



3 0307 00006 0668

2 copies  
850768

# Session Review

A Publication about the Minnesota State Senate

Vol. 14, No. 2



KFM  
5415  
.S48x  
1988

LEGISLATIVE REFERENCE LIBRARY  
645 State Office Building  
Saint Paul, Minnesota 55155

8: Bill highlights and summaries



# Table of contents:

3	<b>Property tax reform key to new law</b> The 1988 tax bill contains a major overhaul of Minnesota's property tax system.
5	<b>Bill highlights</b> Brief summaries detail major legislation
18	<b>Session law summaries</b> Complete listing of all bills signed into law
55	<b>Chapter Index</b>
59	<b>Senate File Index</b>
61	<b>House File Index</b>

## Session Review

This edition of Session Review highlights some of the major bills that became law this year, including the tax bill and the major spending proposals. In addition, the publication contains a summary of every bill and resolution signed into law. The index at the end of the publication gives companion numbers, chapter numbers and categories for all the new laws.

Writers: Karen L. Clark  
Susan Tsakakis  
Kathy Kainz Stone  
Diane Horak  
Miriam Goldfein

Layout and Design: Susan Tsakakis  
David J. Oakes

Photographs: David J. Oakes

### Notice to Senate Office patrons

Due to office renovation the Secretary of the Senate's Office (Senate Office) and the Senate Information Office will be moving to temporary quarters in Room 107 of the Capitol in mid July. Therefore, copies of bills introduced during the 1988 session will be unavailable after July 10, 1988.

### Subscription Renewal

This edition of Session Review also contains a subscription renewal notice for Senate publications on the back page. If you wish to continue receiving Briefly, Perspectives and Session Review, please clip the notice, indicate any name or address changes and return to the Publications Office by July 20, 1988. Your prompt action will be greatly appreciated.

### Video tapes available

A newly-produced video tape describing successful lobbying techniques is available for check out through the Senate Information Office. State lawmakers, professional lobbyists and active citizens explain their preferred approaches to influencing the legislative process. Produced by Senate Media Services, the 12 minute tape, entitled "Lobbying: the art of persuasion," is intended for all levels of citizen participation. A second tape explaining the legislative process is also available to the public. To reserve the tapes, contact: Senate Information, Room 231, Capitol, St. Paul, MN 55155 (612) 296-0504.

Cover photo: by David J. Oakes

Members of the tax conference committee meet to hammer out a compromise bill late in the session. Seated clockwise from front: Sen. Douglas Johnson, Sen. Steve Novak, Sen. John Bernhagen, and Rep. Gordon Voss.

photo by David J. Oates



# Property tax reform key to new law

## Property Tax reform

The property tax reform provisions contained in the 1988 tax measure are the most dramatic changes in Minnesota's tax structure since the "Minnesota Miracle" changes in 1971. In 1971, a new formula was established for funding education, human services and basic local government services.

Senator Douglas Johnson, chief sponsor of the Senate tax plan and Senator Steven Novak, author of the property tax changes, met goals they established last year for property tax reform including simplicity, increasing local governments' flexibility and responsibility within the system, eliminating the wide disparity in property tax rates, and encouraging accurate valuation of property. Another change was needed, the tax leaders said, due to the difference 20 years has made. State budget shortfalls, federal cutbacks in state aid, and economic problems in rural Minnesota have caused a shift in priorities.

Under Chapter 719, property tax rates will, beginning in 1990, be based on fixed percentages on market values for residential, agricultural, commercial and industrial, rental, employment, border city, seasonal and public utility property tax categories. In addition, the various state aids, classifications, mill rates and most exemptions found in the current system will be eliminated in favor of state responsibility for income maintenance for entitlement programs. Costs for basic municipal services in all communities will be met regardless of the amount of money raised through the new property tax rates.

Other changes include an increase of the homestead credit from \$700 to \$725 in 1989; the one-third cut in 1987 renters' credits and circuit breaker property tax refunds will be returned; and \$4 million will be allocated to the commissioner of revenue to help counties upgrade their data collection and processing systems.

The plan is the result of contributions from

tax committee members, the governor's office, representatives of the cities of Minneapolis and St. Paul and the Coalition of Greater Minnesota Cities. Business and homeowner input was received throughout the shaping of the plan.

## Individual and corporate income tax revisions

Many provisions relating to income taxes are contained in the new measure. The retirement exclusions for senior citizens and disabled Minnesotans are restored. The double taxation of IRA, Keogh and public pension contributions made in 1982 through 1984 is eliminated. Retiring volunteer firefighters are given a retirement bonus. Farm property is exempt from taxation if the farm owner—taxpayer was insolvent at the time of the sale and the proceeds were used to pay off farm debt.

Corporate and business taxes are lowered or modified through the measure. Insurance

The one-third cut in 1987 renters' credit refunds will be returned under the new tax law, Chap. 719.



premium taxes on mutual insurance companies' premiums will be reduced from two percent to 1.5 percent. The state will adopt new federal corporate provisions relating to estimated tax payments and federal restrictions on carryover of net operating losses after corporate acquisitions.

The measure contains a revision of rules governing the state's jurisdiction to tax corporations under nexus rules. If an out-of-state business regularly solicits business in Minnesota through direct mail, newspaper ads and other forms of advertising, then the business will be subject to Minnesota business taxes.

In general, the income tax changes are effective for tax year 1988.

## Sales tax repealers

Some of the sales tax provisions passed into law last year are repealed under the 1988 tax law. Non-prescription analgesics will no longer be subject to the sales tax and purchases by colleges and universities, technical institutes, the University of Minnesota Hospital, and local government purchases of utilities will also once again be exempt from the tax.

Meals furnished free of charge to correction facility, hospital and nursing home employees are exempt from the tax as are meals provided to inmates or residents of correctional and detoxification facilities. Security services provided by off-duty police officers within their local jurisdictions are also exempt from sales taxes.

A new sales tax provision added this year is the exemption on State Fair gate receipts. The savings to the State Fair budget will be used for capital improvements on the fair grounds. The amount of the tax savings must be matched by assessments against commercial exhibitors and concessioners. Another new provision requires out-of-state retailers making at least 100 sales within the state within a one-year time period to register and collect sales and use taxes. The provision applies only to businesses that actively solicit Minnesota business through advertising. The Dept. of Revenue may also determine alternative methods for collecting the tax from out-of-state retailers through salespersons, truckers or canvassers employed by the retailer.

Finally, the apportionment of sales taxes on railroad rolling stock will be made on the basis of revenue ton miles rather than the current simple mileage formula.



# Bill Highlights

photos by David J. Oakes



Chap. 690 places the lottery question before the voters this November.

## Voters to decide lottery, trust fund issues

As provided in Chapter 690, two questions that would alter the Minnesota Constitution will be put before voters on 1988 general election ballots.

"Shall the Minnesota Constitution be amended to establish a Minnesota environment and natural resources trust fund for environmental, natural resource, and wildlife purposes?" If the majority of voters say "yes" to the question, a permanent and perpetual fund for projects benefitting the environment will be established.

A 16-member Minnesota Future Resources Commission will be established and will be the legal successor to the present Legislative Commission on Minnesota Resources (LCMR). The new commission will be comprised of representatives of the Senate

and House and will include chairs of the environment, finance and appropriations committees. LCMR staff positions will be transferred to the Future Resources Commission. The commission will be responsible for developing budget and strategic plans. An advisory committee of 11 citizen members will be appointed by the governor to advise the commission on project proposals to receive funding.

The commission will be required to convene a Resources Congress at least once every biennium, open to all citizens, for the collection of public input.

Money in the trust fund may only be used for the Reinvest in Minnesota program, research, collection and analysis of information, public education, capital projects for the preservation and protection of unique natural resources and administrative and investment expenses. Once the principal of the trust fund reaches

or exceeds \$200 million, the commission may set aside five percent of the principal for water system improvement loans. Between the time of establishment of the fund and 1997, up to 25 percent of the annual revenues deposited in the fund may be appropriated to environmental projects and five percent of the principal may be used for loans for water system improvement projects.

A major source of funding for the trust fund is contingent upon the passage of a second constitutional amendment.

Voters will be asked "Shall the Minnesota Constitution be amended to permit the Legislature to authorize a lottery operated by the state?" If voters approve the question, one-half of the lottery proceeds collected through state taxes will be dedicated to the Environmental Trust Fund and one-half will be dedicated to the Greater Minnesota Corporation.

Enabling legislation for a lottery that would establish the framework for the set up and operation of the state operated gambling would be developed in the 1989 Legislative Session.

The law also transfers \$80.5 million currently in the Greater Minnesota Account to the state general fund. A majority of the transferred funds will be used to finance the highway and transit package approved separately by the state government.

Senate Majority Leader Roger Moe sponsored the legislation.

## Agriculture

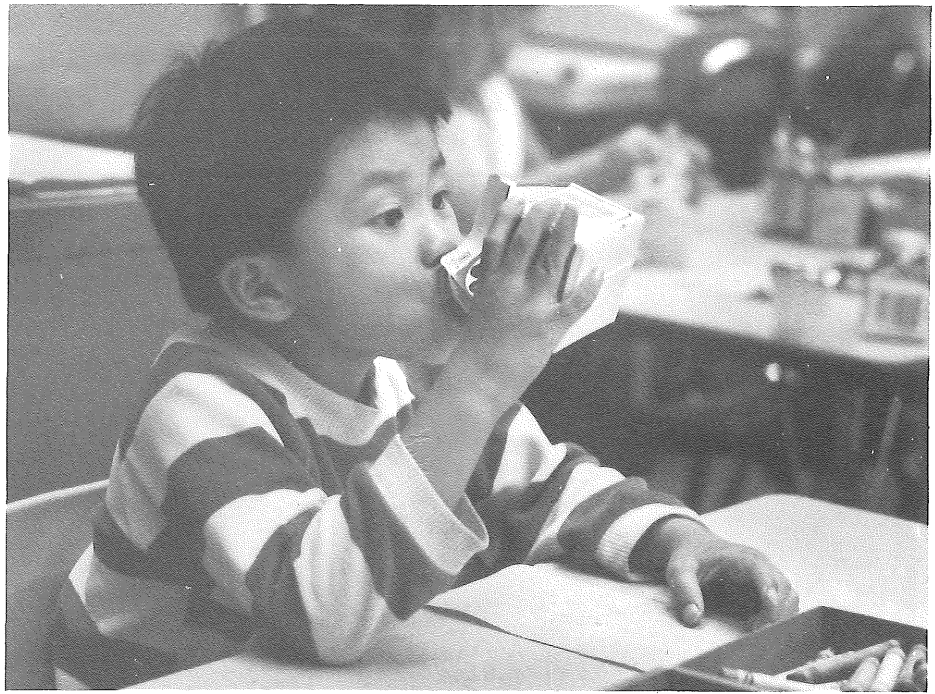
Providing for the "general health and well being" of Minnesota school children by establishing a school milk program in the public and private schools is one initiative of agricultural legislation passed this session. Contained in the new law, the \$800,000 school milk program encourages school districts to participate in the state-supported program that will provide one glass of milk per school day to kindergarteners.

Money appropriated in Chapter 688 is the result of the discontinuation of the interest buy-down program many fought hard for last session. Of the remaining \$14 million in unspent interest buy-down funds, \$4 million is reappropriated. The remaining funds are cancelled into the general fund. The reappropriations include funding for sustainable agriculture, dairy production, and plant pesticide surveillance.

A \$1 million revolving loan fund with a \$300,000 demonstration grant program has been established to encourage farmers to adopt sustainable agriculture practices. The objective of the program is to enable farmers to adopt management practices that emphasize sufficiency and self-sufficiency in agriculture inputs, including energy efficiency and petroleum and chemical input reduction.

Thirty thousand dollars, to be matched dollar for dollar by private money, has been appropriated to establish a Dairy Task Force and to implement dairy pilot projects. The task force will strive to increase production efficiency of dairy cow herds, reduce input costs of production, increase profitability of individual dairy farms, and establish long-range goals, objectives, and time line achievement strategies for the dairy industry. The pilot projects are also geared towards increasing overall profitability of dairy farms and individual incomes for dairy farmers.

The mission of the \$171,000 Plant Pesticide Survey Program is to survey and detect plant pests and to disseminate information to



An appropriation in Chap. 688 encourages school districts to participate in the school milk program.

farmers on appropriate applications of pesticides and nonchemical controls.

Efforts to promote the use of Minnesota agriculture products were also at the heart of many discussions within the Agriculture Committee. The inclusion of the preference for Minnesota agriculture products in the new law was the result of those discussions. The provision requires the commissioner of administration to see to it that all state agency food or food service contracts give preference to suppliers who make a reasonable attempt to purchase food products grown in Minnesota. The provision also mandates that the commissioner of administration investigate opportunities for agriculture market share expansion by Minnesota producers.

The measure was sponsored by Senator Charles Davis.

## Deadbolt laws unlocked

Double cylinder deadbolt locks in residential dwellings have been, up until this session, against the law. Legislation shepherded through by Senator Donna Peterson bars the prohibition of double cylinder deadbolt locks in residential homes. However, it only allows the use of the locks in existing structures, not in new homes. The legislation also requires that a fire safety hazard warning accompany any double cylinder lock promotion.

Proponents of the legislation argued that the locks, which lock from the inside with a

key, deter and inhibit residential theft, while opponents argued that the locks present an extreme exit danger in cases of residential fire, especially for young children.

Chapter 608, containing Peterson's bill, also creates a task force to study building code standards for family and group family day care homes. The law specifies that the definition of Group R-3 occupancies in the State Building Code applies to family and group family day care homes until the legislature enacts legislation indicating appropriate standards.

## Physicians disciplined without publication

Effective August 1, 1988, if a physician has been disciplined for chemical abuse, the Board of Medical Examiners must be called to access that information as it is now exempt from publication. Under the law, Chapter 557, carried by Senator Pat Piper, the information is public; however, it is not published.

The exemptions from publication include the inability to practice medicine with reasonable skill and safety as a result of illness, drunkenness, drug abuse, or any mental or physical condition, including deterioration through the age process or loss of motor skills.

The Board of Medical Examiners lobbied hard for the issue, arguing that physicians are not coming forward for chemical



dependency treatment for fear of publication. Additionally, family members, friends, and colleagues of affected physicians are not reporting the physicians because of the publication requirements.

Those opposing the exemption from publication stated that protection of the public decreases when information decreases, and it is not appropriate to shift the responsibility of discovery onto the public. They additionally pointed out that physicians may turn themselves in voluntarily before they are subjected to discipline and consequential publication.

The law is written to sunset August 1, 1990, so that the results of the exemption may be evaluated by the legislature.

## Protections for used lemon car buyers

Express warranty protections for consumers of used automobiles are contained in Chapter 634, signed into law April 26. The used automobiles must meet certain criteria before they are covered by the provisions of the law.

If an automobile has less than 36,000 miles, the warranty will be in effect for 60 days or 2,500 miles, whichever comes first. If the automobile has between 36,000 and 75,000 miles, the warranty period is for 30 days or 1,000 miles, whichever comes first. Automobiles purchased for less than \$3,000, those that have diesel engines, those weighing in excess of 9,000 pounds, custom-built or modified vehicles, those with more than 75,000 miles, those not meeting federal emission standards and

those eight years of age or older are not covered by the protection provisions.

The law, sponsored by Senator Gregory Dahl, also provides for the licensing of used automobile dealers, lessors and wholesalers; requires that used motor vehicle dealerships post business hours in a conspicuous spot at the business site; and requires dealers to disclose information about faulty pollution control systems.

## Housing trust fund created

Some of the problems created by the lack of affordable housing may be alleviated by a new law, Chapter 654, which creates a housing trust fund to provide loans or grants for the development, construction, acquisition, preservation, and rehabilitation of low-income rental and limited equity cooperative housing. At least 75 percent of the housing must be rented to or cooperatively owned by persons or families at or below 30 percent (an annual gross of \$8,100) of the median family income for the metropolitan area. According to Alexa Bradley of the Minnesota Coalition for the Homeless, those at or below 30 percent of the median family income are either at a high risk of becoming homeless or are currently homeless.

On a given night in Minnesota, it is estimated that 11,000-24,000 persons will be homeless. Annually, it is estimated that 35,000-53,000 Minnesotans are homeless, according to studies done by the Metropolitan Council. Of those homeless, 25 to 26 percent are children and an additional 25 percent are women, according to the Dept. of Jobs and

Training. Bradley indicated that children are the fastest growing population of homeless in the state.

The contributing factors to the growing lack of affordable housing include a 75 percent cut in federal housing funds since 1981; a faltering economy, particularly in the farming communities; and a swelling population of underpaid employees in the service sector, explained Bradley.

The law, creating the Housing Trust Fund, was supported by a diverse coalition, including the Minnesota Realtors Association. The fund is created by assessing interest, at the highest passbook savings rate, on real estate trust accounts. The interest will then be deposited with the state treasurer in the Housing Trust Fund Account to be administered by the Housing Finance Agency. The annual collection for the fund is projected between \$500,000 and \$1 million.

The law was sponsored by Senator Gregory Dahl.

## Dangerous dog law enacted

Senator Charles Berg sponsored legislation that regulates dangerous and potentially dangerous dogs. Dangerous dogs are defined in the law as those that, without provocation, inflict bodily injury to humans or kill a domestic animal. Dogs determined to be "potentially dangerous," by biting, attacking or endangering the safety of humans or domestic animals without provocation, are also subject to the regulations.

Chapter 711 requires that as of August 1, 1988, dangerous dogs must be registered in the owner's county of residence. Certification of registration may be granted if a proper enclosure exists for the dog; if a visible warning sign is posted where the dog lives; and if the owner has obtained a surety bond or liability insurance that will pay at least \$50,000 to any person injured by the dangerous dog. If the certification requirements are not met, the county may confiscate the dog. The provisions in the law will not supersede any more stringent laws local governments already have in place.

A separate section of the law provides protections for dogs and cats. Beginning August 1, 1988, it is a petty misdemeanor to leave a dog or cat unattended in a motor vehicle under situations that may harm the animals' health. In periods of extreme heat or cold, or in other harmful situations, a police officer, humane agent, dog warden or fire or rescue department representative may enter the vehicle to remove the dog or cat. The violation is punishable with a \$25 fine.



Consumers will have added protections under Chap. 634, the "Used car lemon law." The new law contains express warranty protections according to the age and mileage of the car.

## Health and Human Services omnibus legislation

The Health and Human Services Committee passed 72 pieces of legislation out of committee during its six weeks of nonstop work during the session. Some of the legislation made its way through the legislative maze and was enacted into law while other pieces of legislation were put to rest for the session.

Issues addressing child care, mental health, hospitals, nursing homes, affordable health care, and education were high on the legislative agendas of many health and human service organizations in the state.

The health and human services appropriations package confirmed that many of the same issues were priority issues for the legislature.

Some of the major legislative funding initiatives for human services, wrapped into Chapter 689, include a \$7.2 million funding increase for nursing homes, \$4.2 million of which will finance a three and a half percent wage increase for nursing home employees; a \$5 increase in the personal need allowance for nursing home residents; \$3.2 million to fund 84 additional positions at the veterans homes; an addition of \$1 million to the Headstart Program for low-income children; a \$450,000 increase in child care funding; and an appropriation of \$130,000 to establish a program providing emergency shelter services to American Indian women who have been battered.

Additionally, the omnibus bill appropriates \$3.6 million to expand the Medical Assistance Program to cover pregnant women and children up to 185 percent of the poverty line, and expands the Children's Health Plan to cover children up to age nine.

The health care provisions in the new law include an additional \$700,000 for AIDS prevention education targeting drug users, high-risk adolescents, and minority communities in the state; a \$200,000 appropriation to establish the Minnesota Institute for Addiction and Stress; and a \$750,000 appropriation to begin testing of the public drinking water supplies in the state.

## Civil liability for theft

One of this session's new laws specifies that people who steal may be held liable under civil law as well as being prosecuted through the criminal courts. Under Chapter 481, a thief could be held liable to the owner of the property for its value when stolen plus punitive damages of either \$50

or up to 100 percent of its value when stolen, whichever is greater. According to chief author, Senator Allan Spear, the law is directed primarily at shoplifters. Thus, if the property is stolen from a retail store, its value is the retail price of the merchandise in the store when the theft occurred. In cases where the theft involves a shopping cart, the new law requires that the store must have a conspicuous notice posted describing the liability. The new law also specifies that a criminal complaint, conviction, or guilty plea is not a prerequisite to civil liability actions. Finally, the measure specifies that recovery of the stolen property does not affect civil liability for the value of the property.

## Energy task force created

Extreme temperatures in Minnesota place a heavy burden on the pocketbooks of many Minnesotans, especially low-income persons and families in the state.

A new law, Chapter 562, sponsored by Senator Sam Solon, creates a legislative advisory task force on energy policies for low-income persons. Directed to study the energy needs of low-income Minnesotans, the task force shall review the efficiency, coordination, and effectiveness of existing programs that assist low-income persons in meeting their energy needs. Additionally, the task force shall examine the federal commitment to and the state's role in the Home Energy Assistance Program, the Dept. of Energy's weatherization program, the state energy housing code, and programs funded by the Conservation Improvement Program.

Instructed to report back to the legislature by January 15, 1989, the task force's report will include a review of existing low-income energy-related programs, recommendations concerning state support for these programs, and a proposed state energy policy for low-income persons in the state with strategies for implementation.

## Semi-states omnibus legislation

A new law, Chapter 684, appropriates \$21 million for the Depts. of Agriculture, Transportation, and for semi-state agencies. Of that \$21 million, \$1.9 million has been allocated to cover the state's expenses incurred during last summer's torrential rain fall and flooding which was declared a major disaster by President Reagan.

The largest chunk of money appropriated will be spent for transportation expenses. The funds to be spent for 1988-1989 include: \$3.6 million for non-metropolitan transit

needs; \$4.2 million for planning, preliminary engineering, design, and construction of light rail transit facilities, if matched by other funds on a dollar by dollar basis; \$1.7 million to the Regional Transit Board to offset federal operating assistance cuts; \$6 million for Metro Mobility services; and \$2.3 million for social fare subsidies and new services.

The law also adds 11 state government positions: one at the Transportation Regulation Board, one at the Dept. of Agriculture for oak wilt control activities, three at the Board of Water and Soil Resources, and six at the Charitable Gambling Board for increased enforcement activities.

Additionally, the law appropriates \$145,000 for the establishment and planning of historical and cultural exhibits. The grants include: \$20,000 to the Minnesota Humanities Commission to be matched by a dollar by dollar federal match; \$25,000 for new exhibits and a film at the Lindbergh Interpretive Center at Little Falls; \$40,000 for a joint venture at the Hubert H. Humphrey Institute of Public Affairs to convert existing audio-visual collections into exhibit form; \$40,000 for a St. Anthony Falls Heritage Interpretive Zone and Heritage Board; and \$20,000 to the Southwest Regional Development Board to conduct a feasibility study and plan for the Prairieland Expo Center to promote local historical attractions.

## Higher Education omnibus legislation

Higher education was a hot topic of the 1988 Legislative Session. In response, the legislature passed a \$24 million higher education omnibus bill through the political process for the governor to sign into law, Chapter 703.

The measure contains funding adjustments for the post-secondary educational institutions throughout the state.

The State Board of Vocational-Technical Education will receive \$1.9 million, \$450,000 of which will be spent on restructuring the curriculum into credit hours. Additionally, \$1 million is appropriated to offset the costs incurred due to increased enrollment at the technical-vocational institutes; \$50,000 is earmarked for the State Council on Vocational-Technical Education; and \$400,000 will be spent on services for handicapped students.

The total appropriation to the State Board for Community Colleges is just over \$6 million: \$4.9 million is appropriated to offset the cost due to increased enrollment; \$1 million is to be spent for instructional



equipment and a base adjustment; and \$50,000 has been appropriated for and academic program at the Wolf Center.

Close to \$8 million has been appropriated to the State University Board. Like the community colleges and the technical-vocational institutes, the state universities experienced an unexpected increase in enrollment. A total of \$7.4 million will be spent at the state universities to offset the increased enrollment costs. An additional appropriation of \$50,000 is contained in the law for the State University Board to study and develop an upper division component

within Arrowhead Community College through Bemidji State University. The final appropriation to the board is \$400,000 for the Southwest State Science and Technology Center.

Amid discussions and rumors that the University of Minnesota would receive no funding for the second half of the biennium, \$1.4 million was appropriated to the University of Minnesota Board of Regents. Of the \$1.4 million, a special appropriation of \$1.1 million was made for the Supercomputer Institute. However, the allocation is contingent upon the Board of

photo by David J. Oakes

Regents purchasing or entering into a new lease agreement for a second computer architecture. The remaining \$300,000 of the appropriation is for instructional costs at the Rochester Graduate Education program to provide graduate degrees in the Rochester area.

The bill also includes a new system for selecting the 12 regents of the University of Minnesota. A 24 member regent candidate advisory council will be established to identify and recruit candidates for vacant positions on the Board of Regents.

Of the advisory council members, 12 will be appointed by a Subcommittee of the Rules and Administration Committee within the Senate and 12 by the Speaker of the House. Not more than eight of the 24 members may be current or former legislators and no more than 16 may belong to the same political party.

The advisory council will develop selection criteria for candidates and will recommend at least two, but not more than four, candidates for each vacant board position. However, the legislature will not be bound by the recommendations of the advisory council.

By September 1, 1988, both the Speaker of the House and the Subcommittee on Committees of Rules and Administration shall appoint to the advisory council four members to terms that expire January 1990, four members to terms that expire January 1992, and four members to terms that expire January 1994.

## Prohibition on possession of fireworks

Possession, as well as the sale and use, of fireworks is now prohibited under a law enacted this session. Chapter 584, carried by Senator William Luther, also increases the penalties for the possession, sale or use of fireworks according to the quantity of fireworks involved. Under the new law, if the violation involves explosive fireworks in an amount of 35 pounds or more the sentence is imprisonment for not more than one year, or payment of a fine of not more than \$3,000, or both. If the violation involves explosive fireworks in an amount of less than 35 pounds, the sentence is imprisonment for not more than 90 days, or payment of a fine of not more than \$700, or both. Finally, if the violation involves any amount of fireworks that are not explosive fireworks the sentence is imprisonment for not more than 90 days, payment of a fine of not more than \$700, or both. The new law does exempt holders of a federal explosives license or permit. One section of the new law also clarifies the crime of obstructing legal process or arrest.



Possession as well as the sale and use of fireworks is outlawed under Chap. 584. These fireworks were confiscated by police and are being stored temporarily at the Twin Cities bomb disposal facility pending disposal by bomb squad personnel.



Sen. Clarence Purfeerst (left) watches as vehicle emission testing equipment is demonstrated. Chap. 661 mandates that metro area vehicles be tested beginning in 1991.

## State assumes human services program costs

As a result of changes made in the property tax system requiring that all municipalities will receive basic services, regardless of the amount of funds raised through the property tax, the state is assuming funding responsibility for human services programs. The state share of financial participation in food stamp, AFDC, Medical Assistance, Work Readiness, General Assistance Medical Care and other state and federally mandated programs is increased up to 100 percent. The new law Chap. 719 provides regionally based staff to monitor programs and assess problems at the local government level. An incentive fund to reward local agencies that meet program performance standards is also established. Through the measure, the human services commissioner is given authority to supervise all public assistance programs.

## Emission inspection program established

Beginning January 1, 1991, all passenger vehicles in the seven-county metropolitan area will be required to undergo annual auto emission tests.

Chapter 661, carried by Senator Ember Reichgott, is designed to meet federal Environmental Protection Agency air quality standards by cutting down the amount of carbon monoxide released from automobiles. Under the law, auto owners will be required to bring their vehicles to licensed public or fleet inspection stations for annual tests in order to maintain vehicle registration. The inspection fee, not to

exceed \$10, will be paid at the time of the inspection. The inspection must take place at least 90 days prior to the vehicle's registration deadline.

Motor vehicles, including passenger automobiles, station wagons, pickup trucks and vans, are subject to the inspections. Automobiles manufactured before 1976 or with an engine manufactured before 1976; classic, pioneer, collector or street rods; and vehicles registered in the metropolitan area but domiciled outside of the metropolitan area are exempt from the inspection requirement.

A certificate of waiver, valid for one year, will be issued to a motor vehicle following the inspection if the estimated cost of repairs to bring the vehicle into compliance with emission standards exceeds the repair cost limit. The repair cost limit is \$75 for vehicles manufactured before 1981, and \$200 for vehicles manufactured in 1981 and subsequent years.

## Crime victim reparations

Under Chapter 638, sponsored by Senator Donna Peterson, criminals who enter into contracts to sell their stories for a movie, book, newspaper, magazine or radio or television program, are required to turn over 100 percent of the money earned under the contract to the Crime Reparations Board.

The requirement applies to offenders convicted in Minnesota who enter into contracts within 10 years after their conviction. If an offender is imprisoned or committed to an institution following the conviction or finding of not guilty by reason of insanity, the ten-year period begins on

the date of the offender's release. Offenders are obligated to immediately notify the Crime Reparations Board of the existence of the contract.

The money collected by the board will be used to pay crime victims for actual losses resulting from the crime and other uncompensated damages including, but not limited to, damages for pain and suffering. Victims must file a claim within five years of the date the board receives payment from the contract. The remaining money may be used by the board to pay reparations awarded to victims of other crimes or to the offender's minor dependents. Up to ten percent of the money remaining after the victims' claims have been paid may be awarded to the offender's minor dependents if clear evidence exists that the money will not be used in a way that benefits the offender.

The law also requires a prosecutor to make an effort to notify a domestic assault victim that the prosecutor has decided to dismiss the criminal charges against the defendant.

## New hunting and fishing laws

Chapter 588, signed into law April 21, makes several changes in existing hunting and fishing regulations.

The commissioner of the dept. of natural resources will prescribe a 124-day open season for crow hunting. Private shooting preserves licensed to release pheasants are required to release at least 500 of the birds during the preserve season. The number of pheasants that may be harvested is limited to 95 percent of the release.

The law also extends authority to obtain a turkey license to residents under age 16 if they possess a firearms safety certificate. Nursing home residents are added to the list of residents permitted to fish without obtaining an angling license. Others in that category include state hospital and VA hospital residents and correctional facility inmates.

Special crossbow permits for residents with permanent physical disabilities that prevent them from hunting by archery are available for deer and turkey hunting. There is no fee for the special permit.

The law extends the exemption from obtaining pheasant stamps to hunt on licensed private shooting preserves to preserves in Norman, Becker, Wadena, Cass, Crow Wing, Aitkin and Carlton Counties and areas to the north of the counties.

Under Chapter 588, it will be legal to use electric landing nets when fishing. The nets,



powered by a battery, temporarily immobilize fish so that they may be released with fewer injuries. The batteries used in the nets may not exceed nine volts or produce a current greater than 40 milliamps. The provision also requires the DNR to conduct a study on how the landing nets affect the fishing industry and present the results of the study by January 1, 1990.

A limit of six walleyes per day from the Rainy River is established by the measure. Only one of the walleyes may be over 19-½ inches in length. The Rainy River walleye season is set from the third Saturday in May until April 14. Between March 1 and April 14, a person may take walleye from the river but the fish may not exceed 19-½ inches in length. The law also states that the commissioner of natural resources shall attempt to negotiate an agreement with the province of Ontario to establish a bilateral closure of the Rainy River during the spawning season.

People operating a fish hatchery and raising minnows for sale, stocking or processing must obtain a license. A private fish hatchery owner may not bring fish into Minnesota from another state without the approval of the commissioner of natural resources. The commissioner is authorized to place more stringent requirements on fish or minnows brought into the state than fish or minnows raised in the state. The measure further requires that minnows brought into the state must be processed and not released into public waters.

Landowners may be permitted to aerate public waters if they own all of the land adjacent to the waters and if there is no public access to the lake.

All of the provisions took effect the day after the bill was signed into law on April 21. The measure was sponsored by Senator Charles Berg.

## Interstate banking region expanded

Minnesota's interstate banking region was expanded to include nine more states. Chapter 616, sponsored by Senator Michael Freeman, names Colorado, Idaho, Illinois, Kansas, Missouri, Montana, Nebraska, Washington, and Wyoming as "reciprocating states," or states that have laws, or pending laws, similar to Minnesota's that authorize the acquisition or control of other banks in the region. Two years ago Minnesota named Iowa, North Dakota, South Dakota and Wisconsin as reciprocity states.

Members of the banking industry that supported the law said regional reciprocity improves banks' ability to compete through expansion into new markets and new

regions. Changes in the industry including computerized banking, deregulation of interest rates, banking by mail, money markets and convenience banking at shopping malls, make the industry highly competitive.

Legislators and bank representatives predicted during hearings on the legislation that it may be only five to ten years before the industry moves toward nationwide interstate banking.

## Waste Management Act additions

Several new ways to help mitigate the proliferation of solid and hazardous wastes are presented in Chapter 685, containing changes and additions to the 1980 Waste Management Act.

After June 1, 1989, the state will prohibit the sale or distribution of plastic cans and nondegradable plastic ring connectors for food, beverages and motor oil.

The Waste Management Board gained authorization through the legislation to make loans to waste tire processing businesses for the purchase of land, buildings and equipment for improving facilities and may make loans for equipment used for transporting waste tires to waste tire processing facilities. In addition, grants for studying potential uses for products manufactured from waste tires may be available through the Waste Management Board.

New requirements for the Pollution Control Agency are also contained in the measure. The PCA will adopt rules and establish a program for testing, monitoring and storing incinerator ash. The PCA and incinerator operators must develop plans for methods to reduce the toxicity and quantity of ash. Studies have revealed that ash disposed with garbage in landfills may contaminate groundwater.

Until alternative solid waste disposal facilities in the metropolitan area are developed, the state will continue to

photo by David J. Oakes



Chap. 685 specifies that nondegradable plastic ring connectors for food, beverages and motor oil will be prohibited after June 1, 1989.

dispose of wastes in the traditional manner, using landfills and existing incinerators and will encourage the recycling efforts already in place, but with stricter regulations under the new legislation.

Landfill operators that accept solid waste, ash and construction debris in the metropolitan area are required to file annual documentation of fees charged, any proposed change in the fee structure, and the costs of operation.

Local governments are encouraged to participate in the management of solid waste and the development of recycling programs. Counties that volunteer in the landfill siting process will realize an increase in monthly state aids. Host cities or towns that receive waste for disposal at their local facilities are authorized to charge an additional fee to the current fee on volume of wastes received. The local government may use the added fee for any general fund purpose.

Finally, the measure, sponsored by Senator Gene Merriam, appropriates \$821,300 from the Motor Vehicle Transfer Fund to the Waste Management Board for funding waste tire recycling provisions and \$238,500 will be transferred from the MERLA fund to the PCA for a property transfer program. Transferred lands may be used for waste disposal facilities.

## Higher stands for fall hunting

Deer hunters will have the option of placing their deer stands up to 16 feet above the ground, under Chapter 587. Prior to the new law, constructed platforms used in deer hunting were limited to placement no higher than nine feet.

The law, sponsored by Senator LeRoy Stumpf, also restricts the placement of waterfowl decoys to no earlier than one hour before lawful shooting hours. Decoys may not be left on public waters between sunset and one hour before lawful shooting hours.

## Funding for highways and transit

A three cent per gallon gas tax increase and a general fund transfer of 30 percent of funds collected through the Motor Vehicle Excise Tax is the highway and transit funding package developed by the legislature this session. Senator Clarence Purfeerst was the legislation's chief sponsor. Chapter 603, signed into law April 23, raised the gas tax from 17 cents to 20 cents per gallon beginning May 1. Special train and barge fuels were raised to 17 cents per

gallon with passage of the measure. Other revenues are raised through the imposition of alternate fuel permits.

Money collected through the taxes and fees will be deposited in the state general fund and 30 percent of funds raised will be distributed to the Highway Fund and to the Transit Assistance Fund.

The new funding package also establishes a Transportation Study Board to examine Minnesota's surface transportation needs into the 21st century and make recommendations for improved methods for meeting those needs. Under consideration by the board will be present state policies, goals and objectives, present levels of service, future alternate services, planning, regional transportation needs, cost effectiveness of programs, procedures for bid-letting, and finally, feasible sources of future revenues to fund Minnesota's transportation and transit needs.

Also included in the law is a repeal of the "trigger tax," a contingency tax that would have automatically increased individual and corporate income taxes if the state's budget reserve fell below \$150 million. The trigger tax was part of the 1987 tax law.

## Repeal of discounting of future damage awards

The controversial law that requires the court to discount jury damage awards was altered during the 1988 session. The new law, Chapter 503, authored by Senator Allan Spear, repeals the mandatory discounting provision, deletes the minimum statutory interest rate of eight percent on verdicts, and requires a hearing for awards of more than \$100,000. In addition, the new law spells out the factors that may be considered at the hearing. Among those factors are: the claimant's financial ability to meet obligations likely to be incurred as a result of the injury; the advantages, if any, to the claimant from voluntarily entering into a structured settlement; and the interests of the claimant in self-determination over the claimant's financial affairs.

The new law also alters provisions relating to joint and several liability in cases arising from pesticide control, water pollution control, waste management, environmental response and liability, leaking underground storage tanks, pipeline safety, public nuisance law for damage to the environment or the public health. In those cases, a person whose fault is 15 percent or less is liable for a percentage of the whole award no greater than four times the percentage of fault. In the case of the state or a municipality, if the fault is less than 35 percent, the state or city is jointly and severally liable for a percentage of the whole award no greater than twice the

amount of fault. Finally, the new law requires a legislative commission to study the civil justice system and current and alternative methods of compensating injured persons. The commission must report to the legislature by January 1, 1990.

## 1854 Treaty agreement

One of the outcomes of the 1988 Legislative Session was the agreement between the state of Minnesota and the tribal governments of three bands of Chippewa Indians. The governments have bound themselves to an agreement that has mutual benefits.

Chapter 525, signed into law April 14, ratifies and affirms an amendment to an 1854 treaty between the federal government and the Lake Superior Chippewa Indians. Under the original treaty, the Indians ceded ownership of lands in Minnesota and portions of surrounding states to the federal government. In return, the Indians retained rights to hunt and fish in the ceded lands and kept ownership of parcels of reservation land. They also received money, household and agricultural implements and other goods from the government. Since that time, the federal government has informally shifted responsibility for adherence to the treaty and negotiations with the Indians to state governments.

Disputes and questions over the hunting and fishing rights came to a conclusion in 1985 following a lawsuit against the state by members of the Grand Portage Band. The individuals involved were putting into practice their long-held rights to hunt, trap and fish free of state regulation on all public and private land in the ceded territory. The Dept. of Natural Resources was concerned about the potential adverse impacts on fish and wildlife populations and the state's growing tourism industry.

The Indians' lawsuit, scheduled for trial in 1987, was being financed by the federal government. Prior to the trial, the Indians agreed to negotiate for a settlement which is affirmed in the legislation.

Under the new law, the Bois Forte, Fond du Lac and Grand Portage Bands of Northeastern Minnesota agreed to give up most of their exclusive hunting and fishing rights and to abide by the rules and regulations of the Dept. of Natural Resources. Exceptions to the agreement are: the Grand Portage Band members will be permitted to fish commercially and use gill nets for subsistence fishing in areas of Lake Superior adjacent to the reservation; use of gill nets by Indians will be allowed in the St. Louis River next to the Fond du Lac Reservation and in those portions of Lake Vermillion adjacent to the Vermillion Reservation. In return, the bands will receive a combined annuity of \$5 million





**Chap. 696 contains a number of changes in the laws relating to parimutuel taxes. As a result, purses will be larger and taxes will be reduced for Canterbury Downs. Legislators believe that the changes will aid one of Minnesota's newest industries, horse racing.**

for an indefinite period of time. The legislation contains an arbitration clause for the settlement of disputes.

DNR spokespersons, tribal leaders, mediators and sponsoring legislators said the agreement will protect the state's resources and prevent ill will between Indians and non-Indians. Similar lawsuits that have been addressed in state and federal courts have upheld the hunting and fishing rights contained in treaties. The measure was sponsored by Senator Douglas Johnson.

## Divorce and custody laws

Another avenue to track down individuals who are delinquent in their child support payments is made available under Chapter 668. The law states that, upon written request from an agency responsible for child support enforcement, employers and utility companies who do business in Minnesota must provide information regarding individuals who owe—or are thought to owe—a duty to support. Utility companies may only release information regarding place of residence; employers may release information regarding place of residence, employment status and wage information. Reasonable cause to believe that the person is or was an employee must exist.

In addition, the law, sponsored by Senator Linda Berglin, amends the medical support statute by providing that the remedies available for the collection and enforcement

of child support also apply to medical support. Child support guidelines are altered to include group health coverage in the monthly expenses deducted to determine net income.

The law also expands the section dealing with grandparents' visitation rights to include all family court proceedings, rather than just marriage dissolution cases. The court may, upon request, grant reasonable visitation rights for grandparents to the unmarried minor child.

Other provisions dealing with custody include ordering the courts to grant certain rights to each of the parties, provided that granting them does not threaten the welfare of one of the parties or the child. Included in the rights are access to and copies of school, medical, dental, religious training, and other important records about the minor child. Each party must keep the other informed as to the name and address of the minor child's school. Each party has the right to reasonable access and telephone contact with the child. Each party must notify the other in the case of an accident or serious illness of the child, and give the other information regarding the name of the health care provider and the place of treatment.

In addition, the law provides that a court may reopen a judgement or decree, except for the provisions dissolving the marriage, declaring an annulment, or directing a legal separation. A new trial may be ordered for a variety of reasons, including mistake, inadvertence, surprise, or excusable

neglect; newly discovered evidence which by due diligence could not have been discovered in time to move for a new trial under the rules of civil procedure; or fraud, misrepresentation, or other misconduct of an adverse party.

## Affirmative action in Northern Ireland encouraged

The State Board of Investment, under Chapter 687, is encouraged to promote a policy of affirmative action in Northern Ireland among the corporations in which the board has invested. However, the statute also specifically states that nothing in the law may be construed to require the state board to dispose of existing investments or to prohibit future investments.

The new law, sponsored by Senator Jerome Hughes, requires that the state board each year compile a list of corporations that do business in Northern Ireland, either directly or through a subsidiary, in which the board has invested. The board must then determine whether each corporation has taken affirmative action during the preceding year to eliminate religious or ethnic discrimination in Northern Ireland.

To make this judgement, board members must consider whether the corporation has taken substantial action to achieve a variety of goals, including increasing representation of persons from underrepresented religious groups at all levels in its workforce;

providing adequate security for employees who are members of minority religious groups; publicly advertising all job openings and making special recruiting efforts to attract applicants from underrepresented religious groups; and appointing senior management employees to oversee affirmative action efforts.

The language pertaining to affirmative action simply states that, whenever feasible, the board shall sponsor, cosponsor, or support shareholder resolutions designed to encourage corporations to pursue an affirmative action policy.

## Laws regulate HMOs

In 1987, the majority of health maintenance organizations (HMOs) in Minnesota saw red. Eight of the eleven HMOs in the state lost money, with Physicians Health Plan (PHP) suffering the largest loss. The financial struggles of Minnesota HMOs included a collective loss of \$22.8 million on revenues of just over a billion. The state also suffered from the insolvency of two HMOs—Health Partners in Eden Prairie and the MORE HMO Plan in Virginia. Additionally PHP, Share, HMO Minnesota, and MedCenters dropped health coverage in 28 rural counties.

As a response to the financially weak state of HMOs, three major pieces of consumer protection legislation for HMO enrollees made their way through the legislature after extensive debate and compromise and were signed into law by the governor.

Chapter 592, carried by Senator Linda Berglin, specifies HMO disclosure statements to inform enrollees of their rights, modifies the enrollee bill of rights, places disclosures requirements on marketing material, requires written explanations on denial of service to enrollees, and requires coverage for certain services already provided. The law also requires HMOs to establish a telephone number for providers needing information on enrollee coverage and specifies time limits by which an HMO must get back to the provider with the requested information.

Requiring HMO's to notify the enrollees 90 days in advance of cancellation and requiring replacement coverage in the event of insolvency is contained in Chapter 434, carried by Senator James Pehler. According to the authors, Pehler and Representative Clair Nelson, the extended notification requirements will give the state the ability to intervene and resolve differences whenever possible, and will give HMOs more time to arrange replacement coverage. Under the law, HMOs are prohibited from giving



**Enrollees of health maintenance organizations gained added protections under three new laws this year. All three are designed to deal with the financial struggles HMO's are experiencing by providing more information to consumers, requiring financial reserves and providing for replacement services.**

cancellation notice to enrollees until a replacement coverage policy is filed with the commissioner of health and either approved or disapproved by the commissioner. If approved, the cancellation notice to enrollees shall clearly and completely describe the replacement coverage and explain the procedures for enrolling. If the commissioner does not approve the replacement coverage, the cancellation notice shall inform the enrollees that they are eligible to enroll in the state comprehensive insurance plan. The new law also increases the state comprehensive health plan liabilities in the event a member terminates coverage.

Additionally, the measure allows for mediation of disputes about HMO agreements.

Chapter 612, authored by Senator John Brandl, changed form many times as the bill made its way to the governor. Under the law, HMOs are forced to build up financial reserves to insure solvency. Specifically, the law establishes net worth requirements for beginning and existing HMOs; requires a deposit by beginning and existing HMOs to demonstrate financial soundness and responsibility to enrollees; imposes investment and loan restrictions and requires the HMO board of directors or a committee supervising investments and loans to authorize any investments or loans made by the HMO; requires HMOs to submit quarterly unaudited financial statements to the health commissioner; outlines procedures for providers in the event of a late payment by HMOs; regulates the rehabilitation and liquidation of financially tenuous HMOs; and provides alternative coverage, not to exceed 80 percent of the premium previously paid by the enrollee, by the Minnesota Comprehensive Health Association in cases of HMO insolvency.

## Tax Increment and special service district changes

The tax law also contains changes in certain public financing programs. Stricter regulations for municipalities using Tax Increment Financing (TIF) are enacted. TIF as a financing tool is limited to urban towns located in the metropolitan area and having a population of more than 5,000.

Procedures for the establishment of special service districts are included in the law. Special service districts are established in Robbinsdale and in White Bear Lake and two districts are established in Minneapolis under the measure.

Also under the measure, Chap. 719, the budget reserve is set at \$265 million and there is a requirement that revenue surpluses will be deposited in the fund until it reaches \$550 million.

## State Departments omnibus legislation

Passing by only one vote in the Senate, the controversial State Departments omnibus bill appropriates \$24 million to state agencies.

Among the largest appropriations are \$6.4 million to alleviate health insurance cost overruns for public employees; \$1.2 million for the renovation of the beluga whale



water and filtrating system at the Minnesota Zoo; \$1 million to provide grants to local communities for community improvement activities as a part of the Celebrate Minnesota 1990 program; \$1.2 million for cash bonus payments to members of the Minnesota National Guard who have served satisfactorily as an active member during 1988; \$1 million for tuition reimbursements for members of the Minnesota National Guard; and \$800,000 to the city of St. Paul to pay the principal and interest due on bonds issued for remodeling and refurbishing the Como Park conservatory.

The bill also authorizes the city of St. Paul to issue additional general obligation bonds up to \$5 million to further remodel and refurbish the Como Park conservatory. Another provision of the bill authorizes the suburban Hennepin regional park district to acquire land for a regional park on Lake Minnetonka, without local consent, in order to serve the open space needs of metropolitan area citizens.

Some of the smaller appropriations in the new law, Chapter 686, include \$220,000 to restore the leaking dome under the Capitol roof; \$150,000 for the review and site selection of the International Wolf Center; \$150,000 for a demonstration project of up to ten units under the Housing Grants for Homeless Individuals Program; \$50,000 for the Community Services and Volunteer Initiatives Program to begin developing and promoting school-community service; \$50,000 to support statewide handicapped arts organizations; and \$8,000 to rehabilitate the Norris Tower picnic site on the Red Lake Wildlife Management Area.

## Bias crimes reporting

Peace officers are required to report to the head of their department any violations they believe are motivated by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation, and a special report on the violation must be filed, under Chapter 643.

In addition, the Peace Officer Standards and Training Board must develop a training course to assist peace officers in identifying and responding to these bias crimes. After August 1, 1990, the training will be a requirement to become a licensed peace officer.

The superintendent of the bureau of criminal apprehension must adopt a reporting form to make the reports regarding bias crimes. The reports must include: the date and location of the offense; whether the target of the offense is a person, private property, or public property; the crime committed; the type of bias and information about the offender and the victim that is relevant to that bias; any

organized group involved in the incident; the disposition of the case; and any additional important information.

A separate monthly report describing these crimes must be filed with the Dept. of Public Safety, Bureau of Criminal Apprehension. The commissioner of the dept. of public safety will then file an annual report with the Dept. of Human Rights and the legislature. The new law was sponsored by Senator Allan Spear.

