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# *Perspectives*

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**On the cover:** Brilliant rose bushes lend color and grace to the state's front yard, the Capitol Mall.  
Photo by David J. Oakes.

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Photo by David J. Oakes

# 2000 Session comes to an end

by Jon Burkhow  
and Karen L. Clark

## Vetoes overridden

The final day of the 81st Legislative Session, Weds., May 17, was marked by several unprecedented events – history making veto overrides, farewells from long-serving Senators and lengthy last minute negotiations aimed at reaching a compromise on the Profile of Learning bill.

Senators cast a total of five veto override votes on provisions in two bills during the day. Members of the House, however, took several votes, but vetoes were overridden on just four items.

Legislators restored four line items in the bonding bill by voting to override the governor's line item vetoes. Veto override votes require a two-thirds

majority in order to prevail. The first was a \$135,000 appropriation earmarked for a vehicle to travel the state in order to educate Minnesotans on the importance of organ donations. Sen. Becky Lourey (DFL-Kerrick) and Sen. Cal Larson (R-Fergus Falls) spoke in support of the appropriation and emphasized the urgent need for organ donations. The override vote was 61-0.

A second item was a \$3 million appropriation for the Guthrie Theatre in Minneapolis. Sen. Richard Cohen (DFL-St. Paul) said that the Guthrie Theatre is not just of city or statewide significance, but of national and international importance. Sen. Dick Day (R-Owatonna) also urged support of the override and said, "I personally believe that the Guthrie is one of the items lending to the quality of life in Minnesota. Sen. Jane Krentz (DFL-May

Township) said that more than 10,000 students attend the Guthrie annually at no, or reduced, costs. Cohen said the theatre is attempting to establish a multi-stage facility, along with education space and storage areas to enable the theatre to construct props and scenery for a variety of touring productions. Cohen said the appropriation is needed "to reestablish Minnesota on the artistic and cultural map of the nation." The motion to override was adopted 55-5.

The third line item was \$1.5 million for multicultural centers in St. James and Pelican Rapids. Sen. Donald Ziegler (R-Blue Earth) said the appropriation is needed because the current facilities are very outdated. Sen. Linda Berglin (DFL-Mpls.), who carried the bonding bill, said the communities have had a large influx of people from other cultures and that the appropriation is

designed to provide library materials and computer programming. The Senate voted 57-5 to override the veto.

The final item, a \$1 million appropriation for the Lanesboro Arts Center and Theatre, was supported by Sen. Kenric Scheevel (R-Preston). Scheevel said the existing facilities have been a regional and multi-state attraction but the arts center and theatre are outgrowing their current facilities. In addition to providing exposure to the arts, Scheevel said, the center is becoming a destination for aspiring young actors, who also become involved with Luther College and local school communities. Cohen said that the center is not just of regional and state significance, but also is a significant rural theatre in the United States. "It is a model for rural theatre," Cohen said, "and we should not overlook the fact that the Commonwealth is important to rural theatre throughout the country. The vote to override was 58-4.

Senators also voted to override the veto on S.F. 884. The measure, sponsored by Sen. Steve Dille (R-Dassel), provides for a reduction in the cost of a marriage license for couples who agree to pre-marital education. Members voted 50-11 to override the veto, but a similar motion in the other body was unsuccessful.

Much of the final day of session was spent in recess while members attempted to reach agreement on the Profile of Learning bill.

## Two Profile bills passed

In the waning hours of the eighty-first Legislature, the Senate passed two versions of modifications to the high standards law after hours of negotiation with House conferees and leadership.

Sen. Lawrence Pogemiller (DFL-Mpls.) said Rep. Robert "Bob" Ness (R-Dassel) and Rep. Tony Kielkucki (R-Lester Prairie) wouldn't sign the conference committee report previously negotiated. After several changes, Ness signed a modified conference committee report, S.F. 3286, although Kielkucki still refused to sign the report.

The report contains only modifications to the Profile which is article two in the original conference committee report. "I think article two is an excellent fix to the Profile. We've worked collaboratively with the House on making it a good article. The report



### Sen. Lawrence Pogemiller

gives all the things that people have been asking for," said Pogemiller. Article one, allowing districts to choose between the North Star Standard and the Profile, and article three, the North Star Standard provisions, were removed. The compromise bill allows each site, by a majority vote of teachers, administrators and the school board, to vote to determine the number of preparatory and high school content standards that the school site requires students to complete, including the number of high school standards students must complete to graduate. Additionally, districts, charter schools and area learning centers must report to the commissioner of the Dept. of Children, Families and Learning the schedule, by school year, that each school site will use to implement all the state required preparatory and high school content standards. Pogemiller added that if the teachers and a school board can't agree, there will be full implementation of all the content standards. The bill provides for three additional staff development days and renames and clarifies the learning areas. The bill also provides for the addition of

Photo by David J. Oakes

a new 11th learning area, technical and vocational education.

The conference committee report contains compromise language regarding performance assessments. Under the bill, a district, area learning center or charter school must select performance assessments that have a grading system comparable to the criteria established under the definition of rubric contained in rule. Districts, area learning centers and charter schools may use one or more assessment methods to measure student performance on one or more content standards.

The compromise bill also has provisions relating to transcript data requirements, waivers for students taking equally rigorous courses, transfer waivers and waivers for students who entered the ninth grade before the 2000-2001 school year. The bill establishes a high standards tool library for teachers and makes changes to record keeping requirements.

Following questions from Sen. Thomas Neville (R-Northfield) and Sen. Edward Oliver (R-Deephaven), the conference committee report passed on a 46 to 17 roll call vote. After designa-

tion as a special order by Senator Roger D. Moe (DFL-Erskine), Senators next took up H.F. 2190. Pogemiller offered an amendment replacing the language of the bill with the earlier version of the conference committee report that didn't receive enough signatures from the House conferees. Pogemiller said House leadership requested that two versions of modifications to high standards be sent to the House. "We could live with either bill but frankly, I think the governor prefers the conference committee report we just passed," said Pogemiller. "The bottom line is, it would be good to get a bill passed and signed by the governor this year. We're not certain which approach the House can pass," he added. The amendment was adopted.

Article one of the bill gives districts, through a nonbinding advisory vote of the teachers and administrators voting jointly and by a majority vote of the school board, the option of choosing the Profile or the North Star Standard. Article two contains changes to the Profile and "article three is the clean or pure North Star Standard," said Pogemiller. Pertaining to the Minnesota Comprehensive Assessment exemption section of the bill, Neuville offered an amendment to change the word "assessment" to "assessment system." "I believe that this amendment was requested of the Senate conferees before, but was rejected. That's the reason we had to go to the different conference report," said Neuville. He said the North Star Standard is still connected to the Profile because of the assessment requirements in the bill. "This one word would, in my view, create a firewall and for the districts that choose to opt out of the Profile and into the North Star Standard, they will now be relieved from the Profile assessment system," said Neuville. Pogemiller said adoption of the amendment will lead to a veto by the governor. "The amendment takes away the very accountability and comparability between the systems that we need," he said. Neuville said contrary to what Pogemiller said earlier, it's not a clean North Star Standard because there's no firewall between the North Star Standard and the Profile. The amendment failed on a 22 to 41 roll call vote.

Oliver offered an amendment to change the number of required standards. The amendment specifies that

high school students in grades 9 to 12 may not be required to complete more than 21 content standards, middle school students in grades six to eight may not be required to complete more than 20 content standards, intermediate school students in grades four and five may not be required to complete more than 12 content standards, and primary school students in kindergarten to grade three may not be required to complete more than eight content standards. Oliver said students have complained that there are too many required content standards. "I have unanimous support from people in my school districts for this kind of change," he said. Pogemiller said the governor is open to letting a local district lower the number of standards but doesn't want the state to do it. The amendment failed on a 21 to 39 roll call vote. Oliver also offered an amendment to remove teachers from the voting process on whether a district chooses the Profile or the North Star Standard. The amendment failed on a 2 to 54 roll call vote.

An amendment, offered by Sen. Claire Robling (R-Prior Lake), removes the requirement that schools must offer all the state required preparatory and high school content standards. The change allows schools to offer only the number of standards required by the vote at each site. "There is not much change if schools are still required to offer everything," said Robling. Pogemiller said the amendment had already been rejected in committee and on the floor. He said the requirement that a school district must offer all the state required content standards is a student protection mechanism. He added that if a change is made, students might not be able to take the classes they want if a school decides not to offer certain content standards. The amendment failed. The bill passed on a 34 to 29 roll call vote.

### **Eight bills passed**

Several bills were also granted final passage on the last day. S.F. 3835, sponsored by Sen. Douglas Johnson (DFL-Tower), is a resolution memorializing the President of the United States and the President's Council on Environmental Quality to expedite the environmental impact statement of the U.S. Forest Service to begin reducing fuel loadings within the Boundary Waters

Canoe Area Wilderness. H.F. 3642, authored by Sen. Sheila Kiscaden (R-Rochester), is a Dept. of Health house-keeping bill that modifies provisions for application for, and distribution of, medical education funds. H.F. 3516, carried by Sen. Twyla Ring (DFL-North Branch), is a Dept. of Natural Resources technical bill. H.F. 3110, authored by Sen. Jane Krentz (DFL-May Township), repeals a provision relating to participation in the Minnesota Amateur Sports Commission exhibitions. S.F. 3819, sponsored by Sen. David Knutson (R-Burnsville), corrects miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors.

Two measures were granted concurrence and repassage. S.F. 702, authored by Sen. Jim Vickerman (DFL-Tracy), authorizes county review of plats on real property that borders existing or proposed county highways. S.F. 2693, authored by Sen. William Belanger (R-Bloomington) makes technical and administrative changes and corrections to certain tax and revenue recapture provisions and authorizes the attorney general to compromise certain fees, surcharges and assessments. The measure also contains provisions relating to "gray market" cigarettes.

Finally, in addition to the conference committee report on the Profile of Learning, members also adopted and repassed one additional conference committee report. S.F. 3730, sponsored by Pogemiller, authorizes investments by joint powers investment trusts, exempts certain airport obligations from the public sale requirement, provides for state payment of certain county debt obligations upon potential default and authorizes means for repayment by the county, extends the sunset for self-executing special service district laws, modifies the authority to issue variable rate bonds and increases the authority for debt obligations for the financing of the Metropolitan Council's transit capital improvement program.

Members also took time, in the early morning hours, to bid farewell to four retiring Senators. Sen. Allan Spear (DFL-Mpls.), Sen. Carol Flynn (DFL-Mpls.), and Sen. Ember Junge (DFL-New Hope) are all retiring from elective office. Sen. Linda Runbeck (R-Circle Pines) is leaving the Senate to run for the Fourth District Congressional seat being vacated by Rep. Bruce Vento.



*After the close of the 2000 Legislative Session, Sen. Dean Johnson (right) presented Sen. Allan Spear (left) with a poster of Spear's recipe for mourning dove. Spear is famous for defeating attempts to establish a mourning dove hunting season by describing what it takes to prepare mourning doves for a dinner party.* Photo by David J. Oakes

# Four members say farewell

by Jon Burkhaw

## Sen. Carol Flynn

Although Sen. Carol Flynn (DFL-Mpls.) represents an urban district, she has her roots in rural Minnesota. "I grew up on a farm in Lindstrom. We still keep the farm as a family farm," she said. Flynn is one of three DFL Senators retiring from the Senate this year. She is joined by Sen. Allan Spear (DFL-Mpls.) and Sen. Ember Junge (DFL-New Hope). Sen. Linda Runbeck (R-Circle Pines), Sen. Jerry Janezich (DFL-Chisholm) and Sen. Steven Novak (DFL-New Brighton) are leaving to seek higher office. Sen. Paula Hanson (DFL-Ham Lake) announced in mid-June that she would not seek re-election.

Flynn became active in politics during the anti-war movement in the 60's. At the time, she was working at the University of Minnesota in a civil service position. She contacted a university professor in search of a labor union that was opposed to the war. "He directed me to AFSCME. That was the beginnings of my involvement in the labor movement and the reason I eventually became an employee of the union," she said. Flynn went on to be hired by the union as a coordinator for the political action of councils throughout the state. Her job was to bring local councils together that in the past had endorsed different candidates and "ended up spending members' money against each other." Flynn was subse-

quently recruited by AFSCME Council Six to fill the position of associate director and lobbyist. "There I worked on pay equity issues. I helped the union understand that it was in their interest to improve the salaries of women. Gov. Perpich was convinced that this was a task that was achievable," said Flynn. She explained that during his term, the governor implemented a plan to raise the salaries of women in state government each year and in turn, the Legislature passed laws that raised women's salaries in all local units of government. "We increased the living wage of women. One of the surprising outcomes of that was that suddenly men found they could take jobs they hadn't been able to take before because of

income reasons,” said Flynn. She continued, “men were taking what had been female-dominated jobs and we definitely found a lot women taking jobs that had been male-dominated.” “I felt very good about the outcomes,” Flynn concluded.

Flynn’s involvement in labor unions and her service as a member of the Metropolitan Council were instrumental in her decision to run for the Senate. There was an opening in her district and a number of people from the district encouraged her to run. Flynn decided to take the opportunity. “I had been involved in other people’s campaigns for 30 years by then,” said Flynn. “However,” she continued, “it’s easier to ask for money for someone else than yourself.” She was endorsed by labor unions and women’s groups. Flynn said her background with the University of Minnesota proved valuable as about half of the district is around the University with students and faculty living there. Her one serious opponent for the endorsement eventually ceded to her. She got the endorsement and won a special election in 1990. “It was all over fast,” she said.

Flynn recalls that her honeymoon period as a freshman Senator was rather brief. Flynn said that during the election, she used her contacts with the pro-choice community. She said that at the time, the issues surrounding restricting abortions were coming into play because of a court ruling in another state. Flynn was sworn in and appointed to the Health and Human Services Committee. She said an amendment limiting a woman’s right to choose was being debated in the committee. “The discussion was being televised nationally and I ended up casting the tie vote so the amendment couldn’t go on.” Flynn got a death threat following her vote. She said people came rushing in and pulled down the shades in her office like someone was going to shoot her through the window. “I was really kind of panicked,” Flynn remembered. A state trooper was assigned to protect Flynn. “That was my introduction to the Senate,” she said.

Flynn was re-elected in the fall of 1990 and has served in the Senate the last ten years. She expressed disappointment that a measure to restrict abortion has come back this year. She said that in the last ten years there had been enough votes to keep the

issue out of the political arena. During her tenure as a Senator, Flynn said that because of her background, she has been called upon to deal with employee relations issues. She said that because she had a year of seniority compared to the class of 1990, and perhaps because of her age, she was called upon to assume leadership roles relatively quickly. “I became a majority whip early on. That gave me some opportunities to work on the inside with leadership,” she explained. Flynn said she chaired a division on property taxes as part of the Local and Metropolitan Government Committee. She went on to chair the Judiciary Committee and the Transportation Committee. Speaking of her time on the Transportation Committee, Flynn said, “I’ve been able to put my experience on the Metropolitan Council to good use. I’ve made it clear that the Metropolitan Area is interested in roads too. It isn’t just a rural concern, which is how the committee had been made up in the past. As far as I know, I was the first woman and the first person from the Metropolitan Area to chair the committee.” She said the first year the committee was called the Transportation and Public Transit Committee to make it clear that a change had taken place. Flynn said while she served on the Metropolitan Council she worked on a system-wide approach to transit. “We considered light rail and busways,” she said. Flynn said most of her district used 35W, but plans to widen it to relieve congestion would have destroyed even

more homes in the neighborhoods she represented. “We came up with the idea of light rail in the corridor to relieve congestion,” she said, “but it ended up costing too much money.” Subsequently, legislation was passed prohibiting the Met Council from even looking at light rail, according to Flynn. She said then the seven counties got involved but also found light rail too expensive and appealed to the state Legislature for help. “Every year somebody would come in and say ‘Washington’s ready to give us the money. Let’s go!’” Flynn said, “I was resigned to the fact that we weren’t going to get this done.” However a few years ago things changed. Flynn explained, “We got the first \$40 million for light rail through the Carlson administration and then Ventura was elected. He’s a big fan of light rail and so we got the next \$60 million. We’re on our way.” Flynn went on, “For reasons that continue to bewilder me, the House Republicans are still trying to kill it. It’s been authorized. We won’t undo it in the Senate. This will be one of my legacies. We will be building light rail in the Hiawatha Corridor.”

Prior to session, Flynn spent time in Hong Kong learning about their transit system. Flynn said she looks forward to traveling more and seeing the world after she leaves the Senate. “I have learned a lot from recreational traveling. You can’t help but learn. I think more of my colleagues should take advantages of whatever opportunities



**Sen. Carol Flynn**

Photo by David J. Oakes

they have to see the world,” Flynn said.

Speaking of changes in the Senate, Flynn said women are far more important within the organization than when she became a Senator. “It started to change right away with the freshmen class of 1990,” she added. Flynn said at the time the Senate was debating how to deal with healthcare for the uninsured. She said the new Senators insisted on providing that type of health care program, which ultimately resulted in the passage of the MinnesotaCare legislation. “We all felt very powerful for having done that and succeeding,” Flynn said. Flynn said the discussion changes when women are involved. She said women have different life experiences and tend to be more straightforward.

### **Sen. Allan Spear**

Spear, a history professor at the University of Minnesota, became involved in politics through the civil rights movement. Like Flynn, Spear was also involved in the anti-war movement. He went to his first caucus in 1968—for Gene McCarthy—because he campaigned to end the war in Vietnam. “Two weeks later, I found myself a candidate for the Legislature. I ran for the House that year and lost,” said Spear. Spear remained active with the DFL party and in 1972, after redistricting, ran and won a Senate seat. He has been a Senator ever since.

Spear said he most proud of the gay/lesbian/bisexual/transgender rights bill he sponsored. “[Former Majority Leader] Nick Coleman introduced the bill in 1973; we finally passed it in 1993. That’s the legislation I’m most proud of,” he said. Spear went on, “It was a particularly personal highlight for me because I was one of two openly gay members of the Legislature.” Additionally, Spear said he’s proud of working in the criminal justice and corrections area toward a balanced correctional program. Spear said that has included longer sentences but also includes prevention measures. “I think Minnesota has pursued a much more rational policy than many other states have. I’m proud of the fact that Minnesota is 50th of 50 states in the percentage of people it locks up in prison,” Spear said. According to Spear, Minnesota has pursued intensive pro-bation, community-based corrections, jail time in connection with treatment programs and in recent years,

home incarceration with electronic monitoring. “Just because a person does not go to prison, doesn’t mean they aren’t being sanctioned,” Spear remarked.

Reflecting on the legislative process, Spear said, “I think conference committees have frustrated me the most.” He explained that he is frustrated with the conference committees on the big budget bills that “can not deal adequately with the myriad of issues that are given to them in the time that is allotted to them.” He said equally frustrating are criminal justice conference committees “where the House has seen fit to put every crime bill introduced during the session into one big crime bill to be hashed out during conference committee.” “We were forced to deal with things that we had never even had hearings on,” Spear said. He said if the Senate isn’t going to go the unicameral route, the Senate needs to look carefully at ways to reduce the power of conference committees. Spear said one possibility might be to have joint budget committees that meet early in the session and reach some guidelines that both bodies can accept. “In other words, reach the targets early and have some general, overall understanding early on so that you don’t have so many decisions concentrated at the end,” Spear said.

An additional frustration for Spear has been the religious right and “the

moralism of people who think they ought to be controlling other peoples’ lives.” He said there is a constant barrage of amendments that try to dictate what schools teach on morality.

On the other hand, Spear has found the level of dialogue and debate on issues rewarding. As President of the Senate, Spear said he is proud of the way the Senate conducts itself. “I like the give and take of floor debate. I like the committee process very well until you get to conference committees,” Spear commented. Speaking of his involvement with the Judiciary and Crime Prevention Committees, Spear continued, “We have had an extraordinarily high level of debate over the years on sometimes very complicated issues. I’ve learned a lot. I found all of that very rewarding.” Spear said it has been just as rewarding stopping a bad bill as passing a good bill. He elaborated by saying that recently someone told him he would be missed as much for the bills that he kills as the bills that he passes. “I’m proud of the fact that I played a role in killing some of the terrible gun bills and draconian crime legislation introduced around here,” said Spear.

Spear said the most dramatic change during his time as a Senator has been the increasing number of women Senators. He said when he became a Senator in 1972, the Senators were all men. “In fact the men’s room off the floor of the Senate didn’t even say ‘men’



**Sen. Allan Spear**

Photo by David J. Oakes

on it. It just said 'Senators Only' because it was the same thing. When Sen. Nancy Brataas was elected, in 1974, they had to build a bathroom for her in a broom closet under the steps," Spear said. Spear said the addition of women to the Senate has made a difference in what issues the Senate has dealt with and focused on. Spear continued, "Women have forced the Senate to pay more attention to children and family issues." In the criminal law area, Spear said the issues of domestic violence, rape, domestic assault and sexual assault are taken a lot more seriously than they used to be. "Women have played a big role in creating that kind of sensitivity," Spear said. He added that the addition of women has changed the "old boy's network" way of doing business in the Senate. "It used to be a lot of decisions were made over martinis at the Criterion. There isn't much of that anymore. Part of that is the campaign and lobbying reforms that have been enacted and part is that women don't tend to be involved in those type of interchanges," said Spear.

Spear is also retiring from his position as associate professor of history at the University of Minnesota. In looking ahead, Spear said he would like to do some volunteer activities and serve on volunteer boards. He wants to travel more and spend more time with his partner. Spear said he and his partner like to go to Fort Lauderdale in the winter and he goes with friends to Europe in the summer. "I'm looking forward to being able to travel in the spring and fall. I've never been able to do that," Spear said. Spear plans to stay involved in politics by supporting candidates and working in the DFL party.

At the end of the final day's floor session it is customary for Senators to bid farewell to the retiring members. Sen. Roger D. Moe (DFL-Erskine) said a few words about Spear's career. "When you stood up to speak, everybody listened. I think that's the highest compliment in this chamber. People listened to you because they knew you had something to say and it was going to have meaning and be relevant to the issues we were talking about at the time," he said, "I believe that you will go down in the history books of this state as one of the top Legislators. You have served with distinction."



### **Sen. Ember Junge**

During his farewell speech to Senators, Spear said it may take some time next year to wean himself from watching broadcasts of the floor sessions. Spear said he is not leaving the Senate because he is embittered or thinks it isn't fun any more. "I still love this place, I've had a wonderful experience. It's just time for me to quit. I've been here long enough," Spear said.

### **Sen. Ember Junge**

Junge said serving for the past 18 years have been a real privilege because she has been able to represent the people from the area she grew up in. "These were the people who instilled their values in me. There is nothing more meaningful than visiting with your former teachers and your former principals about issues of education because you're a product of their work. Naturally you want to do what you can to insure that others in your community have the same educational benefits that you did," she said.

Junge got her exposure to politics in Washington working for Sen. Walter Mondale as an intern. Mondale was the chair of the Select Committee on Children and Families at the time. Junge says she learned a lot about the issues of family violence during her internship. She went on to do *pro bono* lobbying on domestic violence issues. Junge said it was that issue that drove

Photo by David J. Oakes

her to run for the Senate. Junge entered the race for a Senate seat in 1982 when Skip Humphrey, the Senator from her area, ran for Attorney General. "That, combined with redistricting, meant there was an open seat. I remember making the decision in about three days. I just jumped in. It was probably better that way because if I had really thought about all the work it was going to be, I might not have done it," Junge said. She was elected that November and her passion to fight against domestic violence was soon evident. "It was no coincidence that my first bill on the Senate floor was a bill that would protect against domestic violence. Ironically, some of my last bills are the same kind of bills," Junge said.

Aside from her work to prevent domestic violence, Junge is proud of working with Success by Six Northwest in "creating the first Head Start site on north suburban soil." Junge said it was a struggle to bring all the competing forces together to make that happen. On a more personal level, Junge said the living will bill she sponsored in 1989 has been the most meaningful to people. She said the bill allows seniors and others to make decisions about their health care at the end of their life when they are still competent to do so. "There is no issue more intimate to families than the issues of life and death. I'll never forget the letters I received during

that very visible debate. Family members would write about the pain and agony they went through watching a loved one die. They wrote about how they wanted to be able turn off the life support but the doctors were afraid to because of lawsuits,” Junge said. The issue came close to home three months after the bill was signed. Junge’s father had a heart attack and was in a coma three days. She said they hung a picture of the bill signing above his bed while he was in the coma. “The good news is that he is doing well today after an operation,” Junge said. She continued, “I’m so pleased I could help to make a difference for other families in those very intimate decisions. This bill to me, will be the one I will remember the most. It truly affects all of us.”

Junge said the bill she sponsored regarding charter schools will probably have a major impact on the future of education. Junge remembers struggling for three years to pass the bill. When the bill finally passed out of the conference committee she was disappointed because she felt the bill was so weak it would never allow charter schools to occur. “I learned something along the way, you have to celebrate the small victories,” Junge said. Junge went on to explain that once the words “charter school” got into law that seemed to be enough. She said U.S. Sen. David Durenburger took the issue to Washington and within a year, then candidate, Bill Clinton was advocating charter schools in his campaign for President. “As it turns out, that initiative has paved the way for over 2,000 charter schools in the country with about 63 located in Minnesota. I’m always going to smile when I hear about a charter school,” Junge said. Junge owes her interest in charter schools to a conference on education reform she attended. She learned about charter schools through the speakers. “We brainstormed about charter schools on a dinner napkin at the conference,” she recalls. Junge said the charter school law has been named as one of 100 semi-finalists this year in the Innovations in American Government Awards competition.

Junge says she is proud to have served in the Minnesota Senate. “It’s a Senate made up of ordinary people doing extraordinary things,” she remarked. Junge said the culture of the Senate encourages civility and respect. She

added that the Senate is willing to take risks and do innovative things such as the legislation on MinnesotaCare, charter schools, tobacco endowments and campaign finance reform. However, Junge also sees areas for improvement. She would like to see more discussion about children and family issues compared to the focus on taxes, highways and bonding. “My plea for future Legislators is to bring back the human element. Make it part of the forefront so the media will also talk about it,” said Junge. She said when Legislators work together it can’t be “us” against “them.” She said Legislators must work together to find the next “right answer.” Junge said to the extent Legislators can do that, they will serve Minnesotans better by rising above partisan differences. She said there has been a lot of division between the three branches of government this year. “We have to put that aside in the interest of Minnesotans.” Junge went further saying politicians, like the governor, shouldn’t tear down the government in their comments. She said she’s convinced that the vast majority of public servants are hard-working people of integrity. She added that most Legislators work hard to do the right thing. “That’s why the Minnesota Senate has been so successful in coming to good results and creating these innovative ideas.” Junge said the best Legislators are the ones who know their passion and follow it. She said the true gift of public service is to follow your passion and make an immediate difference in the lives of people. “It’s a priceless gift. We sometimes forget what a privilege it is to serve,” she said.

Along with Spear and Flynn, Junge, too, commented on how the addition of women to the Senate has changed the institution. She said what used to be known as women’s issues are now everyone’s issues. She gave the examples of health care, education and investment in the youngest children. Junge related a story about a forum Sen. Jane Ranum (DFL-Mpls.) led in the Senate chamber. Junge explained saying that actual victims of domestic violence who had turned to crime spoke to members. “You could hear a pin drop. It was one of the most effective forums we have ever had. It had a profound effect. That year we invested twice as much money in prevention as we did in new dollars locking people up,” she said.

Junge said it’s one example of how women Legislators saw a need and were able to change the culture of the Senate. “I truly believe that unless you invest in children you will never have enough money to build all the prisons you’ll need,” Junge said. Junge also recalled one case where all the women Legislators supported one bill that said there will be zero tolerance for violence in state government. “I think it’s the only time every female Legislator signed onto a bill. It passed unanimously. That was powerful,” she said.

Junge is in the process of writing a book that will cover the first two years of tri-partisan government in Minnesota. “This history needs to be recorded. I believe that the last two years have been a real experiment in democracy. We have been privileged to have a ring side seat,” she said. Junge is also halfway finished writing a book of stories about door-knocking. Junge said she feels she can make a difference through writing. Junge has other plans as well. She intends to continue as a part-time general counsel with a small company she’s been involved with and plans to start a business with her sister making hero dolls. Junge also wants to do everything she can do to help women run for higher office. “There is a glass ceiling in our state with higher office. Many women have tried to break that. We can’t give up,” she said. Junge is president-elect of the Minneapolis Red Cross Board of Directors. She said she needs to make time to pursue that too. “There’s plenty to do. My husband says I need to focus. It’s my strength and my weakness that I’m interested in so many things,” she said. One of Junge’s goals is to spend more time with her family. She said when she didn’t prevail in the attorney general primary in 1998, someone sent her a letter that said, “sometimes you have to give up what you planned in order to know what life has planned for you.” Junge said, “That was profound. I realized life had a lot of other things planned for me. I realized at the top of that list is my family. They need my time.”

Junge has mixed emotions about leaving but feels it’s time to move on. She is proud of her accomplishments, but sad that her work is coming to an end. “It’s been a wonderful journey the last 18 years. There will never be another one like it,” said Junge.

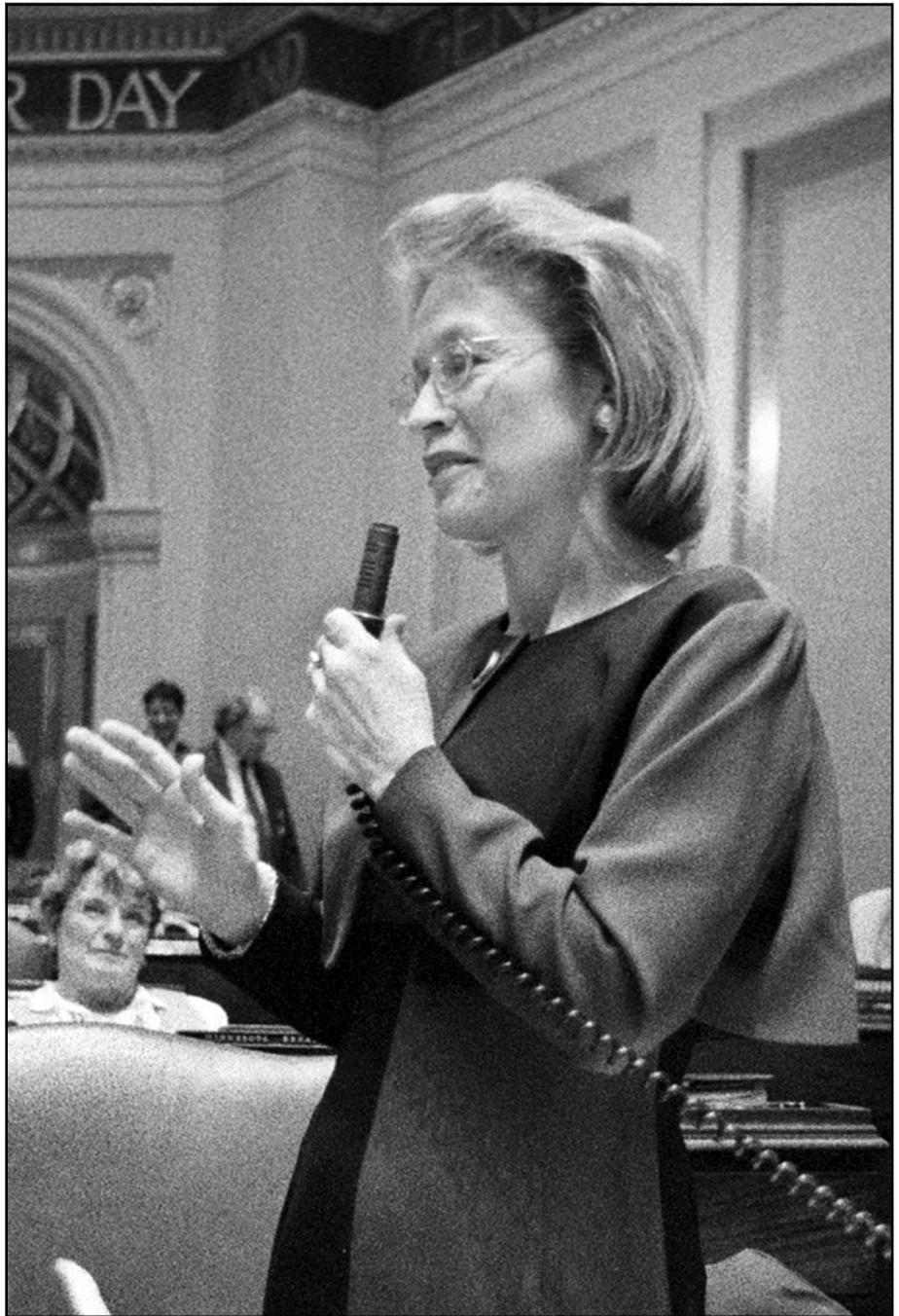
## Sen. Linda Runbeck

"I'm leaving to take a big leap into a new opportunity. There are no guarantees, but it's worth doing one more big challenge," said Sen. Linda Runbeck (R-Circle Pines) in a recent television interview with Senate Media Services. Runbeck has received the Republican endorsement and will be running in the primary for the Fourth District Congressional seat. Runbeck says she will miss the easy access to information she had as a Minnesota Senator. "I think the thing I will always miss not being here is being able to pick up the telephone to call anybody, anywhere, to get information. It's a marvelous opportunity to have access to people and ideas," she said. Runbeck, who didn't come into public service with a political background, says she has learned a lot about the Legislative process in her eight years at the Senate but has also learned more about human nature. "There are many battles you fight but in the end you get to know people. The anger outsiders may feel about some of the folks here isn't there once you meet them and get to know them," she said. Runbeck said when she first came to the Senate she didn't think one person could make a difference. "I learned a person can come here and decide to grab onto an issue, no matter how big, get involved, and make a difference," she commented.

Runbeck said even though she's a member of the minority party, the political climate of the 90's allowed her to have opportunities to become part of bi-partisan issues and be heard. "I'm proud of the ideas I fought for like smaller government, lower taxes and free markets," she said. On the flip side, Runbeck is proud of the bills she defeated as well. "Being a minority member, that's what you're here for. I spent a fair amount of energy defeating bad bills," she commented.

Coming from the House, Runbeck has noticed the different atmosphere in the Senate. "The Senate is a marvelous institution but I think the collegiality is both a weakness and a strength here. I have seen instances where it doesn't serve us well because we have very strong allegiances to the members in the body. Maybe we need more objectivity sometimes," she said.

Looking back at her political career, Runbeck said the broadcasting of floor sessions and committee hearings has



**Sen. Linda Runbeck**

Photo by David J. Oakes

been one of the biggest changes since she came to the Senate. She said when the House gained a Republican majority it gave her more opportunities to get bills passed and make a difference. She added that changes in the economy have had an enormous impact on the institution. "The world is changing and this body had to respond," she said. "I hope people remember me as a fighter for important issues. I'm proud of my role in the worker's compensation reform of 1995 and the income tax cuts of 1998 and 1999," Runbeck said. "I'll remember the epic battles like the Twins

stadium and Prairie Island debate and the Profile of Learning. It was remarkable, the amount of energy people expended," she said.

Two other Senators are also campaigning for higher office. Sen. Jerry Jenezich is seeking a U.S. Senate seat and Sen. Steven Novak is running for the Fourth Congressional District seat. Their decisions to leave the Senate were announced a few weeks after the end of the Legislative Session. Sen. Paula Hanson's announcement to not seek reelection came too late for an interview for this article.



