489	2317*	Education	45
1698	677	1817*	Environment/Natural Resources	58	1819*	470	1872	Housing/Real Estate	77
1699	454	1867*	Local Bills—Counties	95	1820	523	2059*	Families/Juveniles	64
1700*	533	1857	Local Bills—Counties	95	1821*	712	1873	Crime/Corrections	36
1705	439	1989*	Education	45	1822*	556	2091	Drugs/Alcohol	43
1708*	597	2010	Banking	25	1830*	701	2167	Education	47
1710*	427	2212	Employment/Labor	51	1834*	499	1938	Energy/Utilities	53
1711*	658	1986	Local Bills—Counties	92	1844	611	2049*	Commerce/Consumer Affairs	32
1713*	555	1898	Local Bills—Counties	92	1858	564	1850*	Local Bills—Cities/Towns	91
1715*	409	1942	Local Bills—Counties	93	1859	431	2120*	Education	46
1717*	498	1900	Environment/Natural Resources	58	1861*	434	2012	Insurance	78
1718	Vetoed	1999*	Employment/Labor	49	1863	706	1981*	Appropriations	128
1719*	620	2221	Employment/Labor	50	1867*	509	1996	Commerce/Consumer Affairs	28
1721*	659	2584	Employment/Labor	50	1871*	662	1956	Families/Juveniles	62
1722	640	1943*	Local Bills—Counties	92	1875*	471	2115	Local Bills—Metro	98
1725	521	1846*	Legal/Judiciary	86	1876	544	2192*	Transportation	114
1727*	598	2011	Governmental Operations	69	1877	519	1796*	Local Bills—Counties	92
1731	436	1858*	Environment/Natural Resources	61	1879*	535	2057	Crime/Corrections	34
1732	480	1877*	Employment/Labor	50	1882*	510	1849	Education	46
1736	452	1710*	Crime/Corrections	42	1885*	663	1979	Commerce/Consumer Affairs	31
1738	413	1740*	Crime/Corrections	37	1891	685	2031*	Environment/Natural Resources	60
1741	484	2000*	Legal/Judiciary	84	1892	692	2253*	Commerce/Consumer Affairs	30
1742*	700	1991	Agriculture	24	1897	445	1950*	Environment/Natural Resources	61
1744*	711	2430	Crime/Corrections	38	1900*	664	1874	Local Bills—Metro	96
1749*	572	1860	Local Bills—Metro	97	1904*	557	1890	Health/Human Services	72
1751	457	2020*	Energy/Utilities	53	1907	479	1773*	Legal/Judiciary	84
1758	441	1853*	Insurance	81	1911	486	2029*	Education	45
1760	639	1851*	Local Bills—Cities/Towns	91	1920	416	2056*	Local Bills—Cities/Towns	90
1764	705	1941*	Gaming	65	1931	459	2046*	Local Bills—Cities/Towns	90
1765	696	2537*	Gaming	66	1934	584	2036*	Crime/Corrections	39
1768	581	1790*	Banking	26	1936	522	2022*	Agriculture	24
1769*	660	2054	Legal/Judiciary	84	1937*	665	2193	Crime/Corrections	40
1772*	418	1863	Local Bills—Metro	95	1939	505	2039*	Governmental Operations	69
1780	707	2008*	Elections	47	1940*	573	2024	Transportation	113
1783*	661	1803	Local Bills—Metro	98	1947	446	2045*	Local Bills—Counties	94
1784	453	1806*	Governmental Operations	70	1948*	558	2016	Transportation	113
1786	485	2018*	Agriculture	22	1952	524	2092*	Environment/Natural Resources	59
1788*	682	2095	Commerce/Consumer Affairs	29	1955*	622	1745	Local Bills—Counties	93
1792	520	1836*	Crime/Corrections	37	1956*	666	2201	Banking	26
1793	443	1904*	Local Bills—Counties	93	1958*	559	2251	Employment/Labor	49
1795*	534	2112	Drugs/Alcohol	43	1962	415	1816*	Commerce/Consumer Affairs	29