## Education funding

The open enrollment options plan will be expanded to include all districts with more than 1,000 pupil units in 1989-1990, and all remaining districts beginning in 1990-1991, under Chapter 718. Although districts may refuse to allow nonresident students to attend its schools, they may not prohibit resident students from attending schools in other districts. Special provisions are made for districts to deny applications based on capacity or integration guidelines.

Another key provision in the legislation addresses the question of American Indian students. The law states that the legislature recognizes the unique educational and culturally-related academic needs of American Indian people. School boards of districts in which ten or more American Indian children are enrolled must actively recruit American Indian teacher applicants. The law also directs that \$50,000 of the appropriation for fiscal year 1989 be used for scholarships for students enrolled in teacher preparation programs. In addition, the State Board of Education is mandated to,

with the advice of the Minnesota Indian Scholarship Committee, develop a scholarship program for American Indian people to become teachers.

Another provision in the statute requires the commissioner of the dept. of education to develop, and each district to have, a program to prevent and reduce the risk of Acquired Immune Deficiency Syndrome (AIDS). Minimum requirements for the programs include: planning materials, guidelines and other technically accurate and updated information; a targeting of adolescents, especially those who may be at high risk, for prevention efforts; involvement of parents and other community members; and collaboration with local community health services, agencies and organizations that have an AIDS prevention or risk reduction program.

In addition, the statute requires that districts must provide, upon request, an educational program enabling a pregnant minor or a minor custodial parent to earn a high school diploma. The Dept. of Education will develop program designs and provide districts with technical assistance.

Other parts of the law give two years free admission to a public secondary school for eligible people over age 21 and extend the compulsory attendance age from 16 to 18, effective with the 2000-2001 school year.

The measure sets the general education mill rate for fiscal year 1990 at the rate that will yield \$1,100,580,000. The basic transportation levy for that year will be at the mill rate that will yield \$72,681,200. The

photo by David J. Oakes



Chap. 686, the omnibus state departments appropriations law contains an appropriation of \$150,000 for the review and site selection of the International Wolf Center.

bill sets the formula allowance for fiscal year 1989 at \$2,755; for 1990, the allowance is set at \$2,800.

Other appropriations in the law include integration grants for Duluth, Minneapolis, and St. Paul, and funding a special education deficiency.

## Seat belt fine takes effect

"A good idea is now the law"—and now there's a fine involved.

Under Chapter 648, Minnesota motorists will be fined \$10 for failure to wear seat belts. Minnesota has had a mandatory seat belt law since 1986 but attempts to add a fine to the law were unsuccessful until this legislative session. The law states that citations for seat belt violations may only be given as a secondary offense such as when a motorist is stopped for a moving violation.

Drivers may be fined, not only for their own seat belt violations, but for allowing children under age 15, and other people's children under 11, to not wear seat belts. Front seat passengers over age 15 may also be fined, independent of the driver of the vehicle, for failure to buckle up.

Funds raised through the fine will be distributed to a rural Emergency Services Relief Account to equip and train ambulance staff. Senator Don Frank, chief sponsor of the measure, predicted that \$750,000 will be raised annually through the fine.

The law took effect May 1.

## Forfeiture of property used in a crime

Chapter 665, carried by Senator Michael Freeman, gives law enforcement officers expanded powers over seizure and forfeiture of property used in commission of a crime, proceeds of crime, and contraband. The law eliminates the requirement of a conviction before a court can order the forfeiture of property in drug-related crimes. It also relaxes standards necessary to obtain forfeiture.

The law provides that all controlled substances manufactured, distributed, dispensed or acquired illegally are subject to forfeiture, as well as all "associated" property—property that has been used or is intended for use to facilitate the making, transporting, or exchanging of illegal controlled substances.

The law provides for some exceptions to forfeiture of associated property. A conveyance device (usually a motorized vehicle or boat) is subject to forfeiture only if the retail value of the controlled substance

is at least \$500. For forfeiture of real property, the retail value must be at least \$5,000. Other exceptions revolve around the degree of involvement and knowledge of the owner of the property of the use or intended use of the property.

In addition, the law provides for the forfeiture of property associated with designated offenses, which are basically all non-drug related felonies. All personal property is subject to forfeiture if it was used or intended for use to commit or facilitate a designated offense. All money and other property, both real and personal, that represent proceeds of a designated offense are also subject to forfeiture. The law provides exceptions for forfeiture of property based on the owner's knowledge of and involvement in the designated offense.

The law also specifies what property is subject to administrative forfeiture— forfeiture without a judicial hearing—in connection with a controlled substance. Included is all money, precious metals, and precious stones found in proximity to controlled substances, forfeitable drug manufacturing or distributing equipment or devices, or forfeitable records of manufacture or distribution of controlled substances; and all conveyance devices containing controlled substances with a retail value of \$500 or more. Within 60 days following service of a notice of seizure, a claimant may file for a judicial determination of the forfeiture.

Another key provision of the law alters the formula for distribution of seized money or proceeds from the sale of forfeited property. Under the Chapter, 70 percent will go to the appropriate agency, usually the law enforcement agency; 20 percent will be allocated to the county attorney or other prosecuting agency; and 10 percent to the Crime Victim and Witness Account.

## Campaign financing

Candidates whose opponents do not agree to voluntary campaign spending limits necessary to receive a public subsidy are no longer bound by the limits and may still receive public financing, under Chapter 707.

Eligible candidates can only receive a public subsidy if they agree to be bound by campaign spending limits. Any candidate who does not agree to the limits is not eligible for the funding. Under the new law, however, a candidate who has agreed to the limits does not need to abide by them, and may still receive a public subsidy, if the candidate's opponent does not agree to the limits.

The law also requires that contributions made to a candidate or principal campaign

committee by individual members of a political fund or committee that are solicited by that fund or committee be reported as attributable to that fund or committee.

Supporters of the measure, sponsored by Senator Don Frank, claim that it will encourage all candidates to abide by the limits; opponents say that it unfairly favors incumbents.

## DWI laws

Repeat DWI offenders must surrender the registration plates and registration certificate of any motor vehicle they own, or have registered or leased, if their license or driving privileges are revoked due to violations of the DWI laws, under Chapter 681. The law applies to offenders upon their third violation within five years or their fourth violation within ten years.

The court must issue the impoundment order when the driver appears in court, either on a criminal charge or on a civil driver's license matter arising out of the incident that led to the most recent license revocation, whichever hearing comes first. If no criminal or civil license matter is initiated in court, the attorney general may request an impoundment order.

Also subject to impoundment are vehicles registered or leased jointly in the name of the violator and the violator's spouse, and any vehicle involved in the incident if the owner was a passenger at the time of the violation and knew or should have known of the revocation.

No new registration plates may be issued to the violator or owner until the driver's license is reissued or reinstated. Under certain conditions, however, the commissioner of the dept. of public safety may authorize issuance of special plates if the court that impounded the vehicle's plates gives written approval.

At any time during the effective period of the impoundment order, a person may request that the commissioner of the dept. of public safety review the order. As a result of this review, the commissioner may authorize the issuance of new registration plates and a registration certificate at no cost if the owner's driver's license or driving privileges were not revoked under the DWI laws and the owner of the vehicle was not a passenger at the time of the violation. If the revocation that is the basis of the impoundment is rescinded, the registrar of motor vehicles will issue new registration plates and a registration certificate for the vehicle at no cost.

In addition, the law requires that the commissioner of public safety monitor and evaluate the implementation and effects of





Thousands of veterans demonstrated February 18 on behalf of a proposal to return control of the state's veterans homes to the Department of Veterans Affairs. Chap. 699 transfers control back to the department and establishes a new board of directors to govern the homes.

the registration plate impoundment and submit a report containing findings and recommendations to the legislature by January 1, 1990.

The law also makes it a gross misdemeanor for anyone to use the name and birth date of another person to any police officer to try to falsely identify themselves.

Also under Chapter 681, carried by Senator Allan Spear, the Dept. of Public Safety is mandated to study the use of ignition interlock devices in other states and report its findings to the legislature by January 1, 1989. Ignition interlock devices are breath alcohol ignition equipment designed to prevent the operation of a motor vehicle by someone whose alcohol concentration level exceeds a designated level.

## Veterans home governance altered

Chapter 699 returns control of the Minnesota veterans' homes from the Dept. of Human Services to the Dept. of Veterans Affairs, but creates a new board of directors

to govern the homes. The law, carried by Senator Joe Bertram, Sr., is a response to health violations which prompted Governor Rudy Perpich, during the 1987 summer, to transfer control of the homes.

The board is composed of nine voting members appointed by the governor with the advice and consent of the Senate. The members are: one chair; three public members experienced in policy formulation with professional experience in health care delivery; and five members with experience in health care who are members of congressionally chartered veterans organizations. The chairs of the Senate Veterans Affairs Committee and the House General Legislation, Veterans Affairs, and Gaming Committee serve as ex officio, nonvoting members if they are veterans. If not, the chair may designate any member of the committees who is a veteran to serve on the committee. The commissioner of the dept. of veterans affairs also serves as an ex officio, nonvoting member.

The board determines policy and adopts, amends and repeals rules for the

governance of the homes. It must also report quarterly to the governor on the management, operations and quality of care provided at the homes.

The law provides for the commissioner to appoint a deputy commissioner for veterans services. In addition, the members of the board may choose to appoint a deputy commissioner for veteran health care. If appointed, the deputy commissioner for veteran health care would be the administrative head of the veterans homes and act as an advisor to the board, preparing and recommending policies and rules for governance of the homes. If the board does appoint a deputy commissioner, the deputy commissioner must appoint an administrator for each of the veterans homes. If the board chooses not to appoint a deputy commissioner, then the board must appoint administrators for each of the homes.

Other provisions in the measure direct the board to develop a geriatric research and teaching mission for the homes in collaboration with the Veterans Administration and other medical education and allied health facilities. The board will use a case-mix system to assess the quality of care at the homes and will also adopt a preadmission screening program for all applicants for admission who may require nursing or boarding care.

## Child care task force

Chapter 439, sponsored by Senator James Pehler, establishes a task force on child care in higher education. The mission of the task force is to determine the goals of child care in higher education in relation to existing child care programs, to study and select strategies and mechanisms for the state to use in achieving those goals, and to make recommendations to the legislature for short-term and long-range policy development.

The task force must make a set of recommendations to the Higher Education Division of the Senate Education Committee and the Higher Education Committee of the House by January 15, 1989.

Members of the task force must include one student member from each system represented on the Student Advisory Council and one faculty member or administrator from each system represented on the Higher Education Advisory Council. Both councils have members representing the University of Minnesota, the State University System, the Community College System, the State Board of Vocational-Technical Education, the private proprietary schools, and the Private College Council. The governor will appoint the members.

# Session Law Summaries

## Agriculture

### **Anhydrous ammonia sale regulation**

**Chap. 448-H.F. 2469** Provides that anhydrous ammonia may be sold at the retail level to any buyer using a temperature correctable liquid meter. Effective date: August 1, 1988. OLSON, E., STUMPF.

### **Debtor eligibility clarification**

**Chap. 474-S.F. 1622** Clarifies debtor eligibility for mediation under the farmer-lender mediation act by declaring that it is and has been the intent of the legislature 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. Reduces the time restriction from 100 days to 90 days for beginning or continuing proceedings to enforce debts against agricultural property after debtor filing of a mediation request. Effective date: April 8, 1988. STUMPF, SPARBY.

### **Diseased livestock penalties**

**Chap. 485-H.F. 2018** Alters, clarifies or imposes penalties for violations relating to diseased livestock under the jurisdiction of the Board of Animal Health. Imposes civil liability for illegally transporting livestock. Prohibits a veterinarian who is an agent or representative of the board or another public official from suggesting, recommending, or trying to influence or persuade the owner of an animal affected with a disease listed in statute to sell, barter, exchange, ship, or otherwise dispose of the animal to a particular person, firm, association, or corporation. Grants inspection and judicial and administrative enforcement authority to the board. Authorizes the board to delegate authority to the executive director to act on behalf of the board. Authorizes the court to allow recovery for damages against the state for administrative actions without cause. Imposes civil or criminal penalties for violations, provides for defense, and provides for the recovery of penalties, litigation costs and expenses. Eliminates the authority of board law compliance representatives to stop trucks hauling livestock for health certificate or permit inspection purposes. Effective date: August 1, 1988. DILLE, BERG.

### **Farm machinery exemption from attachment**

**Chap. 490-H.F. 2422** Allows farm machinery exemptions from attachment for partnerships of married or related persons. Removes a restriction on the exemption of employee benefits from execution or redemption. Effective date: April 13, 1988. SIMONEAU, COHEN.

### **Payment by successors to farm implement retailers**

**Chap. 502-S.F. 2384** Provides for payment to farm implement retailers by successors in interest of the manufacturers, wholesalers or distributors repurchasing stock or inventory. Increases the percentage of payment required on repair parts. Defines successor in interest. Effective date: April 13, 1988. SCHMITZ, SPARBY.

### **Agricultural society membership expansion**

**Chap. 522-H.F. 2022** Expands the membership of the State Agricultural Society to include representation of the Minnesota Dairy Goat, Minnesota Hampshire, Minnesota Suffolk and the North American Dairy Sheep Associations. Effective date: August 1, 1988. LASLEY, DAVIS.

### **Limitation on agricultural land ownership by corporations**

**Chap. 610-H.F. 2041** Authorizes the commissioner of agriculture to convey interests of the state to correct legal descriptions of conservation easement boundaries. Limits ownership of agricultural land by corporations and limited partnerships and provides exemptions. Modifies the definition of authorized farm corporation. Defines family farm partnership and authorized farm partnership. Prohibits the expansion of agricultural land owned by authorized farm partnerships. Subjects limited partnerships to the same reporting requirements as corporations and pension or investment funds. Subjects corporations, limited partnerships and pension and investment funds to a civil penalty for failure to file reports and provides exceptions. Effective date: May 1, 1988. BROWN, DAVIS.

### **Minnesota Agricultural and Economic Development Board provisions**

**Chap. 615-H.F. 2568** Provides for terms, compensation, removal and filling of vacancies of public members of the Minnesota Agricultural and Economic Development Board. Authorizes a designee of the president of the

Greater Minnesota Corporation as a member. Modifies and clarifies small business development loan provisions under the Agricultural Resource Loan Guarantee Program. Provides for an exemption from the loan limit and for special assistance for revenue producing enterprises under specific conditions. Requires a resolution of the Agricultural Resource Loan Guarantee Board. Provides a set-aside amount for certain small business development loans and provides for a sunset provision. Authorizes cities, counties and tribal councils to use any unencumbered money in the general fund of the unit to establish local revolving loan funds for rural development purposes. Restricts the use of revenues from tax increments. Effective date: Various dates. OLSON, K., BECKMAN.

### **Family farm security provisions**

**Chap. 672-S.F. 2255** Extends the eligibility and option periods for reduction of the outstanding principal loan amount under the family farm security program for additional state payment qualification purposes. Eliminates specific additional payment calculation requirements. Classifies specific financial information regarding family farm security loans received or prepared by the commissioner of agriculture as private data. Effective date: April 27, 1988. VICKERMAN, WINTER.

### **Omnibus agriculture bill**

#### **Chap. 688-H.F. 1000 Article I-Minnesota agricultural products**

Requires the commissioner of administration to encourage and make a reasonable attempt to identify and purchase food products grown in the state. Requires a biennial report to the legislature. Requires the commissioner of agriculture to investigate the use of agricultural products to discern the opportunity for expansion of market share by agricultural producers and report to the legislature.

**Article II-Rural Health and Safety Program** Provides for funding to the Minnesota Extension Service to develop and implement an ongoing program for rural health and safety. Specifies program goals.

**Article III-Dairy task force** Establishes the Minnesota Dairy Task Force to increase herd production efficiency, reduce production input costs, increase dairy farm profitability and establish long range industry goals, objectives and achievement strategies. Specifies membership and duties. Requires the task force to develop pilot projects. Requires a report to the legislature and sets a sunset date.

**Article IV-Minnesota grown label** Authorizes the commissioner of agriculture to develop Minnesota grown labeling statements applying to specific marketing or promotional needs. Requires one version to identify organically grown food products and clarifies other requirements for use of the label.

**Article V-Soil test laboratory certification** Requires the commissioner of agriculture to establish a program to certify the accuracy of analyses from soil testing laboratories and to promote standardized procedures and analytical results. Requires the commissioner to institute a check sample system requiring laboratories to be certified to analyze at least four multiple soil check samples during the calendar year. Specifies laboratory reporting and commissioner data compilation requirements. Requires the commissioner to establish soil or plant analyses reporting standards. Requires conformity with regional or national uniform standards. Authorizes commissioner denial, suspension or revocation of certification if the commissioner determines that analysis being performed by a laboratory is inaccurate. Specifies certification fees. Requires the commissioner to adopt rules and sets forth consultation requirements.

**Article VI-Grain marketing** Requires the commissioner of agriculture to establish a program for the periodic review of protein analysis grain test, test weight, moisture test equipment and test equipment operators. Specifies review requirements. Requires posting of review conclusions. Requires the commissioner to arrange for follow-up review. Authorizes requests for the commissioner to schedule reviews. Exempts the state from liability for losses resulting from erroneous tests.

**Article VII-By-Product soil buffering materials** Establishes an industrial by-product soil buffering materials demonstration project and study to identify appropriate and mutually beneficial methods for use of the materials by farmers. Requires the commissioner to coordinate the design and implementation of the project. Requires the project to identify and recommend procedural standards for the sampling, analysis, total neutralizing power labeling storage, stockpiling, transportation and application of the materials. Requires TNP labeling standards to be



established by March 1, 1989 and provided to the landowner or tenant prior to land application or stockpiling. Requires the commissioner to seek broad participation to maximize the public education benefit of the project. Authorizes the commissioner to sample, inspect, analyze and test materials used in the project to determine suitability for the project. Sets forth property access provisions and requires commissioner to provide property owners, operators or agents with sample receipts and analysis results. Authorizes emergency inspections without notice if a suspected incident involving industrial by-product soil buffering materials may threaten public health or the environment. Requires commissioner reports to the legislature and sets a sunset date of June 30, 1991. Specifies that the provisions do not apply to industrial by-product soil buffering material produced at a facility if the U of M, North Central Experimental Station had conducted a study of the material at that facility.

**Article VIII-Organic certification** Requires the commissioner of agriculture to designate one or more organizations made up of organic food growers, manufacturers, or sellers, to certify organically grown seeds, products and food. Requires certification fees. Provides that an organic certification agency may not refuse services or certification to a person whose seed, production, and food meet certification requirements and who has paid membership dues and certification fees. Authorizes the organizations to draft rules for submission to the commissioner for program implementation purposes.

**Article IX-Crop Hail insurance rate filing** Requires crop hail insurers to file rates with the commissioner of commerce by April 1 of the year of policy issuance.

**Article X-Rural Finance Authority** Allows the Rural Finance Administration to participate in seller sponsored loans to beginning or reentering farmers. Defines seller sponsored loan. Increases state participation limits in beginning farmer loans, specifies limits for seller sponsored loans and provides for payment. Decreases the farm management program borrower participation requirement. Authorizes the authority to acquire, hold and dispose of real property for corporate purposes and to allow farmers to combine authority with the federal Agriculture Credit Act of 1987.

**Article XI-Interest rate buy-down** Extends eligibility for the farm operating loan interest rate buy-down program to farmers if the farmer has a loan balance with a lender under the Federal Guaranteed Operating Loan Program with the Interest Rate Buy-down Program administered by the FmHA between the dates January 1, 1987 and December 31, 1988 and complies with the remaining provisions of law. Authorizes the commissioner of agriculture to pay the last half of the buy-down amount to the lender after request for final payment.

**Article XII-Extension of deadline for seed potato standards** Extends the effective date for application of seed potato standards to January 1, 1990.

**Article XIII-Agricultural contract task force** Requires the commissioner of agriculture to establish an advisory task force to determine the feasibility of changing or developing programs to provide economic protection for farmers producing commodities under contract to bankrupt or insolvent businesses. Specifies membership. Requires the commissioner to report to the legislature.

**Article XIV-Dry edible beans** Expands the definition of grain under the grain buyers and storage acts to include dry edible beans. Requires the grade of dry edible beans on grain warehouse receipts. Prescribes procedures for the delivery of dry edible beans from grain warehouses. Specifies a delivery charge limit. Authorizes redetermination by rule of the commissioner of agriculture. Specifies warehouse operator dry edible bean grading duties.

**Article XV-Sustainable agriculture loans and grants** Requires the commissioner of agriculture to establish a shared savings loan program to provide loans to farmers to adopt sustainable agriculture practices and for grants to farmers for demonstration projects involving sustainable agriculture.

**Article XVI-School Milk Program** Establishes a program to provide milk to kindergarten students in public and nonpublic schools. Requires the commissioner of education to encourage school district participation, prepare program guidelines and to reimburse participating districts for the state share of the cost of providing the milk.

**Article XVII-Degradable plastics** Prohibits the use or sale of nondegradable polyethylene beverage rings after January 1, 1989. Prohibits government purchase and use of polyethylene disposal bags that are not degradable after July 1, 1990. Establishes an advisory task force on degradable plastics as part of the rural development board to study the feasibility and consequences to requiring degradable industry and consumer products. Requires a report to the legislature.

**Article XVIII-Ethanol development** Authorizes ethanol plants in production or under construction by January 1, 1990, to continue to receive

uninterrupted payments of at least 20 cents per gallon of ethanol produced until July 1, 2000.

**Article XIX-Livestock report deadline** Extends the deadline for the low livestock productivity report to the legislature to August 1, 1989.

**Article XX-Laboratory services account** Establishes a laboratory services account in the state treasury. Requires payments for laboratory services performed by the laboratory services division of the Dept. of Agriculture to be deposited in the state treasury and credited to the laboratory services account.

**Article XXI-Appropriations** Transfers unencumbered funds from a prior appropriation for the interest rate buy-down program to the commissioner of agriculture to contract for an investigation and report on the use of state agricultural products and opportunities for expanded markets, organic food certification and enforcement for promoting and marketing Minnesota Grown certified organic food, a bluegrass seed and turf production programs, an alfalfa extraction pilot plant, sweet sorghum research and demonstration projects, for loans to farmers to adopt sustainable agriculture practices and grants for sustainable agriculture demonstration projects, to the Minnesota Extension Services for the rural health and safety program, to the commissioner of agriculture for the Dairy Task Force for Minnesota Grown coupons to women, infants and children program recipients, Minnesota Grown labeling statements, soil test laboratory certification, plant pest survey and pesticide application information dissemination program, grain marketing, by-product soil buffering, an amaranth processing feasibility study, soil and water stewardship education, degradable plastics study, the school milk program, for grants to farmers to eradicate purple loosestrife, for full funding for state aid to county and district agricultural societies and associations and to the State Board of Vocational Education for grants to technical institutes and school districts to provide educational programs for beginning farmers and to the commissioner of agriculture for farm advocate participation in the mediation program. Effective date: Various dates. KRUEGER, DAVIS.

#### **Agricultural land provisions**

**Chap. 700-S.F. 1742** Requires sellers to provide written notices of farm homestead sales to immediately preceding former owners. Authorizes former owners to purchase or lease the property and sets forth requirements. Clarifies the definition of time-price offer relating to agency or corporate disposal of agricultural land. Exempts state participation in an offer to a third party through the Rural Finance Administration from the equivalent cash offer requirement. Exempts purchases and leases from preceding former owners from the equivalent cash offer requirement. Permits a preceding former owner to convey to the state, federal agency or corporation owning the agricultural land or to persons to whom the agricultural land has been transferred the right to receive an offer to buy or lease the previously owned land. Authorizes a rescinder. Prohibits the preceding former owner from selling agricultural land acquired by an offer if the arrangement of the sale was negotiated or agreed to prior to the former owner accepting the offer. Provides an exception, penalty and liability for damages for violation. Creates a rebuttable presumption in a sale by the former owner within 180 days of acceptance of the offer. Changes the continuing effect of farmer-lender mediation rules. Requires farm products buyers to take free of a farm products statutory lien and clarifies conditions for taking subject to statutory liens. Exempts commission merchants and selling agents from farm products statutory liens. Sets forth lien notice requirements. Specifies that proceeds from farm products subject to lien. Authorizes the secretary of state to adopt forms and specifies requirements. Provides for appraisals for disputed market value of real property. Repeals a law relating to food handler license fee and penalty increases. Effective date: Various dates. BERG, SPARBY.

## **Commerce**

#### **Thanksgiving eve day off-sale hours**

**Chap. 420-H.F. 1732** Authorizes off-sale intoxicating liquor sale hours until 10:00 p.m. on Thanksgiving eve day. Effective date: August 1, 1988. JACOBS, SOLON.

#### **Notice of foreclosure by advertisement**

**Chap. 421-H.F. 1767** Requires notice of mortgage foreclosure by advertisement to separately list mortgagors released from financial obligation in the real estate and a statement that the named mortgagor has been released from financial obligation on the mortgage. Effective date: August 1, 1988. ANDERSON, R.

#### **Definition of restaurant**

**Chap. 443-H.F. 1904** Includes Itasca County in the group of counties in which 50 is the minimum seating capacity, in unincorporated or unorganized territory, to meet requirements to be defined as a restaurant for liquor licensing purposes. Effective Date: August 1, 1988. SOLBERG, LESSARD.

#### **Repair shop disclosure requirements**

**Chap. 444-H.F. 1940** Requires repair shops to include care or storage charges for motor vehicles and appliances in written estimates and on invoices. Requires the shop to display a sign stating the amount assessed for storage or care. Effective date: August 1, 1988. O'CONNOR, SPEAR.

#### **Beer importers defined**

**Chap. 449-H.F. 2529** Defines beer importers as brewers in the beer wholesaling act. Effective date: August 1, 1988. JACOBS, SPEAR.

#### **Liquor license for festival**

**Chap. 468-H.F. 2703** Authorizes the city of Bloomington to issue a temporary on-sale liquor license for Midsummer, A Festival of Music. Effective Date: Local approval. HIMLE, BELANGER.

#### **Continuance of liquor store in Proctor**

**Chap. 478-H.F. 1731** Authorizes the city of Proctor, for the next five years, to continue to operate a municipal liquor store without holding a public hearing or referendum. Effective date: Local approval. MURPHY, GUSTAFSON.

#### **Liquor license for Blaine**

**Chap. 488-H.F. 2254** Authorizes the city of Blaine to issue an on-sale liquor license for Pheasant Ridge Music Center. Effective date: Local approval. QUINN, FRANK.

#### **Membership camping registration application requirements**

**Chap. 493-H.F. 2546** Modifies the membership camping registration application requirements to include a financial statement of the operator prepared by an independent public accountant and certified by the camping operator. Also adds site and conceptual plans which do not disclose which facilities are and are not currently in existence, and pictorial advertising material for off-site distribution, other than labeled site and conceptual plans, which depicts more than the actual on-site condition of the campgrounds or other relevant areas, to the list of specifically prohibited devices and sales presentations. Prohibits advance payments relating to resale of time share property interests. Effective date: April 13, 1988. SPARBY, SOLON.

#### **Sale, repair of hearing aids**

**Chap. 495-H.F. 2559** Allows the buyer to cancel a purchase of a hearing aid within the first 30 days during which the buyer has possession, rather than the first 30 days after receiving the hearing aid. Modifies provisions regarding cancellation fees the seller may retain. Requires that any guarantee of hearing aid repairs be in writing and delivered to the owner of the hearing aid stating the repairer's name, address, telephone number, length of guarantee, model, and serial number of the hearing aid and all other items and conditions of the guarantee. Modifies provisions exempting persons or companies from providing the owner of a hearing aid with a billing that specifically itemizes all parts and labor charges for services rendered. Effective date: August 1, 1988. BEARD, DAVIS.

#### **Titling system for salvage and rebuilt motor vehicles**

**Chap. 496-S.F. 1121** Establishes a titling system for salvage and junk motor vehicles. Modifies the definition of motor vehicle dealer for registration and licensing purposes to include scrap metal processors, used vehicle parts dealers and salvage pools. Makes provisions for the licensing of scrap metal processors, used vehicle parts dealers, and salvage pools. Exempts persons making only isolated or occasional sales or leases from licensing requirements. Provides exceptions for scrap metal processors, used vehicle parts dealers, and vehicle salvage pools from license plate provisions applying to motor vehicle dealers. Exempts used vehicle parts dealers from some surety bond requirements. Authorizes new and used motor vehicle dealers to acquire vehicles for dismantling and selling used parts and scrap materials. Provides a junked vehicle acquisition restriction. Prohibits the charging of fees for the permanent surrender of motor vehicle certificates of title and license plates. Requires the stamping and grading of some motor vehicles in various circumstances. Requires salvage certificates of title in some circumstances. Requires dealer reports to the Dept. of Public Safety if the dealer buys an older model vehicle to be dismantled or destroyed or if the dealer sells a salvage vehicle to a buyer who intends to remove the vehicle from the state. Effective date: January 1, 1989. STUMPF, JOHNSON A.

#### **Funeral trust accounts**

**Chap. 509-S.F. 1867** Requires that, in the case of trust accounts for prearranged funeral contracts, the location of the trust account, including the name and address of the institution in which the money is being held and any identifying account numbers, and any subsequent changes in that information, be disclosed in writing to the person on whose behalf the money is being held, at the time the funds are deposited into the trust account and at the time of any subsequent changes in the information. Requires every funeral establishment that is subject to the trust requirements and licensed by the commissioner of health to practice embalming or

funeral directing to make a complete annual report to the commissioner. Any person, firm, partnership, association, or corporation which is subject to the trust requirements but not licensed by the commissioner of health to practice embalming or funeral directing must make a complete written annual report to the county auditor. The commissioner and county auditors must review the reports for violations, and report any possible violations to the state auditor. The commissioner and every county auditor must also file an annual letter with the state auditor disclosing whether they have detected any violations. If the auditor finds evidence that violations are occurring or are about to occur, the auditor must conduct an independent audit of the entity. Any entity holding these trust accounts must retain records within Minnesota for three years after the death of the person for whose benefit the money was paid or if the money is refunded or delivery occurs under provisions in the law. Makes the first knowing violation a misdemeanor; the second a gross misdemeanor. Includes entities owning or operating a mausoleum or columbarium in some of the public cemetery regulations relating to actuary and care and improvement funds. Specifies record retention requirements and trust account notice requirements for entities holding trust accounts for people purchasing a cemetery lot or burial space in a mausoleum or columbarium. Requires notice to the county auditor of permanent care and improvement fund transfers or withdrawals, increases the minimum principal amount required to be maintained in permanent care and improvement fund, and specifies construction performance bond requirements of persons or entities selling burial space in uncompleted mausoleums or columbariums. Requires the filing of financial statements or certified letters reviewing permanent care and improvements funds and construction performance bonds of cemeteries, mausoleums or columbariums with the county auditor. Also prescribes penalties for violations. Cemeteries, mausoleums, or columbariums owned and operated by a municipality, church, religious corporation or religious association are exempt from many of the requirements. Effective date: August 1, 1988. PIPER, REDING.

#### **Minnesota Agricultural Equipment Dealership Act**

**Chap. 511-S.F. 2096** Prohibits farm equipment manufacturers, as defined in the law, from terminating, canceling, failing to renew, or substantially changing the competitive circumstances of a dealership agreement without good cause, as defined in the law. Requires a farm equipment manufacturer to provide a dealer with at least 90 days prior written notice of termination, cancellation, or nonrenewal of the dealership agreement. The notice must state all reasons constituting good cause for the action and must provide that the dealer has 60 days in which to cure any claimed deficiency. If the deficiency is rectified within 60 days, the notice is void. However, notice and right to cure provisions do not apply if the "good cause" standard is met. The law lists and prohibits specific coercive, conditioning, discriminatory or threatening practices for farm equipment manufacturers, and provides civil action remedies for farm equipment dealers. Effective date: April 14, 1988. SCHMITZ, SPARBY.

#### **Liquor liability insurance cancellation notice alterations**

**Chap. 534-S.F. 1795** Increases the time period for notice to licensing authorities of cancellation of liquor liability insurance under the dram shop act, except for cancellation due to nonpayment of premium, from ten days to 30 days. In cases involving nonpayment of premium, the canceling party must give the issuing authority ten days notice in writing. Exempts license suspension or revocation hearings from the jurisdiction of the Office of Administrative Hearings. Effective date: August 1, 1988. STORM, FORSYTHE.

#### **Liquor license approval**

**Chap. 539-H.F. 1831** Authorizes the county of Becker to issue an on-sale license for an excursion and dinner boat operated on Detroit Lake with the approval of the commissioner of public safety. Also authorizes the commissioner to issue an on-sale license to an establishment located on a watercraft moored at Fort Snelling State Park. Effective date: Various dates. POPPENHAGEN, LARSON.

#### **Minnesota Insurance Guaranty Association regulations**

**Chap. 541-H.F. 1897** Changes the definition of resident from any person who maintains a place of business or a resident agent in Minnesota to one whose principal place of business is located in Minnesota at the time of the insured event. Also includes a person whose principal place of business is in Wisconsin, Iowa, North Dakota or South Dakota, but who maintains a substantial business in Minnesota. Modifies the definition of affiliate. Requires that all money the Minnesota Insurance Guaranty Association receives from the estate of an insolvent insurer or an insurer that is the subject of delinquency proceedings shall not be refunded to members but must be credited to the account from which the claims were paid that resulted in the payment from the estate. If that can't be determined, the money shall be credited to the account which the board determines is most likely to have been the source of the paid claims. The money shall be used to pay future claims. Provides exceptions to the definition of covered claim.

Provides that, for insolvencies occurring on or after October 1, 1985, no deductible applies to claims eligible for payment under the assigned claims plan under certain sections. Requires that persons seeking recovery in a workers' compensation claim which may be recovered under more than one insurance guaranty association or its equivalent must first seek recovery from the association of the residence of the claimant. Alters procedures for the detection and prevention of insurer insolvencies. Requires rates and premiums for insurance policies and fidelity and surety bonds to include amounts sufficient to recover assessments paid by members. Requires a separate statement on billing notices or policy declarations to insureds of the amount contained in the premium to cover assessments. Authorizes staggered terms for members of the board of directors and repeals the assessment surcharge. Clarifies the effective date of a law. Effective date: Various dates. SCHEID, SPEAR.

#### **Liquor dispensing authorization**

**Chap. 552-S.F. 1673** Authorizes the city of St. Cloud to dispense liquor on-sale at the St. Cloud Civic Center without a license or to authorize holders of retail intoxicating liquor licenses issued by St. Cloud or an adjacent city to dispense liquor at the St. Cloud Civic Center, provided that the licensee has been engaged to dispense liquor at an event held by the city or a person or organization permitted to use the premises. Provides further guidelines for dispensing liquor at the civic center. Authorizes the city of Red Wing to issue an on-sale license for the T.B. Sheldon Memorial Auditorium and provides guidelines. Authorizes the county board of Douglas County to issue an additional liquor license to a business establishment located on Lake Le Homme Dieu and provides guidelines. Effective date: Various dates. PEHLER, GRUENES.

#### **Dollar limits alterations**

**Chap. 556-S.F. 1822** Raises the dollar limits malt liquor brewers or wholesalers may charge retailers for furnishing, lending, or renting an outside sign from \$100 to \$400, excluding installation and repair cost. Also raises the limit brewers or wholesalers may charge for promotional material and inside signs from \$100 to \$300 in a year. Effective date: April 19, 1988. SOLON, JACOBS.

#### **Franchise definition modifications**

**Chap. 561-S.F. 2347** Expands the definition of franchise to include an oral or written contract or agreement, either expressed or implied, for a definite or indefinite period, between two or more persons, under which a manufacturer, selling security systems through dealers or distributors in this state, requires regular payments from the distributor or dealer as royalties or residuals for products purchased and paid for by the dealer or distributor. Provides limits on which manufacturers of burglar alarm products may establish themselves as franchisors and specifies restrictions. Effective date: August 1, 1988. SOLON, SEGAL.

#### **Child health supervision exemptions**

**Chap. 571-S.F. 1681** Exempts child health supervision services and perinatal care services from a deductible, copayment, or other coinsurance or dollar limitation requirement. Outlines minimum benefits. Provides for exceptions, including commercial health insurance policies issued as companions to health maintenance organization contracts. Defines child health supervision services and perinatal care services. Effective date: August 1, 1988. FREEMAN, RIVENESS.

#### **Safe deposit box search requirements**

**Chap. 581-H.F. 1790** Requires and provides guidelines for safe deposit companies to perform will searches upon the death of a safe deposit box renter. Provides exceptions. Effective date: April 22, 1988. SKOGLUND, SOLON.

#### **Commercial code system clarifications**

**Chap. 589-H.F. 2520** Clarifies some of the procedures for a search of the statewide computerized uniform commercial code database. Requires that the secretary of state include state and federal tax lien notices in the information that must be accumulated and disseminated in a statewide computerized filing system. Authorizes the secretary of state to allow private parties to view computerized records. Requires county recorder access to computerized business information records on file with the secretary of state. Eliminates the requirement of the secretary of state to provide a system for coding information on collateral. Changes the date for transfer of surcharge receipts to the secretary of state to the fifteenth day following the end of each fiscal quarter. Requires that fees that are not expressly set by statute but are charged by the secretary of state to offset the costs of providing information contained in the computerized records maintained by the secretary of state must be deposited in the state treasury and credited to the uniform commercial code account. Provides for electronic-view-only access to other computerized records maintained by the secretary of state. Effective date: August 1, 1988. MILBERT, PETERSON, R.W.

#### **Charitable trust disposal alterations**

**Chap. 591-S.F. 1086** Allows the Bremer Foundation, a charitable trust which owned a bank holding company on May 26, 1969, and which must divest excess business holdings to comply with federal regulations, to dispose of its bank stock, assets, or bank holding company without regard to reciprocating state requirements. Effective date: April 22, 1988. PEHLER, KRUEGER.

#### **Managers of credit unions**

**Chap. 597-S.F. 1708** Permits managers of credit unions to be directors of credit unions. Provides for expulsion of credit union members by the board of directors. Effective date: August 1, 1988. DAHL, SCHEID.

#### **Rented vehicle coverage**

**Chap. 611-H.F. 2049** Requires all liability policies provide coverage for rented vehicles, with exceptions provided. Authorizes excess coverage. Provides for coverage for loss of use and specifies that it falls under the property damage liability portion of the plan and specifies the coverage amount for some instances. Authorizes a selection of plans for collection purposes under certain conditions. Specifies requirements for car rental companies to be compensated for the loss of damaged rented motor vehicles. Defines collision damage waiver. Clarifies legislative intent regarding Laws 1987, chapter 150, section 3. Adds to the list of behaviors specifically prohibited motor vehicle manufacturers, distributors, or factory branches. Also prohibits any manufacturer, distributor, or factory branch from, before entering into a franchise with a new motor vehicle dealer or during the franchise term, using any written instrument, agreement, or waiver, to attempt to nullify or modify any provision of this law, or prevent a new motor vehicle dealer from bringing an action in a particular forum otherwise available under law. Effective date: August 1, 1988. SPARBY, DAHL.

#### **Interstate banking expansion**

**Chap. 616-S.F. 203** Adds Colorado, Idaho, Illinois, Kansas, Missouri, Montana, Nebraska, Washington, and Wyoming to the list of reciprocating states under the reciprocal interstate banking act. Authorizes the commissioner of commerce to disapprove acquisitions resulting in 30 percent of Minnesota's total deposits being held by reciprocating state bank holding companies. Expands conditions for divestiture and modifies developmental loan level provisions. Requires the commissioner of commerce to recommend to the Financial Institutions and Insurance Committee of the House of Representatives and the Commerce Committee of the Senate reporting requirements for some financial institutions that address the institution's commitment and performance in investing in their community. Effective date: August 1, 1988. FREEMAN, SKOGLUND.

#### **Personal property leasing**

**Chap. 631-S.F. 2323** Authorizes state banks to acquire personal property for leasing to customers if the total investment does not exceed 200 percent of the sum of the bank's capital actually paid in cash and its actual surplus fund. Adds the Minnesota Export Finance Authority to the list of individuals and organizations whose loans or obligations are exempt from limitations based upon such capital and surplus to the extent that they are secured or covered by guarantees, or by commitments or agreements, made by these individuals and organizations, to take over or to purchase the same. Adds hospital districts to the list of entities for whom the discount of bonds, orders, warrants or other evidences of indebtedness shall not be regarded as creating liability. Authorizes investments in the voting stock of the Federal Agricultural Mortgage Corporation in an amount not to exceed the greater of ten percent of the bank's capital and surplus or the amount required by the Federal Agricultural Mortgage Corporation for the bank to qualify for its participation in the corporation's programs. Effective date: August 1, 1988. WEGSCHEID, BERTRAM.

#### **Used motor vehicle sales**

**Chap. 634-H.F. 85** Clarifies the definition of commercial building and defines commercial office space, isolated or occasional sales or leases and new and used motor vehicle. Prohibits consignment sales without a license as a new or used motor vehicle dealer, a motor vehicle wholesaler or a motor vehicle auctioneer. Provides an exception for a licensed auctioneer selling motor vehicles at an auction if, in the ordinary course of the auctioneer's business, the sale of motor vehicles is incidental to the sale of other real or personal property. Disqualifies persons making only isolated or occasional sales or leases from receipt of dealer plates. Requires that dealership business hours, in both established places of business and used motor vehicle dealers, be conspicuously posted on the place of doing business and readily viewable by the public and adds other requirements. If a lessor proposes to sell previously leased or rented vehicles at a location outside the seven-county metropolitan area, other than cities of the first or second class, the lessor must obtain a license for each nonmetropolitan area county in which sales are to take place. Requires the identification and



maintenance of any privately owned roadway providing access to a public road or street if a motor vehicle dealer, lessor, or wholesaler does not have direct access to a public road or street. Subjects motor vehicle dealer license applications to approval of the motor vehicle registrar. Provides for a license to be canceled without a hearing upon satisfactory proof that the dealer has failed to provide or maintain the required surety bond, or failed to provide or maintain the insurance required. Specifies that all advertising by a motor vehicle dealer must disclose that the vehicle is being offered for sale by a dealer through use of the dealership name, the term "dealer" or the abbreviation "DLR." Specifies conditions for the issuance of certificates of title or registration for motor vehicles not manufactured in compliance with applicable federal emission standards in force at the time of manufacture and specifies various federal standards. Requires certification of functioning pollution control systems and restricted gasoline pipes for motor vehicle transfer purposes. Regulates the sale of used motor vehicles. Outlines express warranty requirements for used motor vehicles, depending on the number of miles on a used vehicle, and provides exclusions. Provides for a consumer waiver of the express warranty, and provides for an automatic warranty if a dealer fails to give the express warranty required. Requires dealer compliance, in selling or offering to sell any used motor vehicle, and in providing the express warranty required, with the Federal Trade Commission's "Used Motor Vehicle Trade Regulation Rule," Code of Federal Regulations, title 16, part 455. Requires dealer honoring of express warranties according to the terms of the warranty. Authorizes dealer implied warranties duration limit to the duration of the express warranty. Outlines regulations for refunds. Provides for civil penalties and remedies, and requires that a private civil action brought by a consumer under this section must be commenced within one year of the expiration of the express warranty. Effective date: August 1, 1988. BEGICH, DAHL.

#### **Access to chiropractic services**

**Chap. 642-H.F. 2269** States that the legislative intent of the law is to provide equal access to benefits for insureds and subscribers who choose to obtain treatment for illness or injury from a doctor of chiropractic, as long as the treatment falls within the doctor's scope of practice. It is not intended to change or add to the benefits provided for in those policies or contracts. Requires carrier claim determination concerning appropriateness, quality or utilization of chiropractic care to be made by, under the direction of or subject to the review of licensed doctors of chiropractic. Requires some health insurance policies that are issued or renewed after August 1, 1988, that provide coverage to a Minnesota resident, to provide coverage for routine screening procedures for cancer, when ordered or provided by a physician in accordance with the standard practice of medicine. Provides for the State Board of Chiropractic Examiners to license chiropractors without compliance to all prechiropractic or academic requirements, if the board believes the applicant has the qualifications equivalent to those required of other applicants, the applicant satisfactorily passes written and practical examinations as required by the board, and the applicant is a graduate of a college of chiropractic with a reciprocal recognition agreement with the Council on Chiropractic Education as of January 1, 1988. Eliminates the board's authority to issue licenses to applicants holding valid licenses to practice chiropractic issued by another country. Authorizes licensed chiropractors to certify physically handicapped conditions for parking privileges purposes. Effective date: August 1, 1988. CARRUTHERS, WEGSCHEID.

#### **Cleft lip coverage**

**Chap. 656-S.F. 1646** Requires some health insurance policies and health maintenance contracts cover expenses of newborn infants resulting from the treatment of the birth defects of cleft lip and cleft palate. Requires primary coverage responsibility under dental insurance plans covering orthodontic services. Requires all policies of accident and health insurance, group subscriber contracts offered by nonprofit health service plan corporations, health maintenance contracts, and health benefit certificates offered through a fraternal beneficiary association, that are regulated under specified chapters, that provide coverage for services to ventilator-dependent persons by private duty nurses or personal care assistants in the home to provide hospital coverage. Provides a limit of 120 hours. Specifies that the personal care assistant or private duty nurse shall perform only the services of communicator or interpreter for the patient to assure adequate training of the hospital staff to communicate with the patient and to understand the unique needs of the patient. Broadens the requirement for health and accident insurance coverage for adopted children. Provides for the subrogation of the Dept. of Corrections and county agencies under the terms of insurance policies for medical care and services provided to inmates. Authorizes civil action for recovery. Effective dates: Various dates. DECRAMER, DEBLIECK.

#### **Contract cancellation provisions**

**Chap. 663-S.F. 1885** Allows a homeowner to cancel a contract with a public adjuster involving the business for which the adjuster is licensed

within 48 hours after the contract is signed. Cancellation is evidenced by the homeowner giving written notice of cancellation to the public adjuster at the address stated in the contract. Provides for notice of cancellation, return of payments to the homeowner, and compensation to the adjuster for emergency services performed. Requires any motor fuel franchise agreement entered into or renewed, extended, or modified after April 27, 1988, if it allows the franchisor to modify, remodel, or alter a full-service station operated by a franchisee by eliminating one or more service bays, to provide that if the motor fuel franchisor eliminates one or more service bays during the term of the agreement, the franchisor must first pay to the franchisee in cash an amount that fairly and adequately compensates the franchisee for the loss of the service and repair business. Provides for waiver by the franchisee. Requires the commissioner of commerce to require inclusion of the provision in franchise agreements as a condition of registration. Provides for binding arbitration upon the demand of one of the parties if they are unable to agree upon an amount of compensation. Effective date: Various dates. PETERSON, D.C., SOLBERG.

#### **Financial institution regulations**

**Chap. 666-S.F. 1956** Defines terms and clarifies provisions. Provides for corporate governance of capital stock associations. Prohibits any person who has been adjudicated a bankrupt or convicted of a criminal offense involving dishonesty or a breach of trust from serving as director or officer of an association without the written consent of the commissioner of commerce. Removes the prohibition on the payment of commissions or fees for the sale of capital stock shares and the prohibition on the issuance of incentive stock. Excludes stock based compensation from the requirement to pay consideration for the issuance of capital stock in cash. Changes corporate name requirements. Requires associations to obtain commissioner of commerce approval for new branch offices and branch office location changes. Grants the commissioner sole conversion approval authority. Changes the number of member or stockholder votes required to approve a plan for reorganization, merger or consolidation from 51 percent or more to more than 50 percent. Modifies the exceptions on a membership fee for mutual associations. Alters provisions regarding who has access to the books and records of an association, including those pertaining to loans and accounts. Clarifies the officer or director dual status prohibition. Provides for the indemnification of officers, directors and employees. Eliminates the requirement that an association submit an appraisal in writing to the board of directors each time the association appraises a parcel of real estate at the time of acquisition. Grants associations, generally, those powers possessed by corporations organized under Chapter 300. Increases certain borrowing authority and modifies other powers. Regulates deposit accounts and authorizes capital stock associations to pay interest on savings account. Alters certain investment authority relating to real estate loans or loans secured by a mortgage on real property. Removes a particular restriction on insurance policy loans. Authorizes consumer, business and agricultural loans. Specifies certain limits on loans to one borrower. Regulates terms and conditions of loans, contracts and extensions of credit. Authorizes certain finance charges and the sale of credit and property and liability insurance, including state or national banks in certain provisions. Changes the annual report deadlines. Grants state chartered savings associations the same rights and powers exercised by federal savings associations doing business in the state. Repeals certain forfeiture of charter, savings account and open end loan account arrangement provisions. Effective date: April 27, 1988. PETERSON, R.W., SCHEID.