Photo by Andrea Gordon Murrill

# Alternative and complementary care:

## Striking a balance between consumer choice and consumer protection

by Christopher Cullen

In a right-hand drawer of the stately wooden desk in room G-9 of the Capitol, Sen. Twyla Ring (DFL-North Branch) keeps an overstuffed manilla folder labeled “Consumer Driven” ready for quick procurement. The folder contains more than 80 letters in support of S.F. 689, the Complementary and Alternative Health Care Freedom of Access Act. The bill is unique for a freshman Senator. “Usually freshman senators get departmental and agency bills, all of which easily pass,” said Ring. “For this bill, I needed to polish up my marketing skills and try to address people’s concerns.” The bill establishes the Office of Unlicensed Complementary and Alternative Health Care Practice in the Department of Health (DOH) to both serve as a clearing house

for information on practices and practitioners and to take action against complementary and alternative health care practitioners for violations of rules against prohibited conduct.

Statistics from the National Institutes of Health (NIH) show that 40 percent of United States citizens used some form of complementary or alternative medicine in 1997, exceeding \$21.2 billion in total spending. According to a study conducted by the DOH in 1998, Minnesota alone is home to about 3,000 complementary and alternative health care workers. Despite the prolific usage of practices listed in the bill, such as anthroposophy, ayurveda, cranial sacral therapy, Gerson therapy, non-diagnostic iridology, and Qi Gong energy healing, many people are unfamiliar with them. The practices range from ancient traditions to a closely watched diet.

Ayurveda, originating in India more than 5,000 years ago, encourages attention to balance in one’s life, right thinking, diet and the use of herbs. Anthroposophy is a path of knowledge to guide the spiritual in the human being to the spiritual in the universe. Cranial Sacral Therapy uses gentle movements to unlock tension and relieve pain. Gerson therapy combines an organic diet with coffee enemas. Qi Gong refers to a group of exercises that improve health and longevity. Less esoteric practices such as acupuncture, aroma therapy, homeopathy, and massage therapy are also included in the bill.

When describing complementary and alternative care, Sen. Michelle Fischbach (R-Paynesville), a co-author of the bill, explains that it is “not necessarily the kind of treatment that you think of when people say medical

care; it's not the mainstream medical care that an M.D. offers." The bill states that surgery, X-rays, using controlled substances, dispensing drugs, puncturing the skin, setting fractures, and using medical devices do not qualify as complementary and alternative medicine.

Under the bill, the Office of Unlicensed Complementary and Alternative Health Care Practice is to investigate complaints and take action against complementary and alternative health care practitioners for violations of prohibited conduct rules. Violations defined in the bill include not obtaining informed consent from clients, false advertising, showing a willful disregard for a patient's health, having sexual relations with a client, and being mentally incompetent. The office has the authority to impose a civil penalty of up to \$10,000 and the authority to revoke the privilege to practice. "These powers are very critical in light of the widespread usage of such practices," said Ring.

"This issue has been around for quite a number of years," said Sen. Don Samuelson (DFL-Brainerd), when speaking of his motivation for co-authoring the bill. "More and more people are choosing alternative practices, and those in the medical profession, including physicians, are showing support for them as well." Samuelson mentioned that traditional medical establishments have begun to incorporate complementary practices into their programs. The Alternative Medicine Clinic of Hennepin County, the recently established Center for Spirituality and Healing at the University of Minnesota, Twin Cities, and curricula at the University of Minnesota, Duluth, the University of Texas, Houston, and Stanford are a few examples. Samuelson echoed Ring and said that as these practices become more widely used, "we need governmental oversight. This new office in the DOH, with investigative and disciplinary powers all the way to civil action, will provide that."

In Paynesville, where Fischbach lives, a complementary and alternative health care clinic recently opened. The complementary clinic, directed by a medical doctor from a conventional clinic, features chiropractic and natural medicine. "Some medical doctors are willing to embrace and see value in

complementary practices," she said. Fischbach views the services offered by the second clinic as a new voice to accompany traditional health care. "It says, 'let's treat the whole person and make the whole person healthy.'" She added, "I have never met an alternative care provider who did not say that there is a place for medical doctors. What regular doctors offer is much different than what one would find in a complementary clinic." Fischbach stresses that there is a need for conventional medicine, but "as I see it, they can all work together."

Fischbach said that for her, supporting the bill is an issue of letting people seek the kind of care that they want. She is a frequent patron of chiropractors, whose legitimacy was once heavily questioned. "I see a chiropractor at least once a month for back trouble," she said. "A regular medical doctor gave me muscle relaxers to combat discomfort, but should I be on a muscle relaxer every time I have back pain?" She said that,

whereas muscle relaxers cause her to feel drowsy and slightly inattentive, chiropractic work eases back pain without compromising her mental or physical faculties.

Fischbach also talked about a homeopathic medication she used to effectively treat skin irritation caused by a watch. Conventional medications did not assuage the metal-induced irritation, she said. However, a co-worker of her husband gave Fischbach a green homeopathic paste in a small bottle. "It worked," she said. She compared the homeopathic remedy to now-common vitamins and garlic supplements. "A few years ago, what would people have thought?" she asked.

Having an affinity for traditional practices, which Fischbach said many of the complementary and alternative practices are, drew her to the bill as well. Previously Fischbach co-authored a bill clarifying licensure requirements for the traditional practice of midwifery. "It is only in modern times that midwives



**Sen. Twyla Ring**

Photo by David J. Oakes



**Sen. Michelle Fischbach**

have not been accepted,” she said. “Years ago midwifery was the only way to have a child, and I see a parallel between midwifery and many of these practices.”

“I lived in China for six months in 1997 while teaching English,” said Ring when recalling an event that exposed her to traditional remedies. “Because I was the toast of the party, which you always are as the foreign expert, I was presented with a little glass of something red to drink which nobody else received. I knew this meant either that the drink was expensive, or that it was a very prestigious and high honor. The liquid tasted like seawater and turned out to be turtle blood. It was a real high honor, but I had a real stomach problem after that. I went through the medicine drawer of the American teacher’s apartment and used all the Kaopectate and Pepto Bismol there was, but I did not feel any better. My mentor went off to the school nurse and returned with a little thing to chew that had an intense herbal medicine taste, and an hour later I felt better.

“I thought my recovery could have come about between the combination of the Kaopectate and the herbal nugget. Then I had a control test when I was given a glass of red liquid at a different party. I thought this was just purely coincidental, so down the hatch it went. It was turtle blood again, and I went home not feeling very well at all. I took

one of the herbal nuggets and felt better in very little time. We consider these practices nontraditional in the United States, but in other parts of the world they are very traditional.”

The bill that the freshman Senator chose to cut her teeth on has an extensive history. On Feb. 11, 1999, former Sen. Steven Morse (DFL-Dakota) introduced S.F. 689 on the Senate floor. The first draft, modeled after statutes regulating unlicensed mental health workers, established protections and a right to practice for complementary and alternative health care workers under the DOH’s authority. The bill’s first draft did not allow civil action to be brought against an unlicensed complementary or alternative health care provider unless informed consent was not obtained from the patient or the treatment caused the patient harm. Also, criminal charges for practicing medicine without a license could not be brought against complementary and alternative health care practitioners. The bill was referred to the Health and Family Security Committee, where it remained through three authors.

The late Sen. Janet Johnson became the bill’s author on Mar. 11, 1999, after Morse resigned from the Senate to become an assistant commissioner in the Department of Natural Resources. Concerns about state legitimization of unregulated practices and conflicts with the Board of Medical Practice prevented the bill from leaving the committee. That year Johnson was diagnosed with brain cancer in late June, and passed away in August.

With a long history of public service that includes school board and local government positions, Twyla Ring came to the Senate after a special election on Nov. 2, 1999. “I was encouraged to run for office by Janet Johnson’s family and good friends,” she said. Ring and Johnson, long time friends, were “on the same page philosophically, so I promised that if I was elected, I would continue Janet’s work.”

What was introduced on Feb. 11, 1999, and what Governor Jesse Ventura signed into law on May 4, 2000, differ considerably. Critics of the original bill voiced concerns about consumer protection. Because the original bill established a narrow list of situations allowing a client to seek damages, the medical community raised strong

concerns about what effects the protections for complementary and alternative care practitioners in the original bill would have on patients. Whereas licensed medical professionals receive six or more years of education to develop an understanding of the human body, practitioners without state-regulated education would receive state protection. The final legislation focuses on consumer protection while allowing complementary and alternative care practitioners to continue their services in Minnesota.

“I could not support the original bill,” said Sen. Sheila Kiscaden (R-Rochester). However, Kiscaden placed Ring’s revised legislation in H.F. 3839, a bill Kiscaden authored modifying provisions for speech-language pathologists, audiologists, unlicensed mental health practitioners, and hearing aid dispensers.

Reaching the compromise that was adopted by the conference committee was a laborious process. “I thought I was going to hit the ground running when first taking office,” Ring said, “but the system is complicated; I was overwhelmed. Now I am just starting to figure out how all of this works, and it is really quite fascinating.”

Ring threw the original legislation out and placed the idea of complementary and alternative health care on the table for discussion. “[The idea] was



**Sen. Don Samuelson**



***A client receives a therapy session from Jeanne Martin Cherner, a Qi Gong energy healing practitioner.***

indeed chewed up and spit out on both sides [of the Legislature], and now we have a stronger bill that even the medical community is comfortable with," said Ring. After hearings in the Judiciary Committee, the Governmental Operations and Veterans Committee, eight hours of debate in the House's Civil Law Committee, two hearings in the Health and Family Security Committee, debate on the floor of both legislative bodies, and conversations with the DOH, the Board of Medical Practice, and the Alliance of Natural Health, an agreement was reached.

Currently, people with concerns about complementary and alternative practices are advised to call the Board of Medical Practice. When the legislation takes effect this year, not only will clients of complementary and alternative health care practitioners be presented with a disclosure form explaining their rights and the qualifications of the practitioner, but they will also have a formal process at their disposal to

investigate infringements of those rights. The disclosure statement to clients must include: "THE STATE OF MINNESOTA HAS NOT ADOPTED ANY EDUCATIONAL AND TRAINING STANDARDS FOR UNLICENSED COMPLEMENTARY AND ALTERNATIVE HEALTH CARE PRACTITIONERS. THIS STATEMENT OF CREDENTIALS IS FOR INFORMATION PURPOSES ONLY."

On a fiscal note prepared for the bill, the DOH projected 275 calls to the Office of Unlicensed Complementary and Alternative Care annually, "which I thought was a little heavy," said Ring. Robert Leech, executive director of the Board of Medical Practice, said that in the past 12 years, the board has documented only 10 calls pertaining to complementary and alternative health care workers. Of those calls, Leech said, the majority were from people who felt that a loved one was engaging in something strange.

Having no predecessor to the newly

created office, DOH analysts based the number of projected calls on those concerning unlicensed mental health workers. Because massage therapists compose roughly two thirds of the complementary health care practitioners in the state, Ring surmises that a substantial amount of the calls placed to the office will relate to suspected prostitution fronts, rather than the violations under her bill. These conjectures will be tested when the DOH, as mandated by the legislation, reports back to the Legislature on Jan. 1, 2003. The report must detail the number of calls it received, the progress of any complementary and alternative health care related cases in court, the success of those cases, and their cost.

Both Kiscaden and Ring lauded the bicameral structure of the Legislature for bringing an improved bill to fruition. Kiscaden said the result is "really indicative of a bill that shows the strong points of a bicameral system." "The Senate and House, with their different



**Sen. Allan Spear**

Photos by David J. Oakes

committee make-ups, different outlooks, and different amendments, picked up on different things,” Ring said. With good reason, Ring believes that the bipartisan cooperation that crafted the bill would not have taken place in a unicameral system. Not only does Ring cite the extra number of committees as a positive influence of the bicameral structure, but she also said that power is distributed more evenly between political parties. “In a unicameral structure we would end up with a one party system,” she said. Currently, the Senate holds a Democratic majority and the House holds a Republican majority. With this division of influence, both parties have ample opportunity to discuss a bill.

“This bill provides a comfort level for consumers,” Ring said. Because Minnesota is one of the first states to have such legislation, Ring said that potential frauds will likely relocate outside of the state. Ring calls the measure “consumer protection with freedom of access.” She said, “We do not need a lot of government intervention, but we do need some kind of oversight to protect the public.”

“This bill also allows practitioners to practice complementary and alternative health care without fear of practicing medicine without a license,” said Ring. In order to satisfy concerns from the Board of Medical Practice and other medical organizations, the Legislature excluded complementary and alternative practitioners from the jurisdiction of the body in the DOH that oversees conventional medical practitioners. Ring said that the new Office of Unlicensed Complementary and Alternative Health Care has no relation to other established health boards, which retain complete jurisdiction over their own practitioners.

“What I am trying to do with this bill is address people’s fears of the quacksters,” Ring said. “I liken this legislation to a situation where I am a robber going down the street to steal a car. Am I going to stop at the car with a “Club” on the steering wheel and an alarm that turns the lights on when you touch the door? No, I am going to go to an easier take.” She explained that the formal complaint and investigation process in the bill offers protection to those seeking complementary and

alternative care by providing a deterrent to potential fraudulent practitioners. “With this bill the quacksters are going to fly so fast out of this state to some state without these protections, that they will leave a trail of feathers.”

Ring said that as of now, people have very little objective information about complementary and alternative health care practices. “With this legislation,” she said, “the Department of Health will have a clearing house of information for consumers.” Nevertheless, she said, there are no significant reports to date of consumers being wronged by alternative care practitioners.

Whereas proponents of the bill view the measure as a tool for ridding Minnesota of quacks and providing consumers with a choice in health care, Sen. Allan Spear (DFL-Mpls.) sees the same legislation as giving questionable practices a state sanctioned legitimacy. “What I generally object to in the bill,” Spear said, “though it is not specifically a licensing bill, is that the measure does at least implicitly put a state imprimatur on medical practices that, to put it kindly, are of unproven benefit.” Spear said that by establishing a formal process to oversee misuse of complementary and alternative practices, the state implies that a legitimacy to the practices exists. “We are basically saying that if people go to these quacks and they have some grievance, then the state of Minnesota is going to provide some mechanism for dealing with that as though this was a legitimate thing to do in the first place,” said Spear.

What is most frightening to Spear is the list of practices covered by the bill. “Some of them are just pure quackery” he said. Spear cites a few of the practices listed in the bill as having proven efficacy, such as acupressure and massage therapy, but holds reservations for practices like anthroposophy and ayurveda. Spear argues that the bill is a springboard for further requests from complementary and alternative medicine practitioners to expand the list of acceptable practices. “There are people advocating for this bill saying that this is modest, this is not licensing, we are not specifically authorizing them or setting up a scope of practice, but I would suggest that once you pass this bill, [further requests] are going to be coming next. I have watched this happen with

chiropractics.” Although chiropractors were licensed before Spear took office, since that time requests have been made every year by chiropractors to the Legislature for privileges such as third party payments, inclusion in HMOs, an expanded scope of practice, and the authority to draw blood.

“I am not suggesting that we will be having aroma therapists performing brain surgery within the next couple of years, but I will suggest that within the next couple of years you are going to see people coming in asking for third party payments and wanting to be covered by insurance policies.” Kiscaden said that complementary and alternative health care practitioners are opposed to having minimum competency requirements, a criterion for receiving third party payments.

Supporters of the bill argue that because of the widespread use of complementary and alternative practices, some form of consumer protection should be offered. Unlike the bulging folder containing letters of support for the measure, Ring says that she does not have anything comparable in opposition. “I received a lot more letters on this than I did on the Profile of Learning, and they were so one sided,” she said. Whereas Samuelson said that he has not received prominent constituent response about the issue, he added that “if people were opposed, I certainly would have heard from them.”

“Many people explained in their letters that if all they were doing was extending dying instead of extending living [with conventional medical practices], then they wanted to try something else,” said Ring. Ring said that a number of people she knows have used alternative treatments for cancer and been satisfied with the results. “I have people call me who are cured. It is not government’s job to say you cannot choose that. Opposition to this bill did not come from people, it came from doctors and the medical institutions.” The measure explicitly states that complementary and alternative practitioners are not allowed to make a medical diagnosis, she said, “that’s where ‘complementary’ comes in.”

Spear expressed a different sentiment. “I believe that some of the greatest progress that has been made in the world over the last couple of hundred years has been made in the field

of medical science. It has come through the scientific method, which involves testing and experimentation. It seems to me, that at a point when we have so many kinds of scientific medical practices that our grandparents and great-grandparents would not have even dreamed of, including drugs, remedies, and diagnostic tools, that to be encouraging people to go to a bunch of alternative care practitioners is not what we as the Legislature ought to be doing.”

“I know that one of the arguments is that people are going to be doing it anyway,” Spear said, “but that does not mean that because people are doing it that we should be saying that essentially the state approves of them. I would rather have the state, instead of setting up this board, become involved in educational efforts to discourage people from going to these healers. I do not want to put people in jail for going to them, and I do generally believe that adults have the right to do anything they want to with their own bodies, no matter how foolish. However, at the same time, I don’t particularly want the state to encourage these practices.

Samuelson and Kiscaden agree that some legitimization of questionable medical practices may result from the establishment of a governmental body to administer a complaint process, but both agree that the benefits of consumer protection validate the state’s recognition of the practices. However, other supporters of the bill said that the measure is simply a needed response to a



**Sen. Sheila Kiscaden**

field that is already legitimized. Ring questioned the government’s role to legitimize practices that, according to a study by Allina Health Systems, two thirds of Minnesota families already use. “The government does not have to legitimize these practices,” she said. “What the government has to do is secure for people informed consent to participate in these practices, mandate fee notification, explain what constitutes fraud, and provide someone people can go to if they feel they have been defrauded. As of now, they don’t know where to go.”

In Fischbach’s view, what legitimization may take place will be the result of practitioners whose efficacy is proven because they are not affected by the legislation. She said that the bill provides protection from the obvious hoaxes, giving the example of healers who claim to pull tumors bloodlessly from a stomach. Concerning other practices, she said “If we legitimize them, so we are legitimizing them. What is not legitimate about helping people take vitamins and offering them relief from their ills in a more natural way? We are not licensing nor registering complementary practitioners.” Fischbach agrees that consumer protection outweighs any of the arguments about legitimation.

“I feel very comfortable with the bill,” Ring said. She added that not only is the Board of Medical Practice no longer in opposition to the legislation, but the Board of Chiropractic Care and the Board of Holistic Nurses are also in support of the measure. With the measure honed, Ring is excited for its implementation, and ready to accept all responses. “Let’s get this off the ground, let it run for a couple of years and see what happens. If this legislation ends up to be a huge problem in the state of Minnesota, I will be the first one to introduce legislation to say no, forget it, but I do not think that is going to happen.”

“Right now there is no disclosure to consumers at all,” Ring said. “This bill gives people an opportunity to see a written document that says the state does not license or certify these practices, describes the provider’s area of expertise and how he or she is purported to achieve that, explains what constitutes fraud and harm, and provides instructions for how and where to complain about services.”



*Patty Wetterling (left), mother of Jacob Wetterling, Pam Poirier (center), mother of Katie Poirier, and Connie Larson (right), mother of Cally Jo Larson, all gave input to the Abduction Task Force resulting from their experiences with the criminal justice system when their children were abducted.*

Photo by David J. Oakes

# New predatory offender laws spurred by Abduction Task Force

by Terri Mozzone

At the close of the 1999 Legislative Session, Sen. Becky Lourey (DFL-Kerrick), prepared for a flight to Alaska. Her daughter was about to give birth, and Lourey planned to arrive in time for the event. As Lourey's flight headed North, another mother waited for her 19-year-old daughter to return from her clerk's job at DJ's Conoco convenience

store in Moose Lake. When young Katie did not return, her family contacted authorities, beginning a chain reaction that would involve police investigators, Legislators, the FBI, rescue personnel, concerned citizens, friends, neighbors and family.

On the day following her arrival in Alaska, Lourey received a phone call informing her that one of her constituents, Katie Poirier, had been abducted

from a business in Lourey's district. "I started working from Alaska," Lourey said, "trying to find out what was going on." She spoke with a member of the Poirier family and phoned the FBI. Lourey soon learned that the surveillance camera in the store where Katie worked contained an image of the abductor, but the image was unclear. She learned that the FBI was bringing in an expert from NASA because it was

hoped that NASA's advanced camera technology could improve the quality of the image—but it didn't. Bob Harvey, an FBI investigator, told Lourey that convenience store cameras provide notoriously poor images, making a visual identification almost impossible.

In the meantime, Katie's grandfather, Lloyd Simich, was busy organizing a volunteer search team, while the Department of Natural Resources (DNR) assembled forestry department firefighters who were trained in search and rescue operations. Minnesota news stations began airing nightly broadcasts showing rescue workers and volunteers systematically scouring the landscape for clues to Katie's whereabouts. Lourey said that when she returned from Alaska, she joined the search team. Others involved in the rescue effort started coming to her, distressed about various gaps they noticed in the investigative process. Lourey said that during this phase of the search, "Someone from the Bureau of Criminal Apprehension (BCA) told me that they'd found many people living in my district who were sexual offenders not living in accordance with the conditions of their release—not living where they were supposed to be living."

"There was a hope that Katie was kept alive somewhere, because the site had been identified," according to Lourey. "It was important to keep the firefighters hunting in case she was still alive—but they had completely lost funding," she said. The DNR was already underfunded and the agency was using money reserved for unfilled staff positions, but then that money also ran out. The first two phases of the search had already cost the DNR \$150,000. The search crews were exhausted, and in order to gain approval for more funding, Lourey was told that the appropriate agency to contact was the Legislative Advisory Commission (LAC). From them, she learned that the DNR is frequently used for search and rescue efforts, but they don't have funding for it. Lourey said she was determined that the DNR be provided more support. She obtained LAC approval for more funding, and the official search effort continued.

While anxiously searching through woods and fields, Lourey kept notes on scraps of paper, pocketing names and suggestions from everyone who offered

them. After dark, back in her Senate office, Lourey said she spread the bits of paper out across her floor, attempting to categorize the issues. As patterns of inquiry began to emerge, Lourey called the Senate legal and research staff, and every interested person who had called or written her, who were thinking about issues that had surfaced since the Poirier abduction. Undaunted when told by someone that she was out of her league, Lourey found a meeting room and called the group—soon recognized as the Katie

Poirier Abduction Task Force—to hold its first meeting. The diverse mix of concerned citizens, policy makers and public safety officials gathered to begin brainstorming. It was soon determined that there were five primary issues to address, so the group divided into five subcommittees. Their issues consisted of the criminal records system; crime statutes; sex offender tracking; prevention; costs to local agencies for search and rescue efforts; and the safety of convenience store workers.



**Sen. Becky Lourey**

Photo by David J. Oakes

After a few meetings, “the mothers,” Patty Wetterling (mother of Jacob Wetterling) and Connie Larson (mother of Cally Jo Larson), joined the task force. Pam Poirier was unable to attend the regular meetings, but, “she really validated the work,” Lourey said. “One day,” Lourey continued, “Connie came along and she said she felt so good because she would lie awake at night and see it all so clearly.” Lourey explained that because of Connie’s loss of her daughter, she had experienced the way things work in the system, and could clearly envision what the task force needed to accomplish. “She just dug in and kept working,” Lourey said.

Sen. Jane Ranum (DFL-Mpls.), chair of the Senate Judiciary Committee, said that when she learned that Lourey’s group had divided into subcommittees—and that one of the issues they had identified was the criminal justice information system—she approached Lourey. “When I learned of the incredible work that Becky Lourey had undertaken in her community. . . trying to make some good come out of the horror up there, I encouraged her to think about inviting Dale Good, research and information technologies director from the Supreme Court, to make a presentation to the task force,” Ranum said. Lourey did invite Good to speak before the task force, and his presentation underscored the immediate need to address the inadequate information system. He explained that rather than providing links between the various elements of law enforcement, what the state has instead are independent “silos” of information.

Ranum, a seasoned prosecuting attorney, was well aware of deficiencies in the criminal justice information system. She had been working on the issue since 1992, during which time the Supreme Court administrator, the commissioner of Public Safety, the executive director of the Sentencing Guidelines Commission and a representative from the Department of Corrections visited her to discuss the need for revamping the information system. According to Ranum, Tom Frost, another prosecutor who had worked with Ranum in the past, “really got it.” “He, like me, understood the importance of having good information from the BCA—and the ability to share it and collect it so that other units of govern-



**Sen. Jane Ranum**

Photo by David J. Oakes

ment can use it,” Ranum said. She stressed that information is only as good as the quality of the input. The group of public officials asked Ranum to offer legislation that would create a task force to do background research to determine how many criminal justice agencies were collecting data and what kinds of problems existed. In 1993, once the Legislature learned the extent of the

deficiencies in the system, it appropriated money to fund the task force.

Prior to that time, Ranum said she was stunned when she first came to this area and found that despite our immersion in this technological age, “Corrections couldn’t even give me information about an offender’s probation record.”

She soon determined that although fifteen or twenty years-worth of informa-

tion had been fed into computers, information had been collected to function operationally, for the purpose of serving a single entity, without consideration for how to share the data with other entities. She discovered that the criminal justice agencies across all three branches of government do not have the information needed to consistently track, adjudicate and incarcerate offenders. According to Ranum, there are 1,100 independent agencies that either supply or utilize criminal justice information, but each does not have a complete record of the offender. Even the language entered into the systems varied from place to place. Ranum said the term "criminal sexual conduct," for example, "meant different things to different agencies; it was apples, oranges, peanuts, tangerines . . . there was no consistency." She continued, "Citizens assume that we have this basic information, but we don't."

In Minnesota alone, there are more than 140,000 missing convictions from the database. "Because we were collecting fingerprints in the old fashioned way, we had a backlog of convictions with not enough staff to input the data," Ranum said. The state of Minnesota is not unusual in its technological information deficiencies, according to Ranum, "Our information has been fed to the F.B.I., and we have ongoing discussions at the federal level—other states are still trying to come to terms with the state level." Ranum added, "The problem with Minnesota is that we have so many more challenges because most states aren't as decentralized as we are."

The legislative task force came up with a report that included specific recommendations concerning how to begin improving the system. "One recommendation to the Legislature was to make as part of a formalized structure, the criminal and juvenile informational policy group, which up until then had been made up of the commissioner of Public Safety, the commissioner of Corrections, the head of the Sentencing Guidelines Commission and the State Court administrator," said Ranum. She added, "Those are the four entities that have to work together and are the repository of information coming from lower levels of government." Ranum continued, "So since 1993, I have authored legislation that was based on their recommendations on how the state

could move forward to distribute better criminal justice information." Ranum was also the first Legislator to offer legislation for keeping better juvenile data, since those doing prosecution work were aware that offenders first enter the system as juveniles—that's when they commit their first crimes and that's when intervention efforts could begin.

The task force members came to the realization that they were addressing problems at the state level, but "If they were not fed appropriate information from the grass roots level—the suppliers of information—then sadly, you get the kind of situation experienced in the Katie Poirier tragedy," said Ranum. Katie Poirier's alleged killer had six prior criminal convictions, including criminal sexual offense, aggravated assault and kidnaping. It's not unusual for serious offenders to use aliases, relocate and to change their appearance, making tracking difficult.

The real momentum for improving the criminal justice information system occurred in the spring of 1999, after the Minnesota HEALS group (Hope, Education, Law and Safety) had mobilized in response to the mid-1990's crime epidemic in Minneapolis— or Murderapolis as it was referred to in a *New York Times* article. HEALS was comprised of business leaders from Honeywell, General Mills and other big Minneapolis business concerns who feared that the violence would seriously impair the business climate. They collaborated with government, community, law enforcement and business to support strategies to reduce crime and violence.

The HEALS group systematically approached the crime problem, questioning why crime had gotten so out of hand and what could be done about it. Ranum told a member of the HEALS group that if they really wanted to improve the crime situation, they needed to target the inadequate criminal justice information system. She was asked to present her case to the HEALS group. Ranum invited a member from the House and Dale Good to accompany her. Good had the ability, according to Ranum, "To translate the geeky part of technology, in addition to being a very fine policy thinker."

Ranum told the HEALS group that the most valuable contribution they could make would involve lending their

corporate-world technology expertise to government. In her appeal, Ranum told the group that those in the corporate world had the capability to make their computers talk to one another and to merge large and diverse quantities of information—existing technology that the criminal justice system lacked. She explained that government needed their partnership for guidance and to provide Legislators with realistic cost estimates. Together, Ranum and the others came up with a legislative proposal.

Hennepin County was identified as an appropriate pilot project location because of its size and complexity. If problems and barriers could be identified in the county, the information system, called CriMNet, could be refined and expanded. Sen. David Knutson (R-Burnsville) authored a bill to follow the Hennepin County project with a pilot project in Dakota County to test how well the system could be adapted to a different location. Many Legislators were concerned about the high overall costs involved, and wanted to pre-empt potential problems by thoroughly testing the system before expanding to a statewide network. Ranum continued, "Last year we passed a bill that provides planning dollars for the state blueprint." Once the blueprint was ready, Ranum and her supporters requested \$15 million for a first installment, to signal that the critical time to act had come. By this time, Ranum had incorporated a recommendation from the Katie Poirier Task Force, proposing to ease the state's financial burden by requiring that counties pay up to half the cost of the technology infrastructure improvements.

The statewide plan, outlined in Ranum's bill, includes the purchase and distribution of electronic fingerprint equipment to identify offenders and enable access to their records via the BCA within two hours and the purchase of photo imaging equipment to supplement the information from fingerprinting. Without fingerprinting equipment made available throughout the state, offenders are aware that they can simply change their names in order to circumvent recognition by means of criminal records. Photo imaging offers quick identification and in some cases, the only source of identification for offenders not fingerprinted, including those convicted of lesser charges. The project upgrades and expands the existing data



**Sen. David Knutson**

Photo by David J. Oakes

network to a higher capacity, building on the statewide network established by the Department of Administration. It also integrates Hennepin County into a

statewide probation system to provide immediate status reports of every person on probation, parole or supervised release in Minnesota, and rebuilds the

court system's outdated information databases so they can exchange information with other criminal justice agencies.

Targeting crime from another angle, Sen. Ember Junge (DFL-New Hope) concentrated efforts on a measure to expand and modify the predatory sex offender registration law. Junge said, "Predatory sex offenders are difficult to rehabilitate, so we must keep track of them—I want to do everything we can to prevent this from happening again," said Junge, in reference to the Poirier abduction. Junge said she learned from an earlier case, that the first two hours following an abduction are critical, stating, "If you can't get the information about sex offenders immediately, it could mean the difference between life and death."

Junge's involvement was fostered by her collaboration with another family whose child was abducted and murdered. Junge said that following the death of Grant Hussey a few years ago, she felt a strong bond with the parents who worked with her at that time, to push legislation for the statewide Crime-Fax Network, a system designed for the purpose of disseminating information about crime and criminal suspects. Junge said, "I learned so much from them about the trauma in these situations," adding, "so when Katie was abducted, I volunteered and went to search with the team, the DNR agents and people from all over."

Becky Lourey phoned Junge and requested that she become a member of the Katie Poirier Task Force, which Junge eagerly accepted. Junge said, "It had an incredible affect on me—the overwhelming response from the community, from people who didn't know one another—coming together from Wisconsin and all over, to search for someone they'd never met." Junge said she worked with Pine County Sheriff Steve Haavisto, to put together some of the criminal statute changes. Junge said, "Our mission was to improve the tools for tracking sex offenders and to fund these changes appropriately." Working with the task force, Junge and others also developed ways to strengthen penalties.

Haavisto told Senators at a Crime Prevention Committee meeting that during the Katie Poirier investigation, officials located and questioned sex offenders who had moved into the area

from out of state and had failed to register as sex offenders in Minnesota. Haavisto said there are approximately 9,400 sex offenders currently registered in Minnesota. Connie Larson also testified, stating that during the investigation of her daughter's murder, she had asked the BCA for a list of convicted sex offenders and found that in her five or six county area, approximately 40 percent of the convicted sex offenders had failed to register. Larson also emphasized the need for an immediate response in this type of crime situation, and the need for better tracking and for sex offender release community notification.

Junge continued, "When Cally Jo Larson was killed in Waseca, police knocked on the doors of all the sex offenders who were registered in Southern Minnesota, but found that only one out of three offenders was living at the address they were registered under—obviously, the previous law we passed wasn't working."

Junge credits the victims' mothers for steadfastly working to close gaps in the law, stating, "We were able to strengthen the tools to track offenders and adequately fund these changes for the first time—and perhaps, of even more significance, to begin the path to the criminal justice integration system, she said. Junge said that interested legislators, like Ranum, had been trying for nearly a decade to get funding for computer integration, "But that just doesn't get the interest of the public; so for ten years we struggled because we knew we needed to do this, but we couldn't get the Legislature to listen," she said. "But these mothers got their attention," according to Junge, who added, "They put a human face on this issue."

Junge said, "Regretfully, sometimes it takes a tragedy, like the Katie Poirier case, to get the Legislature to do what we should have been doing all along—that's what happened here." According to Junge, "We had not adequately funded the BCA and the Department of Corrections to track sex offenders." Junge said that the Legislature passed a sex offender registration law years ago, but did not adequately fund it. "Also," she said, "there were still gaps in the law and the penalties needed to be strengthened."

Knutson agreed with Junge, and said

he advocated stronger penalties. He said, "the BCA needs to be fully funded in order to provide the best service possible," adding that, "The BCA is an

absolutely necessary part of the overall plan—it's especially important for the lab work that they do." In addition to maintaining the sex offender registry and



**Sen. Ember Junge**

Photo by David J. Oakes

other crime files, the BCA investigative services include a science lab that conducts state-of-the-art DNA testing, fingerprint analysis, photo-analysis, chemical testing and other forensic services. This year's bonding bill, H.F. 4078, contained an appropriation of \$58 million for the construction, furnishing and equipping of a new technologically-enhanced BCA building for lab and office space. The current facility was built in the 1970's for use as a bus garage.

The Katie Poirier Task Force outlined six recommendations that were incorporated into Junge's bill. The bill includes provisions for appropriating funds to improve the Sex Offender Registry and the Missing Persons Clearinghouse, increase the maximum criminal penalty for violating the predatory offender registration law and provide a minimum prison sentence for non-compliance violations—raising the sentence from gross misdemeanor to a mandatory felony for registration non-compliance. A provision requires a

lifetime registration for certain predatory offenders and requires that offenders register the addresses of secondary residences and recreational property, in addition to providing that driving records indicate information about predatory offenders. Another provision restricts courts from granting name changes to convicted felons and prohibits felons from using a different surname following marriage, marriage dissolution or legal separations. Junge's bill appropriates \$1.2 million for computer systems design, connection to the National Sex Offender Registry, software development and positions for clerical and professional costs. An additional appropriation of \$162,000 is provided for correctional costs, to increase the number of probation officers and staff to manage intensive supervision release caseloads. "My portion from the task force regarding sex offender registration law merged with Ranum's portion, along with Lourey's and others, and we merged it into one final bill," said Junge.

Lourey said, "The day before the big

press conference, I lost all my House authors because House Speaker Steve Sviggum (R-Kenyon) said we couldn't spend any money." According to Lourey, "I also needed authors for the local reimbursement bill." The local reimbursement bill requires the state to take over payment of public defenders for expert witness costs, which relieves counties from adding the cost to property taxes.

The other piece of the bill included search and rescue funding for the DNR. "Rep. Dave Bishop (R-Rochester) was a hero," said Lourey. "He came to the press conference with Katie's grandfather and he volunteered to carry the bills," she said, adding, "Bishop also got funding for additional probation officers." Junge's bill also needed sponsorship in the House, and, Lourey said, "The authors I had for them were nervous because of the House Majority Caucus position." Lourey said, "My feeling was that we needed the strongest authors in the Senate and House to introduce these bills. More importantly, if I spread this out with the strongest people carrying the legislation, then it becomes a non-partisan, legislative-wide agenda."