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1963*	702	2067	Local Bills—Cities/Towns	88	2137*	626	2441	Education	46
1964	586	2117*	Taxes	102	2141	525	2216*	Environment/Natural Resources	54
1970*	435	2415	Health/Human Services	74	2145	642	2269*	Health/Human Services	72
1971	678	1865*	Local Bills—Cities/Towns	91	2150*	627	2429	Governmental Operations	69
1972	637	1748*	Health/Human Services	76	2156	447	2419*	Crime/Corrections	41
1980	487	2086*	Environment/Natural Resources	59	2160	461	2252*	Local Bills—Cities/Towns	86
1982	458	2025*	Local Bills—Counties	94	2162	463	2312*	Local Bills—Counties	93
1983	460	2109*	Local Bills—Counties	94	2165*	600	2527	Environment/Natural Resources	54
1987*	713	2220	Employment/Labor	51	2170	526	2224*	Housing/Real Estate	77
1994	432	2270*	Local Bills—Cities/Towns	86	2175	709	2477*	Pensions/Retirement	100
1996	610	2041*	Agriculture	23	2177	583	1966*	Housing/Real Estate	78
2000	690	2182*	Environment/Natural Resources	55	2191*	537	2187	Commerce/Consumer Affairs	28
2002	585	2108*	Employment/Labor	51	2192	465	2402*	Local Bills—Cities/Towns	87
2003*	667	2250	Governmental Operations	68	2196	644	2468*	Economic Development	44
2008	612	2127*	Insurance	80	2198	614	2434*	Local Bills—Cities/Towns	87
2009*	668	2118	Families/Juveniles	63	2199	587	2185*	Environment/Natural Resources	58
2016	546	2306*	Taxes	102	2203*	575	2486	Health/Human Services	71
2017*	599	2400	Local Bills—Metro	95	2206*	576	2370	Health/Human Services	73
2018	506	2132*	Health/Human Services	72	2210	569	2554*	Education	46
2023	566	2134*	Legal/Judiciary	82	2213	507	2358*	Local Bills—Cities/Towns	87
2033	478	1731*	Local Bills—Cities/Towns	90	2214*	628	2349	Environment/Natural Resources	54
2039	641	2038*	Families/Juveniles	65	2215	494	2551*	Local Bills—Counties	94
2046	567	2190*	Local Bills—Cities/Towns	86	2216	492	2489*	Local Bills—Counties	92
2054	455	1913*	Employment/Labor	49	2217*	601	2475	Local Bills—Metro	98
2055*	623	2130	Health/Human Services	75	2221*	715	1933	Transportation	116
2059	613	2291*	Governmental Operations	67	2224	424	2558*	Elections	48
2068	456	1971*	Legal/Judiciary	83	2226*	629	2292	Governmental Operations	70
2071*	669	1848	Crime/Corrections	35	2234	422	1926*	Local Bills—Cities/Towns	90
2079*	714	1973	Environment/Natural Resources	55	2235*	Vetoed	2286	Employment/Labor	52
2090*	472	2585	Local Bills—Cities/Towns	86	2238	466	2490*	Local Bills—Counties	93
2093	609	1925*	Education	47	2243*	512	2620	Health/Human Services	76
2094	563	1659*	Local Bills—Cities/Towns	90	2244	568	2232*	Commerce/Consumer Affairs	28
2095	718	2245*	Appropriations	125	2255*	672	2297	Agriculture	23
2096*	511	2309	Commerce/Consumer Affairs	32	2257	547	2508*	Legal/Judiciary	81
2097*	560	2186	Appropriations	120	2259	645	2481*	Local Bills—Cities/Towns	87
2102*	574	2234	Local Bills—Metro	97	2260	719	2590*	Taxes	103
2105	694	2396*	Education	45	2264*	500	2539	Local Bills—Cities/Towns	87
2111*	624	2098	Energy/Utilities	53	2266*	630	2148	Families/Juveniles	61
2117*	536	2197	Drugs/Alcohol	43	2273	464	2372*	Health/Human Services	76
2119*	625	2021	Families/Juveniles	62	2275*	673	1251	Families/Juveniles	64
2122	679	2155*	Environment/Natural Resources	58	2277	691	2228*	Education	45
2122*	670	2235	Legal/Judiciary	82	2278	490	2422*	Legal/Judiciary	83
2124	643	2340*	Crime/Corrections	34	2279	582	1844*	Legal/Judiciary	82
2125	483	1983*	Crime/Corrections	41	2286*	501	2087	Environment/Natural Resources	55
2131*	671	2248	Environment/Natural Resources	54	2288	495	2559*	Commerce/Consumer Affairs	31
2134*	451	2210	Local Bills—Counties	94	2289*	683	2542	Environment/Natural Resources	57

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2292*	720	2502	Governmental Operations	69
2299	491	2446*	Local Bills—Counties	94
2300	493	2546*	Commerce/Consumer Affairs	31
2321*	716	2518	Legal/Judiciary	85
2323*	631	2605	Banking	25
2340	508	2629*	Environment/Natural Resources	59
2344	565	1980*	Transportation	114
2345	615	2568*	Economic Development	44
2347*	561	2491	Commerce/Consumer Affairs	30
2348	467	2615*	Health/Human Services	72
2352	449	2529*	Drugs/Alcohol	43
2354	448	2469*	Agriculture	22
2355*	473	2540	Local Bills—Cities/Towns	86
2357	488	2254*	Local Bills—Cities/Towns	90
2358*	438	2511	Transportation	117
2367*	428	2521	Environment/Natural Resources	57
2376*	Res 14	2621	Resolutions	101
2382	589	2520*	Legal/Judiciary	85
2384*	502	2567	Commerce/Consumer Affairs	30
2394	482	1961*	Legal/Judiciary	85
2398	646	2536*	Elections	49
2402*	577	2594	Crime/Corrections	42
2405	545	2246*	Economic Development	44
2410	528	2637*	Local Bills—Cities/Towns	87
2414	632	2388*	Employment/Labor	51
2426	708	2407*	Governmental Operations	71
2445	504	0521*	Environment/Natural Resources	59
2451*	602	2597	Governmental Operations	70
2452*	717	2478	Employment/Labor	51
2456*	562	2667	Housing/Real Estate	77
2465*	633	2691	Governmental Operations	67
2469	588	2265*	Environment/Natural Resources	56
2471	468	2703*	Local Bills—Cities/Towns	88
2472	527	2470*	Crime/Corrections	37
2473*	674	2688	Employment/Labor	52
2489	695	2526*	Housing/Real Estate	78
2491*	675	2514	Local Bills—Metro	96
2506	693	2341*	Legal/Judiciary	82
2509	423	2463*	Governmental Operations	69
2513	680	2596*	Local Bills—Metro	97
2525*	Res 15	2176	Resolutions	101
2528	Res 12	2735*	Resolutions	101
2546*	Res 16	2763	Resolutions	102
2565*	684	2788	Appropriations	118
2569*	703	2459	Appropriations	123
2572	686	2344*	Appropriations	128
none	421	1767*	Housing/Real Estate	78

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TERMS AND DEFINITIONS

ad valorem tax: according to value; a tax on the value of property; the more common ad valorem taxes are those that states, counties, and cities impose on real estate. However, ad valorem taxes can be on personal property, or a tax on property or article of commerce in proportion to its assessed or appraised value

adjudge: to pass on judicially; to decide, settle, or decree; or to sentence or condemn; judgment of a court of competent jurisdiction; implies a judicial determination of a fact, and the entry of a judgment

adjudicated: to settle through judicial authority; same as adjudge in its strictest sense (see adjudge)

ad litem: a term that means "for the purposes of the suit" (court proceedings of one person against another); for example, an ad litem guardian is a court appointed person who prosecutes or defends a suit for an incapacitated party in a court case

affirmative action: refers to employment practices that follow requirements of federal laws and regulations to prevent and correct employment discrimination in hiring minority group members; considers factors of race, color, sex, creed, and age

appropriations: money the Legislature allocates to pay the operating costs of state government and public institutions

but for: refers to the "but for" test used in determining tort liability (guilt of a legal wrongdoing) by applying the causative measurement as to whether a plaintiff would not have suffered the wrong "but for" the action of the defendant (if the defendant had never committed the wrongdoing); a largely discredited test today because of the many modifications necessary to apply it

city classes: cities are divided, for legislative purposes, into four classes, by population at the time of the last census:

- first class:** cities with a population of 100,000 or more; St. Paul, Duluth, and Minneapolis are all cities of the first class
- second class:** cities with a population between 20,000 and 100,000
- third class:** cities with a population between 10,000 and 20,000
- fourth class:** cities with a population of fewer than 10,000

contiguous: close; neighboring; adjoining; near in succession; in actual close contact; touching at a point or along a boundary; bounded or traversed by

contiguity: quality or state of being contiguous (see contiguous)

charitable gambling: refers to gambling that raises money for charitable uses; charitable uses are those of religious, educational, political or general social interest to humankind, or those for the relief of poverty, advancement of education or religion, or beneficial to the community generally

compliance/comply: obedience/obey, submission/submit, or conformance/conform

conveyance: in its most common usage, transfer of title to land from one person, or class of persons, to another by deed

earnest money: a sum of money a buyer pays when entering a contract to indicate the intention and ability of the buyer to carry out the contract

eminent domain: the power to take private property for public use by the state, municipalities, and private persons or corporations who have the authority to act in the public interest; the process is commonly known as condemning, or expropriating

entitle: in its usual sense, to entitle is to give a right or legal title to

entitlement: right to benefits, income, or property (see entitle)

felony: a crime that is more serious than one the law designates as a misdemeanor; for example, aggravated assault is a felony; simple assault is a misdemeanor (see misdemeanor)

fiscal year: a period of 12 consecutive months that a business selects as the accounting period for annual reports; for the state budget, July 1, to June 30; two fiscal years make a biennial budget cycle

funds:

- general fund:** an account in which money is deposited for the usual, ordinary, running, and incidental expenses of state government, the primary operating fund of a governmental unit
- special fund:** an account for proceeds of specific revenue sources that are legally restricted to use for specific purposes
- trunk highway fund:** a special fund set up to support trunk highway maintenance, development, and construction; 62 percent of the money in the fund comes from the highway user tax distribution fund; also receives revenue from drivers' license fees, a share of fines from state patrol arrests, and from other sources

general assistance: a cash payment program which provides financial assistance for basic maintenance needs and shelter; state law prohibits the use of such payments for foster care, child welfare services, or other social services

gross misdemeanor: a type of crime which, while not serious enough to fit the classification of a felony, ranks as a serious misdemeanor

home rule charter cities: a home rule charter city is a city that operates under a charter local governmental units adopt; the charter's provisions relate to the city government's structure and powers. One hundred eight Minnesota cities have a home rule charter

incarcerate: to put in jail or subject to confinement

indemnify: to make good; to compensate; to reimburse; to make payment in whole or in part; to secure against loss or damage, as in the case of a crime victim; several states, including Minnesota, have provided special funds for compensating crime victims

Injunctive relief: a writ a court grants that requires a person to do or to refrain from doing a specified act

local cartage carriers: people who transport property or freight, other than household goods and petroleum products, for hire within two contiguous cities of the first class and contiguous municipalities

mandate: an authorized command, order, or direction (written or oral) that demands obedience

medical assistance: payments of part or all of the cost of various specified care and services for eligible individuals whose income and resources are insufficient to meet medical costs

mill: a mill is one-tenth of one cent; many states use a mill rate to figure property taxes

Minnesota Statutes: a compilation of the general and permanent laws of the state, which the revisor of statutes prints every two years; organized according to subject matter; most public libraries have copies of *Minnesota Statutes*

misdemeanor: a crime less serious than a felony and generally punishable by fine or imprisonment other than in a penitentiary; federal law, and most state laws, classify any offense other than a felony as a misdemeanor.

moratorium: a term that means suspension or stopping of activities; the term also means suspension of all or certain legal remedies against people who owe money, an action sometimes authorized by law during financial distress; a period during which an obligor (someone who owes money) has a legal right to delay meeting an obligation

municipality: an association of people living in a limited area, legally incorporated or duly authorized for local governmental or other public purposes; a political body with powers to help in the civil government of the state and to regulate and administer local and internal affairs of the community; a political subdivision or public agency or instrumentality of a state

noncontiguous: not adjoining, not in actual close contact (see contiguous)

ombudsman: an official or semi-official office where people may go with grievances or questions connected with government; the ombudsman stands between, and represents, the citizen before the government

parimutuel: refers to betting a mutual stake or wager; a betting pool; a form of betting on horses or dogs where those who bet on the winner share total stakes less a small percent to the management

petty misdemeanor: a crime, the maximum punishment for which is less than for a misdemeanor, generally a fine or short term in jail or house of correction; any misdemeanor for which the penalty does not exceed imprisonment for six months or a fine of not more than \$500 or both; in some states the classification is "petty offense"

pool: a common fund or combination of interest for a common adventure in buying or selling; an aggregation (collection) of the interests or property of people who enter into joint undertaking which subjects them to the same control and common liability; a pool of funds for a specific purpose

preponderance of evidence: evidence which is of greater weight or more convincing than the evidence which is offered in opposition to it; this is, evidence which as a whole shows that the fact sought to be proved is more probable than not; preponderance of evidence is not determined by the number of witnesses, but by the greater weight of all evidence

pro rata: to divide, distribute, or assess proportionately according to an exactly calculable factor

prospectus: a preliminary printed statement that describes an enterprise which the enterprise distributes to prospective buyers, investors, or participants; for example, a prospectus lists where a corporation, fund, or other enterprise invests its money

quitclaim deed: a legal instrument used to release one person's right, title, or interest to another without providing a guarantee or warranty title

resolution: a formal expression of the opinion, sentiments, or will of an official body or a public assembly, adopted by vote; as a legislative resolution

reverse referendum: a petition by a certain percentage of registered voters to subject a proposal, project, or bond issuance to a public vote

revolving loan fund: a fund from which loans are made for specific purposes and repayments to the fund may be used again for those purposes

riparian land: land along the banks of watercourses—rivers, lakes, streams, or tidewaters

severed mineral interests: an interest in any minerals, including but not limited to gas, coal, or oil, which is owned separately and apart from the title to the surface property upon or beneath which the mineral interests exist

statutory cities: cities that derive their powers from the Uniform City Code which offers three different structure plans from which each statutory city must choose; plans differ essentially in the makeup of the city council, the election or appointment of certain city offices, the abolition of independent administrative boards and commissions, and the appointment of a city manager; of the 855 incorporated municipalities in the state, 747 are statutory cities