#### **Corporate takeover provisions**

**Chap. 692-H.F. 2253** Alters requirements regarding the registration statement and public disclosure by an offeror. Requires that the offeror send or deliver to all offerees, as soon as practicable after the filing of the registration statement, the material terms of the proposed offer and the specified information. Requires that the registration form required in other provisions of the law include information regarding the identity and background of all persons on whose behalf the acquisition of any equity security of the target company has been or is to be effected including the identity and background of each member of a partnership, limited partnership, syndicate, or other group constituting the person and the identity and background of each affiliate and associate of the person, including the identity and background of each affiliate and associate of each member of the partnership, syndicate, or other group; provided that, with respect to a limited partnership, the information need only be given with respect to a partner who is denominated or functions as a general partner and each affiliate and associate of the general partner. Alters which plans or proposals must be included in the form and other requirements. Adds exemptions to the definition of acquiring person. Modifies the definitions of beneficial owner, interested shares, business combinations, interested shareholder, market value, share acquisition date and disinterested person. Changes the basis of the limitation on share purchases to the market value of the shares. Eliminates certain exemptions from some control share

acquisition requirements. Requires the inclusion of background information on the acquiring person in the information statement. Modifies, in some instances, shareholder meeting requirements relating to the payment or reimbursement of expenses, the record date, and the mailing of information statements amendments to shareholders. Clarifies a provision relating to the definitiveness of a financing agreement under these provisions and a provision regarding voting rights. Eliminates certain restrictions on and modifies the application of certain provisions relating to business combinations with an interested shareholder after a specified period of time. Effective date: August 1, 1988. SIMONEAU, REICHGOTT.

#### **Real estate closing services**

**Chap. 695-H.F. 2526** Clarifies the provision of real estate closing services by licensed attorneys and real estate brokers, salespersons and closing agents, contract requirements and fee restrictions. Defines real estate closing agent. Effective date: Various dates. PRICE, METZEN.

#### **Maximum medical benefits**

**Chap. 704-H.F. 464** Increases the maximum lifetime limit for coverage of major medical expenses under the comprehensive health insurance act to \$500,000. Effective date: August 1, 1988. CARLSON, L., LUTHER.

## **Economic Development and Housing**

#### **Licensing regulations**

**Chap. 465-H.F. 2402** Authorizes cities, counties and towns which operate a municipal industrial development project to hold all necessary operating licenses including licenses for the sale of food and intoxicating liquors after the termination of the revenue agreement. Effective date: August 1, 1988. O'CONNOR, FRANK.

#### **Landlord tenant law provisions**

**Chap. 526-H.F. 2224** Prohibits landlord acceptance of rent or security deposits for residential rental property which has been condemned or declared unfit for human habitation. Specifies that if a landlord is in violation, then the landlord is liable to the tenant for actual damages and a specific amount. Effective date: August 1, 1988. JEFFERSON, KROENING.

#### **Housing finance modifications**

**Chap. 542-H.F. 2063** Changes the definition of American Indian for Housing Finance Agency (HFA) purposes. Authorizes the HFA to refinance the existing indebtedness of nonprofit entities secured by residential housing for persons and families of low- and moderate-incomes, if refinancing is determined by the HFA to be necessary to reduce housing costs to an affordable level or to maintain the supply of affordable low-income housing. Authorizes grants to for-profit entities to enable recipients of grants for residential housing for low-income persons living alone to qualify for low-income housing credits. Alters the formula for low-income housing credits to eligible cities and counties. Requires the Housing and Redevelopment Authority to prepare housing plans and loan programs prior to bond issuance for various housing development projects. Effective date: Various dates. JEFFERSON, MORSE.

#### **Extension of economic development services**

**Chap. 545-H.F. 2246** Requires the enterprise development partnership program, the science and technology resource center and the customized training program to serve nonprofit organizations including labor organizations and community groups. Effective date: August 1, 1988. CLARK, COHEN.

#### **Wastewater treatment provisions**

**Chap. 546-H.F. 2306** Authorizes and provides for the Public Facilities Authority to issue revenue bonds or to purchase the bonds of municipalities for wastewater treatment and water supply systems and sets bonding limit at \$100 million. Specifies the tax exempt status and property related powers of the authority. Requires the authority to assist eligible governmental units in applying for grants or loans to finance wastewater treatment or water pollution control projects. Requires the authority to review the proposed financing. Effective date: April 19, 1988. LONG, POGEMILLER.

#### **Expiration date repealer**

**Chap. 551-S.F. 1672** Repeals the expiration date of the power of housing and redevelopment authorities to provide assistance under the housing interest reduction program for low- or moderate-income persons. Effective

date: August 1, 1988. PEHLER, GRUENES.

#### **Secondary market participation**

**Chap. 580-H.F. 1399** Authorizes the agricultural and economic development board, community development corporations, rural development finance, port, economic development and housing and redevelopment authorities to participate in secondary markets to secure loans for economic development, job creation, redevelopment or community revitalization purposes. Authorizes the Agricultural and Economic Development Board to use up to \$500,000 of the money in the Agricultural and Economic Development Fund for grants to organizations for secondary market establishment purposes. Effective date: August 1, 1988. OTIS, DAHL.

#### **Bond allocation act alterations**

**Chap. 586-H.F. 2117** Removes a provision that allows entitlement issuers to retain unused portions of entitlement allocations. Changes the deadline for amounts returned by entitlement issuers to be reallocated through the original, multifamily housing or unified pools to the last Monday in August and specifies that an amount returned after the last Monday in November be reallocated to the Housing Finance Agency (HFA). Changes the date for calculation of application deposit refunds to the last Monday in August. Prohibits the HFA from applying for an allocation for mortgage bonds before the last Monday in September. Reserves a specific amount of bonding authority within the unified pool for small issue and public facility bonds. Restricts allocations from the unified pool after October 1, with preference given to small issue bonds for manufacturing projects located in distressed counties, public facility bonds and residential rental project bonds. Provides for application by cities for HFA allocations. Eliminates specific allocations to the Higher Education Coordinating Board. Effective date: August 1, 1988. REST, REICHGOTT.

#### **Housing trust fund creation**

**Chap. 654-S.F. 1462** Creates a Low-Income Housing Trust Fund account in the Housing Development Fund for Housing Finance Agency (HFA) loans or grants and matching funds for the development, construction, acquisition, preservation and rehabilitation of low-income rental and limited equity cooperative housing units. Requires the establishment of an advisory committee to assist the HFA in providing the loans or grants. Requires the periodic transfer of five percent of the money in the account to the real estate education, research and recovery fund. Requires real estate broker maintenance of pooled trust accounts for deposit of client funds. Requires interest accrued on the accounts to be transferred to the state treasurer and credited to the housing trust account for prescribed uses. Requires the HFA to report to the legislature annually. Effective date: Various dates. DAHL, CLARK.

#### **White Bear authorizations**

**Chap. 678-H.F. 1865** Authorizes the town of White Bear to establish an Economic Development Authority and economic development districts and to exercise tax increment financing powers. Grants the town of White Bear the powers of a city with respect to the authority. Effective date: Local approval. STANIUS, KNAAK.

#### **Public finance housekeeping bill**

**Chap. 702-S.F. 1963** Specifies allowable fund accumulations for county economic and agricultural development. Grants home rule charter cities additional issuing authority and housing authorities additional investment authority. Exempts specific housing development projects from competitive bidding requirements. Exempts the Bloomington Port Authority from competitive bidding requirements for certain parking facilities. Authorizes and provides for cities, counties and towns to issue warrants for the purchase of refunding bonds and to issue revenue anticipation notes for nonprofit hospitals. Specifies requirements, restrictions and exemptions from compliance with municipal industrial development procedures and specifies repayment and interest provisions and right to tender provisions. Authorizes entitlement issuers to enter agreements with issuers for the purpose of issuing qualified mortgage bonds, given specific restrictions. Amends other issuance and bond investment provisions. Effective date: Various dates. POGEMILLER, PRICE.

## **Education**

#### **Joint vocational-technical district meeting sites**

**Chap. 431-H.F. 2120** Allows the joint board to hold meetings at any location convenient to the member districts and the public. 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 in the same manner as required for other public bodies. Effective date: July 1, 1988. ANDERSON, G., DECRAMER.

### **Task force creation**

**Chap. 439-H.F. 1989** Establishes a task force on child care in higher education to determine the goals of child care in higher education in relation to existing child care programs, to study and select strategies and mechanisms for the state to use in achieving those goals, and to make recommendations to the legislature for short-term and long-range policy development. Effective date: August 1, 1988. TRIMBLE, PEHLER.

### **General education housekeeping provisions**

**Chap. 486-H.F. 2029** Modifies provisions related to general education revenue and foundation revenue. Corrects erroneous and obsolete references and text. Effective date: Various dates. NELSON, K., PETERSON, R.W.

### **ISD #710 bond redemption fund**

**Chap. 489-H.F. 2317** Allows revenue received by ISD #710 to be deposited in the bond redemption fund of the district and to be used only to retire the bonds issued on May 1, 1981 or subsequent refunding issues in the amount of \$6,000,000. Effective date: April 13, 1988. BEGICH, JOHNSON, D.J.

### **School breakfast and lunch program substitutes**

**Chap. 510-S.F. 1882** Requires nonpublic schools and school districts which receive school lunch aid or participate in the school breakfast program to make lactose reduced milk available to pupils who are lactose intolerant. Effective date: August 1, 1988. SPEAR, JEFFERSON.

### **Regulation of aversive and deprivation procedures**

**Chap. 554-S.F. 1695** Requires the State Board of Education to adopt rules governing the use of aversive and deprivation procedures by school district employees or persons under contract with a school district. Stipulates that the rules must promote the use of positive approaches, require that planned application of these procedures be a part of an individual education plan, require parents or guardians to be notified after the use of these procedures, and establish health and safety standards for the use of time-out procedures that require a safe environment, continuous monitoring of the child, ventilation, and adequate space. Effective date: August 1, 1988. PETERSON, D.C., OTIS.

### **Consolidation of school districts**

**Chap. 569-H.F. 2554** Allows noncontiguous school districts to consolidate. Effective date: August 1, 1988. BEGICH, JOHNSON, D.J.

### **State university changes**

**Chap. 609-H.F. 1925** Eliminates the cap on the State University System student health service fee. Effective date: April 25, 1988. SEGAL, MORSE.

### **School health services regulation**

**Chap. 626-S.F. 2137** Requires school boards to provide services to promote the health of pupils. Stipulates requirements for the administration of drugs and medicine with specific exceptions. Requires school boards to develop procedures and consultation requirements. Effective date: August 1, 1988. PEHLER, KELSO.

### **HECB student member**

**Chap. 653-S.F. 1228** Appoints a voting student member to the Higher Education Coordinating Board. Requires the student member to be a full-time student enrolled in a Minnesota post-secondary institution at the time of appointment or within one year prior to appointment. Provides that the student advisory council may recommend candidates to the governor for the student member position. Provides that a student member may receive compensation as a student body officer or may be a recipient of financial aid but must not otherwise be employed or compensated by a post-secondary institution. Provides that the student member must be appointed by July 1, 1988, and that the appointment is not to displace an incumbent at-large member. Effective date: April 27, 1988. MORSE, KINKEL.

### **College savings bond program study**

**Chap. 694-H.F. 2396** Requires the commissioner of finance and the Higher Education Coordinating Board to study the market for and feasibility of a college savings bond program to encourage saving for higher education costs by investing in state general obligation bonds. Requires a report to the legislature. Specifies factors to be included. Authorizes the commissioner to issue the bonds as serial maturity bonds or as zero coupon bonds or a combination of both. Requires the commissioner and the HECB to develop a marketing plan. Authorizes direct sale to the public or to financial institutions for resale. Authorizes contracts. Requires the commissioner to determine the appropriate denominations and maturities for the bonds. Requires the establishment of a separate sinking fund account. Effective date: April 29, 1988. FREEMAN, CARLSON, L.

### **Omnibus education funding**

**Chap. 718-H.F. 2245 Article I-General education revenue** Increases the general education revenue formula allowance and the supplemental

revenue guarantee for the 1988-1990 school years. Defines supplemental revenue and eliminates interdistrict cooperation aid and levy from the revenue base. Increases the general education mill rate for the 1990 fiscal year and changes the date for certification. Alters the definition of general education aid. Prohibits the use of general education revenue for motor vehicle liability insurance premiums or for purposes covered by the excess transportation levy. Changes the general education levy equity phase-in. Increases the amount required to be reserved for categorical programs. Clarifies the uses of compensatory education revenue and requires school districts receiving the revenue to annually submit reports identifying incurred expenditures. Encourages the Legislative Audit Commission to direct the legislative auditor to conduct a study of cost of living differences among communities and the impact of the differences on school district expenditures and outlines study requirements. Requires the Dept. of Education to determine levies for the 1988-1989 school year according to the formulas adopted in 1987. Repeals the authority of school boards to use reserved revenue for liability insurance.

**Article II-Transportation** Authorizes school districts to charge a fee for transporting certain pupils, requires guidelines, and prohibits fees for transportation qualifying for transportation levy. Authorizes transportation aid for custodial parent pupils to and from child care providers within the attendance area of the school attended. Removes the requirement for education commissioner approval of educational programs for transportation aid qualification purposes. Increases the basic transportation levy mill rate for fiscal years 1989-1990 and changes the certification date to September 1. Appropriates money to the Dept. of Education for open enrollment transportation aid.

**Article III-Special programs** Extends the time limit for appeal of local decisions for placement of handicapped children. Bases the pupil unit count for kindergarten and pre-kindergarten handicapped pupils on the fiscal year. Authorizes the commissioner of education and the director of vocational technical education to provide for state level administration and fiscal management for vocational student organizations and specifies accounting requirements. Expands the American Indian Language and Culture Education Act to the "American Indian Education Act of 1988." Requires the State Board of Education to biennially report to the legislature on the status of programs and services for Indians in post-secondary institutions enrolling Indian scholarship recipients. Defines or redefines terms. Provides for the recruitment, retention and involvement of Indian teachers and specifies license duration. Expands parent committee duties and membership and specifies program concurrence resolution requirement. Requires the education board to establish American Indian Education Committees and requires tribal bodies membership representation. Requires \$50,000 of fiscal year 1989 appropriations for American Indian scholarships to be used for students enrolled in teacher preparation programs. Requires the board of education, with the advice of the Indian Scholarship Committee, to develop scholarship programs for Indian teachers and report to the legislature. Increases the 1989 appropriation for American Indian post-secondary preparation grants. Establishes an Indian School Council to make recommendations for Indian control of Indian education and report to the legislature. Appropriates money to the education board for a grant to the University of Minnesota, Duluth, and Independent School District #709, Duluth, for a cooperative Indian teacher education program. Specifies application requirements and scholarship eligibility criteria. Appropriates money to the Dept. of Education for a 1987 special education deficiency and requires a levy reduction in the amount that the district will receive as a result of the appropriation.

**Article IV-Community education** Authorizes school boards to offer community service programs for public school students to promote active citizenship and address community need through youth service. Requires the Community Education Advisory Council to design the service programs and outlines program requirements. Authorizes school boards to offer extended day programs for elementary school children to expand learning opportunities and sets forth program requirements. Establishes grants for pre-kindergarten child development programs and specifies eligible children and programs. Requires the board of education to establish criteria and procedures, specifies minimum criteria requirements and grant award priorities.

**Article V-Education agencies appropriations** Requires the commissioner of education, in consultation with the commissioner of health, to assist school districts in developing and implementing programs to prevent and reduce the risk of acquired immune deficiency syndrome (AIDS or HIV), and specifies program requirements. Provides for extended availability of unexpended appropriations for the comprehensive arts planning program. Requires the Dept. of Education, in consultation with the Dept. of Revenue, to make recommendations by December 1, 1988, to the governor and the legislature concerning the organization, financing and formation of regional library districts. Requires the Minnesota Academic



Excellence Foundation to arrange funding for the unreimbursed expenses of school districts participating in the national bicentennial competition on the constitution and the bill of rights. Requires the Dept. of Education to provide the legislature with categorical programs information. Provides for the continued availability of a prior appropriation for the Minnesota School and Resource Center for the Arts. Requires the department to allocate \$250,000 from available funding sources for educational effectiveness programs. Appropriates money to the Higher Education Coordinating Board (HECB) for the Task Force on Instructional Technology. Appropriates money to the department for secondary vocational restructuring and requires the development of a restructured model for delivery of secondary vocational education. Sets forth model and participation requirements and requires a report to the legislature. Appropriates money to the department for the collection and dissemination of information on emerging uses of technologies in education and on teachers' computer usage for planning, evaluating and reporting (PER) assistance for AIDS programs, for teacher licensing, for educational services, for basic skills evaluation, for GED on TV and for metropolitan open enrollment. Specifies information availability requirements. Appropriates money to the State Board of Education for a comprehensive study of desegregation and integration costs and specifies study and reporting requirements.

**Article VI-Other educational funding** Provides for free admission to public secondary schools for eligible adults for two school years or the equivalent, or until the pupil completes the courses required to graduate, whichever is less. Provides for tuition reimbursement under the post-secondary enrollment options act and sets forth aid provisions. Adds equalized aids to abatement and excess tax increment adjustment provisions. Establishes education district and secondary vocational cooperative revenue, aid and levies. Expands eligibility for participation in the high school graduation incentives program and authorizes eligible institutions to contract with entities providing adult basic education programs under community education programs for program costs. Provides for the distribution of excess funds among participating comprehensive arts planning program sites under certain conditions. Requires area learning centers to give priority to serving persons between 16 and 21. Specifies allowable intermediate school district levy and aids. Authorizes a desegregation rule compliance levy and provides for an interdistrict cooperation levy in certain school districts. Increases a prior appropriation to the Legislative Commission on Public Education to study education accountability measures and organization. Establishes a task force on education organization as an advisory task force to the LCPE. Specifies representation requirements and items for consideration relating to education organization. Requires the appointment of subcommittees and a report to the LCPE by December 1, 1988. Appropriates money to the Dept. of Education to reimburse Independent School District #423, Hutchinson, for expenses incurred in participating in the national bicentennial competition on the constitution and the bill of rights; for adult high school graduation aid; for integration expenditures grants to Independent School District (ISD) #709, Duluth, #625, St. Paul, and Special School District #1, Minneapolis; for a leadership program grant to ISD #695, Chisholm; for a grant to the Northeast Minnesota Technology and Education Consortium to develop a pilot computer technology program and to ISD #351, Hallock, #354, Kennedy, #436, Alvarado, #437, Argyle, #442, Oslo, #443, Stephen, and #446, Warren, to develop a Northwest Cooperative Educational Technology program.

**Article VII-Miscellaneous** Modifies procedures for the sale of permanent school fund lands. Extends the time for payment for improvements. Requires additional advertising of land sales. Requires the commissioner of natural resources to deposit into the permanent school fund an amount equal to the costs of surveying, appraising and selling the lands. Modifies procedures for the sale of state property bordering public waters leased for recreational purposes and specifies appraiser requirements. Establishes a statewide enrollment options program and provides a school board option to close the district. Requires school boards to adopt standards for acceptance and rejection of applications. Provides for uniform transfer of state aid payments. Provides for districts with desegregation plans and for transportation aid. Requires nonresident districts to accept credits toward graduation awarded by another district. Eliminates the requirement for students to be enrolled in a district for a specific number of years before being able to continue in the district upon becoming a nonresident under certain conditions. Expands school board authority to provide for instruction in a school district in an adjoining state. Requires public schools offering kindergarten programs to distribute to parents or guardians a statement relating to mandatory graduation from high school or the requirement to remain in school until age 18. Increases to 18 the age for required school attendance, beginning with 2000-2001 school year. Continues the voluntary enrollment options program for districts not

participating in the statewide program. Extends deadlines for school district notice of participation in the enrollment options program and changes the deadlines for desegregation district transfer and student applications. Provides for transportation aid entitlement and the payment of aids for alternative attendance programs. Provides a penalty for school districts failing to implement equitable compensation plans by December 31, 1991. Provides for full time teacher consideration for probationary period determination purposes and specifies evaluation requirements. Clarifies high school graduation incentives program provisions. Provides for the counting of pupils attending private alternative programs. Requires school districts to provide appropriate educational programs for pregnant minors and minor parents. Requires the Dept. of Education to develop program designs and provide technical assistance. Modifies eligibility for the summer scholarship program. Changes the curriculum review cycle. Specifies membership requirements of the governing body of the State High School League and provides for employee expense reimbursement. Requires the legislative auditor to annually provide a financial and compliance audit of the league to the legislature and the commissioner of education and specifies audit requirements. Requires the league to adopt an affirmative action policy and an equitable compensation implementation plan. Subjects the league to the government data practices act. Requires a commissioner of employee relations report on the appropriate salary rate or range for the league director and staff. Modifies program improvement grants eligibility requirements for technology cooperatives and provides for grant eligibility for groups of districts intending to consolidate. Requires the commissioner of education in cooperation with the board of education to establish a process for state designation and approval of area learning centers meeting requirements. Changes the frequency of the multicounty, multitype library system progress report. Permits ISD #252, Cannon Falls, and #256, Red Wing, to join ISD #917, Dakota County. Provides a penalty for delayed employer contributions to the TRA. Changes the date for Special School District #1, Minneapolis, budget adoption. Provides for binding arbitration for school districts under certain conditions. Provides for designation by the board of education of a certain number of learning year program sites to permit students in grades 9 through 12 to receive full year instruction. Authorizes and provides for ISD #701, Hibbing, #708, Tower, #706, Virginia, #318, Grand Rapids, and #710, St. Louis County, to issue bonds for school facilities and buildings and dedicates taconite tax revenue for payment of a portion of the debt service. Provides bonding authority to counties to construct facilities for environmental learning centers. Repeals certain reporting requirements and the provision authorizing school board compliance with curriculum rules by offering elective secondary courses during the summer.

**Article VIII-Education facilities** Allows school boards to proceed with construction upon positive review and comment of the commissioner of education. Provides for reconsideration by board resolution of commissioner negative review and comment and requires voter approval of bond issuance. Modifies review and comment procedures. Requires school boards to adopt capital security programs and specifies program requirements. Provides for school facilities revenue, levy and aid. Specifies authorized revenue uses. Requires a separate account for the revenue within the capital expenditure fund. Authorizes the transfer of capital expenditure facilities revenue into the debt redemption fund and provides for allocation to the capital expenditure fund or the debt redemption fund. Changes the current capital expenditure revenue to capital expenditure equipment revenue and specifies authorized uses. Authorizes and provides for school districts to issue certificates of indebtedness or capital notes subject to debt limits to purchase long term equipment. Modifies maximum effort school loan application procedures and provides for commissioner recommendations, legislative approval and district referendum. Grants school districts bonding authority to provide funds for capital and debt service loans under the maximum effort school loan program. Modifies grant award procedures under the cooperative secondary facilities grant act. Authorizes joint powers boards to levy for severance pay and early retirement incentives for teachers placed on unrequested leave resulting from cooperative secondary facilities agreements. Increases state bonding authority for the program and modifies the sunset. Authorizes districts to create building construction down payment accounts in the construction funds to apply to future costs of approved projects. Provides for a referendum levy and requires unused funds to be transferred to the debt redemption fund of the district upon final completion of the project. Provides for receipt by districts of health and safety revenue for hazardous substance removal, fire code compliance or life safety repairs by application to the commissioner. Specifies program content requirements, and aid and levy provisions. Provides for an extra capital expenditure levy for leasing buildings for secondary vocational cooperative programs under certain conditions. Approves capital loans to ISD #912, Milaca, #738, Holdingford, and #637, Redwood Falls. Effective date: Various dates. NELSON, K., PETERSON, R.W.

# Elections and Ethics

## Voting equipment test procedures

**Chap. 424-H.F. 2558** Requires electronic voting systems to be tested within 5 days prior to election day and optical scan voting systems to be tested within 14 days prior to election day. Effective date: August 1, 1988. SCHEID, PETERSON, D.C.

## St. Louis County polling place provision

**Chap. 451-S.F. 2134** Requires St. Louis County to provide a polling place at the Evergreen fire department firehall at each general and primary election subject to voter approval. Effective date: Local approval. DICKLICH, RUKAVINA.

## Falcon Heights redistricting

**Chap. 500-S.F. 2264** Authorizes the city of Falcon Heights to establish new election precincts by consolidating its four existing precincts into two new precincts by May 10, 1988. Prohibits Ramsey County officials or employees from having personal financial interest in particular contracts. Effective date: Local approval. MARTY, ROSE.

## Fair campaign practices provisions

**Chap. 578-H.F. 236** Specifies duties of the county attorney and penalties for specific violations. Clarifies penalties for interference with an employee's time off work to vote. Requires and provides for the filing of financial reports and required information. Allows congressional candidates to file copies of their financial disclosures required by federal law in lieu of the required financial statement. Outlines duties of the secretary of state, filing officers and county attorneys. Requires candidates to get written permission before using an endorsement in campaign materials. Requires employers to allow time off work for an elected official. Stipulates that in the event of redistricting, a person or candidate may not use the term "reelect" in a campaign for elective office unless the candidate is the incumbent of that office and the office represents any part of the new district. Requires candidates for a local office to report expenditures and receipts in excess of \$750 a year. Clarifies provisions for paid advertisements. Specifies that a person who engages in the preparation, dissemination or broadcast of false political and campaign materials is guilty of a misdemeanor. Prohibits specific solicitation of contributions. Prohibits solicitation within 100 feet of the polling place on election day. Prohibits the use of funds collected for political purposes unless the use is reasonably related to the conduct of election campaigns. Prohibits acts of bribery and treating. Requires the secretary of state, with the approval of the attorney general, to prepare and print an easily understandable fair campaign practices digest and provide for its distribution. Prohibits certain corporate political contributions and independent expenditures. Prohibits denying a candidate access to multiple unit dwellings with some exceptions. Effective date: July 1, 1988. SCHEID, PETERSON, D.C.

## Computerized voter registration requirements

**Chap. 646-H.F. 2536** Requires the statewide computerized voter registration system to satisfy the requirements for a duplicate registration file. Establishes the voter registration account to pay for the costs of producing registered vote lists. Changes procedures relating to registration cards. Adds duties for the secretary of state relating to precinct and registered voter lists. Prohibits the inclusion of voter birthdates on lists available for public inspection or purchase. Removes the requirement for the inclusion of the number of voters registered in precinct summary statements in counties with permanent registration before the opening of the polling place. Changes state partisan primary ballot requirements. Clarifies requirements for the use of electronic voting systems at partisan primary elections. Effective date: August 1, 1988. ORENSTEIN, LUTHER.

## Public campaign financing limit clarification

**Chap. 707-H.F. 2008** Updates or clarifies elections campaign financing limit provisions including form of public subsidy, the method of adjustment using the consumer price index and limits on the state elections campaign fund. Provides for candidates who agree to be bound by financing limits, with opponents who do not agree, to receive the public funds and not be bound by the limits. Effective date: May 5, 1988. JOHNSON, A., FRANK.

# Employment

## State compensation insurance fund alterations

**Chap. 427-S.F. 1710** Expands the powers of the state workers' compensation insurance fund to include the pledging and mortgaging of property. Authorizes and provides for the issuance of specific guaranty fund

certificates, surplus notes or debentures. Requires the revisor to change the name of the fund to the state fund mutual insurance company. Effective date: March 30, 1988. CHMIELEWSKI, SIMONEAU.

## Regulation of employer reprisals

**Chap. 455-H.F. 1913** Prohibits employer reprisals against employees for failure to contribute to charity or community organization fund drives including contributions to the employer. Allows employees injured by a violation to bring an action for compensatory damages, injunctive or other equitable relief, attorney's fees and costs. Effective date: August 1, 1988. PAPPAS, MARTY.

## Labor-management committee grant program regulations

**Chap. 480-H.F. 1877** Broadens the scope of labor-management committees to a geographical area or statewide employment sector. Changes application requirements. Reduces the maximum allowable grant amount. Alters specific match requirements and the amount of the grant to be designated and used for technical assistance services. Repeals limit on the number of grants and eliminates specific work plan requirements. Effective date: April 13, 1988. SIMONEAU, PETERSON, D.C.

## Alcohol breath test regulations

**Chap. 536-S.F. 2117** Authorizes unlicensed medical facilities not owned by the employer which meet specific criteria to perform breath tests for alcohol on employees or job applicants if the employer has a written drug and alcohol testing policy and if the employer is not acting arbitrarily or capriciously. Clarifies the requirement for confirmation of results by blood analysis. Effective date: April 15, 1988. DIESSNER, ROSE.

## Rest break requirements

**Chap. 559-S.F. 1958** Requires and provides for mandatory rest breaks every four consecutive hours for employees. Prescribes penalty for failure to comply. Effective date: August 1, 1988. LANTRY, TRIMBLE.

## Occupational health and safety regulations

**Chap. 620-S.F. 1719** Increases the penalties for specific occupational health and safety violations. Provides rates of increase for unpaid fines. Effective date: August 1, 1988. CHMIELEWSKI, JOHNSON, A.

## Youth employment programs

**Chap. 641-H.F. 2038** Authorizes the commissioner of jobs and training to use available youth employment opportunities program funds to extend the program to a calendar year basis, to link basic skills training and remedial education to job training and school completion and for support services. Sets support services expenditure limit. Expands private sector employment opportunities. Specifies 480 hours as maximum number of employment hours. Prohibits the use of funds for private sector placements and requires program operators to use other funding resources for the placements. Prohibits layoffs or work reductions to hire persons under the program. Removes the priority for employment of individuals between the ages of 16 and 22. Requires compensation at the higher of the state or federal minimum wage rate. Authorizes the commissioner of administration, in consultation with the commissioner of jobs and training, to buy and sell real property in the greater Minneapolis area for Dept. of Jobs and Training offices relocation purposes. Effective date: April 27, 1988. FREEMAN, MCLAUGHLIN.

## Workers' comp for first responders

**Chap. 652-S.F. 994** Provides workers' compensation coverage for persons providing emergency medical care and peace officers, state troopers, firefighters, paramedics, emergency medical technicians or licensed nurses exposed to and contracting infectious or communicable diseases during the course of employment outside of a hospital. Effective date: August 1, 1988. LANTRY, TRIMBLE.

## Job listing services regulation

**Chap. 659-S.F. 1721** Prohibits the reduction of parental leave by accrued sick leave. Provides protection to employees from dismissal and discrimination after informing employers of reasons for refusing to perform illegal actions. Includes job listing services in the definition of employment agency for regulation purposes. Defines job listing services. Excludes resume services, newspaper, magazine, trade or professional journal or like publication of general circulation, the main purpose of which is dissemination of news, reports, trade, or professional information, from the definition of employment agency. Modifies contract and reporting requirements and fee restrictions for application of the provisions to job listing services. Effective date: Various dates. CHMIELEWSKI, PAPPAS.

## Workers' compensation self-insurance regulation

**Chap. 674-S.F. 2473** Regulates self-insurance against workers' compensation liability. Establishes a Workers' Compensation Self-Insurers Advisory Committee for the purpose of advising the commissioner of commerce. Requires application to the commissioner for an individual self-insurance certificate. Authorizes application for group self-insurance.

Sets forth certified financial statement, net worth, assets and liquidity requirements. Provides exceptions. Provides for application processing. Provides for payroll and financial report filing requirements with the commissioner for self-insurers. Requires annual audits of group self-insurers. Provides for joint and several liability of the members of a private self-insurer group. Sets forth security deposit requirements. Provides for perfection and for the return of excess amounts to the employer. Prescribes procedures for cases of employer bankruptcy, insolvency or certificate of default. Requires the use of the security deposit to pay workers' compensation obligations under specific conditions. Specifies commissioner notice requirements. Provides for commissioner resolution of disputes and for appeals. Authorizes commissioner revocation of certificate to self-insure. Regulates third party administrator contracts to administer claims of self-insured employers. Specifies requirements for employers ceasing to be self-insured. Establishes the self-insurers security fund as a nonprofit corporation to provide for the continuation of delayed workers' compensation benefits. Requires participation by all private self-insurers. Provides for governance of the fund by a board of trustees. Specifies membership of the board and provides that the commissioner of labor and industry is an ex officio member. Requires the fund to assume workers' compensation obligations of insolvent private self-insurers upon order of the commissioner of commerce. Provides that the fund is to be a party in interest in proceedings involving claims against self-insurers with obligations paid or assumed by the fund. Provides for payments to the fund. Provides for fund recovery of compensation paid from insolvent self-insurers. Requires the fund to maintain assets. Authorizes the commissioner to establish the minimum amount to be maintained. Authorizes assessments of fund members to meet obligations and specifies a limit. Requires annual independent certified audit of the financial activities of the fund. Sets forth report requirements. Specifies the letter of credit form and surety bond form. Exempts the fund and the board from the open meeting law, the open appointments law, the data privacy law and the Administrative Procedure Act under specific conditions. Exempts the Self-Insurers Advisory Committee from the open appointments law and the APA under specific conditions. Provides commissioner with rulemaking authority. Prescribes penalties for violations. Repeals statutory provisions relating to payment of benefits from the special compensation fund. Effective date: July 1, 1988. CHMIELEWSKI, SIMONEAU.

**Workers' comp coverage for firefighters with occupational cancer**  
**Chap. 717-S.F. 2452** Includes bomb disposal workers employed by local government units and disposing of or neutralizing bombs or other explosives outside the jurisdiction of the local unit in the definition of employee of the state for purposes of settlement of claims against the state and workers' compensation claims. Provides workers' compensation coverage for firefighters with occupational cancer. Provides that a firefighter who enters the service after August 1, 1988, is examined by a physician prior to being hired and the examination discloses the existence of a cancer of a type describe in the law, is not entitled to the presumption unless a subsequent medical determination is made that the firefighter no longer has the cancer. Effective date: August 1, 1988. METZEN, KELLY.

## Environment and Natural Resources

### Conveyance of land in Pine County to foundation

**Chap. 407-S.F. 1184** Changes the purpose for the conveyance of state land in Pine County to the Amherst H. Wilder Foundation from the operation of a youth conservation camp to the operation of a human service facility serving individuals referred by court order, county or other social service agencies. Specifies a consideration to be paid for the property. Provides a state option to repurchase the property. Repeals survey, appraisal and payments procedures. Authorizes and provides for the sale of tax-forfeited land in Mille Lacs County. Effective date: March 11, 1988. CHMIELEWSKI, CARLSON, D.

### Conveyance of land in Beltrami County

**Chap. 412-H.F. 1884** Authorizes the conveyance of specific tax-forfeited land in Beltrami County to specific persons before July 1, 1988. Effective date: March 23, 1988. JOHNSON, R., STUMPF.

### Basilica of St. Mary deed correction

**Chap. 416-H.F. 2056** Requires the governor to issue a corrective deed to the Basilica of St. Mary of Minneapolis for state lands authorized to be conveyed under a prior law. Effective date: August 1, 1988. LONG, SPEAR.

### Rice Creek Watershed District provision

**Chap. 426-S.F. 678** Authorizes the Rice Creek Watershed District to

increase the amount in the administrative fund. Authorizes a levy amount not to exceed \$200,000. Effective date: August 1, 1988. NOVAK, QUINN.

### Elk fee transfer repeal

**Chap. 428-S.F. 2367** Repeals a provision requiring a portion of elk license fees to be transferred to the general fund as reimbursement for payments made to the commissioner of agriculture for landowner compensation for elk damage. Effective date: March 30, 1988. STUMPF, KAHN.

### Land Conveyance to Cambridge hospital

**Chap. 432-H.F. 2270** Authorizes and provides for the private sale of surplus state property to the Memorial Hospital Association of Cambridge for construction of a limited care facility. Effective date: March 31, 1988. LASLEY, PETERSON, R.W.

### Willard Munger Trail designation

**Chap. 436-H.F. 1858** Changes the name of the Minnesota-Wisconsin Boundary Trail to the Willard Munger Trail. Effective date: August 1, 1988. ANDERSON, G., MERRIAM.

### Trout and salmon stamp clarification

**Chap. 437-S.F. 1575** Clarifies the trout and salmon stamp requirement exception for resident and nonresident short term fishing licenses. Authorizes seller imposition of an issuing fee for trout and salmon stamps not issued simultaneously with angling or sporting licenses. Prohibits fees for other stamps. Eliminates the resident over age 65 angling or spearing license exemption. Effective date: April 2, 1988. BERG, BATTAGLIA.

### Watershed district borrowing authority

**Chap. 445-H.F. 1950** Increases the borrowing authority of watershed districts to \$200,000. Requires proceedings for the construction or improvement of drainage systems within the district to conform to the drainage law. Effective date: August 1, 1988. PRICE, DIESSNER.

### St. Louis County land sale

**Chap. 446-H.F. 2045** Authorizes and provides for the private sale of tax-forfeited land in St. Louis County. Effective date: April 5, 1988. MINNE, DICKLICH.

### St. Louis County land sale

**Chap. 458-H.F. 2025** Authorizes and provides for the private sale of tax-forfeited land in St. Louis County. Effective date: April 7, 1988. BEGICH, JOHNSON, D.J.

### City of Owatonna land sale

**Chap. 459-H.F. 2046** Requires and provides for the sale and conveyance of state owned land in Steele County to the city of Owatonna. Authorizes subdivision and sale of the land after completion of development work by the city. Requires the city to deduct and retain a proportionate share of the purchase price and the costs associated with purchase, subdivision and development of the land from the sale proceeds. Requires the remainder to be deposited in the general fund. Effective date: August 1, 1988. HARTLE, FREDERICK.

### St. Louis County land sale

**Chap. 460-H.F. 2109** Authorizes and provides for the private sale of tax-forfeited land in St. Louis county. Effective date: April 7, 1988. BEGICH, JOHNSON, D.J.

### City of Brooklyn Center land conveyance

**Chap. 461-H.F. 2252** Requires and provides for the conveyance of the title to state land interests to the city of Brooklyn Center. Specifies restrictions and reservations. Requires property not used for public purposes to revert back to the state. Effective date: April 7, 1988. CARRUTHERS, LUTHER.

### Forestry provisions

**Chap. 462-H.F. 2272** Updates neglect of duty penalties for forestry employees. Authorizes the commissioner of natural resources to eliminate from state forests and offer for sale unneeded forestry administrative sites. Authorizes the commissioner to contract with the purchasers of state timber for forest improvement work. Eliminates the administrative site from the George Washington State Forest and authorizes sale of the land. Effective date: August 1, 1988. SOLBERG, LESSARD.

### Itasca County land sale

**Chap. 463-H.F. 2312** Authorizes and provides for the sale of state land in Itasca County. Effective date: April 7, 1988. OZMENT, WEGSCHEID.

### Kittson County land conveyance

**Chap. 466-H.F. 2490** Requires the commissioner of natural resources to convey state land in Kittson County to certain persons. Effective date: April 7, 1988. TUNHEIM, STUMPF.

### City of Big Fork land conveyance

**Chap. 472-S.F. 2090** Authorizes the commissioner of natural resources to convey state land to the city of Big Fork. Requires the conveyance to provide



for property reversion to the state if the city no longer uses the land for public purposes. Effective date: August 1, 1988. NEUENSCHWANDER, LESSARD.

#### **Cook County land sale**

**Chap. 492-H.F. 2489** Authorizes the Land Exchange Board, upon recommendation of the Cook County Board and concurrence of the commissioner of natural resources, to waive public travel reservation requirements in the exchange of state forest land in Cook County located within the Boundary Waters Canoe Area of the Superior National Forest. Authorizes the commissioner to sell state land in Cook County and specifies sale conditions. Requires the value of improvements on the land to be appraised separately. Effective date: April 13, 1988. BATTAGLIA, JOHNSON, D.J.

#### **St. Louis County land sale**

**Chap. 494-H.F. 2551** Authorizes and provides for private sales of tax-forfeited lands in St. Louis County. Effective date: April 13, 1988. BATTAGLIA, JOHNSON, D.J.

#### **Ramsey County erosion and sediment control pilot program**

**Chap. 497-S.F. 1632** Establishes a coordinated erosion and sediment control pilot program in Ramsey County through the Soil and Water Conservation District to conserve and protect the land, water and other natural resources of the county. Requires the district to develop a pilot program containing a model ordinance and conservation specifications for soil erosion and sediment deposition control by January 1, 1989. Requires the district to seek advice from appropriate state and federal agencies, local units of government, and representatives of interests such as residential development and nonresidential development. Specifies program content requirements. Authorizes revisions after public hearing. Requires the program to be available for public inspection at the district office. Requires local watershed management organizations to develop and adopt soil erosion and sediment control programs consistent with the district program within one year after adoption of the district program. Requires district approval of the programs. Requires the district to assist in the preparation of the organization programs upon request. Requires inclusion of organization programs in watershed plans before approval by the Water and Soil Resources Board. Requires organizations adopting conservation specifications or ordinances more stringent than the district program to conduct public hearings. Requires adopted plans, rules and ordinances to be consistent with board rules. Effective date: Local approval. KNAAK, BENNETT.

#### **Jay Cooke State Park addition**

**Chap. 498-S.F. 1717** Adds land to Jay Cooke State Park in Carlton County. Effective date: August 1, 1988. CHMIELEWSKI, OGREN.

#### **Environmental Quality Board Changes**

**Chap. 501-S.F. 2286** Prohibits Environmental Quality Board members from delegating responsibilities. Prohibits the construction of projects under certain conditions. Authorizes enforcement actions. Requires project proposers to pay reasonable costs of preparing and distributing environmental impact statements to the responsible governmental unit. Authorizes retention of money received by nonstate governmental units. Effective date: August 1, 1988. PETERSON, R.W., KNUTH.

#### **Lake Improvement District meetings**

**Chap. 504-H.F. 521** Changes prior notice requirements for annual meetings of lake improvements districts and requires published notice. Requires the filing and distribution of an annual report by the boards of directors within four months of the annual meeting. Effective date: June 1, 1988. JENNINGS, PETERSON, R.W.

#### **Polk County land sale**

**Chap. 507-H.F. 2358** Authorizes Polk County to sell tax-forfeited land located in the city of East Grand Forks. Effective date: April 14, 1988. LIEDER, MOE, R.D.

#### **Severed mineral interests leases**

**Chap. 508-H.F. 2629** Authorizes and provides for the commissioner of natural resources to lease unregistered severed mineral interests before completing certain forfeiture notice requirements under some conditions. Requires citations to state statutes and a federal supreme court decision in the lease. Requires the commissioner to complete the required forfeiture notice procedures and requires a court to adjudge the forfeiture to be absolute prior to mining by the lessee. Defines mine to exclude exploration activities. Effective date: April 14, 1988. BEGICH, JOHNSON, D.J.

#### **Inspection of waste facility records**

**Chap. 521-H.F. 1846** Grants a person authorized by a county designated as a resource recovery site the authority to inspect or copy, without a search warrant, records of an owner or operator of any waste facility in the state that contain information regarding the volume, type, origin, and weight of the waste received by the facility. Prescribes a misdemeanor penalty for persons

failing to open the records for inspection. Effective date: August 1, 1988. PRICE, DIESSNER.

#### **Assistance for solid waste management projects**

**Chap. 524-H.F. 2092** Authorizes sanitary districts to apply for and receive assistance from the Waste Management Board for solid waste management projects. Defines sanitary district. Effective date: August 1, 1988. OGREN, GUSTAFSON.

#### **Indian settlement agreement ratification**

**Chap. 525-H.F. 2216** Ratifies and affirms a settlement agreement resulting from civil action concerning hunting, fishing, trapping and gathering rights in an area described in the September 30, 1854 treaty between the Lake Superior Chippewa and the U.S. government. Amends the agreement to provide for cancellation upon written notice. Requires the commissioner of natural resources to take all necessary actions to carry out the duties and obligations of the state arising from the settlement agreement. Appropriates \$5.05 million to carry out the agreement. Effective date: April 15, 1988. BATTAGLIA, JOHNSON, D.J.

#### **City of Farmington land sale**

**Chap. 528-H.F. 2637** Authorizes and provides for the conveyance of tax-forfeited land in the city of Farmington. Effective date: April 15, 1988. TOMPKINS, WEGSCHEID.

#### **Fencing of unused mine pits and shafts**

**Chap. 530-S.F. 1328** Includes the Iron Range Resources and Rehabilitation Board in the definition of state for tort claims settlement purposes. Exempts the state and local governmental units from tort liability for losses resulting from idled or abandoned mine pits or shafts on unimproved state or locally owned land and from water access sites providing access to idled, water-filled mine pits. Requires and provides for county board designation of county officers or employees to act as county mine inspectors in any county where there are active, inactive, or idled mines and no county mine inspector has been appointed. Provides tort liability exception. Alters unused open pit mine or shaft fencing requirements and grants county mine inspectors more restrictive authority based on local site conditions. Requires the appointing county to pay inspector salaries and expenses and authorizes counties to appropriate money for purposes of mine safety, inspector expenses and other expenses. Provides that persons removing or disturbing signs are guilty of theft. Effective date: August 1, 1988. DICKLICH, BEGICH.

#### **Use of meat to bait bear prohibition**

**Chap. 531-S.F. 1561** Prohibits, for bear baiting, the use of meat from mammals, if the meat contains bones; the bones of mammals; solid waste containing bottles, cans, plastic, paper, or metal; materials that are not readily biodegradable; or any part of a swine. Effective date: August 1, 1988. FREDERICKSON, D.R., CARLSON, D.

#### **South Twin Lake water basin**

**Chap. 538-H.F. 1585** Designates the south water basin of Twin Lake in Hennepin County lying east of trunk highway #100 and located within the city of Robbinsdale as a separate water basin and lake to be known as South Twin Lake. Requires South Twin Lake to be given a separate public waters inventory number. Effective date: August 1, 1988. CARLSON, L., REICHGOTT.

#### **Water pollution violation penalties**

**Chap. 553-S.F. 1674** Prescribes gross misdemeanor criminal penalties for violation of water pollution statutes, rules or permits. Provides for information and monitoring and prescribes penalties. Effective date: August 1, 1988. DAHL, NELSON, D.

#### **Carlton County land sale**

**Chap. 555-S.F. 1713** Requires Carlton County to sell tax-forfeited land by private sale to Independent School District #95, Cromwell. Effective date: April 19, 1988. CHMIELEWSKI, OGREN.

#### **Deer stand height**

**Chap. 587-H.F. 2185** Increases the allowable height of stands or platforms used for taking deer to 16 feet. Modifies restrictions on the placement of decoys on public waters or public lands. Effective date: August 1, 1988. SPARBY, STUMPF.

#### **Omnibus fish and game bill**

**Chap. 588-H.F. 2265** Affords protections to and requires the establishment of a season on crows. Extends the open season for hunting in private shooting preserves and authorizes sanctioned registered field trials during the off-season after notice to the commissioner of natural resources. Specifies that a private shooting preserve licensed to release pheasants must release at least 500 pheasants on the preserve area during the private shooting preserve hunting season and that at least 20 pheasants must be released within 14 days before a day that pheasants are hunted. Restricts the number of pheasants harvested in private shooting preserves to 95 percent of the number released during the private shooting preserve hunting season. Specifies that a resident under the age of 16 is eligible for a turkey license if

the person possesses a firearms safety certificate. Exempts residents of nursing homes from angling license requirements. Authorizes the commissioner to issue special free permits to take deer or turkey with a crossbow to permanently physically disabled persons and specifies crossbow requirements. Authorizes the possession and use of landing nets to net fish taken by angling and authorizes the use of electric landing nets if the net is designed to temporarily immobilize the fish so that it can be safely released, and provided that the batteries do not exceed nine volts and the current produced does not exceed 40 milliamps. Requires the commissioner to conduct a study to determine the effects of electric nets on the fishery resource. Prescribes limits and season for walleye fishing on Rainy River. Requires the commissioner to negotiate an agreement with the province of Ontario for walleye seasons and limits and to close the river during the spawning season. Alters the definition of private fish hatchery to include the raising of minnows and the processing of fish. Authorizes the acquisition of fish from sources outside the state approved by the commissioner. Authorizes the commissioner to apply more stringent requirements than those applied to fish and sources of fish from within the state and specifies minnow requirements. Requires the use of 1-3/4 inch net mesh in taking ciscoes in any lake. Permits riparian landowners to aerate certain public waters without a permit under specific conditions. Repeals the closing date for the fishing season on the Rainy River. Effective date: April 22, 1988. REDING, BERG.

#### **PCA notification of air pollution**

**Chap. 600-S.F. 2165** Requires immediate notice to the Pollution Control Agency of emissions causing air pollution endangering human health or damaging property or causing obnoxious odors by persons controlling the source of the emission. Requires reasonable actions to minimize and abate the pollution and odors caused by the discharge. Provides for exceptions. Provides that persons who notify the agency of emissions under law are not subject to criminal prosecution. Provides that any notice submitted is not admissible in any proceeding as an admission of causation. Effective date: August 1, 1988. DAHL, OZMENT.