Despite Lourey's hard work, the bill she authored to protect the safety of convenience store workers encountered major obstacles. The bill provided a tax credit for convenience stores, equal to fifty percent of the cost of purchasing and installing specified minimum-standard video security equipment. Lourey said she felt the bill was a particularly important piece of crime prevention legislation, since convenience stores are subject to a disproportionately large number of violent crimes, and quality images would not only help to identify offenders, but would help to deter crime. Originally, the bill included a provision requiring one of the following: the installation of bullet proof glass enclosures to protect convenience store clerks, the employment of at least two persons working in convenience stores between the hours of eleven o'clock in the evening until five o'clock in the morning, or keeping the store locked and transacting business only through an indirect pass-through, trap door or window. Other provisions included the requirement that convenience stores install height markers at the entrance of the store (where security



**A tax credit for convenience stores that install security cameras of at least a specified minimum standard was one of several legislative proposals to address the issue of convenience store worker safety. The provision was adopted by the Senate but failed in the omnibus tax bill conference committee.**  
Photo by Andrea Gordon Murrill

cameras are aimed), and a silent alarm to a law enforcement or a private security agency. The Commerce Committee, concerned that the provisions would put too heavy a burden on businesses, voted to keep only the camera-related portion of the bill. Lourey said that a member of the Minnesota Petroleum Marketers Association was on the convenience store task force, and that his organization opposed the legislation. Nevertheless, according to Lourey, "He did surveys that revealed all sorts of things, and worked on compromise language for the bill." The bill later died, however, in conference committee, having passed in the Senate by a 59-3 vote. Lourey said she has no intention of giving up on the convenience store safety issue.

Lourey's resolve to provide state DNR funding for emergency search and rescue personnel materialized in the form of a bill carried by Sen. Randy Kelly (DFL-St. Paul), chair of the Crime Prevention and Judiciary Budget Division. The bill had a fiscal note of \$193,000 to cover costs related to emergency search and rescue operations. The measure grants the commissioner of natural resources the authority to use trained forest wildfire fighting personnel when assistance is requested by another emergency response agency. Under the bill, the superintendent of the BCA and the commissioner of natural resources are authorized to develop criteria for determining the types of search and rescue projects subject to consideration for the appropriation. The bill passed the Senate, but the House version of the bill died in committee. The bill was amended into the DNR omnibus appropriations bill and finally repassed in the Senate and passed in the House during the final days of the Session.

One of the "softer" recommendations by the Katie Poirier Task Force involved legislation to address preventative initiatives. For years, Sen. Pat Piper (DFL-Austin), chair of the Family and Early Childhood Education Budget Division, has cited the overwhelming connection between poor or insufficient early childhood care and the development of criminal propensities. Piper continually emphasizes the importance of providing quality early childhood care and learning programs to prevent high risk children, in particular, from developing poor self esteem. In support of this philosophy and the task force

recommendation, Sen. John Hottinger (DFL-Mankato) authored a bill to create a state prevention council for the purpose of developing a state strategy to ensure that all children and their families have access to comprehensive high quality early childhood development and family support services and resources. From a cost perspective, Piper and others have maintained that it is less expensive to prevent crime, than to prosecute and house criminals—and that personal and societal savings are monumental. Despite the potential long-term benefits, Hottinger's bill died in both Senate and House committees.

Senate Republicans were praised for their strong support of the Poirier bill. According to Ranum, "This isn't a partisan issue—and we need bipartisan support." Republicans chose to emphasize tighter sentencing over other measures. Knutson said that what Republicans tried to establish on the Senate Floor was that it made more sense to tighten the penalties for those offenders who were known to have committed serious crimes, rather than setting a minimum two-year prison term for predatory offenders who fail to comply with registration laws, as Junge's bill proposed. Knutson said, "It makes more sense to change sentencing laws and to keep those already identified as serious offenders in prison." He said, "We needed to provide proportionate sentences relative to the crime committed."

Knutson referred to an amendment by Sen. Claire Robling (R-Prior Lake), which was adopted on the Senate Floor, to increase the minimum penalties for various degrees of sexual misconduct. Sen. Thomas Neuville (R-Northfield) said at the time, "We're disturbed that the most serious sex offenders in our state have not been facing serious penalties." Robling's amendment would have enacted a 20-year sentence for a first degree criminal sex offense and 15 years for a second degree criminal sex offense. Members sent the bill back to committee to appraise the impact on prison bed numbers. Estimates provided the committee by the Minnesota Sentencing Guidelines Commission indicated that the impact of the Robling amendment would result in the need for 4,281 additional prison beds over a 25-year time period.

The committee deleted Robling's

amendment and adopted in its place a compromise, offered by Sen. Thomas Neuville (R-Northfield), imposing a 12-year sentence for first degree sexual misconduct and a seven-year sentence for second degree criminal sexual conduct. Neuville explained at the time that he was aiming for more bipartisan support.

The Senate unanimously approved the bill, which by this time, was widely recognized as "Katie's Law." The bill appropriated a total of \$18.4 million. Prior to the bill's passage in the Senate, Ranum made an appeal to the governor, strongly urging him to sign it. The House approved a companion bill, but only approved \$7.5 million for the criminal justice information system portion—half of the amount the Senate proposed. Finally, both legislative bodies compromised on an appropriation of \$12.5 million, to provide a down payment for the integrated information system.

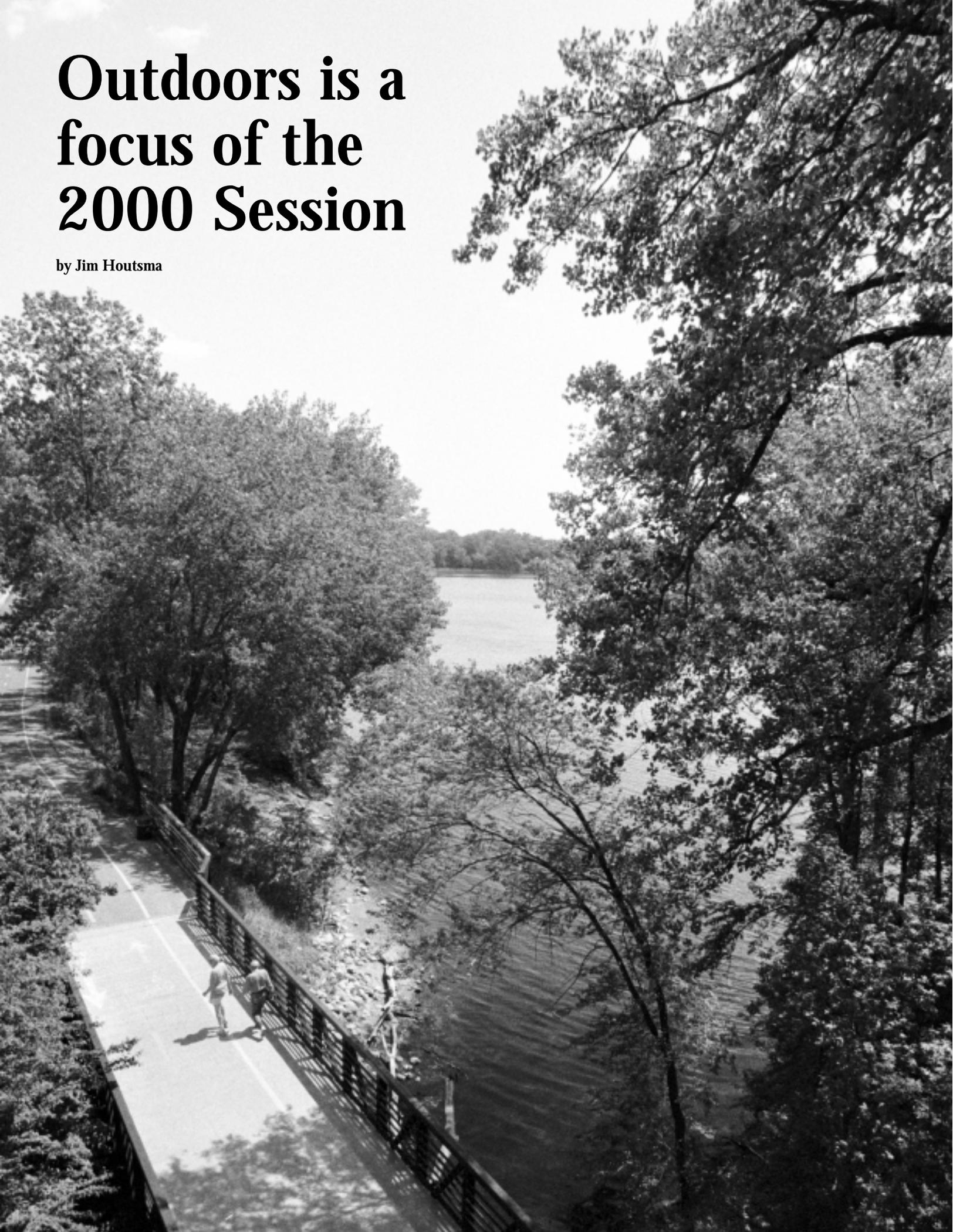
Junge said she had listened to Wendy Wustenburg early on, representing the administration at a public meeting. "And she basically said that this [the Katie Poirier crime bill] wasn't an emergency—so all along I was concerned that we weren't going to get the governor's approval." However, Lourey said that Wustenburg came to play a very integral role. "Wustenburg was very proactive and spent a lot of time in the governor's office explaining what was going on, and the need to sign the bill," according to Lourey. Ranum said she thought the "strong bipartisan support helped put the governor in a position where he had no choice but to sign it." According to Ranum, "The governor had known Patti Wetterling before he was even elected—he wasn't isolated," she said.

Finally, on April third, it was announced that Governor Ventura had signed the Katie Poirier crime bill.

Junge's response was an indication of how much remains to be done. She said, "This is just the first step in the computer system integration, it's going to take three or four more years of funding to make this happen, and to expand it from the Hennepin County project to the rest of the state." Junge added, "I've never seen such a community commitment to passing legislation as that seen every day on the task force, and it's a tribute to them that we passed it."

# Outdoors is a focus of the 2000 Session

by Jim Houtsma



Hunting, fishing, sailing, boating, paddling, hiking, biking, snowmobiling or skiing.

With lawmakers' sights set squarely on the outdoors, there was plenty in the 2000 Legislative Session for everybody who enjoys these activities.

Improvement, enhancement and protection of the environment and natural resources, and the funding mechanisms to accomplish it, were recurring themes in countless measures brought before the Legislature. Such emphasis is unprecedented in recent memory, although aspects of some of the issues have been addressed in the past. For example, the Reinvest In Minnesota (RIM) program for fishery management and wildlife improvement and conservation was established in 1986. The Environmental Trust Fund, which has funded hundreds of environment and natural resources projects using a percentage of net lottery proceeds, was created in 1988. The Legislature made non-point source ground and surface water pollution a priority in 1994 and substantial emphasis was placed on environment and natural resource improvement and conservation in the \$1 billion bonding bill of 1998.

Still, nothing compares with 2000 in scope.

"There was never more environment and natural resources initiatives introduced than in the 2000 session," said Gregory Knopff, an analyst for the Senate's environment and natural resources policy and funding committees.

Some of the significant Senate environment and natural resources measures were introduced by Sen. Jane Krentz (DFL-May Township), Sen. Pat Pariseau (R-Farmington), Sen. Jerry Janezich (DFL-Chisholm) and Sen. Bob Lessard (DFL-Int'l. Falls).

These Senators, along with Sen. Dennis Frederickson (R-New Ulm) and Sen. Steve Dille (R-Dassel), both of whom serve on the environment and natural resources policy and funding committees, agree on the reasons behind the focus in 2000. One reason is budget shortfalls experienced by the Department of Natural Resources (DNR) in recent years at the same time the department's responsibilities skyrocketed, they said. Inadequate funding has led to problems such as under-staffing and deteriorating facilities in some areas

and even a few highly publicized campground closings after Labor Day last year, they noted. Another reason is the anticipation of increasing pressure on resources as baby boomers reach retirement age and head out more frequently and in greater force to their favorite hunting and fishing spots, parks, campgrounds and trails, lawmakers said.

And, given the state's projected \$1.8 billion budget surplus, there's simply no better time than the present to address the concerns and provide both immediate and long-range funding, the Senators added.

For Krentz, the priority was first things first, such as helping the DNR's perennially underfunded fish and game programs. "We need to focus on the future, of course, but let's not lose sight of what we need to do today," said

Opposite page photo by Andrea Gordon Murrill

Krentz, who chairs the Environment and Agriculture Budget Division.

To that end, Krentz's bill, H.F. 3046, modestly raises annual hunting and fishing license fees - for the first time in years - and also appropriates more than \$8 million from the general fund to the DNR in FY 2001 for various purposes. Under the measure, the annual resident fishing license for persons under age 65 increases from \$15 to \$17 and the annual resident small game hunting license for persons under age 65 increases from \$10 to \$12. Non-resident fishing licenses increase from \$31 to \$34 and non-resident small game hunting licenses increase from \$56 to \$73. The license fee increases are expected to raise about \$6 million annually, and the bill also appropriates \$1.565 million from the general fund in 2001 to the DNR for



**Sen. Jane Krentz**

Photo by David J. Oakes

operations support, \$500,000 for expansion of the walleye stocking program, \$5.156 million for fish and wildlife management and \$825,000 for enforcement of natural resources laws.

Furthermore, to supplement traditional funding sources longer term, the measure designates in-lieu of sales tax receipts on lottery ticket sales of nearly \$25 million a year for natural resources. The measure specifies that 50 percent of the expected \$24.6 million from in-lieu of sales tax receipts must be deposited in the heritage enhancement account in the game and fish fund and may be spent only on activities that improve, enhance, or protect fish and wildlife resources, including conservation, restoration, and enhancement of

land, water and other natural resources. The other 50 percent of receipts, under the measure, must be deposited in the natural resources fund. Of that 50 percent, 22.5 percent may be spent only for state parks and trails, 22.5 percent may only be spent on Metro Area parks and trail grants, 3 percent may be spent only on local trail grants, and 2 percent may be spent only for the Minnesota Zoological Garden, the Como Park Zoo and Conservatory and the Duluth Zoo.

The license fee increases, which were based on a departmental initiative, and the general fund match were included in the omnibus supplemental spending bill passed by both the Senate and House. H.F. 3046 also had a gray wolf management plan and the in-lieu of

sales tax receipts on lottery tickets provision attached. "There was some concern at the beginning of the session that we wouldn't get the license fee increases with the general fund match," Krentz noted. "We not only got both, but the \$25 million in in-lieu of taxes as well. The license fee increases and the general fund match addressed only fish and game programs. The \$25 million goes to other programs like state parks and trails." Key to success of the legislation was the widespread support it received from a broad spectrum of groups, she said.

"Rather than each person or group fighting for their own project," she said, "we saw many diverse groups coming together with a unified voice, resulting in overwhelming support for investments in environment and natural resources such as the license fee increases, the wastewater infrastructure fund (WIF) program and the Conservation Reserve Enhancement Program (CREP)."

CREP, the three-year-old joint federal-state program which provides 2.5 federal dollars for every one state dollar to clean up the Minnesota River, also helped focus attention on the environment and natural resources this session, as did the WIF program, which helps rural communities upgrade or install wastewater treatment systems, agreed Frederickson and Dille. Frederickson's bill, S.F. 2389, appropriated \$45 million (later trimmed to \$20 million in the bonding bill) this year to the Board of Water and Soil Resources (BWSR) to continue CREP. The program pays farmers for permanent easements on flood-prone and sensitive lands in the river basin and to implement various protection and clean up projects. The federal government has designated \$163 million to purchase easements and enroll up to 100,000 acres in the popular CREP, but the money is available only until Sept. 30, 2002.

"The deadline added the incentive to deal with this specific issue during the session," Frederickson said, "and the program itself also generally helped raise awareness about other important environmental and natural resources issues." Heightened awareness and widespread support for CREP are keys to next session securing the appropriation necessary to retain federal funding for the program, Frederickson and Dille said.



**Sen. Dennis Frederickson**

Photo by David J. Oakes

As for the hunting and fishing license fee increases, Frederickson said enactment this year was crucial. "We had to provide the DNR with the resources to hire the people to manage fish and wildlife programs," he said. "There was a feeling that we had provided the DNR with money to purchase new wildlife habitat lands, for example, but had not appropriated enough to manage them properly." Dille "reticently supported" the increases and the \$24.6 million in in-lieu of tax provision, but said he would have preferred to use money from the general fund, instead of a form of tax, for the various programs in light of the huge budget surplus. Frederickson supported the \$24.6 million in in-lieu of tax provision because, he said, it was the opinion of many in the Legislature that at least 50 percent of the money funneled into the Environmental Trust Fund through lottery ticket sales was originally earmarked for natural resources programs, instead of the 40 percent now being used.

Frederickson helped draft a second hunting and fishing license measure, the lifetime hunting and fishing license bill, S.F. 4, authored by Pariseau and signed by the governor toward the end of the session. The concept has been discussed for at least 10 years, Pariseau said, but only began to gel a couple of years ago when researchers started looking into similar programs in other states. Last year, \$20,000 was appropriated for an actuary study to develop a fee schedule and model for an acquisition account to be funded from a surcharge on each license sold for fish and wildlife management programs.

"It's a big win for both sides," she said, "the people who love to hunt and fish and the DNR."

Attached to H.F. 3510, making an experimental two-deer licenses permanent in five Northern Minnesota counties, the measure specifies that lifetime hunting and fishing licenses will be available from the DNR for residents (a person who has lived in the state for at least one year) by March 1, 2001, and by March 1, 2002, for non-residents. The bill establishes a fee of \$383 for a lifetime angling license for a resident 16 to 50 years of age, \$363 for a lifetime small game hunting license for a resident 16 to 50 years of age and \$613 for a lifetime sporting license (a combination



***The Legislature appropriated money to improve fish and wildlife habitat areas throughout the state.***

Photo by David J. Oakes

hunting and fishing license deemed to be the most popular among states offering lifetime licenses) for a resident 16 to 50 years of age. The measure establishes other license categories, the same as those used for annual licenses, and age break-downs, including a lifetime license for those 3 years of age and under (\$217 for resident fishing and \$227 for resident hunting) to whom the licenses can be given.

The measure creates a lifetime fish and wildlife trust fund for money

received from sale of the licenses and specifies that revenue from the small game license surcharge and \$4 per license annually from the trust fund be credited to the wildlife acquisition account. Likewise, the measure provides that at least \$2 from each annual deer license and \$2 per license from the trust fund be used for deer habitat improvement or management programs and that at least \$1 from annual deer license and each bear license and \$1 per deer or bear license annually from the trust fund be



**Sen. Pat Pariseau**

Photo by David J. Oakes

used for deer and bear management programs. The bill directs the State Investment Board to secure maximum return on investment of the funds and requires the DNR to report to the Senate and House Environment and Natural Resources Committees by Oct. 15 of every even numbered year regarding recommendations for fee adjustments and by Nov. 15 every year concerning revenues received from lifetime sales transferred to the lifetime trust fund, then to the fish and game fund.

It's unclear exactly how much revenue sales of the lifetime licenses will generate, Pariseau said. But the two most successful states to implement lifetime license programs, Oklahoma and North Carolina, after which the Minnesota program is modeled, have grown trust funds totaling \$35 to \$36 million through sales and successful investments over the years, she added.

"In the long pull, it's going to be good for Minnesota," Pariseau said. "I'm looking for this to become a big success." Dille supported the measure and Frederickson agreed with Pariseau, and

said, "The convenience of the licenses alone has the potential to make them as popular as RIM habitat license plates," if the DNR does a good job marketing them.

In the meantime, a few details need fine-tuning before lifetime licenses become available, Pariseau said. In addition to a marketing strategy, one of the details is the design of the license itself, with a stamp remaining part of the design question, she said.

"The environment is part of what defines Minnesotans and the public overwhelmingly indicates it wants us to invest in our environment and natural resources," said Janezich, author of S.F. 2527, the sweeping "Legacy 2000" bill. Consisting of nearly 30 elements, the original package appropriated a total of \$192 million, \$23 million less than its House companion, from the bond proceeds fund for a variety of projects and programs. Although funding for the initiative was cut back by about half, to some \$97 million in the bonding bill, passed by the Senate and House, some significant provisions - but not all - from both bodies were retained.

The bill provides \$2 million for statewide asset preservation improvements for capital improvements of lands and buildings managed by the DNR, \$3.25 million to design, construct, furnish and equip a consolidated area office in Fergus Falls, \$2 million for capital improvements to bring facilities into compliance with Americans with Disabilities Act (ADA) regulations, \$1.9 million to design, repair, rehabilitate, construct or add to state park buildings statewide and \$1 million to construct a state geologic interpretive center at Moose Lake State Park. The bill provides \$1.5 million to upgrade, repair or rehabilitate facilities at state park and recreation area facilities statewide, \$500,000 for acquisition from willing sellers of private lands within state park and recreation area boundaries, \$2.017 million for development of the "Big Bog" State Recreation Area in Beltrami County and \$1 million to develop the Red River State Recreation Area in Polk County. The bill provides \$500,000 for grants to public regional park organizations outside the Metro Area to acquire land, design and construct and redevelop regional parks and trails, open space and recreational facilities, \$5.6 million for a grant to the Metropolitan Council for rehabilitation, acquisition and development of Metro Area open-space lands and \$16 million for a grant to the Metropolitan Council to complete construction of education, administration, meeting and visitor reception facilities at the Como Park Education Resource Center.

The bill designates \$1 million for reconstruction, resurfacing, replacement or construction of state forest roads and bridges and forest recreation facilities statewide, \$3.4 million to acquire and develop state trails, including the Paul Bunyan Trail, the Blazing Star Trail, the Gitchi-Gami Trail, the Mill Towns Trail and the Shooting Star Trail, \$500,000 for matching grants to local units of government to acquire and develop new, publicly owned trails of regional significance and \$3 million for a grant to St. Paul to develop the Upper Landing Park. The bill appropriates \$1.5 million to provide grants to local units of government for acquisition or betterment of greenways and natural areas in the Metro Area, \$4 million to acquire and develop a public access site on Lake Minnetonka, \$2 million to design and

develop a public access on Lake Superior, \$1 million to develop a harbor of refuge and marina at Two Harbors, \$1.2 million for emergency repair, reconstruction or removal of publicly owned dams, including dam removal at Mazeppa and Cannon Falls and repairs at Lake Bronson, and \$14 million for the flood hazard mitigation grant program. The bill provides \$300,000 from the general fund for construction of ring dikes in the Red River Valley, \$610,000 for a grant to the Lewis and Clark Joint Powers Board in Southwestern Minnesota for construction of a rural water system, \$500,000 to acquire land for scientific and natural areas and for development, protection or improvements to scientific and natural areas statewide, \$750,000 for the RIM critical habitat match for the acquisition or improvement of a capital nature to critical fish, wildlife and native plant habitats, \$1 million for RIM wildlife and habitat improvements statewide, \$1 million for native prairie bank easements and \$150,000 to develop the St. Croix Valley Heritage Center at Taylors Falls. (The Taylors Falls project was line-item vetoed by the governor.)

Finally, the bill appropriates \$2.2 million to the Office of Environmental Assistance (OEA) for solid waste capital assistance grants and \$23.8 million to BWSR for conservation easements, including the \$20 million earmarked for the state's share of CREP. The bill also appropriates \$2.3 million for wetlands restoration or replacement projects for wetlands drained or filled during repair, maintenance or rehabilitation of public roads.

"Legacy was an initiative designed to highlight and enhance a host of environmental issues and needs. Clearly, the public wants a clean, healthy, vibrant environment," said Dille, coauthor of the bill and a chief architect of legislation revising Minnesota Pollution Control Agency (MPCA) feedlot rules to make them more workable for farmers. Like other items included in the legacy package, feedlots are an important environmental issue, he noted, expressing disappointment that there wasn't more funding in the final version of the bill for financial assistance to farmers to implement feedlot upgrades and that there wasn't more funding for the WIF and CREP programs.

"The legacy bill provides a road map for where we want to be with our environment and natural resources 8, 10, or 20 years from now and where we have to make the investments that get us there," said Janezich, calling the bill a boon for Minnesota now and far into the future. "This package is good for Minnesotans, their children and their children's children."

One of the bolder - and most controversial - measures was introduced by Lessard, who is also determined to improve Minnesota's outdoors for future generations. Lessard, chair of the Environment and Natural Resources Committee, termed his proposed constitutional amendment designed to provide permanent funding for wildlife, game, fish and other programs using a fraction of the state's sales tax "landmark legislation."

"We have so many natural treasures in Minnesota. We're the envy of every other state in the nation. I want to give the people an opportunity to vote on making the outdoors the number one priority that public opinion polls suggest it is," said Lessard. He pointed to a

recent poll showing 95 percent of respondents agree that participating in outdoor recreation is "an important part of being a Minnesotan."

The idea was patterned after a constitutional amendment adopted by Missouri voters in 1976, according to Lessard. However, he said his proposal was more ambitious, in part because it upped the 1/8 of 1 percent sales tax ante dedicated in Missouri.

S.F. 3173 dedicated 3/16 of 1 percent of the state's 6.5 percent sales tax for environment and natural resources. Under the measure, 45 percent of the expected \$112 million in annual receipts was to be deposited in a wildlife and fish enhancement account in the fish and game fund and be spent only on activities that improved, enhanced or protected wildlife and fish resources, including conservation, restoration and enhancement of land, water and other natural resources. The measure called for using 25 percent of the receipts for state parks and trails, using 25 percent for Metro Area park and trail grants, using 3 percent for local trail grants and using 2 percent for the



**Sen. Bob Lessard**

Photo by David J. Oakes

Minnesota Zoological Garden, the Como Zoo and Conservatory and the Duluth Zoo.

A key accountability provision in the bill created a nine-member review committee, including two non-voting members of the Senate and two non-voting members of the House of Representatives, to administer the wildlife and fish enhancement account and to recommend and approve DNR projects. "The object was to get the money in the field where it's most needed," he stressed.

Lessard noted that the measure was supported by virtually every outdoors group and even Speaker of the House Steve Sviggum (R-Kenyon). Said Frederickson, a staunch supporter of the measure, "It's only appropriate we dedicate a certain portion of the sales tax to this effort. The measure is actually the final component in a three-pronged constitutional process, the first being the constitutional amendment implementing the Environmental Trust Fund and the second being the 'Right To Hunt And Fish Amendment'" passed by voters in 1998.

Dille supported the measure because of Lessard's untiring help with feedlot legislation. However, he called budgeting through the constitution a "bad idea," echoing the sentiments of Senate



**Sen. Jerry Janezich**

Photo by David J. Oakes

leaders who were philosophically opposed to the measure.

"Budgeting by the constitution is not a good way to budget," said Majority Leader Roger Moe (DFL-Erskine) on the Senate floor when Lessard, employing a seldom used parliamentary procedure, a

Rule 40 motion, attempted to withdraw the bill from the Rules and Administration Committee and put it to a floor vote. The measure, Moe argued, undermines flexibility in future budgeting cycles. The Senate, he said, had already provided generous funding for environment and natural resources, including \$24.6 million in in-lieu of taxes on lottery ticket sales amended onto the hunting and fishing license fee increase bill.

Lessard's motion to bring the measure to the floor failed on a 25 to 37 roll call vote, ending the debate at least for the 2000 session. However, Lessard is confident that the tremendous support shown for the proposal this session provides the momentum to revisit the issue next year. "It can't be stopped now," he said. Meantime, he counts as a victory passage of the \$25 million in in-lieu of sales tax receipts on lottery tickets, a provision he attached to last year's hunting and fishing license fee increase bill which was ultimately vetoed by the governor.

On balance, Krentz said, the 2000 session was "very successful" for environment and natural resources issues, particularly because of the reasonable funding level for the legacy package given the constraints of a non-budget year.



**Sen. Steve Dille**

Photo by David J. Oakes

# 2000 Session Laws

All the bills passed by the Legislature in the 2000 regular legislative session.

Session law summaries were compiled with the assistance of the Senate Index Office. The full text of bills can be found on the legislative web site (<http://www.leg.state.mn.us>).

## Agriculture and Rural Development

### **Chap. 285, S.F. 3120-Hanson, H.F. 3332\*-Swenson:**

Allows the commissioner of agriculture to establish alternative term expiration dates for members of the Dairy Research and Promotion Council. Signed by governor: 3/27/00. Effective date: 8/01/00.

### **Chap. 331, S.F. 3260\*-Stevens, H.F. 3868-Daggett:**

Modifies aquatic farm regulation provisions; exempts the adding of artificial tanks, jars or other containers to existing licensed facilities from the requirement for an additional inspection by the commissioner of natural resources (DNR) of waters to be licensed before approving or denying the license; modifies the treatment of waters containing game fish of significant public value and authorizes removal, transport and disposal of carp and bullheads by the licensee; eliminates the requirement for annual inspections and requires reasons for reasonable inspections by conservation officers; modifies the requirement for annual reports covering the quantity of species sold or purchased in the preceding licensed year; requires coverage of the number of pounds in lieu of quantity; and modifies the provision regulating the acquisition of fish for brood stock. Signed by governor: 4/04/00. Effective date: 8/01/00.

### **Chap. 379, S.F. 2987\*-Vickerman, H.F. 3903-Westrom:**

Amends provisions relating to the financing and distribution of income for cooperatives; expands the exemption from securities registration requirements; authorizes cumulative common stock and nonstock dividends; repeals the prohibition on spending money, issuing capital stock or incurring indebtedness for payment of certain promotional expenses; and repeals a restriction on the commencement of business. Signed by governor: 4/13/00. Effective date: various.

### **Chap. 385, S.F. 3195\*-Scheevel, H.F. 3174-Swensen:**

Modifies penalties imposed for the adulteration of dairy products to be based on certain contaminated land costs and requires certain testing and inspection. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 435, S.F. 3443-Sams, H.F. 3692\*-Kuisle:** Requires the commissioner of agriculture to develop, in conjunction with the University of Minnesota Extension Service, innovative educational and training programs addressing manure applicator concerns including water quality protection and the development of manure management plans; requires the commissioner to appoint educational

planning committees and authorizes the commissioner to approve programs from private industry and nonprofit organizations meeting minimum requirements for education, training and certification; requires a commissioner report to the Legislature by January 30, 2001 with recommendations for training, examination, certification and costs of a private applicator manure certification program; requires the commissioner, in conjunction with the University of Minnesota Extension Service, to continually revise and update manure applicator training manuals and examinations; requires and provides for private manure applicator certification after a certain date; sets fees; provides a commercial animal waste technician exception; restricts the application of animal waste from registered feedlots to certified applicators; modifies certain feedlot permit provisions; defines and provides for the calculation of animal units; subjects permits issued by the Pollution Control Agency or counties to the time deadline for agency action; provides that a feedlot permit not be required solely on the basis of a change in ownership of the buildings, grounds or feedlot; prohibits the PCA from imposing additional conditions on feedlot permits after adoption of certain proposed rules; specifies exceptions; restricts the authority of the PCA to require feedlot upgrades; modifies certain national pollutant discharge elimination system (NPDES) permitting requirements; specifies certain permit status transfer criteria development requirements of the commissioner in consultation with the feedlot and manure management advisory committee; exempts livestock production facilities from state ambient air quality standards during removal; specifies limits and notice requirements; applies ambient air quality standards at boundaries of farms containing livestock production facilities; provides an exception for certain air quality easements; prohibits the PCA from requiring air emission modeling for livestock systems with no hydrogen sulfide emission violations; makes the feedlot administrative penalty order forgiveness option mandatory and proportional and expands authorized uses of abated penalties; modifies the timeline for the prohibition on PCA or county issuance of permits for the construction of open air clay, earthen or flexible membrane lined swine waste lagoons; requires a PCA commissioner report to the Legislature on additional resources needed to accomplish timely response to animal feedlot permit applications under certain conditions; requires the PCA to amend the proposed permanent rules relating to animal feedlots and storage, transportation and utilization of manure, requires the removal of certain provisions, prohibits certain requirements and requires the inclusion of certain registration provisions and location restrictions; requires the commis-

\*denotes file submitted to governor.

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sioner of agriculture in close collaboration with the commissioner of the PCA and in consultation with the commissioner of finance and a representative of the Board of Water and Soil Resources (BWSR) to study the need for state financial assistance by operators of certain smaller feedlots and report to the Legislature; places a moratorium on upgrade requirements for small feedlots until enactment of the funding proposal; requires the commissioner of the PCA to convene a workgroup to review and propose design standards for liquid manure storage facilities in areas susceptible to soil collapse and sinkhole formation; requires the commissioner to submit the findings and recommendations of the work-group to the Legislature; and requires the commissioner of agriculture to study and develop a plan, in conjunction with the University of Minnesota Extension Service, for innovative educational and training programs addressing manure applicator concerns; requires the appointment of educational planning committees; and authorizes the commissioner to consider programs from private industry and nonprofit organizations meeting minimum requirements for education, training and certification. Signed by governor: 4/24/00. Effective date: 4/25/00.

**Chap. 470, S.F. 3070-Frederickson, H.F. 3534\*-Harder:** Modifies requirements and enforcement procedures for agricultural contracts; requires a written disclosure of risks; grants producers a right to cancel after receiving a signed copy of the contract; requires the cancellation method and deadline to be disclosed in the contract; specifies cover sheet and format requirements; authorizes contractors to submit the contracts to the commissioner of agriculture for review to determine readability, specifies certain review duties of the commissioner and provides enforcement remedies; provides for court review of the contracts and authorizes the court to change or limit the terms of the contracts under certain conditions; imposes certain limits on remedies; specifies certain exemptions from the contract risks disclosure, review period and readability requirements; and voids waivers of contract provisions. Signed by governor: 5/15/00. Effective date: 1/01/01.

**Chap. 477, S.F. 3223-Sams, H.F. 3312\*-Finseth:** Omnibus agriculture policy bill. Expands eligibility under the value added agricultural product processing and marketing grant program to assistance with organizational development, financing and managing new cooperatives and product, business and marketing plans development and defines predesign of facilities for grant eligibility purposes; requires the commissioner of agriculture, in cooperation with the Dept. of Trade and Economic Development (DTED), the University of Minnesota and the Board of Animal Health to establish a pilot program to certify agricultural production methods and agricultural products grown or processed in the state to assure the integrity of claims by participating businesses; authorizes the commissioner to establish guidelines; expands the definition of livestock to include bison (buffalo) for livestock market licensing purposes; increases the amount of bond required for livestock dealers; modifies the meeting requirements and certain dockage determination duties of the Board of Grain Standards; eliminates the refund of the appeal notice filing

fee and a certain grain inspection and weighing fee payment requirement relating to grain in transit; authorizes grants under the shade tree disease control program to replace trees lost to disease or natural disaster; prohibits tampering with anhydrous ammonia under the fertilizer, soil amendment and plant amendment law; defines anhydrous ammonia and tamper; imposes criminal penalties for violation; specifies certain separate labeling requirements for custom blend specialty fertilizers and requires certain information to be furnished to customers on invoices or delivery tickets; exempts the fertilizers from registration requirements under certain conditions; imposes a time limit for submission of requests to the commissioner of agriculture for inspection relating to pesticide applications allegedly damaging crops or vegetation; increases the maximum amount of reimbursement from the agricultural chemical response and reimbursement account; specifies certain testing requirements for native grass and for seeds for advertising or sale purposes; clarifies the definition of wholesale produce dealer; requires the commissioner of agriculture to enter into agreements with local boards of health to delegate grocery or convenience store retail food handlers licensing and inspection duties to the boards upon board request; clarifies the rulemaking authority of the commissioner and updates certain standards relating to pesticides, food and color additives, special dietary use, fair packaging and labeling, food and drugs, fishery products, meat and poultry, fresh fruits and vegetables and identity, quantity and fill of containers to federal rules and regulations under the Minnesota food law; provides for uniformity in meat and poultry inspection requirements; clarifies the conditions for expiration of certain price and contract reporting requirements for packers and stockyards; modifies certain eligibility requirements and maximum loan amounts for certain Rural Finance Authority (RFA) loan programs; clarifies the definition of grain buyer and the status of certain grain buying transactions involving voluntary extension of credit; modifies certain provisions under the Grain Storage Act relating to storage; modifies the liability of warehouse operators and requires the issuance of warehouse receipts within a certain period of time; modifies certain provisions regulating corporate and partnership farming; provides for family farm trusts and family farm limited liability companies and redefines demonstration corporation as nonprofit corporation; authorizes certain corporations, pension or investment funds, trusts, limited liability companies or limited partnerships to petition the commissioner for an exemption from farming restrictions and requires the commissioner to annually review exempt entities for continuing qualification determination purposes; and authorizes the planting of certain seed potatoes in Clearwater County in calendar year 2000 without certification. Signed by governor: 5/15/00. Effective date: various.