subpoena: a writ commanding a person to appear in court under penalty for failure to appear

tax anticipation certificates: a method of raising money by the issuance of certificates payable out of taxes that have been levied but not yet collected

tax-forfeited land: land the state takes ownership of because the owner failed to pay state taxes on the land

tort claims: a private or civil wrong or injury, other than breach of contract, for which the court will provide a remedy in the form of an action for damages

trunk highways: highways the Minnesota Department of Transportation owns and maintains; the state trunk highway system includes state routes, the interstate system, and designated U.S. routes, about 12,100 miles of trunk highways in the state; the Minnesota Constitution provided for a trunk highway system of 70 routes, creating one-half of the trunk system; the Legislature can designate and change location of the routes

unencumbered money: money free of claim or designation for any specific purpose

unlawful detainer: the wrongful taking of a person's goods

venue: the place or county in which alleged events from which legal actions arise take place; or the particular county, or geographical area, in which a court may hear and determine a case

veto: the constitutional power of the governor to refuse to sign a bill, thus preventing it from becoming law unless the Legislature passes it again with a two-thirds majority in both the Senate and House of Representatives

Sources: *Webster's Ninth New Collegiate Dictionary*; *Black's Law Dictionary, Fifth Edition*; *Minnesota Statutes*; Minnesota House of Representatives Research Department documents

MINNESOTA HOUSE OF REPRESENTATIVES 1988 MEMBERSHIP

District/Member/Party	Room*	Phone 296-**
10B Anderson, Bob (IR)	317	4946
20A Anderson, Glen H. (DFL)	365	4228
6A Battaglia, David P. (DFL)	517	2190
18B Bauerly, Jerry J. (DFL)	349	5377
56B Beard, Patrick "Pat" (DFL)	453	3135
6B Begich, Joseph R. (DFL)	477	5063
53A Bennett, Tony (IR)	307	2907
16B Bertram, Jeff (DFL)	565	4373
33B Bishop, David T. (IR)	357	0573
41B Blatz, Kathleen A. (IR)	259	4218
8B Boo, Ben (IR)	311	2228
11A Brown, Chuck (DFL)	569	4929
43A Burger, John (IR)	225	9188
14B Carlson, Douglas W. (IR)	203	4308
46B Carlson, Lyndon R. (DFL)	379	4255
47B Carruthers, Phil (DFL)	567	3709
60A Clark, Karen (DFL)	407	0294
48A Clausnitzer, Dale A. (IR)	241	5502
21B Cooper, Roger M. (DFL)	377	4346
9B Dauner, Marvin K. (DFL)	581	6829
65A Dawkins, Andrew J. (DFL)	371	5158
27A DeBlieck, Norman R. (DFL)	401	5374
23A Dempsey, Terry M. (IR)	261	9303
30B DeRaad, Dale (IR)	323	8635
21A Dille, Stephen E. (IR)	227	4344
24A Dorn, John W. (DFL)	533	3248
42B Forsythe, Mary (IR)	245	4363
24B Frederick, Marcel "Sal" (IR)	303	5513
32A Frerichs, Don L. (IR)	389	4378
61A Greenfield, Lee (DFL)	375	0173
17B Gruenes, David B. (IR)	201	6316
33A Gutknecht, Gil (IR)	309	9249
30A Hartle, Dean P. (IR)	233	5368
31A Haukoos, M. R. "Bob" (IR)	279	8216
45B Heap, Jim (IR)	281	7026
41A Himle, John (IR)	247	7803
29A Hugoson, Gene (IR)	221	3240
49B Jacobs, Joel (DFL)	485	4231
7B Jaros, Mike (DFL)	559	4246
57B Jefferson, Richard "Jeff" (DFL)	431	8659
19B Jennings, Loren G. (DFL)	331	0518
36B Jensen, Bob (DFL)	539	6926
51A Johnson, Alice M. (DFL)	423	5510
4A Johnson, Bob A. (DFL)	413	5516
34A Johnson, Virgil J. (IR)	207	1069
58B Kahn, Phyllis (DFL)	369	4257
29B Kalis, Henry J. (DFL)	543	4240
67A Kelly, Randy C. (DFL)	509	4277
36A Kelso, Becky (DFL)	329	1072
4B Kinkel, Anthony G. (DFL)	449	2451
9A Kludt, Kenneth "Ken" J. (DFL)	421	5515
43B Knickerbocker, Gerald (IR)	283	4315
52B Knuth, Daniel J. (DFL)	345	0141
54B Kostohryz, Richard (DFL)	585	4936
12B Krueger, Rick (DFL)	433	3201
50A Larsen, Ernest A. (DFL)	575	5369
19A Lasley, Harold F. (DFL)	553	5364
2A Lieder, Bernard L. "Bernie" (DFL)	527	5091
59A Long, Dee (DFL)	437	0171
17A Marsh, Marcus M. (IR)	295	7806
35B McDonald, K. J. (IR)	273	8872
22A McEachern, Bob (DFL)	343	4237
39A McKasy, Bert J. (IR)	313	6828
60B McLaughlin, Peter (DFL)	577	7152
55B McPherson, Harriet A. (IR)	211	5511
39B Milbert, Bob P. (DFL)	579	4192
20B Miller, Howard G. (IR)	353	5066
5B Minne, Lona A. (DFL)	439	0172