#### **Ramsey County land sale**

**Chap. 601-S.F. 2217** Requires and provides for the commissioner of transportation to sell state lands located within a conservancy, recreation and protection district in Ramsey County to the city of Mounds View. Requires the quitclaim deed to contain a provision requiring the city of St. Paul and Ramsey County to enter into certain joint powers agreements prior to issuing any general obligation bonds. Authorizes Ramsey County to assume all remaining debt service issued by the city of St. Paul for the construction of St. Paul-Ramsey Medical Center and provides for exemption from election requirements and the debt or tax levy limitations. Effective date: Various dates. NOVAK, VOSS.

#### **Western Waterfront Trail authorization**

**Chap. 614-H.F. 2434** Authorizes the city of Duluth to spend up to \$236,859 of a prior appropriation for the acquisition or construction of the Western Waterfront Trail, subject to terms and conditions of the previous grant. Effective date: April 25, 1988. MUNGER, SOLON.

#### **Use of Ramsey County land for highway purposes**

**Chap. 622-S.F. 1955** Authorizes Ramsey County to use land dedicated as open space for highway purposes. Authorizes the sale of county land. Extends the time for the Ramsey County Charter Commission until December 31, 1989. Effective date: August 1, 1988. NOVAK, KNUTH.

#### **Surplus state lands sale authorization**

**Chap. 628-S.F. 2214** Authorizes and provides for the commissioner of natural resources to sell surplus state lands or interests in lands to local government units for public recreational or natural resource purposes and requires executive council approval. Specifies commissioner determination requirements. Requires the commissioner to appraise the land or land interest before sale and permits land sales for less than the appraised value if the commissioner determines, in writing, that it is in the public interest. Specifies deed requirements. Authorizes the commissioner to convey road and flowage easements across state lands to private persons if there are no reasonable alternatives to obtain access to the property and the exercise of the easement will not cause significant adverse environmental or natural resource management impacts. Specifies deed requirements. Authorizes the commissioner to sell surplus trail lands to adjoining property owners and leaseholders and specifies deed requirements. Defines school trust land. Requires the price of state land sales to include associated costs. Transfers the issuance of land patents to the commissioner. Authorizes the commissioner to lease state lands at public and private sales, specifies amount and terms and requires that certain leases must have executive council approval. Specifies limitations on leases of peat lands and leases for commercial purposes. Clarifies classes of lands. Authorizes state park and school trust land exchanges. Makes provisions for the reuniting and severing of surface and mineral interests land exchanges. Requires the examination and appraisal of state lands proposed for exchange in the same manner as

state school land. Specifies a procedure for the exchange of classes of lands. Changes the appraisal fee for public and private land owners and transfers fee determination responsibility from the Land Exchange Board to the commissioner. Specifies payments to owners for certain easements. Effective date: Various dates. MERRIAM, JENNINGS.

#### **Aitkin County land sale**

**Chap. 640-H.F. 1943** Authorizes Aitkin County to sell tax-forfeited land bordering the Ripple River in the city of Aitkin. Authorizes the exchange of tax-forfeited peat lands in Aitkin County for privately owned peat lands. Authorizes Chisago, Carlton, Pine and Kanabec Counties to levy property taxes for the county historical societies and specifies limit. Provides for reverse referendums. Authorizes and provides for the sale of tax-forfeited lands bordering public waters in McLeod County. Authorizes and provides for the sale of tax-forfeited lands bordering public water in Pine County. Effective date: Various dates. CHMIELEWSKI, OGREN.

#### **Environmental lien creation**

**Chap. 651-S.F. 412** Creates an environmental lien against real property for cleanup expenses incurred by the state relating to hazardous substance or petroleum tank releases. Provides for lien attachment, continuation, priority and enforcement. Requires the commissioner of the pollution control agency to release the lien under specific conditions. Sets forth lien notice and filing requirements. Requires the commissioner to notify persons and entities prior to filing an environmental lien notice. Requires PCA Board or Petroleum Tank Release Compensation Board approval or disapproval of lien filings. Provides for the crediting of amount received by the PCA to satisfy environmental liens. Provides that lien does not affect other remedies. Effective date: August 1, 1988. LUTHER, LONG.

#### **Motor vehicle emission inspection**

**Chap. 661-S.F. 1783** Requires annual inspections of motor vehicles in the metropolitan area beginning no later than July 1, 1991. Exempts motor vehicles manufactured before the 1976 model year or with engines manufactured before the 1976 model year; motor vehicles registered as classic, pioneer, collector or street rod; motor vehicles that are exempted in accordance with the rules of the agency because the vehicle, although registered to an owner residing in the metro area, is customarily domiciled outside the metro area; and any class of motor vehicle that is exempted by rule of the agency because the vehicles present prohibitive inspection problems or are inappropriate for inspection. Provides that inspections take place at public or fleet inspection stations within 90 days prior to the registration deadline for the vehicle. Requires a certificate of compliance or certificate of waiver prior to vehicle registration. Requires the PCA to establish and administer a program to test and inspect vehicles for air pollution emissions and to adopt rules establishing standards and criteria for the testing and inspection and specifies rule requirements. Requires the PCA to contract for the establishment, maintenance and operation of the public inspection stations and requires convenient public access. Specifies contract requirements and prohibitions. Provides for the issuance of certificates of compliance. Requires the PCA to develop a means of responding to public inquiries. Requires the program to provide for PCA licensing of fleet inspection stations and specifies licensee requirements. Requires the issuance of certificates of waiver under specific conditions. Provides for repair costs limits of \$75 for vehicles manufactured before the 1981 model year and \$200 for vehicles manufactured in the 1981 model year and after. Requires the PCA to apply for federal grants or for any other sources for motor vehicle pollution control programs. Requires the PCA to collect data, conduct evaluation studies, report to the legislature and implement a public information program in cooperation with the Dept. of Public Safety and the contractor. Specifies prohibited acts such as wrongful certification, referral for parts or repair, alteration and false repair costs. Limits inspection fee to not more than \$10. Creates a vehicle emission inspection account to pay the cost of the motor vehicle inspection program and agency and department administrative costs. Sets forth deposit requirements and repayment requirements. Provides for legislative report. Effective date: Various dates. REICHGOTT, NELSON, D.

#### **Chlorofluorocarbon packaging prohibition**

**Chap. 671-S.F. 2131** Prohibits the state, cities, counties, towns and school districts from purchasing or otherwise obtaining chlorofluorocarbon (CFC) processed packaging and prohibits the purchase, manufacture, sale or distribution of CFC packaging. Authorizes the Pollution Control Agency to, by rule, exempt types of packaging from the requirements after adopting findings that the type of packaging does not have an acceptable non-CFC-processed equivalent and that the adverse health effects of the CFC-processed packaging can be tolerated until an alternative can be developed; and imposing the requirements would cause undue hardship. Allows application for packaging exemption to the commissioner. Provides for penalty and for attorney general enforcement. Requires the PCA to study ways to eliminate sources of CFC and report to the legislature. Effective date: Various dates. DAHL, TRIMBLE.

### **Flotation devices in duck boats requirement**

**Chap. 677-H.F. 1817** Prohibits the use of mammal carcasses, solid waste and nonbiodegradable materials to bait bear for hunting purposes. Modifies restrictions on the placement of decoys on public waters or public lands. Requires duck boats to be equipped with personal flotation or lifesaving devices. Effective date: August 1, 1988. STANIUS, WEGSCHEID.

### **Heartland Trail description**

**Chap. 679-H.F. 2155** Revises the description of the Heartland Trail in Hubbard and Cass Counties. Provides for the establishment of the Paul Bunyan Trail in Crow Wing, Cass, Hubbard and Beltrami Counties. Effective date: April 28, 1988. KINKEL, SAMUELSON.

### **Hazardous waste stabilization and containment facility provisions**

**Chap. 683-S.F. 2289** Authorizes and provides for the Waste Management Board to enter into agreements for the development and operation of a wholly or partially state owned commercial hazardous waste stabilization and containment facility. Requires submittal of a copy of the agreements to the Legislative Commission on Waste Management and recommendations for legislative actions necessary to meet the agreements. Requires the recommendations to include a financial assurance proposal for possible claims for damages and response costs. Provides for the liability of responsible persons for the reimbursement paid by the Petroleum Tank Release Compensation Board for corrective actions. Modifies board partial reimbursement responsibility and provides for full reimbursement under certain circumstances. Effective date: April 28, 1988. MERRIAM, MUNGER.

### **Waste management provisions**

**Chap. 685-H.F. 2031** Requires new or significantly remodeled structures that contain 1,000 square feet or more and are subject to the state building code and residential units with more than 12 units that are subject to the state building code to provide space for the separation, collection and temporary storage of recyclable materials. Requires spaces leased by the state for 30 days or more and with 5,000 or more square feet to provide space for the separation, collection and temporary storage of recyclable materials. Modifies the definitions of recyclable materials and recycling under the Waste Management Act. Modifies the definition of recycling. Alters oversight duties of the Legislative Commission on Waste Management and requires the LCWM to oversee activities of the Waste Management Board, the Pollution Control Agency and the Metropolitan Council relating to waste management or water pollution control. Sets forth recommendation requirements. Authorizes and provides for Waste Management Board grants for the development and operation of hazardous waste containment facilities and loans for industrial waste processing facilities. Requires periodic board evaluation of grant and loan programs. Provides for market development for compost. Provides for a commitment to recycling as a condition for board approval of solid waste management plans or resource recovery facility grants. Defines and provides for interim classification of incinerator ash, county solid waste plan and mixed municipal solid waste incinerator permit application requirements. Transfers the responsibility for waste tire management from the PCA to the board and authorizes regulation of the facilities. Provides for studies to determine the feasibility of uses for tire products and public education programs. Authorizes reimbursement to counties for up to 85 percent of waste tire abatement costs and specifies additional contract requirements. Authorizes county recovery of costs from certain tire collectors in civil actions. Provides for loans and grants for waste tire collection facilities and management projects. Requires an annual progress report by the board to the LCWM. Grants the board regulatory and enforcement powers. Prohibits land disposal of used oil. Transfers the authority for loans to businesses for used oil processing equipment and grants to counties for installation of used oil storage tanks from the energy and economic development authority to the board. Specifies eligibility requirements. Specifies grant limits. Removes the limit on the county fee for disposal of mixed municipal solid waste in the metropolitan area and increases city or town fee authority. Authorizes the use of the fee increases for general fund purposes. Prohibits land disposal of yard waste in the metro area after January 1, 1990 and outside the metro area after January 1, 1992. Provides for the regulation of solid waste disposal fees. Authorizes the PCA to respond to requests for assistance in determining hazardous substance release sites and in the development and implementation of response actions. Provides for the payment of costs and requires the money received to be deposited in the Environmental Response, Compensation and Compliance Fund. Requires notification to local units of government and public hearings before granting a permit for solid waste facilities alterations. Expands the membership of the Environmental Quality Board to include the chair of the Waste Management Board. Prohibits the sale of plastic beverage containers and beverage containers and motor oil containers held together by nondegradable plastic materials. Requires rules for the labeling of plastic containers by March 31, 1989. Requires automotive tire retailers to accept waste tires for collection and recycling. Modifies provisions relating to the

inventory of disposal facility sites in the metropolitan area. Expands the authority of county solid waste management advisory committees and modifies membership requirements. Prohibits the deposit of garbage or litter in shoreland areas adjacent to rivers and streams. Forgives a Pennington County solid waste loan. Modifies requirements for a solid waste comprehensive planning report to the legislature. Authorizes the use of prior appropriations for additional purposes. Reduces a transfer of money from the motor vehicle transfer fund to the general fund. Removes an appropriation limit for the payment of costs relating to the acquisition of sites for hazardous waste facilities. Repeals the expiration date of the Legislative Commission on Waste Management. Effective date: Various dates. NELSON, D., MERRIAM.

### **Controlled burning program**

**Chap. 714-S.F. 2079** Authorizes the commissioner of natural resources to establish a controlled burning program on state and private lands to propagate wildlife, manage the prairie, and reduce wildfire hazard. Specifies controlled burn permit and commissioner manual requirements. Authorizes the commissioner to provide financial and technical assistance to persons conducting private burns. Provides for a statement of need and reasonableness before the designation of muskellunge waters by the commissioner. Limits the size of designated waters on lakes wholly or partially within an Indian reservation. Effective date: May 5, 1988. LESSARD, KINKEL.

## **Finance**

### **Semi-states**

**Chap. 684-S.F. 2565-Article I** Provides for the availability of certain prior appropriations to the Dept. of Transportation. Transfers money from the Trunk Highway Fund to the State Airports Fund for data processing development. Appropriates money to the transportation regulation board and approves a complement increase of one for FY 1989. Appropriates almost \$2 million to cover the state's share of the costs of damage to individual and public property that is eligible for public assistance under the presidential declaration that the torrential rainfall and flooding last summer was a major disaster. Appropriates money to the Dept. of Public Safety for organ donation drivers license renewal notice printing and Bureau of Criminal Apprehension laboratory activities and cross jurisdictional criminal activity cooperative investigation grants. Adds money to a previous appropriation to the Dept. of Agriculture for oak wilt control. Appropriates money to the department for FY 1989 for oak wilt control. Increases the approved complement for the department by one position. Appropriates money to the Board of Water and Soil Resources and increases its approved complement by three positions. Appropriates money to the Charitable Gambling Control Board for FY 1989 and increases its approved complement by six positions. Appropriates money to the Minnesota Historical Society for a grant to the Minnesota Humanities Commission that is available only as matched dollar for dollar by federal money for new exhibits and a film for the Lindbergh Interpretive Center at Little Falls; for a joint venture with the Hubert H. Humphrey Institute of Public Affairs to convert audio-visual materials of the society into a form usable by the institute for exhibit purposes; for a St. Anthony Falls heritage interpretive zone and heritage board; and for a grant to the Southwest Regional Development Commission to conduct a study and planning for a facility to be located on marked Interstate Highway No. 90 in Jackson Rock, or Nobles County, to be known as the Prairieland Expo Center. Requires the Southwest Regional Development Commission to submit a report to the legislature by February 15, 1989, on the results of the study and planning efforts. Appropriates money to the Board of the Arts for regional arts councils and other groups. Appropriates money for veterans' assistance. Creates a temporary town road account for maintenance of town roads providing access to state parks, institutions or units of the outdoor recreation system, state park access road priority and provides for funding. Removes a provision restricting the Voyageurs National Park Citizens Committee from accepting money from public or private sources other than the legislature, except for up to \$25,000 per biennium from private sources. Creates a St. Anthony Falls Heritage Board to develop a comprehensive interpretive plan for significant historical components in a specified heritage interpretive zone. Authorizes the board to provide project assistance grants for the interpretation of historical resources that are part of the plan and provides limits. Designates the Historical Society as the coordinator of the zone. Provides for a match for the project by the city of Minneapolis and the park board. Creates a Bureau of Criminal Apprehension Account for laboratory costs and undercover buy fund purposes to be funded through the driver license reinstatement fee. Increases the membership of the Crime Victim and Witness Advisory Council and provides for the reimbursement of some expenses.



**Article II-Transit** Adds \$3.58 million to the appropriation for FY 1989 to the Dept. of Transportation for non-metropolitan transit assistance. Appropriates money to the department for distribution to regional railroad authorities in the metropolitan area for planning, preliminary engineering, design, and construction of light rail transit facilities. Must be matched on a dollar for dollar basis. Appropriates money to the Regional Transit Board for regular route service and metro mobility. Requires the board to submit a report on metro mobility to the chairs of the Agriculture, Transportation, and Semi-States divisions of the House Appropriations and Senate Finance Committees. Appropriates \$700,000 to the board for FY 1989 to reimburse a regular route provider for fare revenue lost if senior fares remain unchanged in a general restructuring of regular route fares. Appropriates money to the board from the Transit Assistance Fund for certain new service. Provides for the distribution of certain transit assistance funds to regional railroad authorities in the metropolitan area, provided a variety of requirements are met. Requires Regional Transit Board and Metropolitan Transit Commission cooperation in light rail transit planning and operation. Authorizes the Metropolitan Transit Commission to enter into an agreement with a railroad authority to provide for the operation of a light rail transit system. Effective date: Various dates. MERRIAM, ANDERSON, G.

#### State departments

**Chap. 686-H.F. 2344 Article I** Appropriates money to the legislature to pay the dues associated with Minnesota's membership in the National Conference of State Legislatures State and Local Legal Center. Appropriates \$100,000 to the legislative auditor to cover the cost of auditing the University of Minnesota's physical plant operations and for conducting an evaluation of the Minnesota Housing Finance Agency's programs. Appropriates money to the Supreme Court to maintain the trial courts information system and to study the costs and benefits of video or audio tape recording civil litigation and administrative hearings. Specifies some requirements for family farm legal assistance provider reports. Appropriates money to the Board of Public Defense for FY 1989 for space rental and \$55,000 to the board for FY 1989 for an intergovernmental relations position. Appropriates money to the governor for the Office of Jobs Policy, which must be transferred to the governor's office. Appropriates money to the Dept. of Administration from the Special Revenue Fund for the 911 emergency telephone service. Appropriates money to the Dept. of Administration for the Information Policy Office to plan and conduct a system architecture conference for legislators and key executive branch personnel; to establish not less than three experimental computer centers to demonstrate the effectiveness of a distributive computing model for a wide range of computer applications in the field of education, including financial and student management; for the Information Policy Office to facilitate efforts to move the legislature towards the usage of more interactive technologies; for a grant to Twin Cities Regional Cable Channel, Inc., for programming; for a study of the feasibility of using soybean oil base ink for printing; to the community services and volunteer initiative program, on the contingency that the community services program for school districts established in a portion of another law are enacted into law. Requires the commissioner of administration to complete phase II of the study comparing the costs of leasing office space in privately owned buildings with construction of new office buildings to house state departments and agencies. Requires the commissioner to study the feasibility of making state surplus property from the Depts. of Transportation, Corrections, Natural Resources, and Public Safety available to Indian communities at no cost. Further appropriations to the Dept. of Administration include \$350,000 for FY 1988 to plan for use of Senate space in the Capitol building; money to install computer cabling and a telephone system for Senate offices in the State Office Building; money to fix the leaking dome under the roof of the Capitol; and money for increased rent differentials associated with the Dept. of Human Services and the Dept. of Revenue. Appropriates \$675,000 for FY 1988 to the Capitol Area Architecture and Planning Board for landscaping and parking improvements. Appropriates federal refunds received for excise taxes paid on motor vehicle fuels to the Dept. of Finance. Appropriates money to the Dept. of Employee Relations for FY 1989 for the Public Employees' Insurance Plan and for FY 1989 for health insurance costs. Provides for the payment of dependent care expense account program administrative costs and limits some salary supplement increases under the managerial plan to four percent. Appropriates money to the Dept. of Revenue for charitable gambling tax enforcement and metropolitan solid waste landfill fee administration. Appropriates money to the Dept. of Natural Resources for forest nurseries; for hybrid aspen operational studies; for statewide forest inventory and analysis; for the Thief Lake Wildlife Management Area; for the Red Lake Wildlife Management Area; for a study and report on alternative uses for the Tettegouche Camp Buildings; for a lease purchase agreement and for safety purposes on the Paul Bunyan Trail; for Hill-Annex mine pumping costs; for conservation officer salaries; and for the International Wolf Center Committee for a review of the site selection process and planning and site preparation of an

International Wolf Center. Continues a prior appropriation for oak wilt control. Requires the commissioner to construct a fence along a portion of the Willard Munger trail. Requires the commissioner study and report the feasibility of a land exchange with Olmsted County for the wildlife lands located adjacent to the former Rochester State Hospital facility. Requires the commissioner of the dept. of natural resources, in cooperation with the commissioner of the dept. of transportation, to study and report the feasibility of connecting St. Croix State Park and the Hinckley Trail via a Mn/DOT right-of-way. Provides the amount necessary to pay for emergency firefighting expenses. Appropriates money for planning and engineering work on the visitor center and office building at Lac Qui Parle Wildlife Management Area and provides conditions. Appropriates money to the Zoological Board for FY 1989 for a permanent exhibition of an exotic species that has a high visitor appeal, will serve to further the education mission of the zoological garden and has been exhibited successfully in other zoos. Appropriates \$1,200,000 to the board for FY 1989 for renovation of the water and filtration systems which serve the existing beluga whale facility, and provides conditions for the release of the money. Requires the zoo to be open to the public without charge for at least two days each month, although the zoo may charge at any time for special services and for admission to special facilities for the education, entertainment, or convenience of visitors. Abolishes the classified positions of zoo development director; zoo animal program director; zoo operations director; and senior veterinarian, effective July 1, 1988. Appropriations to the Pollution Control Agency for FY 1989 include \$63,000, added to a previous appropriation, which will be transferred to the Dept. of Health for upgrading laboratory facilities used for testing water quality samples and training associated staff; money added to a previous appropriation for a grant to the Minnesota Emergency Responders Training Academy for hazardous materials handling training; and money for the municipal litigation loan program. Cancels an unencumbered balance in the water pollution control fund and appropriates money for non-ferrous mineral strategic planning and for Thompson Township for planning, development, and construction of a facility or facilities to correct water well contamination. Provides for money already appropriated to be used in designated ways regarding wastewater treatment. Requires the Pollution Control Agency to develop criteria and a selection process for the distribution of wastewater treatment facilities grants for towns and unorganized areas and requires the commissioner to study the lake water pollution problems associated with wastewater in those areas and make a report with recommendations. Appropriates money to the Dept. of Trade and Economic Development for travel information centers; for world trade center marketing; for the advanced integrated manufacturing center; for the symposium on international technical innovation and entrepreneurship; for an invention and innovation support and marketing system; and for the Mississippi Regional Park. Authorizes a Minneapolis bond issue for the Great River Road project and St. Paul bond issues for the Como Park Conservatory and Shepard and Warner Roads reconstruction and provides for any unencumbered balance of the appropriation for the Minnesota Council on Productivity and Quality for FY 1988 to be carried forward to FY 1989. Provides that a previous appropriation to the Minnesota Motion Picture Board for FY 1989 is available upon receipt by the board of \$1 in matching contributions of money or in kind from nonstate sources for every \$3 provided by that appropriation. Provides for certain economic recovery grants. Appropriates money to Celebrate Minnesota 1990 and Minnesota Marketplace. Provides for various land acquisitions. Appropriates money to the World Trade Center Corporation, the Amateur Sports Commission, to the Housing Finance Agency for a demonstration housing rehabilitation project for the homeless, to the State Planning Agency for an aquaculture project and the cold weather testing task force, to the Dept. of Labor and Industry for a medical cost study, to the Dept. of Military Affairs for National Guard member bonuses and tuition reimbursement program establishment, to the Dept. of Human Rights and to the Council on the Affairs of Spanish-Speaking People for a research component and the Council on People with Disabilities for handicapped arts organizations. Provides for funding of the Dept. of Veterans Affairs Morrison County state veterans cemetery study. Provides for a regional park on Lake Minnetonka. Eliminates a requirement that the commissioner of administration prepare a report to the legislature recommending criteria for awarding operational and equipment grants to public broadcasting stations. Eliminates a requirement regarding emergency deer feeding. Eliminates a requirement that the governor's budget recommendations submitted to the legislature in January 1989 include as general fund revenues and appropriations for fiscal years 1990 and 1991 all revenues and expenditures previously accounted for in other operating funds. Provides budget guidelines for state agencies. Requests the governor to submit capital bonding proposals in the first year of the biennium for legislative action in the second year. Changes the Legislative Committee on Planning and Fiscal Policy to a commission and expands its duties. Eliminates the requirement for the Councils on Spanish Speaking People Affairs, Black Minnesotans and Asian-Pacific Minnesotans to reimburse the commissioner

of administration for administrative services. Restricts the expenditure of oil overcharge funds. Requires Legislative Commission on Minnesota Resources review of proposed projects. Appropriates money received before July 1, 1989, by the governor, the commissioner of finance, or any other state agency as a result of the settlement of the parties and order of the United States District Court for the District of Kansas in the case of In Re Department of Energy Stripper Well Exemption Litigation, for the low income weatherization assistance program, for a grant to Lake Isabella environmental learning center, for the natural resources research institute energy efficient comparison block study of concrete block structures, for agricultural utilization research grants, to the cold climate building research center and the center of transportation studies for research and technology transfer projects that promote energy efficiency in transportation systems, for the center for the science and application of superconductivity for research and technology transfer projects, and to Independent School District No. 625, St. Paul, to prepare an application for a photovoltaic cell project. Provides for the use of the remainder of the money received, any further money received by the state as a result of the settlement and any investment earnings of this money that is not appropriated. Requires state agencies submitting budget requests to show amount requested to cover attorney general costs. Reduces allocations from the State Elections Campaign Fund to certain candidates. Provides for the allocation of 10 percent of the money in each party account in each calendar year to the state committee of a political party for specified purposes. Postpones the date for submission of the salary recommendations of the compensation council. Restricts smoking in state buildings. Authorizes the commissioner of administration to prepare a day care site as a common usage space for the Capitol Complex. Authorizes the balance of the Export Finance Authority working capital account to exceed or fall below \$1,000,000. Modifies requirements regarding purple loosestrife (*lythrum salicaria*) eradication requirements. Shifts the revolving account for fees received by the certified state development company from the Special Revenue Fund to the Agricultural and Economic Development Fund. Establishes the Hill-Annex Mine State Park in Itasca County. Increases state park permit fees, including the sales tax in the fee. Consolidates and changes water permit fees authorized and submitted under specified sections. Defines responsible person under the petroleum tank release cleanup act, clarifies liability. Provides for a grant increase of five percent of the total eligible costs of construction, with restrictions, for municipalities with a population of 25,000 or less that were tendered specific state matching or independent grants, or a federal grant under specific provisions of the federal Water Pollution Control Act, from October 1, 1984, through September 30, 1987. The grants were for wastewater treatment facilities. Requires the recording of an affidavit, which must contain specified information, before transfer of ownership of property containing underground storage tanks. The affidavit must be recorded with the county recorder or registrar of titles of the county in which the property is located. Provides for the recording of a removal affidavit if an affidavit has been recorded and the tank and any regulated substance released from the tank have been removed from the property in accordance with applicable law. Requires nuclear fission electrical generating plant assessments to cover the cost of surveying existing literature and activity relating to radioactive waste management. Places regional tourism office employees in the unclassified service. Changes the membership of the Council on Productivity and Quality. Authorizes the commissioner of trade and economic development to enter into agreements to establish and maintain offices in foreign countries. Provides for Greater Minnesota Corporation board member compensation and limits the salary of the board president. Authorizes financial assistance to organizations receiving favorable peer review. Provides for Pollution Control Agency mitigation loans. Transfers control of travel information centers from the commissioner of transportation to the commissioner of trade and economic development. Authorizes state rail bank land use for public trails. Authorizes conveyance to another state agency. Requires the commissioner of administration to provide quarters outside the capitol for the State Board of Public Defense. Provides for continued funding of the DNR COREX project and reduces the required default repayment amount. Provides for payment of Pollution Control Agency waste pesticide collection and disposal costs. Forgives a Dept. of Revenue penalty of \$570,000 relating to an automated collection system for tax compliance. Forgives a match requirement for an educational center at the Environmental Learning Center at Isabella. Authorizes the transfer of some state land to the city of St. Peter and conveyance of specified Crow Wing County camp land to Volunteers in Partnership, Inc., for a youth camp. Exempts the commissioner of revenue from a certain salary increase limit. Requires various studies.

**Article II** Establishes the Celebrate Minnesota 1990 grant program for local community cleanup, beautification and improvement activities. Sets grant criteria, limit and match requirements, grant application procedure. Requires coordination with other programs. Establishes an advisory committee for statewide program development and coordination purposes,

and sets executive director requirements. Requires state agency cooperation. Establishes the Minnesota Marketplace Program to assist businesses in meeting needs for competitive goods and services within Minnesota. Requires commissioner of trade and economic development selection of a nonprofit corporation to administer the program and of local service centers. Provides for grants and duties. Requires state agency cooperation and an annual corporation report to the commissioner. Authorizes and provides for the transfer of certain unencumbered appropriations. Provides sunsets.

**Article III-Planning for youth employment** Requires the commissioner of the state planning agency to make grants of up to \$20,000 to eligible organizations for the design of programs to provide education and training services to targeted youth. Establishes an advisory committee to assist the commissioner. Requires the program design to include education, work experience and job readiness skills components. Outlines possible eligible program providers. Requires the inclusion of work projects providing housing for the homeless and very low income families. Specifies requirements of organizations receiving grants. Requires a commissioner report to the legislature and the governor.

**Article IV**-Provides for the acquisition, development, maintenance, and administration of state forest roads under the jurisdiction of the commissioner of natural resources for resource management purposes, and the commissioner's rulemaking authority. Creates the State Forest Road Account for the acquisition, development, maintenance and administration of the roads. Provides for the designation, inventory and recording of the roads and for the acquisition of additional rights-of-way and easements. Requires the commissioner to develop specifications for design, construction and maintenance. Authorizes and provides for the designation of minimum maintenance forest roads, posting requirements, and liability. Authorizes the conveyance of undesignated roads to other governmental units. Creates the Country Forest Access Road Account for country forest access roads construction, acquisition, maintenance and use studies. Dedicates, and provides for computation and distribution, of unrefunded tax paid on gasoline and special fuel used to operate motor vehicles on forest roads, except gasoline and special fuel used for aviation purposes, to the accounts. Modifies study and reporting requirements of the commissioners of transportation, natural resources and revenue, regarding the unrefunded gas tax.

**Article V**-Abolishes the dedicated receipt account of the revisor of statutes and the software sales and legal services surcharge accounts of the Supreme Court. Repeals the requirements for the deposit of fees collected by the secretary of state in the special revenue fund and for the transfer of unencumbered balance of nondedicated revenue from the special revenue fund to the general fund. Effective date: Various dates. KAHN, MERRIAM.

## Health and human services

**Chap. 689-H.F. 2126 Article I-Appropriations** Appropriates money to the commissioner of human services for social services, including semi-independent living services for those people determined eligible who have not received funding; an attention deficit disorder; education grant and chemical dependency evaluation; mental health services and income maintenance; health care, residential and family support programs; the veterans homes; and the ombudsman for mental health and mental retardation. Provides for Medical Assistance and General Assistance Medical Care payments to vendors of various services. Allocates a previous appropriation to the Hennepin County and St. Paul-Ramsey medical centers. Provides General Assistance Medical Care (GAMC) for certain persons with serious and persistent mental illness. Sets the maximum pharmacy dispensing fee under Medical Assistance and GAMC. Restricts commissioner approval of new intermediate care beds for persons with mental retardation or related conditions and requires one-half of the first 70 newly constructed or newly established beds approved be state-operated community-based intermediate care beds. Provides funds for a health insurance program demonstration project for low income persons in southwest central Minnesota, for the Faribault Regional Treatment Center planning study and for the healthspan program. Extends Medical Assistance eligibility to include pregnant women and infants to age one with income at or below 185 percent of the federal poverty level. Appropriates money to the commissioner of jobs and training for rehabilitation and community services including economic opportunity grants for Olmsted and Freeborn County community action agencies and grants for development and administration of life skills and employment plans for homeless individuals. Appropriates money to the commissioner of corrections to replace a boiler at the Red Wing Correctional Facility. Regulates hearing aid sales. Restricts law enforcement officers' authority to remove identifying devices or cards from disabled persons. Specifies some additional duties of the commissioner of health relating to the delivery of nutritional supplements to eligible women, children and infants. Authorizes commissioner of health grants for evaluation and counseling services to populations at risk for acquiring AIDS. Requires the commissioner to promote measures aimed at preventing businesses from

facilitating sexual practices transmitting deadly infectious diseases. Expands eligibility for a social workers license without examination. Establishes the Minnesota Institute for Addiction and Stress Research to investigate addiction disorders and stress-related diseases. Provides for the imposition of civil fines for repeated or egregious violation of rules related to certain licensed hotels, restaurants, resorts and other facilities. Authorizes the commissioner of veterans affairs to establish a veterans home in Silver Bay. Modifies certain provisions under the Minnesota Comprehensive Mental Health Act. Alters activities and requirements of case management and community support services. Restricts access to names and addresses of people receiving mental health services. Requires the commissioners of human services, corrections, health, education and commerce to coordinate services and programs for children with mental illness or with emotional or behavioral disorders. Requires the state Advisory Council on Mental Health to maintain a subcommittee on children's mental health for recommendations to the council concerning policies, laws, regulations and services. Requires the commissioner of human services to create a unified, accountable, comprehensive children's mental health services system, and gives requirements. Authorizes the commissioner of human services to contract with the commissioner of jobs and training to implement and supervise federally-required employment and training programs for food stamp recipients. Provides for liability insurance coverage for providers of adult foster care. Requires the commissioner of human services to establish a demonstration program of grants and community initiatives for children. Requires the commissioner to award grants to develop child care services. Provides for the distribution of funds and for the appointment of a Grant Review Advisory Task Force and specifies funding priorities. Requires the commissioner of the State Planning Agency to convene an Interagency Advisory Committee on child care to improve the quality and quantity of child care services. Authorizes and provides for the commissioner of human services to establish a system of noninstitutional, state-operated, community-based residential services for persons with mental retardation or related conditions and employee requirements. Provides conditions for possible exceptions to the moratorium on the certification of beds in intermediate care facilities for persons with mental retardation or related conditions. Modifies provisions relating to the recommended increases in payment rates for vendors of day training and habitation services for certain mentally retarded people, if the vendors' approved payment rates are ten or more than ten percent below the statewide median payment rates. Expands the conditions for a variance of minimum and maximum payment rates. Requires the commissioner to review procedures, established in specific Minnesota laws, that counties must follow to seek authorization for a medical assistance rate exception for services for very dependent persons with special needs and to appoint an advisory task force. Authorizes the commissioner to initiate a pilot payment rate. Appropriates money to the commissioner of health for Acquired Immune Deficiency Syndrome (AIDS or HIV) prevention grants for certain high risk populations, for establishment of the Minnesota Institute for Addiction and Stress Research, for implementation of the environmental laboratories certification program, and for grants to poison information centers. Authorizes the commissioner to develop a fee schedule for diagnostic evaluations of the Services for Children with Handicaps Program. Requires the commissioner to implement the provisions of Public Law Number 100-203, the Omnibus Budget Reconciliation Act of 1987, that relate to training and competency evaluation programs and the establishment of a registry for nurse aides in nursing homes and boarding care homes certified for participation in the Medical Assistance or Medicare programs. Authorizes the Board of Nursing to establish the standards and the registry. Provides for emergency rulemaking authority. Provides for payment of wages for project labor. Provides for the availability until June 30, 1990, of appropriations for a demonstration project relating to blood lead levels in pregnant women. Provides for the availability of money appropriated for a similar demonstration project for children until expended. Authorizes certain fund transfers. Requires various studies and evaluations.

**Article II-** Authorizes the commissioner of human services to purchase or rent supplies, materials, equipment and utility services for use by community-based residential facilities without regard to competitive bidding requirements. Requires that certain accident and sickness insurance policies and HMOs allow dependent children who do not reside with the covered employee to be covered on the same basis as if they reside with the covered employee. Defines hours of treatment for ambulatory mental health services insurance benefits determination purposes. Regulates long-term health care policies. Prohibits health plan denial or reduction of benefits due to eligibility or receipt of Medical Assistance. Modifies certain vocational rehabilitation and independent living services provisions. Makes the Vocational Rehabilitation Consumer Advisory Council permanent and provides for the allocation of funds appropriated for the extended employment program. Limits certain report information requirements for

epidemiologic studies by the commissioner of health under certain conditions. Requires written materials provided to clients under programs administered or supervised by the Depts. of Health, Human Services and Jobs and Training to be in plain language and understandable at a seventh-grade reading level. Requires tests for infants born with hemoglobinopathy and outlines considerations for determination tests for inborn metabolic errors. Authorizes the commissioner to license a facility seeking Medical Assistance certification as an intermediate care facility for persons with mental retardation or related conditions for four or more persons as a supervised living facility. Authorizes and provides for commissioner certification of environmental laboratories. Establishes the minimum staffing standard for nursing personnel in nursing homes. Provides exceptions to the nursing home bed moratorium. Removes some of the restrictions on conditions relating to upgrading. Extends the authority of the commissioner to adopt emergency rules. Requires nursing homes, or parts of nursing homes, that include resident-occupied space, constructed after June 30, 1988, meet the interior summer design temperature and humidity recommendations in chapter 7 of the 1982 applications of the handbook published by the American Society of Heating, Refrigerating and System. Provides for consent to neuroleptic medication for committed persons. Modifies AFDC eligibility provisions relating to property ownership. Provides for required reports to assistance units to be considered continued applications for assistance. Clarifies AFDC overpayment recovery provisions. Provides for the effectiveness of work incentive subsidized housing emergency rules adopted by the commissioner of human services. Requires minor parents who receive AFDC and meet other conditions, and do not have good cause for not attending school, to attend school. Requires emancipated minor parents who do not attend school and do not have good cause to participate in social service plans. Imposes sanctions for failure to comply. Requires prompt decisions on applications for assistance. Provides for optional voter registration for assistance applicants and recipients. Alters eligibility and covered services under the children's health plan. Requires the commissioner of human services to establish procedures to analyze and correct problems associated with medical care claims preparation and processing under the Medical Assistance, GAMC and children's health plan programs. Changes the basis for limits on annual increases in certain pass-through cost payments to inpatient hospitals under Medical Assistance to the hospital cost index. Increases MA inpatient payments for certain admissions to certain hospitals. Authorizes MA payments for the costs of nursing care provided to patients in swing beds, if conditions are met, for nurse anesthetist services and for certain day treatment services. Exempts AFDC recipients who are refugees and whose health services are reimbursed 100 percent by the federal government for the first 24 months after entry into the U.S., or who are placed in a foster home or facility, from prepaid health plan enrollment requirements. Modifies certain free choice limits and certain Medical Assistance eligibility requirements. Provides eligibility for some disabled children and some aliens seeking legalization under the Immigration Reform and Control Act of 1986. Expedites the application process in some cases involving pregnant women. Changes nursing home preadmission screening program costs responsibility and the deadline for screening team evaluation of need. Modifies asset transfer provisions. Authorizes continued hospital care under medical assistance for a long-term polio patient who has been in an acute care hospital for 25 consecutive years. Increases the personal needs allowance to \$45 dollars a month for Medical Assistance recipients in nursing homes. Provides for automatic increases based on increases in social security or supplemental income. Requires the commissioner of human rights to allow as nursing home operating costs, except as provided in Minnesota Rules, parts 9549.0010 to 9549.0080, an amount for payments in lieu of real estate tax assessed by a municipality, city, township, or county, and provides limits. Requires the commissioner of human rights to increase certain operating cost limits for Medical Assistance reimbursement rate determination purposes. Requires the commissioner to exempt allowable employee pension contributions separately reported by nursing homes from certain operating costs limits. Requires the establishment of a new base year. Changes the property related cost limit ratio. Provides for the determination of property-related costs for any nursing home that commenced construction on a betterment and addition costing \$700,000 or more after the expiration date of a specified law. Specifies replacement cost new per bed limits. Requires the commissioner to increase the rental factor. Provides for an occupancy factor and an equipment allowance. Requires payment rate adjustment for refinanced nursing homes, specifies a payment rate establishment method. Restricts the withholding of payments to nursing homes for ancillary services not medically necessary except for funds due the unrelated vendor of therapy services as provided for in certain law. Modifies appeals provisions for a provider appealing the payment rate the commissioner has set. Provides for an expedited appeal review process. Provides for the payment of attorneys fees and legal and related expenses. Requires the filing of an appeal



supplement for some appeals. Authorizes nursing home appeals of appraised value determinations. Requires the commissioner, when establishing procedures for determining reimbursement rates for intermediate care facilities for persons with mental retardation or related conditions, to include a revaluation on sale for a facility that, for at least three years before its use as an intermediate care facility, has been used by the seller as a single family home and been claimed by the seller as a homestead, and was not revalued immediately prior to or upon entering the Medical Assistance program, provided that the facility revaluation not exceed the amount permitted by the Social Security Act. Requires and provides for the commissioner to establish an interim program operating cost payment rate for the rate years beginning October 1, 1988, and October 1, 1989. Provides for a retroactive settle-up of operating costs for the 1988 and 1989 reporting years. Requires the commissioner, for rate years beginning on or after October 1, 1988, to establish a statewide composite forecasted index incorporating specified economic trends and conditions. Provides for the calculation of the administrative operating costs per licensed bed limit for rate years beginning on or after October 1, 1990. Requires and provides for a subsequent increase in the limit, authorizes the commissioner to develop a method to adjust facility rates to meet new licensing or certification standards or regulations resulting in significant cost increases. Requires the commissioner, for rate years beginning on or after October 1, 1990, to establish program operating cost rates for care of residents in facilities that take into consideration service characteristics of residents in those facilities. Authorizes the commissioner to waive interest charges on overpayments incurred by the facilities for the period October 1, 1987, through February 29, 1988, if the overpayments resulted from the continuation of the desk audit rate in effect on September 30, 1987, through the period. Authorizes ventilator-dependent recipients of Medical Assistance who have been receiving the services of a private duty nurse or personal care assistant in the recipient's home to continue to have a private duty nurse or personal care assistant present upon admission to a hospital. Exempts certain persons from participation in the prepayment demonstration project and adds Crow Wing to the project. Clarifies eligibility requirements for some General Assistance recipients. Authorizes the payment of GAMC for persons detained by law for less than one year in a county correctional or detention facility as a person accused or convicted of a crime, or admitted as an inpatient to a hospital on a criminal hold order, if the person is a recipient of GAMC at the time detained or admitted, as long as the person is eligible. Prohibits the payment of GAMC to persons not cooperating with local agencies to meet MA requirements. Bases family GA eligibility on AFDC eligibility. Changes the amount of the first grants. Defines homestead for supplemental aid purposes. Eliminates a deduction requirement when calculating the aid amount. Changes the resource standards. Requires the inclusion of some resource transfers that exceed defined limits and were given away or sold for less than fair market value within the 24 months preceding application for Minnesota supplemental aid or during the period of eligibility. Specifies various income exclusions. Requires persons for whom the applicant or recipient has financial responsibility and who have unmet needs apply for federally funded benefits. Establishes the rate of allocation of income for financially responsible relatives. Provides an earned income disregard and deduction. Provides for the determination of self employment earnings. Requires local agencies to apply gross income tests prospectively for each month of program eligibility. Makes permanent the grant program for persons with serious and persistent mental illness (chronically mentally ill). Requires placement prevention and family reunification services to minority families under the permanency planning grants to counties act to reflect and support family models accepted within the culture of the particular minority. Specifies additional required placement prevention and family unification services requirements. Implements the minority child heritage protection act. Requires the commissioner of human services to revise certain rules for the licensing of private child caring or child placing agencies and setting standards for family and group foster care. Requires local child placing agencies to increase the number of minority recruitment staff. Requires the commissioner to designate a permanent position of minority recruitment specialist. Specifies other recruitment and oversight duties of the commissioner. Requires the publication of a semi-annual report by the commissioner relating to children in out-of-home placement. Authorizes the commissioner to make grants to child placing agencies providing services to minority children in out-of-home placements. Authorizes the commissioner of jobs and training to provide grants to organizations for the development and administration of life skills and employment plans for homeless individuals who live in specified housing. Requires the commissioner of jobs and training to develop an inventory, referral and intake system to provide coordinated delivery of employment and training and income maintenance support services, and provides for system requirements. Specifies recordkeeping and reporting requirements for counties receiving child care funds. Requires maintenance of a waiting list if funds are not immediately

available for apparently eligible families. Requires expanded services to certain former AFDC recipients. Provides for the determination of annual income. Requires the commissioner of human services to base the parent fee on the ability of the family to pay for child care. Requires resource and referral agency publicizing of child care services through employers for expansion to employees. Prohibits the use in plumbing of pipes and pipe fittings containing more than eight percent lead. Requires evidence of training or experience in the general commercial building construction trades for employee asbestos certification. Authorizes and provides for Housing Finance Agency grants for housing for homeless persons. Requires the commissioner of corrections to establish an emergency shelter and services for battered American Indian women. Exempts a construction project involving 35 new beds in a psychiatric hospital in Rice County that primarily services adolescents and that receives more than 70 percent of its patients from outside Minnesota from the moratorium on the construction of new hospitals. Repeals the sunset on the medical insurance demonstration project for uninsured low income persons. Allows commissioner of jobs and training use of some funds for low income home energy assistance for administrative costs. Requires counties to use generally accepted budgeting and accounting principles for spending on mental health services. Requires the interagency board to study the policy and fiscal impact of changes in Public Law Number 100-203 relating to the elimination of the intermediate care facility certification level in 1990. Provides for Medical Assistance reimbursement for services of qualified occupational therapists. Requires the commissioner of human services to include in the operating cost of a Minnesota nursing home an expense charged to the home by the municipality of Minnesota through a sewer rental charge assessed against the nursing home for a wastewater treatment facility. Requires the commissioner to study property related payments for hospital attached nursing homes and report to the Legislative Commission on Long-Term Health Care by February 1, 1989. Requires the commissioner of health to conduct a medical screening of a sample of people and family members of people who were employed at the Conwed Corporation plant in Cloquet, Minnesota, from January 1, 1958 to December 31, 1974, for asbestos-related diseases study purposes. Requires the commissioner to increase license fees for facilities licensed under Chapters 157 and 327 to cover licensing, inspection and enforcement activities. Requires the commissioner of human services to contract with community outreach programs and to seek federal aid to encourage food stamp program participation by farmers, seniors, veterans, unemployed workers, low-income working heads of households, battered women residing in shelters, migrant workers, families with children, and other eligible individuals who are homeless. Requires the commissioner to develop a plan to implement the healthspan program to provide health coverage to uninsured persons and to establish a demonstration project to increase the independence of people with epilepsy through training in independent living. Requires the Dept. of Health to participate in a demonstration project to monitor blood lead levels in pregnant women and children. Requires a commissioner of human services review of small hospital rates and a commissioner of health study of rural hospitals. Requires the commissioner of human services to establish pilot projects to demonstrate the feasibility and cost effectiveness of alternatives to nursing home care and provides for eligibility. Requires the commissioner to study the feasibility of providing Medical Assistance reimbursement to work activity programs for training and rehabilitative services. Requires various reports and recommendations to the legislature relating to intermediate care facility rates, Medical Assistance payments for swing bed care, HIV testing, child care services and managed care to MA and GAMC recipients. Requires the commissioner of the state planning agency to appoint a task force to develop a plan to expand the use of the Faribault Regional Center. Authorizes certain rules and requiring certain rule changes. Continues the safe drinking water act. Eliminates the interagency board (Institutional Care and Economic Impact Planning Board) and a certain commissioner of human services reporting requirement relating to children in residential facilities. Sunsetting certain provisions. Effective date: Various dates. GREENFIELD, MERRIAM.

#### Higher education

**Chap. 703-S.F. 2569 Article I** Appropriates money to the Higher Education Coordinating Board for scholarships and grants and for a statewide higher education needs study in two phases, specifying study requirements, including the procedures, implications and effects of implementing alternative governance arrangements of two-year public post-secondary institutions, and for support of model enterprise development and innovation centers. Appropriates money to the Vocational-Technical Education Board for curriculum restructuring, increased enrollment, the State Council on Vocational-Technical Education and services for handicapped students. Appropriates money to the community colleges board for increased enrollment and the wolf center program. Appropriates money to the State University Board for increased enrollment, the Winona

engineering school, an Arrowhead Community College region upper division component development study and for the Southwest Science and Technology Resource Center. Appropriates money to the University of Minnesota to develop fire safety standards for cigarettes and little cigars, for a new lease agreement for a second supercomputer architecture, and to provide graduate degree programs in the Rochester area. Requires establishment of an advisory committee and a report. Requests the university regents to employ persons qualified in fiscal and policy information, oversight and analysis and to be cognizant of coordinate campus needs. Continues a certain appropriation for the job skills partnership, and requires the partnership to seek future funding from the Greater Minnesota Corporation. Requires the legislative auditor to audit the University of Minnesota. Establishes a university sale land fund for deposit of proceeds from sales of state salt lands to be under the control and management of the board of regents. Requires the fund to be used to match income from the permanent university fund for use to endow chairs at the Crookston, Duluth, Morris and Waseca campuses. Eliminates the requirement that tuition rates be established on a credit hour basis in all systems that have such a basis, and must not apply across a variable number of credits. Requests the post-secondary systems to review curricula to determine opportunities for incorporating community service components. Requires post-secondary institutions, upon request of ten or more full-time American Indian students, to establish an advisory committee in consultation with tribal representatives to recommend instructional programs and student services to meet the unique needs of American Indian people. Provides for academic credit for American Indian languages. Specifies qualifications for American Indian studies instructors and service providers. Provides for the consideration of knowledge of American Indian language, history or culture. Requires HECB consultation with tribal representatives when it conducts studies, performs evaluations, reviews programs and makes recommendations that affect American Indian people and provides for a governing board report requirement. Requests system governing boards to establish prices for goods and services sold through student services approximating the cost of providing the goods and services. Grants the State University Board certain additional debt discharge powers and revenue bonding authority for dormitory, residence hall, student union, food service and parking purposes at the state universities. Specifies requirements and limits. Establishes a Regent Candidate Advisory Council to assist the legislature in determining criteria and recruiting qualified candidates for membership on the university board of regents. Provides for membership and representation, duties and candidate recommendation requirements. Requires the board of regents to make available to the commissioner of finance all books, accounts, documents and property that the commissioner desires to inspect. Authorizes the commissioner of jobs and training to establish and operate vending stands and machines in buildings and properties owned or rented by the state university or community college systems for blind persons rehabilitation purposes. Requires the commissioner to waive this authority to displace any present private individual concessionaire in any state-owned or rented building or property who is operating under a contract with a specific renewal or termination date, until the renewal or termination date. Modifies certain provisions relating to the revolving fund. Requires reimbursements for out-of-state distribution of braille and special materials to be deposited in the Special Revenue Fund. Includes resident graduates of optometry and osteopathy programs in the HECB income contingent loan repayment program. Establishes a voluntary faculty exchange program to allow school districts and post-secondary institutions to arrange temporary exchanges between staff members. Provides program uses and report requirements. Requests the governing boards to jointly establish a Loaned Executive Action Program (LEAP) to encourage business executives in the private sector to study management issues and to make recommendations to improve management structures and processes. Requests the university board of regents to undertake specified actions to improve management and accountability. Requires the post-secondary systems to assess the effect of child care legislation on the needs of students and report the assessment and recommendations. Repeals a certain post-secondary vocational education tuition exemption restriction for Vietnam-era veterans.