## **Children, Families and Learning**

**Chap. 254, S.F. 86\*-Pogemiller, H.F. 76-Seagren:** Modifies education provisions. States the overall responsibility of the Dept. of Children, Families and Learning; eliminates or corrects incorrect or obsolete references and makes

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other technical corrections; provides for the ineffectiveness of certain prior repealers and specifies renumbering and cross reference change instructions to the Revisor of Statutes; repeals a learning year program transportation provision, the definition of the Governor's Workforce Development Council under the Minnesota Youth Works Act, the extended expiration date of the state Interagency Coordinating Council and a certain lease purchase installment buys provision; and specifies certain retroactive effective dates. Signed by governor: 3/07/00. Effective date: various.

**Chap. 386, S.F. 3150\*-Larson, H.F. 3082-Tuma:**

Increases the Higher Education Facilities Authority's bonding authority. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 453, S.F. 3386\*-Stumpf, H.F. 3726-Bishop:** Creates a separate procedure for setting the salary for the chancellor of the Minnesota State Colleges and Universities; requires the MnSCU Board of Trustees to establish a salary range and submit the proposed range to the Legislative Coordinating Commission (LCC) for approval, modification or rejection; requires board establishment of the salary for the chancellor within the approved salary range; specifies certain considerations of the board in deciding to approve a salary increase; removes the board from involvement in determination of the salary for the director of the Higher Education Services Office; requires the Higher Education Services Council, in deciding whether to recommend a salary increase for the director, to additionally consider the progress of the director toward attaining program administration goals; and authorizes the board in establishing compensation to provide compensation to chancellors or presidents upon termination before contract expiration. Signed by governor: 5/05/00. Effective date: 8/01/00.

**Chap. 489, S.F. 3559-Pogemiller, H.F. 3800\*-Seagren:**

Omnibus education supplemental appropriations bill. Provides for supplemental funding of early childhood and family, prekindergarten through grade 12 and higher education programs and services; provides for disclosure of data; changes requirements for child care assistance and child care programs; makes changes to adult basic education programs; modifies child care licensing and inservice training requirements; changes eligibility for individual development accounts; creates task forces; authorizes the commissioner of children, families, and learning to make certain grants; provides for kindergarten through grade 12 general education, special programs, employment and transitions, facilities and technology, educational excellence and other policy, nutrition and other programs; provides for fund transfers, libraries, and technical, conforming, and clarifying amendments; provides for higher education; requires a study and report; provides relief to campuses experiencing increased health care costs; appropriates money to Minnesota State Colleges and Universities to fund increased enrollment; and appropriates money. Signed by governor: 5/15/00. Effective date: various.

**Chap. 498, S.F. 2679-Krentz, H.F. 3110\*-Mares:** Repeals a high school students amateur sports commission exhibitions participation qualification provision. Signed by governor: 5/30/00. Effective date: 8/01/00.

**Chap. 500, S.F. 3286\*-Pogemiller:** Modifies high school graduation requirements; modifies the requirement for school calendars to include additional days of student instruction; requires instruction or staff development training relating to implementing preparatory and high school content standards; defines school site as a separate facility or a separate program within a facility recognized by the local school board as a school site for curriculum and assessment purposes; eliminates the requirement for the commissioner of children, families and learning to develop and disseminate to school districts a uniform method for reporting student performance on the profile of learning; specifies the learning areas of the profile of learning; eliminates the annual reporting requirement of the commissioner relating to the status of graduation requirements implementation; requires the commissioner to publish a report by school site, area learning center and charter school the required preparatory and high school content standards and the number of individual student waivers approved by the district, area learning center or charter school; requires school districts to integrate required and elective content standards in the scope and sequence of the district curriculum and exempts districts from requirements to adopt specific provisions of the goals 2000 and the federal school to work programs; requires and provides for annual school site determination of required content standards by school sites by majority vote of licensed teachers and administrators and school boards or charter school sponsors; requires student completion of the state required content standards in cases of disagreement, site reporting to the commissioner of the content standards implementation schedule, specifies certain learning opportunities provision requirements of school districts; requires student transcripts to record work completed in implemented content standards; eliminates performance package requirements; requires district, area learning center and charter school selection of performance assessments with a grading system comparable to certain criteria; prohibits the commissioner from mandating the use of certain assessment methods; provides for school district, area learning center or charter school waiver of the content standards for students choosing an equal or more rigorous course of study or satisfactorily completing approved post-secondary enrollment options courses or programs; requires the Board of Regents of the University of Minnesota, the Board of Trustees of the Minnesota State Colleges and Universities (MnSCU) and the governing boards of Minnesota private colleges to annually determine and notify the commissioner of the courses offered under the PSEO program meeting the rigorous course requirements; specifies list availability requirement; authorizes school boards to waive content standards for students entering the ninth grade before a certain school year under certain conditions; requires the establishment of processes for student transfers; grants districts, area learning centers and charter schools flexibility relating to the completion of content standards; specifies certain records maintenance requirements for commissioner audit purposes; specifies certain scoring requirements and options; specifies that the grade level of a student is not to prohibit the student from receiving the

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highest state exemplar score upon completion of a content standard; requires the commissioner to maintain a high standards tool library for teachers to use in assessing student achievement; requires commissioner establishment of a variety of tools by a certain date, requires the library to be interactive and to allow for submission of tools by teachers; requires the commissioner to designate software packages for reporting student performance on the content standards; requires the recordkeeping software to be capable of transferring student records between schools and school districts; requires the commissioner to convene an advisory group to recommend recordkeeping practices under the graduation rule and to report on technology needs for efficient daily classroom recordkeeping and accountability reporting; requires the commissioner to establish an academic panel to examine, evaluate and sustain the rigor of the content standards contained in the graduation rule; specifies membership requirements and duties; requires biennial recommendations to the commissioner; modifies certain statewide testing requirements; authorizes school districts at the request of the parent or guardian and with recommendation of the teacher to offer the basic skills test beginning in grade 5 and provides for dissemination of third and fifth grade test results; provides for school district determination of the meeting of local expectations of student achievement levels; requires the commissioner to establish a best practices network for the learning areas under the profile of learning and to report to the Legislature on recommendations relating to graduation standards rules or realignment of standards for implementing a technical and vocational education learning area, to contract with an independent organization to evaluate the quality of the state standards as an integrated educational system and to make certain graduation rule amendments; repeals certain provisions providing for school district implementation of the profile of learning and for student maintenance of lifework development plans; and repeals certain rules. Signed by governor: 5/25/00. Effective date: 5/26/00.

## Commerce

**Chap. 274, S.F. 3676-Ranum, H.F. 3766\*-Skoglund:** Requires pawnbrokers providing electronic transaction records to law enforcement agencies to use the most current version of the interchange file specification format. Signed by governor: 3/23/00. Effective date: 3/24/00.

**Chap. 303, S.F. 2579\*-Hottinger, H.F. 2883-Howes:** Regulates certain prescription drug discounts; provides for enforcement; requires persons offering discounts to designate an agent for service of process and register the agent with the secretary of state; and specifies certain exemptions from regulation. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 304, S.F. 2569\*-Scheid, H.F. 2675-Haas:** Authorizes insurers to provide coverage against vicarious liability for punitive and exemplary damages and authorizes the commissioner of commerce to approve completion of a term of office exceeding the term limit for members of boards of fraternal benefit societies under certain conditions. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 309, S.F. 2436-Scheid, H.F. 2719\*-Lieder:** Modifies the requirement for no-fault automobile insurers to provide coverage for rented motor vehicles and provides that plans covering rental vehicle owners be in excess of residual liability coverage insuring rented motor vehicle operators under certain replacement loan and ownership conditions. Signed by governor: 4/03/00. Effective date: 4/04/00.

**Chap. 322, S.F. 3055\*-Kiscaden, H.F. 3310-Abeler:** Expands the definition of health care provider to persons licensed, registered or regulated by the Board of Medical Practice or Board of Dentistry and to licensed hospitals and removes the exclusion of nonprofit health service plan corporations from the definition of network organization for health plan companies network shadow contracting regulation purposes; requires the commissioner of health, in cooperation with other state agencies, to determine the amount of increased premium costs or the inability of employers to purchase managed care plans due to implementation network shadow contracting regulation provisions. Signed by governor: 4/04/00. Effective date: 8/02/00.

**Chap. 342, S.F. 3441-Sams, H.F. 2656\*-Wolf:** Regulates payment for repair or replacement of damaged motor vehicle glass under automobile insurance policies; requires payment to the vendor chosen by the insured based on a competitive price; requires price establishment by the commissioner of commerce in cases of dispute through a market survey to determine a fair and reasonable market price for similar services; specifies survey requirements; requires the commissioner to deposit in a separate account money voluntarily contributed by insurance companies and the auto glass industry for market survey purposes and appropriates money in the account to the commissioner for the survey; restricts motor vehicle glass vendors in the offering of rebates, discounts or other incentives to replace or repair auto glass covered by insurance; and imposes penalties and remedies for violations. Signed by governor: 4/06/00. Effective date: various.

**Chap. 346, S.F. 2803\*-Hottinger, H.F. 2969-Tuma:** Modifies education, examination and experience requirements for certified public accountants (CPA) certified or licensed after a certain date; requires the Board of Accountancy, in consultation with the University of Minnesota, the Minnesota State Colleges and Universities (MnSCU), private colleges and private career schools, to establish criteria to assess equivalent education for examination administration purposes and to implement a voluntary registration of accounting practitioners by a certain date; requires the board to prescribe the limits of practice, educational preparation, examination, registration, fees and continuing education requirements for the registration; and specifies consultation requirements. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 350, S.F. 3203\*-Oliver, H.F. 2974-Davids:** Conforms state statutes to the National Association of Insurance Commissioners model legislation providing for uniform accounting principles; modifies a provision providing for domestic insurance company investments in personal property under lease, provides for the nonadmission of

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leases associated with nonadmitted assets in certain cases; simplifies a provision providing for the calculation of loss reserves; defines contractual terms and permanently impaired relating to commercial mortgage loans and modifies the definition of mortgage loan in foreclosure for valuation procedures establishment purposes; modifies the procedure for valuation of the loans and requires recognition of direct write-downs as realized losses and the establishment of a new cost basis in distressed or delinquent mortgage loan cases determined to be permanently impaired; modifies certain requirements for annual audit financial statement notes; requires the approval of the commissioner of commerce before accrual for, or payment of, dividends to mutual fire and casualty insurance company guaranty fund certificate holders; modifies provisions relating to title insurance companies; modifies authorized investments and specifies certain admitted assets standards relating to investments in title plants; modifies reserve requirements; expands the exemption from securities registration requirements for securities offered by cooperatives; and repeals certain provisions relating to valuation and admissibility of life insurance company assets, valuation of evidences of indebtedness, unearned premiums reserve, liability and workers compensation reserves subjection to increase and experience inclusion in annual statements, charges taken for independent appraisals of certain real estate under foreclosure and the use of asset valuation reserves. Signed by governor: 4/10/00. Effective date: 4/11/00.

**Chap. 367, S.F. 3423\*-Spear, H.F. 3756-Abrams:** Holocaust Victims Insurance Relief Act of 2000. Requires the commissioner of commerce to assist resident Holocaust victims, heirs or beneficiaries in recovering proceeds from improperly denied or processed Holocaust related insurance policies; authorizes the commissioner to establish and maintain a central registry to be known as the Holocaust Insurance Company Registry containing records and information relating to insurance policies of Holocaust victims; provides for confidential treatment and for the availability of the information to facilitate claims; authorizes certain agreements with providers of the information and the exchange of certain information with other states and with the International Commission on Holocaust Related Insurance Claims; authorizes an agreement for a single registry to provide services to several states; provides for entry of information received from certain insurance companies into the registry; authorizes commissioner assessment of insurers to fund the costs; authorizes commissioner investigations and examinations of insurers for filing requirements compliance determination purposes and provides that the costs be borne by the insurer; provides for the processing of claims; authorizes the commissioner to suspend the certificates of authority of insurers violating the requirements and requires the fulfilling of obligations to the currently insured; provides for cooperation with the international commission; authorizes actions against insurers by Holocaust survivors or victims; and provides for extension of the statute of limitations. Signed by governor: 4/13/00. Effective date: 4/14/00.

**Chap. 371, S.F. 3699-Wiener, H.F. 3109\*-Entenza:** Enacts the Uniform Electronic Transactions Act adopted by the National Conference of Commissioners on Uniform State Laws; defines terms and scope; provides for the use of electronic records and signatures in certain transactions; provides for the legal recognition of electronic records, signatures and contracts; provides for the delivery or presentation of information and records in electronic format and for the attribution and effect of electronic records and signatures; specifies the effect of change or error in electronic records; provides for the satisfaction of notarization, acknowledgment or verification and sets forth records retention requirements; prohibits the exclusion of records from evidence based solely on electronic format; prescribes certain rules for automated transactions; provides for the time and place of sending and receipt of electronic records; provides for control of transferable records and defines transferable record; requires governmental agencies to determine the extent of electronic records creation and retention and of the conversion of written records to electronic records; subjects government agency records to certain retention and preservation requirements; provides for the acceptance and distribution of electronic records by the agencies; and provides for interoperability. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 389, S.F. 619\*-Kleis, H.F. 562-Paulsen:** Exempts out of state collection agencies from collection agency licensure requirements; defines exempt out of state collection agency; subjects the agencies to investigation requirements and certain other regulations; requires the obtaining of a certificate of exemption from the commissioner of commerce; specifies certain application form content requirements; and requires loss of exemption for certain violations. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 398, S.F. 3626\*-Wiener, H.F. 3964-Wilkin:** Modifies provisions under the Minnesota Comprehensive Health Association Act; requires state departments and agencies or local government units to annually report summary information to MCHA and to the commissioner of commerce on the number of persons and the amount of premiums, deductibles, copayment or coinsurance paid on behalf of enrollees; modifies certain maximum premium and deductible requirements; authorizes premium rates to reflect economic and inflationary changes; authorizes the association to establish smoker and nonsmoker premium rates; requires the association to investigate managed care delivery systems, authorizes cost effective contracts with third party entities; requires the association by a certain date to establish a system to annually identify individuals insured by MCHA possibly eligible for private health care coverage, medical assistance (MA), state drug programs or other state or federal programs and to endeavor to reduce health care costs using additional methods consistent with effective patient care including development of a focused chronic disease and case management program and a comprehensive program of preventive care and implementation of a total drug formulary program; authorizes the

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association to offer a plan identical to the number one and number two qualified plans except for the deductible and maximum lifetime benefit; authorizes a separate writing carrier; authorizes the association to annually verify the uninsurability of policyholders for continued eligibility determination purposes; expands health insurance eligibility for retired employees not eligible for medicare; requires the association to submit to the Legislature and the commissioner of commerce by a certain date a study relating to the impact of increasing the maximum premium range of offered plans a certain percent above the weighted average of rates charged in the individual market for similar plans; and requires the study to include an analysis of the feasibility of establishing a sliding scale premium program for policyholders and the out of pocket expense limit. Signed by governor: 4/14/00. Effective date: 4/15/00.

**Chap. 409, S.F. 2753-Novak, H.F. 2731\*-Davids:**

Modifies and expands certain unfair practices by motor vehicle manufacturers, distributors or factory branches; extends the time limit for the commencement of civil actions challenging the establishment or relocation of new dealerships; and provides that the establishment of new motor vehicle service or parts locations are to be considered the establishment of new motor vehicle dealerships. Signed by governor: 4/14/00. Effective date: 4/15/00.

**Chap. 410, S.F. 2363\*-Sams, H.F. 2935-Larsen, P.:**

Regulates dental benefit plans; requires dental organizations to make available to enrollees upon request a description of the terms of coverage; specifies certain dental benefit plan requirements, requires the availability of certain information to participating dentists, group purchasers and enrollees by dental organizations using utilization profiling as a method of differentiating provider reimbursement or as a requirement for continued participation in the provider network; regulates the use of reimbursement codes; requires the determination of enrollee benefits on the basis of individual codes subject to provider and group contracts; prohibits limits on discussion of treatment options with patients; specifies certain disclosure limits; and authorizes disclosure by electronic communication. Signed by governor: 4/14/00. Effective date: various.

**Chap. 415, S.F. 1618\*-Solon, H.F. 1947-Jennings:**

Modifies beer brewers and wholesalers judicial remedies; authorizes wholesalers to maintain suits against brewers for certain prohibited conduct in federal or state court in the state; and prohibits waiver of the venue except at the time of lawsuit filing. Signed by governor: 4/17/00. Effective date: 4/18/00.

**Chap. 427, S.F. 2870\*-Metzen, H.F. 2973-Davids:**

Omnibus financial institutions bill. Clarifies the authority of banks in the Metropolitan Area to operate detached facilities or main banking facilities; expands the definition of financial institution to operating subsidiaries for credit extension maximum rates regulation purposes; modifies the time limit for notice to borrowers or purchasers of advances perform loan or credit sale contract covenants; requires financial institutions and motor vehicle and manufactured home sales finance companies to credit payments to consumer accounts on the date of receipt; provides an

exception; requires certain account adjustments for failure to comply; expands the authority of banking institutions to use federal banking laws; modifies the definition of financial institution under the Minnesota Residential Mortgage Originator and Servicer Licensing Act and modifies certain licensing requirements; prohibits the conduct of business under more than one name or title; modifies the provision requiring a certificate of exemption from the commissioner of commerce to qualify as an exempt person, a real estate broker, an insurance agent or a financial institution; specifies certain conditions for the acceptance of irrevocable letters of credit in lieu of surety bonds; eliminates certain license service fees; applies certain residential mortgage loan rate, fee and charge limits on first and junior lien mortgages; authorizes nonprofit charitable organizations exempt from federal income taxation and participating as regional organizations under the challenge grant program serving Aitkin, Cook, Lake, St. Louis, Carlton, Itasca and Koochiching Counties to enter into agreements with the commissioner of commerce to facilitate participation in the federal small business administration guaranteed lender program (foundation loan portfolio pilot project); specifies certain agreement requirements; requires the organizations to pay the supervision and examination costs of the commissioner; requires deposit of money received in an account in the special revenue fund; authorizes and provides for a bank located and operating a main bank in Cannon Falls to establish a detached facility in Vasa township with the approval of the commissioner; and repeals the definition of net worth and certain rules. Signed by governor: 4/20/00. Effective date: various.

**Chap. 438, S.F. 2686\*-Robling, H.F. 2713-Rest:** Establishes requirements for the sale of funeral goods and services and preneed funeral arrangements; defines burial site goods and burial site services and preneed consumer and clarifies the definition of funeral provider; authorizes the commissioner of health to prohibit certain funeral providers from selling preneed funeral or burial site goods or services for violation; provides for the issuance of cease and desist orders; requires hearings upon request; prohibits funeral provider solicitations under certain conditions and provides an exception; requires funeral establishments and providers to disclose ownership and ownership changes and offerings or prices of cemetery specific goods and services; defines change in ownership; requires the disclosure of the availability of price lists at container sale locations and the price ranges for markers and headstones; modifies certain itemized statement signature requirements; requires provider provision of copies of preneed arrangement documents to persons controlling final disposition of the remains of individuals with preneed arrangements; specifies the charging of increased prices for the handling of goods or services based on purchase of the goods or services from another provider and the requiring as a condition of providing funeral or burial site goods purchase in lieu of rental as deceptive acts or practices; prohibits providers from interring outer burial containers until the death of the beneficiary; specifies certain preneed funeral arrangement agreement and trust requirements; prohibits finance charges

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on preneed arrangements; requires and provides for refund of consideration paid upon cancellation of preneed arrangement agreements by purchasers; and requires the commissioner to make recommendations to the Legislature on the need for additional funding for ongoing implementation of the regulatory provisions with proposals for an alternative funding source. Signed by governor: 4/24/00. Effective date: various.

**Chap. 440, S.F. 3581\*-Solon, H.F. 3974-Paulsen:** Omnibus liquor bill. Provides an exception to the prohibition on intoxicating liquors at the state fairgrounds for special events; expands the definition of club; authorizes the city of Minneapolis to issue on-sale wine and malt liquor licenses to the Illusion and Hollywood Theatres; exempts commercial establishments making wine on the premises for personal and family use and not for resale from liquor licensing requirements and prohibits underage persons from participating in the winemaking; authorizes exclusive liquor stores to conduct wine tastings; exempts a certain previously authorized on-sale intoxicating liquor license in the city of Bemidji from the statutory restriction on proximity to a state university; authorizes the city of Duluth to issue an on-sale intoxicating liquor license to the Lake Superior Center Authority for certain events at the center and requires the license to limit the sale of intoxicating liquor to persons leasing space in the center and guests for the purpose of conducting conventions, banquets, conferences, meetings or social affairs; requires the Duluth City Council to set the fee; authorizes the city of Springfield to authorize holders of retail on-sale intoxicating liquor licenses issued by the city to dispense intoxicating liquor at a certain event on certain dates at a facility owned by the city; authorizes the city of Eveleth to issue an on-sale intoxicating liquor license to the Quad Cities Joint Recreational Center Authority and the city of Anoka to issue on-sale wine license to the Lyric Arts Company for the Main Street Stage Theatre for sales to holders of tickets for performances at the theatre; authorizes and provides for the city of Cottage Grove to issue an on-sale intoxicating liquor license to the Cottage Grove Economic Development Authority for the River Oaks Golf Course grounds, clubhouse and restaurant; and authorizes an election in Sherman Township in Redwood County on the question of Sunday liquor sales. Signed by governor: 4/24/00. Effective date: local approval.

**Chap. 450, S.F. 2944-Scheid, H.F. 3047\*-Kuisle:** Includes the assignment of rents and profits in real estate title insurance mortgage release certificate content requirements; defines assignment of rents and profits and partial release and modifies the definitions of mortgage and payoff statement accordingly; increases the applicable original mortgage amount and provides for payoff statements for partial payments; provides for satisfaction, release and assignment of rents and profits in mortgages or separate instruments; and modifies certain common interest ownership resale disclosure certificate requirements. Signed by governor: 5/01/00. Effective date: 8/01/00.

**Chap. 456, S.F. 1870\*-Hottinger, H.F. 1748-Haas:** Regulates motor vehicle fuel franchises and marketing agreements; modifies and clarifies the definition of fran-

chise, excludes persons selling motor fuel at wholesale not affiliated with the person owning or controlling the trademark, trade name, service mark, logotype or other commercial symbol from consideration as a franchisor or franchisee; temporarily requires franchisors selling or transferring interest in marketing premises occupied by a franchisee to offer the franchisee in connection with the sale or transfer certain federal rights; requires certain disclosures by suppliers to dealers before or as part of marketing agreements, specifies certain disclosure content requirements; regulates survivorship and provides for the right of designated family members of deceased or incapacitated dealers to succeed to marketing agreements; authorizes suppliers to refuse to allow the succession under certain conditions; specifies a notice requirement; requires supplier compensation to dealers for elimination of service bays during the term of the marketing agreement; authorizes waiver or modification of the requirement in writing by the dealer; regulates supplier setting in marketing agreements of the hours of operation and of prohibitions and limits on the conduct of other businesses at the facility; prohibits suppliers or marketing agreements from fixing, establishing or regulating product prices; prohibits certain promotional requirements; regulates the disposition of products upon termination or nonrenewal of the marketing agreement; prohibits supplier restriction or prohibition of the right of free association among dealers and dealer restriction or prohibition of the right of free association among suppliers; prohibits certain releases and waivers in marketing agreements; restricts security deposit requirements; prohibits encouragement to violate the law; regulates the assignment or transfer of marketing agreements under lease and non-lease arrangements; requires dealer advance notice to the supplier of marketing agreement termination; provides for enforcement of the regulations through actions for injunctive relief; and specifies jurisdiction. Signed by governor: 5/05/00. Effective date: various.

**Chap. 483, S.F. 3092-Oliver, H.F. 3505\*-Davids:** Dept. of Commerce enforcement bill. Authorizes the commissioner of commerce to release active or inactive investigative data relating to the conduct of the business of insurance to certain agencies to facilitate the initiation, furtherance or completion of the investigation and to impose conditions or restrictions on insurance companies based on the financial condition of the company under a written agreement; restricts the inclusion of certain affiliated insurance companies in consolidated or combined audited financial statements; specifies the term and fees for managing general agent licenses; reduces the time period for insurance agent notice to the commissioner of name, address or application information changes; modifies the regulation of the insurance brokerage business; eliminates the requirement for insurance agents disclosure of the state insurance agent license number before personal solicitation of insurance sales and eliminates a certain minimum continuing education requirement; expands the definition of related certificate holder for group life insurance purposes to dependent child and entitling covered employees, spouses and dependent children to life conversion policies upon termination

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of a group policy; excludes health plans providing dental or vision coverage only from certain requirements to provide coverage for maternity care, breast implants, port wine stains elimination and diabetes and to provide certain continuation or conversion rights; eliminates the requirement for financial reports of nonprofit health service plan corporations to include a certified audit report; modifies the requirement for the corporations to provide continuation coverage in marriage dissolution cases; limits the requirement for health insurers to offer coverage of major medical expenses to applicants applying for new unqualified accident and health insurance policies under the Minnesota Comprehensive Health Insurance Act (MCHA); imposes certain filing requirements on qualified long term care insurance policies; expands the authority of the commissioner to examine the affairs of domestic fraternal benefit societies; specifies certain capital and surplus requirements of insurers issuing motor vehicle service contracts and expands certain conditions for policy issuance; specifies a time limit for return of unearned premium to the insured upon cancellation; recodifies a certain provision prohibiting certain discriminatory practices by automobile insurers; requires insurance companies to provide in writing the primary reasons for adverse underwriting decisions based on credit information provided by consumer reporting agencies; clarifies the requirement for private workers compensation self insuring employers to secure incurred liabilities for the payment of compensation and modifies certain minimum and security deposit requirements and modifies certain perfection of security requirements relating to bankruptcy or insolvency; provides for replacement insurance policies; reduces and clarifies the net worth requirement of workers compensation self insurance groups; requires commissioner approval of first disbursement of fund surpluses and modifies certain reporting and security deposit requirements; modifies certain provisions regulating securities broker dealers and investment advisers; defines affiliation by direct common control; modifies a certain licensing requirement; expands grounds for commissioner denial, suspension or revocation of licenses relating to orders for similar action by certain other agencies; reduces the number of copies of the latest prospectus form required for securities registration purposes; clarifies the registration exemptions for certain transactions; clarifies the authority of the commissioner to declare franchise registration applications withdrawn and authorizes the commissioner to withdraw inactive registration amendment applications; extends the expiration date of the real estate continuing education pilot program; modifies the effective date of membership camping practices registrations and authorizes withdrawal of inactive membership camping practices and subdivided lands applications; modifies the experience requirement for licensing as a certified general real estate appraiser; modifies the time limit for cooperatives electing to distribute unclaimed property to file certain information with the commissioner; clarifies the purposes of the contractors recovery fund; authorizes the commissioner to take action against collection agencies and debt collectors for violations of debt collection laws; modifies a provision

regulating agreements to locate reported unclaimed property; specifies standards of conduct for notarial acts, provides for the taking of acknowledgments and verifications, witnessing or attesting signatures, certifying or attesting documents and making or noting protests of negotiable instruments and satisfactory evidence of true signature; specifies certain prohibited acts; delays the effective date of a certain provision eliminating the prohibition on commissioner accreditation of certain home or out of classroom continuing education courses; and repeals certain provisions allowing health insurers to exclude coverage for conditions caused by breast implants under certain conditions. Signed by governor: 5/15/00. Effective date: various.

## Crime Prevention

### **Chap. 255, S.F. 2071-Ranum, H.F. 2067\*-Westerberg:**

Prohibits jail credit for extended jurisdiction juvenile offenders who violate stayed sentence conditions. Signed by governor: 3/7/00. Effective date: 8/01/00.

### **Chap. 262, S.F. 2485\*-Wiger, H.F. 2774-Broecker:**

Delays effective date for classifying Carisoprodol as a controlled substance until Aug. 1, 2001. Signed by governor: 3/20/00. Effective date: 8/01/00.

### **Chap. 270, S.F. 2386-Johnson, D.H., H.F. 2815\*-**

**Carruthers:** Eliminates the separate court fee in Hennepin county for statute, traffic or ordinance violation citations and the distribution requirements and provides for the distribution of fines paid to the court administrator by defendants without a court appearance in response to a citation; requires the county treasurer to pay a certain percentage of the fines to the treasurer of the local government unit within the county of violation commission and the remainder to the general revenue fund of the county; and repeals the expiration date of certain previous modifications relating to fees payable to the Hennepin County court administrator. Signed by governor: 3/23/00. Effective date: 7/01/00.

**Chap. 291, S.F. 3097\*-Spear, H.F. 3003-Stanek:** Authorizes the commissioner of corrections to create a Dept. of Corrections fugitive apprehension unit and appoint peace officers to perform the duties necessary to make statewide arrests; limits jurisdiction to discretionary and statutory released violators and escapees; specifies conditions and procedures for processing arrested persons; requires the unit to develop and file policies required for law enforcement agencies and to develop a policy for contacting law enforcement agencies in cities or counties before initiating fugitive surveillance, investigation or apprehension within the city or county; requires filing of the policies with the Board of Peace Officers Standards and Training (POST) and requires the filing of subsequent revisions; requires the Dept. of Corrections to train the peace officers in policy application; requires the commissioner to appoint a full time peace officer as the chief law enforcement officer to be responsible for managing the unit and to ensure the equipping of emergency vehicles used by the unit with radios capable of receiving and transmitting on the same frequencies used by law enforcement agencies with primary jurisdiction for

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response coordination and notice purposes; requires the fugitive apprehension unit to comply with statutes and rules relating to the operation and management of law enforcement agencies; and includes unit officers in the definition of peace officer for training purposes. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 299, S.F. 3330\*-Neuville, H.F. 3370-Westerberg:** Dept. of Corrections housekeeping bill. Authorizes the commissioner of corrections to contract with health care entities to provide health care to inmates and to establish and operate alternative residential programs for juveniles to be available to court and social service agencies for placement of juveniles for early intervention purposes; requires the commissioner to require participating state or federal agencies and local government units to pay the cost of the programs, requires deposit of money received in a special account and appropriates money in the account to the commissioner for the programs; changes the date for commissioner data reports on the interstate compact for supervision of parolees and probationers to the Legislature; requires criminal offenders in phase II of the challenge incarceration program to report to an agent or program staff in lieu of a day reporting facility; requires pretrial diversion reports prepared by county attorneys to be submitted to the state court administrator in lieu of the Department of Corrections; and authorizes the commissioner to enter into rental agreements for emergency housing. Signed by governor: 3/28/00. Effective date: 7/01/00.

**Chap. 311, S.F. 2974-Ranum, H.F. 2688\*-Broecker:** Criminal justice supplemental appropriations; expands predatory sex offenders registration and community notification requirements and increases penalties; restricts name changing; criminal justice information technology and data access. **Article 1—Appropriations:** Appropriates money to the commissioner of corrections for an increase in the number of probation officers managing intensive supervised release caseloads, for enhanced supervision of adult felony sex offenders through caseload reduction and for sex offenders release community notification costs; appropriates money to the commissioner of public safety for criminal justice technology infrastructure improvements, for electronic fingerprint capture and photographic identification technology and for additional bandwidth for fingerprint and identification data transfer purposes, for grants to transfer and access data from government agencies to the statewide hot file probation and pretrial release data system and for the Bureau of Criminal Apprehension (BCA) for certain additional positions and for costs relating to interfacing the state system with the national sex offender registry; and appropriates money to the Sentencing Guidelines Commission to establish a pilot project in Ramsey County to use the statewide statute table to ensure accurate and uniform charging on criminal complaints and to the Supreme Court to begin redevelopment of the court information system to be used by counties to integrate court information with other criminal justice information. **Article 2—Predatory offender registration and community notification:** Expands and modifies the predatory sex offenders registration law; requires the registration of

persons convicted or adjudicated delinquent of similar crimes pursuant to a court martial, persons convicted or adjudicated delinquent in another state entering the state to reside, work or attend school and persons committed as sexually dangerous under similar laws of other states or the federal government; sets forth procedure; provides for public disclosure by the Bureau of Criminal Apprehension through electronic, computerized or other accessible means of certain information on predatory offenders failing to comply with registration requirements; requires court notice of the availability of the information to persons required to register; sets forth a BCA liability immunity provision; requires registration information to include a written consent form signed by the person required to register allowing treatment facilities to release information to law enforcement officers relating to admission to or residence in the facilities; specifies the information required to be provided by persons required to register to corrections agents or law enforcement authorities; authorizes photographs for forwarding to the BCA; increases the criminal penalties for failing to comply with registration requirements and imposes a mandatory minimum sentence; requires lifetime registration of certain offenders; provides for application of the registration requirements; requires registration under the law for certain other offenses; expands and clarifies the scope of the community notification law relating to the release from confinement of sex offenders; changes the term sex offender to predatory offender and modifies the definition to include predatory offenders required to register under the predatory offenders registration law; excludes persons required to register based solely on a delinquency adjudication; extends the waiting period for end of confinement review committee reassessment and prohibits requests for reassessment by incarcerated offenders; requires the commissioner of corrections to create and maintain an Internet web site for the mandatory posting of certain information relating to level III sex offenders and specifies certain updating and maintenance requirements; clarifies civil liability immunity for state or local agencies or officials or private organizations or individuals acting on behalf of agencies or officials for failing to disclose certain information; requires the superintendent of the BCA to maintain a computerized data system relating to individuals required to register as predatory offenders and to make the information readily available to law enforcement agencies; and requires the superintendent of the BCA to report to the Legislature by a certain date on money spent and the implementation of policy changes. **Article 3—Name change provisions:** Restricts court granting of name changes to convicted felons; prohibits the use by felons of a different surname after marriage, marriage dissolution or legal separation or with the intent to defraud or mislead without complying with the name change procedure; sets penalty for violation; requires and prescribes a procedure for application notice to the prosecuting authority obtaining the felony conviction or to the attorney general; requires the filing of certain proofs of service; provides for the filing of objection by prosecuting authorities or the attorney general under certain conditions

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to prevent court or county granting of the name change; specifies time limit; provides for convicted felon contesting of the objection and establishes a constitutional right to a name change under certain conditions; sets penalty for violation; and places conditions on court issuance of name changes as part of the marriage license application or marriage dissolution procedures. **Article 4–Criminal and expungement provisions:** Specifies that prosecution or conviction for a sexual offense with force or violence not to bar conviction of or punishment for other crimes committed by the defendant as part of the same conduct; authorizes consecutive sentences; requires a mandatory minimum sentence for offenders convicted of first degree criminal sexual conduct; clarifies the definitions of child and solicit relating to solicitation of children to engage in sexual conduct; establishes prosecution jurisdiction for sexual offenses; includes harassment by electronic means in the definition of the crime of harassment; clarifies certain provisions providing for the expungement of criminal records; and extends the statute of limitations for crimes resulting in the death of the victim, for kidnapping and for certain criminal sexual conduct offenses under certain evidence collection and preservation conditions. **Article 5–Criminal justice information technology and integration:** Modifies the membership of the criminal and juvenile justice information policy group; modifies the grant local match requirement; requires recipient certification of nonreduction of other funds available to improve or integrate criminal justice technology; specifies certain duties of the policy group and the commissioner of public safety relating to criminal justice technology infrastructure improvements; requires the commissioner of public safety, the Supreme Court and the executive director of the Sentencing Guidelines Commission to report to the Legislature on technology infrastructure improvements, on court information system redevelopment and on the Ramsey County pilot project respectively; and requires the policy group to develop recommended standards to measure the effectiveness of the use of technology infrastructure improvements and report to the Legislature by the same date. **Article 6–Data practices provisions:** Provides for the disclosure of the current address of Minnesota family investment program (MFIP), general assistance (GA), general assistance medical care (GAMC) and food stamp recipients to law enforcement agencies; specifies that requests for data disclosure through computer interface systems to be considered requests in writing; and grants law enforcement officers access to certain public housing and workers compensation data relating to persons required to register under the predatory offender law and not residing at the registered address. Signed by governor: 4/3/00. Effective date: various.