District/Member/Party	Room*	Phone 296-**
38A Morrison, Connie (IR)	387	4212
7A Munger, Willard (DFL)	479	4282
8A Murphy, Mary (DFL)	557	2676
11B Nelson, Clair L. (DFL)	515	4317
49A Nelson, Darby (DFL)	501	1729
62A Nelson, Ken (DFL)	367	4244
3A Neuenschwander, Bob (DFL)	337	1188
66B O'Connor, Richard "Rich" (DFL)	593	7807
14A Ogren, Paul Anders (DFL)	417	7808
44A Olsen, Sally (IR)	255	3964
2B Olson, Edgar L. (DFL)	529	4265
28B Olson, Katy (DFL)	523	5373
16A Omann, Bernie (IR)	229	6612
22B Onnen, Tony D. (IR)	277	1534
64B Orenstein, Howard R. (DFL)	521	4199
66A Osthoff, Tom (DFL)	591	4224
59B Otis, Todd H. (DFL)	403	9281
37B Ozment, Dennis D. (IR)	287	4306
65B Pappas, Sandra L. (DFL)	327	9714
42A Pauly, Sidney J. (IR)	291	7449
34B Pelowski, Gene P. (DFL)	531	8637
18A Peterson, Jerome "J. P." (DFL)	597	6746
10A Poppenhagen, Dennis J. (IR)	301	5387
56A Price, Leonard "Len" (DFL)	507	3018
50B Quinn, Joseph (DFL)	545	2439
23B Quist, Allen J. (IR)	213	7065
32B Redalen, Elton R. (IR)	251	9278
31B Reding, Leo J. (DFL)	537	4193
46A Rest, Ann H. (DFL)	429	4176
57A Rice, James I. (DFL)	381	4262
12A Richter, Don H. (IR)	223	4293
40B Riveness, Phillip J. (DFL)	445	7158
25B Rodosovich, Peter (DFL)	451	8237
63A Rose, John T. (IR)	209	4342
5A Rukavina, Tom (DFL)	473	0170
58A Sarna, John (DFL)	563	4219
35A Schafer, Gary L. (IR)	215	8634
47A Scheid, Linda J. (DFL)	583	3751
48B Schreiber, William H. "Bill" (IR)	267	4128
38B Seaberg, Arthur W. (IR)	393	3533
44B Segal, Gloria M. (DFL)	415	9889
45A Shaver, Craig H. (IR)	243	9934
51B Simoneau, Wayne (DFL)	335	4331
61B Skoglund, Wes (DFL)	409	4330
3B Solberg, Loren A. (DFL)	571	2365
1B Sparby, Wally A. (DFL)	351	9918
53B Stanius, Brad G. (IR)	315	5363
27B Steensma, Andy (DFL)	471	4336
26A Sviggum, Steve A. (IR)	237	2273
55A Swenson, Douglas G. (IR)	321	4124
13A Thiede, Paul M. (IR)	217	4333
40A Tjornhom, Chris M. (IR)	239	5375
37A Tompkins, Eileen J. (IR)	231	5506
67B Trimble, Steve (DFL)	491	4201
1A Tunheim, Jim (DFL)	525	9635
15A Uphus, Sylvester B. (IR)	253	5185
54A Valento, Don J. (IR)	359	7153
25A Vanasek, Robert E. (DFL)	463	4229
64A Vellenga, Kathleen O. (DFL)	549	8799
52A Voss, Gordon O. (DFL)	443	4226
62B Wagenius, Jean D. (DFL)	551	4200
26B Waltman, Bob (IR)	289	9236
15B Welle, Alan W. (DFL)	503	6206
13B Wenzel, Steve (DFL)	487	4247
28A Winter, Theodore "Ted" (DFL)	411	5505
63B Wynia, Ann (DFL)	459	3824

*All rooms are in the State Office Building, St. Paul, MN 55155

**All area codes are (612)

MINNESOTA STATE SENATE MEMBERSHIP

District/Member/Party	Room*	Phone 296-**	District/Member/Party	Room*	Phone 296-**
22 Adkins, Betty A. (DFL)	235 Cap	5981	67 Lantry, Marilyn M. (DFL)	328 Cap	8017
12 Anderson, Don (IR)	153 SOB	6455	10 Larson, Cal (IR)	145 SOB	5655
29 Beckman, Tracy L. (DFL)	G-10 Cap	5713	3 Lessard, Bob (DFL)	111 Cap	4136
41 Belanger, William V., Jr (IR)	107 SOB	5975	47 Luther, William P. (DFL)	205 Cap	8869
32 Benson, Duane D. (IR)	147 SOB	3903	63 Marty, John J. (DFL)	235 Cap	5645
11 Berg, Charles A. (DFL)	328 Cap	5094	44 McQuaid, Phyllis W. (IR)	135 SOB	1279
60 Berglin, Linda (DFL)	G-29 Cap	4261	26 Mehrkens, Lyle G. (IR)	127 SOB	8075
21 Bernhagen, John (IR)	113 SOB	4131	49 Merriam, Gene (DFL)	122 Cap	4154
16 Bertram, Joe, Sr. (DFL)	323 Cap	2084	39 Metzen, James (DFL)	303 Cap	4370
62 Brandl, John E. (DFL)	306 Cap	4837	65 Moe, Donald M. (DFL)	309 Cap	4264
33 Brataas, Nancy (IR)	139 SOB	4848	2 Moe, Roger D. (DFL)	208 Cap	2577
14 Chmielewski, Florian (DFL)	325 Cap	4182	34 Morse, Steven (DFL)	G-24 Cap	5649
64 Cohen, Richard J. (DFL)	G-27 Cap	5931	52 Novak, Steven G. (DFL)	301 Cap	4334
50 Dahl, Gregory L. (DFL)	111 Cap	5003	43 Olson, Gen (IR)	133 SOB	1282
18 Davis, Charles R. (DFL)	G-24 Cap	2302	17 Pehler, James C. (DFL)	G-9 Cap	4241
4 Decker, Bob (IR)	151 SOB	0415	61 Peterson, Donna C. (DFL)	G-24 Cap	4274
27 DeCramer, Gary M. (DFL)	303 Cap	6820	19 Peterson, Randolph W. (DFL)	G-9 Cap	8018
5 Dicklich, Ronald R. (DFL)	235 Cap	2859	31 Piper, Pat (DFL)	325 Cap	9248
56 Diessner, A. W. "Bill" (DFL)	326 Cap	8298	58 Pogemiller, Lawrence J. (DFL)	306 Cap	7809
51 Frank, Don (DFL)	G-10 Cap	2877	25 Purfeerst, Clarence M. (DFL)	303 Cap	4167
30 Frederick, Mel (IR)	119 SOB	4123	45 Ramstad, Jim (IR)	123 SOB	9251
20 Frederickson, David J. (DFL)	G-24 Cap	5640	46 Reichgott, Ember D. (DFL)	G-9 Cap	2889
23 Frederickson, Dennis R. (IR)	143 SOB	8138	35 Renneke, Earl W. (IR)	117 SOB	4125
40 Freeman, Michael O. (DFL)	122 Cap	9307	13 Samuelson, Don (DFL)	124 Cap	4875
8 Gustafson, Jim (IR)	115 SOB	4314	36 Schmitz, Robert J. (DFL)	235 Cap	7157
54 Hughes, Jerome M. (DFL)	328 Cap	4183	7 Solon, Sam G. (DFL)	303 Cap	4188
15 Johnson, Dean E. (IR)	105 SOB	3826	59 Spear, Allan H. (DFL)	G-27 Cap	4191
6 Johnson, Douglas J. (DFL)	205 Cap	8881	42 Storm, Donald A. (IR)	125 SOB	6238
48 Jude, Tad (DFL)	G28 Cap	4248	1 Stumpf, LeRoy A. (DFL)	306 Cap	8660
53 Knaak, Fritz (IR)	149 SOB	1253	24 Taylor, Glen (IR)	103 SOB	9457
38 Knutson, Howard A. (IR)	121 SOB	4120	28 Vickerman, Jim M. (DFL)	G-29 Cap	5650
57 Kroening, Carl W. (DFL)	124 Cap	4302	66 Waldorf, Gene (DFL)	124 Cap	3809
55 Laidig, Gary W. (IR)	141 SOB	4351	37 Wegscheid, Darril (DFL)	309 Cap	8091
9 Langseth, Keith (DFL)	G-24 Cap	3205			