**Article II** Appropriates money to the Vocational-Technical Education Board for special intermediate school district #917, Dakota County, to purchase the Rosemount City Hall for child care and to lease land in the city from the University of Minnesota for a decision driving course. Appropriates money for certain construction at Independent School Districts #656, Faribault, #578, Pine City, and #256, Red Wing, and at joint vocational-technical district #900, Southwestern, and for statewide parking repairs. Appropriates money to the commissioner of administration for certain construction at the Minneapolis Community College and for community college system roof repair and asbestos removal. Appropriates money to the State University Board for Mankato campus lease of building space, for metropolitan campus site acquisition, hazardous materials abatement and

PCB removal and roof replacement. Requires legislative review of certain project plans, authorizes certain fund transfers under certain conditions. Adds a report requirement. Effective date: Various dates. MERRIAM, PRICE.

#### **Claims against the state**

**Chap. 706-H.F. 1981** Provides for payment of claims against the state for specifically named Korean and Vietnam veterans and certain other persons. Appropriates money from the general fund to the commissioner of corrections to reimburse the Dept. of Corrections for amounts paid for medical services to individuals who were injured while performing community work for correctional purposes under certain Minnesota law and to pay for claims of specifically named inmates. Appropriates money to the commissioner of transportation for payment to the specifically named persons named in full and final payment of claims against the state. Appropriates other money for payment of claims against the state. Effective date: May 5, 1988. KALIS, DAHL.

## **General Legislation and Public Gaming**

#### **Animal dealer regulations**

**Chap. 537-S.F. 2191** Clarifies that a dealer is any agency, person, society, or corporation who sells or transfers dogs or cats to institutions or to other dealers who sell or transfer to institutions. Requires each dealer to post at least two conspicuous notices which state that the person is a licensed dealer; that dogs and cats left with the dealer may be used for research purposes, and the hours the dealer is open. Mandates that any advertisement placed by a dealer seeking dogs or cats must inform the public that dogs and cats brought to the dealer may be used for research purposes. Effective date: August 1, 1988. POGEMILLER, O'CONNOR.

#### **Board of the Arts clarifications**

**Chap. 560-S.F. 2097** Stipulates that no member of an advisory committee may serve on a committee to which the member has an application pending for a grant, loan, or other form of assistance. Authorizes the Board to serve as a fiscal agent to disburse appropriations for regional arts councils throughout the state. Requires the board to distribute appropriations to regional arts councils upon receipt of the biennial plan or the annual plan update in even-numbered years. Effective date: August 1, 1988. MARTY, RICE.

#### **Charitable gambling regulations**

**Chap. 596-S.F. 1661** Alters the definition of lawful purpose to prohibit spending on improvement or repair of real property. Prohibits operation of bingo halls without a license. Clarifies licensing provisions. Changes the definition of bingo occasion to at least 15 games lasting at least one and one-half hours. Requires organizations to be directly responsible for unleased premises. Changes the definition of gross receipts to include any amount received by the organization which has been paid by a person at the bingo occasion to play the game, without which the player could not play the game. Requires a study to examine whether charitable gambling laws are being properly enforced. Effective date: Various dates. LANTRY, REDING.

#### **State muffin**

**Chap. 657-S.F. 1686** Designates the blueberry muffin as the official muffin of the state of Minnesota. Effective date: August 1, 1988. CHMIELEWSKI, BROWN.

#### **Constitutional amendment for a state lottery**

**Chap. 690-H.F. 2182** Proposes amendments to the Minnesota Constitution, Article XI, to establish a Minnesota Environment and Natural Resources Trust Fund and to Article XIII, Section 5, to permit state operated lotteries with proceeds to be divided among the Greater Minnesota Corporation Trust Fund and the Minnesota Environment and Natural Resources Trust Fund.

**Article I** Provides for establishment of an Environment and Natural Resources Trust Fund to supplement traditional funding sources for the protection, conservation, preservation and enhancement of the environment and natural and recreational resources of the state. Provides for investment of the fund, requires annual audits by a certified public accountant and expenditure audits by the Legislative Audit Commission. Creates a Legislative Minnesota Future Resources Commission to develop strategic and budget plans for trust fund expenditures. Specifies membership requirements and administrative provisions. Specifies authorized and prohibited expenditures and strategic and budget plan requirements. Provides for subjecting expenditures to legislative approval. Establishes an advisory committee to advise the commission on project proposals and specifies membership representation and confirmation requirements. Requires peer review panel

review of research proposals and specifies panel membership and review requirements. Specifies commission reporting requirements. Provides for trust fund ownership of and title to a portion of royalties, copyrights and patents resulting from a project supported by the trust fund equal to the percentage of the project's total funding provided by the fund. Specifies availability of funds for disbursement. Authorizes the commission to establish a natural resources loan program under fund excess conditions for investment purposes to offer below market interest rate loans to local units of government for water system improvements or emergency environmental protection. Creates the Minnesota Future Resources Account. Provides for the transfer of unclassified positions from the Legislative Commission on Minnesota Resources to the Minnesota Future Resources Commission. Repeals the Omnibus Natural Resources Act of 1963, including the existing LCMR, and transfers duties to the new commission or to the Legislative Commission on Waste Management.

**Article II-Greater Minnesota Corporation provisions** Eliminates the dedication of a portion of the unrestricted budgetary general fund balance to the Greater Minnesota Fund. Requires the Greater Minnesota Corporation to return to the general fund an amount of money previously transferred. Dedicates a portion of net lottery proceeds to the fund. Effective date: Various dates. MUNGER, MOE, R.D.

#### **Parimutuel tax changes**

**Chap. 696-H.F. 2537** 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 that horse racing was conducted at the racetrack during the racing meeting. Increases minimum required purses based on the average daily handle and modifies purse procedures for televised races. Reduces parimutuel taxes and admission tax. Changes requirements and the date for racetrack submission of financial reports to the racing commission. Authorizes use of the breeders fund to supplement purses for Minnesota horses racing in nonrestricted races. Effective date: April 29, 1988. KELSO, LANTRY.

#### **Charitable gambling provisions**

**Chap. 705-H.F. 1941** Increases to 60 days the time period for city council and county board review of charitable gambling license applications. Excepts distributions of rewards or benefits to persons selected by chance from among participants contributing through payroll deduction campaigns to charitable organizations from the definition of lottery for crime purposes if all of the persons eligible to be selected are employed by or retirees of the employer; the cost of the property or other reward or benefit distributed and all costs associated with the distribution are borne by the employer; and the total amount actually expended by the employer to obtain the property or other rewards or benefits distributed by the employer during the calendar year does not exceed \$500. Effective date: August 1, 1988. DAWKINS, LANTRY.

## Governmental Operations

#### **IRRRB provisions**

**Chap. 423-H.F. 2463** Authorizes the Iron Range Resources and Rehabilitation Board to purchase fire insurance for facilities operated by the board. Effective date: August 1, 1988. BEGICH, JOHNSON, D.J.

#### **Minnesota Hispanic Quincentennial Commission creation**

**Chap. 442-S.F. 1223** Creates the Minnesota Hispanic Quincentennial Commission to promote greater awareness of the meaning of 500 years of Hispanic culture in the United States. Stipulates quarterly meetings. Grants the commission power to apply for, receive, and expend in its own name grants and gifts of money consistent with its purpose. Effective date: July 1, 1988. SPEAR, PAPPAS.

#### **State Board of Investment modifications**

**Chap. 453-H.F. 1806** Eliminates the Bond Investment Account from the Minnesota Supplemental Investment Fund. Removes the maturity limit on debt obligations for money market account investment purposes. Changes certain supplemental investment fund annual perspective requirements. Eliminates the variable annuity investment fund option of investing up to 10 percent in corporate stocks which do not conform with the dividend standard provided for in statute. Authorizes investments in guaranteed investment contracts issued by banks. Authorizes state university and community college employees and members of the unclassified employees retirement plan under the Minnesota State Retirement System or the ambulance service personnel retirement plan under the Public Employees

Retirement Association to purchase shares in the Guaranteed Return Account and provides for transfer of previously purchased shares to the GIC in the account. Modifies the effective date for changes in choice of investment options for state university and community college employees. Changes the duration of the purchasing of shares by the executive director of the Teachers Retirement Fund for certain persons. Eliminates a certain change restriction under the unclassified employees and ambulance service personnel retirement plans. Effective date: Various dates. SIMONEAU, MOE, D.M.

#### **Licensing requirements for barbers**

**Chap. 476-H.F. 1534** Alters the amount of time to 12 months that a registered apprentice must be under immediate personal supervision of a registered barber in order to receive certification. Changes the requirements for barber schools. Deletes statutory fee schedule. Effective date: August 1, 1988. WELLE, POGEMILLER.

#### **County employee modifications**

**Chap. 505-H.F. 2039** Transfers the authority for the appointment of county probation officers from the juvenile court to the district court under certain conditions. Provides for the transfer of probation officers or other displaced employees to the State Correctional System under specific conditions. Specifies duties of the commissioner of employee relations. Changes references from the county court to the district court. Defines local correctional services for community corrections grant purposes. Effective date: Various dates. COOPER, FREDERICKSON, D.J.

#### **Physical therapist regulations**

**Chap. 549-S.F. 335** Regulates continuing education for physical therapists. Specifies conditions for denial, suspension, or revocation of certificates. Prohibits certain business relationships between physical therapists and other health professionals. Effective date: August 1, 1988. BRANDL, CLARK.

#### **Pharmacy regulations**

**Chap. 550-S.F. 752** Amends definition of pharmacy. Allows the Board of Pharmacy to temporarily suspend licenses for no more than 60 days without a hearing. Prohibits selling drugs in any place other than a pharmacy. Prohibits unlicensed persons from compounding or dispensing legend drugs. Requires the board to provide for an annual nonresident special pharmacy registration for all pharmacies located outside of Minnesota that regularly dispense medications for Minnesota residents. Requires the board to provide for an annual registration of every person or establishment not licensed as a pharmacy or a practitioner engaged in the retail sale or distribution of federally restricted medical gases or of veterinary drugs or devices. Mandates specific labels on veterinary drugs. Prohibits dispensing a legend drug without first obtaining a valid prescription for that drug; conducting a pharmacy without proper registration with the board; and selling at retail federally restricted medical devices, medical gases, or veterinary drugs or devices without proper registration. Effective date: August 1, 1988. REICHGOTT, WELLE.

#### **Labor agreement ratification**

**Chap. 585-H.F. 2108** Ratifies labor agreements and salaries for state employees. Allows the Legislative Commission on Employee Relations to give interim approval to any negotiated agreement, arbitration award, or compensation or salary plan. Effective date: April 22, 1988. SIMONEAU, MOE, D.M.

#### **Gillette Children's Hospital status changes**

**Chap. 599-S.F. 2017** Authorizes the hospital board to incorporate as a nonprofit corporation. Terminates the hospital's status as a public corporation. Specifies changes in employees and employee retirement programs. Transfers the ownership of hospital property to the city of St. Paul. Requires the city of St. Paul and Ramsey County to grant the hospital a leasehold interest in the areas of buildings owned by the board. Allows affiliation with Minneapolis Children's Medical Center or its parent company ChildCare. Permits repayment of a refund received from the Public Employees Retirement Association for service between October 1, 1954 and March 31, 1955. Effective date: Various dates. BERGLIN, SIMONEAU.

#### **Retirement benefit alterations**

**Chap. 605-H.F. 257** Allows state agency employees who are eligible to retire before the age of 65 to be eligible for coverages to which they were entitled at the time of retirement, subject to any changes in coverage through collective bargaining or plans established in statutes. Removes limit on employer's contribution when the retiree reaches age 65. Allows employer contributions to deferred compensation plans. Alters severance pay regulations. Effective date: Various dates. SIMONEAU, MOE, D.M.

#### **Dept. of Administration modifications**

**Chap. 613-H.F. 2291** Eliminates the requirement for older population representation on the Community Colleges Board. Provides for Dept. of

Finance approval of certain claims against the state relating to monthly telephone service. Authorizes the commissioner of administration, with the approval of the commissioner of finance, to transfer contributed capital appropriated by the legislature from one internal service or enterprise fund account to another when the transfer is used to provide working capital or positive cash flow in the account. Expands the scope and extends the duration of standard requirement price contracts. Allows the commissioner of administration to negotiate purchases and contracts in lieu of the requirement for competitive bidding. Requires the commissioner to advertise for a request for proposal as a basis for negotiation. Requires the commissioner to consider the purpose of the contract and the status and capability of the vendor in awarding contracts and purchases to the lowest responsible bidder. Allows the commissioner to award contracts to more than one bidder if it does not decrease the service level or diminish the effect of competition. Prohibits smoking in state buildings except in designated smoking areas. Requires the commissioner to consider, and provide if necessary, child care space in state office space that is leased, purchased, or substantially remodeled after August 1, 1988. Expands the definition of surplus property to include property made available by any governmental unit or nonprofit organization and includes Indian tribal governments in the definition of governmental unit. Expands the authority of the commissioner to handle surplus property. Extends the expiration date of the Intergovernmental Information Systems Advisory Council. Expands the purposes of the General Services Revolving Fund. Requires refunds from the federal government of money advanced from the motor pool revolving account to be returned to the account. Changes criteria for membership on the State Board for Community Colleges. Expands the authority of the board to purchase technical educational equipment. Authorizes the board to establish funds for dormitory purposes. Provides for community college employee payroll deductions for nonprofit community college foundations which have received application approval. Requires community college vending contracts to be awarded to the vendor offering the highest commission rate. Specifies capital projects bidding procedures. Eliminates certain reporting, notice and payment requirements relating to the use of state vehicles. Transfers the responsibility for the certification of building officials from the commissioner of employee relations to the commissioner of administration. Requires building code appeals to be heard as contested cases and requires the party not prevailing to pay the costs of the hearing. Alters certain provisions relating to alternatives to conventional insurance and the risk management fund. Transfers the responsibility for issuing and signing quit claim deeds for certain purchased surplus land from the governor to the commissioner. Eliminates specific licensing board reporting requirements and specific form preparation requirements of the commissioner. Requires state agencies to submit smoking policies to the commissioners of administration, employee relations and health by January 1, 1989. Effective date: Various dates. LASLEY, MOE, D.M.

#### **State contracting requirement change**

**Chap. 627-S.F. 2150** Prohibits the state from requiring Indian tribes or bands to deny their sovereignty as a requirement or condition of contracting with the state or an agency of the state. Effective date: April 25, 1988. DAVIS, PETERSON.

#### **Advisory council, task force and committee modifications**

**Chap. 629-S.F. 2226** Extends the expiration dates for a number of state advisory councils. Increases compensation to up to \$55 per day spent on council or committee activities. Authorizes the establishment of continuing task forces in the absence of specific prohibitions or expirations dates. Eliminates specific task forces and advisory committees. Creates a task force on genetically engineered organisms. Effective date: Various dates. POGEMILLER, KNUTH.

#### **U of M employees bargaining units**

**Chap. 632-H.F. 2388** Reassigns the University of Minnesota job classification entitled "radio and television broadcast technicians" from the technical unit (7) to the crafts and trades unit (2). Effective date: August 1, 1988. RICE, KROENING.

#### **Minnesota Amateur Sports Commission changes**

**Chap. 633-S.F. 2465** Exempts commission rules governing meeting proceedings from the Administrative Procedure Act and exempts fees charged by the commission from Dept. of Finance fee setting requirements. Authorizes the commission and other entities operating sports facilities designated as official training centers by the national governing body of that sport to establish nonprofit corporations and charitable foundations. Authorizes the commission to pay costs incurred by an amateur sports facility in hosting and operating national sports events. Eliminates the Amateur Athletic Facilities Account and authorizes the use of an appropriation for statutory authority implementation purposes. Requires the commission chair to appoint an advisory task force to prepare and

recommend rules for the safety of non-full contact martial arts instruction. Effective date: August 1, 1988. LUTHER, VOSS.

#### **Small business set-asides**

**Chap. 644-H.F. 2468** Authorizes the commissioner of administration to report on geographical distribution of set-aside awards for small businesses. Modifies the definition of socially or economically disadvantaged person relating to counties with a low median income for married couples. Specifies that an area designated a labor surplus area retains that status for 120 days after certified small businesses in the area are notified of the termination of the designation by the U.S. Dept. of Labor. Effective date: August 1, 1988. FREDERICKSON, D.J., ANDERSON, G.

#### **Public employee statute changes**

**Chap. 667-S.F. 2003** Provides salary ranges for the commissioner of trade and economic development, the ombudsmen for corrections and mental health and retardation and the chief workers' compensation settlement judge at the Dept. of Labor and Industry. Makes technical corrections. Removes a time restriction for submittal of proposed salary increases for higher education officers and the executive director of the Medical Examiners Board to the Legislative Commission on Employee Relations for approval. Requires full legislative approval of the salary of the executive director. Authorizes the Waste Management Board to designate additional unclassified positions. Changes reporting requirements and dates for the commissioner of employee relations. Authorizes the commissioner to grant extensions of emergency civil service appointments. Includes deferred compensation and payroll allocations to purchase individual annuity contracts in determining local unit employee salaries for limitation purposes. Provides for increases or decreases in salaries of newly appointed agency heads or metropolitan agency chairs by the governor. Modifies requirements of the statewide and agency affirmative action programs. Removes a restriction on commissioner discontinuance of a health maintenance organization as a health insurance carrier. Transfers contracting authority relating to providing coverage under the state employees group insurance plan for eligible employees incurring medical expenses covered under workers compensation and duties relating to the reinsurance association and the state compensation revolving fund from the commissioner of labor and industry to the commissioner of employee relations. Provides for actuarially equivalent health benefits for retired employees. Provides a life, hospital, medical and dental insurance benefits option for contracted food service employees of the State University System. Modifies the definition of employee under the public employees insurance plan. Expands eligibility for continuation of coverage and exempts the plan from specific bidding requirements. Provides for expense reimbursement for labor-management committee members. Provides for the status of the supported work program job coach. Clarifies the limit on the salary of the president of the World Trade Center Board. Authorizes the commissioner of labor and industry to designate the chief workers' compensation judge and authorizes revocation. Entitles regional enforcement officers employed by the Dept. of Natural Resources to severance from the state unit. Requires the commissioner of employee relations to transfer unclassified employees of the Waste Management Board to the classified service without competitive or qualifying examinations. Requires a probationary period. Effective date: Various dates. MOE, D.M., JEFFERSON.

#### **Metropolitan agencies**

**Chap. 675-S.F. 2491** Specifies additional content requirements for the annual budgets and salary reports of the Metropolitan Council and agencies. Requires the nontransit element of the transportation chapter of the development guide for metropolitan commissioners to include statements on the demand for and constraints on access to business and activity centers, a detailed and updated statement of timing and priorities for improvements and expenditures needed on the metropolitan highway system. Requires the council to develop the nontransit element in consultation with the Transportation Advisory Board and to transmit the results to the Dept. of Transportation. Requires program evaluations to be included in the budget procedure of the Metropolitan Council and the Regional Transit Board. Authorizes the Metropolitan Council to levy property taxes for the right-of-way acquisition loan fund and for general purposes. Sets limits and requires an annual review by the commissioner of revenue. Requires the council and the RTB to study, review and comment on Regional Railroad Authority light rail transit plans and light rail transit right-of-way preservation. Requires the authority to provide for staged development of the system. Modifies the metropolitan significance rule and reporting requirements. Prohibits RTB right, title or interest in or to transit vehicles and receipt of specific federal assistance and grants. Modifies RTB property tax limitation, certification and collection provisions. Provides for commissioner review. Provides for Metropolitan Mosquito Control Commission property tax levy limitation and commissioner review. Authorizes tax adjustments. Effective date: April 27, 1988. LUTHER, CARRUTHERS.



### **Metropolitan agency personnel**

**Chap. 680-H.F. 2596** Requires the Metropolitan Council and other metropolitan agencies (except the Metropolitan Parks and Open Space Commission) to award specific percentages of procurement contracts to businesses owned and operated by socially or economically disadvantaged persons. Authorizes the implementation of rules and specifies reporting requirements. Requires the council and agencies to develop affirmative action plans. Specifies plan content requirements. Requires submission to the commissioner of employee relations for approval. Requires adoption of policies forbidding harassment based on sex, disability and race in the work-place and establishes grievance procedures to handle harassment complaints. Requires supervisor and manager performance evaluations to include evaluation of performance in implementing affirmative action plans and in preventing discrimination. Requires an annual report to the legislature on affirmative action progress of the council and agencies. Specifies report requirements. Requires the council and agencies to provide the legislature with access to maintained public data for equal opportunity practices oversight purposes. Prohibits contracts with businesses not having affirmative action plans. Specifies deadlines for affirmative action plans. Effective date: Various dates. MCLAUGHLIN, MARTY.

### **Northern Ireland provisions**

**Chap. 687-H.F. 453** Requires the State Board of Investment to make determinations relating to investments in corporations engaged in business in Northern Ireland and actions by the corporations to eliminate religious or ethnic discrimination. Requires board investments in the corporate stocks or obligations to be in a manner to encourage the corporations to pursue affirmative action policies. Effective date: August 1, 1988. O'CONNOR, HUGHES.

### **Technical changes in public employee retirement provisions**

**Chap. 709-H.F. 2477 Article I-Teachers Retirement Association** Permits designees of the State University or Community Colleges Board to authorize accelerated withdrawals from the accounts in the State University and Community College Supplemental Retirement Fund.

**Article II-Historical Society employees** Includes county historical society employees in the definition of public employee for purposes of coverage under the Public Employees Retirement Association (PERA). Provides for group insurance coverage for employees of county historical societies receiving funding from the county.

**Article III-Purchasers of prior service and related provisions** Authorizes the purchase of prior service credit in PERA by a former employee of the city of Hibbing, a former employee of the Fond du Lac Indian Reservation and specific public hospital employees. Authorizes the purchase of prior service credit in the Minnesota State Retirement System (MSRS) by specific permanent Metropolitan Sports Facilities Commission employees. Authorizes the purchase of prior service credit in the Teachers Retirement Association (TRA) by a specific member with limited or permanent exempt status for a certain period of service. Authorizes optional employer partial payment. Entitles a former Fillmore county court administrator to purchase PERA prior service credit based on omitted deductions and contributions.

**Article IV-Transit Commission employees** Excludes Metropolitan Transit Commission employees hired after December 31, 1977, from additional disability and survivorship coverage.

**Article V-Public Employees Retirement Association** Alters the definition of public employee relating to the exclusion of temporary, seasonal, or part time workers. Clarifies the definition of public employee relating to concurrent services. Defines termination of public service for membership eligibility purposes. Adds certain payments to the definition of salary. Expands the definition of dependent child to include children medically unable to continue school on a full time basis and specifies a limit. Requires board of trustees written procedures. Modifies the definition of surviving spouse and clarifies the definition of designated beneficiary. Extends the time limit for city manager election of exclusion from the association and provides for refund of contributions. Changes the date for filing for board of trustees candidacy. Provides for the calculation of erroneous salary deductions for refund purposes and for the crediting of erroneous deductions to the member under certain conditions. Requires the transfer of erroneously transmitted employee deductions and employer contributions to the appropriate retirement fund without interest. Changes the date for employer furnishing of duplicate copies of payroll abstracts to the executive director of the association and authorizes the submittal of exception reports in lieu of payroll abstracts. Specifies minimum reporting requirements and provides for review of payroll records. Specifies a date for commencement of actions for recovery of omitted employee and employer contributions. Reduces the warrant cancellation period. Changes the formula for the calculation of the optional annuity for members retiring before eligibility for social security benefits. Alters the basis for selection of a

surviving spouse optional annuity upon death of the member, provides for the payment of interest on refunds of accumulated deductions after retirement and changes the designation of payment of refunds for members or former members dying without having designated a beneficiary. Changes the deadline for refund repayment, prior service credit purchase or payment in lieu of salary deductions relating to disability benefits eligibility. Adds unused, paid sick leave or annual leave to allowable service for eligibility purposes and adds certain post-retirement adjustments for determination of the amount of disability benefits payable after partial re-employment. Modifies the determination of salary for part-time firefighters for contribution calculation purposes. Clarifies the definition of local government correctional service employee, eliminates the option for St. Louis County to participate in the local government correctional service retirement plan, reduces the number of years of service required for coverage eligibility purposes and requires the deduction from annuities of amounts payable from social security based on public service used in benefit calculation under specific conditions. Modifies provisions of the local government correctional service retirement plan under PERA. Provides alternative dates for initial and subsequent coverages. Increases employee and employer contribution rates. Bases adjustment in contribution rates on the most recent actuarial valuation. Clarifies annuity calculations for fractional service. Provides for the payment of initial annuities for the life of the recipient or according to the terms of any optional annuity form selected. Clarifies the calculation of subsequent annuities for certain retired employees. Provides for the augmentation of deferred annuities. Modifies an optional annuity election provision relating to disability benefit termination and provides for combined service disability benefit under certain conditions. Reduces the amount of shares required to be transferred upon an investment option change under the ambulance service personnel plan, eliminates age and vesting requirements, provides for the payment of benefits and alters the portability provision. Alters a requirement for eligibility for combined service disability benefits for members of specific retirement plans.

**Article VI-Medicare coverage referendum** Authorizes and provides for optional Medicare coverage for pre-1986 public employees with membership in MSRS, the Correctional Employees Retirement Fund, the Unclassified Employees Retirement Plan, the State Patrol Retirement Fund, PERA, the Public Employees Police and Fire Fund, the TRA funds, the Minneapolis Employees Retirement Fund (MERF) or the Public Employees Local Government Correctional Service Retirement Plan. Provides for a special referendum. Specifies employer or employee contributions. Provides for retroactive coverage contributions.

**Article VII-Volunteer firefighters relief associations** Authorizes volunteer firefighters relief associations to purchase annuity contracts on behalf of retiring members at member request in lieu of direct payments. Requires contract purchase from licensed insurance companies issuing single premium annuity contracts. Requires commissioner of commerce approval of the insurance companies and specifies insurance company requirements. Provides for combined service annuities for certain firefighters.

**Article VIII-Local police and fire relief associations** Makes a Virginia Firefighters Relief Association provision retroactive and provides for payment of survivor benefits. Authorizes retroactive benefit increases for certain retired Eveleth police officers, firefighters and spouses from the police and fire trust fund. Authorizes the Fridley Volunteer Firefighters Relief Association to convert the defined benefit plan to a defined contribution plan. Requires the contribution plan to provide for allocation of special fund assets among individual accounts to be established for each active member. Requires the association to purchase annuity contracts with existing special fund assets for retired and active members in lieu of providing further defined pension plan benefits. Changes certain St. Paul police nonduty retirement disability benefits. Excludes volunteer firefighters in the Minnetonka Fire Department from membership in the Public Employees Police and Fire Fund as a result of volunteer firefighting duties. Permits membership for compensation received from employment and activities other than volunteer firefighting duties. Entitles excluded volunteer firefighters to refunds of member contributions to the Public Employees Police and Fire Fund with interest under certain conditions. Authorizes the Thief River Falls Firefighters Relief Association to pay service pensions to members meeting requirements without regard to attained age upon separation from active service. Validates certain prior payments made to retiring firefighters under a specific age. Authorizes the St. Paul Teachers Retirement Fund Association to amend bylaws to provide for five year accredited service vesting. Authorizes an amendment to the Minneapolis Teachers Retirement Fund Association articles of incorporation to permit annual participating annuity adjustments to be applied to minimum normal retirement annuities payable to eligible recipients.

**Article IX-Other retirement issues** Expands eligibility to retirement

annuities and disability benefits for certain Dept. of Military Affairs personnel. Authorizes certain elected officials to participate in the state deferred compensation plan. Reduces the number of allowable years of service required for judges to be eligible for annuities. Modifies Winona police state aid provisions.

**Article X-Uniform judicial retirement plan** Requires certain judges to make an additional contribution to the Judges Retirement Fund. Authorizes a joint and survivor annuity with and without reinstatement in the event of designated beneficiary predeceasing a retired judge. Reduces a benefit offset for judges.

**Article XI-Individual retirement account plan** Establishes an Individual Retirement Account (IRA) plan to be administered by the State University and Community College Boards for state university and community college teachers. Provides for an election to transfer retirement coverage from the TRA to the plan and specifies a deadline. Provides for member and employer contributions. Requires the boards to purchase contracts or custodial accounts to provide retirement and death benefits to members of the plan and to select a specific number of financial institutions to provide the contracts or accounts and requires investment programs to meet specific requirements. Specifies selection criteria. Provides that benefits are to be owned by the plan members. Effective date: Various dates. SIMONEAU, WEGSCHEID.

#### **Part-time employees study**

**Chap. 713-S.F. 1987** Requires the commissioner of employee relations to conduct a study of the use of part-time employees in the executive branch work force. Requires consultation with exclusive representatives of state employees. Requires a legislative report and specifies report requirements. Requires summaries to note male-dominated and female-dominated classifications. Effective date: August 1, 1988. MARTY, RIVENESS.

## Health and Human Services

#### **Human Services Licensing Act modifications**

**Chap. 411-S.F. 1594** Includes natural or adopted child or stepchild in the definition of an individual who is related. Exempts specific programs and homes from licensure. Grants the commissioner of human services access to medical records for photocopying purposes upon consent of the subject or of the parents or legal guardian of the subject. Requires the commissioner to recommend to the legislature by January 1, 1989, appropriate methods for enforcing the licensing requirement for residential programs with five or more persons with mental illness. Authorizes the commissioner to reduce residential services grants to counties substantially disregarding approved dispersal plans. Reduces the involuntary receivership termination period. Exempts the state from certain liability for local government unit licensing inspections or investigations. Repeals specific provisions relating to prohibiting general assistance or supplemental aid payments by the commissioner to certain newly licensed facilities for residents with a primary diagnosis of mental illness. Effective date: August 1, 1988. LANTRY, GREENFIELD.

#### **Immunization requirements**

**Chap. 430-H.F. 2083** Modifies immunization requirements for persons enrolled in public, private or parochial schools. Changes the age requirement for immunization against red measles to 12 months. Alters the number of minimum doses of vaccine required for diphtheria, tetanus, pertussis and polio under specific conditions and requirements. Specifies report requirements for day care facilities. Effective date: January 1, 1989. ORENSTEIN, VICKERMAN.

#### **Health Maintenance Organizations specifications**

**Chap. 434-S.F. 1861** Requires Health Maintenance Organizations (HMOs) to issue evidences of coverage or contracts containing a consumer information statement relating to exclusions and limits in language approved by the commissioner of health and modifying the enrollee bill of rights statement requirements. Specifies additional contract and evidence of coverage requirements including advance notice of changes in subscriber fees or benefits. Expands reporting requirements. Mandates notice to the commissioner of the termination of the provider. Requires specific information be presented to applicants covered under Medicare. Eliminates dissolution of marriage as a condition for termination of spousal coverage. Requires HMO arrangement of specific qualified health care or medicare supplement plan options for enrollees who become non-residents of the service area at enrollee expense and requires the HMO to give notice to the

enrollee of health plans available in other service areas if the HMO cannot make arrangements for conversion coverage. Requires contracts to provide coverage for spouses and dependent children to allow the spouse and children to continue coverage after enrollee receives Medicare and to permit the children to continue coverage when they cease to be dependent for children under the generally applicable requirement of the plan. Defines provision of health services for complaint system purposes, provides for the expediting of complaints and increases the complaint records retention period. Requires HMO establishment of a telephone number to handle provider coverage, prior authorization and services approval questions. Requires HMOs to offer replacement coverage for terminated enrollees without evidence of insurability, pre-existing conditions exclusions or interruption of coverage. Sets coverage and notice of cancellation requirements and premium limits. Requires the commissioner to institute a corrective action plan for geographic service areas under certain conditions. Provides for mediation of disputes through the Office of Dispute Resolution in the State Planning Agency or the Office of Administrative Hearings upon order of the commissioner. Requires enforcement of mediation agreements and commissioner publication of agreement results. Eliminates the option for HMO remedy of a defect upon notice by the commissioner of intent to levy a penalty. Requires the commissioner to adopt rules addressing appropriate prior authorization requirements. Mandates an assessment of contributing state health plan members terminating individual health coverage for specific reasons based on the number of terminated individuals joining the comprehensive health plan. Provides comprehensive health plan eligibility for the terminated enrollees with a pre-existing conditions waiver and specifies contributing member cost liability. Requires the Commission on Health Plan Regulatory Reform to recommend expedited review mechanisms for complaints concerning HMO coverage of an immediately and urgently needed service. Requires the board of the Minnesota Comprehensive Health Association to examine currently offered plan options for expansion purposes and to report to the legislature and commissioners of health and commerce by February 15, 1989. Effective date: Various dates. PEHLER, NELSON, C.

#### **Health facilities changes**

**Chap. 435-S.F. 1970** Exempts certain Indian health facilities from inpatient hospital rate establishment requirements under Medical Assistance (MA) and General Assistance Medical Care (GAMC) and requires reimbursement at the usual and customary charges. Requires and provides for the establishment of rates for out of state hospitals by the commissioner of human services. Specifies that the computation of each hospital's payment rate and the relative values of diagnostic categories not be subject to the routine service cost limit under the Medicare program. Effective date: March 31, 1988. MOE, R.D., DAUNER.

#### **Expansion of nurse-midwives' authority**

**Chap. 440-H.F. 1784** Authorizes certified nurse-midwives to prescribe and administer drugs and therapeutic devices. Authorizes appropriately certified and licensed health care professionals to prescribe legend drugs and controlled substances at the direction of licensed health care practitioners. Effective date: April 5, 1988. MCCLAUGHLIN, LANTRY.

#### **Expansion of health insurance coverage**

**Chap. 441-H.F. 1853** Includes nurse practitioners and clinical specialists in psychiatric or mental health nursing in the definition of advanced nursing practice for health and accident insurance and nonprofit health service policies coverage requirements clarification purposes. Requires accident and health insurers, health maintenance organizations, fraternal benefit societies and health service plans issued or renewed after August 1, 1988, to provide coverage for routine screening procedures for cancer, including mammograms and Pap smears, when ordered or performed by a physician. Effective date: August 1, 1988. VOSS, PETERSON, D.C.

#### **Regional treatment center goals**

**Chap. 464-H.F. 2372** Requires the commissioner of human services to implement goals and objectives for regional treatment center mental health services by June 30, 1993. Requires periodic reports to the legislature. Effective date: August 1, 1988. RODOSOVICH, BERGLIN.

#### **Licensure of emergency medical care centers**

**Chap. 467-H.F. 2615** Requires the commissioner of health to issue temporary licenses to freestanding 24-hour emergency medical care centers upon the receipt of certain information until the adoption of permanent rules. Effective date: April 7, 1988. TOMPKINS, WEGSCHEID.

#### **Public assistance alterations**

**Chap. 506-H.F. 2132** Requires the commissioner of human services to provide by rule for representative payee management of the General Assistance (GA) grants of drug dependent persons. Requires payees to be responsible for ascertaining and deciding the best methods to fulfill the

needs of the person. Provides for the determination of drug dependency and for periodic review of representative payee status. Requires counties to designate representative payees after consultation with the recipients and provides for administrative and judicial review. Effective date: August 1, 1988. BERGLIN, CLARK.

#### **Employment services extension**

**Chap. 512-S.F. 2243** Requires community social services to include extended employment program services for persons with disabilities. Declares the right of persons eligible for extended employment services under the plans to request and receive services outside the county of financial responsibility. Effective date: August 1, 1988. BERGLIN, DORN.

#### **Human services housekeeping bill**

**Chap. 532-S.F. 1620** Authorizes the commissioner of human services to establish therapeutic work activity programs for the mentally ill and mentally retarded at regional treatment centers or at work sites in the community. Authorizes program establishment and contracts for the provision of services. Removes Anoka Metro Regional Treatment Center from the definition of regional center. Regulates payment rates to vendors for certain services for adults with mental retardation and related conditions. Authorizes rules adopted by the commissioner to include a plan for phasing in implementation of the procedures and rates established by the rules. Authorizes the commissioner to give written consent for the filming of mentally retarded persons under certain conditions. Modifies vendor eligibility requirements for Indian chemical dependency treatment programs. Permits the commissioner to refuse to make payments from the tribal reserve account in the chemical dependency fund for ineligible persons if the tribal governing body responsible for the treatment placement has exhausted its allocation. Removes the right to appeal under contested case procedures determinations relating to Medical Assistance (MA) utilization review. Alters conditions for retroactive modification of court-ordered marriage dissolution maintenance or child support. Effective date: April 15, 1988. PIPER, DORN.

#### **Ombudsman authority clarification**

**Chap. 543-H.F. 2138** Revises and clarifies the powers and duties of the ombudsman for mental health and mental retardation. Modifies the definitions of agency, client and facility. Authorizes the ombudsman to investigate the quality of services provided to clients and to determine the extent to which quality assurance mechanisms promote client health, safety and welfare. Grants the ombudsman access to specific private or confidential data. Adds programs to the list of review priorities. Prohibits agencies, facilities or programs from retaliating against clients or persons making complaints or assisting in investigations. Transfers the money appropriated in Laws 1987, chapter 403, from the commissioner of human services to the ombudsman. Effective date: August 1, 1988. GREENFIELD, BERGLIN.

#### **Disciplinary action disclosure provisions**

**Chap. 557-S.F. 1904** Exempts Medical Examiners Board from disclosing in its publication disciplinary measures taken because of the physician's inability to practice medicine with reasonable skill and safety to patients by reason of illness, drunkenness, use of drugs, narcotics, chemicals or any other type of material or as a result of any mental or physical condition, including deterioration through the aging process or loss of motor skills or because of the physician's addiction or habituation to a drug or intoxicant until August 1, 1990. Specifies content requirements of reports of disciplinary actions taken by institutions. Authorizes and provides for board issuance of temporary permits to physical therapists to practice physical therapy under supervision. Authorizes health related licensing boards to transfer certain data to other states after the board has obtained reasonable assurances from the receiving state that the data will not be made public. Effective date: August 1, 1988. PIPER, GREENFIELD.

#### **Adult protection team establishment**

**Chap. 575-S.F. 2203** Authorizes counties to establish multidisciplinary adult protection teams to assist local welfare agencies in carrying out adult protection functions under the Vulnerable Adult Abuse Reporting Act and the Community Social Services Act and to meet community needs for the protection services. Authorizes the formation of a case consultation committee to review identified cases for services recommendation purposes. Provides for the sharing of specific information between welfare agencies and the committee or team and requires patient or resident consent if the members of the team are prohibited from disclosing patient identifying information due to federal or state law. Effective date: August 1, 1988. BENSON, BLATZ.

#### **Early intervention services plan**

**Chap. 576-S.F. 2206** Requires county community social services plans to include a description of county efforts to establish a comprehensive and coordinated system of early intervention services for handicapped children. Effective date: August 1, 1988. PETERSON, D.C., VELLENGA.

#### **Subpoena issuance modifications**

**Chap. 579-H.F. 421** Authorizes and provides for the commissioner of health to issue subpoenas to require the attendance and testimony of witnesses and the production of books, records, correspondence and other information to determine the existence of health threats or to locate persons exposed to an agent which can seriously affect their health. Provides for enforcement of compliance. Classifies specific data. Provides for the payment of fees for the service of the subpoena. Effective date: April 22, 1988. OGREN, CHMIELEWSKI.

#### **HMO requirements**

**Chap. 592-S.F. 1388** Requires contracts and evidences of coverage to contain consumer information such as covered services, providers, referrals, emergency services, exclusions, continuation and cancellation. Modifies the enrollee bill of rights. Specifies information disclosure requirements for marketing materials. Requires requested information on referrals, prior authorization or second opinions to be provided to enrollees within a reasonable amount of time of the request. Requires membership cards and specifies card requirements. Requires written statements of reasons for refusal of service and a statement approved by the commissioner explaining complaint or Medicare appeal procedures. Prohibits denial or limitation of coverage under certain conditions. Prohibits retaliatory actions against providers if action against the provider is based solely on the grounds that the provider disseminated accurate information regarding coverage of benefits, accurate benefit limitations of an enrollee's contract, or accurate interpreted provisions of the provider agreement that limit the prescribing, providing or ordering of care. Requires HMO establishment of a telephone number to answer provider questions relating to coverage, prior authorization and medical services approval and response requirements. Specifies that the commissioner must adopt rules addressing appropriate prior authorization requirements. Specifies the implication of withholding emergency health care services in attempting to collect delinquent accounts as a deceptive trade or prohibited practice. Requires the commissioner to prepare a report to the legislature describing efforts to assess and to improve HMO quality assurance standards. Requires the commissioner of human services to contribute information and data from programs to enroll MA recipients in prepayment plans. Requires the Commission on Health Plan Regulatory Reform to address issues relating to mandated benefits, requires the commission to investigate and consider consumer choice and access to the most appropriate and cost-effective health care providers. Effective date: Various dates. BERGLIN, CLARK.

#### **Child care facility regulations**

**Chap. 608-H.F. 1795** Requires the commissioner of administration to establish a task force to determine occupancy standards appropriate to family and group family day care homes and to examine hindrances to establishing day care homes in rural areas. Requires the commissioner to report the task force findings and recommendations to the legislature with legislative proposals by January 1, 1989. Includes family and group family day care homes licensed by the Dept. of Human Services in specific building code regulations until enactment of legislation specifying appropriate standards. Prohibits the state building code from prohibiting double cylinder dead bolts lock in single family homes, townhomes and first floor duplexes. Requires that recommendations or promotions of the locks include a warning concerning the potential fire danger and procedures to minimize the danger. Authorizes the commissioner of human services to grant variances to licensing rules not affecting the health or safety of persons in a licensed program under specific conditions, with the decision of the commissioner being final. Requires nonresidential child care programs conducted at locations other than the residence of a license holder to be under rules governing family day care or group family day care if the license holder is the primary provider; the nonresidential child care program is conducted in a dwelling that is located on a residential lot; and the license holder complies with all other statutory requirements and the rules governing family day care or group family day care. Continues the minimum education and training requirements for nonresidential child care center staff until July 1, 1991. Effective date: April 25, 1988. OGREN, BERGLIN.

#### **HMO insolvency provisions**

**Chap. 612-H.F. 2127** Requires health maintenance organizations (HMOs) to carry insolvency insurance coverage. Requires evidence of financial responsibility upon application for a certificate of authority. Sets forth annual deposit requirements. Provides for waiver of additional deposit or withdrawal of deposit under specific conditions. Authorizes satisfaction of a portion of the deposit requirement with a letter of credit or by a guaranteeing organization under specific conditions. Alters the definition of uncovered expenditures. Specifies net worth and working capital requirements. Provides for satisfaction by guaranteeing organizations. Defines admitted assets for investment purposes. Specifies investment restrictions. Requires authorization and limits commissions. Prohibits officer

conflicts of interest and provides an exemption. Authorizes contracting with insurance companies and nonprofit health service plan corporations for insolvency insurance coverage. Requires periodic unaudited financial statements to the commissioner of health. Clarifies a prohibited practice relating to copayments for health care services. Prohibits agreements with hospitals relating to financial risk assumption. Specifies provider contract content requirements. Provides for the consideration of late payments to providers in commissioner assessment of HMO financial solvency. Authorizes commissioner inspection of financial statements. Transfers duties relating to rehabilitation or liquidation of HMOs from the commissioner of commerce to the commissioner of health. Specifies rehabilitation or liquidation procedures. Exempts enrollees from liability for unpaid costs to providers. Establishes a Dept. of Health examination revolving fund to fund investigations of HMOs not yet in rehabilitation or liquidation. Specifies authorized expenditures. Subjects HMOs to life and health guaranty association requirements. Provides exemptions. Requires diminished assessments. Specifies excluded providers and nonproviders. Sets payment limits. Requires a joint report by the commissioners of health and commerce relating to the inclusion of HMOs in the association. Prohibits association coverage of obligations of enrollees with specific alternative coverage and provides a sunset. Requires HMO maintenance of liabilities for unpaid claims. Requires the commissioner to promulgate rules. Grants the commissioner additional enforcement authority relating to HMO officer or trustee breach of fiduciary duty. Modifies the definition of eligible person under the Comprehensive Health Insurance Act. Provides for coverage under the Minnesota Comprehensive Health Association under specific conditions. Requires additional residence information in the certificate of eligibility for enrollment in the comprehensive health insurance plan. Requires the commissioner of health to participate in mediations. Effective date: Various dates. GREENFIELD, BRANDL.

#### **Commitment regulations**

**Chap. 623-S.F. 2055** Provides for the inclusion of annual reviews in the three-year judicial reviews of persons committed as mentally retarded for an indeterminate period of time. Requires the court to consider a range of treatment programs and the patient's treatment preferences and willingness to participate in the treatment ordered. Prohibits the court from committing a patient to a facility or program that is not capable of meeting the patient's needs. Provides for commitment of persons to community based treatment. Specifies content requirements for court orders. Authorizes the reopening of commitment hearings of patients failing to comply with the terms of the order. Provides that no facility or person is financially liable, personally or otherwise, for actions of the patient if the facility or person follows accepted community standards of professional practice in the management, supervision, and treatment of the patient. Allows the court to release a proposed patient, after the hearing and before a commitment order has been issued, to the custody of an individual or agency upon conditions that guarantee the care and treatment of the patient, given that a criminal proceeding is not pending. Requires specific procedures which the court must follow when there is a release before commitment, such as the appointment of case managers. Provides for the duration, modification and revocation of release orders. Requires aftercare plans for provisionally discharged patients to specify services and treatment to be provided and the financial resources available to pay for the services. Requires notice to the patient's attorney of possible revocation of provisional discharge. Transfers specific powers from treatment facility heads to case managers. Provides for the discharge of mentally retarded persons when that person's screening team has determined that the person's needs can be met by services provided in the community and a plan has been developed in consultation with the interdisciplinary team to place the person in the available community services. Expands the definition of treatment facility to include treatment providers. Effective date: January 1, 1989. BERGLIN, VELLENGA.

## **Judiciary**

#### **Prohibition of obscene materials**

**Chap. 406-S.F. 236** Prohibits the distribution and exhibition of obscene materials and performances. Alters the definition of obscene to include the words "patently offensive manner," defines work as material or performance, defines material, and defines performance. Prescribes gross misdemeanor penalty for first offense and felony penalty for second or subsequent offense. Effective date: June 1, 1988. WALDORF, REDING.

#### **Mandatory minimum DWI penalties**

**Chap. 408-S.F. 537** Imposes mandatory minimum penalties of 30 days imprisonment or eight hours of community work service for each day less than 30 days jail time for habitual DWI offenders. Provides for exception if

prior to sentencing the prosecutor files a motion to have the defendant sentenced without regard to the mandatory minimum sentence. Requires a study of the implementation and use of mandatory minimum sentences. Effective date: August 1, 1988. JUDE, NELSON, D.

#### **Unauthorized cable TV connection penalties**

**Chap. 410-H.F. 1886** Sets penalties for unauthorized connection to a cable communications system. Sets felony penalty for advertising, selling, and renting devices designed to make an unauthorized connection to a cable TV system. Effective date: August 1, 1988. ORENSTEIN, REICHGOTT.

#### **Definition of consent**

**Chap. 413-H.F. 1740** Clarifies that for purposes of the criminal sexual conduct statutes the word consent means a voluntary uncoerced manifestation of a present agreement to perform a particular sexual act with the actor. Effective date: August 1, 1988. VELLENGA, PETERSON, D.C.

