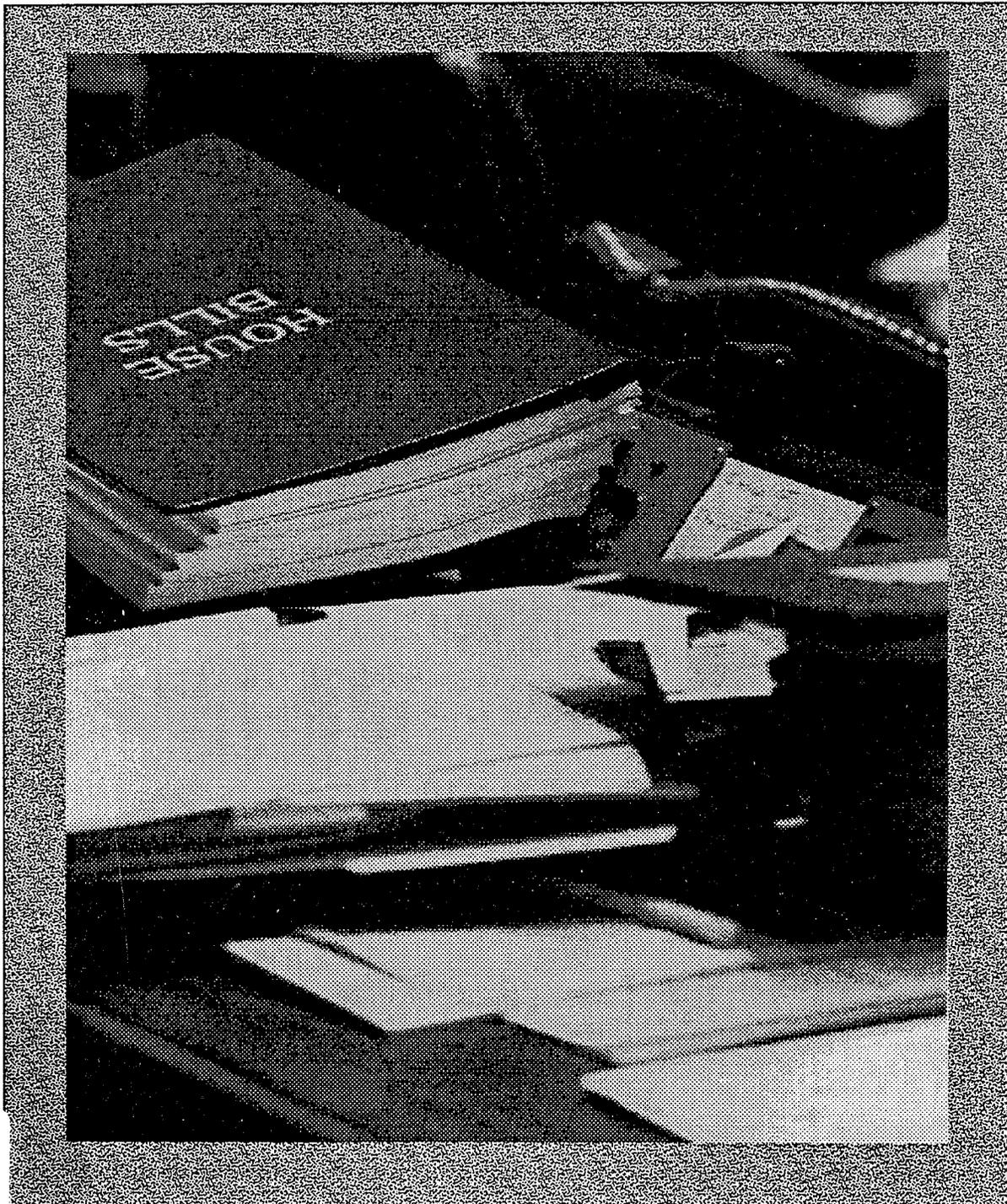


**NEW  
LAWS** 1992



**Minnesota House of Representatives Public Information Office**

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## Introduction

The 1992 Session of the Minnesota Legislature was a bit out of the ordinary. Lawmakers returned to the Capitol Jan. 6 — the earliest ever for the second year of the biennium to convene since two-year flexible sessions began in 1974. Then, on Jan. 15, the Legislature adjourned until Feb. 18. After a hectic two months of activity, lawmakers adjourned at 3:51 a.m. April 17.

During the 1992 Session, 1,329 House Files and 1,208 Senate Files were introduced. In all, 246 bills (and two resolutions) were approved by the 1992 Legislature and sent to the governor, who vetoed 16 of them (six vetoes, eight pocket vetoes and two line item vetoes).

New Laws 1992 reflects every one of those measures.

The publication is basically divided into three parts: the Highlights section beginning on page 3, the Summary section beginning on page 50, and the Index section beginning on page 83.

The Highlights section is written in an informal, easy-to-read style for those who want an overview of the major bills approved by the Legislature. Within this part you'll find three subsections: Laws (page 3), which highlights a selection of bills that were enacted; Vetoed bills (page 44), which outlines the governor's reasons — when they were provided — for a veto, and Dead bills (page 47), which details many of the proposals that were discussed during the 1992 Session but never adopted. This year, for the first time, all bill highlights include article and section numbers where appropriate, and effective dates.

The Summary section lists all laws that have been approved by the Legislature, complete with official title, enactment and effective dates. It begins with an explanation of the governor's options, including veto powers.

This year, for the first time, we also have included the statutory citations for each chapter. These are the existing Minnesota statutes that the new law is amending.

Finally, the Index section lists bills according to committee of origin, title, House File number, Senate File number, Chapter number, and effective date. If you would like a copy of a bill, you can call the Chief Clerk's Office, (612) 296-2314. Ask for the bill by Chapter number, or by House File or Senate File number if no Chapter number appears.

If you have any questions, feel free to call the House Public Information Office.

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# Highlights

*Editor's Note: Highlights, the first portion of New Laws 1992, is written for those who want a general overview of the legislation that took place during the 1992 Session.*

*Highlights is divided into three sections: Laws — bills that passed the Legislature and were approved by the governor; Vetoes — those that were not approved by the governor; and Dead bills — those that were dropped somewhere along the line during the legislative process.*

*All of the bills that were vetoed this session appear in the vetoed bills section. The highlights in the dead bills section are selective as are the ones in the laws section. You can find a complete listing of all the bills considered by the governor in the Summary portion of this book beginning on page 50.*

*In most cases, each new law appears under the committee to which the bill was first referred. However, details of the omnibus appropriations bill are listed under several appropriate committee topics, while the major provisions from this year's bonding bill are listed under the Appropriations heading.*

*For easy reference, House File numbers are included at the end of each highlight; Senate file numbers appear only when the Senate version of the bill was the version the governor considered. In such cases, the Senate file is marked with an asterisk. Effective dates are included in most highlights.*

## Laws



### Agriculture

#### State price floor for milk

Minnesota dairy farmers will get more for their Class I fluid milk should the market take a turn for the worse.

A bill approved by the governor will require dairy processors to pay dairy farmers no less than \$13.20 per hundredweight for Class I fluid milk.

The measure is designed as a safety net for farmers to protect them from low milk prices similar to those of 1990 and 1991 when prices dropped to the \$10- and \$11-per-hundredweight range.

If prices did fall to the lowest level possible under the federal price system, it would mean that Minnesota dairy farmers would receive \$1.90 more per hundredweight for their Class I milk than they otherwise would have.

But because the current price for milk is about \$13.20, it wouldn't raise milk prices now.

The bill had originally called on dairy processors to pay \$1.50 more for per hundredweight than the federally-set milk price, but the provision was eliminated when dairy processors objected to it.

The measure becomes effective Aug. 1, 1992. (HF2734, Section 4)



#### Upgrading dairy farms

Several Minnesota dairy farmers have an opportunity to upgrade their farms in order to receive top dollar for their milk.

The measure provides up to \$20,000 in low-interest loans to "Grade B" dairy farmers so they can upgrade their operations to produce higher quality "Grade A" milk.

The bill authorizes the Minnesota Rural Finance Authority to issue up to \$5 million in bonds — enough for 250 farmers to upgrade their operations if each received the maximum loan.

The interest on the loans is expected to be a little higher than 7 percent, which supporters of the bill say is far below the 14 to 15 percent interest available through lending institutions.

Minnesota and Wisconsin have the largest concentration of dairy farms in the country, representing 50 percent of all Grade B farms in the nation.

In order for milk to be eligible for the Grade A label, it has to be of a higher quality than Grade B milk and meet several quality and health requirements. The loans can be used to add extra equipment to ensure those requirements are met, but cannot be used to refinance existing debt.

The agricultural loan improvement program went into effect April 30, 1992. (HF2734, Section 9)

#### Suing over milk

Up to \$100,000 may be spent on behalf of Minnesota dairy farmers who have mounted a court challenge of the federal milk pricing system, which Midwestern dairy farmers say discriminates against them by paying higher price support payments to large dairy farmers in other parts of the country.

The measure, effective July 1, 1992, appropriates \$50,000 in state money to help pay ongoing legal costs for the lawsuit. It also allows the Department of Agriculture to kick in an additional \$50,000 from the dairy industry unfair trade practices account to help finance the lawsuit. (HF 2694, Article 2, Section 6)

#### Wild rice labeling

More specific wild rice labeling to help consumers determine how the product is harvested and where it is grown was approved by the governor.

The measure is aimed at helping rice harvesters in Minnesota keep a fragile lead on wild rice production in the nation.

It requires wild rice labels affixed to packages after Jan. 1, 1993, to indicate whether the product is harvested by hand or mechanically — helping consumers distinguish, for example, between rice hand-harvested by American Indians in Minnesota from machine-harvested wild rice gathered with Canadian air boats. (HF2804)



**Ethanol education**

A total of \$150,000 is appropriated to the Department of Agriculture to mount a “public outreach and training program to educate the public, automobile mechanics, and representatives of the gasoline distribution network about the oxygenated gasoline program.”

Ethanol, which can be derived from corn, can be used as an oxygenate to raise the octane level of gasoline.

The department is to consult with the departments of Transportation and Public Service, and the Minnesota Pollution Control Agency, in developing the program.