*Capitol or State Office Building, St. Paul, MN 55155

**All area codes are (612)

MINNESOTA HOUSE AND SENATE MEMBERSHIP

1 A • Jim Tunheim-DFL B • Wally A Sparby-DFL Sen LeRoy A Stumpf-DFL	15 A • Sylvester B Uphus-IR B • Alan W Welle-DFL Sen Dean E Johnson-IR	29 A • Gene Hugoson-IR B • Henry J Kalls-DFL Sen Tracy L Beckman-DFL	52 A • Gordon O Voss-DFL B • Daniel J Knuth-DFL Sen Steven G Novak-DFL	57 A • James I Rice-DFL B • Richard "Jeff" Jefferson-DFL Sen Carl W Kroening-DFL
2 A • Bernard L "Bernie" Lieder-DFL B • Edgar L Olson-DFL Sen Roger D Moe-DFL	16 A • Bernie Omann-IR B • Jeff Bertram-DFL Sen Joe Bertram, Sr-DFL	30 A • Dean P Hartle-IR B • Dale DeRader-DFL Sen Mel Frederick-IR	53 A • Tony Bennett-IR B • Brad G Stanlius-IR Sen Fritz Knaak-IR	58 A • John Sama-DFL B • Phyllis Kahn-DFL Sen Lawrence J Pogemiller-DFL
3 A • Bob Neuenschwander-DFL B • Loren A Gruenes-IR Sen Bob Lessard-DFL	17 A • Marcus M Marsh-IR B • David B Gruenes-IR Sen James C Pehler-DFL	31 A • MR "Bob" Haukoos-IR B • Leo J Reding-DFL Sen Pat Piper-DFL	54 A • Don J Valento-IR B • Richard Kostohryz-DFL Sen Jerome M Hughes-DFL	59 A • Dee Long-DFL B • Todd H Otis-DFL Sen Allan H Spear-DFL
4 A • Bob A Johnson-DFL B • Anthony G Kinkel-DFL Sen Bob Decker-IR	18 A • Jerome "JP" Peterson-DFL B • Jerry J Bauerly-DFL Sen Charles R Davis-DFL	32 A • Don L Frerichs-IR B • Elton R Redalen-IR Sen Duane D Benson-IR	55 A • Douglas G Swenson-IR B • Harriet A McPherson-IR Sen Gary W Laidig-IR	60 A • Karen Clark-DFL B • Peter McLaughlin-DFL Sen Linda Berglin-DFL
5 A • Tom Rukavina-DFL B • Lona A Jennings-DFL Sen Ronald R Dicklich-DFL	19 A • Harold F Lasley-DFL B • Loren G Jennings-DFL Sen Randolph W Peterson-DFL	33 A • Gil Gutknecht-IR B • David T Bishop-IR Sen Nancy Brataas-IR	56 A • Leonard "Len" Price-DFL B • Patrick "Pat" Beard-DFL Sen A W (Bill) Diessner-DFL	61 A • Lee Greenfield-DFL B • Wes Skoglund-DFL Sen Donna C Peterson-DFL
6 A • David P Battaglia-DFL B • Joseph R Beglich-DFL Sen Douglas J Johnson-DFL	20 A • Glen H Anderson-DFL B • Howard G Miller-IR Sen David J Frederickson-DFL	34 A • Virgil J Johnson-IR B • Gene P Pelowski-DFL Sen Steven Morse-DFL	43 A • John Burger-IR B • Gerald Knickerbocker-IR Sen Gen Olson-IR	62 A • Ken Nelson-DFL B • Jean D Wagenius-DFL Sen John E Brandl-DFL
7 A • Willard Munger-DFL B • Mike Jaros-DFL Sen Sam G Solon-DFL	21 A • Stephen E Dille-IR B • Roger M Cooper-DFL Sen John Bernhagen-IR	35 A • Gary L Schafer-IR B • K J McDonald-IR Sen Earl W Renneke-IR	44 A • Sally Olsen-IR B • Gloria M Segal-DFL Sen Phyllis W McQuaid-IR	63 A • John T Rose-IR B • Ann Wynia-DFL Sen John J Marty-DFL
8 A • Mary Murphy-DFL B • Ben Boo-IR Sen Jim Gustafson-IR	22 A • Mary McEachern-DFL B • Tony D Onnen-IR Sen Betty A Adkins-DFL	36 A • Becky Kelsa-DFL B • Bob Jensen-DFL Sen Robert J Schmitz-DFL	45 A • Craig H Shaver-IR B • Jim Heap-IR Sen Jim Ramstad-IR	64 A • Kathleen O Vellenga-DFL B • Howard R Orenstein-DFL Sen Richard J Cohen-DFL
9 A • Kenneth "Ken" J Kludt-DFL B • Marvin K Dauner-DFL Sen Keith Langseth-DFL	23 A • Terry M Dempsey-IR B • Allen J Quist-IR Sen Dennis R Frederickson-IR	37 A • Eileen J Tompkins-IR B • Dennis D Ozment-IR Sen Darril Wegscheid-DFL	46 A • Ann H Rest-DFL B • Lyndon R Carlson-DFL Sen Ember D Reichgott-DFL	65 A • Andrew J Dawkins-DFL B • Sandra L Pappas-DFL Sen Donald M Moe-DFL
10 A • Dennis J Poppenhagen-IR B • Bob Anderson-IR Sen Cal Larson-IR	24 A • John W Dorn-DFL B • Marcel "Sal" Frederick-IR Sen Glen Taylor-IR	38 A • Connie Morrison-IR B • Arthur W Seaberg-IR Sen Howard A Knutson-IR	47 A • Linda J Scheid-DFL B • Phil Carruthers-DFL Sen William P Luther-DFL	66 A • Tom Osthoff-DFL B • Richard "Rich" O'Connor-DFL Sen Gene Waldorf-DFL
11 A • Chuck Brown-DFL B • Clair L Nelson-DFL Sen Charles A Berg-DFL	25 A • Robert E Vanasek-DFL B • Peter Rodosovich-DFL Sen Clarence M Purfeerst-DFL	39 A • Bert J McKay-IR B • Bob Milbert-DFL Sen James P Metzen-DFL	48 A • Dale A Clausnitzer-IR B • William H "Bill" Schreiber-IR Sen Tad Jude-DFL	67 A • Randy C Kelly-DFL B • Steve Trimble-DFL Sen Marilyn M Lantry-DFL
12 A • Don H Richter-IR B • Rick Krueger-DFL Sen Don Anderson-IR	26 A • Steve A Sviggum-IR B • Bob Waltman-IR Sen Lyle G Mehrkens-IR	40 A • Chris M Tjornhom-IR B • Phillip J Riveness-DFL Sen Michael O Freeman-DFL	49 A • Darby Nelson-DFL B • Joel Jacobs-DFL Sen Gene Merriam-DFL	
13 A • Paul M Thiede-IR B • Steve Wenzel-DFL Sen Don Samuelson-DFL	27 A • Norman R DeBleek-DFL B • Andy Steensma-DFL Sen Gary M DeCramer-DFL	41 A • John Himle-IR B • Kathleen A Blatz-IR Sen William V Belanger, Jr-IR	50 A • Ernest A Larson-DFL B • Joseph Quinn-DFL Sen Gregory L Dahl-DFL	
14 A • Paul Anders Ogren-DFL B • Douglas W Carlson-IR Sen Florian Chmielewski-DFL	28 A • Theodore "Ted" Winter-DFL B • Katy Olson-DFL Sen Jim M Vickerman-DFL	42 A • Sidney J Pauly-IR B • Mary Forsythe-IR Sen Donald A Storm-IR	51 A • Alice M Johnson-DFL B • Wayne Simoneau-DFL Sen Don Frank-DFL	