#### **Award of sentimental property**

**Chap. 417-S.F. 896** Provides for the award of property with sentimental value to the children of a decedent from a prior marriage. Defines child eligibility. Specifies ineligible property. Provides for notice and petition requirements. Requires eligible children to pay the estate for the property. Effective date: August 1, 1988. LUTHER, CARRUTHERS.

#### **Liens on Personal Property in Self-service Storage Act**

**Chap. 425-S.F. 187** Establishes a lien on personal property held under rental agreement in self-service storage facilities. Provides that the liens cover charges due and expenses. Provides for security deposit exception. Authorizes denial of access upon default. Requires owner notice to occupant. Provides for occupant access to personal papers, health aids, personal clothing and personal property that is necessary for the livelihood of the occupant. Provides for lien priority, attachment and enforcement. Requires rental agreements to disclose owner lien rights, insurance limits and to contain a notice relating to the prohibition on the storage of hazardous materials. Provides for other disclosures relating to managers or agents for action maintenance purposes. Sets forth property sale notice requirements. Describes venue and burden of proof provisions. Restricts the use of the word warehouse in advertising. Effective date: August 1, 1988. PETERSON, R.W., OGREIN.

#### **Public rest room law repeal**

**Chap. 429-H.F. 320** Repeals an obsolete statute regulating public rest rooms maintained by statutory and fourth class cities. Effective date: August 1, 1988. SCHEID, SAMUELSON.

#### **Search warrants**

**Chap. 447-H.F. 2419** Changes the definition of crime to include misdemeanor violations of municipal ordinances for search warrant issuance purposes. Effective date: August 1, 1988. PAPPAS, SPEAR.

#### **Prohibition on display of harmful materials**

**Chap. 452-H.F. 1710** Prohibits the commercial display of sexually explicit materials considered harmful to minors in public places open to minors. Provides an exception in cases where minors are not present or are not able to view the material, where materials are physically segregated or a notice prohibiting minors is prominently posted and enforced. Provides a misdemeanor penalty. Effective date: August 1, 1988. VELLENGA, PETERSON, D.C.

#### **Multiple guardians or conservators**

**Chap. 456-H.F. 1971** Authorizes the appointment of multiple guardians or conservators. Authorizes the appointment of guardians or conservators living outside the state if the guardian or conservator is able to maintain a current understanding of the ward's or conservatee's physical and mental status and needs. Effective date: August 1, 1988. GRUENESS, KNAAK.

#### **Revisor's bill**

**Chap. 469-S.F. 1644** Revises the text of laws to remove redundant and obsolete language, to simplify grammar and syntax and to improve the style of language without changing the meaning of the laws affected. Revises laws relating to the legislature, meat inspection, warehouse receipts, bills of lading, public cemeteries, city public utility franchises and permits, city waterworks, and to action to operate certain mines. Effective date: August 1, 1988. MARTY, REST.

#### **Restrictive covenant provisions**

**Chap. 477-H.F. 1589** Provides a restriction on the duration of private covenants, conditions or restrictions affecting the title or use of real property. Provides for exceptions including real property in the city of North Oaks. Requires county recorders and registrars of title to accept a notice conforming with the statute and to charge a fee corresponding with the fee charged for filing a notice of lis pendens of similar length. Effective date: Various dates. OLSEN, S., JUDE.



### **Session law chapter numbers**

**Chap. 479-H.F. 1773** Provides for the assignment of session law chapter numbers by the revisor of statutes, rather than the secretary of state, to enrollments of bills in the order of passage by the legislature. Requires the revisor to present the enrolled bills to the governor and report to the house of origin the date of presentation. Requires each law to show the chapter number assigned to the enrollment and the dates and times relating to presentment to and signature by the governor. Requires the showing of vetoes and bills reconsidered and not approved by the legislature. Requires the governor to note date and time of approval on the enrolled bills and to file the bills with the secretary of state. Provides for unsigned bills. Redefines final enactment. Requires the revisor to publish a notice in the laws for four years explaining the change in enrollment and chapter numbering. Effective date: January 1, 1989. KELLY, LUTHER

### **Civil liability for theft**

**Chap. 481-H.F. 1923** Imposes civil liability for theft of personal property from another or from a retail store. Requires retail stores to post notice of civil liability for recovery of stolen shopping carts. Imposes joint and several liability of parents or guardians of minors. Provides that criminal action is not a prerequisite to liability. Prohibits the use of payment or nonpayment as evidence in criminal actions. Provides that recovery of stolen property does not affect liability except for liability for the value of the property. Authorizes a demand for payment for the liability imposed before beginning action. Effective date: August 1, 1988. KELLY, SPEAR.

### **Uniform statutory rule against perpetuities**

**Chap. 482-H.F. 1961** Changes the effective dates of the uniform statutory rule against perpetuities. Effective date: January 1, 1990. BLATZ, LUTHER.

### **Sentencing Guidelines Commission study**

**Chap. 483-H.F. 1983** Requires the Sentencing Guidelines Commission to study three issues: 1) should criteria and procedures be developed to limit the length of aggravated durational departures from presumptive sentences; 2) whether improved criteria and procedures can be developed to minimize or eliminate the use of social and economic factors as the basis for dispositional departures from presumptive sentences and 3) whether and to what extent guidelines should be developed to govern the type and severity of nonimprisonment sanctions imposed by sentencing judges as conditions of stayed sentences. Effective date: April 13, 1988. KELLY, SPEAR.

### **Satisfaction of judgment filing**

**Chap. 484-H.F. 2000** Requires a judgment creditor to file satisfaction of judgment documents with the court administrator in civil action cases under certain conditions. Modifies the time limit to within ten days after the satisfaction or within 30 days payment by check or other noncertified funds. Requires the prevailing party in a civil action to pay the \$5.50 cost of filing a satisfaction of judgment. Grants the Supreme Court the power to answer questions of a federal bankruptcy court under specific conditions. Effective date: August 1, 1988. SCHAFER, RAMSTAD.

### **Discounting of future damage award repeal**

**Chap. 503-H.F. 1493** Eliminates the minimum percentage amount for interest on judgments. Provides for the payment of future damages over \$100,000. Modifies the application of joint and several liability in actions involving negligence. Requires the appointment of a legislative commission to study the civil justice system and current and alternative methods of compensating injured persons. Requires a report to the legislature by January 1, 1990. Repeals the requirement for the discounting of future damage awards in negligence actions. Effective date: Various dates. DEMPSEY, SPEAR.

### **Termination of parental rights**

**Chap. 514-H.F. 577** Clarifies the purposes of the laws on termination of parental rights. Reduces the length of stay for children voluntarily placed in residential facilities before the social service agency is required to return the child to the parents or file a petition for termination of parental rights. Provides for foster care status review of voluntarily released children with emotional handicaps or in need of long term residential treatment or supervision. Provides that the paramount consideration of laws relating to termination of parental rights be the best interests of the child. Specifies the duty of the juvenile court to reunite the child with the family. Includes victims of domestic child abuse in the definition of neglected child. Provides for testimony of children in procedures for termination of parental rights. Changes a parent visitation factor for court determination of neglect. Provides for a presumption of abandonment. Clarifies grounds for court termination of parental rights. Requires the commissioner of human rights to study and make recommendations to the legislature relating to reasonable efforts by social service agencies to provide families with placement prevention and family reunification service. Requires study and recommendations by January 1, 1989. Sets forth consultation requirements. Effective date: August 1, 1988. REST, MARTY.

### **Gang member prosecution as adults**

**Chap. 515-H.F. 1111** Provides a prima facie case for reference for prosecution as an adult for minors committing an aggravated felony against the person as members of organized gangs. Defines organized gang. Specifies that it is a crime to escape from custody of the commissioner of corrections on an allegation or adjudication of a delinquent act when the person is under 18 years of age. Provides for the commencement of sentences based on age. Clarifies county jail prisoner separation requirements. Provides exceptions to the separation of minors requirement. Effective date: August 1, 1988. OTIS, FREEMAN.

### **Proof of prior convictions**

**Chap. 520-H.F. 1836** Provides for proof of prior conviction at sentencing hearings for criminal history score computations purposes. Provides for proof of prior conviction in criminal prosecutions for degree or penalty determination purposes by competent and reliable evidence including a certified court record of the conviction under defendant contest conditions. Effective date: August 1, 1988. SWENSON, LAIDIG.

### **Deprivation of parental rights defense**

**Chap. 523-H.F. 2059** Provides that it is an affirmative defense if a person charged of deprivation of parental rights proves that the person reasonably believed the action taken was necessary to protect the child from physical or sexual assault or substantial emotional harm; the person reasonably believed the action taken was necessary to protect the person taking the action from physical or sexual assault; the action taken is consented to by the parent or the action taken is otherwise authorized by a court order issued prior to the action. Clarifies that the defendant must prove elements of defense. Effective date: August 1, 1988. PAPPAS, PETERSON, D.C.

### **Bad check penalty increase**

**Chap. 527-H.F. 2470** Increases the penalties for issuing bad checks with a value greater than \$250. Imposes a penalty of imprisonment for not more than one year or payment of a fine of not more than \$3,000, or both. Authorizes the aggregation of value within a six month period. Provides for prosecution of persons committing two or more offenses in two or more counties. Requires the city attorney to prosecute violations. Effective date: August 1, 1988. BEARD, DIESSNER.

### **Fifth degree criminal sexual conduct**

**Chap. 529-S.F. 1018** Creates the crime of criminal sexual conduct in the fifth degree. Defines the crime as nonconsensual sexual contact. Sets a penalty of imprisonment for not more than one year or payment of a fine of not more than \$3,000, or both. Effective date: August 1, 1988. PETERSON, D.C., REST.

### **Unauthorized release of animals penalty**

**Chap. 535-S.F. 1879** Prescribes a misdemeanor criminal penalty and liability for damages for the unauthorized release of animals legally confined for science, research, commerce or education. Effective date: August 1, 1988. WEGSCHEID, BERTRAM.

### **Statute of limitation relief**

**Chap. 547-H.F. 2508** Provides relief for specific individuals denied a remedy due to the unconstitutionality of a statute of limitation relating to real property improvement. Effective date: August 1, 1988. VOSS, NOVAK.

### **Burn injury reporting**

**Chap. 548-S.F. 30** Requires health professionals to report burn injuries if the victim has sustained second- or third-degree burns to five percent or more of the body, the victim has sustained burns to the upper respiratory tract or sustained laryngeal edema from inhaling superheated air or the victim has sustained a burn injury or wound that may result in death. Requires report to the burn hotline immediately and requires a written report to the state fire marshal within 72 hours. Effective date: August 1, 1988. HAUKOOS, BELANGER.

### **Abolition of constables**

**Chap. 563-H.F. 1659** Authorizes town boards to form law enforcement agencies and to appoint law enforcement officers. Restricts the appointment of part time peace officers. Requires the Board of Peace Officer Standards and Training to issue peace officer licenses to persons licensed and employed as constables upon written application to the board. Abolishes the position of constable and cancels constable licenses as of 30 days after April 21, 1988. Modifies the duties of and requires proof of a criminal records check for employment as a deputy constable. Provides for the continuation of the duties and powers of constables. Effective date: April 21, 1988. MURPHY, GUSTAFSON.

### **Contract for deed transfers**

**Chap. 566-H.F. 2134** Requires contracts for deed to be recorded by the vendee in the office of the county recorder or registrar of titles within four months. Permits recording by any other person. Requires the recording of

contract for deed transfers or assignments. Prescribes civil and criminal penalties for failure to record. Sets forth deposit requirements. Provides for enforcement. Requires the disclosure of information relating to nonrecorded contracts for deed or assignments upon city or county attorney request under specific conditions. Effective date: August 1, 1988. WAGENIUS, BERGLIN.

#### **Wiretap law update**

**Chap. 577-S.F. 2402** Updates the wiretap law to conform to modern electronic communication technologies. Defines and redefines terms. Specifies lawful communication interceptions or activities. Regulates communication disclosures by electronic communications services. Prescribes penalties for violations. Provides cause for civil actions for violations relating to private satellite and radio communications. Authorizes wire or oral communication interceptions for restraint of trade offenses relating to price fixing or contract discrimination. Modifies a requirement for execution of warrants for communication interceptions as soon as practicable. Requires orders authorizing wire, oral or electronic communication interceptions to, upon applicant request, direct service providers to furnish information and technical assistance in an expedited manner and requires applicant to compensate the provider. Authorizes interceptions to be conducted by state or local government employees or by individuals under contract. Grants the Court of Appeals warrant issuance and extension authority. Provides exceptions to requirements relating to the specification of facilities involved in interceptions in warrant applications and in findings of probable cause by a judge. Provides for motions to modify or quash interception orders on the grounds that a provider's assistance with respect to the interception cannot be performed in a timely or reasonable fashion. Provides for motions to suppress the contents of intercepted electronic communications on constitutional grounds. Modifies civil remedies. Provides for the computation of damages and sets a limit. Authorizes warrants for the use of mobile tracking devices under specific conditions. Authorizes the attorney general and county attorneys to initiate actions to enjoin illegal interceptions under specific conditions. Specifies requirements for governmental access to and disclosure of contents and records of electronic communications services or remote computing service providers. Provides for backup preservation and customer challenges and for delay or preclusion of specific notice requirements under certain conditions. Sets forth cost reimbursement requirement. Provides for cause of civil actions by electronic communication service providers, subscribers or customers for violations. Provides a general prohibition on the use of pen registers and trap and trace devices. Provides exceptions. Sets penalties. Authorizes applications and order for and installation and use of the devices by investigative or law enforcement officers. Repeals the privacy of communications act. Provides a sunset date of August 1, 1989. Effective date: August 1, 1988. PETERSON, R.W., CARRUTHERS.

#### **Court referee's orders effective date**

**Chap. 582-H.F. 1844** Provides that district court referee orders become effective when countersigned by a judge. Provides that in cases of review the orders are effective unless a judge expressly stays the effect of the order, changes the order during the pendency of the review, or changes or vacates the order upon completion of the review. Requires the Supreme Court, in consultation with the Association of Minnesota Counties, to appoint a task force to study the relationship between district courts and the counties and to make recommendations concerning the control and financing of district courts. Specifies the report be submitted to the legislature by February 1, 1989. Effective date: August 1, 1988. VELLENGA, COHEN.

#### **Fireworks possession prohibition**

**Chap. 584-H.F. 2036** Prohibits the obstruction or resisting of peace officers performing official duties. Defines explosive fireworks as any fireworks that contain pyrotechnic or flash powder, gunpowder, black powder, or any other explosive compound constructed to produce detonation or deflagration. Prohibits the possession of fireworks. Exempts license or permit holders from fireworks prohibitions when acting in compliance with the conditions of the permit and from the date of issuance until 20 days after the date of exhibition authorized by the permit. Increases penalties for the sale, possession or use of 35 pounds of explosive fireworks to imprisonment for not more than one year, or to payment of a fine of not more than \$3,000, or both. Effective date: Various dates. CARRUTHERS, LUTHER.

#### **Date for valuation of assets in dissolution proceedings**

**Chap. 590-S.F. 462** Requires court valuation of marital assets for division purposes as of the date the proceedings commence. Provides exceptions. Requires parties to serve and file statements disclosing assets and liabilities. Provides that each party owes a fiduciary responsibility to the other during the proceedings for profits or losses. Authorizes the court to order partial distribution of marital assets during pending proceedings for good cause or upon the request of both parties as long as the court fully protects the

interests of the other party. Effective date: August 1, 1988. COHEN, KLUDT.

#### **Child support enforcement changes**

**Chap. 593-S.F. 1582** Requires the use of guidelines in the determination of parental ability to pay for assistance furnished under Aid to Families with Dependent Children. Provides for support payments owed to become a judgment by operation of law. Sets forth conditions and support order notice requirements. Requires the entry and docketing of judgments in the name of the public agency responsible for child support enforcement to the extent of assignment. Provides for interest on and the modification of judgments. Provides for the filing of statements and affidavits. Sets forth judgment entry, docketing and survival provisions. Provides for a hearing upon obligor request and for a motion to the court to vacate the judgment and register in another jurisdiction. Requires the commissioner of human services to seek a specific federal waiver and provides for repeal upon the date the waiver is received. Effective date: August 1, 1988. BERGLIN, JENNINGS.

#### **Employment data classification**

**Chap. 598-S.F. 1727** Defines and provides for the classification and dissemination of employment and training data. Authorizes the dissemination of employment and training data to other employment and training service providers to coordinate the employment and training services for the data subject or to determine eligibility or suitability for services from other programs and to local and state welfare agencies for monitoring the eligibility of the participant for assistance programs, or for any employment or training program administered by those agencies. Effective date: June 1, 1988. PIPER, CLARK.

#### **Public defenders as state employees**

**Chap. 602-S.F. 2451** Clarifies that a public defender appointed by the State Board of Public Defense or a court-appointed guardian ad litem is an employee of the state for purposes of settling claims against the state. Effective date: April 22, 1988. LUTHER, SOLBERG.

#### **First degree manslaughter clarification**

**Chap. 604-H.F. 10** Clarifies that the crying of a child does not constitute provocation under first degree manslaughter. Effective date: August 1, 1988. WENZEL, JUDE.

#### **Statute of limitations clarification**

**Chap. 607-H.F. 1681** Provides for the inclusion of accrued damages in the statute of limitations for actions to recover damages based on services or construction to improve real property. Clarifies the statute of limitations for asbestos actions. Effective date: April 25, 1988. KLUDT, LUTHER.

#### **Sentencing Guidelines Commission membership**

**Chap. 618-S.F. 1540** Changes the composition of the Sentencing Guidelines Commission by reducing the number of district court judges from two to one and increasing the public members from two to three. Requires the appointing authority to make reasonable efforts to appoint members of protected groups. Effective date: The expiration of either the current term of office or the appointment to the commission of a district judge, whichever is earlier. LAIDIG, MARSH.

#### **Valuation of pension benefits**

**Chap. 619-S.F. 1652** Eliminates the requirement for valuation of pension benefits or rights by an approved actuary in marriage dissolution cases. Authorizes the court appointment of a qualified person experienced in the valuation of pension benefits and rights. Effective date: August 1, 1988. KNAAK, KLUDT.

#### **Child abuse data classification**

**Chap. 625-S.F. 2119** Classifies child abuse investigative data as private. Requires local welfare agencies, upon the conclusion of child abuse assessments or investigations, to determine the occurrence of maltreatment and the need for child protective services. Defines maltreatment and specifies the conditions for determining the need for protective services. Specifies local agency notice requirements. Eliminates the classification and requirements for destruction of abuse records maintained by police departments or county sheriffs. Classifies law enforcement investigative data received by a local welfare agency as confidential and private. Alters conditions for the destruction of records maintained by local welfare agencies and schools. Provides for retention of records. Effective date: August 1, 1988. SPEAR, BLATZ.

#### **Training program for child protection workers**

**Chap. 630-S.F. 2266** Requires the commissioner of human services to develop a training program for child protection workers with the assistance of a steering committee. Provides that the steering committee consists of two individuals who are in a supervisory capacity in a local child protection agency, two individuals with experience in child protection, one individual with expertise in training and development, one law enforcement officer, three individuals with child protection services expertise and three

individuals representing the general public. Prescribes steering committee duties. Requires child protection worker applicants to complete preservice training as a condition of employment. Authorizes counties to establish pilot projects authorizing the appointment of independent intermediaries for children involved in cases of criminal sexual conduct by an adult having a significant relationship with the child. Provides for appointment of the intermediaries by the district court at the time of filing of the criminal charge. Requires the court to consider guidelines in appointing intermediaries. Prohibits the appointment of a person who is likely to be a witness in any proceeding associated with the alleged child abuse. Specifies intermediary duties and powers. Requires reports to the legislature. Prohibits intermediaries from being compelled to testify regarding the child victim. Effective date: August 1, 1988. COHEN, CARRUTHERS.

#### **Access for persons accompanied by service dogs**

**Chap. 637-H.F. 1748** Requires full and equal access to housing accommodations for persons using a service dog. Clarifies terms by substituting the words "service dog" for "guide dog." Effective date: August 1, 1988. CARLSON D., SOLON.

#### **Crime victims reparations changes**

**Chap. 638-H.F. 1754** Includes expenses incurred in returning abducted children to the parents or custodian in the definition of economic loss for reparations purposes. Requires prosecutors to attempt to notify domestic assault victims of decisions not to prosecute. Provides that revenue recapture provisions apply to restitution ordered in a juvenile delinquency proceeding. Expands the powers and duties of the Crime Victims Reparations Board to the determination and award of reparations and damage claims from proceeds from the commercial exploitation of crimes. Requires notice to the board of contracts with offenders and payment to the board of money owed to the offender under the contract according to specific percentage requirements. Sets forth deduction requirements and exceptions. Authorizes the offender to allocate up to ten percent of the remaining proceeds for the benefit of dependent minor children. Provides for board disbursement. Authorizes the board to use any remaining proceeds for the payment of other reparations under specific conditions. Prescribes penalties. Provides for the retention of classification of data in possession of the crime victim ombudsman. Requires that if a complaint involved the conduct of an element of the criminal justice system in relation to a criminal or civil proceeding, the ombudsman's findings are to be forwarded to the court in which the proceeding occurred. Effective date: August 1, 1988. KELLY, PETERSON, D.C.

#### **Hate crimes reporting**

**Chap. 643-H.F. 2340** Requires peace officers report violations appearing to be motivated by the victim's race, religion, national origin, sex, age, disability, or characteristics identified as sexual orientation. Requires the superintendent of the bureau of criminal apprehension to adopt a form to be used by law enforcement agencies in making reports. Specifies the report content requirements. Requires heads of law enforcement agencies to file periodic reports describing the crimes reported with the bureau. Requires the commissioner of public safety to analyze and summarize report information and report annually to the Dept. of Human Rights and the legislature. Requires the Peace Officer Standards and Training Board to prepare a training course to assist officers in identifying and responding to the crimes. Specifies course content and updating requirements. Requires the training as a condition of licensure after August 1, 1990. Requires the board to provide chief law enforcement officers with instructional materials. Provides for continuing education credit. Requires the board to seek funding for additional inservice training. Specifies inservice training responsibilities for chief law enforcement officers. Effective date: August 1, 1988. ORENSTEIN, SPEAR.

#### **Seat belt penalty**

**Chap. 648-S.F. 121** Imposes a \$10 penalty for failure to wear motor vehicle seat belts. Clarifies the seat belt requirement for children under age four. Makes the driver liable for fines imposed for violation of the seat belt requirement by children under age 11. Provides that a peace officer may not issue a citation for a violation of the seat belt law unless the officer lawfully stopped or detained the driver of the motor vehicle for a moving violation other than a violation involving motor vehicle equipment. Prohibits the Dept. of Public Safety from recording violation on driving records. Provides that one-half of the fines collected must be credited to a special account to be known as the Emergency Medical Services Relief Account and provides that the total amount of fines deposited in the account may not exceed \$750,000 per year. Provides the money in the account be distributed to the eight regional emergency medical services systems. Effective date: May 1, 1988. FRANK, VELLENGA.

#### **Crime victims rights provisions**

**Chap. 649-S.F. 232** Includes conduct prohibited by local ordinances

resulting in bodily harm to individuals in the definition of crime for crime victims rights purposes. Requires the commissioner of public safety in consultation with the Crime Victim and Witness Advisory Council to develop a notice of crime victims rights for distribution by peace officers upon the taking of a formal statement. Requires the notice to include a form for the preparation of a preliminary written victim impact summary. Provides for prosecutor duties upon receipt of the summary. Grants victims the right to submit impact statements to the court at sentencing or disposition hearings. Classifies written requests for notice of offender release as private data. Repeals the plea agreement notice requirement applicability clause. Effective date: August 1, 1988. COHEN, SEABERG.

#### **BWI definition change**

**Chap. 650-S.F. 321** Expands the crime of driving or operating a motor vehicle or watercraft while under the influence of alcohol or controlled substances to persons knowingly under the influence of chemical compounds and combinations of chemical compounds affecting the nervous system, brain or muscles to the point of substantial impairment of ability to drive in an ordinary manner using reasonable care. Effective date: August 1, 1988. MERRIAM, JACOBS.

#### **"Emotional harm" standard elimination**

**Chap. 655-S.F. 1643** Eliminates the requirement to show substantial emotional harm in proving child abuse by unreasonable restraint or malicious punishment. Effective date: August 1, 1988. REICHGOTT, KELLY.

#### **Human rights act changes**

**Chap. 660-S.F. 1769** Defines marital status for discriminations protection purposes. Prohibits discrimination on the basis of the identity, situation, actions, or beliefs of a spouse or former spouse. Requires the Dept. of Human Services to determine compliance with certain provisions in considering manufactured home park rules for discriminatory practices exemption purposes. Permits eviction due to familial status under specific conditions. Requires the commissioner of employee relations to notify the court as discriminatory practice the denial of full and equal access to real property to blind, physically handicapped or deaf persons having or obtaining guide dogs. Prohibits extra compensation requirements for persons with guide dogs but provides for liability for damages caused by the guide dogs. Provides that failure to respond to grievance charges constitutes default. Increases the time for filing a claim of unfair discriminatory practice. Increases the limit on punitive damages to \$8,500. Clarifies affirmative action requirement relating to state agency contracts. Authorizes the commissioner to void contracts for failure to comply with certificate requirements. Provides for recovery of payments and makes optional the requirement for the commissioner to accept local or federal certificates of compliance as compliance with state requirements. Eliminates the authority of the court to amend orders of the department and to sustain or amend awards. Provides for communications between the office of the attorney general and charging parties to be privileged information. Authorizes the commissioner to bring civil actions seeking redress for unfair discriminatory practices. Provides for private rights of action for no probable cause charges at the same time as probable cause charges under the rules and time frames that govern the probable cause charges. Provides for department attorney fees and costs. Requires charging parties appealing cases to the Supreme Court or the Appeals Court to service a copy of the notice of the appeal to the commissioner. Effective Date: August 1, 1988. REICHGOTT, SOLBERG.

#### **False allegation of child abuse prohibition**

**Chap. 662-S.F. 1871** Provides a misdemeanor penalty for false allegations of child abuse that are made in order to influence a child custody hearing. Requires the court to consider evidence of violation of the false allegation provision in determining the best interests of the child. Prescribes the penalty of murder in the first degree for the crime of causing the death of a minor while committing or attempting to commit child abuse. Requires members of the clergy to report neglect, or physical or sexual abuse of a child. Effective date: August 1, 1988. RAMSTAD, BLATZ.

#### **Property forfeiture provisions**

**Chap. 665-S.F. 1937** Provides for seizure and forfeiture of property, proceeds and contraband association with the commission of crimes. Limits inmate costs and credits to the contingent fund of the county sheriff. Provides for property subject to forfeiture by the appropriate agency upon process issued by the court of jurisdiction. Modifies provisions relating to seizure without process. Requires a forfeiture action under certain conditions. Provides for the right to possession and custody of property subject to forfeiture. Authorizes owners of seized property to post bond for return of the property before the forfeiture action subject to the approval of the appropriate agency. Provides that a bond may not be posted for contraband property. Designates the forfeiture action a civil action independent of criminal prosecution and provides for an exception. Creates a presumption of subjection to forfeiture for property acquired during or

after the commission of a designated offense or controlled substance crimes upon criminal conviction. Subjects controlled substances and associated property relating to controlled substance crimes and property associated with designated offenses to forfeiture. Sets limits. Establishes a procedure for forfeiture by judicial action. Creates a presumption of subjection to administrative forfeiture for property seized in connection with a controlled substances seizure. Sets forth procedures. Authorizes and provides for judicial determination. Provides for the disposition of forfeited property and distribution of the proceeds. Authorizes retention of the property for use by the appropriate law enforcement agency. Requires summary forfeitures of contraband, controlled substances or plants and weapons. Effective date: Various dates. FREEMAN, JEFFERSON.

#### **Child support collection provisions**

**Chap. 668-S.F. 2009** Modifies and clarifies provisions for the collection and enforcement of child support. Clarifies provisions relating to fire department relief associations rights in marriage dissolutions. Permits noncustodial parents access to school records and information, attendance at conferences and to be informed about the child's welfare, educational progress and status. Requires employers and utility companies to provide information to requesting agencies responsible for child support enforcement relating to identifying and locating individuals owing or potentially owing child support. Extends a provision relating to the granting of reasonable visitation rights (including grandparent visitation rights) to legal separation, annulment or determination of parentage proceedings. Includes persons with delinquent accounts with public agencies responsible for child support enforcement in the definition of debtor under the revenue recapture act. Requires public or private pension plan administrators to provide the court with information. Provides for the attachment of pension rights in marriage dissolution proceedings. Provides for the reopening of certain marriage dissolution judgments and decrees or orders or proceedings, including child support and maintenance awards under specific conditions. Requires the court to grant custody rights to each of the parties and sets forth an exception. Applies child support collection and enforcement remedies to medical support. Modifies factors for court consideration in setting or modifying child support. Specifies notice requirements relating to income withholding for child support or maintenance purposes. Provides for cost of living adjustments in spousal maintenance orders. Effective date: August 1, 1988. BERGLIN, VELLENGA.

#### **Neighborhood impact statements**

**Chap. 669-S.F. 2071** Requires a neighborhood impact statement to be submitted as part of the presentence investigation report for controlled substance violations. Authorizes courts to apply bail deposits to restitution orders. Effective date: August 1, 1988. POGEMILLER, JEFFERSON.

#### **Data privacy changes**

**Chap. 670-S.F. 2122** Requires the commissioner of administration to try to resolve disputes relating to the accuracy or completeness of data through education, conference conciliation or persuasion prior to issuing the order and notice of appeal through a contested case hearing on the matter. Authorizes the commissioner to refer the matter to mediation upon consent of the parties. Authorizes dismissal of appeals under specific conditions. Authorizes the alteration or destruction of data by state agencies, local government units or statewide systems of successfully challenged data. Authorizes the retention of orders. Classifies claims experience and related information in state insurance plans as nonpublic. Makes rehabilitation data about the name, business address and business telephone number of an individual licensed under statute public. Classifies Minnesota Zoological Garden data. Authorizes the release of certain court services data to law enforcement agencies or to victims of criminal acts under specific conditions. Authorizes medical providers to exclude written speculations about the patients health condition, except that all information necessary for the patient's informed consent must be provided and requires patient consent for only summary data. Includes outpatient diagnostic and laboratory test results in definition of individual permanent medical record for hospital record retention purposes. Requires the removal of records of drivers license revocations and suspensions from computer records upon rescission and expiration or exhaustion of appeals. Authorizes the commissioner of transportation to provide to the Transportation Regulation Board investigative data and provides for notification. Clarifies provisions relating to the law enforcement agency exchange of information on juveniles. Makes human rights case file data comprised of materials and documentation accessible to charging parties. Effective date: Various dates. PETERSON, R.W., NELSON, D.

#### **Statutory changes relating to juveniles**

**Chap. 673-S.F. 2275** Removes statutory references to dependency, neglect, habitual truant, runaway and juvenile alcohol or controlled substance offender. Substitutes and defines the term child in need of protection or

services. Includes juvenile alcohol and controlled substance offenses in the definition of juvenile petty offense and changes references from offender to offense. Removes juvenile court jurisdiction over habitually disobedient children. Subjects parents, guardians or custodians of children under court jurisdiction to juvenile court jurisdiction in specific matters. Transfers alleged truants and runaways and alleged young delinquents to protective services jurisdiction of the court. Clarifies release conditions. Limits the duration of juvenile court jurisdiction over habitual truants. Expands the dispositional authority of the court in certain child protection cases. Authorizes the court to allow minors over 16 to live independently under certain conditions and to order alternative dispositions for runaways and habitual truants. Requires the court to order the appropriate agency to prepare a written case plan for each disposition ordered. Sets forth plan requirements. Requires court review and approval and authorizes modification. Restricts the adjudication of certain children under the continuing jurisdiction of the court. Repeals a provision requiring juvenile court judges to call certain conferences. Effective date: August 1, 1988. COHEN, PAPPAS.

#### **Mandatory license plate surrender**

**Chap. 681-S.F. 392** Provides for the mandatory surrender of registration plates and certificates for motor vehicles operated by repeat DWI offenders. Authorizes registration plate destruction and requires certificate forwarding to the registrar of motor vehicles by the court. Requires court notice of impoundment to the commissioner of public safety. Provides for administrative review of impoundment orders by the commissioner upon request. Requires plates and certificate reissuance at no cost upon rescission of drivers license revocation. Authorizes and provides for the issuance of special plates by the commissioner, sets fees and requires court approval. Requires notice of impoundment to the commissioner upon request for new registration plates and provides a penalty. Provides for transfer of the registration certificate and issuance of new registration plates to a new owner upon authorized sale of the vehicle. Specifies a deadline for court forwarding of chemical dependency assessment charges to the commissioner of finance and requires an explanation for late transmission. Specifies commissioner notice requirements upon expiration of the period of impoundment. Prohibits drivers license reinstatement for failure to comply with registration plate impoundment requirements. Requires the commissioner to monitor and evaluate the implementation and effects of registration plate impoundment and report to the legislature. Authorizes the court to sentence without regard to the mandatory minimum term of imprisonment if the court finds that substantial mitigating factors exist and if its sentencing departure is accompanied by a statement on the record of the reasons. Makes administrative changes to the traffic laws. Requires uniform tickets to contain the statement that if the defendant fails to appear in court in response to the ticket, an arrest warrant may be issued. Requires the commissioner of public safety to prescribe the form and requires conformity to federal law. Increases the penalties for falsely using the identity of another to a peace officer. Requires the Dept. of Public Safety to study the use of ignition interlock devices in other states and report to the legislature. Effective date: Various dates. SPEAR, REST.

#### **Secretary of state filing changes**

**Chap. 682-S.F. 1788** Simplifies various filings with the office of the secretary of state. Changes or imposes filing fees. Eliminates specific notarization, verification or acknowledgement requirements. Provides a penalty for false acknowledgement or verification. Changes or eliminates specific filing requirements. Provides a procedure to correct inaccurate or defective documents. Provides for the filing of annual registrations by business corporations in lieu of an active status report. Alters certain corporate articles, certificate of authority or reporting requirements. Conforms the business corporation act to the uniform fraudulent transfer act. Reduces the number of signatures required on specific documents. Changes the time period for auditing legal newspapers and for notice to trade mark registrants of renewal requirements. Effective date: August 1, 1988. PETERSON, R.W., CARRUTHERS.

#### **Chemical abuse preassessment team data**

**Chap. 691-H.F. 2228** Requires chemical abuse preassessment team information dissemination determinations concerning school and community services to students and parents in connection with chemical abuse. Provides for the disclosure of data without consent in health and safety emergencies. Establishes a destruction schedule for certain records created or maintained by preassessment teams. Eliminates a requirement of school and community advisory teams addressing district chemical abuse problems to develop law enforcement notification procedures. Requires law enforcement agencies to notify preassessment teams of incidents. Provides for teacher indemnification under chemical abuse reporting requirements. Clarifies provisions allowing teachers and other school employees to report law violations occurring on school premises or at school sponsored events



to law enforcement agencies. Repeals the definition of contraband under preassessment team provisions. Effective date: August 1, 1988. KELLY, COHEN.

#### **Waiver of automatic income withholding of child support**

**Chap. 693-H.F. 2341** Authorizes court waiver of automatic income withholding of child support or maintenance under certain conditions. Provides for an option for child support or maintenance obligors to place a money in a savings (escrow) account in lieu of income withholding. Specifies proof of escrow establishment requirements. Requires exclusive access to the account by the public authority responsible for support or maintenance collection. Requires the public authority to direct the financial institution to release the sums under payment default conditions. Specifies public authority duties relating to sum remittance and employer income withholding notice. Provides for obligor request for hearing on the issue of default and prescribes procedures. Provides for termination of the account and release of sums to the obligor under specific conditions. Requires a report by the commissioner of human services to include additional data. Effective date: Various dates. POGEMILLER, FORSYTHE.

#### **Student athlete professional contracts**

**Chap. 701-S.F. 1830** Provides for a waiver of intercollegiate athletic eligibility for student athletes to be filed with the secretary of state and the athletic director and available for public inspection. Sets forth waiver form requirements. Prohibits professional sports contracts with student athletes before the effective date of the waiver and the influencing of educational institution employees with the intent to influence student athletes to enter into contracts or to refer the students to the person. Sets penalties. Provides for voidability by the student athletes of contracts entered into in violation of the prohibitions. Requires athletic agents to return to the student athletes compensation received under the contract and to pay reasonable attorney fees and costs incurred by the students in actions or defenses. Effective date: August 1, 1988. RAMSTAD, SEABERG.

#### **Tort immunity provisions**

**Chap. 708-H.F. 2407** Grants immunity from liability to employees and officers of the World Trade Center Board and the Greater Minnesota Corporation. Provides immunity for unpaid officers and directors of public corporations under nonprofit corporation provisions. Requires notices or statements to members of nonprofit corporations relating to meetings. Provides civil liability for illegal bartering of alcoholic beverages or illegal selling, bartering or giving of alcoholic beverages to persons under the legal drinking age. Treats local government unit volunteers as employees or officers for tort liability purposes. Grants immunity from liability for damages to volunteer athletic coaches, managers, officials and nonprofit athletic associations for negligence claims of spectators. Effective date: August 1, 1988. COOPER, LUTHER.

#### **Dangerous dog provisions**

**Chap. 711-S.F. 1744** Requires county issuance of certificates of registration to owners of dangerous dogs upon presenting evidence of the existence of a proper enclosure, a warning sign and a surety bond or liability insurance policy. Authorizes a fee. Specifies exemptions. Requires restraint of dangerous dogs. Authorizes cities or counties to regulate potentially dangerous dogs. Requires the county to confiscate dangerous dogs if the dog is not validly registered; the owner does not secure the proper liability insurance or surety coverage; the dog is not maintained in the proper enclosure; or the dog is outside the proper enclosure and not under physical restraint of a responsible person. Provides criminal penalties for violations. Requires the seizure and destruction of dangerous dogs upon conviction of violations. Specifies owner cost liability for confinement of the dogs. Prohibits the leaving of dogs or cats unattended in standing or parked motor vehicles in a manner endangering the animal's health or safety. Authorizes the use of reasonable force by persons to remove dogs or cats from motor vehicles in violation of the law. Provides a petty misdemeanor penalty for leaving animals unattended in motor vehicles in a manner endangering the health or safety of the animal. Effective date: August 1, 1988. BERG, SCHEID.

#### **Fleeing a police officer changes**

**Chap. 712-S.F. 1821** Requires the commissioner of public safety to include in each edition of the drivers manual a section relating to the criminal sanction and forfeiture provisions applicable to persons fleeing peace officers in motor vehicles. Provides a penalty for second or subsequent violations. Makes technical corrections. Requires a warning label on replica firearms or packages containing replica firearms offered for sale or sold. Provides a penalty and sets a limit. Specifies label requirements. Defines replica firearm. Expands the crimes of aggravated robbery and burglary in the first degree to include crimes committed with an article appearing to be a replica firearm and sets penalties. Expands the crimes of burglary in the first, second, third and fourth degrees to entering a building without consent and committing crimes with intent while in the building. Extends the assault condition under first degree burglary provisions to assault on the

appurtenant property of a building. Includes the crime of theft in the provision prohibiting and providing penalties for the possession of burglary tools. Increases the penalties for the crimes of check forgery and financial transaction card fraud and applies a statute of limitations. Requires police department reports of pursuits of fleeing suspects to commissioner of public safety. Requires local government units and state law enforcement agencies employing persons licensed by the Peace Officer Standards and Training Board to establish pursuit procedures and training requirements by October 1, 1989, and requires board licensing sanctions for failure to comply. Requires the board to adopt rules relating to pursuit procedures and training requirements. Requires the board to assist local units in establishing pursuit procedures and training requirements. Effective date: Various dates. REICHGOTT, SEGAL.

#### **Constitutional amendment for six person juries**

**Chap. 716-S.F. 2321** Proposes an amendment to the Minnesota Constitution, Article I, Section 4, to provide for six member juries in nonfelony cases. Effective date: August 1, 1988. SPEAR, KELLY.

## Local and Urban Government

#### **County contract rental**

**Chap. 409-S.F. 1715** Authorizes direct negotiation without competitive bidding of county equipment rental contracts of \$60,000 or less. Provides a recording requirement. Effective date: August 1, 1988. CHMIELEWSKI, OGREN.

#### **Tax power clarification**

**Chap. 414-H.F. 1766** Authorizes towns to impose lodging taxes by vote at the annual town meeting or at a special town meeting. Effective date: August 1, 1988. BATTAGLIA, JOHNSON, D.J.

#### **Use of property authorization**

**Chap. 418-S.F. 1772** Authorizes the north suburban hospital district to renovate and use the Fridley Assembly of God church property for health or social service programs. Effective date: August 1, 1988. FRANK, JOHNSON, A.

#### **City reserve funds**

**Chap. 419-H.F. 81** Authorizes the use of city infrastructure replacement reserve funds for the replacement of sidewalks and trees. Effective date: August 1, 1988. STANIUS, KNAAK.

#### **Dispatching emergency equipment**

**Chap. 422-H.F. 1926** Authorizes and provides for counties, cities, towns and the Metropolitan Airports Commission to by resolution provide for the dispatching of emergency equipment and personnel outside the local unit as deemed necessary if there is a danger of fire, hazard, casualty, or another similar occurrence outside the political subdivision and by its suddenness it would be impractical for the governing body itself to authorize the dispatch of equipment and personnel to combat the occurrence. Effective date: August 1, 1988. OLSON, S., STUMPE.

#### **Minneapolis appointments, compensation**

**Chap. 433-S.F. 1607** Authorizes the Minneapolis city coordinator to appoint a general manager and a manager of operations for the convention center and a number of other appointments. Eliminates references to managers of the auditorium. Limits the amount of additional compensation paid to the chief of police for deposit into the deferred compensation program. Requires compensation in excess of the state and federal tax law limits for deferred compensation to be paid as ordinary salary. Authorizes the indemnification of chamber of commerce or nonprofit corporation board members in the performance of certain convention and visitors duties. Effective date: Various dates. PETERSON, D.C., NELSON, K.

#### **Washington county commissioners payment**

**Chap. 454-H.F. 1867** Repeals laws 1965 chapter 524, as amended, relating to the determination and payment of expenses of Washington County commissioners. Effective date: Local approval. PRICE, DIESSNER.

#### **Minneapolis city contracts**

**Chap. 471-S.F. 1875** Authorizes and provides for the city of Minneapolis to, without local approval, negotiate contracts concerning the hiring and terms and conditions of employment for skilled trade and craft workers and apprentices with local labor organizations representing skilled building and construction trades and electrical workers and apprentices. Provides specific subjects for negotiation. Prohibits the agreement from requiring the city to contribute to a labor organization's industry or promotional fund or account,

or to an apprenticeship fund or account other than an apprenticeship fund or account to which local contractors make contributions. Provides for the status of persons hired and of current employees. Requires the agreement to provide a grievance procedure for resolving disputes under the agreement. Effective date: Various dates. PETERSON, D.C., MCLAUGHLIN.

#### **Funds for flood mitigation measures**

**Chap. 473-S.F. 2355** Authorizes the cities of Bloomington and West St. Paul to expend or loan public funds for flood mitigation measures to protect residential structures lying within flood-prone areas. As defined in the law, flood-prone areas means the floodplain zones of the city, and other areas of the city which, because of their location, topography, or other circumstances, tend to be subject to recurrent flooding during heavy rainfalls or other climatic conditions. Effective date: Various dates. BELANGER, RIVENESS.

#### **Levy limitation removal**

**Chap. 475-H.F. 1459** Repeals a five mill levy limit for the town of Irondale. Effective date: Local approval. WENZEL, SAMUELSON.

#### **St. Louis County**

**Chap. 491-H.F. 2446** Relates to St. Louis County. Eliminates per diem and expense reimbursement for civil service commission members. Modifies civil service appointment procedures relating to underrepresentation of protected groups. Specifies nine as the maximum number of clerks serving the county board and administrator allowed in the unclassified civil service. Allows two administrative assistants in the county administrator's office in the unclassified service. Authorizes the establishment of a housing and redevelopment authority composed of the county board or appointed members. Increases the county board chair contingent fund to \$5,000. Clarifies various county board powers and duties. Removes or increases the limits on certain expenditures. Authorizes and provides for county board snow removal powers. Removes the requirement that when delayed assessment is granted, the assessor record a notice with the St. Louis County recorder that sets forth the amount of market value to be added at the expiration of each two year period by reason of the delayed assessment, and that the assessor collect filing fees from the person making application and forward them. Repeals some obsolete provisions. Effective date: Local approval. RUKAVINA, SOLON.

#### **St. Paul capital improvement bonds**

**Chap. 513-H.F. 289** Sets the maximum amounts for the issuance of capital improvement bonds by the city of St. Paul. Authorizes proceeds use for certain redevelopment project activities and gives limits. Effective date: Local approval. KELLY, LANTRY.

#### **Joint economic development authority in Cook County**

**Chap. 516-H.F. 1224** Creates the Cook County/Grand Marais joint Economic Development Authority. Specifies powers and the area of operation. Provides for the appointment, terms, vacancies, compensation, reimbursement and removal of commissioners. Provides for bonding and property tax levy authority. Effective date: Local approval. BATTAGLIA, JOHNSON, D.J.

#### **County bond provisions**

**Chap. 519-H.F. 1796** Authorizes and provides for the issuance by counties of bonds to finance eligible capital improvements, as defined in the law, under an approved capital improvement plan without subjection to election requirements of section 375.18 or 475.58. Requires approval by at least three-fifths of the county board and at least two-thirds of the county board of a metropolitan county. Gives notice requirements. Provides for petition for a vote on the issuance. Provides for the adoption of a capital improvement plan, considerations. Requires county board and commissioner of trade and economic development approval. Specifies limits on amount. Authorizes a property tax levy and requires deposit of the proceeds into the county building fund and provides limits. Clarifies other county bonding authority. Authorizes county building fund levies in Hennepin and St. Louis Counties. Authorizes Hennepin County to issue bonds for construction and purchase of the county health services building without election and provides limits. Effective date: Various dates. REST, NOVAK.

#### **Watershed improvement costs scheduling**

**Chap. 533-S.F. 1700** Specifies a deadline of before October 1 for metropolitan area watershed management organization improvement costs certification to the county. Requires prompt payment after September 30 of each year of the county share of the costs. Authorizes emergency payments at other times upon certification. Requires organizations to promptly inform counties of anticipated emergencies. Effective date: August 1, 1988. DIESSNER, PRICE.

#### **Tax anticipation certificates**

**Chap. 540-H.F. 1864** Authorizes and provides for the city of Jordan to issue tax anticipation certificates by resolution and without public

referendum and gives limits. Certificates are not to be included in the computation of net debt. Effective date: April 19, 1988. JENSEN, SCHMITZ.

#### **Local improvements**

**Chap. 564-H.F. 1850** Removes the restriction that any improvement authorized and undertaken under authority granted in a certain subdivision of this law may be made only upon the affirmative vote of the electors of the town at the annual town meeting or a special town meeting. Effective date: August 1, 1988. JENNINGS, ADKINS.

#### **Authorization of contributions to hospitals**

**Chap. 567-H.F. 2190** Authorizes 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 in the counties of Cottonwood, Murray and Redwood to contribute gifts to the Schmidt Memorial Hospital in the city of Westbrook. Authorizes the cities of Comfrey and Darfur and the towns of Bashaw, Selma, Stately, Mulligan, Delton and Adrian in the counties of Cottonwood, Brown and Watonwan to contribute gifts to the Comfrey Hospital in the city of Comfrey. Authorizes the city of Mountain Lake and the towns of Midway, Selma, Mountain Lake, Lakeside and Carson in Cottonwood County to contribute gifts to the Mountain Lake Hospital in the city of Mountain Lake. Effective date: April 21, 1988. WINTER, VICKERMAN.

#### **Bonding of contracts requirement**

**Chap. 572-S.F. 1749** Requires bonding of contracts for the procurement of supplies, services, materials or equipment for the city of Minneapolis or for the Minneapolis Community Development Agency. Authorizes waiver or reduction by the agency's contracting officer, in accordance with criteria adopted by the Minneapolis city council ordinance, if the bond is not reasonable or necessary for the protection of the agency. Provides exception. Requires the Minneapolis Police and Firefighters Relief Associations to pay annual lump sum post-retirement payments to eligible members, spouses and dependents under certain excess investment income conditions. Provides for calculation and limit. Effective date: Various dates. POGEMILLER, SARNA.

#### **Compensation for Minneapolis park and rec board**

**Chap. 574-S.F. 2102** Authorizes the Minneapolis Park and Recreation Board to establish compensation for members subject to mayoral approval. Requires the Minneapolis Police and Firefighters Relief Associations to pay annual lump sum postretirement payments to eligible members, spouses and dependents under certain excess investment income conditions. Provides for calculation and limits. Effective date: Various dates. KROENING, NELSON, K.