The provision is effective July 1, 1992. (HF 2694, Article 2, Section 6)

**Ag central filing system**

Farm elevator operators could have an easier time tracking down those who have a financial interest in the crops farmers bring to market.

The measure establishes a central filing system within the Secretary of State’s Office that would list farmers whose lending institutions have a financial interest in the farmers’ crops.

The system will ease the process by which farm elevator operators and lending institutions determine who has a lien against crops that are brought to market.

Currently, elevator operators and lending institutions must track down the liens on their own — a process that is sometimes difficult and can lead to errors, say proponents of the measure.

The bill calls for a \$357,000 appropriation from the state’s general fund to implement the program and to pay for the hiring of five extra people in the Secretary of State’s Office.

The program will be partially financed

through a temporary \$1 increase in the surcharge on all uniform commercial code transactions — to \$5 from \$4. The temporary increase will go into effect July 1, 1992, and continue until July 1, 1993.

Lending institutions will begin filing liens with either county recorder offices or the Secretary of State’s Office beginning July 1, 1993. (HF769)

**Pesticide registration samples**

Chemical companies may need to provide the state agriculture officials with a scientifically accurate sample of the pesticides they register with the state beginning Aug. 1, 1992.

The samples would be used in the laboratory in the event of a pesticide spill or other contamination to determine the source of the chemical.

The federal government had required companies to give it the samples, but recently eliminated the requirement. This measure allows the state Department of Agriculture to oversee the samples.

Specifically, the amendment says, “The commissioner may also require the registrant to supply analytical standards and methods for the pesticide, pesticide breakdown products, or metabolites.” (SF2028\*/HF2853)



**Old donuts for pigs**

There could be a greater chance that farmers will feed their hogs uncooked “non-meat byproducts” such as old donuts or damaged Cheerios.

A measure that becomes effective Aug. 1, 1992, permits the State Board of Animal Health to develop rules specifying what is an acceptable uncooked non-meat byproduct.

Currently, farmers can feed their livestock many such byproducts provided they are cooked, which eliminates the potential of swine-borne diseases. But farmers need a permit from the board if they want to use the food in an uncooked form.

Under the new law, they would still need a permit. But if rules are adopted that define which byproducts are acceptable, there could be a greater chance farmers

would obtain the permits to use these products to feed their livestock.

The Board of Animal Health said only about eight of the state’s 15,000 swine farmers have permits to feed pigs uncooked byproducts.

The change in the law was pushed by the University of Minnesota’s Minnesota Technical Assistance Program, which was looking for ways to use old food products and to reduce such deposits in state landfills. (SF1300\*/HF1391)

**Dairy barn well monitoring**

(See Environment & Natural Resources, page 16)

**Aquafarm regulations**

(See Environment & Natural Resources, page 15)



**Appropriations**

**Bonding bill**

A compromise \$274.8 million public works bill received the governor’s approval April 29, 1992.

State Senate and House conferees were more than \$97 million apart when negotiations began on the package. Several large-ticket projects included in the larger House bonding bill were eliminated or dramatically scaled back in the final version of the measure.

Overall spending in the bill includes \$102 million for college campus projects, \$25.8 million for K-12 projects, \$41 million for human development facilities, \$38.7 million for state government buildings, \$28.8 million for transportation, and \$11 million for environmental and park programs.

All provisions in the bill became effective April 30, 1992. (HF1903)

### Higher education

A total of \$102 million was approved by the governor for higher education bonding projects. The measure calls for a \$12.9 million allotment for the technical college system, \$14.6 million for the community college system, \$12.9 million for the state university system, and \$61.9 million for the University of Minnesota. (HF1903, Sections 2, 3, 4, 5)

### Basic sciences building

Over half of the total bonding authorized for all four higher education systems — \$52.7 million — will be used to fund the basic sciences/biomedical engineering building at the University of Minnesota. The federal government will provide an additional \$10 million in matching funds for the project.

The final package does not include a House recommendation for \$900,000 for a science center at the University of Minnesota-Morris campus. (HF1903, Section 5)

### Health and life safety

About \$38 million goes for health and life safety improvements throughout the four higher education systems. This appropriation will fund projects such as roof repair and replacement, code compliance, PCB and asbestos abatement, and handicapped access. (HF1903, various sections)

### Campus plans

New campus buildings will reflect the trend toward the consolidation and merging of co-located campuses. The community and technical college boards will develop plans for the \$7.2 million that will be used for the new construction and remodeling at Austin Community College (the new learning center is to be conveniently located between Austin's community and technical colleges). A \$1.2 million appropriation goes for planning a joint campus for Brainerd Technical College and Brainerd Community College. And \$680,000 will be used for planning new buildings at Duluth Technical College so that technical college and community college courses can be taught at the same site.

A House proposal for \$4.7 million to build phase one of a new permanent campus at Cambridge Community College

Center, which is currently housed in an 18,000-square-foot metal building, was dropped from the final bill. (HF1903, Sections 2, 3)



### Libraries

State universities get \$1.26 million for planning and building libraries: \$390,000 will pay for schematic plans for libraries at St. Cloud State University and Bemidji State University; and \$870,000 will be used for planning a new library and for remodeling the existing library for office and classroom use at Winona State University.

In the future, state universities may get some additional help in building their libraries. The Legislature required a study to determine how university libraries provide regional services and to develop a plan to recover costs from non-university users. (HF1903, Section 4)

### Cooperative high schools

The main debate centered around funding for cooperative high schools, with the House proposing \$12 million and the Senate allocating no money for those projects. The House had hoped to fund two cooperative secondary facilities — one for a group of districts including Blue Earth, Elmore, Delavan, and Winnebago, and the other for a group of districts in Grant County. But the Senate would only agree to \$5.9 million for the school in Blue Earth, and \$100,000 for planning purposes in Grant County. (HF1903, Section 7)

### Maximum effort/desegregation

Maximum effort school loans in Red Lake and Rush City get \$12 million. And \$4 million will be used for desegregation facilities. (HF1903, Section 7)

### Other facilities

The Minnesota Library for the Blind and Physically Handicapped gets \$1.3 million. The Hoffman Center for court-placed sex offenders will get \$400,000 for an education facility.

A total of \$2 million will be used for construction of high schools in the Glyndon-Felton and Dilworth school districts. (HF1903, Section 7)

### Science Museum of Minnesota

A total of \$200,000 is appropriated to the Science Museum of Minnesota so it can develop plans for remodeling and additions to the museum, which must include the site in St. Paul where the Public Health Building is currently located. (HF1903, Section 17)

### No ski jump

A Bloomington ski jump that had been authorized by the 1990 Legislature won't be built unless matching funds for the project are found by July 1, 1993. The 1992 bonding bill cancels \$2.5 million for the Holmenkollen ski jump unless the matching funds are obtained. (HF1903, Section 16)

### Sewer overflow

Funding is continued for ongoing projects to separate storm sewers from sanitary sewers in Minnesota cities. A total of \$13.05 million is appropriated to the Minnesota Pollution Control Agency so sewer systems in certain Minnesota cities that discharge into the Mississippi River can be separated. (HF1903, Section 21)

### Minnesota History Center

A total of \$1.4 million is appropriated to the new Minnesota History Center for the development of permanent exhibits at the museum — provided that sum is matched with about \$4.5 million in private funds. The center is scheduled to open in October. (HF1903, Section 24)

### St. Anthony Falls

Minneapolis' old milling district in the St. Anthony Falls area could see some improvements in the near future. A total of \$500,000 was appropriated to the St. Anthony Falls Heritage Board to make capital improvements in the historic area. (Section 24)

A separate allocation contained in the omnibus appropriations bill (HF2694) marks a \$1,001 appropriation so the state

can buy the Stone Arch Bridge, which connects downtown Minneapolis with what was once the town of St. Anthony. (HF1903, Section 24)

### Battle Point Historic Site

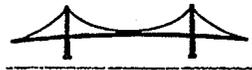
A \$50,000 appropriation for preliminary plans to develop an interpretive center at Battle Point on Leech Lake was transferred to the Minnesota Historical Society from the Indian Affairs Council. The money was originally included in the 1990 bonding bill, but was never spent. An additional \$50,000 appropriation from the state's general fund, which was authorized by the 1991 Legislature, was vetoed by the governor. Leech Lake's Battle Point is near Walker, Minn. (HF 1903, Section 24)

### Prairieland Expo Center

A proposal near Worthington, Minn., that is being touted as possibly the biggest tourist attraction between South Dakota's Wall Drug and the Wisconsin Dells received a \$100,000 appropriation for schematic drawings. Prairieland Expo Center is to feature exhibits of prairie history and Minnesota municipalities, industries, and organizations. The project is also to include "a display of early lawnmowers and the history of their development that culminates in a display of modern mowers," according to an expo brochure. (HF1903, Section 24)

### Bloomington Ferry Bridge

Travelers heading to Shakopee and other points south could have an easier time getting there in the near future. A total of \$10 million was appropriated to make improvements on the Bloomington Ferry Bridge, a project that would ease the congestion of the bottleneck on U.S. 169 at Shakopee. The state money will allow the Minnesota Department of Transportation (MnDOT) to receive about \$40 million in federal funds for the project, but not as much as originally hoped. MnDOT had sought \$30 million in state bonding authority to leverage even more federal funds. (H1903, Section 25)



### Local bridges

The Minnesota Department of Transportation received \$5 million in order to award grants to counties, cities, and townships to repair or replace local bridges. The sum is less than half the amount that was originally proposed by the House. (HF1903, Section 25)

### Speed skating and bandy rink

Roseville received \$1.9 million in bonding to construct a speed skating and bandy rink. Funding for the facility — to be named after former state Rep. John Rose — will require \$1 million in matching funds. Bandy is best described as soccer played on ice.

The National Sports Center in Blaine also received \$400,000 to purchase land to develop additional soccerfields. (HF1903, Section 14)

### Larger prisons

Nearly \$19.2 million in bonding has been authorized to enlarge the state's prison facilities.

The largest single project is a \$10.9 million, 100-bed expansion at the Shakopee women's correctional facility. The project also adds facilities for 10 more inmates in the facility's mental health unit. (HF1903, Sections 8, 9)

The Minnesota Security Hospital in St. Peter also will grow, receiving \$8.1 million to build a 50-person addition to accommodate more psychopathic criminals.