**Chap. 318, S.F. 2701\*–Wiener, H.F. 3023–Broecker:** Defines the crime of lawful gambling fraud and provides penalties. Signed by governor: 4/3/00. Effective date: 8/01/00.

**Chap. 325, S.F. 1952–Berg, H.F. 1590\*–Mahoney:** Authorizes Public Safety Department Alcohol and Gambling Division agents to execute search warrants. Signed by governor: 4/4/00. Effective date: 8/01/00.

**Chap. 344, S.F. 624\*–Murphy, H.F. 465–Ozment:** Establishes the board of firefighter training and education; specifies membership representation requirements; requires recommendations from certain firefighters associations; specifies certain powers and duties of the board; requires the board to review fire service training needs and make recommendations on training to Minnesota fire service organizations; and requires the board to establish standards for education programs for the fire service, to develop procedures for continuing oversight of the programs and to establish qualifications for fire service training instructors. Signed by governor: 4/6/00. Effective date: 8/01/00.

**Chap. 354, S.F. 3455\*–Johnson, D.H., H.F. 2752–Stanek:** Expands the provision limiting the liability of financial institutions providing stolen, forged or fraudulent check information for use by the crime alert network or law enforcement agencies investigating crime to employees or company agents of the financial institution and to providing information to check verification services or consumer reporting agencies; imposes a penalty for providing false information to financial institutions relating to lost or stolen checks or debit cards; increases the penalty for the crime of identity theft; creates the crime of possession or sale of stolen or counterfeit checks; sets penalties; and subjects the stolen or counterfeit checks to forfeiture and includes the more severe offenses under the RICO (racketeering) law. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 366, S.F. 3566\*–Foley, H.F. 3303–Entenza:** Creates a criminal penalty for failure to remit to the state sales taxes on motor vehicles collected from purchasers. Signed by governor: 4/13/00. Effective date: 4/14/00.

**Chap. 368, S.F. 2980–Junge, H.F. 3331\*–Howes:** Requires the executive director of the Center for Crime Victim Services to appoint a director of domestic violence and sexual assault prevention; specifies certain duties and responsibilities of the director; requires annual reports to the governor and Legislature; establishes a temporary interagency task force on domestic violence and sexual assault prevention; specifies membership requirements and objectives; requires the director to serve as chair; requires the task force to submit a strategic plan on domestic violence and sexual assault prevention to the governor and the Legislature; specifies certain plan content requirements; requires the task force to cooperate and coordinate activities with the SAFE council; and requires the sexual assault and battered women advisory councils to advise the director in matters relating to prevention of violence. Signed by governor: 4/13/00. Effective date: 7/01/00.

**Chap. 377, S.F. 3154\*–Ranum, H.F. 3950–Broecker:** Grants district public defenders, the state public defender and attorneys working for public defense corporations access to certain criminal and juvenile justice databases for criminal defense purposes, and specifies certain limits. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 383, S.F. 76\*–Foley, H.F. 262–Entenza:** Eliminates the requirement to hold administrative DWI (driving while under the influence of alcohol or controlled substance) motor vehicle forfeiture proceedings at the same time as

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implied consent hearings; requires judicial review and hearing to take place at the earliest practicable date; authorizes and provides for financial institutions with valid security interests or leases covering forfeited vehicles to dispose of the vehicles in lieu of agency disposal; requires notice to the appropriate agency and agency release of the vehicle to the financial institution; prohibits sale of the vehicle to a member of the household of the violator; provides an exception; and requires financial institution reimbursement to the agency for seizure, storage and forfeiture costs before application of the sale proceeds to financial institution costs or expenses or forwarding to the state treasury. **Vetoed.**

**Chap. 408, S.F. 3108\*-Lesewski, H.F. 3512-Anderson, B.:** Strengthens the provision providing for telephone access to attorneys by persons in local or state correctional facilities and specifies that penalties for violation not to apply to officers or persons with persons in custody restrained of liberty while serving executed sentences in state correctional facilities. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 411, S.F. 3338\*-Johnson, D.H., H.F. 3825-Smith:** Establishes an annual liability insurance cap for tribal law enforcement agencies; expands the definition of peace officer under the crime of fleeing a peace officer in a motor vehicle to employees of law enforcement agencies of a federally recognized Indian tribes licensed by the Board of Peace Officer Standards and Training (POST); and expands the definition of flee to include refusing to stop the vehicle. Signed by governor: 4/14/00. Effective date: various.

**Chap. 431, S.F. 2771-Kelly, R.C., H.F. 2830\*-Clark, K.:** Requires the commissioner of public safety and the executive director of the Peace Officer Standards and Training (POST) Board to study and make recommendations on training for peace officers to combat juvenile prostitution; specifies certain study requirements; and enhances penalties for persons (pimps and patrons) soliciting or promoting juvenile prostitution. Signed by governor: 4/20/00. Effective date: various.

**Chap. 437, S.F. 551\*-Junge, H.F. 1067-Fuller:** Modifies domestic abuse provisions; modifies personal service requirements for ex parte orders for protection; authorizes and provides for short form notification in lieu of personal service for protection orders; defines no contact order; imposes a penalty and requires peace officer arrest without warrant for violation under certain conditions; provides for peace officer civil liability immunity; expands the crime of first degree murder relating to domestic abuse to other family or household members; provides enhanced penalties under the crimes of fifth degree and domestic assault for previous malicious child punishment convictions and delinquency adjudications or for violation of similar laws of other states; modifies a certain probation condition for certain sex offenders; increases certain penalties and the cash bail requirement under the crime of malicious child punishment; changes the term domestic assault to domestic abuse under a certain provision providing for the pretrial disposition of issues; and provides for evidence of similar prior conduct in domestic abuse cases. Signed by governor: 4/24/00. Effective date: various.

**Chap. 441, S.F. 2830\*-Wiger, H.F. 2958-Mahoney:** Provides for a charge of escape from custody upon criminal offender escape after lawful arrest and before the commencement of trial proceedings, and increases the penalties for assaulting a peace officer. Signed by governor: 4/24/00. Effective date: 4/25/00.

**Chap. 451, S.F. 2891-Kelly, R.C., H.F. 2833\*-McGuire:** Provides for the sharing of certain data between probation officers and school officials for juveniles on probation; requires superintendent or school chief administrative officer notice to parent or guardian of the disclosure; regulates access to disposition orders received by schools; specifies certain duties of school superintendents or principals; classifies the data; and excludes home schools from the definition of school. Signed by governor: 5/05/00. Effective date: 8/01/00.

**Chap. 472, S.F. 2845\*-Knutson, H.F. 2655-Leppik:** Expands the requirement for the commissioner of public safety to suspend the drivers licenses of underage persons illegally purchasing or attempting to purchase alcoholic beverages to purchases or attempted purchases with any type of false identification; authorizes licensed liquor retailers or municipal liquor stores and tobacco retailers to seize forms of identification believed to be altered or falsified or used to violate the law; requires delivery to a law enforcement agency within a certain number of hours of seizure; increases the penalties for misrepresentation of age in the purchase of alcoholic beverages or cigarettes or tobacco products; and broadens the exception from the penalties for minors purchasing or attempting to purchase tobacco or tobacco related devices under the direct supervision of a responsible adult for training, education, research or enforcement purposes. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 476, S.F. 3580-Kelly, R.C., H.F. 2516\*-Smith:** Modifies the definition of harassment under the crime of harassment; specifies that petitions for relief without merit not required a hearing; and requires petitions alleging harassment to further allege an immediate and present danger of harassment before court issuance of temporary restraining orders. Signed by governor: 5/15/00. Effective date: 7/01/00.

**Chap. 478, S.F. 2677\*-Johnson, D.H., H.F. 2995-Fuller:** Recodifies and simplifies DWI provisions and authorizes a felony DWI working group. Signed by governor: 5/15/00. Effective date: various.

## Election Laws

**Chap. 263, S.F. 2465\*-Solon, H.F. 2680-Jaros:** Authorizes political party treasurers to sign political contribution receipt refund forms. Signed by governor: 3/20/00. Effective date: 8/01/00.

**Chap. 467, S.F. 2673-Larson, H.F. 2826\*-Seifert, M.:** Modifies election procedures; requires the secretary of state to biennially notify minor political parties of conditions for participation in the income tax form and property tax refund return programs; modifies and clarifies the terms of appointed soil and water conservation district supervisors and of hospital district board members; clarifies the terms

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for school board members and town officers; eliminates the requirement for county auditor verification of addresses of individuals registering to vote on election day; modifies or clarifies certain absentee ballot application procedures; expands a certain provision providing for filing by absent candidates to candidates for special district offices; specifies procedures for candidates for state or federal office wanting write in votes; modifies the time limit for filing affidavits of withdrawal from primary ballots; requires contiguous municipalities outside the Metropolitan Area to be located in the same county to establish combined polling places; clarifies the procedure for filing corrected base maps after precinct boundary changes; requires precinct boundaries to follow certain physical features; clarifies the procedure for appointing certain high school students as trainee election judges; changes the option of county auditors to retain returned school district election materials to a retention requirement for school district clerks and extends the returned election materials retention time period requirement; requires the secretary of state to mail notices of nomination to nominees for state or federal office upon completion of county canvasses; modifies the method for sending copies of canvassing board reports and precinct summary statements to the secretary of state; provides for the submission of affidavits of candidacy by absent candidates for municipal or school district office; modifies the time limit for municipal or school district office and hospital district board candidates to file affidavits of withdrawal; expands the requirement for printing official ballots for municipal general elections; clarifies certain primary ballot voter instruction requirements; and repeals the experimental mail balloting authority of Ramsey and Kittson Counties. Signed by governor: 5/15/00. Effective date: 8/01/00.

## Environment and Natural Resources

**Chap. 251, S.F. 2763\*-Pariseau, H.F. 2980-Haas:** Specifies that for the 1999-2000 fishing season, the open angling season for walleye, sauger, northern pike, muskellunge, largemouth bass, and smallmouth bass and the 1999-2000 spearing season is the Saturday two weeks prior to the Saturday of Memorial Day weekend 1999 to February 29, 2000. Signed by governor: 2/16/00. Effective date: 2/17/00.

**Chap. 265, S.F. 2346\*-Krentz, H.F. 2603-Hackbarth:** Authorizes the commissioner of natural resources (DNR) to issue special permits without a fee authorizing hunters with permanent physical disabilities to use snowmobiles or all-terrain vehicles (ATV) in wildlife management areas; specifies certain permit qualification requirements; modifies certain qualifications for disabled hunters to obtain a special permit from the commissioner to hunt from a motor vehicle; authorizes the commissioner to establish reasonable minimum standards for the permits; creates an exception to the authority to take a deer of either sex and grants the commissioner certain permit denial, modification, suspension or revocation authority; and imposes a penalty for false permit application. Signed by governor: 3/20/00. Effective date: 1/01/01.

**Chap. 278, S.F. 2289-Robertson, H.F. 2505\*-Leppik:** Modifies state park permits validity period. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 306, S.F. 2326\*-Wiger, H.F. 2588-Mares:** Designates the Monarch butterfly as the official state butterfly. Signed by governor: 3/31/00. Effective date: 8/01/00.

**Chap. 308, S.F. 3586\*-Pariseau, H.F. 3352-Gerlach:** Authorizes the use of lighted fishing lures by anglers, and prohibits the use of batteries containing intentionally introduced mercury in the lures. Signed by governor: 4/03/00. Effective date: 8/01/00.

**Chap. 321, S.F. 3369\*-Ring, H.F. 3596-Ozment:** Provides for grants to special purpose districts with environmental responsibilities; defines special purpose district as watershed, soil and water conservation or lake improvement districts, watershed management organizations and other joint powers boards including special purpose districts as members; requires the Board of Government Innovation and Cooperation, in cooperation with the Board of Water and Soil Resources (BWSR) to solicit proposals from special purpose districts for the development and implementation of pilot projects demonstrating alternative models for managing natural resources at the local level; requiring proposals to provide for consolidation of natural resource management responsibilities and authority; specifies eligibility and provides for grant awards; specifies limit; provides for implementation of the model; requires board annual reports to the Legislature on the development and implementation of alternative models; and specifies recommendation requirements. Signed by governor: 4/04/00. Effective date: 4/05/00.

**Chap. 324, S.F. 3283\*-Runbeck, H.F. 3555-Westerberg:** Authorizes civil enforcement of snowmobile metal traction device sticker requirements. Signed by governor: 4/04/00. Effective date: 4/05/00.

**Chap. 326, S.F. 2444\*-Larson, H.F. 2819-Cassell:** Conveys surplus state land in Stearns County to the city of Sauk Centre and requires the city to conduct a property reuse study to determine the highest and best use of the property before implementing plans for the property for submission to the commissioner of administration and to consult with the state historic preservation office before demolishing or altering contributing buildings or conducting new construction on the property. Signed by governor: 4/04/00. Effective date: 4/05/00.

**Chap. 333, S.F. 2735-Price, H.F. 29408\*-Workman:** Modifies the date for annual registration by owners or operators of drycleaning (dry cleaning) facilities with the commissioner of revenue; requires the commissioner after public hearing to annually adjust the interim fees to maintain a certain annual income amount; and specifies that lower amount to supersede a certain previously required amount. Signed by governor: 4/04/00. Effective date: 4/05/00.

**Chap. 337, S.F. 2546\*-Stevens, H.F. 2559-Howes:** Provides for the recovery of sunken logs on inland waters; provides that the title to sunken logs or historical artifacts are to vest in the state a certain amount of time after sinking; requires persons wishing to raise and remove logs

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resting on submerged lands owned by the state in inland waters to apply to the commissioner of natural resources (DNR) for a lease; specifies certain application requirements and fees; requires evidence of liability insurance; requires and provides for review and approval of applications by the commissioner with notice to the Minnesota Historical Society and publication in the state register; specifies certain factors to be considered by the commissioner in approving applications and sets a time limit; specifies lease terms and conditions; provides for disposition of application fees and lease proceeds received; prescribes penalties for certain violations; requires the commissioner to report to the Legislature on the recovery of sunken logs including a fiscal note; repeals a certain provision requiring the scaling and marking of raised submerged logs. Signed by governor: 4/06/00. Effective date: 4/07/00.

**Chap. 339, S.F. 2857-Lessard, H.F. 3134\*-Ozment:** Eliminates the requirement for the commissioner of natural resources (DNR) to allow members of the Metropolitan Mosquito Control Commission to enter state property to determine the need for mosquito control programs; requires the commissioner to approve or modify Metropolitan Mosquito Control District plans for protection of public water, wild animals and natural resources before the start of control operations on state lands administered by the commissioner; temporarily authorizes denial, modification or revocation of approval by the commissioner upon necessity determination; and requires written notice to the commission. Signed by governor: 4/06/00. Effective date: 4/07/00.

**Chap. 341, S.F. 3378-Lessard, H.F. 3510\*-Holsten:** Authorizes and provides for the commissioner of natural resources (DNR) to issue lifetime angling, small game, firearms deer or sporting licenses to certain state residents and lifetime angling or small game hunting licenses to nonresidents; sets fees; establishes the lifetime fish and wildlife trust fund for crediting of the fees; provides for investment by the State Board of Investment and for annual transfer by the commissioner of finance of certain amounts to the game and fish fund; requires biennial reports by the commissioner of natural resources to the Legislature on the adequacy of lifetime license fees with requests for fee adjustments; provides for certain recommendations by the commissioner of finance; requires commissioner of natural resources annual reports to the Legislature on the amount of revenue received and expenditures made from revenue transferred to the game and fish fund; requires public availability of the reports; prohibits persons born after a certain date from using lifetime licenses to take wild animals by firearms without meeting the requirements for obtaining a firearms safety certificate for an annual license; makes permanent the authority to take two deer in Kittson, Lake of the Woods, Marshall, Pennington and Roseau Counties; authorizes the commissioner to limit the number of deer taken in certain years to protect the deer population in the area; and appropriates money to the commissioner to administer and market lifetime licenses. Signed by governor: 4/06/00. Effective date: 4/07/00.

**Chap. 348, S.F. 3379\*-Ring, H.F. 2761-Rostberg:** Authorizes and provides for public sales of certain tax-forfeited lands bordering public waters in Aitkin, Isanti, Lake, Morrison, Norman and Polk Counties; authorizes and provides for private sales of certain tax-forfeited lands bordering public water in Dakota, Isanti, Martin, Ramsey, St. Louis, Washington and Lake Counties; authorizes the conveyance of certain consolidated conservation land in Beltrami County to Waskish township and the exchange of certain land in Carlson County for land owned by the Fond du Lac band of Lake Superior Chippewa; and modifies a certain provision providing for the private conveyance of land in Itasca County. Signed by governor: 4/10/00. Effective date: various.

**Chap. 370, S.F. 3361-Higgins, H.F. 3576\*-Osskopp:** Modifies certain reporting requirements for solid waste and wastewater treatment facilities; reduces the frequency requirement for local government units identified as permittees for wastewater treatment works to evaluate the condition of existing systems for reporting to the pollution control agency; extends the expiration date for certain exemptions to the prohibition on toxins in packaging; modifies a certain exemption from the product review and fee requirements of manufacturers for specified products distributed for sale or use in the state not listed on the prohibited products list; requires the PCA to report to the Legislature with a recommendation for an agency name change; and repeals certain annual reporting and record-keeping requirements of solid waste facility operators and subsequent reporting requirements of the commissioner of the PCA. Signed by governor: 4/13/00. Effective date: 4/14/00.

**Chap. 374, S.F. 2514\*-Stevens, H.F. 2807-Howes:** Specifies that until December 1, 2001, on inland waters, the daily limit for taking yellow perch is 20 and the total possession limit for yellow perch is 50. Signed by governor: 4/13/00. Effective date: 12/01/00.

**Chap. 375, S.F. 2949\*-Hottinger, H.F. 2613-Boudreau:** Authorizes and provides for the commissioner of natural resources (DNR) to establish heritage forest areas to be called the Big Woods Heritage Forest in Blue Earth, Carver, Dakota, Hennepin, Le Sueur, McLeod, Meeker, Nicollet, Rice, Sibley, Scott, Waseca and Wright Counties under certain conditions for threatened forest areas preservation and protection purposes; specifies certain general powers of the commissioner, authorizing and providing for the commissioner or local government units to acquire heritage forest land through conservation easements with landowners; specifies certain landowner agreement requirements; requires new landowners after sale of the property to continue the easements under the same terms or conditions; provides for termination; authorizes and provides for private landowners to establish lands as heritage forest land by preparing a heritage forest stewardship plan and completing a stewardship registration agreement; and prohibits the designation of heritage forests from imposing additional restrictions on the commissioner of transportation (DOT) or local road authorities to construct, improve or maintain highways and the provisions from authorizing the accep-

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tance of grants or agreements preempting state regulation and control of state lands. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 376, S.F. 3290\*-Kelly, R.C., H.F. 3250-Osthoff:** Authorizes and provides for the Pollution Control Agency to temporarily enter into settlement agreements for implementation of a portion of approved response action plans and to provide grant funds for implementation purposes under the Environmental Response and Liability Act (superfund); provides for PCA discretion and specifies a grant limit; and extends landfill cleanup program eligibility to the Western Lake Superior Sanitary District under certain conditions. Signed by governor: 4/13/00. Effective date: 4/14/00.

**Chap. 381, S.F. 2573-Berg, H.F. 2888\*-Peterson:** Authorizes the commissioner of natural resources (DNR) to mark a certain portion of the Chippewa River as a canoe and boating route. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 382, S.F. 83\*-Stevens, H.F. 1493-Ozment:** Simplifies and consolidates wetlands regulations; removes the exception of certain wetlands classified as natural environment lakes from the definition of public waters under the water law; authorizes the commissioner of natural resources (DNR) to revise the list of public waters for certain public waters wetlands reclassification purposes; sets restrictions; requires a reclassification priority for wetlands affected by public works projects; requires the commissioner to provide notice of reclassifications to local government units, county boards and watershed and soil and water conservation districts for objections purposes; provides that objection negates the reclassification; specifies certain conditions for the draining or filling of wetlands by employees or agents of contractors; provides that violations are to be a separate offense; requires the Board of Water and Soil Resources (BWSR) to develop a form to be distributed to contractors associations, local government units and soil and water conservation districts for compliance purposes; specifies certain form content requirements; applies wetlands regulations to excavations in permanently and semipermanently flooded areas of certain types of wetlands; eliminates the requirements for replacement within the same watershed or county as the impacted wetlands; eliminates the requirement for the board to maintain a public list of restoration opportunities in the Metropolitan Area and eliminates the authority of the board committee for dispute resolution to hear disputes relating to restoration opportunities for wetland replacement; includes public waters wetlands under certain restoration and replacement requirements; modifies certain provisions regulating the filling or draining of wetlands for certain public road or transportation projects and modifies certain restoration projects priority requirements; establishes a priority order for siting wetland replacement; modifies the replacement plan exemption for agricultural activities in wetlands located on agricultural land; expands the exemptions to certain activities authorized under the federal clean water or rivers and harbors acts and modifies the de minimis exemption; eliminates the requirement to contact the board

for information on minimizing wetland impacts; requires the board to adopt rules governing approval of public waters work permits affecting public waters wetlands; modifies membership requirements and expands certain duties of technical evaluation panels; exempts persons conducting wetlands or public waters boundary delineations or type determinations from state licensing requirements and requires the board, in consultation with the Minnesota Association of Professional Soil Scientists, the University of Minnesota and the Wetland Delineators Association, to submit a plan to the Legislature for a professional wetland delineator certification program; authorizes and provides for landowners to apply for wetland boundary or type determinations from local government units; authorizes local government units and soil and water conservation districts to charge fees for technical and administrative assistance to landowners in processing wetland projects applications; provides for appeal of wetland banking and wetland boundary or type determination decisions and expands the authority of the board to deny petitions; sunsets the Wetland Heritage Advisory Committee; requires the commissioner to be responsible for public waters preservation and protection; authorizes the commissioner to waive the requirements for public waters work permits and local government units to waive the requirements for replacement plans under certain conditions; defines wetlands for interpretation of statutes purposes; and requires the board and the commissioner to provide a joint report to the Legislature on further technical changes to the Wetland Conservation Act and rules to provide for an improved regulatory consolidation process and to adopt or amend certain rules. Signed by governor: 4/13/00. Effective date: 4/14/00.

**Chap. 393, S.F. 2877\*-Janezich, H.F. 3328-Hackbarth:** Increases the size of the iron range off-highway vehicle recreation area in St. Louis County; extends the availability of a prior appropriation to the commissioner of natural resources (DNR) for the area; and authorizes hunting in the Iron Range Off-Highway Vehicle and Cuyuna Country Recreation Areas. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 396, S.F. 2968\*-Ourada, H.F. 3260-Olson:** Modifies provisions relating to lake improvement districts; requires orders establishing districts to state the method of election and a method for property owners not present at annual meetings to participate in the election of the district boards; expands authority to petition for a referendum on establishing districts to districts initiated by petition or created by the commissioner of natural resources (DNR); requires appointment of board members by the commissioner in commissioner created districts; specifies that subsequent board members are to be elected by persons owning property in the district at the annual meeting of the district; requires county boards to seek other sources of funding before assessing district property owners for improvement projects; requires all district property owners including absent members to elect directors for board positions with expiring terms; and authorizes and provides for county special property tax levies to pay for the opera-

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tion of lake improvement districts. Signed by governor: 4/14/00. Effective date: various.

**Chap. 406, S.F. 173\*-Moe, R.D., H.F. 304-Tunheim:** Authorizes the possession of wild animals properly taken and tagged on certain Red Lake Indian Reservation lands. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 428, S.F. 2683\*-Samuelson, H.F. 2889-Hackbarth:** Exempts archery bows used for bowfishing from the casing requirement for transport in a motor vehicle and authorizes the taking of rough fish while in a motorboat with an uncased bow; expands the authority of the commissioner of natural resources (DNR) to issue special crossbow permits for the taking of small game or rough fish and authorizes certification of disability by chiropractors; and specifies requirements for arrows or bolts used to take big game or turkey and to take rough fish with a crossbow. Signed by governor: 4/20/00. Effective date: 4/21/00.

**Chap. 432, S.F. 2456\*-Ourada, H.F. 3786-Anderson, B.:** Authorizes the conveyance of certain Wright County ditches to the cities of St. Michael and Albertville. Signed by governor: 4/24/00. Effective date: local approval.

**Chap. 463, S.F. 2950-Krentz, H.F. 3046\*-Holsten:** Increases hunting and fishing license fees and provides a gray wolf management plan. Modifies the provision providing for livestock owner compensation for livestock destroyed by gray (timber) wolves; provides for the elimination of the limit per animal and modifies the recommendation requirement; requires game and fish fund oversight committees to make recommendations to the commissioner of natural resources (DNR) for outcome goals from expenditures from the fund and requires the commissioner to report in the annual report to the Legislature on the goals and on a summary and comments of committee reviews; imposes a criminal penalty for violation of game and fish laws governing gray wolves; increases hunting and fishing license fees; provides for the management of gray wolves; authorizes the use of guard animals to harass, repel or destroy wolves to protect livestock, domestic animals or pets; authorizes destruction without a permit of wolves in defense of human life, livestock, guard animals or domestic animals; requires reporting of destruction to a conservation officer; authorizes the harassment of gray wolves under certain conditions; requires the commissioner to investigate reported gray wolf takings, to produce monthly reports of investigative activities and to notify county extension agents; requires extension agents to recommend cost conscious livestock best management practices and nonlethal wolf depredation controls needed to prevent future wolf depredation; authorizes the taking of gray wolves to protect property in the agriculture zone (zone B); prohibits an open season for gray wolves for five years after delisting as an endangered species; prohibits the release of wolf-dog hybrids and requires a permit from the commissioner for the release of captive gray wolves; prohibits violation of federal laws relating to wolves; requires the commissioner, in consultation with the commissioner of agriculture, to adopt a gray wolf management plan; requires the commissioner of natural resources to provide a gray wolf control training program for certified predator controllers participating in gray wolf

control and to open a predator control area for gray wolves in zones A and B under certain conditions; sets forth restrictions; defines zone A and zone B; increases commissioner predator control payments for wolves; authorizes the commissioner, in consultation with the commissioner of agriculture, to develop a cooperative agreement for gray wolf control activities with the federal Department of Agriculture; modifies the authorized use of lighted fishing lures; requires the commissioner of revenue in depositing revenue from the in lieu sales tax on lottery tickets to credit a certain percentage to the game and fish fund for activities to improve or enhance fish and wildlife resources and to credit certain percentages to the natural resources fund for state parks and for natural resource purposes as a supplement to traditional sources of funding; requires land acquired with money deposited in the game and fish fund to be open to public hunting and fishing during the open season; requires a certain percentage of money deposited for improvement, enhancement or protection of fish and wildlife resources to be allocated for field operations; requires the commissioner of natural resources to report to the Legislature on appropriations needed to accomplish the gray wolf management plan; specifies certain phrase change instructions to the revisor of statutes; and appropriates money to the commissioner for fish and wildlife management, for expansion of the walleye stocking program, for enforcement of natural resources laws, for game and fish projects on public and private lands, for state park and recreation area and trail operations, for a grant to the Metropolitan Council for Metropolitan Area regional parks and trails maintenance and operations, for trail grants to local government units and for grants to the Minnesota Zoological Garden, to the city of St. Paul for the Como Zoo and Conservatory and to the city of Duluth for the Duluth Zoo. Signed by governor: 5/15/00. Effective date: various.

**Chap. 466, S.F. 3036\*-Johnson, D.H., H.F. 2962-Haas:** Provides for seizure and administrative forfeiture of certain firearms and abandoned property; specifies property subject to seizure and forfeiture by game and fish enforcement officers; requires notice of seizure and intent to forfeit to property owners; specifies notice content requirements; authorizes appeal of seizure and administrative forfeiture to the Pollution Control Agency (PCA); provides for disposal of forfeited property; expands the authority of conservation officers to issue trespass citations to persons operating recreational motor vehicles; requires judicial review and hearing of forfeiture of motor vehicles for driving while under the influence of alcohol or controlled substance (DWI) to take place at the earliest practicable date; authorizes and provides for financial institutions with valid security interests or leases covering forfeited vehicles to dispose of the vehicles in lieu of agency disposal; requires notice to the appropriate agency and agency release of the vehicle to the financial institution; prohibits sale of the vehicle to a member of the household of the violator; provides an exception; requires financial institution reimbursement to the agency for seizure, storage and forfeiture costs before application of the sale proceeds to financial institution costs or expenses or forwarding to the

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state treasury; exempts off-road recreational vehicles and motorboats from certain requirements for forfeiture of vehicles for fleeing a peace officer; and requires the commissioner of natural resources (DNR) to review and assess gross violations of taking game and fish resources and report on increased penalties to the Legislature. Signed by governor: 5/15/00. Effective date: 5/16/00.

**Chap. 473, S.F. 1288\*-Lessard, H.F. 866-Holsten:** Modifying separate selection criteria for moose and turkey licenses; modifies the provision providing for the issuance of licenses without a fee to owners or tenants of agricultural land for deer hunting purposes; extends the Take a Kid Fishing Weekend; authorizes the commissioner of natural resources (DNR) to issue provisional firearms safety certificates to persons satisfactorily completing the classroom portion of the firearms safety course and unable to pass the written or alternate format exam portion due to mental retardation or a related condition upon recommendation of the course instructor and provides for the issuance of firearms hunting licenses to persons issued provisional safety certificates; authorizes the taking of big game with a .45 Winchester magnum cartridge; modifies the requirement for the transport of archery bows in the trunk of a motor vehicle; exempts trappers from blaze orange clothing requirements; provides for all season buck licenses; sets fee; expands the authority of the commissioner to designate lakes and streams as experimental waters; specifies criteria for the conduct of fishing contests without a permit; requires a permit without a fee for fishing contests not meeting the criteria; prescribes the application process; limits the number of contests allowed on certain smaller lakes; authorizes the commissioner to set certain permit restrictions; modifies the authority of anglers to use lighted fishing lures; appropriates money to the commissioner of natural resources (DNR) for transfer to the University of Minnesota Duluth to conduct an inventory of state owned land located within the Boundary Waters Canoe Area (BWCA) to provide the Legislature and state officers with more precise information relating to the nature, extent and value of the land; defines state owned land and specifies certain inventory content requirements; and requests a university report to the Legislature. Signed by governor: 5/15/00. Effective date: various.

**Chap. 485, S.F. 3878-Lessard, H.F. 3213\*-Ozment:** Requires the commissioner of natural resources to by a certain date implement a public notification process to be used before the commencement of state timber sales; requires the process to provide public notice and input in affected areas of proposed harvest plans; requires the posting of the plans on the DNR web site; requires process contents and a report with recommendations to the Legislature; modifies procedures for auction sales of timber on state lands and for the granting of permits to remove timber sold at public auction and certain surety bond requirements; and requires the commissioner to amend rules relating to the public use of recreational areas to regulate the use of motor vehicles on certain forest lands and roads and the construction of trails. Signed by governor: 5/15/00. Effective date: various.

**Chap. 486, S.F. 3002\*-Frederickson, H.F. 2991-Swenson:** Modifies the statutory listing for Lac qui Parle State Recreation Area to include Chippewa County; adds certain lands to Charles A. Lindbergh State Park in Morrison County, Flandrau State Park in Brown County, Myre-Big Island State park in Freeborn County, Lac qui Parle State Park in Lac qui Parle and Chippewa Counties, Minneopa State Park in Blue Earth County and Sibley State Park in Kandiyohi County; deletes certain lands from Lac qui Parle State Park (recreation area) and Lake Bemidji State Park in Beltrami County; provides for lifetime leases for boathouse lots located at Stuntz Bay in the Soudan Underground Mine State Park; restricts transfer of the leases by current leaseholders and requires transferee notice to and payment of an annual lease fee to the commissioner of natural resources (DNR); requires the commissioner to report to the Legislature on boathouse leases in state parks; specifies report content requirements; and requires the commissioner to contact U.S.X. Corporation and local government units relating to the inclusion of certain lands within Soudan Underground Mine State Park. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 495, S.F. 3071-Ring, H.F. 3516\*-McCollum:** Authorizes the commissioner of natural resources to advance a certain amount of funds appropriated for natural resources programs to agencies dedicated to the goals and objectives of the DNR for the purpose of sponsoring or cosponsoring conferences and seminars relating to natural resources issues and management; requires grants to or contracts with the agencies; clarifies provisions prohibiting the operation of snowmobiles, all-terrain vehicles and motorboats under the influence of alcohol or controlled substance (DWI, BWI); expands the composition of the outdoor recreation system; modifies mineral lands provisions; eliminates certain references to permits; expands the authority of the commissioner to designate mining units and eliminates certain mining unit contiguous tract requirements; modifies public notice requirements of the commissioner relating to public sale of iron ore or other minerals; increases the fee for applications to prospect for iron ore and provides for payment to the commissioner; eliminates the sealed bid requirement for mining unit applications and modifies the bid acceptance procedure; authorizes and provides for the commissioner, with approval of the executive council, to issue iron or taconite iron ore mining leases through negotiations with applicants; eliminates the official seal requirement for mineral leases; modifies the procedure for the disposition of payments received for mineral rights; modifies the procedure for the mining of minerals other than iron or taconite ore; eliminates certain specified lease recording requirements of the commissioner and the fee; modifies the procedure for commissioner designation of stockpile mining units for disposal purposes; provides for the treatment of state lands held in trust for taxing districts and eliminates certain provisions relating to the grouping of mining units; changes certain references to copper and nickel to nonferrous metallic minerals; designates the Swan Lake migratory waterfowl refuge; authorizes the commissioner to permit licensed firearms deer hunters to change

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zone or season options before the start of the regular firearms season; authorizes the issuance of replacement licenses under certain conditions; eliminates trawling fees on Lake Superior; sets the fee for a replacement firearms deer license; providing for commissioner acquisition of critical aquatic habitat; authorizes the commissioner to take catfish with seines, nets and other devices on the Minnesota Wisconsin Boundary Waters; modifies certain minnow retailer and turtle licensing requirements; clarifies the provision providing for forfeiture of motor vehicles for DWI; provides for the deposit of nongame field project contributions; increases the dollar limit for natural resource projects requiring a performance or payment bond or bid deposit; grants legislative approval of the granting of a permit by the commissioner to the city of Grand Forks, North Dakota for consumptive use of water from the Red River of the North for municipal water supply purposes and specifies an expiration date; authorizes the commissioner to use a certain percent of a certain snowmobile maintenance and grooming grant to reimburse the intended recipient for the actual cost of snowmobile trail grooming equipment to be used for grant in aid trails; and repeals existing provisions governing minerals and mineral lands and a provision requiring the commissioner to consider expanding the areas for hunting deer with muzzle loading firearms. Signed by governor: 5/30/00. Effective date: various.

**Res. 5, S.F. 3835\*-Johnson, D.J., H.F. 4178-Bakk:** A resolution memorializing the President and the President's Council on Environmental Quality to expedite the environmental impact statement of the United States Forest Service to begin reducing fuel loadings through controlled burning in the Boundary Waters Canoe Area Wilderness (BWCAW). Signed by governor: 5/30/00.