#### **Filing requirement of variances and official maps**

**Chap. 583-H.F. 1966** Requires the filing of certified copies of ordinances, resolutions, maps or regulations adopted relating to official maps under the comprehensive municipal plan with the county recorder. Requires the filing of certified copies of variances to abstracts or registered real property granted under plan subdivision regulations with the county recorder or registrar of titles. Provides for the satisfaction of the filing requirement through the filing of a certified copy of the resolution citing the existence of the variance and identifying the location of the variance documents for inspection purposes. Eliminating the requirement for the filing of conditional use permit variances. Effective date: August 1, 1988, for variances granted on or after that date. BLATZ, BELANGER.

#### **Reference updates relating to economic development**

**Chap. 594-S.F. 1608** Updates statutory references in laws relating to the economic development powers of the Minneapolis city council. Authorizes council or governmental agency working capital loans to expanding small businesses within the city to increase the tax base and to provide employment opportunities. Limit of \$450,000 outstanding at any time. Effective date: August 1, 1987. POGEMILLER, OTIS.

#### **Penalties for town board members**

**Chap. 639-H.F. 1851** Exempts town board members from the penalty for failure, refusal or neglect to perform a duty imposed by sections 18.181 to 18.271, relating to the control of noxious weeds. Eliminates town board authority to appoint a clerk treasurer under option B. Expands town authority to combine the offices of clerk and treasurer under option D. Authorizes the combined office to be made elective or appointive, alters ballot question requirements. Authorizes the purchase of real or personal property under installment contracts. Repeals the limit on town possession or exercise of corporate powers. Effective date: August 1, 1988. VICKERMAN, BAUERLY.

#### **Hospital districts establishment**

**Chap. 645-H.F. 2481** Provides for the establishment of a hospital district in

the cities of Cook and Orr and the counties of Koochiching and St. Louis through annexation by the counties of numerous unorganized townships. Excepts the district from the contiguity requirement. Provides for a governing board. Authorizes a property tax levy that may not exceed two mills. Provides for the transfer by the city of Cook of its title and interest in its hospital and nursing home, including the real estate, building, and equipment, to the hospital district. Effective date: Local approval. JOHNSON, D.J., BATTAGLIA.

#### **Aitkin public land interests**

**Chap. 658-S.F. 1711** Authorizes Aitkin County to regulate by ordinance the use of lands that are adjacent to public waters and dedicated to the public or for public use but are not owned by the state or held in the corporate name of a home rule charter or statutory city or other political subdivision. Regulates Carlton County assistant county attorney retirement benefits. Effective date: Local approval. CHMIELEWSKI, OGREN.

#### **Metropolitan Airports Commission regulations**

**Chap. 664-S.F. 1900** Provides for the Metropolitan Airports Commission to minimize public exposure to noise and safety hazards and promote state environmental policies around airports. Requires assistance to the Pollution Control Agency. Requires the MAC to prepare an assessment of the environmental effects of projects in the capital improvement program and plan at certain airports. Provides assessment requirements. Requires environmental assessment worksheets for projects for airports that meet various conditions. Requires decisions for the necessity of environmental impact statements to be based on worksheets. Prohibits the commission from basing a decision that an environmental impact statement is needed on exemptions of projects in state or federal rules. Requires environmental assessments and worksheets to be prepared annually before the MAC adopts a capital improvement plan and program. Provides a public hearing requirement. Increases the bonding authority of the MAC to \$150 million. Requires a legislative report. Effective date: April 27, 1988, for the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott and Washington. ADKINS, SIMONEAU.

## Public Utilities and Energy

#### **Settlement encouragements**

**Chap. 457-H.F. 2020** Requires and provides for settlement conferences through the Office of Administrative Hearings prior to contested case hearings upon public utility general rate filing for settlement encouragement purposes. If a stipulated settlement is not reached, authorizes the reconvening of the settlement conference during or after the hearing at the discretion of the Office of Administrative Hearings or a request of one of the parties. Requires stipulated settlements to be submitted to the Public Utilities Commission. Authorizes the PUC to accept settlements or to issue modification orders subject to approval of the parties. Requires completion of a contested case hearing if the commission rejects the settlement or a party rejects the commission's proposed modifications. Authorizes the PUC to extend public utility and telephone rate suspension periods under certain conditions relating to multiple general rate filings for final determination purposes. Provides for the imposition of interim rates during the extension. Effective date: April 7, 1988, applying only to general rate cases filed on or after that date. JACOBS, DICKLICH.

#### **Deductions from rent due**

**Chap. 470-S.F. 1819** Authorizes and provides for payment of heating oil, propane, natural gas, electricity or water building owner utility bills by tenants or groups of tenants upon discontinuation of service for reconnection purposes. Specifies notice requirements by tenants to owner. Authorizes deduction of the payments from rent after submission of receipts to the owner. Specifies other tenants' rights and limits to the tenants' rights under this section. Prohibits waiver or modification. Effective date: August 1, 1988. MARTY, JEFFERSON.

#### **Fire protection system charges prohibited**

**Chap. 499-S.F. 1834** Prohibits water utilities from imposing additional water availability or standby charges on owners of structures containing fire protection systems. Defines water availability or standby charge. Authorizes utilities to recover the cost of supplying water to an area by proportionally spreading the cost among the structures in the benefited area. Authorizes owner appeal of charges in violation of the prohibition. Effective date: August 1, 1988. BERTRAM, HAUKOOS.

#### **Legislative advisory task force creation**

**Chap. 562-S.F. 2456** Creates a legislative advisory task force on energy policy for low income persons to study the efficiency, coordination and effectiveness of existing state programs assisting low income persons in meeting energy needs. Provides for membership and duties. Requires specified areas of examination, the development of a policy and strategies for implementing the policy, and a report to the legislature by January 15, 1989. Sunsets May 1, 1989. Effective date: August 1, 1988. SOLON, DAWKINS.

#### **Cable regulations**

**Chap. 568-H.F. 2232** Exempts certain small cable communications systems from regulation. Requires additional franchises for cable service for an area included in an existing franchise to be granted on the same terms and conditions as the existing franchise pertaining to the area served, public, educational or governmental access requirements or franchise fees. Prohibits utilities, as defined in the provision, from giving unfair preference to affiliated companies providing cable television service within the utility service area and provides remedies. Effective date: August 1, 1988. JACOBS, DICKLICH.

#### **Oil overcharge funds**

**Chap. 617-S.F. 1268** Requires the commissioner of trade and economic development to dispense loans, grants and other financial aids from money received from litigation or settlement of alleged violations of federal petroleum pricing regulations (oil overcharge) for energy purposes, excluding money received as a result of the settlement of the parties and order of the United States District Court for the District of Kansas in the case of In Re Department Energy Stripper Well Exemption Litigation, 578 F. Suppl 586 (D.Kan. 1983). Requires rules. Authorizes the collection of fees from loan or grant recipients to pay for department administration costs. Requires the commissioner to grant variances from the decorative gas lamp use prohibition for homeowners 65 years or older, upon request, and provides a restriction. Provides minimum standards for fluorescent lamps sold or installed, requires rules. Authorizes Indian tribal governments of federally recognized Minnesota based bands or tribes to create community energy councils. Authorizes the use of a prior appropriation of \$43,170,000 from the State Building Fund to the commissioner of finance for the purpose of making loans to municipalities for district heating to also be used for qualified energy improvements. Effective date: Various dates. MARTY, NELSON, C.

#### **Telephone provisions**

**Chap. 621-S.F. 1809** Relates to the program providing telephones to communication-impaired persons. Requires local telephone companies to collect from each subscriber an amount or amounts representing the total of surcharges required under specified sections. Provides for remittance and deposit requirements. Expands the definition of communication device and clarifies certain other provisions. Requires the Telecommunication Access for Communication-Impaired Persons Board to establish specifications for the devices and adopt rules, including emergency rules. Provides for deposit requirements for collection of charges. Transfers communications device purchasing, distributing, maintaining and training responsibilities from local telephone companies to the commissioner of human services. Requires the telephone assistance plan (TAP) to contain provisions to enable local telephone companies to qualify for a waiver of the federal interstate access charge and to enable eligible subscribers to take advantage of the federal matching plan. Requires TAP to provide telephone assistance credit for a residential household that meets a variety of requirements. Lists eligibility criteria. Limits the uniform monthly surcharge for funding to ten cents per access line. Requires local telephone companies to annually mail notices of the availability of TAP to each residential subscriber in a regular billing. Makes administrative changes to TAP. Establishes the Telephone Assistance Fund, sources and purposes of the fund, appropriates money. Changes legislative report requirements. Authorizes PUC rulemaking. Effective date: April 25, 1988. MARTY, CLARK.

#### **Pipeline safety provisions**

**Chap. 624-S.F. 2111** Grants the commissioner of public safety, acting through the director of pipeline safety, the authority to inspect and regulate intrastate pipeline facilities carrying liquefied natural or petroleum gas and hazardous liquids. Defines and modifies definition of some terms relating to pipeline safety. Prohibits safety standards from prescribing the location or routing of a pipeline facility. Adopts the federal safety standards adopted as Code of Federal Regulations, title 49, parts 192, 193, and 195. Authorizes commissioner adoption of more stringent standards under certain conditions. Specifies certain additional requirements of the commissioner relating to inspection program implementation and safety programs promotion. Provides for the assessment and collection of inspection fees from pipeline operators subject to intrastate pipeline inspection authority under sections 299F.56 to 299F.64 and section 19. Provides for calculation of

fee and crediting the fee to the pipeline safety account. Authorizes emergency rules. Provides for the protection of all information reported to or obtained by the commissioner under a particular subdivision that contains or relates to a trade secret referred to in United States Code, title 18, section 1905. Requires persons engaged in the transportation of hazardous liquids or owning or operating hazardous liquid pipeline facilities to prepare and maintain an inspection and maintenance plan to be available to the commissioner upon request. Provides for plan requirements. Requires the commissioner to file an annual certification report with the federal Dept. of Transportation. Provides report requirements. Provides for civil relief for violation of safety standards. Requires the commissioner to conduct a study to determine the need for hazardous materials response teams and report to the Committee on Regulated Industries and the Committee on Environment and Natural Resources in the House of Representatives and the Committee on Public Utilities and Energy and the Committee on Environment and Natural Resources in the Senate. Extends the availability of a prior appropriation to the commissioner. Requires the Environmental Quality Board to incorporate by reference rules governing public hearings on proposed power line routes and electrical generating plant sites. Effective date: Various dates. NOVAK, KNUTH.

## Taxes and Tax Laws

### Economic development tax in Itasca County

**Chap. 517-H.F. 1302** Authorizes Itasca County to levy a property tax of up to one mill for tourist, agricultural, industrial and economic development purposes. Provides for a matching requirement and proceeds use restriction. Provides for a reverse referendum. Effective date: Local approval. SOLBERG, LESSARD.

### Omnibus tax bill

**Chap. 719-H.F. 2590 Article I-Individual income tax** Makes technical corrections and administrative changes to certain income tax provisions. Clarifies the definition of trust. Excludes spouses of military persons living outside the state and persons covered under reciprocity provisions in section 290.081 from the definition of resident. Adds the capital gain amount of certain lump sum pension or profit sharing distributions to certain other individual retirement account (IRA) or government pension distributions and certain federal accelerated cost recovery system allowances from federal taxable income. Allows certain elderly and disabled taxpayers to deduct subtraction base amount excesses from the lump sum distribution tax. Authorizes surviving spouses as defined in section 2(a) of the Internal Revenue Code of 1986, as amended through December 31, 1987, to use the married filing joint rate for determining tax liability. Changes computation of the surtax. Establishes a new tax rate schedule for married individuals filing separate returns. Modifies the tax computation for certain part time residents and nonresidents and persons with income considered not subject to state income tax. Clarifies a certain application of the credit for taxes paid to other states and specifying a year as the deadline for a claim for credit. Provides for allocation of the child and dependent care credit by nonresidents and part year residents. Provides an income tax subtraction for elderly and disabled persons and restrictions. Repeals the elderly and disabled persons credit. Provides for the allocation of the capital gain on the sale of S corporation stock and requires the assignment of income from lawful gambling to the state. Provides that a spouse who is relieved of a liability attributable to a substantial underpayment under section 6013(e) of the Internal Revenue Code of 1986, shall also be relieved of the state tax liability on the substantial underpayment. Authorizes the commissioner of revenue to allow partnerships, S corporations, estates and trusts with a substantial number of nonresident partners, shareholders or beneficiaries to file composite returns on behalf of nonresident persons with no other state income. Provides for computation and filing requirements. Requires persons using magnetic tape for reporting income and withholding information for federal purposes to use the same media for state reporting. Exempts income from the sale or exchange of agricultural land or equipment from the income tax if the taxpayer was insolvent at the time of the sale and the proceeds of the sale were used solely to discharge indebtedness secured by a mortgage, lien, or other security interest on the property sold; defines insolvent. Imposes a penalty for willful failure by employers to supply information or willful supplying of false or fraudulent information relating to the reciprocity exemption form. Requires the commissioner of jobs and training to notify unemployment compensation recipients of possible subjection of benefits to state income taxes. Provides for a withholding election. Changes the assessment of the underpayment of estimated tax penalty for 1987 tax returns and reduces the penalty. Repeals a certain provision relating to the inclusion in gross income of income in respect to decedents.

**Article II-Business taxes** Makes technical corrections and administrative changes to certain corporate tax provisions. Reduces the gross premium tax rate for certain mutual insurance companies. Provides for continued full funding of firefighters pension funds. Clarifies the responsibility for the collection and remittance of gross premium taxes of risk retention groups not chartered in Minnesota. Makes the agent or brokers subject to the same tax, interest, fines and penalties as surplus lines agent, groups to be taxed as foreign admitted insurers. Exempts premiums received by the writing carrier for the Minnesota Comprehensive Health Association (MCHA) from the gross premium tax. Provides a deduction from taxable income for regulated investment company capital gain and exempt interest dividends paid in computing taxable income. Clarifies certain capital loss carryback and carryover provisions. Provides new subtractions for enterprise zone credits, for income and franchise tax refunds, for certain percentages of royalties, fees or other income received from certain foreign corporations and for a certain percent of a disallowed ACRS depreciation. Clarifies certain nexus rules, expands certain exceptions to the rules. Clarifies the calculation of the alternative minimum tax, exemption apportionment requirement for unitary group corporations. Defines and clarifies the new business exclusion from the tax base. Clarifies certain net operating loss carryover and carryback provisions. Provides a transition rule allowing certain banks and unitary groups to carry back or forward net operating losses resulting from bad debts. Includes the occupation tax on natural iron ore as a nondeductible item. Defines foreign operating corporation and specifies treatment of the income of the corporations; provides a return filing exemption. Eliminates the sunset of December 31, 1988, on the sales apportionment of certain mail order businesses and reduces the property and payroll percentage requirement from 100 to 99 percent. Alters sales factor determination provisions, clarifies the treatment of receipts from the performance of services. Modifies the assignment of interest income from commercial loans in the receipts and assets factors in the apportionment formula for financial institutions subject to the franchise tax. Allows a deduction for charitable contributions to foundations outside the state, changes the dividend received deduction. Limits the inclusion of reinsurance premiums paid by state domiciled insurers in the apportionment factor. Creates a presumption of premiums received for Minnesota risks. Exempts certain corporations from filing a business activities report. Authorizes the commissioner of revenue to release certain limited information relating to the notice of the report. Clarifies the taxation of S corporations, imposes a tax on certain built-in gains, capital gains and passive investment income for federal conformity purposes. Provides a subtraction from gross earnings for certain telephone company connecting and switching fees and access charges for tax computation purposes. Provides a net operating loss carryforward for mining companies for certain purposes. Imposes the royalty tax only on royalties from the production of iron ore and taconite.

**Article III-Federal update** Updates references to the Internal Revenue Code (IRC) relating to the determination of net income including eliminating overnight camp expenses as a qualified child care credit expense. Simplifies and caps the residential interest expense deduction. Requires a speedup of the payment of accrued vacation pay and eliminates the vacation pay reserve account for accrual basis taxpayers. Limits the use of cash basis method of accounting for larger family farm corporations. Treats certain publicly traded partnerships as corporations and limits a certain net operating loss carryover and relates to the property tax refund. Adopts certain retroactive provisions in a certain federal budget reconciliation act, the federal restriction on deducting net operating loss carryovers of certain subsidiaries and the new federal provisions relating to filing estimated tax and the penalties for underpayment of the tax. Reduces the amount of excess tax liabilities required for corporate estimated declaration payments. Repeals obsolete provisions.

**Article IV-Property tax refund** Includes nontaxable scholarship or fellowship grants in the definition of income. Allows various deductions for dependents and an additional exemption for elderly or disabled claimants. Modifies the definition of dependent for property tax refund computation purposes. Provides for computation of the refund using gross property tax. Provides a new schedule. Authorizes the commissioner of revenue to adjust the refund tables to reflect the elimination of the homestead credit for claims based on taxes payable in 1990. Provides targeted homestead property tax relief with a maximum refund amount of \$250. Defines net property taxes payable. Eliminates the requirement for an additional copy of the federal income tax return to be filed with the property tax refund claim. Requires refunds paid to be recognized and accounted for as adjustments to individual income tax withholding and payments of estimated declarations for financial reporting and accounting purposes. Restores the refund reduction for claims based on rent paid in 1986 and taxes payable in 1987 and provides for payment by June 15, 1988. Repeals the separate schedule for claimants without dependents or not disabled or elderly.



**Article V-Property tax reform** Reduces the number of property classifications and provides the tax capacity rate for each type of property. Provides for the adjustment of levy limits or authorities expressed in mills or salary or debt limits expressed in adjusted assessed values for consistency purposes. Allows homesteads owned by family farm corporations or partnerships and certain permanently disabled homeowners to qualify for reduced assessment. Includes real estate located on land zoned for agricultural use and used for the breeding of fish for sale and consumption in the definition of agricultural land. Increases the homestead credit maximum and the credit percentage. Reinstates the agricultural credit for taxes payable in 1989. Provides for the computation of the taconite homestead credit for consistency purposes. Classifies utility property as commercial-industrial property and tools, implements, and machinery of an electric generating, transmission or distribution system or a pipeline system transporting or distributing water, gas, crude oil, or petroleum products, or mains and pipes used in the distribution of steam or hot or chilled water for heating or cooling buildings, as class 5 for property tax purposes. Provides for transition and disparity reduction aids to local government units. Provides a credit coverage guarantee. Clarifies the taxation of electric power distribution lines that meet specific requirements and are not taxed as provided in other sections. Applies a truth in taxation provision to some statutory cities, counties, school districts, the Metropolitan Council and the Metropolitan Transit Commission. Requires proposed budget adoption and certification. Requires county auditor computation of the no-increase and proposed mill rates, notice and hearing requirements. Requires the taxing authority to pay the county for the reasonable cost of the county auditor's services and preparing and mailing the notice. Requires the taxing authority to certify its compliance to the commissioner of revenue. Changes the date for local government unit certification from October 10 to October 25. Includes school districts in the requirement. Provides for county auditor certified levy adjustment and tax capacity computation and adjustment. Excludes certain towns from levy limits. Establishes the levy limit base, provides for increases, and authorizes appeals for adjustment. Specifies additional content requirements for property tax statements. Reduces the amount of the taconite production tax allocated to the taconite property tax relief account. Requires and provides for county determination of the original tax capacity of tax increment districts. Updates various metropolitan revenue distribution requirements to reflect the tax capacity concept. Provides a fiscal disparities adjustment. Provides for the determination of aids to cities and towns. Guarantees a minimum base revenue amount to cities. Requires the commissioner of revenue to notify the legislature of administrative directives or interpretations of this article. Repeals the small business property tax transition credit, the homestead credit replacement, agricultural credit replacement, tax base adjustment and income maintenance tax disparity aids and the farm and homestead value exemption. Reenacts various provisions relating to homestead credit payments to school districts, class 1b property certification and homestead and supplementary homestead property tax relief. Appropriates \$4 million to the commissioner of revenue to assist counties in developing, upgrading and maintaining property tax administrative data collection and processing systems.

**Article VI-Property tax technical and administration** Makes technical corrections and administrative changes to property tax provisions. Changes the date by which the commissioner must give actual notice to the airline company of the assessed valuation and of the tax imposed under specified sections from November 1 to December 1 next following the levy of the tax. Exempts airports owned by a city, town, country, or group thereof, and property constituting or used as a passenger check-in area or ticket sales counter, boarding area, or luggage claim area in connection with a public airport, not including the airports owned or operated by the Metropolitan Airports Commission or a city of over 50,000, or an airport authority therein, from taxation. Exempts transitional housing facilities that meet requirements specified in the law, from taxation. Exempts conveyances of portions of land to the federal or state governments or local government units from the certification of current tax paid requirements. Specifies membership requirements for private golf clubs qualifying for the open space property tax. Specifies a deadline of prior to October 16 for county assessor filing of applications with tax records for real estate entitlement to valuation and tax deferment under the law. Clarifies the computation of the small business property tax transition credit and credit to reduce both installments. Allows full homestead classification and credit for persons with parents as coowners. Allows leasehold cooperative associations to claim homestead treatment on behalf of members. Provides deadline for the listing of delinquent taxes on manufactured homes. Changes the date for the accrual of interest on late real and personal property tax payments. Prohibits the payment of judicial orders compelling payment out of county funds, unless approved by the county board, if a budget request for the item was not submitted to the county board prior to adoption of the budget in effect for the fiscal year. Provides an exception. Classifies the social security number of the property owner as

private data. Provides for county auditor final certification of prior year adjustments not previously claimed by local government units for wetlands credit and reimbursement, native prairie credit and reimbursement, and the small business credit in the 1989 abstract of tax lists, and for homestead credit and agricultural credit in the 1990 abstract of tax lists. Requires commissioner of revenue review and approval of the adjustments in the 1990 aid payments. Changes the effective date for a certain tax reduction option relating to property damaged by disaster. Repeals a certain provision providing for limited levies on certain leased property (Fort Snelling).

**Article VII-Assessors** Creates a permanent reassessment revolving fund to pay the cost of special assessors used in reassessments and provides a county reimbursement requirement. Authorizes the Board of Assessors to grant, renew, suspend or revoke assessors licenses and specifies conditions for denial, suspension or revocation of licenses. Grants the board rulemaking authority. Delays the deadline for county assessor and senior appraiser senior accreditation. Authorizes the termination of town or city assessors' terms by the town board or city council on charges by the commissioner of revenue of inefficiency or neglect of duty. Authorizes the commissioner to recommend to the board the nonrenewal, suspension or revocation of an assessor's license. Limits the authority of the county assessor to change assessments and classifications of property.

**Article VIII-Human services programs** Grants the commissioner of human services additional authority over the performance of local human services agencies and their compliance with federal and local laws and policies. Requires the commissioner to administer a compliance system for Aid to Families with Dependent Children, the food stamp program, Emergency Assistance, General Assistance, work readiness, Medical Assistance, General Assistance Medical Care, Emergency General Assistance, Minnesota supplemental assistance, preadmission screening, and alternative care grants under the powers and authorities named in other provisions. Requires the department to disallow, withhold or deny state and federal benefit reimbursement and federal administrative reimbursement payments to counties when the commissioner determines that the county has incorrectly denied or terminated benefits. Requires the department to disallow or withhold state and federal benefit reimbursement and federal administrative reimbursement from local agencies in noncompliance with written policies and procedures established by the commissioner. Provides for the determination of the amount of the penalties and for notice and exception or corrective action. Provides for the appeal of administrative penalties of over \$75,000 or 1.5 percent of the total benefit expenditures for the applicable income maintenance programs for that county, whichever is less, to the court of appeals. Requires the deposit of penalties in the county Public Assistance Incentive Fund to be established and used by the department for awards to counties performing satisfactorily according to performance indicators to be established by the commissioner. Increases the percentage of state reimbursement for costs of income maintenance programs. Provides for payment to counties. Provides for the apportionment of recovered amounts for assistance given under public assistance programs. Provides for the transfer of some employees involved in the food stamp program. Reduces state funding for county administrative aid by \$1,150,000.

**Article IX-Pull-tab tax** Imposes the pull-tab tax and related requirements on tipboards. Bases the tax on the ideal net of the pull-tab or tipboard deal. Defines ideal net. Specifies pull-tab and tipboard distributor recordkeeping and invoice requirement and provides for inspection. Classifies tax records as public information. Defines contraband. Provides for seizure and disposal of contraband property. Specifies various prohibitions and imposes various penalties.

**Article X-Sales tax** Provides sales tax exemptions for inmates and persons residing in correctional, detention and detoxification facilities, and meals furnished at no charge to employees of hospitals, nursing homes, boarding care homes, sanatoriums, group homes, and correctional, detention, and detoxification facilities, who are required to eat with the patients, residents, or inmates residing in them. Provides exemptions for some security services performed by off duty peace officers, for services performed between members of affiliated corporate groups as defined in the statute, for nonprescription analgesics consisting principally of acetaminophen, acetylsalicylic acid, ibuprofen, or a combination, for soft body armor that meets various requirements and is purchased by a licensed peace officer, for the University of Minnesota, the state universities, the community colleges, the technical institutes and the state academies. Also provides exemptions for YMCA and YWCA membership sales, for used motor oils sales, and for state fair admissions and cross country ski passes under certain conditions. Provides for permit issuance for collection of the use tax by in and out of state retailers. Provides for the payment of interest on capital equipment sales tax refunds. Clarifies the method used to calculate the sales tax on railroad rolling stock. Changes the sales tax exemption for personal property purchased for use outside the state. Subjects the property to full

taxation under certain conditions. Specifies requirements that school organizations must meet to qualify for the fund raising sales tax exemption. Exempts motor vehicles purchased by nonprofit or public educational institutions for use in driver training programs from the motor vehicle excise tax. Prohibits county auditors from issuing transient merchant licenses without evidence of a valid sellers permit. Specifies the city of Staples is deemed to be entirely in Todd County for distressed county designation purposes.

**Article XI-Cigarette and liquor taxes** Modifies the definition of distributor. Allows subjobbers to sell stamped cigarettes from other states. Defines prior continuous compliance taxpayer. Creates a Heat Applied Cigarette Tax Stamp Revolving Account for commissioner of revenue purchase of stamps for resale. Requires the commissioner to charge purchasers for the costs of the stamps along with the tax value plus shipping costs for deposit into the account. Provides for funding the account by reducing specific stamping discounts for the first three months of fiscal year 1989. The discounts are .75 percent of the face amount of any stamps purchased in the first three months for the first \$1,500,000 of the stamps and .50 percent on the remainder of the stamps purchased. Requires the commissioner to notify the commissioner of finance of the reduced amounts accruing to the Tobacco Tax Revenue Fund. Requires the commissioner of finance to transfer the amounts to the Heat Applied Cigarette Tax Stamp Revolving Account. Allows tax meter machines to be used until no longer operational. Exempts prior continuous compliance taxpayers from bonding requirements. Authorizes the commissioner to include any banking institution as defined by any states' statutes in the group out of which he may designate the representative to set cigarette tax meter machines. Changes the date for wholesaler reporting to the commissioner of unstamped cigarette stock sold to Indian tribes from the fifteenth day of the following calendar month to the eighteenth day. Removes the authority of the commissioner to revoke wholesaler permission to maintain a stock of unstamped goods for sale to a specific Indian tribal organization when it appears that the sales of unstamped cigarettes to persons who are not enrolled members of a recognized Indian tribe are taking place, or have taken place, within the exterior boundaries of the reservation occupied by that tribe. Increases the length of time required for distributor records retention from one year to three years. Removes the requirement for distributor or wholesaler listing of discounts on invoices. Specifies the authority of the commissioner to inspect retailer or subjobber records, business premises and vending devices for compliance determination purposes. Authorizes the commissioner to periodically require distributors to furnish certified physical inventories of cigarettes in stock. Clarifies the definition of contraband relating to vending machine's contents. Requires contract carriers to report the transport of unstamped cigarettes into the state and tobacco product manufacturers to report sales tax to the commissioner. Changes various tax assessment and collection requirements. Changes or imposes certain penalties. Increases the tax credit for small brewers of fermented malt beverages from \$4 to \$4.60 per barrel on 25,000 barrels sold in any fiscal year beginning July 1, with the total credit not to exceed the lesser of the liability of the tax or \$115,000. Changes the date for claiming the credit from the fifteenth day of each month to the eighteenth day. Exempts wine miniatures from the bottle tax. Requires manufacturers, wholesalers and importers licensed to ship distilled spirits or wine into the state to file monthly informational returns with the commissioner and provides penalties. Provides for the imposition of the excise tax on licensed brewers or importers of fermented malt beverages. Requires and provides for the monthly filing of returns and remittances by distributors who are in possession of fermented malt beverages upon which the excise tax has not been paid and who know that the tax has not been paid. Exempts from the excise tax alcoholic beverages sold to authorized manufacturers of food products or pharmaceutical firms and used exclusively in the manufacture of food products or medicines; exempts sales to common carriers engaged in interstate transportation of passengers and qualified approved military clubs, except as provided in another provision of the law; exempts alcoholic beverages sold or transferred between state wholesalers and sales to a federal agency that Minnesota is prohibited from taxing under the constitution or laws of the United States or under the constitution of Minnesota. Specifies alcoholic beverage sales reporting requirements of common carriers engaged in interstate transportation of passengers. Repeals the requirement for the filing of copies of invoices by shippers of wines or distilled spirits.

**Article XII-Tax increment financing** Restricts town use of tax increment financing. Provides for original assessed value and duration of designated hazardous substance sites or subdistricts. Defines "designated hazardous substance site" and provides for creation of hazardous substance subdistricts. Restricts qualification as a housing district based on fair market value. Defines development action response plan. Redefines soils condition district. Limits wetlands qualification. Requires development consistency with municipal plans. Specifies various additional requirements for tax

increment financing plans. Authorizes and provides for counties to require development authorities to pay for county road costs caused by tax increment projects. Requires presentation of fiscal and economic implication information to county and school district boards at least 30 days before the public hearing on the plan. The 30-day requirement is waived if the county and school district submit written comments on the proposal and any modification of the proposal to the authority after receipt of the information. Requires retention and public availability of certain information relating to redevelopment district determination until termination of the district. Requires documentation of certain information upon enlargement of a district and provides exceptions. Requires notice of district reduction or enlargement to the county auditor. Terminates certain districts after various dates. Limits uses of tax increment revenues from soils condition districts, economic development districts, housing districts, and hazardous substance subdistricts. Provides for payment of county administrative expenses. Requires county auditor enforcement of specified activities relating to property demolition, rehabilitation, or renovation and requires that the authority submit evidence. Requires redetermination of the original assessed value of certain agricultural or vacant land included in a tax increment district upon change of use. If specific conditions are met, an increase in the assessed value of the property must be added to the original assessed value. Defines original mill rate. Provides for determination of the amount of tax increment and a computation option for governing bodies under metropolitan area fiscal disparities provisions. Removes a provision excluding the assessed valuation of improvements for which a building permit was issued during the three month period immediately preceding said approval of the tax increment financing plan from the auditor's increase of the original assessed value of the district. Provides for the distribution of excess taxes on captured value to cities, counties and school districts, with the amounts distributed to be deducted in computing levy limits for the succeeding tax year. Requires tax increments from tax increment financing districts or projects, attributable to school district referendum levies, for which certification was requested before May 1, 1988, that are located in a school district in which the voters have approved new millage or an increase in millage after the tax increment financing district was certified, to be paid to the school district if specific conditions are met. Alters existing project application provisions. Includes certain parcels of land in redevelopment tax increment financing district No. 1 in enterprise zone development district No. 3 in the city of Virginia. Provides transition rules for specific increment districts.

**Article XIII-Budget reserve** Sets the amount of the budget and cash flow reserve account at \$265 million. Eliminates the reduction of the property tax recognition shift, the allocation of surplus general fund revenues to the Greater Minnesota Fund and a corresponding prior appropriation. Requires the transfer of \$80.5 million transferred to the Greater Minnesota Corporation back to the general fund.

**Article XIV-Special service district procedures** Authorizes cities, as defined in the law, to establish special service districts to provide for special services—services not ordinarily provided from city general fund revenues—as defined in the city's enabling legislation. Provides petition, notice and hearing requirements. Provides for service charge authority, objection, exemption, and collection. Provides for enlargement of the districts and city bonding authority. Authorizes city council appointment of advisory boards. Specifies veto power of property owners and an exclusion.

**Article XV-Robbinsdale special service district** Authorizes the city of Robbinsdale to by ordinance establish a special service district to provide all services rendered or contracted for by the city, including, but not limited to, the repair, maintenance, operation, and construction of any improvements authorized by section 429.021; parking services rendered or contracted for by the city; and any other service provided to the public by the city that is authorized by law or charter.

**Article XVI-Minneapolis neighborhoods special service districts** Authorizes the city of Minneapolis to establish special service districts in specified areas of the city to provide for special services, as defined in the law. Provides for expiration after four years unless renewed. Authorizes the use of special service district funds to pay operating costs of a neighborhood business association composed of a majority of owners or operators of businesses located within the district. Provides for service charge abatement and city bonding authority. Requires city council appointment of advisory board.

**Article XVII-Minneapolis downtown special service districts** Authorizes the city of Minneapolis to establish special service districts in specified areas of the city to provide for special services, as defined in the law. Authorizes contracting for services and providing for level of services. Provides for service charge authority, exemptions and limits. Specifies the veto powers of property owners. Provides for city bonding authority and procedures. Requires the city council to appoint a Downtown Management Board.

**Article XVIII—White Bear Lake special service districts** Authorizes the city of White Bear Lake to by ordinance establish special service districts in specified areas of the city to provide for special services, as defined in the law.

**Article XIX-Miscellaneous** Changes the dates for payment of the surcharge on fire insurance premiums to March 31, May 31, and November 30. Provides for the operation and licensure of show boilers and operators. Prohibits nonprofit nursing home payments in lieu of property taxes greater than the property tax levied for the services. Requires the commissioner of revenue to annually prepare an income tax data sample of information useful for purposes of estimating state revenue, simulating the effect of changes or proposed changes in state and federal tax law on the amount of state revenues, and analyzing the incidence of present or proposed taxes. Establishes a coordinating committee, sample content and consultation requirements. Authorizes the commissioner to levy against property in possession of law enforcement officials. Grants the tax court jurisdiction over cases involving the controlled substance tax. Requires prepayment of the deed tax in tax-forfeited land sales. Phases out the telegraph earnings tax by 1992. Modifies the controlled substance tax based on dosage units. Requires the legislature to appropriate money from sources other than the taconite production tax to cover cost overruns awarded to a contractor by an arbitrator in relation to a contract awarded by the commissioner or in effect after July 1, 1985. Specifies a required interest rate of no less than the lesser of eight percent or the rate of interest that is three percentage points less than a full faith and credit obligation of the United States government of comparable maturity, at the time that the loan is approved. Authorizes the IRRRB commissioner to submit supplemental projects to the Legislative Advisory Commission (LAC) and the governor for review and approval. Specifies that the amount of money distributed from the taconite production tax to townships shall not exceed \$55 per capita, and that the amount distributed from the tax to cities shall not exceed \$75 per capita. Population will be determined by the 1980 decennial census conducted by the U.S. Bureau of the Census, for purposes of the limitation. Restricts Ramsey County issuance of capital improvement bonds if the maximum amount of principal and interest to become due in any year on all the outstanding bonds issued pursuant to this section (including the bonds to be issued) will equal or exceed 1.2 mills multiplied by the taxable assessed value of property in the county. Increases the limit on county sheriff contingent funds to \$10,000. Provides a state paid supplemental retirement benefit to certain volunteer firefighters in lieu of the income tax exclusion. Limits amendment of enterprise zone tax credit distribution plans. Provides for the distribution of the metropolitan solid waste landfill fee after cost reimbursement to the Dept. of Revenue. Extends the period for recording contracts for deed in some cases involving unpaid taxes on subdivided parcels. Requires unemployment compensation and commissioner of revenue tax liens against registered properties to be memorialized on the certificate of title. Clarifies the project area for the Cook County/Grand Marais economic development authority. Authorizes the city of Little Falls to issue general obligation bonds to refund the city's general obligation tax increment bonds of 1985 and provides for the refunding bonds. Authorizes the city of Little Falls to appropriate unexpended proceeds from the tax increment bonds of 1985 for municipal purposes. Authorizes the city of Hermantown to hold property for economic development purposes for an extended period of time. Authorizes Ramsey County to issue general obligation bonds to finance the restoration of the St. Paul Union Depot concourse. Authorizes the city of Shafer to issue general obligation bonds to finance a municipal building. Requires Stearns County to refund to Lake Koronis Assembly Grounds the property taxes assessed in 1985, paid in 1986, for specified parcels of land. Authorizes the Metropolitan Council to make hardship loans to Washington County to purchase homestead property and provide relocation assistance to property owners affected by the Big Marine Park master plan. Appropriates money to the commissioner of revenue for specified purposes. Repeals the imposition of the gasoline and special fuels tax on barge and train fuels. Repeals a certain requirement for the Dept. of Revenue to audit a sample of property tax refund claims for accuracy. Effective Date: Various dates. VOSS, JOHNSON, D.J.

#### **Regional public library services**

**Chap. 720-S.F. 2292** Excludes levies for regional public library services from county or city levy limits. Effective date: August 1, 1988. CHMIELEWSKI, CARLSON, D.

## **Transportation**

#### **Child restraint provision**

**Chap. 415-H.F. 1816** Requires persons offering motor vehicles for rent or lease to provide child passenger restraint devices to customers upon

request. Allows reasonable rent or fee to be charged for use of the child passenger restraint device. Effective date: August 1, 1988. JEFFERSON, FRANK.

#### **Route designation**

**Chap. 438-S.F. 2358** Designates Legislative Route #299 as the Olof Hanson Drive. Requires the commissioner of transportation to adopt a suitable marking design to mark the highway and to erect appropriate signs. Effective date: August 1, 1988. PURFEERST, RODOSOVICH.

#### **Propane fuel exemption**

**Chap. 450-S.F. 852** Exempts propane fuel used for motor vehicles operating under an alternate fuel permit from gasoline and special fuel excise taxes. Changes provisions relating to annual compressed natural gas user permits to alternate fuel permits. Alters fee provisions. Effective date: August 1, 1988. METZEN, NEUENSCHWANDER.

#### **Gasoline fill pipe language removal**

**Chap. 487-H.F. 2086** Changes restrictions relating to altering or disconnecting restricted gasoline fill pipes on motor vehicles. Requires persons transferring motor vehicles to certify in writing that to the best of the person's knowledge, the air pollution control systems, including the restricted gasoline fill pipe, have not been removed, altered, or rendered inoperative. Exempts sales or transfers of motor vehicles for scrapping, dismantling or destruction purposes from the requirements. Effective date: August 1, 1988. SIMONEAU, WEGSCHEID.

#### **Transportation of firewood restrictions**

**Chap. 518-H.F. 1469** Specifies that no vehicle that has a cargo area without a rear wall may be driven or moved on a trunk highway with a load of cut firewood of less than three feet in length unless the rear of the cargo area is covered with a material of sufficient strength to prevent any part of the load from escaping from the rear. Penalizes violators with a petty misdemeanor, with the exception that a peace officer may issue a citation that amounts to a warning. Effective date: August 1, 1988. WENZEL, SAMUELSON.

#### **Miscellaneous transportation provisions**

**Chap. 544-H.F. 2192** Provides for compliance with rules by vehicles, drivers or carriers subject to motor carrier safety rules. Changes maximum length exception of 45 feet to apply to mobile cranes rather than truck cranes. Authorizes and provides for the commissioner of transportation to enter into agreements with other states to reciprocally administer and grant permits for vehicles exceeding state size and weight restrictions and requires the fees collected to be deposited in the trunk highway fund. Exempts limousine services that are not regular route service, that are in a passenger automobile that is not a van and that have seating capacities of not more than 12 persons, from motor carrier regulation. Clarifies the application of rules and exemptions to intrastate carriers. Authorizes the transfer of investigative data about a petitioner or carrier to the Transportation Regulation Board (TRB) and requires the commissioner to notify the petitioner or carrier in writing that the data are being provided. Requires the filing of petitions for certificates or permits with the commissioner in lieu of or in addition to the TRB. Establishes minimum financial responsibility (insurance or bond) requirements for motor and interstate carriers. Modifies procedures for the transfer and sale of permits. Changes hazardous waste manifest requirements. Clarifies penalty provisions. Requires the commissioner to issue an annual identification card for each vehicle or power unit issued a permit and authorizes the transfer for a fee of \$10. Specifies that the commissioner shall investigate carriers engaged in interstate commerce and their compliance with federal and state laws and may institute and prosecute proceedings in the proper district court for their enforcement. Effective date: August 1, 1988. JENSEN, NOVAK.

#### **Drivers license application modifications**

**Chap. 558-S.F. 1948** Allows stepparents who are married to custodial parents of minors to approve drivers license applications for the minors. Effective date: August 1, 1988. DICKLICH, RUKAVINA.

#### **Trunk highway changes and transfers**

**Chap. 565-H.F. 1980** Designates Interstate Highway #90 as the AMVETS memorial highway and requires the commissioner of transportation to adopt a suitable marking design and to erect appropriate signs. Adds, substitutes and removes specific routes, subject to agreement on the transfer of jurisdiction. Effective date: April 21, 1988. KALIS, BECKMAN.

#### **Vending machine authorization**

**Chap. 570-S.F. 1587** Authorizes the commissioner of transportation to contract for or authorize the placement of vending machines dispensing food, non-alcoholic beverages and milk in rest areas, tourist information centers and weigh stations on marked interstate and primary trunk highways. Effective date: April 21, 1988. VICKERMAN, JOHNSON, A.

#### **Duluth transit bus service extension**

**Chap. 573-S.F. 1940** Authorizes the Duluth Transit Authority to transport

secondary students to or from school and related activities within the city of Duluth on fixed routes and schedules or under an agreement with ISD #709 until August 1, 1991. Effective date: April 21, 1988. SOLON, JAROS.

#### **Advertisement allocations**

**Chap. 595-S.F. 1610** Permits service signs of a specific size which display the names of rural agricultural businesses and places of worship along trunk highways. Specifies requirements for opening hours of rural agricultural businesses for eligibility purposes. Effective date: August 1, 1988. BERTRAM, LASLEY.

#### **Gasoline tax increase**

**Chap. 603-H.F. 1749** Increases the gasoline excise tax to 20¢ after May 1, 1988. Increases the fees for annual alternate fuel permits based on each vehicle's mileage in the preceding year. Increases the share of motor vehicle excise tax revenues to 30 percent, which is credited to the Highway User Tax Distribution and Transit Assistance Funds. Creates a Transportation Study Board to study state transportation financing and to report to the legislature and governor. Specifies duties of and compensation for board members. Requires the commissioners of transportation, administration, public safety and planning to cooperate with board studies and provide information and assistance. Repeals the corporate and income contingent tax. Effective date: Various dates. KALIS, PURFEERST.

#### **Traffic regulation modifications**

**Chap. 606-H.F. 1656** Provides for the distribution of civil fines collected for motor vehicle weight limit violations in Hennepin County, with ¾ of the penalty going to the general revenue fund of Hennepin County and the remaining ¼ going to the Highway User Tax Distribution Fund. Effective date: April 25, 1988. SEGAL, MCQUAID.

#### **County road provisions**

**Chap. 635-H.F. 1277** Authorizes the use of State Park Road Account funds for the reconstruction, improvement, repair and maintenance of county roads providing immediate access to public lakes, exempting the roads from county state aid highway standards requirements. Requires the commissioner of natural resources to obtain written comment from the county engineer before requesting work on the roads. Effective date: July 1, 1988. ANDERSON, G., FREDERICKSON, D.J.

#### **License registration stipulations**

**Chap. 636-H.F. 1526** Includes all-terrain vehicles which have at least four wheels, are owned and operated by a physically handicapped person and have displayed both physically handicapped license plates and a physically handicapped certificate in the definition of motor vehicle for motor vehicle registration purposes. Establishes a vehicle registration category for limousines. Establishes the personalized licensed plate fee as a one-time \$100 fee and provides for a replacement fee. Increases the number of characters permitted on personalized license plates to seven. Provides for special motor vehicle license plates for categories of veterans including Vietnam-era veterans, World Wars I and II veterans and Korea veterans. Modifies the additional fee for special license fee for former prisoners of war to an amount calculated by the commissioner of transportation to cover the cost of the license plates. Provides for the issuance of license plates for limousines. Requires the payment of a fee and a passenger tax for each limousine. Allows for the transfer of plates to other limousines owned by the same person. Requires a certificate of insurance and policy requirements for limousine registration. Prohibits any person from towing a farm trailer not equipped with brakes and exceeding 6,000 pounds at a speed in excess of 30 miles per hour. Excepts contractors' custom service vehicles not exceeding 30,000 pounds gross weight and 45 miles per hour when drawn by a motor vehicle capable of stopping the combination within the performance standards from specific brake requirements. Requires motor vehicles, trailers and semi-trailers manufactured after June 30, 1988, to be equipped with service brakes on all wheels, except mobile cranes which do not exceed 45 miles per hour and which are capable of stopping with specific performance standards. Allows the side and rear windows of limousines to be tinted. Authorizes counties to participate in the star city sign program. Imposes a sales tax in lieu of the excise tax on certain collector motor vehicles. Effective date: Various dates. BAUERLY, DECRAMER.

#### **License plate changes**

**Chap. 647-S.F. 63** Changes the license plate issuance period for passenger automobiles to a seven-year period. Defines registered owner to include long-term lessees of 180 days or more for registration purposes. Requires the date of birth on the registration certificate. Designates the additional fee for personalized license plates as a one time fee and requires the commissioner of public safety to designate a replacement fee to cover costs. Reduces the additional fee from \$3 to \$2 for license plates for passenger automobiles. Requires presentation to the registrar of the certificate of title as proof of ownership and to obtain a registration certificate and authorizes the use of the registration certificate for vehicles exempt from title

requirements. Imposes a fee of \$2 for delay or failure to file a transfer of ownership. Repeals specific fees. Appropriates \$103,000 from the Highway User Tax Distribution Fund to the commissioner for implementation. Effective date: Various dates. LANTRY, SIMONEAU.

#### **Railroad modifications**

**Chap. 676-H.F. 1486** Requires acquiring or divesting carriers to file a notice of intent with the attorney general and the Dept. of Transportation and file a confidential disclosure of tax consequences with the commissioner of revenue upon contemplation of federally exempt transactions. Specifies content and confidentiality requirements. Mandates carriers' attendance at specific conferences to determine the consistency of the transactions with federal regulations or to determine the revenue impact. Provides for the preservation of contracts between acquiring carriers and shippers and governmental entities. Effective date: August 1, 1988. BEARD, PEHLER.

#### **Caboose regulations**

**Chap. 697-S.F. 449** Requires the rear car of freight trains 2,000 feet long or longer to be an occupied caboose. Provides exceptions. Requires cabooses to be equipped with operable shortwave radios with the same frequency as the radio on the lead locomotive. Provides penalties. Effective date: August 1, 1988. STUMPF, RICE.

#### **Miscellaneous transportation provisions**

**Chap. 698-S.F. 1590** Updates requirements for uniform relocation assistance standards to comply with recent amendments to federal law. Authorizes the commissioner of transportation to accept gifts, grants or contributions for department activities and requires deposit into the Trunk Highway Fund for annual appropriation purposes. Authorizes star county signs on interstates and other highways. Authorizes the replacement of signs with star county signs and sets fees. Requires the Dept. of Transportation to design and manufacture star county signs. Exempts lessees of highway easement property from the property use and possession tax. Exempts the state counties, cities and towns from certification of current whole parcel property taxes paid requirements in filing deeds conveying partial parcels of land. Repeals a conflicting provision requiring the commissioner to charge users of air transportation services. Effective date: Various dates. VICKERMAN, LIEDER.

#### **Motorcycle safety fund**

**Chap. 715-S.F. 2221** Increases to 60 percent the percentage of money appropriated from the Motorcycle Safety Fund to the commissioner of public safety for the combined purposes of training and coordinating activities of motorcycle safety instructors and making reimbursements to schools and other approved organizations. Increases the fee for duplicate drivers licenses obtained to add a two-wheeled vehicle endorsement to \$7.50. Increases the portion of the two-wheeled endorsement license fee dedicated to the Motorcycle Safety Fund. Effective date: August 1, 1988. DECRAMER, OLSEN, S.