MINNESOTA'S CONGRESSIONAL REPRESENTATION

MINNESOTA'S UNITED STATES SENATORS

SENATOR

RUDY BOSCHWITZ (IR)

210 Bremer Bldg.
419 N. Robert St.
St. Paul, MN 55101
(612) 221-0904

United States Senate
Washington, D.C. 20510
(202) 224-5641

SENATOR

DAVE DURENBERGER (IR)

1020 Plymouth Bldg.
12 S. 6th St.
Minneapolis, MN 55402
(612) 370-3382

154 Russell Senate Office Bldg.
Washington, D.C. 20510
(202) 224-3244

MINNESOTA'S REPRESENTATIVES in the UNITED STATES CONGRESS

First District

TIMOTHY J. PENNY (DFL)

Park Towers
22 N. Broadway
Rochester, MN 55904
(507) 281-6053
1-800-862-8632

Blue Earth County
Government Center
410 S. 5th St.
Mankato, MN 56001
(507) 625-6921

436 Cannon Office Bldg.
Washington, D.C. 20515
(202) 225-2472

Second District

VIN WEBER (IR)

Box 279
New Ulm, MN 56073
(507) 354-6400

P.O. Box 1214
Marshall, MN 56258
(507) 532-9611

919 S. 1st St.
Willmar, MN 56201
(612) 235-6820

106 Cannon Office Bldg.
Washington, D.C. 20515
(202) 225-2331

Third District

BILL FRENZEL (IR)

8120 Penn Ave. S. #445
Bloomington, MN 55431
(612) 881-4600

1026 Longworth Office Bldg.
Washington, D.C. 20515
(202) 225-2871

Fourth District

BRUCE F. VENTO (DFL)

American National Bank Bldg.
5th & Minnesota St., Rm. 905
St. Paul, MN 55101
(612) 224-4503

2304 Rayburn Office Bldg.
Washington, D.C. 20515
(202) 225-6631

Fifth District

MARTIN OLAV SABO (DFL)

462 Federal Courts Bldg.
110 S. 4th St.
Minneapolis, MN 55401
(612) 348-1649

2201 Rayburn House Office Bldg.
Washington, D.C. 20515
(202) 225-4755

Sixth District

GERRY SIKORSKI (DFL)

8060 University Ave. N.E.
Fridley, MN 55432
(612) 780-5801

414 Cannon Office Bldg.
Washington, D.C. 20515
(202) 225-2271

Seventh District

ARLAN STANGELAND (IR)

4th Floor
403 Center Ave.
Moorhead, MN 56560
(218) 233-8631

Federal Bldg.

720 Mall Germain
St. Cloud, MN 56301
(612) 251-0740

2245 Rayburn House Office Bldg.
Washington, D.C. 20515
(202) 225-2165

Eighth District

JAMES L. OBERSTAR (DFL)

231 Federal Bldg.
Duluth, MN 55802
(218) 727-7474

Brainerd City Hall
501 Laurel St.
Brainerd, MN 56401
(218) 828-4400

Chisholm City Hall
316 Lake St.
Chisholm, MN 55719
(218) 254-5761

2209 Rayburn Office Bldg.
Washington, D.C. 20515
(202) 225-6211

HOW A BILL BECOMES LAW IN MINNESOTA

A bill is an idea for a new law, or an idea to abolish or change an existing law. Several thousand bills enter the legislative process in Minnesota each time the Legislature meets.