### More judicial space

Funding for the continuing renovation of the old Minnesota Historical Society building so it can be used for judicial branch office space was approved. Most of the \$6 million appropriation — half of what was initially proposed — would be used for repairing the building's roof and for office space conversion.

Other improvements are in store for the Capitol Mall area as well. The bonding package allocates \$6.3 million from the trunk highway fund for repairs to the Minnesota Department of Transportation building.

An additional \$1.6 million was approved for repairs and renovations of the state Capitol itself — including restoration of the golden horses in front of the building. (HF1903, Section 12)

### State parks

A total of \$2.8 million in funding will allow state parks to get a start on more than 600 state park repair projects. Several Itasca State Park log and stone buildings from the 1930s will be restored, and reforestation will continue on some of the park's 300-year-old red and white pine forests. An additional \$600,000 appropriated for state park land acquisition will buy private land in state parks which might be sold to other buyers. (HF1903, Section 18)



### Bike and hiking trails

An appropriation of \$1 million was made for improvements on three trails.

The Willmar-New London trail will be partially resurfaced with blacktop. The 20-mile trail eventually will expand to 40 miles.

The limestone Sakatah Singing Hills State Trail near Mankato is in poor condition. Bonding money will be used to upgrade and blacktop almost half of the 40-mile trail.

The 85-mile Paul Bunyan Trail from Brainerd to Bemidji, which is now just raw railroad grade, will be improved. Bonding will pay for bridge replacements and removal of safety hazards. The projects will need added approval from the Legislative Commission on Minnesota Resources. (HF1903, Section 18)

### Critical habitat acquisition

There is \$1.25 million more in state funding to acquire wildlife habitat. That amount is appropriated to a special account, where the funds can be spent only if they are matched by private sources. The

account is designed to augment funds in the popular Reinvest in Minnesota program, which also acquires critical habitat for game. Donations usually come from individuals and conservation organizations such as the Nature Conservancy, Pheasants Forever, the Deer Hunters Association, Minnesota Waterfowl Association, and Ducks Unlimited. (HF1903, Section 18)

#### Dam repair and flood mitigation

A total of \$2 million is appropriated for emergency dam repair or removal in the state, as well as two flood control projects: Jack Creek and Good Lake. (HF1903, Section 18)

#### Reinvest in Minnesota (RIM)

A \$1.3 million appropriation goes for private land easements for marginal lands and wetlands restoration. Priorities are to create wildlife habitat, to protect and enhance water quality, and to prevent soil erosion. (HF1903, Section 19)

#### DNR field offices

Some \$1.7 million is appropriated for consolidating a number of DNR field units into single offices in Aitkin, Warroad, and Two Harbors. (HF1903, Section 18)

#### Minnesota Zoo

A \$1.8 million appropriation goes for roof repairs and skylight replacement in the tropics exhibit building. (HF1903, Section 23)



#### State fish hatcheries

Improvements in state fish hatcheries in Cut Foot Sioux, Detroit Lakes, Peterson, Crystal Springs, Lanesboro, Bemidji and New London are possible with a \$1.3 million appropriation. (HF1903, Section 18)

#### Lake Superior Center Authority

An appropriation of \$2 million goes toward the design and engineering of exhibition spaces and facilities for the environ-

mental center in Duluth (\$1.5 million in funding would be contingent upon receiving matching funds from nonstate sources). (HF1903, Section 12)



#### Lake Superior Zoo

A total of \$300,000 is appropriated to start construction on a children's education/interaction area and an exhibit for a Przewalski/horse zebra — a wild horse that is a progenitor of all modern horses. (HF1903, Section 12)

#### Neighborhood land trust program

More money is available to help low-income people buy homes of their own.

A total of \$2 million in this year's state bonding bill is earmarked for the Minnesota Housing Finance Agency's (MHFA) local government unit housing account.

The funds will be loaned to cities so they can purchase or acquire land and buildings through the neighborhood land trust program.

Established in 1991, the program purchases (and in some cases rehabilitates) homes and sells them to low- and middle-income residents while retaining ownership of the land, which reduces the cost of the home by one-fifth to one-fourth.

The cities may also contract with non-profit agencies to rehabilitate and sell the homes. All payments received by the city ultimately revert to the MHFA to finance future land trust projects. (HF1903, Section 11)

#### Solid waste processing facilities

A total of \$2 million is appropriated for capital grants to local governments for solid waste processing facilities. Assistance would likely go to Blue Earth County and areas in northeastern Minnesota. (HF1903, Section 22)



#### Damage deposit interest rate

Renters will receive less interest on the money they put down for apartment damage deposits that are held in trust funds by landlords. An amendment added to a bill on the last day of the 1992 session reduced the interest to 4 percent from 5-1/2 percent.

The 4 percent interest rate, which went into effect on April 28, 1992, will remain in effect until May 1, 1997.

The measure calls on the 1996 Legislature to review the lower interest rate to see if it should return to the 5.5 percent level.

The lower interest rate for trust funds applies to all funds that are spelled out in *Minnesota Statutes* 82.17, Subdivision 7, including funds received by a broker, salesperson, or closing agent. (SF2662\*, Section 1, Subdivision 2/HF2950)



#### 'Puppy mills' regulated

Lawmakers took steps to crack down on disreputable pet breeders, requiring state registration of breeders to provide a paper trail for owners if they later discover their pet was diseased or injured before purchase.

The measure, better known as the "puppy mill" bill, also requires pet shop owners to have pets examined by independent veterinarians before they are sold.

After Dec. 1, 1992, purchasers will be able to get a refund or a replacement pet if the veterinarian determines the pet's illness resulted from a pre-existing condition. (SF1841\*/HF2043)

### Smoking minors

Youths may find it a bit harder to buy cigarettes in the future.

Beginning Aug. 1, 1992, minors could be found guilty of a petty misdemeanor for buying, or attempting to purchase, cigarettes. The maximum penalty is \$200.

An earlier version of the bill called for a reduction of the gross misdemeanor penalty against retailers who sell cigarettes to minors, but that provision was eliminated from the bill.

Lawmakers had also discussed placing limits on "sting operations" that use youths as decoys to ferret out illegal sales of cigarettes, but that provision was also eliminated. (SF2475\*/HF2904)



### Unclaimed property

That money you left in old bank accounts will revert to the state in three years instead of the current five-year time limit.

But the Department of Commerce will also step up its efforts during that shortened time period to reach people who leave abandoned property.

The Department of Commerce received a \$275,000 increase in funding to administer the program.

Although the property will revert to the state sooner, owners and heirs of abandoned property have the right to reclaim property at any time — even 50 to 100 years after it is turned over to the state's general fund.

The measure is effective July 1, 1992. (HF2694, Article 3, Section 6)

### Interior designers certified

Interior designers can now become certified and the occupation will come under the review of the current Board of Architecture, Engineering, Land Surveying and Landscape Architects.

The board will expand from 17 to 20 members to accommodate the change, and "interior design" will be added to the board's title.

Members of the profession pushed hard for licensure last year, but met with considerable opposition.

Persons wishing to be certified will be subject to the guidelines set for the profession by the National Council of Interior Design Qualifications.

The measure is effective Aug. 1, 1992. (HF217)

### Interest rate advertising

The criminal penalty has been removed for ignoring the state law that regulates the content of advertisements concerning interest rates.

After Aug. 1, 1992, it will no longer be a misdemeanor to "willfully" violate the advertising regulation law that, among other things, spells out that interest rates must include a statement similar to the following: "The effective annual yield or total return will fluctuate along with market and other economic conditions."

Critics of the existing law said it was easy to unintentionally violate the provision, but industry representatives said they could not recall anyone being prosecuted under the provision.

The new law will also allow firms that sell bonds to advertise bond interest rates beginning Aug. 1 in a more accurate method, according to proponents of the new law.

Bond advertisements will now be allowed to state a bond's "yield to maturity," the traditional method of measuring bond yields, instead of "effective annual yield" mandated by state law.

The law requiring all such interest rate advertisements to follow the "effective annual yield" standard was approved in 1987 in response to ads that many considered misleading.

But since that time, firms that sell bonds have argued for a change in the law because they say that measure can actually distort the true measure of a bond's performance.

That's because a bond's true performance is more accurately measured over its lifetime — not just after one year.

Bond firms said the state law put them at odds with the National Association of Securities Dealers, which would not condone the ads required by state law. In response, the industry quit advertising, according to one bond firm spokesperson. (HF1416)



### Real estate fraud compensation

There is a greater chance that people who are victims of crooked real estate agents and brokers will be compensated for their losses.

A measure, which went into effect April 28, 1992, raises to \$25 — from \$5 — the renewal license fee of real estate brokers, salespersons, and closing agents that is credited to the "real estate education, research, and recovery fund."

It also allows the Department of Commerce to impose a \$100 special assessment — up from \$50 — to replenish the fund when the commissioner deems it necessary.

The law was prompted by the cases of several Hmong Minnesotans who were defrauded out of nearly \$900,000 — allegedly by one man who has since been indicted and by another who is under investigation, according to the Department of Commerce. In early April, before the law went into effect, the fund had a balance of about \$500,000. (SF2662\*/HF2950)



### Credit card comparisons

Consumers should have an easier time determining which credit card companies offer the best deals.

A law that goes into effect July 31, 1992, requires firms that offer credit cards in the state to file a report each Dec. 31 with the state Treasurer's Office.

The office, in turn, plans to take that information to compile a report that would compare the interest rates, and other fees, that are offered by the various companies that offer credit cards in the state.

That report should be available in pamphlet form in early 1993, said a Treasurer's Office spokesperson.

The spokesperson said the Treasurer's Office and the Attorney General's Office are now mapping out the rulemaking process that will determine what information

should be included in the annual reports from credit card companies.

Currently, such firms must disclose information about interest rates, but have not been required to file a report with the Treasurer's Office. (HF2608)



## Economic Development

### Play ball in St. Paul

A new minor league baseball circuit receives a boost under a directive for the state Department of Trade and Economic Development (DTED). DTED is being asked "to assist in the re-establishment and promotion of the Northern League," which is expected to begin operations next year in six or eight Midwestern cities. The new league, independent of major league baseball, is planning for a 75-game schedule with franchises tentatively located in St. Paul, Duluth, Moorhead, and possibly St. Cloud. No state money, however, is included in the omnibus appropriations bill.