## Finance

**Chap. 365, S.F. 3533\*-Kelly, R.C, H.F. 3952-Ozment:** Provides payment of claims against the state; appropriates money to the commissioner of corrections for full and final payment of certain claims for medical services provided to certain individuals injured while performing community service or sentencing to service work for correctional purposes and for payment to a certain person injured while performing assigned duties as an inmate at the correctional facility in Oak Park Heights. Signed by governor: 4/11/00. Effective date: 4/12/00.

**Chap. 488, S.F. 3798-Samuelson, H.F. 2699\*-Goodno:** Appropriates money for jobs and economic development, environment, natural resources, agriculture, criminal justice, state government, health, and human services; modifies term limit provisions for the Rehabilitation Advisory Council for the Blind; modifies a match requirement for the Judy Garland Museum; exempts certain individuals from certain unemployment insurance additional benefits requirements; authorizes certain school food service workers to use wage credits earned for benefit purposes; exempts the Jobs Skills Partnership Board from certain state contracting requirements; modifies fees; provides for the expiration of securities filings; provides for a refund of excess securities fees; authorizes the Rural Policy

and Development Center Board to appoint additional members; authorizes the Jobs Skills Partnership Board to make certain grants; authorizes the Minnesota State Colleges and Universities Board to make certain investments; increases certain penalties; provides certain rights to next of kin of deceased employee; extends the expiration date of the Legislative Electric Energy Task Force; modifies provisions relating to renewable energy incentive payments; sets a goal for the Dept. of Economic Security; increases grant limits; modifies unemployment benefit eligibility; modifies a dislocated worker grant provisions; codifies electrical inspection fee provisions; extends the sunset date for the Board of Boxing; transfers boxing regulation to the Board of Health; authorizes a study; modifies unclaimed property provisions; extends the time a grant is available; cancels certain appropriations; reduces appropriations to the Dept. of Commerce; modifies agricultural licensing fees; changes certain agricultural chemical reimbursement and ethanol producer payment provisions; modifies provisions relating to the Rural Finance Authority; creates the agroforestry loan program; creates certain recreation areas; modifies natural resources funding formulas; modifies state trail and park provisions; modifies drainage authority funding sources; modifies storage tank provisions; modifies resource recovery provisions; modifies provisions relating to state land transfers; creates an agricultural land set-aside program; increases criminal penalty fines; requires a study on issues related to providing shelter for victims of domestic violence; authorizes local road authorities to provide, by ordinance, for designation of pedestrian safety crossings on highways under certain circumstances; establishes a Capitol Complex Oversight Committee consisting of legislative and executive agency members to plan and oversee security in the Capitol Complex; requires the Minnesota Safety Council to enhance its crosswalk safety awareness program; authorizes the council to make grants to local units of government for enhancing enforcement of pedestrian safety laws; establishes a joint domestic abuse prosecution unit to be administered by the Ramsey County Attorney's Office and the St. Paul City Attorney Office; establishes a grant program for peace officer education to combat juvenile prostitution; requires the commissioner of public safety to develop an automobile theft prevention program; requires the commissioner of corrections to develop a uniform method to calculate per diem costs of incarcerating offenders at state adult correctional facilities; adopts a formula that requires counties and the state to share costs of confinement at Minnesota Correctional Facility-Red Wing; authorizes the commissioner of corrections to make juvenile residential treatment grants; requires placement of juveniles at Red Wing if admission criteria are met unless the court finds the safety of the child or community can best be met in an out-of-state-facility; requires mandatory commitment to the commissioner of corrections of certain juveniles who have refused or failed to complete sex offender or chemical treatment programs; authorizes conveyance of state land for regional jail programs; modifies provisions relating to state government operations; reduces the Minnesota Comprehensive Health Associations' operating deficit assessment;

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allows a hospital construction project in Beltrami County; allows exceptions to the nursing home moratorium; removes the reimbursement prohibition for marriage and family therapists under medical assistance; expands the senior drug program; requires information on prescription drug patient assistance; changes long-term care provisions; increases rates for nursing facilities and other providers; changes provisions governing public assistance programs; provides for immigration status verification and requires a report to the Immigration and Naturalization Service on undocumented aliens; makes changes to the distribution and treatment of child support in public assistance programs; establishes a local interventions for self-sufficiency grant program; establishes a supportive housing pilot project; establishes a nontraditional career assistance and training program; establishes an at-risk youth out-of-wedlock pregnancy prevention program; extends public assistance eligibility for certain groups; and authorizes county pilot projects for families on public assistance. Signed by governor: 5/15/00 with line item vetoes. Effective date: various.

**Chap. 492, S.F. 3811-Berglin, H.F. 4078\*-Knoblach:** Relates to capital improvements; authorizes spending for public purposes, including but not limited to, acquiring and bettering public land and buildings and other public improvements of a capital nature with certain conditions; requires certain studies and reports; establishes state recreation areas; imposes accounting standards for infrastructure; authorizes acquisition and conveyance of state land; renames certain state facilities; repeals the requirement for cost-benefit analysis on certain state projects; authorizes and changes procedures for the sale of state bonds; and appropriates money. Signed by governor: 5/15/00; line item vetoes. Effective date: various.

## **Governmental Operations and Veterans**

**Chap. 277, S.F. 160-Stevens, H.F. 118\*-Erickson:** Requires persons designated as permanent state agency commissioners to serve as acting commissioners until Senate confirmation of appointment and imposes a time limit on service as a temporary or acting commissioner. **Vetoed.**

**Chap. 283, S.F. 2982-Johnson, D.E., H.F. 2836\*-Rostberg:** Clarifies eligibility requirements for membership in the National Guard and the organized militia. Signed by governor: 3/27/00. Effective date: 8/01/00.

**Chap. 297, S.F. 2691\*-Wiener, H.F. 3281-Boudreau:** Transfers authority to develop the energy portions of the building code from the commissioner of public service, or the commissioner of commerce under certain conditions, to the commissioner of administration. Signed by governor: 3/28/00. Effective date: 7/01/00.

**Chap. 302, S.F. 2821\*-Hottinger, H.F. 2785-Rest:** Authorizes the attorney general to permit charitable organizations granted an extension to file federal information return/tax return forms to file with annual reports a copy of the federal extension and file the federal form with the state at the time required to be filed with the federal government. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 332, S.F. 2653\*-Novak, H.F. 4076-Haake:** Requires state agencies with Internet sites to provide information on grants available through the agencies and to provide a link for grant application and requires the commissioner of administration to develop and implement a system for electronic application for state agency grants when feasible. Signed by governor: 4/04/00. Effective date: 8/01/00.

**Chap. 345, S.F. 3119-Cohen, H.F. 2803\*-Smith:** Removes the exclusion from public employee bargaining units for court reporters under the Public Employment Labor Relations Act (PELRA); provides for court employees court reporter units in certain judicial districts and authorizes judges to appoint and remove court reporters at will. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 355, S.F. 2989\*-Runbeck, H.F. 3347-Gleason:** Subjects the chief administrative law judge of the Office of Administrative Hearings to the provisions of the state constitution relating to holding other office, the jurisdiction of the Board on Judicial Standards and the provisions of the code of judicial conduct; requires the judges to be learned in the law; authorizes the chief administrative law judge to establish a system of training in additional areas of knowledge for administrative law and workers compensation judges for the purpose of conducting hearings in areas other than the area of original appointment; requires annual notice to the Dept. of Finance by the chief administrative law judge of the amount of credit payable to the workers compensation special fund for time spent by compensation judges on noncompensation matters; subjects workers compensation judges to the code of judicial conduct; requires the chief administrative law judge to provide training to administrative law and compensation judges relating to the requirements of the code and provides for application; and authorizes workers compensation and administrative law judges to mediate, arbitrate and take other appropriate actions on matters referred to the Office of Administrative Hearings by members of the federal or state judicial branch or by the Workers Compensation Court of Appeals. Signed by governor: 4/10/00. Effective date: 12/31/00.

**Chap. 380, S.F. 2547\*-Metzen, H.F. 2822-Rhodes:** Requires the Capitol Area Architectural and Planning Board to select an appropriate site in the capitol area for installation of the memorial to Minnesota firefighters presently installed at the Minneapolis-St. Paul International Airport; specifies a nonstate funding requirement; authorizes the placement of a plaque in the Court of Honor on the capitol grounds to honor combat wounded veterans; requires the plaque to be furnished by other than the Dept. of Veterans Affairs and subjects the plaque to commissioner of veterans affairs and CAAPB approval. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 384, S.F. 3701\*-Wiener, H.F. 3195-Leppik:** Increases the membership of the State Designer Selection Board; provides for representation from certain contractors associations and for designation of designers for projects at the University of Minnesota or the State Colleges and Universities (MnSCU) as voting members; and eliminates the nonvoting representative of the user agency. Signed by governor: 4/13/00. Effective date: 8/01/00.

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**Chap. 387, S.F. 2848\*-Kelly, S.P., H.F. 2981-Rostberg:** Includes certain emergency medical services (EMS) and emergency telephone system (911) employees in the list of supervisory or confidential employees authorized to be represented by the same exclusive representative representing nonsupervisory or nonconfidential employees under the Public Employment Labor Relations Act (PELRA). Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 390, S.F. 3138\*-Wiger, H.F. 3554-Anderson, B.:** Modifies duties of the commissioner of veterans affairs; changes the Agent Orange Information and Assistance Act to the "Environmental Hazards Information and Assistance Act" and expands coverage of the act to other veterans and chemical agents; authorizes the placement of a memorial plaque to honor combat wounded veterans in the Court of Honor on the capitol grounds; requires the plaque to be furnished by other than the Dept. of Veterans Affairs and subjects the plaque to commissioner of veterans affairs and Capital Area Architectural and Planning Board (CAAPB) approval; and repeals provisions relating to agent orange settlement payments, the collection and use of funds for certain hospitals and the descent of certain insurance benefits after death. Signed by governor: 4/14/00. Effective date: various.

**Chap. 392, S.F. 2795\*-Metzen, H.F. 3597-Mares:** Modifies provisions regulating state investments; expands authorized State Board of Investment corporate stock investments to stock or convertible issues of corporations listed on exchanges regulated by federal or Canadian governmental agencies; authorizes an increased percentage investment in closed end mutual fund shares; authorizes the board to invest in trusts, private placements and limited liability corporations, companies and partnerships; modifies investment options for the medical education and tobacco use prevention and local public health endowment funds; authorizes the Minnesota State Colleges and Universities (MnSCU) Board of Trustees to enter into joint venture agreements with private corporations to develop educational materials and related programs or services including equity investments and clarifies state liability arising from investments; requires annual reports to the Legislature regarding earnings and earnings disposition; and creates an exception to the requirement for the principal of the tobacco settlement funds to be maintained inviolate. Signed by governor: 4/14/00. Effective date: 4/15/00.

**Chap. 399, S.F. 1495\*-Hottinger, H.F. 1394-Pawlenty:** Uniform Commercial Code-Secured Transactions; enacts the revised Article 9 of the Uniform Commercial Code (UCC) regulating secured transactions. Signed by governor: 4/14/00. Effective date: 7/01/01.

**Chap. 407, S.F. 3259\*-Limmer, Bradley:** Provides for certain state energy code rules for certain residential buildings to remain in effect and makes contractor compliance with certain other rules optional; requires the Dept. of Administration Building Codes and Standards Division (BCSD) to report to the Legislature addressing the cost benefit, air quality, building durability, moisture, enforcement, enforceability and liability relating to the implementation of certain rules; and requires the report to include a

feasibility study of establishing new criteria for certain one and two family residences relating to energy efficiency, enforceability and nonmechanical ventilation sufficiency for good air quality maintenance, building durability and adequate release of moisture purposes. Signed by governor: 4/14/00. Effective date: 4/14/00.

**Chap. 413, S.F. 1231\*-Hottinger, H.F. 1383-Wilkin:** Modifies provisions relating to the licensing of optometrists; requires a clinical doctorate from an optometry school for licensing eligibility purposes; specifies certain forms of disciplinary actions authorized to be taken by the Board of Optometry after a contested case hearing. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 414, S.F. 3550-Terwilliger, H.F. 3633\*-Rhodes:** Designates Mighty Eighth Air Force week in honor of the largest military unit to serve in World War II and temporarily requires an annual gubernatorial proclamation honoring the observance. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 417, S.F. 3272\*-Wiener, H.F. 2846-Bradley:** Modifies bleacher safety and enforcement requirements. Signed by governor: 4/17/00. Effective date: 8/01/00.

**Chap. 419, S.F. 1699\*-Price, H.F. 1834-Reuter:** Provides for payment to state agencies for government services transactions by credit, charge or debit cards or other electronic funds transfer methods; requires the commissioner of finance, in consultation with the state treasurer, to contract for processing services; authorizes the agencies to impose a convenience fee per transaction; sets a limit; prohibits the Dept. of Revenue from imposing a fee on tax payments required by law or rule to be made by electronic funds transfer; requires agencies imposing a fee to provide advance notice to persons using the credit services; appropriates fees collected to the agency collecting the fee for processing contractor payment purposes; and classifies credit card or electronic funds transfer account numbers. Signed by governor: 4/18/00. Effective date: 8/01/00.

**Chap. 420, S.F. 2972\*-Knutson, H.F. 3495-Anderson, B.:** Authorizes the commissioner of administration to acquire goods, services and utilities for state agencies by reverse auction and defines reverse auction. Signed by governor: 4/18/00. Effective date: 8/01/00.

**Chap. 442, S.F. 3139\*-Metzen, H.F. 2968-Mullery:** Excludes refunds or rebates of state sales taxes as a means of support for discretionary admission of residents to veterans homes; authorizes the Veterans Home Board to establish programs to assist homeless or disabled veterans on the campuses of the veterans homes; authorizes use of federal grant money for the Hastings Veterans Home to purchase single family dwellings, make necessary repairs and improvements with the assistance of the Dept. of Administration and operate the program; specifies that the programs continuation is contingent on the availability of federal funds. Signed by governor: 4/24/00. Effective date: various.

**Chap. 445, S.F. 3178\*-Metzen, H.F. 3550-Hilty:** Dept. of Public Safety housekeeping provisions. **Article 1:** Requires the commissioner of public safety to publicize and award public safety grants; continues certain previously repealed rule authority of the commissioner; increases the per diem

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payment for members of the Board of Private Detective and Protective Agent Services and modifies training requirements for private detectives and protective agents relating to the use weapons other than firearms. **Article 2—Battered women and domestic abuse:** Changes the name of the Battered Women’s Advisory Council to the Advisory Council on Battered Women and Domestic Abuse and expands the term battered women to victims of domestic abuse; authorizes support services to domestic abuse victims; establishes guidelines for the administration of battered women shelter per diem funding by the Minnesota Center for Crime Victim Services in the Dept. of Public Safety; prohibits designated shelter facilities from discrimination; classifies personal history information collected, used or maintained by the facilities; specifies certain duties of the director of the center; and authorizes facility appeal of denied payments. Signed by governor: 4/26/00. Effective date: various.

**Chap. 457, S.F. 3257\*—Hottinger, H.F. 3445—Stang:** Modifies certain provisions relating to legislative employment; clarifies the definition of employees of the Legislature for Minnesota State Retirement System (MSRS) coverage eligibility purposes; eliminates certain references to payment by the day and permanent employees; and makes technical changes. Signed by governor: 5/05/00. Effective date: 8/01/00

**Chap. 461, S.F. 2796\*—Pogemiller, H.F. 2999—Mares:** Modifies retirement provisions; provides for actuarial asset value change, actuarial assumption changes, actuarial method changes and actuarial reporting cost allocation changes; revises the reemployed annuitant earnings limitation; modifies administrative provisions; authorizes and provides for the purchase of prior military service credit by certain participants in the Minnesota State Retirement System (MSRS), the State Patrol Retirement Plan and the Public Employees Retirement Association (PERA) or the Public Employees Police and Fire Plan; requires the commissioner of employee relations (DOER) to convene a task force on postretirement and active employee health care to identify strategies for providing postretirement and active employee health care coverage for public employees; expands the definition of covered correctional service for Minnesota State Retirement System (MSRS) Correctional Employees Retirement Plan coverage purposes and provides for election to obtain and purchase prior state service credit by the additional employees upon transfer of coverage from the general state employees retirement plan; authorizes and provides for certain electrical workers, plumbers, carpenters and associated trades personnel employed by Independent School District #625, St. Paul, to elect exclusion from pension coverage under the Public Employees Retirement Association; specifies that election to be irrevocable; provides pension coverage for certain tribal police officers exercising state arrest powers under the Public Employees Police and Fire Plan; provides for the receipt of retroactive service credit; provides for the purchase of prior service credit in PERA by full time and permanent part time salaried members of the Spring Lake Park Fire Department; expands the definition of other public employing unit under

a certain provision providing Public Employees Retirement Association (PERA) benefits for certain privatized public employing unit employees to the St. Paul Civic Center Authority; clarifies certain provisions governing the allocation of amortization state aid under the merger of local police and fire consolidation accounts into the Public Employees Police and Fire Plan of the Public Employees Retirement Association (PERA); provides for certain former local police and firefighters relief association consolidation account retirees to elect a special joint and survivor optional annuity under the plan; makes PERA local correctional retirement plan modifications; provides for teacher retirement and related changes; sets forth MnSCU pension coverage and related changes; provides for employer matching contribution tax sheltered annuity changes; repeals a certain limit on public employee retirement annuities; provides for Volunteer Firefighter Relief Association changes; provides for dissolutions and consolidations of volunteer firefighter relief associations; provides for Minneapolis Police and Firefighters Relief Association changes; provides for Judges Retirement Plan modifications; and provides for various individual and small group pension provision modifications. Signed by governor: 5/15/00. Effective date: various.

**Chap. 464, S.F. 2836—Price, H.F. 3557\*—Krinkie:** Corrects technical errors in state government, human services, and pre-kindergarten-grade 12 education appropriation provisions. Signed by governor: 5/15/00. Effective date: various.

**Chap. 469, S.F. 3234\*—Hottinger, H.F. 3000—Seifert, M.:** Authorizes the governmental operations committees of the Legislature to object to administrative rules; requires state agency submittal of proposed rules to the committees for advice and comment under certain need or reasonableness nonestablishment conditions; requires chief administrative law judge notice to the committees of rule disapprovals; provides for legislative rule review and oversight; specifies certain entity reporting requirements and a review schedule; provides a sunset; creates a temporary rules task force to study and make recommendations to the governor and the Legislature on issues relating to review of agency rules; specifies certain membership and recommendations requirements; requires the State Board of Teaching to consult with representatives of faculty and administrators for post-secondary institutions with teacher preparation programs and report to the Legislature on opinions on rules relating to institution and teacher preparation program approval; and repeals certain rules. Signed by governor: 5/15/00. Effective date: various.

**Chap. 501, S.F. 2826\*—Flynn, H.F. 3102—Molnau:** Relates to public employment labor relations; increases the salary limits for certain groups of state employees; increases the salary limit for the administrator of the zoological garden and restricts a certain portion of the increase to nonstate funds; eliminates the prohibition on the use of Bureau of Mediation Services in the grievance procedure adopted by the commissioner of the bureau; changes certain references to the Legislative Commission on Employee Relations (LCER) to the Legislative Coordinating Commission relating to rejected negotiated agreements under certain

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authorized strike provisions; increases the salary of the director of the state lottery; ratifies the arbitration award and labor agreements between the state and the American Federation of State, County and Municipal Employees (AFSCME) Council 6, the labor agreements between the state and the State Residential Schools Education Association, the Middle Management Association, the Minnesota Nurses Association, the Minnesota Community College Faculty Association, the State University Interfaculty Organization, the United Technical College Educators, the Minnesota State University Association of Administrative and Service Faculty, the Minnesota Association of Professional Employees (MAPE) and the Minnesota Law Enforcement Association, the commissioner plans for unrepresented employees, for managerial employees, for administrators of the Minnesota State Colleges and Universities and for unrepresented unclassified employees of the Higher Education Services Office and the proposals to increase the salaries of certain heads of state agencies and of the director of the Higher Education Services Office (HESO) approved by the LCC Subcommittee on Employee Relations on certain dates. Signed by governor: 5/30/00. Effective date: various.

**Res. 4, S.F. 2348\*-Wiger:** Resolution for release of Americans held in North Korea, China, Russia and Vietnam. Signed by governor: 4/03/00. Effective date: 4/04/00

## Health and Family Security

**Chap. 267, S.F. 3236-Kiscaden, H.F. 3236\*-Mulder:** Modifies the procedure for issuing certified copies of birth or death certificates and authorizes issuance to grandparents or grandchildren of the subject and to the party responsible for filing the certificate. Signed by governor: 3/23/00. Effective date: 8/01/00.

**Chap. 271, S.F. 2776\*-Solon, H.F. 3064-Jaros:** Requires the commissioner of health to extend the deadline for beginning construction on a previously approved nursing home bed moratorium project in St. Louis County; incrementally increases the medical assistance (MA) rental rate for the facility; and requires corresponding increases in the total replacement cost and allowable appraised value, debt and interest. Signed by governor: 3/23/00. Effective date: 8/01/00.

**Chap. 276, S.F. 3089-Sams, H.F. 3113\*-Goodno:** Permits an additional pharmacy technician in a pharmacy if the technician is nationally certified. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 284, S.F. 3117-Hottinger, H.F. 3222\*-Rhodes:** Modifies reporting requirements of health related licensing boards; eliminates the gender membership restriction for the Health Professionals Services Program Committee and Advisory Committee; and requires the Emergency Medical Services (EMS) Regulatory Board and the health related licensing boards to conduct health professionals service programs or contract for diversion programs for regulated professionals unable to perform duties due to illness, to the use of alcohol, drugs, chemicals or other materials or to a mental, physical or psychological condition. Signed by governor: 3/27/00. Effective date: 8/01/00.

**Chap. 294, S.F. 2978-Murphy, H.F. 3196\*-Osskopp:** Expands the authority for directors of nursing services to serve as nursing home administrators to certain larger nursing facilities; and provides for treatment of employee pension benefit costs reported by a certain nursing facility in Goodhue County as contributions to the Public Employees Retirement Association (PERA) for medical assistance (MA) payment rate computation purposes. Signed by governor: 3/28/00. Effective date: various.

**Chap. 295, S.F. 3161\*-Kiscaden, H.F. 3375-Mulder:** Modifies provisions relating to health care purchasing alliances; provides for rural health care purchasing alliance employer-member contributions to the cost of employee health coverage under certain conditions; creates an exception to the requirement for accountable provider networks and health care purchasing alliances to comply with applicable requirements; authorizes self insured employers to participate as affiliate members of purchasing alliances without affecting the standing of the employer under the federal Employee Retirement Income Security Act (ERISA); defines affiliate member; authorizes the establishment and maintenance of complaint systems by contract with a purchasing alliance; requires approval of the commissioner of health; prohibits commissioner waiver of enrollee rights relating to external review; restricts accountable provider networks offering of benefit plans to employer-members of the alliance; authorizes an alternate form of submission of information needed to monitor quality of care and enrollee rights; modifies certain solvency protection requirements; extends the time limit for commissioner approval of certificates of authority for accountable provider networks; requires the commissioner to honor the intent of the provisions to foster community focused affordable health coverage for small employers and employees; and repeals the enrollment limit. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 296, S.F. 3253\*-Sams, H.F. 3188-Tingelstad:** Requires the commissioner of human services, in consultation with special transportation providers, to prepare a study on appropriate medical assistance (MA) reimbursement for special transportation providers. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 298, S.F. 2365\*-Sams, H.F. 2909-Abeler:** Modifies the supervisory requirement for physician assistants responding to disaster situations, requires supervision by a licensed physician involved with the disaster response; imposes a term limit on members of the Physician Assistant Advisory Council; provides for partial term appointments; authorizes current members to complete current terms; and clarifies coverage under medical assistance (MA) for services performed by registered physician assistants. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 307, S.F. 2699-Samuels, H.F. 3209\*-Seifert, J.:** Specifies expenditure reporting requirements for the purchase, construction or leasing of radiation therapy facilities for health care cost containment purposes; defines provider; specifies certain retrospective or prospective review criteria for determination by the commissioner of health of the appropriateness of the major spending commitment; grants

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the commissioner certain penalty and remedy authority; and specifies the scope of prospective review and exempting radiation therapy facilities owned and operated or managed by licensed hospitals from the provisions. Signed by governor: 4/3/00. Effective date: 4/04/00.

**Chap. 310, S.F. 2631-Kinkel, H.F. 2809\*-Howes:** Clarifies Ah-Gwah-Ching center admissions criteria and authorizes geriatric rapid assessment stabilization or emergency admittance programs promotion. Veto overridden: 4/17/00. Effective date: 8/01/00.

**Chap. 312, S.F. 2896\*-Stevens, H.F. 3226-Nornes:** Authorizes nursing homes to train and employ resident assistants to assist residents with eating and drinking upon federal approval; specifies certain assistant qualification requirements; requires volunteerism, evaluations and criminal background checks; prohibits retaliation against employees choosing not to volunteer for the program and subjects resident attendants to requirements for volunteer feeding assistants; prohibits the assignment of resident attendants to feed residents at risk of choking or presenting significant behavior management challenges or other risk factors; requires the commissioner of health to examine state and federal rules and regulations governing the provision of care in nursing facilities and to develop and implement alternative procedures for the nursing home survey process; specifies consultation requirements; requires the commissioner to pursue changes to federal law necessary to accomplish the requirement and to apply for federal waivers or approval; prescribes the process to be used in the examination and certain factors to be considered by the commissioner in developing alternative procedures for the survey process; modifies the requirement for physician approval of certain intervals for checking incontinent nursing home residents; requires the commissioner to develop and report to the Legislature on a proposal to resolve the issue of defensive documentation in nursing homes; specifies certain consultation requirements; requires the commissioner to seek a federal waiver to decrease the amount of paperwork involved in certain shorter nursing home stays; requires the commissioners of health and human services to develop and report to the Legislature on a proposal to decrease regulations impeding direct care of nursing home residents; sets consultation requirements; and repeals the penalty for death due to abuse or neglect and a certain rule. Signed by governor: 4/3/00. Effective date: various.

**Chap. 313, S.F. 2748\*-Lourey, H.F. 2994-Fuller:** Modifies provisions relating to ambulance services and emergency medical technicians (EMT); specifies staffing requirements for specialized ground life support services providing advanced life support; authorizes the Emergency Medical Services Regulatory Board to deny certification; authorizes the inclusion of the cardiopulmonary resuscitation course and practical skills test as part of the refresher course or continuing education renewal requirements and provides for continuing education credit for the cardiopulmonary resuscitation and advanced cardiac life support courses; eliminates the certified instructor requirement for training programs; reduces the partial licensing period fee for

ambulances; provides for annual audits of regional emergency medical services board by the Emergency Medical Services Regulatory Board; and repeals certain rules. Signed by governor: 4/03/00. Effective date: 4/04/00.

**Chap. 314, S.F. 2734\*-Berglin, H.F. 3212-Tingelstad:** Authorizes a study of home and personal care providers transportation costs reimbursement. Signed by governor: 4/3/00. Effective date: 8/01/00.

**Chap. 315, S.F. 2868\*-Stevens, H.F. 3048-Nornes:** Requires the Minnesota Home Care Association, in collaboration with the commissioner, to study and report to the Legislature on reimbursing home and personal care service providers receiving reimbursement under the medical assistance (MA), general assistance medical care (GAMC) or the home and community based waiver services programs for worker transportation costs; and specifies certain study content requirements. Signed by governor: 4/03/00. Effective date: 8/01/00.

**Chap. 317, S.F. 3549\*-Terwilliger, H.F. 3306-Wilkin:** Expands authorized facility size with approval of the local governing authority and repeals certain facility qualification requirements under the residential hospice program. Signed by governor: 4/3/00. Effective date: various.

**Chap. 319, S.F. 2941\*-Kiscaden, H.F. 3365-Abeler:** Relates to vulnerable adults; requires the health related licensing boards to make determinations relating to disqualification of licensees from positions allowing direct contact with persons receiving services due to substantiated maltreatment; authorizes determinations as part of an investigation and specifies certain consideration requirements; requires the commissioner of human services to notify the boards of disqualification due to substantiated maltreatment appearing in background studies; requires the boards to determine the duration and extent of the disqualification; authorizes establishment of conditions allowing the licensee to hold the direct contact position; requires notice to the commissioner and the lead investigating agency of determinations; modifies the exemption from the definition of neglect for vulnerable adult abuse purposes relating to individual mistakes; grants licensed health professionals disqualified before a certain date the right to petition for licensing board review; requires the commissioner, in consultation with the commissioner of health, the health related licensing boards and representatives of licensed and nonlicensed health professionals, to study and make recommendations to the Legislature on the coordination of investigatory and disciplinary activity affecting licensed health professionals for efficiency and duplication avoidance purposes. Signed by governor: 4/03/00. Effective date: 8/01/00.

**Chap. 327, S.F. 3005\*-Ranum, H.F. 3103-Sykora:** Relates to human services licensure; establishes the right to licensure for certain excluded adult foster care providers including housing with services establishments under certain conditions; grants tribal licensing agencies access to criminal history data; modifies the disqualification from foster or day care or direct contact position licensure requirements for certain persons convicted of certain gross misdemeanor or felony sexual or child neglect or endanger-

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ment offenses; and specifies certain reference replacement instructions to the Revisor of Statutes. Signed by governor: 4/04/00. Effective date: 4/05/00.

**Chap. 330, S.F. 2566-Hottinger, H.F. 2670\*-Bradley:** Entitles certain families receiving home and community based waived services for persons with mental retardation or related conditions to receive one time family support grants; specifies limits; clarifies the maximum monthly family support grant amount; and eliminates the authority for county social service agencies to set aside a certain percentage of grant allocations to fund emergency situations. Signed by governor: 4/04/00. Effective date: various.

**Chap. 338, S.F. 3025\*-Pappas, H.F. 3342-Mariani:** Requires proof of competency for licensed foster and respite care providers caring for individuals relying on medical monitoring equipment; and requires the commissioner of human services to create a training and skills form for foster care agencies making foster care placements and supervising foster care providers to list completed medical training and training on medical equipment by foster care providers. Signed by governor: 4/06/00. Effective date: 8/01/00.

**Chap. 340, S.F. 2901-Berglin, H.F. 3122\*-Abeler:** Extends the deadline for application to the commissioner of health for designation as an essential community provider for certain nonprofit providers or facilities certified as medical assistance (MA) providers and meeting certain specified criteria; provides for renewal of essential community provider designations; imposes an age range for medical assistance eligibility for employed persons with disabilities; clarifies and modifies certain provisions providing for residential services for children with severe emotional disturbance under medical assistance; modifies the conditions for coverage for services provided by facilities considered not to be institutions for mental disease; modifies certain provisions providing for payment rates to counties for residential services and for the use of federal earnings; modifies certain quality measures requirements; clarifies the county maintenance of effort and reporting requirements; expands certain enforcement authority of the commissioner of human services; modifies certain services for the elderly and disabled under the medical assistance prepayment demonstration project, authorizes the commissioner to contract with counties for the services and requires county authority approval of demonstrations for persons with primary diagnoses of mental retardation or related conditions, serious and persistent mental illness or serious emotional disturbance; clarifies a certain provision specifying eligibility requirements for general assistance medical care (GAMC); modifies certain copayment and coinsurance requirements under MinnesotaCare; delays a certain reporting requirement of the commissioner relating to implementation of the rehabilitation services option for adults with mental illness; requires the commissioner to amend or repeal obsolete provisions of certain rules governing eligibility for the medical assistance program and in consultation with the representatives of affected providers, consumers and counties to review group residential housing (GRH) expenditures eligible for reimbursement under the home and community based waiver services

program for persons with mental retardation or related conditions (MR/RC waiver); specifies certain review content requirements; requires the exclusion of expenditures for housing with services and adult foster care in determining average monthly expenditures per client for alternative care program pilot projects and extends the expiration date of the projects; and repeals a certain provision providing for inpatient hospital copayments under MinnesotaCare upon federal approval. Signed by governor: 4/6/00. Effective date: various.

**Chap. 347, S.F. 2499\*-Sams, H.F. 3477-Mulder:** Clarifies medical assistance (MA) reimbursement requirements for speech language pathologists issued temporary registrations; requires reimbursement at the same rate as services performed by speech language pathologists or audiologists under certain supervision conditions. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 349, S.F. 2767\*-Samuelson, H.F. 2643-Luther:** Requires and provides for prompt payment or denial by health plan companies and third party administrators of clean claims for health or home care services; excepts pharmaceutical providers; requires and provides for the payment of interest on delayed claims; excepts claims delayed to review potentially fraudulent or abusive billing practices; and prohibits the commissioner of commerce from assessing a financial administrative penalty against health plan companies for violations. Signed by governor: 4/10/00. Effective date: 1/01/01.

**Chap. 353, S.F. 2850\*-Lessard, H.F. 3052-Solberg:** Extends the expiration date for Itasca County participation as a demonstration provider under the medical assistance (MA) prepayment demonstration project. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 361, S.F. 1038\*-Solon, H.F. 947-Howes:** Regulates, requires and provides for the licensing of occupational therapists and occupational therapy assistants by the commissioner of health; provides for exemptions; regulates the use of certain titles; defines the scope of practice; specifies certain licensure requirements, procedures and qualifications; provides for licensure by equivalency and reciprocity; authorizes and provides for issuance by the commissioner of temporary licenses to certain applicants and specifies certain supervision requirements; provides for periodic renewal of licenses; provides for the delegation of duties and assignment of tasks by occupational therapists and for supervision of occupational therapy assistants; provides an exception to the supervision requirement; requires and provides for the coordination of services by occupational therapists; specifies certain client notice requirements in the absence of a physician referral or prior authorization; regulates the use of physical agent modalities and specifies certain documentation requirements; specifies certain continuing education requirements for occupational therapists and occupational therapy assistants; authorizes and provides for commissioner auditing of continuing education reports and for waiver of continuing education requirements under certain conditions; imposes penalties for noncompliance with the requirements; imposes licensure fees and a temporary licensure fee surcharge; specifies

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grounds for commissioner denial of licensure or disciplinary action; requires and provides for commissioner appointment of an Occupational Therapy Practitioners Advisory Council; specifies membership requirements and duties; and repeals certain rules. Signed by governor: 4/11/00. Effective date: 4/12/00.

**Chap. 363, S.F. 3428\*-Kelly, S.P., H.F. 3626-Mulder:** Modifies certain supervisory and disciplinary requirements for psychologists; defines credentialed, designated supervisor and primary supervisor; modifies the definition of supervision and provides for postdegree supervised employment; clarifies and modifies certain qualifications to provide supervision; clarifies certain supervisory consultation requirements; and modifies certain grounds for disciplinary action. Signed by governor: 4/11/00. Effective date: 8/01/00.

**Chap. 364, S.F. 3198\*-Berglin, H.F. 3537-Bradley:** Establishes a process to close nursing facilities and reallocate the savings to other facilities; provides for submission of proposals for closure plans from certain facilities to the commissioner of human services; authorizes the commissioner to negotiate phased plans for closure of a certain number of facilities between certain dates; provides eligibility for medical assistance (MA) interim closure payments for facilities with approved closure plans designated for closure and special rate adjustments for facilities with the plans remaining open; specifies proposal content requirements; provides for proposals for phased closure plans and for application of the special rate adjustments; provides for review and approval of proposals by the commissioner; provides for interim closure payments and for the calculation of medical assistance cost savings from closure; sets criteria; provides that the facilities are to remain eligible for other applicable rate adjustments; authorizes the transfer of a certain amount of the estimated savings from the medical assistance account to the commissioner for relocation costs incurred by counties; requires the commissioner of health in approving nursing home moratorium exception projects to give priority to proposals to build replacement facilities in or near the city of Anoka; requires the commissioners of health and human services to report to the Legislature with recommendations for revision and general application of the closure process; and requires the commissioner of health to study and report to the Legislature by the same date on cessation or curtailing of nursing home operations and the impact of relocation of nursing facility and boarding care home residents on county government and on residents and families. Signed by governor: 4/11/00. Effective date: various.