Minnesota has a bicameral Legislature, or two groups of elected citizens (senators in the Senate, representatives in the House of Representatives) who study, discuss, and vote on bills, acting for the people of Minnesota. Bills begin their legislative journey in either the House or the Senate, or both. To become a law, all bills must pass in both the House and Senate, and go to the governor for his signature.

The Idea

Anyone can propose an idea for a bill—an individual, consumer group, corporation, professional association, governmental unit, or the governor. Most frequently, ideas come from members of the Legislature.

Revisor of Statutes

The revisor puts the idea into the proper legal form as a bill for introduction into the House of Representatives or the Senate, usually both. The revisor also updates *Minnesota Statutes* to include all new laws.

Chief Author

The legislator who sponsors and introduces the bill in the Legislature is the chief author. The chief author's name appears on the bill with the bill's file number for identification as it moves through the legislative process. The chief author may select up to four other authors, whose names also appear on the bill.

Introduction in the Legislature

When the author introduces a bill in the House, it gets a House File (HF) number (HF264, for example), indicating the chronological order of the bill's introduction. In the Senate, the bill gets a Senate File (SF) number (SF224, for example). Each House File usually has a companion Senate File. All revenue-raising bills must begin in the House.

Committee Consideration

At introduction, the bill has its first reading. (The Minnesota Constitution requires three readings on three separate days for all bills.) The presiding officer of the House or Senate refers the bill to an appropriate committee for action. All committee meetings are open to the public. A committee may: recommend passage of a bill in its original form; recommend passage after amendment by the committee; or make no recommendation, in which case a bill may die when the session ends. After acting on a bill, the committee sends a report stating its actions and recommendations to the House or Senate.

General Orders

After approval of the committee report in the House and Senate, the bill has its second reading and goes onto General Orders—a list of bills waiting House action. House members, acting as the Committee of the Whole, discuss bills, debate the issues, adopt amendments, and present arguments. They may recommend; that a bill “do pass,” postponement, or further committee action.

Calendar

The calendar is a list of bills the Committee of the Whole recommends to pass. At this point, a bill has its third reading. Amendments to a bill on the Calendar must have the unanimous consent of all House members in this final vote. By committee recommendation, non-controversial bills may bypass General Orders and go directly onto a Consent Calendar, usually passing without debate. Every bill requires a majority vote of the full membership of the House and Senate to pass.

Conference Committee

If the House and Senate do not agree on a bill, a conference committee of three or five senators, and an equal number of representatives, meets to reach an agreement. If both bodies then pass the bill in compromise form, it goes to the governor.

Governor

When a bill arrives at the governor's office, the governor may: sign it, and the bill becomes law; veto it (return it with a “veto message” stating the objections); pocket veto the bill (take no action and let adjournment of the Legislature, in effect, veto the bill); or line veto portions of appropriation bills. If the governor does not sign or veto a bill within three days after receiving it, and the Legislature is in session, the bill automatically becomes law.

WHERE TO GET ANSWERS

Chief Clerk's Office
Room 211, State Capitol
St. Paul, MN 55155
(612) 296-2314

House Index Department
Room 211, State Capitol
St. Paul, MN 55155
(612) 296-6646

House Public Information Office
175 State Office Building
St. Paul, MN 55155
(612) 296-2146

Legislators

Who represents you at the State Capitol?

The House Public Information Office can tell you which legislative district you live in, and who represents that district.

Legislators' districts, addresses, phone numbers, office locations, biographical details, and photos
The House Public Information Office publishes the *Official Directory of the Minnesota Legislature* and the *Members Directory*, both including legislators' committee assignments. You can get copies in the House Public Information Office when available.

What legislation did your representative introduce?

The House Index Department has a Cathode Ray Tube (CRT) which shows information on a television-like screen. The CRT lists each member's name and the bills he/she sponsored in the current session. Staff members can help you use the CRT.

Where members sit in the House Chamber

The House Public Information Office publishes a *Seating Arrangement of the Minnesota Legislature* with members' photos.

United States Congress

The House Public Information Office can give you names of Minnesota's members of Congress.

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

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

Dear Representative (or Senator) name:

Bills

Need a copy of a bill?

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

Want to know a bill's author, status, or committee assignment?

The computerized House Index tracks all bills through the legislative process. You can get the information you want about bills on the CRT. House Index lists bills by committee and by over 150 topics (e.g., environment, taxes, education) on the CRT.

You can call *House Calls* for up-to-date committee meeting times and agendas, (612) 296-9283.

During sessions, you can call the *House Bill Status Line* for a 24-hour recorded message on the day's committee action on bills, (612) 297-1264.

Committees

Standing committees and committee assignments

The Members Directory lists committees and committee assignments. Both are available in the House Public Information Office and Chief Clerk's Office.

Government

The Legislature - how it works

The House Public Information Office has brochures on Minnesota and its government, including: *How a Bill*

Becomes a Law; Citizen's Participation Course, a test-yourself quiz on the Legislature; and *The Government is for Everyone* information packet with single sheets on how to contact your legislator, where to get information, Minnesota facts, how legislators make voting decisions, and an explanation of the differences between state and federal government.

For youngsters, the House Public Information Office provides *The Road to Minnesota Laws*, a cartoon version of how a bill becomes a law; and a coloring book.

Proceedings in the House

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

House Agendas

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

Structure of Government

The House Public Information Office publishes *Three Branches of Government*, a brochure showing the structure of state government. Staff members can help you find various state departments and agencies, and furnish phone numbers.

Capitol Tours

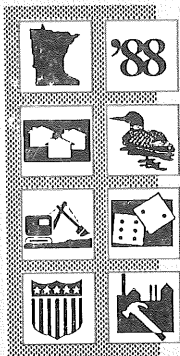
The Minnesota Historical Society gives regular daily tours of the State Capitol, (612) 296-2881.

In the Senate

The Secretary of the Senate's Office (612) 296-2343 and Senate Information (612) 296-0504, Room 231, State Capitol, provide services similar to the Chief Clerk's Office and House Index. The Senate Information Office also provides services similar to those of the House Public Information Office. Call the Senate Hotline, (612) 296-8088, for committee meeting schedules.



Minnesota House of Representatives
Public Information Office
175 State Office Building
100 Constitution Avenue
St. Paul, MN 55155-1298 • (612) 296-2146



Government is for Everyone...Be a Part of it