The provision became effective April 30, 1992. (HF2694, Article 4, Section 17)

### Hollywood on the Mississippi

Lawmakers specifically told the Department of Trade and Economic Development (DTED) not to cut any funding for the Minnesota motion picture board to compensate for changes in DTED's overall funding package.

The film board currently receives \$191,000 per year in state matching funds.

The measure directs the film board to explore ways to promote rural portions of the state for video, film, and television productions. It also is directed to begin work on establishing an annual Asian film festival in the Twin Cities starting in 1993. (HF2694, Article 4, Section 17)



### Dial-a-reservation

The state Office of Tourism is directed to meet with representatives from hotel and motel associations, Indian Gaming associations, and other organizations to develop a Minnesota-based unified telephone reservation system.

Currently, a San Diego-based company handles all Minnesota State Park reservations.

The group is to submit its recommendations to the Legislature by Jan. 15, 1993. (HF2694, Article 4, Section 17)

### Recouping tourism investments

Should the state get a return on its dollar for successful promotional investments? The Legislature says yes, and has directed the Office of Tourism, as of April 30, 1992, to identify beneficiaries of state dollars that helped promote major events, and try to recover the dollars.

The dollars recouped would be invested in a special account, as would any dollars returned under future contracts to host major events. The funds would then be used, as direct appropriations, to attract and host other "significant tourism-related events." (HF2694, Article 4 Section 17)

### St. Paul: the 'cultural capital'

What's the best way to make St. Paul the "cultural capital" of Minnesota?

A capital city cultural resources commission will be established to determine the best way to explore options on how to develop the proposed capital.

The 22-member commission is to include three House members and three Senate members, all of whose districts include parts of St. Paul, one member of the Ramsey County Board, the mayor of St. Paul, four members of the public, and several others.

The idea behind the cultural capital is to emphasize many of the institutions that are located in St. Paul — such as the Science Museum of Minnesota and the Children's Museum — as a tool for economic development.

The law became effective April 25, 1992, and specifies that the commission must

submit a report to the Legislature, city of St. Paul, and the Ramsey County Board by Feb. 15, 1993. (HF2586)

### Luring fewer tourists

The state Office of Tourism has \$300,000 less to spend in the coming year to attract vacationers to Minnesota.

The cuts, however, are significantly less than those earlier proposed. State tourism officials argued against broad cuts, saying it could cost the state up to \$20 million in lost sales taxes and other revenues generated by out-of-state visitors.

The provision became effective April 30, 1992. (HF2694, Article 4, Section 17)

### World Trade Center privatization

The World Trade Center Corporation receives up to \$580,000 so it can be sold to a private company under a provision included in the omnibus appropriations bill.

The center has led a bare-bones existence since the governor vetoed its \$1 million appropriation from the 1991 Legislature last summer.

In an agreement with the governor, however, the World Trade Center received \$220,000 on the day after the bill was signed, April 30, 1992. Another \$100,000 will be used to study the "feasibility of privatizing" the center.

If the Department of Administration concludes that privatizing the center "shows a reasonable potential for the state to recover a significant proportion of its investment in the World Trade Center," then it will receive another \$240,000 to preserve those assets.

The center's most valuable asset is 30 years of rent-free space in the World Trade Center building in downtown St. Paul. (HF2694, Article 3, Section 13)

### MTI/AUIR cutbacks

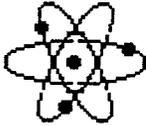
Funding for the former Greater Minnesota Corporation and its various spinoffs will continue to diminish.

The measure, effective April 30, 1992, trimmed the allocation to Minnesota Technology Inc., formerly the Greater Minnesota Corporation, by \$10.9 million.

Included in that reduction is a \$1 million cut in the Agricultural Utilization Research Institute.

The Greater Minnesota Corporation, created by the 1987 Legislature, was hailed as an important economic development tool to lead outstate Minnesota out of the economic doldrums.

But its funding has been significantly scaled back in recent years. (HF2694, Article 3, Section 12)



### Looking out for science

The Legislature will have to give more thought to what effect its policies could have on scientific and technological development in the state.

The law, effective Aug. 1, 1992, requires legislative commissions and committees to consider five goals that are specified in the state's new "science and technology policy" before taking action on bills.

Among the goals are calls for:

- state support to make available information, technical expertise, and other services so smaller companies — many with fewer than 50 employees — can become more competitive;
- extensive investment throughout the educational system to increase the number of Minnesota-educated scientists and engineers; and
- increased use of state money to match federal dollars that are devoted to scientific and technological initiatives. (SF2380\*/HF2189)

### Minneapolis loan program

The city of Minneapolis would no longer have a cap on the loan guarantees it can offer to small businesses — provided the city ratifies a new state law.

The measure, which would become effective following local approval by the city, removes the \$450,000 cap called for under existing law.

The bill also extended the Minneapolis small business program, which had been scheduled to sunset on June 30, 1991. (HF1862)

### St. Paul economic development

The city of St. Paul will have greater flexibility in the way it uses funds for economic development.

A new law, which must be approved by the St. Paul City Council before it becomes effective, allows the city to implement a citywide economic development program that is not limited to specific redevelopment areas.

Although St. Paul has had various economic development programs, critics say the programs weren't flexible enough to help businesses or buildings on a case-by-case basis.

Supporters say this law would provide that flexibility. (HF1249)



### Detroit Lakes and turkeys

The city of Detroit Lakes could get some state help in luring another turkey processor to town if the state Department of Finance approves the plan.

The measure says the department may issue up to \$5 million in general revenue bonds which could be used to provide a low-interest loan to lure a buyer for the Swift-Eckrich Inc. turkey plant, which closed in May.

Supporters of the measure say it is necessary to help preserve up to 542 jobs in the Detroit Lakes area.

The measure also says the Department of Trade and Economic Development may help Detroit Lakes find a use for the plant, but doesn't provide any funding for the effort.

Although the Legislature approved the plan, the final decision rests with the Department of Finance. The law becomes effective Aug. 1, 1992. (SF1648\*/HF1795)



## Education

### K-12 education funding

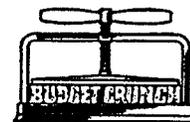
Property poor districts will get a little more money from the state to help finance building projects under the K-12 omnibus education bill.

But the measure does not include the Senate's "pop tax" proposal, which would have been used to fund learning readiness and violence prevention programs. Nor does it include provisions that would have prevented large OSHA fines at schools.

In addition, it doesn't stop the State Board of Education from making rules to prevent school teams from using American Indian names and symbols, as a House member had proposed.

For the most part, the bill protects funding for elementary and secondary education that was established last year.

The following major provisions are included in HF2121.



### Shift

More of the state's payments to school districts will be delayed into the next two-year spending cycle to help the state balance its budget.

The "early levy recognition shift percentage" increases to 50 percent from 37 percent for taxes payable in 1993 and later years. This change provides schools with \$182.7 million more in property tax revenue in fiscal year 1993 and permits the same reduction in state education aids. (HF2121, Article 1, Sections 1, 2)

Districts that have to borrow money for operating expenses will be reimbursed for the cost of short-term borrowing from a \$300,000 state fund. The provision is effective July 1, 1992. (HF2121, Article 1, Section 9)



### Funding equalization efforts

An additional \$6 million in state funds will be available beginning July 1, 1992, to help property-poor districts finance capital building projects. Increasing funding for debt service equalization addresses the difficulty that districts with few high-value properties have in raising money through levy referendums. (HF2121, Article 5, Section 20)

School districts will be more limited in the amount that they can raise from a referendum as of July 1, 1992. The main change means that a district's referendum allowance limit will decrease to 30 percent from 35 percent of the state education formula allowance for that fiscal year. (HF2121, Article 1, Section 11)

And a Senate-sponsored provision will give districts the option of changing the way that they calculate levy authority from a percent of Anticipated Net Tax Capacity (ANTC) to a per pupil allowance. Districts with growing student populations, and a stable or decreasing net tax capacity, could use the per pupil revenue option to increase their referendum levy. This provision expires July 1, 1997. (HF2121, Article 1, Section 3)

### Levy changes

A number of levy increases and a couple of levy decreases will go into effect July 1, 1992.

- Levy increases in HF2121 include:
- an additional \$8 million for the general education levy (Article 1, Section 15);
  - \$2 million for bus transportation home from after school activities (Article 2, Section 12);
  - \$1 million for a new low fund balance levy (Article 1, Section 20);
  - \$3.7 million for health insurance for early retirees (Article 7, Sections 12, 13);
  - \$4.5 million for health insurance for retirees (Article 7, Sections 12, 13);
  - \$2.1 million for intermediate districts (organizations which provide vocational and special education programs for the seven-county metro area excluding St. Paul, Minneapolis, and Anoka) (Article 6, Section 36);

- \$6.4 million for "Big District Cooperation" (vocational and special education programs in St. Paul, Minneapolis, and Anoka) (Article 6, Section 29);
- \$1.6 million for education districts (Article 6, Section 38); and
- \$1.7 million for interactive TV in various districts (Article 6, Section 30).

Levy decreases in HF2121 include:

- a \$20 million decrease in debt service equalization (Article 5, Section 34); and
- a \$6 million decrease in the handicapped access levy (Article 5, Section 13).