**Chap. 369, S.F. 1130-Berglin, H.F. 1326\*-Abeler:** Exempts the state and county boards from liability under the Community Social Services Act (CSSA) for damages, injuries or liabilities sustained through the purchase of services with funds received through community social services plans. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 378, S.F. 3348\*-Johnson, D.E., H.F. 2707-Juhnke:** Modifies certain requirements for potluck events sponsored by organizations; authorizes advertising and attendance by

the public; and prohibits licensed food establishments from sponsoring the events. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 400, S.F. 1896\*-Kiscaden, H.F. 1662-Boudreau:** Relates to human services; expands and modifies grounds for sanctions against medical assistance (MA) vendors; authorizes the commissioner of human services to refer to the appropriate state licensing board regardless of the imposition of sanctions; provides new procedures for medical assistance claims against estates in probate proceedings; removes limits on medical assistance liens on real property and provides for a certain period of renewal; modifies the elective share of surviving spouses receiving medical assistance for intestate succession purposes and clarifies certain creditor notice requirements relating to the probate of wills; modifies the decree of descent; provides for clearance for medical assistance claims; requires the commissioners of human services, revenue and finance to develop specific legislative recommendations on the transfer from county funds to the state for funding day training and habilitation services for persons with mental retardation. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 412, S.F. 3387\*-Samuelson, H.F. 3652-Goodno:** Requires voluntary and informed consent before the performance of abortions; requires physicians performing abortions, referring physicians or registered or licensed practical nurses to provide certain information by telephone or in person to the female 24 hours before the abortion; provides an exception for medical emergency; specifies informed consent requirements; provides for the mailing of certain materials to the female and for revision of information previously supplied under certain conditions; requires the department of health to publish certain printed materials relating to the probable anatomical and physiological characteristics of the fetus at certain gestational increments, the methods of abortion procedures commonly employed and the risks of the procedures; requires the materials to be available free upon request to persons, facilities or hospitals; specifies a procedure to be used in cases of medical emergency; requires the commissioner of health to establish and maintain a statewide toll free telephone number and web site to provide certain information and referrals to local community resources to assist women and families through pregnancy and childbirth and during child dependency; provides for certain actions and injunctions for violation and imposes certain fines for contempt; requires fines collected to be sent to a special account at the Department of Health to be used for the printed materials; and provides for certain cumulative rights for consent to medical treatment. **Vetoed.**

**Chap. 421, S.F. 2615\*-Foley, H.F. 3008-Koskinen:** Provides a procedure for leaving unharmed newborns at hospitals with a hospital employee; requires licensed hospitals to receive unharmed newborn babies left with hospital employees on hospital premises within 72 hours of birth and prohibits the hospital from inquiring about the identity of the mother or the person leaving the newborn; prohibits the hospital from calling the police; authorizes the

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asking of medical history questions but specifies that the person leaving the newborn is not required to answer; authorizes the hospitals to provide the mother or person with information relating to contacting relevant social service agencies; requires the hospitals to inform the local welfare agency within a certain number of hours of receiving the newborn; requires the mother or person leaving the newborn to be allowed to leave the hospital before providing the notice; exempts hospitals and employees or medical professionals and persons mandated to report under the maltreatment of minors act from criminal and civil liability for receiving newborn babies and for failure to report; exempts local social service agencies taking custody of children after discharge from the hospital from certain family reunification and relative search or preference requirements in placing the children; provides for the status of newborns left at hospitals as abandoned for child protection and adoption purposes; and prohibits prosecution of persons leaving the newborn babies at hospitals under certain conditions. Signed by governor: 4/18/00. Effective date: 4/19/00.

**Chap. 422, S.F. 1202\*-Spear, H.F. 1631-Goodno:** Establishes protocol for occupational exposure to bloodborne pathogens in certain settings; defines bloodborne pathogens and certain other terms; authorizes emergency medical services personnel or agencies or corrections employees to request a facility to follow the procedures upon experiencing a significant exposure to bloodborne pathogens and specifies conditions for applicability of the procedures to hospitals and certain other health facilities, correctional facilities or secure treatment facilities; requires the EMS agency to locate the source individual under certain conditions and to inform the facility treating the exposed person of the identity and location of the individual; specifies certain information required to be given to the source individual and to the employee; provides for disclosure of positive bloodborne pathogen test results; specifies procedures for consent to testing and provides for the testing of available blood with and without consent; specifies certain follow-up information provision requirements; provides for the collection of blood samples with and without consent; prohibits facility withholding of care or treatment based on source individual consent to testing; limits the use of test results to diagnostic purposes and prohibits use in criminal or civil proceedings; provides an exception; provides for the confidentiality of test information; requires written consent to release information and imposes a penalty for unauthorized release; imposes testing and treatment cost responsibility relating to EMS personnel on the employing EMS agency; specifies facility protocol requirements for exposure to bloodborne pathogens; provides penalties for EMS agencies violating the requirements; provides for facility and health care personnel liability immunity; prohibits life and health insurers from using test results in underwriting decisions; specifies facility notice requirements relating to the exposure of EMS personnel to tuberculosis; expands the HIV and HBV prevention program to the hepatitis C virus (HCV) and clarifies the definition of regulated person relating to

nurses; and repeals the existing provision establishing a protocol to be followed in cases of EMS personnel exposed to HIV, HBV or HCV. Signed by governor: 4/18/00. Effective date: 8/01/00.

**Chap. 429, S.F. 2567-Hottinger, H.F. 2671\*-Bradley:** Excludes or disregards income earned as a temporary census employee from eligibility determination under medical assistance (MA), general assistance (GA), general assistance medical care (GAMC), the Minnesota family investment program (MFIP) and MinnesotaCare; requires the commissioner of human services to develop specific legislative recommendations on transferring public guardianship responsibilities and related duties and authority for persons with mental retardation from the commissioner and counties to another entity to independently fulfill guardianship obligations; and specifies certain consultation and eligibility requirements. Signed by governor: 4/20/00. Effective date: 4/21/00.

**Chap. 449, S.F. 3199-Fischbach, H.F. 3020\*-Bradley:** Modifies or clarifies provisions relating to long term care; clarifies prohibitions on duplicate services and expands a provision providing criteria for direct cash payments under the medical assistance (MA) alternative care program; eliminates and repeals obsolete provisions providing for determination by the commissioner of human services of medical assistance payment rates for nursing facilities and providing for the effect of pending legislation on establishment of the rates; and eliminates the requirement for the commissioner to increase the care related operating rate to reimburse facilities for unfunded federal mandates. Signed by governor: 5/01/00. Effective date: various.

**Chap. 460, S.F. 2474-Kiscaden, H.F. 3839\*-Goodno:** Relates to health; defines uniform explanation of benefits document and uniform remittance advice report; modifies uniform billing requirements under the Health Care Administrative Simplification Act; prescribes standards for Minnesota uniform health care reimbursement documents; provides an exception from the health care identification card requirement; regulates complementary and alternative health care practitioners; defines certain terms including complementary and alternative health care practices; creates the Office of Unlicensed Complementary and Alternative Health Care Practice in the Dept. of Health to investigate complaints and take and enforce disciplinary actions against unlicensed practitioners for violations of prohibited conduct; provides that the office serve as a clearinghouse on complementary and alternative health care practices and practitioners; requires the office to disseminate information to consumers; requires the commissioner of health to adopt rules; specifies reporting obligations of the practitioners relating to the maltreatment of minors; specifies that parents are not to be relieved of the duty to seek necessary medical care for children receiving complementary and alternative health care; imposes certain reporting obligations on state agencies, local government units, private agencies, hospitals, clinics, prepaid medical plans, other health care institutions or organizations, professional societies, licensed health care professionals, insurers and the courts relating to conduct constituting

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grounds for disciplinary action and actions taken; provides for self reporting; grants immunity from civil liability or criminal prosecution for reporters and investigators; requires courts reviewing disciplinary actions taken by the commissioner to seal the portions of the administrative record containing data on clients or complainants; requires the cooperation of unlicensed practitioners with investigations; classifies certain data; requires the office to establish internal operating procedures for exchanging information with state boards and agencies, law enforcement personnel and other states and for coordinating investigations; requires the office to maintain and keep current a file containing the reports and complaints filed against practitioners; specifies prohibited conduct and sets forth procedures for disciplinary action; provides for certain additional remedies; grants the commissioner certain cease and desist order issuance authority and provides for injunctive relief; establishes a complementary and alternative health care client bill of rights; exempts unlicensed practitioners from regulation by the board of medical practice; modifies certain provisions regulating speech language pathologists, audiologists, unlicensed mental health practitioners, alcohol and drug counselors and hearing instrument dispensers; modifies certain supervised training requirements for speech language pathologist and audiologist registration applicants; provides for the issuance of temporary registration as a speech language pathologist or audiologist by the commissioner of health under certain conditions; expands requirements for registration after a lapse of more than a certain number of years; modifies certain continuing education requirements; excludes American Indian medicine men and women, licensed attorneys, probation officers, school counselors, registered occupational therapists and occupational therapy assistants from the definition of unlicensed mental health practitioner; expands prohibited conduct for unlicensed mental health practitioners to bartering for services with clients; requires unlicensed mental health practitioners subject to investigation to sign a release authorizing the commissioner to obtain certain nonpublic data; clarifies the scope of the mental health client bill of rights; defines or redefines certain terms relating to alcohol and drug counselors; modifies examination requirements; specifies certain requirements for temporary practice; modifies qualification requirements for transitional licensure and grounds for license suspension, revocation or restriction; authorizes the commissioner of health to contract with the commissioner of human services to obtain criminal history data from the Bureau of Criminal Apprehension (BCA); allows temporary practice without a license under certain conditions; clarifies the exception to licensing requirements; defines direct and indirect supervision relating to hearing instrument dispensers; increases the minimum age for certificate application; modifies the examination requirement exemption for audiology registrants; places a limit on the number of examinations allowed to be taken by applicants; modifies trainee supervision requirements and provides for trainee certification by reciprocity and for automatic expiration of the trainee period; prohibits dispensing to a minor without evaluation by an audiologist;

delays the repeal of the Board of Boxing; requires the commissioner of health to examine issues relating to rising health insurance costs and develop recommendations for providing affordable health insurance to employees of programs and facilities serving the elderly and disabled to be provided to the Legislature; requires the commissioner to report to the Legislature on the number and types of complaints received against unlicensed complementary and alternative health care practitioners, the number of investigations conducted and the number and types of enforcement actions completed; and repeals certain additional licensing requirements for alcohol and drug counselors. Signed by governor: 5/11/00. Effective date: various.

**Chap. 474, S.F. 2841-Kiscaden, H.F. 3409\*-Bradley:** Modifies provisions relating to continuing care services for persons with disabilities; requires health maintenance organization (HMO) membership cards to include the telephone number of the office of the ombudsman for mental health and mental retardation for persons enrolled in the coordinated service delivery system for persons with disabilities under medical assistance (MA); clarifies mental health case manager training and skill requirements; includes the demonstration project for people with disabilities in the definition of government program for health plan company adverse determinations external review requirement exception purposes; modifies certain qualification requirements of case managers under the adult and children's mental health acts; authorizes the commissioner of human services to license service sites accommodating a certain lower number of residents moving from a closing intermediate care facility for persons with mental retardation in Olmsted County and applies certain group residential housing (GRH) rates to the excepted facilities; provides an exception to the prohibition on coverage under medical assistance for personal care services provided by legal guardians of adults; modifies requirements for face to face assessments for personal care assistant services medical assistance coverage purposes; places the responsibility for communicating recommendations to the commissioner and the recipient on the county or certified public health nurse; modifies restrictions on prior authorization of home care services provided in adult or child foster care settings by the commissioner under medical assistance; expands the definition of setting for shared personal care assistant services and private duty nursing services to outside the home under certain conditions and restricts the number of recipients allowed to receive care from one private duty nurse in the same setting; eliminates a restriction on payment for crisis services to ICF/MRs relating to shared service agreements; modifies certain contract requirements for medical assistance reimbursement to ICF/MRs; requires the commissioners of human services and health to review the consolidated standards for services to persons with mental retardation and a certain supervised living facility rule to determine waivers for intermediate care facilities to implement performance measures without duplicating or increasing the regulatory requirements; modifies certain ICF/MR variable rate adjustment requirements; requires facilities to maintain and submit monthly bed use data for

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rate adjustment purposes; requires the commissioner of human services to review the process of variable rate adjustments during the initial contract period to determine effectiveness; and requires prepaid health plans serving counties with nonprofit community clinics or community health services agencies under the consolidated service delivery system to contract with the clinics or agencies to provide services to clients choosing to receive services from the clinics or agencies under certain payment rate agreement conditions. Signed by governor: 5/15/00. Effective date: various.

**Chap. 494, S.F. 2847-Kiscaden, H.F. 3642\*-Huntley:** Modifies the definition of accredited clinical training for medical education funding purposes; changes the annual deadline for application for funding of clinical medical education programs and modifies certain application content requirements; and provides for the determination of the statewide average cost per trainee for medical education funding distribution purposes. Signed by governor: 5/30/00. Effective date: various.

## **Jobs, Energy and Community Development**

**Chap. 261, S.F. 2552-Kelley, S.P., H.F. 2642\*-Rhodes:** Modifies the requirement for a surety bond for search firms previously licensed as employment agencies. Signed by governor: 3/14/00. Effective date: 8/01/00.

**Chap. 268, S.F. 2059-Belanger, H.F. 979\*-Lindner:** Authorizes landlords to apportion utility service payments among residential units or to add the payments to the rent; specifies conditions for separate utility billing to tenants in single metered buildings; requires owners to provide copies of utility bills to tenants upon request; provides for level monthly payments through annualized budget plans; and requires landlords to notify tenants of possible energy assistance availability. Signed by governor: 3/23/00. Effective date: 8/01/00.

**Chap. 272, S.F. 3355\*-Solon, H.F. 3762-Jaros:** Authorizes the electronic disbursement of funds by port authorities. Signed by governor: 3/23/00. Effective date: 3/24/00.

**Chap. 282, S.F. 2890-Metzen, H.F. 3132\*-Storm:** Extends the current interest rate for tenants' security deposits. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 286, S.F. 3292-Kelly, R.C., H.F. 3433\*-Osthoff:** Changes the powers and jurisdiction of the St. Paul Port Authority for recreation facilities and purposes. Signed by governor: 3/27/00. Effective date: local approval.

**Chap. 289, S.F. 2652\*-Novak, H.F. 2687-Wolf:** Expands exemptions from the Minnesota Power Plant Siting Act to the retrofitting or repowering of an existing nuclear or primarily coal fired power plant to primarily a gas powered power plant or a similar clean fuel. Signed by governor: 3/28/00. Effective date: 3/29/00.

**Chap. 292, S.F. 2779-Johnson, D.J., H.F. 3421\*-Bakk:** Reduces the percentage of members or stockholders of certain merged or consolidated cooperative electric associations required to petition for rate regulation by the Public Utilities Commission (PUC); and provides for member due process in merger or consolidation revocation cases. Signed by governor: 3/28/00. Effective date: 3/29/00.

**Chap. 301, S.F. 2193\*-Sams, H.F. 1333-Daggett:** Defines board foot and provides for the determination of board feet for wood sales contracts regulation purposes; and exempts finished lumber measured in nominal dimensions. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 323, S.F. 2894\*-Higgins, H.F. 3290-Dorman:** Classifies communications between discrimination complainants and attorneys representing the commissioner of labor and industry under the Occupational Safety and Health Act. Signed by governor: 4/04/00. Effective date: 8/01/00.

**Chap. 343, S.F. 3554\*-Scheevel, H.F. 3806-Wolf:** Changes the name of the reemployment compensation program to the Minnesota unemployment insurance program; modifies provisions relating to the unemployment insurance coverage for nonprofit organizations; modifies the payment in lieu of taxes schedule; requires the commissioner of economic security to establish reimbursable accounts for organizations electing payments in lieu of taxes and modifies the payments process; applies compromise authority to nonprofit organizations; and specifies certain phrase and term change instructions to the Revisor of Statutes. Signed by governor: 4/06/00. Effective date: 4/07/00.

**Chap. 351, S.F. 2397\*-Higgins, H.F. 2639-Ozment:** Establishes standards for employer activities to reduce occupational exposure to bloodborne pathogens through sharps injuries; requires employers to comply with certain federal regulations to eliminate or minimize employee exposure; requires written exposure control plans prepared by employers to be annually reviewed for certain changes in technology, to reflect new or modified tasks and procedures affecting occupational exposures and new or revised employee positions with occupational exposure and to document consideration and implementation of commercially available and effective engineering controls for eliminating or minimizing exposure; requires safety committees to make advisory recommendations for effective engineering controls; requires a certain portion of the members of the safety committees to be employee representatives of job classifications encountering devices in the category evaluated; authorizes employers to establish subcommittees of safety committees with the same membership representation to meet the requirements; employers not required to establish safety committees to involve employees in evaluation of the controls; and temporarily allows the use of prefilled syringes approved by the federal Food and Drug Administration (FDA); requires employers to establish internal procedures to document exposure; and specifies certain content requirements. Signed by governor: 4/10/00. Effective date: 6/10/00.

**Chap. 352, S.F. 3354\*-Novak, H.F. 3584-Lindner:** Clarifies certain requirements for a manufactured home limited dealers license; authorizes owners of manufactured home parks upon payment of the applicable fee to obtain a separate license for each park owned; increases the authorized sales limit per license; clarifies application requirements; requires forms to be provided by the commissioner of administration; sets the annual application fee; requires a

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separate surety bond for each limited license; authorizes the commissioner, upon license renewal application, to require verification of the retention of copies of certain sales documents; authorizes commissioner inspection; and eliminates the rulemaking requirement. Signed by governor: 4/10/00. Effective date: 4/11/00.

**Chap. 424, S.F. 3769-Lesewski, H.F. 3901\*-Storm:** Authorizes and provides for the Housing Finance Agency to enter into agreements with third parties for interest rate exchanges for bonds or notes outstanding or proposed to be issued as a financing mechanism and authorizes HFA grants or loans from the community rehabilitation fund to for profit organizations to construct or rehabilitate housing for home ownership. Signed by governor: 4/20/00. Effective date: 8/01/00.

**Chap. 434, S.F. 2946\*-Vickerman, H.F. 3292-Dorman:** Phases out the use of methyl tertiary butyl ether (MTBE), ethyl tertiary butyl ether (ETBE) and tertiary amyl methyl ether (TAME) as oxygenates in gasoline sold in the state; and requires exclusion of the oxygenates in calculating the oxygen content of gasoline. Signed by governor: 4/24/00. Effective date: 8/01/00.

**Chap. 436, S.F. 2271-Novak, H.F. 2451\*-Davids:** Extends the expiration date of the Legislative Electric Energy Task Force; modifies the authority of the Public Utilities Commission to fix rates and methods of depreciation and amortization relating to telephone company property and eliminates the requirement for telephone companies to conform property depreciation accounts to the rates and methods fixed by the PUC; requires telephone companies to retain data sufficient to determine depreciation accruals and reserves by depreciable telephone plant account, defines depreciable plant account; requires records relating to depreciation practices to be available for inspection by the PUC; and repeals a certain provision subjecting telephone companies to complaints relating to depreciation rates and practices and certain rules. Signed by governor: 4/24/00. Effective date: 4/25/00.

**Chap. 443, S.F. 2614-Novak, H.F. 2757\*-Jennings:** Modifies the state mandate requiring certain public utilities to generate electric energy using biomass as a fuel; authorizes the use of agricultural crop waste to satisfy a certain percentage of the fuel requirements under certain conditions; restricts the installed capacity allowed to be provided by facilities using poultry litter as a primary fuel source; exempts the facilities from the farm grown closed loop biomass mandate and specifies certain capacity contracting and operational scheduling deadlines; requires the Public Utilities Commission to do preliminary reviews of contracts filed by public utilities for electric energy installed capacity using poultry litter for purchase price criteria compliance determination purposes; specifies a deadline for PUC approval, modification or disapproval of all contracts submitted; requires public utility notice to the PUC by a certain date of decisions to increase the generating capacity of certain prior approved projects; provides for remaining megawatt of biomass power generating capacity final compliance with the biomass energy mandate; prohibits the PUC from approving proposed projects with an adverse

impact on the ability of a prior approved project from obtaining an adequate supply of the designated fuel source for the project; specifies a minimum agricultural biomass requirement of megawatt generating capacity. Signed by governor: 4/24/00. Effective date: 4/25/00.

**Chap. 447, S.F. 3644\*-Novak, H.F. 3960-Nornes:** Relates to workers compensation; includes vacation and holiday pay in the computation of daily wage; defines local social services agency to clarify the inclusion of certain voluntary uncompensated workers in the definition of employee; provides for third party liability regardless of the type of benefits or compensation recoverability, grants liable nonemployer third parties a right of contribution against the employer; authorizes employers to avoid contribution exposure by affirmatively waiving the right to recover workers compensation benefits paid; requires attorneys to file statements of attorney fees; sets a time limit; requires insurer release of the money to the employee upon failure to file; increases temporary total disability payments; modifies a provision providing for recommencement of temporary total disability compensation after cessation for return to work and requires employer or insurer notice to employees of the duration limit on the payment of temporary total compensation; increases certain permanent partial disability payments and provides for lump sum payments of the compensation; provides an additional presumption of retirement from the labor market; provides for regulation of the terms and removal of members of the rehabilitation review panel; modifies the time limit for filing retraining requests; eliminates the requirement for commissioner of labor and industry review of certain claims for certain medical benefits; specifies the minimum amount of dependency compensation; increases the maximum burial expense benefit; provides for payments to the estate of employees dying due to personal injury in dependency compensation nonentitlement cases; modifies certain special compensation fund payment requirements; requires employers to give employees a certain information sheet at the time of furnishing a copy of the first report of injury; changes the settlement and contingency reserve account to the cost allocation account; modifies certain payment requirements; specifies certain legislative findings relating to the surplus under the Minnesota Workers Compensation Assigned Risk Plan; provides for transfer of a portion of the surplus to the special compensation fund to reduce the current and future obligations of the second injury and the supplementary benefits programs administered by the Dept. of Labor and Industry; reduces contributions to the fund after the transfer; requires department status reports to the Legislature; sets forth nonseverability provisions; specifies that funds not transferable are to remain in the assigned risk plan fund; sets a transfer priority; and repeals the provision providing for the payments to the special compensation fund upon the death of employees without dependents. Signed by governor: 4/27/00. Effective date: various.

**Chap. 481, S.F. 2575\*-Stumpf, H.F. 2797-Tunheim:** Provides temporary eligibility for certain self employed farmers or ranchers under the dislocated worker program; temporarily requires the commissioner of economic security

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in awarding retraining and targeted training grants to give priority to proposals providing retraining to farmers and ranchers; and grants the commissioner certain discretionary authority. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 482, S.F. 2893\*-Hottinger, H.F. 3057-McElroy:** Modifies and clarifies provisions regulating business subsidies; excludes assistance for designated historic preservation districts and tax increment financing (TIF) hazardous substance subdistricts, funds from bonds issued to refund outstanding bonds or issued for the benefit of certain organizations, federal assistance until repaid to and reinvested by the state or local government agency, funds from dock and wharf bonds issued by seaway authorities, certain lower business loans and loan guarantees and certain federal loan funds from regulation; includes increasing the tax base as a public purpose; modifies certain subsidy award criteria requirements; requires the submittal of copies to the Dept. of Trade and Economic Development (DTED) with the first annual report; modifies certain subsidy agreement and public notice and hearing requirements; clarifies and modifies certain reporting requirements; requires annual DTED publication of a compilation of granting agency criteria policies adopted in the previous year; requires wage and job goals to contain specific goals to be attained within a certain number of years of the benefit date and requires the statement to specify the obligations of recipients not attaining the goals; authorizes the Legislature, after public hearing, to extend the period for meeting the goals; provides a transition period for certain granting agencies to comply with certain additional minimum criteria requirements; and provides for the noneffect of the repeal of a certain provision specifying certain wage and job requirements of businesses receiving state or local government assistance for economic development or job growth purposes to assistance received between certain dates. Signed by governor: 5/15/00. Effective date: various.

**Chap. 484, S.F. 2415-Lessard, H.F. 2591\*-Anderson, I.:** **Article 1:** Creates the Koochiching County Economic Development Commission; specifies membership and duties; authorizes closed meetings under certain conditions; requires tape recording of the proceedings and classifies certain data; provides for the apportionment of a certain portion of occupation taxes formerly allocated to the small business development center/economic development office at the Rainy River Community College to the commission; authorizes and provides for the Yellow Medicine County Board to establish an economic development authority; specifies powers and duties; authorizes the creation of economic development districts; authorizes counties outside the Metropolitan Area to form county economic development authorities or to grant housing and redevelopment authorities the powers of economic development authorities under certain conditions; authorizes counties by resolution to create local committees to recommend options for county economic development service providers; specifies certain membership and reporting requirements and recommendation restrictions; specifies the area of operation of the service providers and provides for cities

adoption of resolutions to participate in or withdraw from participation in the area; and provides for continued operation and functioning of existing city economic development authorities and county and multicounty HRAS. **Article 2:** Establishes a Legislative Advisory Commission on Minnesota-Ontario matters to meet with a like commission of Ontario citizens to make recommendations relating to Minnesota-Ontario issues of mutual interest; and specifies membership requirements. Signed by governor: 5/15/00. Effective date: various.

**Chap. 487, S.F. 1048\*-Johnson, D.H., H.F. 988-Jennings:** Modifies the provision regulating ex parte communications of Public Utilities Commission (PUC) commissioners; expands the authority of the commission to apply the prohibitions; and establishes a complaint procedure for alleged rule violations. Signed by governor: 5/15/00. Effective date: 8/01/00.

## Judiciary

**Chap. 260, S.F. 2464-Betzold, H.F. 2749\*-Holberg:** Revisor's bill; corrects erroneous, ambiguous and omitted text and obsolete references; eliminates certain redundant, conflicting and superseded provisions; and corrects certain range references. Signed by governor: 3/14/00. Effective date: 8/01/00.

**Chap. 264, S.F. 2692\*-Hottinger, H.F. 3232-Goodno:** Modifies the procedure for proposing amendments to shareholders and eliminates certain exemptions from the procedure; requires the disclosure of director interests to all voting and nonvoting shareholders; provides that consideration in the form of services to the corporation are to be considered fully paid upon authorization or approval of the issuance of the shares; authorizes officers upon board authorization to fix the terms, provisions and conditions of the rights to purchase; expands the provision providing for the nonapplication of the right to obtain payment upon merger; clarifies the procedure for determination of eligibility for indemnification; expands certain plan approval requirements to plans of exchange; authorizes managers of limited liability companies to fix the terms, provisions and conditions of contribution allowance agreements upon board authorization; requires disclosure of governor interests to all voting and nonvoting members; clarifies the procedure for determination of eligibility for indemnification and expands certain plan approval requirements to plans of exchange. Signed by governor: 3/20/00. Effective date: 8/01/00.

**Chap. 269, S.F. 2094-Anderson, H.F. 1865\*-Pawlenty:** Requests the Supreme Court Jury Reform Task Force to study and make recommendations for changes on the jury management rules to accommodate the needs of nursing mothers summoned for jury service. Signed by governor: 3/23/00. Effective date: 8/01/00.

**Chap. 316, S.F. 2634\*-Betzold, H.F. 3107-Greiling:** Relates to civil commitment; provides for notice by providers to certain relatives of patients receiving or hospitalized for psychiatric or mental health care of the right of the patient to authorize release of health records or information; and authorizes the admission of certain minors for

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mental health treatment with the consent of the parent or legal guardian under certain independent examination conditions. Signed by governor: 4/03/00. Effective date: 8/01/00.

**Chap. 320, S.F. 2510\*-Knutson, H.F. 3220-Smith:** Relates to real property; prohibits local government units from adopting or enforcing ordinances or rules to prevent or delay recording with the county recorder or registrar of titles deeds or other instruments for property with new or replacement individual sewage treatment systems (ISTS); modifies or clarifies certain provisions under the Minnesota Common Interest Ownership Act; modifies certain provisions providing for the redemption of property after sale by debtors, creditors and mortgagors. Signed by governor: 4/04/00. Effective date: various.

**Chap. 357, S.F. 2725\*-Spear, H.F. 3119-Bishop:** Restricts representation by public defenders and court appointed counsel in juvenile court to minors who are age 10 or older. Signed by governor: 4/10/00. Effective date: 8/01/00.

**Chap. 358, S.F. 1126\*-Betzold, H.F. 1267-Pawlenty:** Clarifies and provides a comprehensive statute governing economic loss relating to civil actions involving fault; defines buyer, goods, period of restoration, product defect tort claim and seller; provides that provisions apply to claims by buyers against sellers for harm other than personal injury caused by defects in the goods sold or leased or for misrepresentations relating to the goods; imposes certain limits on product defects for tort claims and on common law misrepresentation claims; specifies the relationship to common law and provides for applicability; and specifies certain footnote statutory reference change instructions to the revisor of statutes. Signed by governor: 4/11/00. Effective date: 8/01/00.

**Chap. 359, S.F. 2858\*-Spear, H.F. 3457-Holberg:** Prescribes a procedure for the transfer to prison of civilly committed sexual psychopaths or sexually dangerous persons convicted of a subsequent crime; requires the commissioner of corrections in consultation with the commissioner of human services, the attorney general, the chief justice of the Supreme Court and the Sentencing Guidelines Commission to report to the Legislature on a plan for establishment of a sex offender policy and management oversight group to monitor, review and evaluate the state system of response to sexual offenses; and specifies report content requirements. Signed by governor: 4/11/00. Effective date: 4/12/00.

**Chap. 362, S.F. 2723\*-Betzold, H.F. 3208-Dawkins:** Modifies certain trusts or probate appeal periods for consistency purposes; modifies certain provisions under the Uniform Probate Code relating to separate writings identifying bequests of tangible property; and increases the value of exempt property for exhausted estates summary proceedings eligibility determination purposes. Signed by governor: 4/11/00. Effective date: 8/01/00

**Chap. 372, S.F. 2742\*-Foley, H.F. 3517-Biernat:** Relates to family law; modifies the time limit for service of notice to remove causes of action from the District Court; excepts the expedited child support hearing process; requires the commissioner of human services, in consultation with the

advisory committee, to study and make recommendations for changes to the medical support statutes and submit recommendations to the Legislature; and repeals a certain requirement to file statistical report forms and the requirement for including a notice of capital gain on sale of principal residence in marriage dissolution final decrees or judgments. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 373, S.F. 3307\*-Ranum, H.F. 3613-Holberg:** Provides for tort claims by persons incurring injury while operating recreational vehicles on trunk highway rights-of-way. Signed by governor: 4/13/00. Effective date: 8/01/00.

**Chap. 388, S.F. 3291\*-Pappas, H.F. 3565-Dawkins:** Clarifies the placement of liens on motor vehicles towed at the request of law enforcement and subsequently stored; specifies that the lien does not to extend to the contents of the vehicle; specifies certain notice requirements of the storer; requires the Dept. of Public Safety to make certain information available to requesting persons for notice purposes; provides for reclaiming of the vehicle upon the payment of charges; provides for sale at auction or sale or for disposal as scrap metal of unclaimed vehicles and contents subject to the interests of secured parties or lessors; and specifies a priority for the disposition of proceeds exceeding the outstanding loan balance on the vehicle. **Vetoed.**

**Chap. 391, S.F. 3346\*-Kelly, S.P., H.F. 3424-Pawlenty:** Requires the secretary of state to establish a temporary task force to study and make recommendations for the establishment of a system for the electronic filing and recording of real estate documents; and specifies task force membership and consideration requirements. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 395, S.F. 2783\*-Knutson, H.F. 3066-Seifert, J:** Modifies certain provisions relating to the secretary of state; authorizes the secretary of state to provide at the time of filing at the public counter without charge copies of filings to persons making the filings; provides for bulk agent name and address changes and sets a maximum cumulative fee; defines executive branch state agency to exclude constitutional officers for Finance Department purposes; requires the secretary of state to mail annual registration forms to corporations and requires the inclusion of a certain notice relating to required loss of good standing without further notice for failure to file; modifies the dissolution procedure of the secretary of state and eliminates certain reinstatement authority of dissolved corporations; sets an annual registration deadline for corporations and requires the names of registered agents in domestic corporation registrations; sets an annual registration fee and eliminates the annual report requirement for foreign corporations; requires and provides for periodic registration in odd numbered years for cooperatives; requires the secretary to mail registration forms to cooperatives containing certain required contents and a notice of dissolution for failure to file; classifies the information as public data; provides for involuntary dissolution for failure to register and for reinstatement; provides for the extension of duration of certain previously formed nonprofit corporations; modifies nonprofit corporation registration procedures and provides

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for involuntary dissolution for failure to register; provides for the registration of non-Minnesota trusts; requires and provides for annual registration of limited liability companies and limited liability partnerships; sets forth procedure; modifies certain provisions under the Electronic Authentication Act; eliminates the alternative penalty against licensed certification authorities for certain violations; expands the conditions for issuing certificates to subscribers; authorizes the acceptance of digital signatures of public or local officials on government records; provides for the use of digital signatures as acknowledgments; and grant law enforcement personnel access without charge to the Uniform Commercial Code (UCC). Signed by governor: 4/14/00. Effective date: various.

**Chap. 397, S.F. 884\*-Dille, H.F. 2229-Harder:** Increases the marriage license fee; reduces the fee for couples receiving a at least 12 hours of premarital education; specifies certain statement and education administration and content requirements for eligibility purposes; and modifies the disposition of marriage license fees. **Vetoed.**

**Chap. 401, S.F. 3410\*-Berglin, H.F. 3176-Boudreau:** Removes references to domestic assault or violence from the definition of medical neglect under the child abuse (maltreatment) reporting law and defines a child considered to have been exposed to domestic violence under the law; provides for the determination by local welfare agencies of protective action for and services to children exposed to domestic violence; specifies certain factors to be considered; requires the commissioner of finance in consultation with the commissioners of revenue and human services in preparing the 2002-2003 budget proposal to present proposals and funding options for services to families eligible for services under the alternative response program for child maltreatment or due to child exposure to domestic violence; requires emergency shelters to attempt to notify parents or legal guardians of runaways of the location and status of the runaway within a certain number of hours of admission to the shelter; specifies compelling reasons exception relating to exposure to domestic violence or abuse, neglect or abandonment. Signed by governor: 4/14/00. Effective date: various.

**Chap. 402, S.F. 3082\*-Solon, H.F. 3263-Swapinski:** Authorizes the city of Duluth to, by ordinance, establish a Human Rights Commission or grant additional powers to an existing Human Rights Commission to afford persons claiming discriminatory housing practices certain qualifying federal rights and remedies; grants the commission certain remedies or sanctions authority; and provides for enforcement and judicial review in the District Court. Signed by governor: 4/14/00. Effective date: local approval.

**Chap. 403, S.F. 2794\*-Foley, H.F. 3519-Biernat:** Modifies certain provisions relating to the expedited child support process; changes the financial worksheet preparation requirement to an expanded pleadings content requirement and modifies the information required to be included; classifies and restricts access to certain information; and specifies certain headnote change instructions to the Revisor of Statutes. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 404, S.F. 3018\*-Ranum, H.F. 3318-Luther:** Provides for the designation of standby and alternative custodians of children by custodial parents or legal custodians in the absence of another legal parent willing and able to render custodial care; specifies designation content, form, signature and witness requirements; provides for indication of standby or temporary custodian on drivers licenses; provides for filing of a petition for approval of the designation with the court; requires and provides for petitioner notice to named designee and current caregivers; provides for certain designation presumptions and for approval without a hearing; requires a hearing under certain conditions; specifies the authority of standby or temporary custodians; provides for modification or revocation of designations and for return of the child upon restored capacity of the designator; provides for the effect of certain conflicting documents; authorizes the court to require a standby or temporary custodian bond under certain conditions; authorizes parents of minor children to designate a standby or temporary custodian under the Uniform Probate Code; repeals certain provisions providing for designated caregivers; and repeals a transitional provision relating to court approval of designated caregiver agreements as standby custodians under certain conditions. Signed by governor: 4/14/00. Effective date: 4/15/00.