## **Veterans**

#### **Veterans homes transfer**

**Chap. 699-S.F. 1595** Provides for the governance of the Minnesota Veterans Homes by a board of directors to be appointed by the governor. Specifies membership. Provides for legislative representation. Specifies powers and duties. Authorizes the board to appoint a deputy commissioner of veterans affairs for veteran health care to be the administrative head of the veterans homes. Specifies powers and duties. Requires the deputy commissioner to appoint an administrator for each veterans home with the approval of the board. Requires the board to work with federal, state, local and private agencies to develop alternative institutional and noninstitutional care programs for veterans affording veterans the least restrictive, most appropriate level of care available. Requires the board to use a case mix system to assess the appropriateness and quality of care and services provided to residents of the homes. Requires the board to adopt a preadmission screening program for applicants who may require nursing or boarding care. Modifies the purposes of the veterans homes and eligibility requirements for admission and redefines veteran. Requires the board to develop a geriatric research and teaching mission for the homes in collaboration with the Veterans Administration and other medical education and allied health facilities. Changes the deposit of receipts. Requires the commissioner to appoint a deputy commissioner for veteran services and specifies powers and duties. Transfers the control of the veterans homes in the cities of Minneapolis and Hastings from the commissioner of human services to the board. Requires the commissioner of health to issue new licenses for the homes to the board upon board application. Requires an on-site review and audit of the homes before license transfers and requires



publication of the results. Eliminates a reporting requirement of the commissioner of veterans affairs. Extends tax levy authority to defray costs of veterans service officers to all counties. Effective date: Various dates. BERTRAM, KOSTOHRYZ.

#### **Armory building bond limit increase**

**Chap. 710-S.F. 1618** Increases the limit on bonded indebtedness of the State Armory Building Commission to \$7 million for constructing and equipping new armories. Effective date: May 5, 1988. BERTRAM, QUINN.

## Resolutions

#### **ERISA amendment**

**Res. 11-H.F. 1189** A resolution urging congress to amend the Employment Retirement Income Security Act of 1974 (ERISA) to permit direct regulation by the state of employment based self insured health care plans. WYNIA, SOLON.

#### **On-farm storage of reserve grain stocks**

**Res. 12-H.F. 2735** A resolution urging the U.S. president to direct the secretary of agriculture to maximize on-farm storage of farmer-owned reserve grain stocks and to establish a reserve grain storage payment structure to equally compensate farmers and commercial warehouses for services. OLSON, K., VICKERMAN.

#### **Aircraft noise abatement**

**Res. 13-S.F. 974** A resolution urging congress, the president and the Federal Aviation Administration to enact and implement legislation prohibiting the addition of stage two aircraft into the commercial fleet and prohibiting operation of the aircraft after certain specified dates for aircraft noise abatement purposes. Encourages modernization through the use of quieter stage three aircraft. BRANDL, SKOGLUND.

#### **Diesel fuel tax exemption reinstatement**

**Res. 14-S.F. 2376** A resolution urging congress to reinstate diesel fuel tax exemptions for farmers and other off-road users. BERTRAM, BERTRAM.

#### **National health insurance**

**Res. 15-S.F. 2525** A resolution urging congress and the president to speedily enact and approve legislation providing for national health insurance. BERGLIN, JAROS.

#### **Support for the bid to host Olympic Games**

**Res. 16-S.F. 2546** A resolution notifying the United States Olympic Committee of state support for the bid to host the games of the XXVI Olympiad. BERGLIN, PAPPAS.

# Chapter Index

Chap.	S.F.	H.F.	Topic	S.Author	H.Author
R11	1421	1189	Resolutions	Solon	Wynia
R12	2528	2735	Resolutions	Vickerman	Olson, K.
R13	974	681	Resolutions	Brandl	Skoglund
R14	2376	2621	Resolutions	Bertram	Bertram
R15	2525	2176	Resolutions	Berglin	Jaros
R16	2546	2763	Resolutions	Berglin	Pappas
406	236	402	Judiciary	Waldorf	Reding
407	1184	1211	Environment and Natural Resources	Chmielewski	Carlson, D.
408	537	1165	Judiciary	Jude	Nelson, D.
409	1715	1942	Local and Urban Government	Chmielewski	Ogren
410	1694	1886	Judiciary	Reichgott	Orenstein
411	1594	2123	Health and Human Services	Lantry	Greenfield
412	1806	1884	Environment and Natural Resources	Stumpf	Johnson, R.
413	1738	1740	Judiciary	Peterson, D. C.	Vellenga
414	1634	1766	Local and Urban Government	Johnson, D. J.	Battaglia
415	1962	1816	Transportation	Frank	Jefferson
416	1920	2056	Environment and Natural Resources	Spear	Long
417	896	2310	Judiciary	Luther	Carruthers
418	1772	1863	Local and Urban Government	Frank	Johnson, A.
419	484	81	Local and Urban Government	Knaak	Stanis
420	1692	1732	Commerce	Solon	Jacobs
421	None	1767	Commerce	None	Anderson, R.
422	2234	1926	Local and Urban Government	Stumpf	Olsen, S.
423	2509	2463	Governmental Operations	Johnson, D. J.	Begich
424	2224	2558	Elections and Ethics	Peterson, D. C.	Scheid
425	187	181	Judiciary	Peterson, R. W.	Ogren
426	678	1473	Environment and Natural Resources	Novak	Quinn
427	1710	2212	Employment	Chmielewski	Simoneau
428	2367	2521	Environment and Natural Resources	Stumpf	Kahn
429	622	320	Judiciary	Samuelson	Scheid
430	1588	2083	Health and Human Services	Vickerman	Orenstein
431	1859	2120	Education	DeCramer	Anderson, G.
432	1994	2270	Environment and Natural Resources	Peterson, R. W.	Lasley
433	1607	1862	Local and Urban Government	Peterson, D. C.	Nelson, K.
434	1861	2012	Health and Human Services	Pehler	Nelson, C.
435	1970	2415	Health and Human Services	Moe, R. D.	Dauner
436	1731	1858	Environment and Natural Resources	Merriam	Anderson, G.
437	1575	1841	Environment and Natural Resources	Berg	Battaglia
438	2358	2511	Transportation	Purfeerst	Rodosovich
439	1705	1989	Education	Pehler	Trimble
440	1663	1784	Health and Human Services	Lantry	McLaughlin
441	1758	1853	Health and Human Services	Peterson, D. C.	Voss
442	1223	682	Governmental Operations	Spear	Pappas
443	1793	1904	Commerce	Lessard	Solberg
444	1801	1940	Commerce	Spear	O'Connor
445	1897	1950	Environment and Natural Resources	Diessner	Price
446	1947	2045	Environment and Natural Resources	Dicklich	Minne
447	2156	2419	Judiciary	Spear	Pappas
448	2354	2469	Agriculture	Stumpf	Olson, E.
449	2352	2529	Commerce	Solon	Jacobs
450	852	1538	Transportation	Metzen	Neuenschwander
451	2134	2210	Elections and Ethics	Dicklich	Rukavina
452	1736	1710	Judiciary	Peterson, D. C.	Vellenga
453	1784	1806	Governmental Operations	Moe, D. M.	Simoneau
454	1699	1867	Local and Urban Government	Diessner	Price
455	2054	1913	Employment	Marty	Pappas
456	2068	1971	Judiciary	Knaak	Gruenes
457	1751	2020	Public Utilities and Energy	Marty	Jacobs
458	1982	2025	Environment and Natural Resources	Johnson, D. J.	Begich
459	1931	2046	Environment and Natural Resources	Frederick	Hartle
460	1983	2109	Environment and Natural Resources	Johnson, D. J.	Begich
461	2160	2252	Environment and Natural Resources	Luther	Carruthers
462	1687	2272	Environment and Natural Resources	Lessard	Solberg
463	2162	2312	Environment and Natural Resources	Wegscheid	Ozment
464	2273	2372	Health and Human Services	Berglin	Rodosovich
465	2192	2402	Economic Development and Housing	Frank	O'Connor
466	2238	2490	Environment and Natural Resources	Stumpf	Tunheim
467	2348	2615	Health and Human Services	Wegscheid	Tompkins
468	2471	2703	Commerce	Belanger	Himle
469	1644	1852	Judiciary	Marty	Rest
470	1819	1872	Public Utilities and Energy	Marty	Jefferson
471	1875	2115	Local and Urban Government	Peterson, D. C.	McLaughlin
472	2090	2585	Environment and Natural Resources	Lessard	Neuenschwander
473	2355	2540	Local and Urban Government	Belanger	Riveness

Chap.	S.F.	H.F.	Topic	S.Author	H.Author
474	1622	2121	Agriculture	Stumpf	Sparby
475	1305	1459	Local and Urban Government	Samuelson	Wenzel
476	1469	1534	Governmental Operations	Pogemiller	Welle
477	1615	1589	Judiciary	Jude	Olsen, S.
478	2033	1731	Commerce	Gustafson	Murphy
479	1907	1773	Judiciary	Luther	Kelly
480	1732	1877	Employment	Peterson, D. C.	Simoneau
481	1668	1923	Judiciary	Spear	Kelly
482	2394	1961	Judiciary	Luther	Blatz
483	2125	1983	Judiciary	Spear	Kelly
484	1741	2000	Judiciary	Ramstad	Shaver
485	1786	2018	Agriculture	Berg	Dille
486	1911	2029	Education	Peterson, R. W.	Nelson, K.
487	1980	2086	Transportation	Wegscheid	Simoneau
488	2357	2254	Commerce	Frank	Quinn
489	1817	2317	Education	Johnson, D. J.	Begich
490	2278	2422	Agriculture	Cohen	Simoneau
491	2299	2446	Local and Urban Government	Solon	Rukavina
492	2216	2489	Environment and Natural Resources	Johnson, D. J.	Battaglia
493	2300	2546	Commerce	Solon	Sparby
494	2215	2551	Environment and Natural Resources	Johnson, D. J.	Battaglia
495	2288	2559	Commerce	Davis	Beard
496	1121	1130	Commerce	Stumpf	Johnson, A.
497	1632	1953	Environment and Natural Resources	Knaak	Bennett
498	1717	1900	Environment and Natural Resources	Chmielewski	Ogren
499	1834	1938	Public Utilities and Energy	Bertram	Haukoos
500	2264	2539	Elections and Ethics	Marty	Rose
501	2286	2087	Environment and Natural Resources	Peterson, R. W.	Knuth
502	2384	2567	Agriculture	Schmitz	Sparby
503	1675	1493	Judiciary	Spear	Dempsey
504	2445	521	Environment and Natural Resources	Peterson, R. W.	Jennings
505	1939	2039	Governmental Operations	Frederickson, D. J.	Cooper
506	2018	2132	Health and Human Services	Berglin	Clark
507	2213	2358	Environment and Natural Resources	Moe, R. D.	Lieder
508	2340	2629	Environment and Natural Resources	Johnson, D. J.	Begich
509	1867	1996	Commerce	Piper	Reding
510	1882	1849	Education	Spear	Jefferson
511	2096	2309	Commerce	Schmitz	Sparby
512	2243	2620	Health and Human Services	Berglin	Dorn
513	510	289	Local and Urban Government	Lantry	Kelly
514	964	577	Judiciary	Marty	Rest
515	1513	1111	Judiciary	Freeman	Otis
516	1186	1224	Local and Urban Government	Johnson, D. J.	Battaglia
517	1224	1302	Taxes and Tax Laws	Lessard	Solberg
518	1336	1469	Transportation	Samuelson	Wenzel
519	1877	1796	Local and Urban Government	Novak	Rest
520	1792	1836	Judiciary	Laidig	Swenson
521	1725	1846	Environment and Natural Resources	Diessner	Price
522	1936	2022	Agriculture	Davis	Lasley
523	1820	2059	Judiciary	Peterson, D. C.	Pappas
524	1952	2092	Environment and Natural Resources	Gustafson	Ogren
525	2141	2216	Environment and Natural Resources	Johnson, D. J.	Battaglia
526	2170	2224	Economic Development and Housing	Kroening	Jefferson
527	2472	2470	Judiciary	Diessner	Beard
528	2410	2637	Environment and Natural Resources	Wegscheid	Tompkins
529	1018	1070	Judiciary	Peterson, D. C.	Rest
530	1328	1082	Environment and Natural Resources	Dicklich	Begich
531	1561	1719	Environment and Natural Resources	Frederickson, D. R.	Carlson, D.
532	1620	2080	Health and Human Services	Piper	Dorn
533	1700	1857	Local and Urban Government	Diessner	Price
534	1795	2112	Commerce	Storm	Forsythe
535	1879	2057	Judiciary	Wegscheid	Bertram
536	2117	2197	Employment	Diessner	Rose
537	2191	2187	General Legislation and Public Gaming	Pogemiller	O'Connor
538	1427	1585	Environment and Natural Resources	Reichgott	Carlson, L.
539	1667	1831	Commerce	Larson	Poppenhagen
540	1565	1864	Local and Urban Government	Schmitz	Jensen
541	1802	1897	Commerce	Spear	Scheid
542	1805	2063	Economic Development and Housing	Morse	Jefferson
543	1628	2138	Health and Human Services	Berglin	Greenfield
544	1876	2192	Transportation	Novak	Jensen
545	2405	2246	Economic Development and Housing	Cohen	Clark
546	2016	2306	Economic Development and Housing	Pogemiller	Long
547	2257	2508	Judiciary	Novak	Voss

Chap.	S.F.	H.F.	Topic	S.Author	H.Author
548	30	90	Judiciary	Belanger	Haukoos
549	335	926	Governmental Operations	Brandl	Clark
550	752	812	Governmental Operations	Reichgott	Welle
551	1672	2159	Economic Development and Housing	Pehler	Gruenes
552	1673	1822	Commerce	Pehler	Gruenes
553	1674	2101	Environment and Natural Resources	Dahl	Nelson, D.
554	1695	2078	Education	Peterson, D. C.	Otis
555	1713	1898	Environment and Natural Resources	Chmielewski	Ogren
556	1822	2091	Commerce	Solon	Jacobs
557	1904	1890	Health and Human Services	Piper	Greenfield
558	1948	2016	Transportation	Dicklich	Rukavina
559	1958	2251	Employment	Lantry	Trimble
560	2097	2186	General Legislation and Public Gaming	Marty	Rice
561	2347	2491	Commerce	Solon	Segal
562	2456	2667	Public Utilities and Energy	Solon	Dawkins
563	2094	1659	Judiciary	Gustafson	Murphy
564	1858	1850	Local and Urban Government	Adkins	Jennings
565	2344	1980	Transportation	Beckman	Kalis
566	2023	2134	Judiciary	Berglin	Wagenius
567	2046	2190	Local and Urban Government	Vickerman	Winter
568	2244	2232	Public Utilities and Energy	Dicklich	Jacobs
569	2210	2554	Education	Johnson, D. J.	Begich
570	1587	1952	Transportation	Vickerman	Johnson, A.
571	1681	1932	Commerce	Freeman	Riveness
572	1749	1860	Local and Urban Government	Pogemiller	Sarna
573	1940	2024	Transportation	Solon	Jaros
574	2102	2234	Local and Urban Government	Kroening	Nelson, K.
575	2203	2486	Health and Human Services	Benson	Blatz
576	2206	2370	Health and Human Services	Peterson, D. C.	Vellenga
577	2402	2594	Judiciary	Peterson, R. W.	Carruthers
578	247	236	Elections and Ethics	Peterson, D. C.	Scheid
579	951	421	Health and Human Services	Chmielewski	Ogren
580	1417	1399	Economic Development and Housing	Dahl	Otis
581	1768	1790	Commerce	Solon	Skoglund
582	2279	1844	Judiciary	Cohen	Vellenga
583	2177	1966	Local and Urban Government	Belanger	Blatz
584	1934	2036	Judiciary	Luther	Carruthers
585	2002	2108	Governmental Operations	Moe, D. M.	Simoneau
586	1964	2117	Economic Development and Housing	Reichgott	Rest
587	2199	2185	Environment and Natural Resources	Stumpf	Sparby
588	2469	2265	Environment and Natural Resources	Berg	Reding
589	2382	2520	Commerce	Peterson, R. W.	Milbert
590	462	1672	Judiciary	Cohen	Kludt
591	1086	445	Commerce	Pehler	Krueger
592	1388	1498	Health and Human Services	Berglin	Clark
593	1582	1896	Judiciary	Berglin	Jennings
594	1608	1739	Local and Urban Government	Pogemiller	Otis
595	1610	1736	Transportation	Bertram	Lasley
596	1661	1921	General Legislation and Public Gaming	Lantry	Reding
597	1708	2010	Commerce	Dahl	Scheid
598	1727	2011	Judiciary	Piper	Clark
599	2017	2400	Governmental Operations	Berglin	Simoneau
600	2165	2527	Environment and Natural Resources	Dahl	Ozment
601	2217	2475	Environment and Natural Resources	Novak	Voss
602	2451	2597	Judiciary	Luther	Solberg
603	1592	1749	Transportation	Purfeerst	Kalis
604	101	10	Judiciary	Jude	Wenzel
605	373	257	Governmental Operations	Moe, D. M.	Simoneau
606	1517	1656	Transportation	McQuaid	Segal
607	1532	1681	Judiciary	Luther	Kludt
608	1617	1795	Health and Human Services	Berglin	Ogren
609	2093	1925	Education	Morse	Segal
610	1996	2041	Agriculture	Davis	Brown
611	1844	2049	Commerce	Dahl	Sparby
612	2008	2127	Health and Human Services	Brandl	Greenfield
613	2059	2291	Governmental Operations	Moe, D. M.	Lasley
614	2198	2434	Environment and Natural Resources	Solon	Munger
615	2345	2568	Agriculture	Beckman	Olson, K.
616	203	898	Commerce	Freeman	Skoglund
617	1268	1188	Public Utilities and Energy	Marty	Nelson, C.
618	1540	1643	Judiciary	Laidig	Marsh
619	1652	2381	Judiciary	Knaak	Kludt
620	1719	2221	Employment	Chmielewski	Johnson, A.
621	1809	1812	Public Utilities and Energy	Marty	Clark



Chap.	S.F.	H.F.	Topic	S.Author	H.Author
622	1955	1745	Environment and Natural Resources	Novak	Knuth
623	2055	2130	Health and Human Services	Berglin	Vellenga
624	2111	2098	Public Utilities and Energy	Novak	Knuth
625	2119	2021	Judiciary	Spear	Blatz
626	2137	2441	Education	Pehler	Kelso
627	2150	2429	Governmental Operations	Davis	Peterson
628	2214	2349	Environment and Natural Resources	Merriam	Jennings
629	2226	2292	Governmental Operations	Pogemiller	Knuth
630	2266	2148	Judiciary	Cohen	Carruthers
631	2323	2605	Commerce	Wegscheid	Bertram
632	2414	2388	Governmental Operations	Kroening	Rice
633	2465	2691	Governmental Operations	Luther	Voss
634	18	85	Commerce	Dahl	Begich
635	1141	1277	Transportation	Frederickson, D. J.	Anderson, G.
636	1060	1526	Transportation	DeCramer	Bauerly
637	1972	1748	Judiciary	Solon	Carlson, D.
638	1693	1754	Judiciary	Peterson, D. C.	Kelly
639	1760	1851	Local and Urban Government	Vickerman	Bauerly
640	1722	1943	Environment and Natural Resources	Chmielewski	Ogren
641	2039	2038	Employment	Freeman	McLaughlin
642	2145	2269	Commerce	Wegscheid	Carruthers
643	2124	2340	Judiciary	Spear	Orenstein
644	2196	2468	Governmental Operations	Frederickson, D. J.	Anderson, G.
645	2259	2481	Local and Urban Government	Johnson, D. J.	Battaglia
646	2398	2536	Elections and Ethics	Luther	Orenstein
647	63	80	Transportation	Lantry	Simoneau
648	121	1228	Judiciary	Frank	Vellenga
649	232	336	Judiciary	Cohen	Seaberg
650	321	408	Judiciary	Merriam	Jacobs
651	412	297	Environment and Natural Resources	Luther	Long
652	994	1164	Employment	Lantry	Trimble
653	1228	632	Education	Morse	Kinkel
654	1462	2019	Economic Development and Housing	Dahl	Clark
655	1643	1792	Judiciary	Reichgott	Kelly
656	1646	1794	Commerce	DeCramer	DeBlieck
657	1686	2364	General Legislation and Public Gaming	Chmielewski	Brown
658	1711	1986	Local and Urban Government	Chmielewski	Ogren
659	1721	2584	Employment	Chmielewski	Pappas
660	1769	2054	Judiciary	Reichgott	Solberg
661	1783	1803	Environment and Natural Resources	Reichgott	Nelson, D.
662	1871	1956	Judiciary	Ramstad	Blatz
663	1885	1979	Commerce	Peterson, D. C.	Solberg
664	1900	1874	Local and Urban Government	Adkins	Simoneau
665	1937	2193	Judiciary	Freeman	Jefferson
666	1956	2201	Commerce	Peterson, R. W.	Scheid
667	2003	2250	Governmental Operations	Moe, D. M.	Jefferson
668	2009	2118	Judiciary	Berglin	Vellenga
669	2071	1848	Judiciary	Pogemiller	Jefferson
670	2122	2235	Judiciary	Peterson, R. W.	Nelson, D.
671	2131	2248	Environment and Natural Resources	Dahl	Trimble
672	2255	2297	Agriculture	Vickerman	Winter
673	2275	1251	Judiciary	Cohen	Pappas
674	2473	2688	Employment	Chmielewski	Simoneau
675	2491	2514	Governmental Operations	Luther	Carruthers
676	1442	1486	Transportation	Pehler	Beard
677	1698	1817	Environment and Natural Resources	Wegscheid	Stanius
678	1971	1865	Economic Development and Housing	Knaak	Stanius
679	2212	2155	Environment and Natural Resources	Samuelson	Kinkel
680	2513	2596	Governmental Operations	Marty	McLaughlin
681	392	704	Judiciary	Spear	Rest
682	1788	2095	Judiciary	Peterson, R. W.	Carruthers
683	2289	2542	Environment and Natural Resources	Merriam	Munger
684	2565	2788	Finance	Merriam	Anderson, G.
685	1891	2031	Environment and Natural Resources	Merriam	Nelson, D.
686	2572	2344	Finance	Merriam	Kahn
687	722	453	Governmental Operations	Hughes	O'Connor
688	1837	1000	Agriculture	Davis	Krueger
689	2568	2126	Finance	Merriam	Greenfield
690	2000	2182	General Legislation and Public Gaming	Moe, R. D.	Munger
691	2277	2228	Judiciary	Cohen	Kelly
692	1892	2253	Commerce	Reichgott	Simoneau
693	2506	2341	Judiciary	Pogemiller	Forsythe
694	2105	2396	Education	Freeman	Carlson, L.
695	2489	2526	Commerce	Metzen	Price

Chap.	S.F.	H.F.	Topic	S.Author	H.Author
696	1765	2537	General Legislation and Public Gaming	Lantry	Kelso
697	449	428	Transportation	Stumpf	Rice
698	1590	1954	Transportation	Vickerman	Lieder
699	1595	1746	Veterans	Bertram	Kostohryz
700	1742	1991	Agriculture	Berg	Sparby
701	1830	2167	Judiciary	Ramstad	Seaberg
702	1963	2067	Economic Development and Housing	Pogemiller	Rest
703	2569	2459	Finance	Merriam	Price
704	579	464	Commerce	Luther	Carlson, L.
705	1764	1941	General Legislation and Public Gaming	Lantry	Dawkins
706	1863	1981	Finance	Dahl	Kalis
707	1780	2008	Elections and Ethics	Frank	Johnson, A.
708	2426	2407	Judiciary	Luther	Cooper
709	2175	2477	Governmental Operations	Wegscheid	Simoneau
710	1618	2255	Veterans	Bertram	Quinn
711	1744	2430	Judiciary	Berg	Scheid
712	1821	1873	Judiciary	Reichgott	Segal
713	1987	2220	Governmental Operations	Marty	Riveness
714	2079	1973	Environment and Natural Resources	Lessard	Kinkel
715	2221	1933	Transportation	DeCramer	Olsen, S.
716	2321	2518	Judiciary	Spear	Kelly
717	2452	2478	Employment	Metzen	Kelly
718	2095	2245	Education	Peterson, R. W.	Nelson, K.
719	2260	2590	Taxes and Tax Laws	Johnson, D. J.	Voss
720	2292	2502	Taxes and Tax Laws	Chmielewski	Carlson, D.

## Senate File Index

S.F.	H.F.	Chap.	Topic	S.F.	H.F.	Chap.	Topic
None	1767	421	Commerce	1224	1302	517	Taxes and Tax Laws
18	85	634	Commerce	1228	632	653	Education
30	90	548	Judiciary	1268	1188	617	Public Utilities and Energy
63	80	647	Transportation	1305	1459	475	Local and Urban Government
101	10	604	Judiciary	1328	1082	530	Environment and Natural Resources
121	1228	648	Judiciary	1336	1469	518	Transportation
187	181	425	Judiciary	1388	1498	592	Health and Human Services
203	898	616	Commerce	1417	1399	580	Economic Development and Housing
232	336	649	Judiciary	1421	1189	R11	Resolutions
236	402	406	Judiciary	1427	1585	538	Environment and Natural Resources
247	236	578	Elections and Ethics	1442	1486	676	Transportation
321	408	650	Judiciary	1462	2019	654	Economic Development and Housing
335	926	549	Governmental Operations	1469	1534	476	Governmental Operations
373	257	605	Governmental Operations	1513	1111	515	Judiciary
392	704	681	Judiciary	1517	1656	606	Transportation
412	297	651	Environment and Natural Resources	1532	1681	607	Judiciary
449	428	697	Transportation	1540	1643	618	Judiciary
462	1672	590	Judiciary	1561	1719	531	Environment and Natural Resources
484	81	419	Local and Urban Government	1565	1864	540	Local and Urban Government
510	289	513	Local and Urban Government	1575	1841	437	Environment and Natural Resources
537	1165	408	Judiciary	1582	1896	593	Judiciary
579	464	704	Commerce	1587	1952	570	Transportation
622	320	429	Judiciary	1588	2083	430	Health and Human Services
678	1473	426	Environment and Natural Resources	1590	1954	698	Transportation
722	453	687	Governmental Operations	1592	1749	603	Transportation
752	812	550	Governmental Operations	1594	2123	411	Health and Human Services
852	1538	450	Transportation	1595	1746	699	Veterans
896	2310	417	Judiciary	1607	1862	433	Local and Urban Government
951	421	579	Health and Human Services	1608	1739	594	Local and Urban Government
964	577	514	Judiciary	1610	1736	595	Transportation
974	681	R13	Resolutions	1615	1589	477	Judiciary
994	1164	652	Employment	1617	1795	608	Health and Human Services
1018	1070	529	Judiciary	1618	2255	710	Veterans
1060	1526	636	Transportation	1620	2080	532	Health and Human Services
1086	445	591	Commerce	1622	2121	474	Agriculture
1121	1130	496	Commerce	1628	2138	543	Health and Human Services
1141	1277	635	Transportation	1632	1953	497	Environment and Natural Resources
1184	1211	407	Environment and Natural Resources	1634	1766	414	Local and Urban Government
1186	1224	516	Local and Urban Government	1643	1792	655	Judiciary
1223	682	442	Governmental Operations	1644	1852	469	Judiciary

S.F.	H.F.	Chap.	Topic	S.F.	H.F.	Chap.	Topic
1646	1794	656	Commerce	1867	1996	509	Commerce
1652	2381	619	Judiciary	1871	1956	662	Judiciary
1661	1921	596	General Legislation and Public Gaming	1875	2115	471	Local and Urban Government
1663	1784	440	Health and Human Services	1876	2192	544	Transportation
1667	1831	539	Commerce	1877	1796	519	Local and Urban Government
1668	1923	481	Judiciary	1879	2057	535	Judiciary
1672	2159	551	Economic Development and Housing	1882	1849	510	Education
1673	1822	552	Commerce	1885	1979	663	Commerce
1674	2101	553	Environment and Natural Resources	1891	2031	685	Environment and Natural Resources
1675	1493	503	Judiciary	1892	2253	692	Commerce
1681	1932	571	Commerce	1897	1950	445	Environment and Natural Resources
1686	2364	657	General Legislation and Public Gaming	1900	1874	664	Local and Urban Government
1687	2272	462	Environment and Natural Resources	1904	1890	557	Health and Human Services
1692	1732	420	Commerce	1907	1773	479	Judiciary
1693	1754	638	Judiciary	1911	2029	486	Education
1694	1886	410	Judiciary	1920	2056	416	Environment and Natural Resources
1695	2078	554	Education	1931	2046	459	Environment and Natural Resources
1698	1817	677	Environment and Natural Resources	1934	2036	584	Judiciary
1699	1867	454	Local and Urban Government	1936	2022	522	Agriculture
1700	1857	533	Local and Urban Government	1937	2193	665	Judiciary
1705	1989	439	Education	1939	2039	505	Governmental Operations
1708	2010	597	Commerce	1940	2024	573	Transportation
1710	2212	427	Employment	1947	2045	446	Environment and Natural Resources
1711	1986	658	Local and Urban Government	1948	2016	558	Transportation
1713	1898	555	Environment and Natural Resources	1952	2092	524	Environment and Natural Resources
1715	1942	409	Local and Urban Government	1955	1745	622	Environment and Natural Resources
1717	1900	498	Environment and Natural Resources	1956	2201	666	Commerce
1719	2221	620	Employment	1958	2251	559	Employment
1721	2584	659	Employment	1962	1816	415	Transportation
1722	1943	640	Environment and Natural Resources	1963	2067	702	Economic Development and Housing
1725	1846	521	Environment and Natural Resources	1964	2117	586	Economic Development and Housing
1727	2011	598	Judiciary	1970	2415	435	Health and Human Services
1731	1858	436	Environment and Natural Resources	1971	1865	678	Economic Development and Housing
1732	1877	480	Employment	1972	1748	637	Judiciary
1736	1710	452	Judiciary	1980	2086	487	Transportation
1738	1740	413	Judiciary	1982	2025	458	Environment and Natural Resources
1741	2000	484	Judiciary	1983	2109	460	Environment and Natural Resources
1742	1991	700	Agriculture	1987	2220	713	Governmental Operations
1744	2430	711	Judiciary	1994	2270	432	Environment and Natural Resources
1749	1860	572	Local and Urban Government	1996	2041	610	Agriculture
1751	2020	457	Public Utilities and Energy	2000	2182	690	General Legislation and Public Gaming
1758	1853	441	Health and Human Services	2002	2108	585	Governmental Operations
1760	1851	639	Local and Urban Government	2003	2250	667	Governmental Operations
1764	1941	705	General Legislation and Public Gaming	2008	2127	612	Health and Human Services
1765	2537	696	General Legislation and Public Gaming	2009	2118	668	Judiciary
1768	1790	581	Commerce	2016	2306	546	Economic Development and Housing
1769	2054	660	Judiciary	2017	2400	599	Governmental Operations
1772	1863	418	Local and Urban Government	2018	2132	506	Health and Human Services
1780	2008	707	Elections and Ethics	2023	2134	566	Judiciary
1783	1803	661	Environment and Natural Resources	2033	1731	478	Commerce
1784	1806	453	Governmental Operations	2039	2038	641	Employment
1786	2018	485	Agriculture	2046	2190	567	Local and Urban Government
1788	2095	682	Judiciary	2054	1913	455	Employment
1792	1836	520	Judiciary	2055	2130	623	Health and Human Services
1793	1904	443	Commerce	2059	2291	613	Governmental Operations
1795	2112	534	Commerce	2068	1971	456	Judiciary
1801	1940	444	Commerce	2071	1848	669	Judiciary
1802	1897	541	Commerce	2079	1973	714	Environment and Natural Resources
1805	2063	542	Economic Development and Housing	2090	2585	472	Environment and Natural Resources
1806	1884	412	Environment and Natural Resources	2093	1925	609	Education
1809	1812	621	Public Utilities and Energy	2094	1659	563	Judiciary
1817	2317	489	Education	2095	2245	718	Education
1819	1872	470	Public Utilities and Energy	2096	2309	511	Commerce
1820	2059	523	Judiciary	2097	2186	560	General Legislation and Public Gaming
1821	1873	712	Judiciary	2102	2234	574	Local and Urban Government
1822	2091	556	Commerce	2105	2396	694	Education
1830	2167	701	Judiciary	2111	2098	624	Public Utilities and Energy
1834	1938	499	Public Utilities and Energy	2117	2197	536	Employment
1837	1000	688	Agriculture	2119	2021	625	Judiciary
1844	2049	611	Commerce	2122	2235	670	Judiciary
1858	1850	564	Local and Urban Government	2124	2340	643	Judiciary
1859	2120	431	Education	2125	1983	483	Judiciary
1861	2012	434	Health and Human Services	2131	2248	671	Environment and Natural Resources
1863	1981	706	Finance	2134	2210	451	Elections and Ethics

S.F.	H.F.	Chap.	Topic	S.F.	H.F.	Chap.	Topic
2137	2441	626	Education	2299	2446	491	Local and Urban Government
2141	2216	525	Environment and Natural Resources	2300	2546	493	Commerce
2145	2269	642	Commerce	2321	2518	716	Judiciary
2150	2429	627	Governmental Operations	2323	2605	631	Commerce
2156	2419	447	Judiciary	2340	2629	508	Environment and Natural Resources
2160	2252	461	Environment and Natural Resources	2344	1980	565	Transportation
2162	2312	463	Environment and Natural Resources	2345	2568	615	Agriculture
2165	2527	600	Environment and Natural Resources	2347	2491	561	Commerce
2170	2224	526	Economic Development and Housing	2348	2615	467	Health and Human Services
2175	2477	709	Governmental Operations	2352	2529	449	Commerce
2177	1966	583	Local and Urban Government	2354	2469	448	Agriculture
2191	2187	537	General Legislation and Public Gaming	2355	2540	473	Local and Urban Government
2192	2402	465	Economic Development and Housing	2357	2254	488	Commerce
2196	2468	644	Governmental Operations	2358	2511	438	Transportation
2198	2434	614	Environment and Natural Resources	2367	2521	428	Environment and Natural Resources
2199	2185	587	Environment and Natural Resources	2376	2621	R14	Resolutions
2203	2486	575	Health and Human Services	2382	2520	589	Commerce
2206	2370	576	Health and Human Services	2384	2567	502	Agriculture
2210	2554	569	Education	2394	1961	482	Judiciary
2212	2155	679	Environment and Natural Resources	2398	2536	646	Elections and Ethics
2213	2358	507	Environment and Natural Resources	2402	2594	577	Judiciary
2214	2349	628	Environment and Natural Resources	2405	2246	545	Economic Development and Housing
2215	2551	494	Environment and Natural Resources	2410	2637	528	Environment and Natural Resources
2216	2489	492	Environment and Natural Resources	2414	2388	632	Governmental Operations
2217	2475	601	Environment and Natural Resources	2426	2407	708	Judiciary
2221	1933	715	Transportation	2445	0521	504	Environment and Natural Resources
2224	2558	424	Elections and Ethics	2451	2597	602	Judiciary
2226	2292	629	Governmental Operations	2452	2478	717	Employment
2234	1926	422	Local and Urban Government	2456	2667	562	Public Utilities and Energy
2238	2490	466	Environment and Natural Resources	2465	2691	633	Governmental Operations
2243	2620	512	Health and Human Services	2469	2265	588	Environment and Natural Resources
2244	2232	568	Public Utilities and Energy	2471	2703	468	Commerce
2255	2297	672	Agriculture	2472	2470	527	Judiciary
2257	2508	547	Judiciary	2473	2688	674	Employment
2259	2481	645	Local and Urban Government	2489	2526	695	Commerce
2260	2590	719	Taxes and Tax Laws	2491	2514	675	Governmental Operations
2264	2539	500	Elections and Ethics	2506	2341	693	Judiciary
2266	2148	630	Judiciary	2509	2463	423	Governmental Operations
2273	2372	464	Health and Human Services	2513	2596	680	Governmental Operations
2275	1251	673	Judiciary	2525	2176	R15	Resolutions
2277	2228	691	Judiciary	2528	2735	R12	Resolutions
2278	2422	490	Agriculture	2546	2763	R16	Resolutions
2279	1844	582	Judiciary	2565	2788	684	Finance
2286	2087	501	Environment and Natural Resources	2568	2126	689	Finance
2288	2559	495	Commerce	2569	2459	703	Finance
2289	2542	683	Environment and Natural Resources	2572	2344	686	Finance
2292	2502	720	Taxes and Tax Laws				

# House File Index

H.F.	S.F.	Chap.	Topic	H.F.	S.F.	Chap.	Topic
10	101	604	Judiciary	577	964	514	Judiciary
80	63	647	Transportation	632	1228	653	Education
81	484	419	Local and Urban Government	681	974	R13	Resolutions
85	18	634	Commerce	682	1223	442	Governmental Operations
90	30	548	Judiciary	704	392	681	Judiciary
181	187	425	Judiciary	812	752	550	Governmental Operations
236	247	578	Elections and Ethics	898	203	616	Commerce
257	373	605	Governmental Operations	926	335	549	Governmental Operations
289	510	513	Local and Urban Government	1000	1837	688	Agriculture
297	412	651	Environment and Natural Resources	1070	1018	529	Judiciary
320	622	429	Judiciary	1082	1328	530	Environment and Natural Resources
336	232	649	Judiciary	1111	1513	515	Judiciary
402	236	406	Judiciary	1130	1121	496	Commerce
408	321	650	Judiciary	1164	994	652	Employment
421	951	579	Health and Human Services	1165	537	408	Judiciary
428	449	697	Transportation	1188	1268	617	Public Utilities and Energy
445	1086	591	Commerce	1189	1421	R11	Resolutions
453	722	687	Governmental Operations	1211	1184	407	Environment and Natural Resources
464	579	704	Commerce	1224	1186	516	Local and Urban Government
521	2445	504	Environment and Natural Resources	1228	0121	648	Judiciary



H.F.	S.F.	Chap.	Topic	H.F.	S.F.	Chap.	Topic
1251	2275	673	Judiciary	1897	1802	541	Commerce
1277	1141	635	Transportation	1898	1713	555	Environment and Natural Resources
1302	1224	517	Taxes and Tax Laws	1900	1717	498	Environment and Natural Resources
1399	1417	580	Economic Development and Housing	1904	1793	443	Commerce
1459	1305	475	Local and Urban Government	1913	2054	455	Employment
1469	1336	518	Transportation	1921	1661	596	General Legislation and Public Gaming
1473	678	426	Environment and Natural Resources	1923	1668	481	Judiciary
1486	1442	676	Transportation	1925	2093	609	Education
1493	1675	503	Judiciary	1926	2234	422	Local and Urban Government
1498	1388	592	Health and Human Services	1932	1681	571	Commerce
1526	1060	636	Transportation	1933	2221	715	Transportation
1534	1469	476	Governmental Operations	1938	1834	499	Public Utilities and Energy
1538	852	450	Transportation	1940	1801	444	Commerce
1585	1427	538	Environment and Natural Resources	1941	1764	705	General Legislation and Public Gaming
1589	1615	477	Judiciary	1942	1715	409	Local and Urban Government
1643	1540	618	Judiciary	1943	1722	640	Environment and Natural Resources
1656	1517	606	Transportation	1950	1897	445	Environment and Natural Resources
1659	2094	563	Judiciary	1952	1587	570	Transportation
1672	462	590	Judiciary	1953	1632	497	Environment and Natural Resources
1681	1532	607	Judiciary	1954	1590	698	Transportation
1710	1736	452	Judiciary	1956	1871	662	Judiciary
1719	1561	531	Environment and Natural Resources	1961	2394	482	Judiciary
1731	2033	478	Commerce	1966	2177	583	Local and Urban Government
1732	1692	420	Commerce	1971	2068	456	Judiciary
1736	1610	595	Transportation	1973	2079	714	Environment and Natural Resources
1739	1608	594	Local and Urban Government	1979	1885	663	Commerce
1740	1738	413	Judiciary	1980	2344	565	Transportation
1745	1955	622	Environment and Natural Resources	1981	1863	706	Finance
1746	1595	699	Veterans	1983	2125	483	Judiciary
1748	1972	637	Judiciary	1986	1711	658	Local and Urban Government
1749	1592	603	Transportation	1989	1705	439	Education
1754	1693	638	Judiciary	1991	1742	700	Agriculture
1766	1634	414	Local and Urban Government	1996	1867	509	Commerce
1767	None	421	Commerce	2000	1741	484	Judiciary
1773	1907	479	Judiciary	2008	1780	707	Elections and Ethics
1784	1663	440	Health and Human Services	2010	1708	597	Commerce
1790	1768	581	Commerce	2011	1727	598	Judiciary
1792	1643	655	Judiciary	2012	1861	434	Health and Human Services
1794	1646	656	Commerce	2016	1948	558	Transportation
1795	1617	608	Health and Human Services	2018	1786	485	Agriculture
1796	1877	519	Local and Urban Government	2019	1462	654	Economic Development and Housing
1803	1783	661	Environment and Natural Resources	2020	1751	457	Public Utilities and Energy
1806	1784	453	Governmental Operations	2021	2119	625	Judiciary
1812	1809	621	Public Utilities and Energy	2022	1936	522	Agriculture
1816	1962	415	Transportation	2024	1940	573	Transportation
1817	1698	677	Environment and Natural Resources	2025	1982	458	Environment and Natural Resources
1822	1673	552	Commerce	2029	1911	486	Education
1831	1667	539	Commerce	2031	1891	685	Environment and Natural Resources
1836	1792	520	Judiciary	2036	1934	584	Judiciary
1841	1575	437	Environment and Natural Resources	2038	2039	641	Employment
1844	2279	582	Judiciary	2039	1939	505	Governmental Operations
1846	1725	521	Environment and Natural Resources	2041	1996	610	Agriculture
1848	2071	669	Judiciary	2045	1947	446	Environment and Natural Resources
1849	1882	510	Education	2046	1931	459	Environment and Natural Resources
1850	1858	564	Local and Urban Government	2049	1844	611	Commerce
1851	1760	639	Local and Urban Government	2054	1769	660	Judiciary
1852	1644	469	Judiciary	2056	1920	416	Environment and Natural Resources
1853	1758	441	Health and Human Services	2057	1879	535	Judiciary
1857	1700	533	Local and Urban Government	2059	1820	523	Judiciary
1858	1731	436	Environment and Natural Resources	2063	1805	542	Economic Development and Housing
1860	1749	572	Local and Urban Government	2067	1963	702	Economic Development and Housing
1862	1607	433	Local and Urban Government	2078	1695	554	Education
1863	1772	418	Local and Urban Government	2080	1620	532	Health and Human Services
1864	1565	540	Local and Urban Government	2083	1588	430	Health and Human Services
1865	1971	678	Economic Development and Housing	2086	1980	487	Transportation
1867	1699	454	Local and Urban Government	2087	2286	501	Environment and Natural Resources
1872	1819	470	Public Utilities and Energy	2091	1822	556	Commerce
1873	1821	712	Judiciary	2092	1952	524	Environment and Natural Resources
1874	1900	664	Local and Urban Government	2095	1788	682	Judiciary
1877	1732	480	Employment	2098	2111	624	Public Utilities and Energy
1884	1806	412	Environment and Natural Resources	2101	1674	553	Environment and Natural Resources
1886	1694	410	Judiciary	2108	2002	585	Governmental Operations
1890	1904	557	Health and Human Services	2109	1983	460	Environment and Natural Resources
1896	1582	593	Judiciary	2112	1795	534	Commerce

H.F.	S.F.	Chap.	Topic	H.F.	S.F.	Chap.	Topic
2115	1875	471	Local and Urban Government	2396	2105	694	Education
2117	1964	586	Economic Development and Housing	2400	2017	599	Governmental Operations
2118	2009	668	Judiciary	2402	2192	465	Economic Development and Housing
2120	1859	431	Education	2407	2426	708	Judiciary
2121	1622	474	Agriculture	2415	1970	435	Health and Human Services
2123	1594	411	Health and Human Services	2419	2156	447	Judiciary
2126	2568	689	Finance	2422	2278	490	Agriculture
2127	2008	612	Health and Human Services	2429	2150	627	Governmental Operations
2130	2055	623	Health and Human Services	2430	1744	711	Judiciary
2132	2018	506	Health and Human Services	2434	2198	614	Environment and Natural Resources
2134	2023	566	Judiciary	2441	2137	626	Education
2138	1628	543	Health and Human Services	2446	2299	491	Local and Urban Government
2148	2266	630	Judiciary	2459	2569	703	Finance
2155	2212	679	Environment and Natural Resources	2463	2509	423	Governmental Operations
2159	1672	551	Economic Development and Housing	2468	2196	644	Governmental Operations
2167	1830	701	Judiciary	2469	2354	448	Agriculture
2176	2525	R15	Resolutions	2470	2472	527	Judiciary
2182	2000	690	General Legislation and Public Gaming	2475	2217	601	Environment and Natural Resources
2185	2199	587	Environment and Natural Resources	2477	2175	709	Governmental Operations
2186	2097	560	General Legislation and Public Gaming	2478	2452	717	Employment
2187	2191	537	General Legislation and Public Gaming	2481	2259	645	Local and Urban Government
2190	2046	567	Local and Urban Government	2486	2203	575	Health and Human Services
2192	1876	544	Transportation	2489	2216	492	Environment and Natural Resources
2193	1937	665	Judiciary	2490	2238	466	Environment and Natural Resources
2197	2117	536	Employment	2491	2347	561	Commerce
2201	1956	666	Commerce	2502	2292	720	Taxes and Tax Laws
2210	2134	451	Elections and Ethics	2508	2257	547	Judiciary
2212	1710	427	Employment	2511	2358	438	Transportation
2216	2141	525	Environment and Natural Resources	2514	2491	675	Governmental Operations
2220	1987	713	Governmental Operations	2518	2321	716	Judiciary
2221	1719	620	Employment	2520	2382	589	Commerce
2224	2170	526	Economic Development and Housing	2521	2367	428	Environment and Natural Resources
2228	2277	691	Judiciary	2526	2489	695	Commerce
2232	2244	568	Public Utilities and Energy	2527	2165	600	Environment and Natural Resources
2234	2102	574	Local and Urban Government	2529	2352	449	Commerce
2235	2122	670	Judiciary	2536	2398	646	Elections and Ethics
2245	2095	718	Education	2537	1765	696	General Legislation and Public Gaming
2246	2405	545	Economic Development and Housing	2539	2264	500	Elections and Ethics
2248	2131	671	Environment and Natural Resources	2540	2355	473	Local and Urban Government
2250	2003	667	Governmental Operations	2542	2289	683	Environment and Natural Resources
2251	1958	559	Employment	2546	2300	493	Commerce
2252	2160	461	Environment and Natural Resources	2551	2215	494	Environment and Natural Resources
2253	1892	692	Commerce	2554	2210	569	Education
2254	2357	488	Commerce	2558	2224	424	Elections and Ethics
2255	1618	710	Veterans	2559	2288	495	Commerce
2265	2469	588	Environment and Natural Resources	2567	2384	502	Agriculture
2269	2145	642	Commerce	2568	2345	615	Agriculture
2270	1994	432	Environment and Natural Resources	2584	1721	659	Employment
2272	1687	462	Environment and Natural Resources	2585	2090	472	Environment and Natural Resources
2291	2059	613	Governmental Operations	2590	2260	719	Taxes and Tax Laws
2292	2226	629	Governmental Operations	2594	2402	577	Judiciary
2297	2255	672	Agriculture	2596	2513	680	Governmental Operations
2306	2016	546	Economic Development and Housing	2597	2451	602	Judiciary
2309	2096	511	Commerce	2605	2323	631	Commerce
2310	896	417	Judiciary	2615	2348	467	Health and Human Services
2312	2162	463	Environment and Natural Resources	2620	2243	512	Health and Human Services
2317	1817	489	Education	2621	2376	R14	Resolutions
2340	2124	643	Judiciary	2629	2340	508	Environment and Natural Resources
2341	2506	693	Judiciary	2637	2410	528	Environment and Natural Resources
2344	2572	686	Finance	2667	2456	562	Public Utilities and Energy
2349	2214	628	Environment and Natural Resources	2688	2473	674	Employment
2358	2213	507	Environment and Natural Resources	2691	2465	633	Governmental Operations
2364	1686	657	General Legislation and Public Gaming	2703	2471	468	Commerce
2370	2206	576	Health and Human Services	2735	2528	R12	Resolutions
2372	2273	464	Health and Human Services	2763	2546	R16	Resolutions
2381	1652	619	Judiciary	2788	2565	684	Finance
2388	2414	632	Governmental Operations				

# BRIEFLY

The Minnesota Senate Week in Review

# PERSPECTIVES

A Publication of the Minnesota State Senate

# Session Review

A Publication about the Minnesota State Senate

If you wish to continue receiving BRIEFLY, PERSPECTIVES and SESSION REVIEW, please clip and send mailing label to Senate Publications, Room 111 Capitol, St. Paul, MN 55155. Please note any address changes.

Senate Publications Office  
Room 95 State Office Building  
St. Paul, MN 55155



Bulk Rate  
U.S. Postage  
**PAID**  
St. Paul, MN  
Permit No. 2326