### State Board of Education

Funding for the State Board of Education will decrease by \$140,000, far less than the 5 percent cut of \$700,000 proposed by the Senate. The provision is effective July 1, 1992. (HF2121, Article 11, Section 10)

### Cooperative facilities

A grant will be awarded for a cooperative high school that would serve existing school districts including Blue Earth, Elmore, Delevan, and Winnebago. Although this bill also targeted grant money for a cooperative high school in Grant County, the bonding bill only provided enough money for the Blue Earth project. The provision is effective July 1, 1992. (HF2121, Article 5, Section 11)

### Braille literacy

Individualized education plans for blind students will include more emphasis on proficiency in Braille reading and writing. The Senate-sponsored provision, effective Aug. 1, 1992, aims at insuring that more blind students learn Braille in addition to other reading and writing techniques. A study by the Minnesota Department of Jobs and Training showed that people who read Braille are more likely to be active and have more confidence than blind people who don't. (HF2121, Article 3, Section 1)

### Service delivery system

A new three-tiered education delivery system will be in place by July 1, 1995. The new system is to streamline the delivery of education services by reducing the num-

ber of different cooperative organizations and their multiple levels of administration. Local school districts will be in charge of developing a plan for the new system and report its recommendations to the Legislature. (HF2121, Article 6, Section 33)

### Ice arena levy

Schools that own ice arenas will be able to levy for the net operational costs — provided girls and boys get to use the arenas equally. The provision states that a district "offer equal sports opportunities for male and female students to use its ice arena, particularly in areas of access to prime practice time, team support, and providing junior varsity and younger level teams for girls' ice sports and ice sports offerings." This provision, which is effective July 1, 1992, was originally part of the House tax bill, but was added as an amendment to the omnibus education bill during conference committee. (HF2121, Article 7, Section 26)



### Libraries

The minimum level of support necessary from each participating city and county in order to receive a regional library basic system support grant is increased beginning Jan. 1, 1993. (HF2121, Article 10, Section 2)

And library card holders will have more privacy protection beginning Aug. 1, 1992. Private data on an individual's library card, other than a person's name, will be available for library purposes only. (HF2121, Article 10, Section 1)

### Teacher pilot programs

Year-long internship programs may be required before teachers can become licensed in the future. Pilot programs to determine the value of such internships will be established by 1995. The bill states that "if the restructured licensure model proves effective, the model would be implemented statewide by the year 2000." But any new licensure program will require legislative approval before implementation. (HF2121, Article 8, Section 10)

### Sexual harassment

Schools will have to develop a process for discussing the school's sexual harassment and violence policy with students and school employees. The policy is in response to a court case which held a school liable for an incident involving sexual harassment. The measure is effective Aug. 1, 1992. (HF2121, Article 8, Section 17)

### Commissioner of education

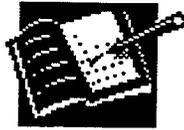
The State Board of Education will once again have the power to appoint the education commissioner with the approval of the governor. In 1986, the Legislature removed the appointment power from the state board and gave it to the governor. The measure becomes effective the first Monday of January 1995. (HF2121, Article 8, Section 1)

### Graduation standards

New graduation standards won't be adopted as quickly as the State Board of Education had hoped. The Legislature will have until July 1, 1994, to review and act on proposed new standards from the state board. It had hoped to approve the new rule this fall and begin its implementation in 1996.

Both the Legislature and the state board agree that the new graduation rule should incorporate the principle of outcome based education — basing graduation on acquisition of skills, not just the number of credits earned. But the Legislature blocks the state board from dictating teaching methods or from establishing a single form of assessment that local schools must use to meet the graduation requirements.

Up until now, the state board had sole jurisdiction over the establishment of graduation rules. But outcry over its initial draft of graduation requirements in the fall of 1991 led to legislative oversight of the final product. (HF2121, Art, 8, Section 33)



### Parental review

Parents will have more say about their children's instructional materials under a change made to the Planning, Evaluation, and Review (PER) process.

The measure requires that school boards adopt policies allowing parents to review the content of instructional materials.

If parents object to the content, they will be able to make reasonable arrangements with school personnel for alternative instruction. And if the school doesn't offer parents an alternative that meets their concerns, parents will be able to offer alternative instruction themselves.

The law attempts to address concerns of parents who object to materials dealing with subjects such as sex education and suicide. But it will allow for the review of all instructional materials.

The measure is effective for the 1992-1993 school year. (SF2556\*/HF2318)

### A school in the megamall

Students will be able to learn and shop in the same building at the Mall of America. Five districts are joining together to build a school at the megamall. Their efforts were helped along by the Legislature and governor, who approved a measure that waives the prohibition against the retail sale of alcohol within 1,000 feet of a school. The measure becomes effective upon local approval. (HF1969)

### No smoking in schools

Smoking and chewing tobacco will be prohibited at all public school buildings and in school vehicles beginning Aug. 15, 1993.

About 85 percent of Minnesota schools already have some kind of non-smoking policy, with 80 percent of those prohibiting smoking in school buildings, vehicles, and grounds.

The measure would make non-compliance with the law a petty misdemeanor. And it gives the commissioner of public health the power to take school administrations to court if they fail to enforce the non-smoking law. (SF1898\*/HF2093)

## Higher Education

State funding for the state's four public college systems is trimmed a total of \$29 million for the remainder of the biennium. And three of those systems remain on course to be merged by July 1995 — despite attempts by the House to block the scheduled merger. The House voted three separate times to abolish the merger. On the last day of the session, the House voted 123-5 to repeal the merger law.

Those were among the major provisions included in the education section of the appropriations bill (HF2694) that the governor approved April 29, 1992.

Technical colleges will be cut by \$5.8 million, community colleges by \$3.5 million, state universities by \$3.5 million, and the University of Minnesota by \$15.7 million.

The appropriations bill (HF2694) also includes the following provisions, all of which became effective April 30, 1992, unless otherwise noted.

### Financial aid adjustment

The cost of attendance for part-time students will be pro-rated on a credit-by-credit basis rather than on the "credit band" system currently in effect. As a result, some part-time students will receive more financial aid than they expected starting in the fall of 1992. (Article 1, Section 2)

### Aid for migrants

Migrant farm workers will be added to the categories of students who will be counted for state appropriations, and, therefore, be charged resident tuition rates. The provision is effective July 1, 1992. (Article 1, Section 10)

### Resource center funds

A workplace literary resource center, to be funded with non-state dollars, will be established at Northeast Metro Technical College. (Article 1, Section 17)

### License plates

The scholarship contribution required for a college license plate will change from a \$100 one-time contribution to \$25 annually. (Article 1, Sections 19, 20)

### Additional funding

- Funding is provided for the cleanup of the Kummer landfill in Bemidji. (Article 1, Section 2)
- The administrative and program operations at Duluth Technical College and Duluth Community College Center will be integrated and coordinated. (Article 1, Section 3)
- Full state grants will be awarded in fiscal year 1993. (Article 1, Section 2)
- The maximum bonding authority of the Higher Education Facilities Authority will increase from \$250 million to \$350 million. (Article 1, Section 16)

The EdVest proposal to allow parents to invest their state income tax refunds into savings bonds to help pay for their children's college educations was not adopted.

Although the Legislature trimmed higher education spending by \$29 million, the governor had recommended a \$50 million cut. (HF2694)



### U of M funds restored

A total of \$23.2 million in funding for the University of Minnesota that was vetoed by Gov. Arne Carlson in 1991 was restored by the Legislature.

Of the funds, \$19.6 million is marked for "system specials," which include fellowships for minority and disadvantaged students, student loan matching grants, and funds for the Biological Process Technology Institute.

Most of the remainder is for the Institute of Technology, with a portion of the dollars marked for the Talented Youth Mathematics Program. The appropriation becomes effective July 1, 1992. (SF1621\*/HF1740)



### Minimum energy standards

A host of everyday products — including the kitchen sink — will be more energy efficient after July 1, 1993.

After that date, no kitchen faucet can be sold in Minnesota if water flows from it at a rate exceeding 2.5 gallons per minute (at the standard water pressure of 80 pounds per square inch).

Minimum energy standards also will be set for air conditioners, incandescent lamps, motors, showerheads, faucets, commercial heating units and ventilating equipment.

In addition, new rules will be adopted by the commissioner of the Department of Transportation to ensure that all new lighting on public lands is more energy efficient. This includes lights along streets, highways, and parking lots. (HF2134)



### Solar, wind power incentives

Solar and wind energy systems will be exempt from the state's sales tax, adding to the property tax exemption the Legislature granted wind energy systems in 1991.

This year's law also exempted petroleum products purchased by a publicly subsidized transit system, air cooling equipment used to convert or replace ground-water cooling systems, construction materials, and equipment used in recycling facilities, from the state's sales tax.

Last year, the Legislature also required the Public Utilities Commission to factor in "the value of environmental costs avoided" when setting the rates at which utilities purchase electricity from alternative energy facilities. The law requires utilities to buy the electricity such small electric plants generate. (HF2940, Article 8, Sections 20, 21, 22, 23)



### Don't fill 'er up

A person who removes a basement heating oil storage tank will soon have to also remove or seal outside fill and vent pipes.

In 1990, an oil delivery man confused the address of an Oakdale farmhouse with that of a neighbor's. Finding an oil fill pipe outside the mistaken home, he proceeded to pump the fuel oil in.

The only problem was that Harvey Jacobsen had removed his oil tank years before, but left the fill pipe intact. The Jacobsen's returned home that day to find their basement flooded with 452 gallons of fuel oil.

The measure is effective Aug. 1, 1992. (HF2134, Section 3)



## Environment & Natural Resources

### State parks

Originally slated for deeper cuts, parks will instead get a \$200,000 reduction under provisions contained in the omnibus appropriations bill. Services across the state park system will be reduced. In 24 medium-sized parks, camping will open later in the spring and close earlier in the fall.

There will be very limited camping in five state parks: Big Stone Lake, Carley, George Crosby Manitou, Monson, and Schoolcraft. The reductions will mean reduced contact station and visitor center hours, less maintenance and marketing activities, and fewer maps and brochures. (Lifeguarding was eliminated last year.)

Camping will be restored for the 14 most frequently used parks. Park officials say that state park funding is \$2.4 million below "minimum operating standards" — a factor more related to inflation than budget cuts.

These cuts are effective April 30, 1992. (HF2694, Article 2, Section 5)

Funding for capital improvements at

state parks, however, may be boosted beginning in the 1993-95 biennium. The omnibus appropriations bill specifies that up to 25 percent of the revenue deposited in 1994 and 1995 into the Environment and Natural Resources Trust Fund be used for capital improvements to state parks and state trails. (HF2694, Article 2, Section 27)



### Forest management

A reduction of \$1.1 million in forest and timber management will result in a layoff of at least 30 forestry staff. Northern Minnesota will experience the biggest impact from the cuts. This measure was effective April 30, 1992. (HF2694, Article 2, Section 5)

### Wetlands administration

Implementing the 1991 Wetlands Conservation Act will be delayed. The bill cuts 11 of 14 staff positions, not yet filled, which were to help the Board of Water and Soil Resources and local governments implement wetlands regulations.