**Chap. 405, S.F. 3116\*-Knutson, H.F. 3577-Holberg:** Modifies certain provisions relating to creditors remedies; authorizes attorneys of creditors to retain writs of execution under certain conditions; provides for the disregard of the expiration of writs for properly serviced levies; requires processing until completion; modifies the content requirements of certain levy, garnishment summons, judgment debtor exemption claim and judgment creditor objection notices; increases the amount allowed to be recovered by summary execution of judgment debts and specifies a certain execution service restriction; provides for the effectiveness of service of third party levies and garnishment summonses; provides for judgment creditor attorney summary execution of funds held under garnishment summons; subjects money due from state departments and wages of county, city, town or school district employees to garnishment; and modifies a certain provision governing the discharge of garnishees and the judgment against garnishees for failure to disclose earnings. Signed by governor: 4/14/00. Effective date: 8/01/00.

**Chap. 423, S.F. 1733\*-Betzold, H.F. 2555-Carruthers:** Imposes third party liability for damages caused by intoxicated persons under the age of 21 (social host liability); denies insurance company subrogation claims under automobile insurance policies and temporarily excludes coverage for liability under homeowners insurance policies unless specifically covered in the policy or covered by a rider attached to the policy. Signed by governor: 4/18/00. Effective date: 8/01/00.

**Chap. 430, S.F. 2381-Hottinger, H.F. 2563\*-Storm:** Modifies certain requirements and procedures relating to mechanics liens; requires proceeds of payments received for labor, skill, material or machinery contributing to residential real estate improvements to be held in trust for the

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benefit of the persons furnishing the labor, skill, material or machinery contributing to the improvements; specifies that separate accounts are not to be required and fiduciary or tort liability is not to be created for persons receiving payments; imposes criminal penalties for the crime of theft for nonpayment; provides an exception to the penalty; and provides for civil action and specifies that proceeds not to be subject to garnishment, execution, levy or attachment. Signed by governor: 4/20/00. Effective date: 8/01/00.

**Chap. 439, S.F. 3539-Junge, H.F. 3497\*-Tuma:** Modifies provisions relating to the recovery of costs and attorney fees from the state; expands the definition of expenses to the reasonable costs of studies, analyses, engineering reports, tests or projects; modifies the maximum expert witness fee; increases the maximum award of attorney or agent fees; expands the definition of party relating to unincorporated businesses, partnerships, corporations, associations or organizations for civil action or contested case proceedings eligibility purposes; and modifies and clarifies a provision providing for the award of fees and expenses in civil actions or contested case proceedings involving the state. Signed by governor: 4/24/00. Effective date: 8/01/00.

**Chap. 444, S.F. 3169\*-Kiscaden, H.F. 3311-Dawkins:**  
**Article 1-Parenting plans and parenting time:** Provides for the voluntary creation of parenting plans and parenting time upon request and agreement of both parents in lieu of an order for child custody and visitation; provides for an exception for court determination of best interests of the child; defines parenting time and domestic abuse; authorizes the court to order temporary support and maintenance during development of parenting plans and to create parenting plans in cases of disagreement; provides exception in cases of domestic abuse; specifies plan content requirements and options; prohibits a requirement to create the plans as part of modification orders or during actions against parents for the amount of public assistance furnished; requires custody designations in final judgments and decrees including parenting plans for enforcement purposes; provides for the role of the court in creating the plans in certain cases and specifies certain restrictions on preparation of parenting plans relating to the use of dispute resolution processes in cases of domestic, physical, sexual or emotional abuse or abandonment; authorizes the plans to include an agreement governing decisions relating to removal of the child to another state and the allocation of expenses; and provides for modification of the plans or parenting time and for court consideration of motions to replace current custody or visitation orders with parenting plans upon request of both parties. **Article 2-Conforming terminology:** Changes the terms child or family visitation to parenting time in certain statutory provisions relating to victims of violence, family visitation centers, early childhood learning and child protection facilities, family services collaboratives, MinnesotaCare, child custody and visitation, recognition of parentage, designated caregivers, child and domestic abuse, community dispute resolution program guidelines, disposition of the marriage license fee, marriage dissolution, antenuptial and postnuptial contracts, child

abuse reporting and certain domestic crimes provisions; and authorizes the commencement of actions to determine custody and parenting time without an adjudication of parentage. Signed by governor: 4/27/00. Effective date: various.

**Chap. 452, S.F. 3300\*-Cohen, H.F. 3997-McGuire:** Extends the streamlined dissolution procedure pilot project in the Second Judicial District allowing the assignment of related family, probate and juvenile court matters to a single judge or referee. Signed by governor: 5/05/00. Effective date: 5/06/00.

**Chap. 458, S.F. 3016\*-Knutson, H.F. 3345-Entenza:** Modifies certain child support enforcement provisions; modifies the definition of obligor for data match purposes; grants child support authorities access to records of local government units for child support enforcement or paternity establishment purposes; requires and provides for commissioner of human services distribution to counties of earned federal child support and paternity incentive payments; requires county child support agencies to reinvest the incentive funds in the county child support enforcement program; requires county records of incentives earned and expended; requires public authority service of legal documents by mail to the other party in support proceedings under certain conditions; transfers the responsibility for preparation of child support modification forms from the Dept. of Human Services to the state court administrator; modifies the content requirement for the required child support notice relating to modifications due to layoff or pay reduction and requires the notice to contain a certain statement relating to the enforcement of nonpayment; specifies other parent notice requirements of parents or guardians delegating power of attorney relating to care, custody or property of a minor child under the Uniform Probate Code; specifies exceptions; modifies certain provisions relating to summary execution of support judgment debts and defines judgment; modifies certain notice and disclosure form requirements; modifies the procedure for summary execution of support judgments on funds at financial institutions; specifies certain responsibilities of public authorities and provides for informal resolution of disputes and for judgment debtor contest; requires form preparation by the Office of the State Court Administrator; specifies certain reference change instructions to the Revisor of Statutes; and repeals the existing procedure for summary execution of funds at financial institutions and certain rules. Signed by governor: 5/11/00. Effective date: 8/01/00.

**Chap. 465, S.F. 3028\*-Spear, H.F. 3250-Greenfield:** Requires the commissioner of human services to establish a review panel to review lead agency determinations relating to maltreatment of vulnerable adults in response to requests received for review; specifies panel membership requirements; establishes a review procedure; requires annual reports to the Legislature relating to the number of requests for review, the number of cases requiring lead agency reconsideration of final dispositions and the number of final dispositions changed; classifies review panel data; providing for requests for review by interested persons acting on

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behalf of the vulnerable adults; restricts lead agency exchange of not public data with the panel; requires return of data received to the lead agency; requires the commissioner to offer medically necessary psychiatric and dental services to developmentally disabled clients in the Faribault service area through the Southern Cities Community Health Clinic; expands the Faribault service area; modifies certain consultation requirements of the commissioner relating to policy change considerations relating to the clinic; requires notice to the Legislature of plans to use other arrangements to provide medically necessary psychiatric and dental services in the Faribault service area; and restricts implementation. Signed by governor: 5/15/00.

Effective date: various.

**Chap. 468, S.F. 2811-Betzold, H.F. 3501\*-Holberg:** Relates to the classification and dissemination of government data; makes conforming changes for the previously enacted government data practices law recodification relating to headnotes and provisions coded in other chapters; defines government entity; requires copies of government data in electronic form upon request under certain conditions; authorizes a charge for actual costs; clarifies a certain provision providing for copyrights or patents of government data; prohibits the monitoring of citizens requesting access to public data; requires government entity responsible or appropriate authorities by a certain date to appoint or designate employees to act as data practices compliance officials; clarifies the application of civil remedies for data practices violations; authorizes the court to impose a civil penalty against government entities for noncompliance; requires forwarding of a copy of the compliance order to the commissioner of administration and specifies certain court consideration requirements in assessing the penalty; provides for administrative remedies; authorizes and provides for the filing of complaints with the commissioner and provides for certain actions by the commissioner to resolve the complaints; provides for informal resolution; grants immunity from civil or criminal liability to school districts and agents and employees for the use or sharing of data on juveniles; requires license applicants or licensees designating business addresses for contact purposes to consent to service of process at the address for legal or administrative proceedings; requires the mailing of a copy of the documents to the residence address; codifies temporary classifications of certain data submitted to the St. Paul Housing and Redevelopment Authority (HRA) and to the city of St. Paul by individuals and business entities requesting financial assistance; provides access to certain private or confidential court services data by state or local correctional agencies or facilities and makes public the dates of birth in court services data on adult individuals; classifies certain data on individuals receiving services from the Dept. of Children, Families and Learning; specifies conditions for the disclosure of personal and privileged or health data information held by health maintenance organizations (HMO); grants local government units access to certain information for child support enforcement or paternity establishment purposes; grants the federal Immigration and Naturalization Service access to reemployment

insurance (unemployment compensation) data on specific individuals and employers under investigation by the agency; expands the authority of the Dept. of Labor and Industry and Dept. of Revenue to exchange information to taxpayer identity information relating to employees for tax administration and workers compensation support purposes; excepts alleged or actual inaccuracies in geographic information systems data arising from use by the public from tort liability under certain conditions; defines GIS data and subjects the data to the Government Data Practices Act; provides for presentence investigation reports to local correctional agencies or facilities; authorizes the Fourth Judicial District to establish a domestic fatality review team pilot project to review domestic violence deaths in the district; specifies the duties of the review team; grants the team access to certain records for review purposes; and provides for immunity from liability for members and employees of the advisory board and review team. Signed by governor: 5/15/00. Effective date: various.

**Chap. 471, S.F. 11\*-Betzold, H.F. 47-Bishop:** Imposes a statute of limitations for actions for assault, battery, false imprisonment or other tort resulting in personal injury based on domestic abuse; authorizes the establishment of a pilot project to develop a joint domestic abuse prosecution unit to be administered by the offices of the Ramsey County and St. Paul city attorneys; specifies the authority, duties and staff of the unit and the goals of the pilot project; requires progress and final reports to the Legislature; and requires the sharing of the results of the pilot project with the state and other counties and cities. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 480, S.F. 2854\*-Kelly, R.C., H.F. 2880-Skoglund:** Authorizes county attorneys to move the court for an order granting access to certain records or data to determine the existence of good cause to file a petition for civil commitment as a sexual psychopathic personality or as a sexually dangerous person upon notice to the proposed patient and to support the allegations in the petition; authorizes the court to grant the motion under certain conditions; sets a time limit for court decision and creates a proposed patient notice requirement exception; and provides for protection of data collected. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 499, S.F. 3819\*-Knutson, H.F. 4143-Seifert, J.:** Revisor's bill; corrects miscellaneous oversights, inconsistencies, unintended results and technical errors in certain statutory and session law provisions. Signed by governor: 5/30/00. Effective date: various.

## Local and Metropolitan Government

**Chap. 252, S.F. 2411\*-Lessard, H.F. 2634-Anderson, I.:** Modifies the membership requirements for the Northern Itasca Hospital District Board. Signed by governor: 3/01/00. Effective date: 8/01/00.

**Chap. 253, S.F. 2320\*-Samuelson, H.F. 2521-Hasskamp:** Authorizes the Crow Wing County Board to change the name of the township of Lake Edwards to the township of Lake Edward upon receipt of a resolution requesting the change from the board of supervisors of the township.

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Signed by governor: 3/01/00. Effective date: 8/01/00.

**Chap. 256, S.F. 2502-Stumpf, H.F. 2722\*-Tunheim:**

Authorizes dissolution of a Kittson County township with fewer than five residents. Signed by governor: 3/07/00. Effective date: local approval.

**Chap. 257, S.F. 2291-Oliver, H.F. 2535\*-Sykora:** Authorizes the Shorewood City Council to provide, by ordinance, for the election of city council members by wards and for the staggering of terms. Signed by governor: 3/13/00. Effective date: local approval.

**Chap. 259, S.F. 2907-Robling, H.F. 3338\*-Holberg:** Authorizes the Scott County Board to reorganize and delegate the duties of certain county officials. Signed by governor: 3/14/00. Effective date: 3/15/00.

**Chap. 266, S.F. 2528-Dille, H.F. 2723\*-Ness:** Extends the authority for McLeod County to temporarily office county officials in Glencoe Township. Signed by governor: 3/23/00. Effective date: 8/01/00.

**Chap. 273, S.F. 2685-Robling, H.F. 2927\*-Tuma:** Provides for group insurance protection for Metropolitan Inter-County Association employees. Signed by governor: 3/23/00. Effective date: 3/24/00.

**Chap. 275, S.F. 2516-Novak, H.F. 2873\*-Hackbarth:** Clarifies the time requirements for processing instruments presented for recording in counties with combined offices and the effect of certain time requirements on an appointed department head in Anoka County. Signed by governor: 3/23/00. Effective date: local approval.

**Chap. 290, S.F. 2756\*-Fischbach, H.F. 3016-Stang:** Authorizes the annexation to hospital districts of cities or towns contiguous to cities or towns contiguous to the district. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 300, S.F. 2903\*-Vickerman, H.F. 3219-Osskopp:** Modifies provisions relating to lawful gambling; modifies and clarifies the definition of gambling manager; expands the definition of lawful purpose for authorized lawful gambling expenditures to include reimbursement for members of military marching, color guard or honor guard units at a per participant rate per occasion; provides for an alternative premises payment for lawful gambling organizations eligible to expend gross profits on real estate taxes and assessments; specifies conditions for manufacturers refusal to sell pull tabs games to distributors; authorizes the sale of paddlewheel tickets throughout permitted premises at leased sites under certain conditions; modifies the authority of licensed organizations to conduct lawful gambling on premises other than the permitted premises; provides for the payment of merchandise prizes for certain paddlewheel tickets; and expands the definition of trade area to townships contiguous to the defining city for local regulation purposes. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 305, S.F. 3145\*-Oliver, H.F. 3399-Sykora:** Provides a variance from the general statutory priority for designation of qualified newspapers for publication of official proceedings and public notices for the city of Minnetonka; and authorizes designation of a qualified newspaper with either a known office of issue or a major

secondary office within the city. Signed by governor: 3/31/00. Effective date: 4/01/00.

**Chap. 328, S.F. 2905\*-Kelley, S.P., H.F. 3152-Kuisle:** Authorizes county boards to authorize the use of credit cards by county officers or employees to make purchases on behalf of the county; specifies that officers or employees are to be personally liable for unauthorized purchases; and increases certain monetary limits for contracts and authorizes cooperative purchasing under the Uniform Municipal Contracting Law. Signed by governor: 4/04/00. Effective date: 8/01/00.

**Chap. 329, S.F. 3167-Pariseau, H.F. 3169\*-Gerlach:** Requires Dakota County to appoint an additional member to the Personnel Board of Appeals and provides for the appointment by the chair of a panel of a certain lesser number of board members to hear appeals; modifies provisions governing the Dakota County Community Development Agency (formerly the Housing and Redevelopment Authority or HRA); provides for membership vacancy creation for county commissioner districts; authorizes the powers delegation resolution of the county board to impose certain limits on the actions of the agency; sets a restriction; authorizes the county board before a certain date to adopt a resolution declaring vacant the entire membership of the authority and appoint new members to fill the vacancies; and provides that members appointed are to serve until the end of the term. Signed by governor: 4/04/00. Effective date: local approval.

**Chap. 334, S.F. 2511\*-Vickerman, H.F. 2936-Workman:** Authorizes town board members, employees or agents to enter public or private property for property examinations and surveys relating to the establishment, alteration or vacating of town roads; grants no immunity from liability for damage to the property; and authorizes towns to recover certain additional costs incurred in establishing cartways. Signed by governor: 4/04/00. Effective date: 8/01/00.

**Chap. 335, S.F. 2676\*-Wiger, H.F. 3327-Broecker:** Extends the authority of cities or counties to petition for amendment or repeal of rules and expands the authority to sanitary districts. Signed by governor: 4/06/00. Effective date: 8/01/00.

**Chap. 336, S.F. 2828\*-Wiger, H.F. 3571-Osskopp:** Places additional restrictions on the sale, lease or rental of gambling devices by distributors; requires transportation of gambling devices out of state to be in compliance with certain federal regulations; expands the definition of lawful purpose for charitable gambling organizations lawful purpose expenditure purposes to contributions to community arts organizations or expenditures to sponsor arts programs in the community; defines certain additional terms for gambling crimes purposes and specifies certain additional prohibitions relating to cheating, counterfeit chips, use, possession, manufacture, sale or modification of certain gambling devices and violation instructions; imposes felony penalties; and includes the devices under the definition of contraband. Signed by governor: 4/06/00. Effective date: 4/07/00.

**Chap. 356, S.F. 3478\*-Kiscaden, H.F. 3795-Kuisle:** Sets the probationary period for newly appointed firefighters in

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the city of Rochester. Signed by governor: 4/10/00. Effective date: local approval.

**Chap. 360, S.F. 2479\*-Belanger, H.F. 3202-Wilkin:** Authorizes coroners, deputy coroners, coroner investigators and medical examiners to receive compensation for professional services from professional corporations or medical providers under contract to provide services to counties. Signed by governor: 4/11/00. Effective date: 4/12/00.

**Chap. 416, S.F. 2471\*-Higgins, H.F. 2791-Abrams:** Modifies provisions regulating the Hennepin County human resources system; changes the name of the Human Resources and Employee Relations Department to the Human Resources Department; modifies or eliminates certain definitions; modifies certain rule requirements of the Human Resources Board and certain requirements relating to the use of hearing officers; provides that decisions of hearing officers are to be final and binding on the parties and the board; provides an exception; requires appointment of the human resources director by the county administrator in lieu of the Human Resources Board and modifies certain duties of the director; and removes the administrative assistant to the district court administrator and temporary judicial appointments from the unclassified service. Signed by governor: 4/17/00. Effective date: 8/01/00.

**Chap. 446, S.F. 2951\*-Vickerman, H.F. 3586-Larsen, P.:** Clarifies the use of alternative dispute resolution in annexation proceedings; authorizes the director of the Office of Strategic and Long Range Planning to delegate individual cases to the Office of Administrative Hearings with the agreement of the chief administrative law judge; provides for the payment of costs of proceedings by the parties involved and defines party; requires the director of the Office of Strategic and Long Range Planning to report to the Legislature on the effect of the transfer to the office of the duties and authority of the Municipal Board, specifies report content requirements and temporarily exempts the office from requirements to adopt or amend rules governing boundary adjustment procedures; directs the Revisor of Statutes to prepare legislation reflecting the transfer of powers and duties from the abolished board to the Office of Strategic and Long Range Planning; repeals the alternative process of dispute resolution; and provides for a retroactive effective date and for the payment of costs in certain matters commenced before the effective date. Signed by governor: 4/26/00. Effective date: 8/01/00.

**Chap. 448, S.F. 2385\*-Ourada, H.F. 3629-Olson:** Exempts public hospital administrators, pharmacists and psychologists from local government unit compensation limits and requires approval by unanimous vote of the governing body of the local government unit except for members ineligible to vote on the issue. **Vetoed.**

**Chap. 454, S.F. 2570\*-Janezich, H.F. 3378-Tomassoni:** Removes the exception for St. Louis County from the provision authorizing county boards to set reasonable allowances for expenses or per diem allowances for members of certain boards or agencies; increases the authorized number of administrative assistants in the unclassified civil service in the county; and repeals the provision setting the per diem rate for members of certain boards and commis-

sions in St. Louis County. Signed by governor: 5/05/00. Effective date: 8/01/00.

**Chap. 455, S.F. 2521\*-Vickerman, H.F. 2673-Rest: Article 1-Corporations created by political subdivisions:** Establishes standards for the creation of corporations by local government units and requires statutory authorization; authorizes joint powers entities to incorporate as nonprofit corporations; provides for the continuation of existing corporations created by local government units and specifies certain resolution requirements; provides for the filing of amended articles of incorporation; requires compliance with laws applying to local units; authorizes exemption by resolution; requires periodic review of exemptions; restricts the use of tax proceeds to public purposes; requires annual audits of certain corporations; classifies certain data; and repeals certain existing provisions restricting the creation of corporations by local government units. **Article 2-Miscellaneous:** Authorizes local government units to operate facilities and channels for community television; increases the maximum number of members of city, county, and multicounty housing and redevelopment authorities and the member per diem limit; and increases the membership of the Washington County HRA and provides for appointment of the members by the county board. Signed by governor: 5/05/00. Effective date: local approval.

**Chap. 475, S.F. 2986-Higgins, H.F. 3229\*-Abrams:** Provides for payment of Hennepin County claims and obligations by electronic or wire funds transfer or credit or debit card; authorizes a service charge and the use of electronic approval and defines electronic approval; authorizes the county to allow officials, officers and employees to incur charges for county purposes by use of county credit cards; and requires the adoption of certain policies and procedures. Signed by governor: 5/15/00. Effective date: 5/16/00.

**Chap. 491, S.F. 751-Novak, H.F. 849\*-Haake:** Modifies the restriction on the authority of the Metropolitan Airports Commission (MAC) to expand or upgrade minor use airport status; requires approval in law; and defines minor use airport by runway length. Signed by governor: 5/15/00. Effective date: 8/01/00.

## Taxes

**Chap. 258, S.F. 2554\*-Sams, H.F. 3039-Daggett:** Provides a one time exemption from the penalty for omission of the public advertisement requirement of the truth in taxation process for Wadena County. Signed by governor: 3/13/00. Effective date: local approval.

**Chap. 394, S.F. 2655\*-Scheid, H.F. 3075-Paulsen:** Recodifies and consolidates administration and compliance provisions relating to insurance tax laws. **Article 1-Insurance tax recodification:** Recodifies certain definitions and certain provisions providing for imposition of the gross premium tax on domestic and foreign insurance companies including township, farmers and property and casualty mutual insurance companies, health maintenance organizations (HMO), nonprofit health service plan corporations, community integrated service networks and fire marshal and surplus lines insurers, persons, firms or

corporations licensed to procure insurance from unlicensed foreign or ineligible companies and certain other entities, the insurance premium tax equivalent payment by automobile risk self insurers, certain retaliatory provisions, the premium surcharge against cities to restore deficiencies in firefighters relief association funds with an appropriation to the commissioner of finance for the necessary payments, tax exemptions, the insurance guaranty association assessment offset, information returns, due dates for filing returns, tax and estimated tax payment requirements, assessments, examinations, audits and collections, refund claims, certain time limits, interest on overpayments and administrative appeals; and provides for civil and criminal penalties for certain violations. **Article 2-Technical changes:** Makes certain technical amendments to certain statutory provisions relating to the contracting authority of the commissioner of employee relations (DOER), the public employees insurance trust fund, the state employees insurance program, foreign insurance companies, surplus lines insurers, the Insurance Guaranty Association, risk retention groups, the Life and Health Guaranty Association, nonprofit health service plan corporations, the Minnesota Comprehensive Health Association (MCHA), community purchasing arrangements, fraternal benefit societies, reciprocals or interinsurance contract exchanges, workers compensation insurance assigned risk policies and contracts of coverage, the Workers Compensation Reinsurance Association, the State Fund Mutual Insurance Company, insurance company net income reports, the MinnesotaCare tax paid by hospitals and health care providers and the maintenance of firefighters relief association special funds; and repeals certain existing provisions providing for the taxation of insurance companies. Signed by governor: 4/14/00. Effective date: various.

**Chap. 418, S.F. 3091\*-Murphy, H.F. 3234-Abrams:** Recodifies and clarifies the sales and use tax laws. **Article 1-Recodification:** Recodifies the statutory provisions governing the sales and use tax including the provisions imposing the tax and specifying rates, providing for computation, collection and remittance, specifying exemptions and providing for exemption certificates, refunds, permits, enforcement, security, the deposit of revenues and local taxes; removes archaic, obsolete and redundant language and improves the organization and readability; makes conforming amendments to certain provisions relating to retention and use of state fair ticket sales tax proceeds by the state agriculture society; specifies certain codification and internal reference change instructions to the Revisor of Statutes; and repeals the existing provisions governing the sales and use tax. **Article 2-Conforming changes:** Makes certain conforming amendments to certain statutory provisions relating to waste management, public water and sewer system, airport, transit commission, Western Lake Superior Sanitary District, economic development authority and city development district property exempt from the property tax. Signed by governor: 4/18/00. Effective date: various.

**Chap. 490, S.F. 2657-Johnson, D.J., H.F. 4127\*-Abrams:** Omnibus tax bill. Relates to financing state and local

government; provides a sales tax rebate; provides agricultural assistance; extends the time to qualify for and makes certain other changes to the 1999 sales tax rebate and 1999 agricultural assistance; provides agricultural assistance; reduces individual income tax rates; makes changes to income, franchise, withholding, sales and use, property, motor vehicle sales and registration, mortgage registry, health care provider, motor fuels, cigarette and tobacco, liquor, insurance premiums, lawful gambling, taconite production, estate, and special taxes; limits certain maximum motor vehicle registration tax amounts; changes and allows tax credits, subtractions, and exemptions; conforms with changes in federal income tax provisions; provides for allocation and apportionment of income; changes property tax valuation, assessment, levy, classification, homestead, credit, aid, exemption, deferral, review, appeal, abatement, and distribution provisions; changes levy authority; reduces rates on lawful gambling taxes; changes tax increment financing and housing improvement area provisions; provides special authority for certain political subdivisions; transfers money to the Minnesota minerals 21st century fund; provides for a grant to the city of Richfield to be used for acquisition of certain residential property; changes and clarifies tax administration, collection, enforcement, interest, and penalty provisions; authorizes certain special assessments; changes revenue recapture provisions; modifies certain aids to local units of government; changes county reporting requirements; provides certain duties and powers to the commissioner of revenue, the state auditor, and to the attorney general; defines terms; classifies data; requires studies; transfers certain funds; and appropriates money. Signed by governor: 5/15/00. Effective date: various.

**Chap. 493, S.F. 3730\*-Pogemiller, H.F. 4090-Abrams:** Relates to public finance; expands the authority of government entities to enter into agreements or contracts for shares of Minnesota joint powers investment trusts; exempts certain airport improvement bonds from election requirements; provides for state payment of certain county debt obligations upon potential default under certain conditions; requires application to the Public Facilities Authority and specifies certain agreement and Public Facilities Authority notice requirements; requires a commissioner of finance warrant authorizing the authority to pay the debt obligation; specifies the amount paid to bear interest until repayment; requires county pledge of full faith and credit; provides for county aid reductions and property tax levies for repayment purposes; specifies certain mandatory plan requirements; authorizes the Public Facilities Authority to enter into agreements or contracts for the continuing disclosure of information to facilitate county ability to issue debt obligations; extends the general authority of cities to establish special service districts; authorizes city special assessments for construction or improvement of facilities for Internet access and other communications purposes under certain conditions; provides for replacement heating systems and related energy conservation measures in cities discontinuing district heating systems; provides a contrary local provisions supersession clause; specifies certain minimum program elements; provides for financing of the

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improvements; authorizes and provides for the issuance of bonds or other obligations; provides that the city of Virginia is to be considered in compliance with certain requirements for discontinuation of steam heat; increases the bonding authority of the Metropolitan Council for capital expenditures under the transit capital improvement program; clarifies the authority of bond issuers to use the proceeds from residential rental bonds for rehabilitation of existing multifamily buildings; modifies the interest rate requirements for certain obligations; exempts government security interests from Uniform Commercial Code (UCC) regulation; modifies the area to be served by nonmetropolitan county economic development service providers; extends the availability of a certain prior appropriation to the commissioner of administration for a certain portion of the nonfederal match of the ISTEA project for St. Louis and Lake Counties Regional Railroad Authority development of a multipurpose recreational trail system; extends replacement transit service program eligibility to the cities of Minnetonka and Shorewood; regulates public safety radio system contracts; repeals the limit on Metropolitan Area land use planning grants; and appropriates money to the commissioner of revenue to administer certain tax provisions. Signed by governor: 5/30/00. Effective date: various.

**Chap. 496, S.F. 2693\*-Belanger, H.F. 3024-Daggett:** Regulates sales of certain cigarettes; expands the definition of contraband to include cigarette packages imported into the country in violation of a certain federal law; prohibits the sale or distribution of cigarettes intended for export, not complying with certain federal labeling requirements, illegally imported or failing to submit lists of ingredients, with altered packages before sale or distribution or the sale of certain cigarettes at a price lower than the minimum price presently permitted; imposes a penalty and provides a private cause of action for violation; and provides for the applicability of the restrictions. Signed by governor: 5/30/00. Effective date: 8/01/00.

## Transportation

**Chap. 279, S.F. 3207-Samuels, H.F. 2502\*-Wenzel:** Designates the portion of trunk Highway #371 from the intersection with Design Drive in Baxter to the unincorporated community of Barrows known as the Brainerd bypass as the C. Elmer Anderson Memorial Highway; requires the commissioner of transportation (DOT) to adopt a suitable marking design and erect appropriate signs; and specifies a nonstate sources funding requirement. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 280, S.F. 2578-Betzold, H.F. 2824\*-Haas:** Provides for one or two license plates on collector and similar vehicles at the owner's discretion. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 281, S.F. 2709-Murphy, H.F. 3156\*-Workman:** Designating trunk Highway #390 marked as Interstate Highway I-35 as the 34th Infantry (Red Bull) Division Highway; requires the commissioner of transportation (DOT) to adopt a suitable marking design and erect appropriate signs; and specifies a costs payment requirement. Signed by governor: 3/24/00. Effective date: 8/01/00.

**Chap. 287, S.F. 2813\*-Betzold, H.F. 3475-Anderson, B.:** Eliminates the required letter size for tax exempt motor vehicle license plates. Signed by governor: 3/27/00. Effective date: 8/01/00.

**Chap. 288, S.F. 2844-Frederickson, H.F. 3142\*-Swenson:** Designates trunk Highway #4 from the north city limits of Sleepy Eye to the intersection with trunk Highway #60 in St. James as the Richard J. Mathiowetz Memorial Highway; requires the commissioner of transportation (DOT) to adopt a suitable marking design and erect appropriate signs; and specifies a costs payment requirement. Signed by governor: 3/28/00. Effective date: 8/01/00.

**Chap. 293, S.F. 2508-Murphy, H.F. 3053\*-Workman:** Allows collector vehicles to display a blue light as part of the brake light. Signed by governor: 3/28/00. Effective date: 3/29/00.

**Chap. 425, S.F. 2484\*-Day:** Requires motor vehicles to be driven in the right hand lane of laned highways; and requires the commissioner of transportation (DOT) to erect appropriate signs at certain intervals on interstate highways. **Vetoed.**

**Chap. 426, S.F. 3023\*-Kleis, H.F. 2953-Workman:** Modifies certain motor vehicle registration and titling provisions; eliminates certain references to single license plates for motorcycles under the provision providing for the issuance of special license plate stickers for members of congressionally chartered veterans service organizations; modifies and clarifies certain requirements for the transfer of vehicle ownership; restricts eligibility for payment of the registration tax by installment; creates an exception to the certificate of title exemption for trailers; specifies certain certificate of title application content requirements for assembled motorcycles; conforms the state open bottle law to federal law; replaces certain references to intoxicating liquor with alcoholic beverage and distilled spirit; expands a certain exception to the requirement for school bus drivers to activate flashing red and stop arm signals relating to stopping off the traveled portion of a roadway; provides for designation of the stops as school bus stops; conforms emergency vehicle siren requirements to federal standards; eliminates the commercial motor vehicle inspection fee limit; modifies and clarifies certain fee deposit or crediting requirements; adopts federal odometer regulations; eliminates the sunset on the program allowing extension of the registration period for the unexpired portion of a motor vehicle lease; and repeals the authority of the registrar to issue special Olympic license plates. Signed by governor: 4/20/00. Effective date: various.

**Chap. 433, S.F. 2785\*-Murphy, H.F. 3274-Workman:** Exempts certain vehicles owned by public or municipal utilities or cooperative electric associations and certain recycling vehicles from certain seasonal highway weight limits. Signed by governor: 4/24/00. Effective date: 4/25/00; repealed 6/1/03.

**Chap. 459, S.F. 2956\*-Kiscaden, H.F. 3688-Molnau:** Adopts the "Midwest Interstate Passenger Rail Compact." **Article 1-Statement of purpose:** States the purposes of the compact. **Article 2-Establishment of commission:** Establishes the Midwest Interstate Passenger Rail Compact

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Commission. **Article 3–Commission membership:** Specifies the membership of the commission, the manner of appointment and that terms of office to be determined by the party states. **Article 4–Powers and duties of the commission:** Specifies certain powers and duties of the commission. **Article 5–Officers:** Provides for the election of officers from among the members. **Article 6–Meetings and commission administration:** Requires annual meetings and commission business to be conducted according to the procedures and voting rights in the bylaws. **Article 7–Finance:** Provides for funding of commission operations by the compacting states and through the acceptance of gifts, donations, grants and appropriations; prohibits the issuance of debt; and specifies certain budget requirements. **Article 8–Enactment, effective date and amendments:** Grants membership eligibility to the states of Illinois, Indiana, Iowa, Kansas, Michigan, Minnesota, Missouri, Nebraska, North Dakota, Ohio, South Dakota and Wisconsin; provides for additional memberships; and provides for the effectiveness of the compact and amendments to the compact. **Article 9–Withdrawal, default and termination:** Provides for withdrawal from the compact; provides for suspending membership for default; authorizes and provides for termination relating to default. **Article 10–Construction and severability:** Provides for provision severability of the compact; and specifies that provisions to be liberally construed for effectuation purposes. Signed by governor: 5/11/00. Effective date: 8/01/00.

**Chap. 462, S.F. 3093-Higgins, H.F. 2489\*-Skoglund:** Authorizes local government units selling impounded bicycles to require purchasers to register the bicycles as a condition of sale. Signed by governor: 5/15/00. Effective date: 8/01/00.

**Chap. 479, S.F. 2678-Johnson, D.E., H.F. 2891\*-Molnau:** Omnibus transportation appropriations bill. Appropriates money for transportation, public safety, and other purposes; modifies previous appropriations; provides for bonding for

highways; establishes working group to assess impact of DM&E rail line project; establishes a major transportation projects commission; repeals the sunset of provision authorizing certain lights on top of delivery vehicles; provides for approval of and payment under supplemental goods or services agreements of the commissioner of transportation; authorizes suspension of motor vehicle registration when tax is paid by dishonored check; exempts dealers in firefighting equipment from motor vehicle dealer licensing; provides for inspection of vehicles of motor carriers; provides for photo identification equipment for driver's license agents; restricts expenditures on commuter rail; restricts application for federal aid for Hiawatha Avenue light rail transit; modifies provisions relating to prepaid, temporary, vehicle identification cards for motor carrier vehicles; authorizes naming rights for light rail transit stations; and restricts expenditures from trunk highway fund. Signed by governor: 5/15/00. Effective date: various. **Chap. 497, S.F. 702\*-Vickerman, H.F. 672-Kuile:** Requires and regulates county engineer review and comment on proposed preliminary or initial plat filings including land located in a city or town bordering existing or proposed county roads or highways designated on maps or county highway plans filed in the office of the county recorder or registrar of titles; specifies a time limit; requires city or town notice to the county board of preliminary plat approval; provides for meetings to discuss the differences and to determine appropriate changes to the plat; specifies certain preliminary site plan content requirements for submittal to the commissioner of transportation (DOT) or the county engineer for review; requires cities, towns or counties to file with the plat a certificate or other evidence showing submission of the preliminary plat to the commissioner or county highway engineer for compliance purposes; and modifies the forfeiture requirement for premature reference to plats. Signed by governor: 5/30/00. Effective date: 8/01/00.

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\*denotes file submitted to governor

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