Last year, the Legislature appropriated \$977,000 for wetlands administration over the biennium. This measure trimmed that sum by more than half, leaving \$447,000 for the program. The bill became effective April 30, 1992. (HF2694, Article 2, Section 5)

### Minnesota Pollution Control Agency

The agency's \$61 million budget will get a slight increase over the remainder of the biennium. The budget will be trimmed by \$639,000 this year, but \$690,000 will be added to the fiscal 1993 budget. The measure, which went into effect April 30, 1992, will allocate \$1.2 million from garbage tipping fees for a new landfill cleanup account. Some landfill operators already pay these fees, but some waste facility fees will be added. (HF2694, Article 2, Section 2)

### Office of Waste Management

A total of \$400,000 will be trimmed from its \$41.3 million budget. The measure went into effect April 30, 1992. (HF2694, Article 2, Section 3)

### Board of Water and Soil Resources

A total of \$1.1 million is cut from the program to acquire wetlands easements. But \$200,000 is added for wetlands technical training for local governments, and for grants to help counties implement the regulations. The measure went into effect April 30, 1992. (HF2694, Article 2, Section 10)

### Winona environmental center

A \$600,000 grant is allocated for an Upper Mississippi River Environmental Education Center in Winona (the appropriation is contingent upon a federal commitment of at least \$6 million for construction, operation, and maintenance of the facility). The measure went into effect April 30, 1992. (HF2694, Article 2, Section 9)

### Metro area parks

Metropolitan area parks and trails will receive nearly \$2.4 million for operating and maintenance expenses, which would partially offset the \$4 million in funding that was vetoed last year.

An additional \$1.4 million was allocated to pay off bonds for the Great River Road project in Minneapolis, to rebuild the Como Park Conservatory in St. Paul, and to pay other costs for a new park planned in Washington County. (HF2694, Article 4, Section 17)

The governor also approved \$2.2 million in new bonding for the Metropolitan Council to acquire new land for parks and to improve existing parks and recreational open spaces.

The measure went into effect April 30, 1992. (HF1903, Article 2, Section 14)



### Science Museum of Minnesota

A total of \$60,000 is trimmed from the state's \$2.3 million appropriation for the museum in St. Paul. The measure went into effect April 30, 1992. (HF2694, Article 2, Section 8)

### Opening up the DNR

The Department of Natural Resources (DNR) will be required to hold a public hearing before designating a game refuge area.

The bill requires the DNR to hold the hearing in the county where most of the proposed game refuge is located. Notices of the hearing must be posted in five conspicuous places within the proposed refuge, and published in a legal paper in each county of the refuge. The measure takes effect July 1, 1992. (SF2389\*, Section 9/HF2612)

### Stromatolites forever

A rare "living" rock found in only a few places in the world — including three Minnesota lakes — will get official state protection under a bill signed by the governor.

Stromatolites, which are 99 percent rock and 1 percent algae, are formed under water when algae traps limestone in water and cements it into rock. They are extremely sensitive and require just the right conditions: clear water rich in minerals and free of predatory snails.

Stromatolites were discovered in 1983 in about 30 feet of water in western Minnesota's Eagle Lake. Other living stromatolites have since been found in two western Minnesota lakes. The only other areas in the world known to have living stromatolites are in a New York lake and Australia's Shark's Bay.

The Department of Natural Resources has prohibited people from disturbing stromatolites since 1984, although limited permits for research have been issued.

The bill gives the DNR the force of law in prohibiting stromatolite disturbance, and allows the agency to adopt rules for issuing permits for scientific research.

The measure is effective July 1, 1992. (SF2389\*, Section 2/HF2612)

**Preserving Mille Lacs Lake**

A comprehensive plan for the land surrounding Mille Lacs Lake may be developed in future years under a measure signed by the governor.

The bill permits Mille Lacs, Crow Wing, and Aitkin counties to establish a Mille Lacs preservation and development board, which will adopt a land use plan for the areas within one mile of the lake.

The measure will go into effect the day after it is approved by the local governments that are affected. (SF2499\*/HF2878)



**Pickerel pagers**

A pocket pager to catch pickerel? An ice fishing gadget invented by a Minnesota entrepreneur lets ice anglers know immediately when they've got something on the line — even when they're not paying attention.

The fishing device uses a low-frequency transmitter, capable of sending a signal up to 100 feet, and a pocket pager.

Current state law bans the use of radio equipment to "take protected wild animals," but a measure signed by the governor makes it clear the law doesn't apply to fish.

The measure is effective Aug. 1, 1992. (SF2185\*/HF2578)

**The people's trout streams**

Blue ribbon trout streams in southeastern Minnesota will be opened to worms and lures of all types under a measure signed by the governor.

The Department of Natural Resources (DNR) has permitted only artificial lures and flies on certain trout streams — a practice some believe excludes many children and anglers.

The streams will now be open to any bait, although all angling has to be done with barbless hooks to reduce fish mortality.

The new law opens up four trout streams

on Hay Creek, and three branches of the Whitewater River. The measure applies to certain streams in Houston, Fillmore, Mower, Dodge, Olmsted, Winona, Wabasha, and Goodhue counties. It became effective April 18, 1992. (SF522\*/HF905)

**Blufflands trail system**

Southeastern Minnesota is a little closer to having a 158-mile hiking, biking, and cross country ski trail under a measure signed by the governor.

The bill authorizes the Department of Natural Resources (DNR) to plan a 130-mile trail system that would connect the Root River Trail to a number of towns in the area. Funding for the trail network would have to be secured in future legislative sessions.

The trail, which would be called the blufflands trail system, would connect LaCrescent, Hokah, Caledonia, Spring Grove, Harmony, and Preston to the Root River Trail, which runs from Fountain, through Lanesboro, to Rushford. (See diagram below)

The measure is effective July 1, 1992. (SF2299\*/HF2842)

**Aquafarm regulations**

Traveling fish will need to have the right papers under a measure that reflects an agreement between the Department of Natural Resources (DNR) and the aquaculture industry.

The law gives aquafarms more freedom to import fish for their businesses, but they are also subject to DNR efforts to protect genetic strains of Minnesota fish. Aquafarms need DNR approval to transport fish within the state, or to stock waters with fish. The law also prohibits the transfer of "exotic species."

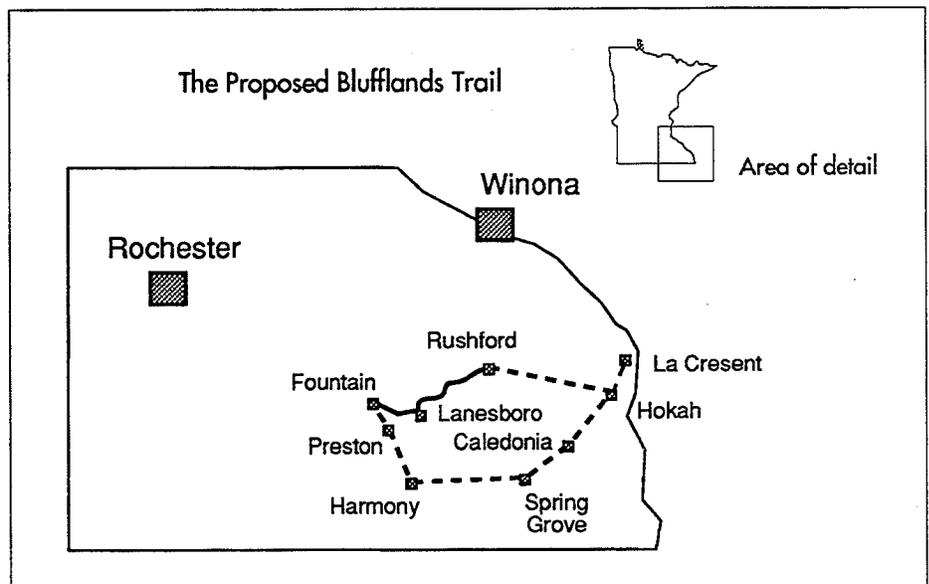
Aquafarms often use public waters for fish propagation and feeding. The law gives the DNR the authority to approve or deny aquafarm use of public waters. Aquafarms that want to operate where the waters have game fish of "significant public value" may be denied.

Aquarium and ornamental fish that cannot survive in public waters are exempt from the legislation.

Aquatic farms, minnow exporters and fish dealers already pay licensing fees, but the measure sets a new fee of \$50 for initial inspections and disease inspections.

Annual license fees for pet stores that sell game fish for aquariums are reduced from \$55 to \$15.

The measure became effective April 30, 1992; the new fees go into effect March 1, 1993. (SF2432\*/HF2855)





### Boat surcharge increase

Efforts to control Eurasian water milfoil will be launched this spring, but boaters will have to help pay for it.

An additional \$1 surcharge is added to the cost of three-year boat licenses beginning July 1, 1992 — over and above the \$2 surcharge that was added last year.

The bill requires the Department of Natural Resources (DNR) to spend at least 10,000 hours every year in random inspections of boats, trailers, and weed harvesters.

Last year, the DNR identified Eurasian water milfoil in 32 lakes. That number grew to 47 this year, with the count expected to go much higher this summer.

The measure also addresses other non-native species which are harmful to Minnesota animals and waters, including zebra mussels and purple loosestrife.

The measure gives the DNR the authority to make emergency rules, and to close public water access sites for treatment — up to seven days — when exotic species are found in access areas. This emergency rule-making section of law became effective April 28, 1992, but all other provisions are effective July 1, 1992.

The DNR will assist lake associations and local governments in their efforts to increase awareness of the problem.

Motorboats, canoes, kayaks, and rowboats are subject to the surcharge on license fees. (SF1959\*/HF1965)

### Reducing mercury in garbage

Mercury, the toxic liquid metal used in everything from thermostats to fluorescent light bulbs, is prohibited from being dumped in the waste stream.

The measure requires products with mercury to have labels to inform customers that mercury cannot be placed in the garbage or wastewater.

The regulations also apply to manufacturers and businesses that sell items containing mercury, individuals who repair products with mercury, and those that replace fluorescent bulbs in commercial buildings.

Counties are required to provide residents with ways to recycle or reuse mer-

cury in major appliances. The measure also imposes a statewide ban on toys containing the metal.

The level of mercury in Minnesota's lakes has increased by 3 to 5 percent per year, causing fish consumption advisories on more than 90 percent of the lakes tested in northeastern Minnesota. The Minnesota Pollution Control Agency says that some 14,000 pounds of mercury is released into the air in Minnesota each year.

Most sections in the measure become effective Jan. 1, 1993. The provisions relating to businesses that replace or repair household items containing mercury becomes effective July 1, 1993. (HF2147)

### Dairy barn well monitoring

Farmers whose wells are within 50 feet of their dairy barns will have an easier time meeting guidelines to upgrade their operations to receive more money for their milk.

A bill signed by the governor allows certain farmers who test their wells once every six months to meet the more stringent guidelines required to meet "Grade A" milk standards.

Under current law, dairy farmers whose wells are within 50 feet of the dairy barn are barred from receiving Grade A certification for their milk — even if the well water is pure.

This measure, which becomes effective Aug. 1, 1992, allows dairy farmers to receive a Grade A rating for their milk if farmers test their wells, which also must comply with other provisions of the well code.

The easing of the regulatory restriction could be a boon to Grade B dairy farmers, who will receive more money if they can meet all the requirements to receive Grade A certification for their milk. (HF2717, Sections 2, 3)

### Monitoring nitrates in groundwater

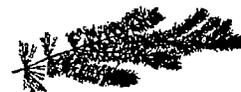
The Environmental Quality Board is required to maintain a statewide nitrate data base integrated into the land management information center.

Currently, there are a number of agencies and local units of government that monitor Minnesota's groundwater supply,

including the Department of Agriculture, the Minnesota Pollution Control Agency, and several counties. By integrating the data, researchers hope to get a more accurate reading of the levels of nitrates in groundwater in a particular region.

High levels of nitrates in the groundwater supply pose a health threat to humans and domestic animals. The fatal "blue baby" disease that can strike infants is attributed to high levels of nitrates in drinking water.

The measure is effective Aug. 1, 1992. (HF2717, Sections 1, 4)



### Eurasian milfoil control

A total of \$160,000 more is appropriated to control Eurasian water milfoil, a weed that is now found in 47 Minnesota lakes. Another \$200,000 will be available for the program through an added \$1 boat license surcharge. (See boat surcharge increase story, page 16.) The measure went into effect April 30, 1992. (HF2694, Article 2, Section 9)

### Limiting petroleum cleanup fraud

Contractors hired to clean up petroleum spills will be subject to sanctions for the first time in Minnesota if their work is substandard.

A bill signed by the governor will regulate contractors and consultants who work on commercial petroleum tank spills and "releases."

Contractors will be required to conform to acceptable "technical standards," and to register with the state. The measure also contains "anti-kickback" provisions.

Contractors who violate the regulations could be banned from the state's "petrofund" program, which subsidizes the cost of the cleanup. They could receive fines of up to \$10,000.

The Petroleum Tank Release Compensation Fund was created in 1987 because of leaking underground storage tanks that pose a threat to the groundwater.

Funded by a 1-cent-per-gallon fee on wholesale gasoline, the program pays up to 90 percent of the cleanup costs, with the rest paid by the tank owner or operator.

The idea behind the program is to clean up spills quickly to minimize environmental damage.

Some \$56 million in reimbursements have been approved since 1987, but in fiscal year 1992 alone, payments are expected to reach between \$30 million and \$50 million, and could cause a \$13 million deficit in the fund by the end of this year.

A report mandated by the Legislature said the petrofund is vulnerable to unreasonable and fraudulent claims because of the volume of the program.

The measure is effective Aug. 1, 1992. (SF2430\*/HF2624)



### Environmental business program

The Minnesota Pollution Control Agency (MPCA) will start a new program to help small businesses comply with the complex, 800-page federal Clean Air Act.

The small business assistance program will help small business owners who are being regulated for the first time, and may lack the technical expertise to evaluate state and federal regulations.

The program, required by the federal government, will help firms with up to 100 employees with air quality permits, alternatives for achieving "compliance," information about violation consequences, and pollution prevention.

An ombudsperson will act independently of the MPCA to represent the concerns of small businesses.

An advisory council will advise the MPCA on the program's effectiveness. The nine-member panel will include small business owners, the public, and representatives from the MPCA, the Department of Trade and Economic Development, and the Office of Waste Management.

The measure adds 18 staff members to the agency. The staff will be funded through pollution fees, and will work on areas in which the state does not meet federal standards, and on toxic air emissions, chlorofluorocarbons, acid rain and the permitting process.

This portion of the bill becomes effective Aug. 1, 1992. (HF2437, Sections 7, 9)

### Toxic pollutants

The more that Minnesota companies pollute, the more they will be required to pay.

Companies that pay toxic pollution fees will no longer have a \$30,000 cap on those fees, as is currently allowed. A 1990 Minnesota law set fees of \$150 for certain toxic pollutants, plus a fee based on the total pounds released. This measure becomes effective for fees paid in fiscal year 1994.

The bill also requires the Minnesota Pollution Control Agency to establish a state-wide monitoring program for probable sources of air-borne toxic substances by July 1, 1993. (HF2437, Sections 1, 3)

### No cap on pollution fees

The Legislature wanted to make it clear that it doesn't want a "cap" on fees companies pay for air pollution.

The Legislature passed a bill last year which brought Minnesota in line with the 1990 Federal Clean Air Act, and placed a \$25-per-ton fee on certain air pollution emissions such as sulfur dioxide and carbon monoxide.

A number of Minnesota companies sought to have a cap placed on the fees, and the Minnesota Pollution Control Agency (MPCA) interpreted the law to read that there would be no charge for air pollution above 4,000 tons — something some legislators say was not their intention.

The new measure clarifies that the MPCA must impose the fees on air pollutants above 4,000 tons. The measure becomes effective Aug. 1, 1992. (HF2437, Section 2)

### Recycling the land

Hundreds of properties sitting vacant because they are environmentally contaminated will have a better chance of being developed.

A new measure will protect developers and lenders from liability for land cleanup when they buy properties — if they agree to clean up the contaminated land within their redevelopment project.

They will not have to pay for additional cleanup projects, but will be required to cooperate with the Minnesota Pollution Control Agency on such projects.

People who contributed to the property's

pollution will continue to be liable for cleanup costs.

Sponsors of the measure say it will encourage the development of vacant properties, rather than continuing expansion into farmland and forested or undeveloped areas.

The measure became effective April 24, 1992. (HF1985)

### Hazardous materials

Minnesota may have up to five regional response teams scattered across the state that would be specially trained to protect the public from spills of hazardous materials, ranging from nuclear waste to petroleum products.

The measure directs the Department of Public Service (DPS) to develop rules — after consulting with the departments of Natural Resources, Agriculture, Transportation, the Minnesota Pollution Control Agency and others — for implementing a "statewide hazardous materials incident response plan."

The program will be funded through two types of fees: one applies to those who transport hazardous materials through the state; the other applies to those who store hazardous materials.

The transport fee will be set by DPS; the storage fees are spelled out in the proposed law. The fee will be \$75 per year for those who store smaller levels of hazardous materials, excluding farmers. Fees for those who store larger quantities of hazardous materials will range from \$200 to \$800 per year.

The measure allows the state to contract with private businesses and local units of government for hazardous cleanup services.

The bill is in response to a 1990 survey of Minnesota fire departments that found that less than 4 percent of the departments had two or more people trained to respond to hazardous spills.

The measure also calls for a \$115,000 appropriation to the Minnesota Department of Transportation to fund two positions to collect the transport fees, and a \$1.13 million appropriation to DPS to administer the rest of the program.

The measure is effective July 1, 1992. (SF2199\*, Article 2, Sections 3-8/HF2150)

### Truth in labels

Companies that for years used industry "scraps" in their products will not be able to display the "recycled" label under this measure.

Products advertising that they are "recycled" must indicate the minimum percentage of material in the product or package that has already been used by consumers.

This section of law is effective for products and packaging manufactured after Jan. 1, 1993 (SF2199\*/HF2150, Article 1, Section 18)

### Recycling phone books

Publishers of phone books with more than 7,500 listings will be required to collect old phone books for recycling, and to print them on recyclable paper with inks that do not contain heavy metals or other toxic material.

They also can not be bound with materials that would make recycling difficult. Phone books also are prohibited from being placed in the waste stream.

The ban on placing telephone books in the waste stream becomes effective Aug. 1, 1992. The restrictions on recycled paper and non-toxic ink become effective Jan. 1, 1993. (SF2199\*, Article 1, Section 29/HF2150)

### Garbage fees

Local governments will be required to base their residential garbage collection fees on an "average" of what households generate in waste. The measure requires that garbage fees rise with the amount of garbage that exceeds that "average."

Most of these provisions become effective Jan. 1, 1994. (SF2199\*, Article 1, Sections 25-28/HF2150)

### Peanuts from potatoes

Government units will purchase loose packing "peanuts" made from vegetable starches whenever "technically feasible" — unless it would add more than 10 percent to their costs. The starch-based packing peanuts, which are said to dissolve in landfills, are made from corn, wheat, and potato byproducts by two Minnesota firms.

The measure is effective Aug. 1, 1993 (SF2199\*, Article 1, Section 3/HF2150)

### State recycling goal

The state will set a 25 percent goal of reducing waste packaging by Dec. 31, 1995. The measure also assesses administrative penalties of \$500 when solid waste facilities fail to follow the reporting requirements of the legislation.

The Minnesota Pollution Control Agency and the Metropolitan Council are to develop a method for determining the amount of packaging in the waste stream.

The results of the study, which is to include data from both metropolitan and outstate counties, are then to be forwarded to the Legislative Commission on Waste Management by July 1 of each year. (SF2199\*, Article 1, Section 13/HF2150)

### Once-through cooling systems

More low-interest loans will be available to help pay for the replacement of once-through cooling systems that air condition buildings with frigid ground water.

The measure creates a special account where 75 percent of the fees generated after July 1, 1993, through a tax on once-through cooling systems will be deposited.

The account, in turn, will be used to finance loans, including no interest loans, to finance up to 100 percent of the costs for replacing the once-through systems in both public and private buildings.

The once-through cooling fees generate about \$2 million per year, but that figure is expected to drop as the cooling systems are replaced.

The measure also gives the Minnesota Public Facilities Authority, which will administer the loan program, up to \$40 million in bonding authority to provide low-interest loans.

Environmentalists have criticized once-through cooling systems as wasteful because they deplete underground aquifers of groundwater.

Under existing law, only 50 percent of the fees on once-through systems were to be used to retrofit the cooling systems. And the money for this purpose was deposited in the general fund — not into a special account. (HF1453)

### Once-through cooling exemption

A St. Paul-based research laboratory has been exempted from a state law that calls for the phaseout of once-through cooling systems.

Proponents of the measure say the exemption will help preserve a wetlands, into which pristine groundwater is discharged, at the intersection of Interstate 694 and U.S. 61.

Although H.B. Fuller is not mentioned in the law, supporters of the measure say it was tailored for its research laboratory. They say the exemption will allow the nature preserve to flourish indefinitely.

But critics say it sets a precedent that will allow other companies to be exempted from the once-through cooling system law.

The measure, effective Aug. 1, 1992, specifically states that the ban on once-through cooling systems doesn't apply where water is discharged into a wetland that is owned or leased by a nonprofit corporation, which also must meet several criteria. (HF2044)



### Split Rock Lighthouse

You may be able to visit the popular Split Rock Lighthouse on Lake Superior's north shore without paying quite as much as visitors did last year.

A measure that became effective April 18, 1992, allows the Department of Natural Resources and the Minnesota Historical Society to work out a reduced fee structure for the lighthouse site.

The historical society, which operates the lighthouse, began charging a \$4 per site fee last July. But to get to the lighthouse, you also need a state park permit, which is \$4 per day or \$18 per season.

The imposition of the two fees led to several complaints and a marked reduction in the number of visitors to the lighthouse site this past season.

Because access to the lighthouse is served by the same road as the park, working out a reduced rate structure that separates one from the other has been difficult. (HF2849)



### Timber permit extension

Trick or treaters weren't the only ones caught by the Halloween storm of 1991. The state's loggers were, too.

A measure approved by the governor will extend loggers' timber permits on state land by two years to give loggers more time to harvest.

The heavy snowfall insulated the ground and prevented many areas from freezing solidly enough for loggers to move their heavy equipment in.

The measure, which became effective April 8, 1992, allows loggers to harvest through June 1, 1994, under their existing permits. (SF2421\*/HF2483)



### Sheriffs and unsafe ice

County sheriffs will now have the authority to bar people from driving motorized vehicles, including snowmobiles and all-terrain vehicles, on unsafe ice.

The law, which becomes effective Aug. 1, 1992, was approved in response to a winter season during which several people fell through the ice. Early snowfalls had insulated the thin ice, making it unsafe.

The law also requires the Department of Natural Resources (DNR), which has the authority to suspend the restrictions, to be notified.

A separate provision in the law gives sheriffs the ultimate authority to decide whether races, regattas, or other tournaments or exhibitions can be held on ice or water. This provision became effective April 30, 1992.

In the past, a person applying for a permit for such an event could appeal a sheriff's denial to the commissioner of the DNR. (SF2011\*/HF none)



## Financial Institutions & Insurance



### Banking regulations

Bank regulators will be able to step in more quickly when savings and loan institutions and savings banks fail.

The measure allows the Department of Commerce and federal regulators to more quickly sell branches of failing savings institutions as they do now when banks fail.

Other "hometown banks" in the city of the "failing" branch will not be able to "veto" the sale, as they currently can. "Publication" requirements also will be waived.

If a savings institution is failing on a Friday afternoon, for example, regulators could work over the weekend to get it sold and re-opened by Monday morning. State law now allows this stepped-up process for banks, but not for savings and loan institutions and savings banks.

The Department of Commerce says the measure will mean customers will be more likely to receive their checking and other bank services without disruption.

Another provision of the bill allows branches of banks and savings and loan institutions to be sold without the consent of other banks in the small city. This will be the case when a *branch* is purchased, as is now allowed in bank mergers.

The measure became effective April 28, 1992. (SF2213\*/HF1680)

### Omnibus insurance bill

An omnibus insurance bill (HF1681) that addresses everything from auto insurance to health insurance for people who have lost their jobs was approved by the governor. The bill affects the following areas, each of which becomes effective Aug. 1, 1992, unless otherwise noted.

### Health insurance

The bill requires group insurance companies to notify employees when an employer drops a health insurance plan, a practice that sometimes leaves employees unknowingly without coverage (HF1681, Article 4, Section 3).

### Employee insurance rights

The bill gives employees, spouses, and dependent children the right to "convert" their group health insurance and buy individual plans from the company when an employer drops coverage, or stops paying premiums (HF1681, Article 1, Section 42); and requires employers to show proof of the cost of "conversion" coverage. Insurance companies are prohibited from charging extra fees when individuals buy conversion policies. Conversion "fees" on the East Coast have been as high as \$28,000 — more than the cost of the insurance premiums. (HF1681, Article 4, Sections 10, 14)

### Breast implants

The bill prohibits health insurance firms from refusing to sell coverage to otherwise healthy women who have had breast implants — an insurance practice already happening in other states. This provision became effective April 30, 1992. (HF1681, Article 4, Section 8)

### Auto insurance

The bill prohibits auto insurance companies from charging higher rates for people who are renters, by giving discounts to homeowners. (HF1681, Article 1, Section 46)

### Coverage limits

The bill raises maximum coverage of a little-known state program that sells health insurance to people who can't get insurance, or who have reached the maximum coverage limits with their regular health insurance. Employers will be required to tell terminated employees about the program, known as the Minnesota Comprehensive Health Association. (HF1681, Article 1, Sections 37-39)

### Insurance redlining

People who live in high-crime areas may find it hard to get insurance when agents are pressured to avoid writing insurance policies there.

Insurance agents told legislators this session that a number of agents in western Minnesota also had their jobs threatened after hail damage resulted in claims.

Legislation signed by the governor will provide more job protection to agents, and ensure that losses can't be used as a basis for firing agents.

The legislation also provides a third party to settle disputes between insurance companies and their agents. The measure took effect April 2, 1992. (SF1689\*/HF1901).

### Insurance windfalls for charities

Charities are more likely to receive the proceeds from life insurance policies that are willed to them under a bill signed by the governor.

The measure modifies a state law that theoretically prevents charities from receiving such proceeds. Current law requires beneficiaries to have a financial interest in the person who is insured — reducing the chance of people taking out insurance on someone with the intent to commit murder.

An IRS ruling in New York, although later reversed, caused great concern among charities when it ruled that they do not have an "insurable interest" in the person insured.

The new law, which became effective April 18, 1992, clarifies that charitable organizations can receive such benefits. (HF1948)

### Insurance protection for seniors

A measure to help protect senior citizens from buying duplicate medical insurance policies was signed by the governor. The bill focuses on supplemental medical policies that seniors buy to help pay for medical bills not covered by Medicare.

The measure prohibits companies from selling Medicare supplement insurance when those benefits already are covered by Medicare.

The age and gender of senior citizens also can no longer be used to set insurance rates. Instead, they will be based on a

"community rating" — averaging the rate for all senior citizens covered. Companies can reduce premiums for "healthy lifestyles."

Community rating is thought to help older seniors when they are least able to pay by spreading out the "risk pool." (SF2743\*, Article 1/HF1791)

### Auto glass and insurance

Insurance companies can no longer limit policyholders to a single glass repair shop to get car windows fixed — a practice the Minnesota glass repair industry says has cut its business by more than half.

Last year, Minnesota's largest auto insurance company began referring all glass repairs to a single company; later several other insurers followed suit.

As a result, glass business in the metropolitan area fell between 50 and 80 percent in the past year, according to the Minnesota Glass Association.

The measure, in effect since April 8, 1992, prohibits insurance companies from using intimidation or inducement to steer customers to their chosen glass dealers.

Insurance agents now must ask customers if they have a preferred auto glass dealer — a provision intended to allow smaller independent companies to be included in the bidding process. (SF1997\*/HF2346)

### Insurance review panels

Doctors whose patients are denied certain medical care by health insurance oversight committees will now be more likely to get a quicker — and possibly better — explanation of why their requests were denied.

The law, which goes into effect Jan. 1, 1993, states that a patient's doctor must be notified within one working day when approval for surgery or an extended hospital stay is denied. That initial notification is to be followed by a written statement outlining the major reason(s) for denial.

The law also requires "utilization review organizations" to have written procedures describing both the review and the appeal process.

In addition, the law requires that a physician review all cases where a review organization has denied a request. And it also says the physician should be "reasonably

available by telephone" to field questions; a separate provision in the law requires such organizations to operate a toll-free number or to accept collect calls.

At a recent legislative mini-session in Brainerd, people testified about problems getting information from such review organizations. They also questioned whether some of the panelists are qualified to make complex medical decisions.

The law also prohibits review panelists from receiving financial incentives based on the number of denials he or she recommends.

All such "utilization review organizations" are required to register with the state Department of Commerce by Jan. 1, 1993. (SF651\*/HF802)



## General Legislation, Veterans Affairs & Gaming



### Insuring amusement rides

Owners of amusement rides will be required to carry a \$1 million liability insurance policy.

The new law will not apply to coin-operated rides or playground equipment. Rather, it targets rides similar to those found at the Minnesota State Fair and at county fairs throughout the state.

Rides also will have to pass an annual inspection. Should they fail to meet the insurer's underwriting standards, the ride may not be operated until the violations are corrected.

Anyone found to be operating an amusement ride without the mandated insurance coverage or proof of an approved inspection could face up to a \$2,000 per day civil penalty for each day of illegal operation.

The measure goes into effect Aug. 1, 1992. (SF764\*/HF748)

### Defining veterans

The legal definition of "veteran" has been amended to include persons who have met federal active duty requirements.

The change, which becomes effective Aug. 1, 1992, falls in step with recent federal changes to include some vets — such as reservists who were activated for a period of less than six months — who previously were not defined by law as "veterans." (HF2465)



### Searching vets' rooms

Minnesota veterans living in one of Minnesota's three — soon to be four — veterans homes whose rooms are the subject of a search must be given a copy of the written authorization to conduct the search. The law becomes effective Aug. 1, 1992. (HF2465)



## Governmental Operations

### Legislative cuts

Lawmakers showed that no one would escape completely unscathed in this year's budget cuts, trimming their own budget by \$3.6 million. The cuts represent about a 7.4 percent reduction in the Legislature's \$44.6 million fiscal year 1993 budget. (HF2694, Article 4)

### Try, try again on vetoed bills

Legislators in 1992 resubmitted a number of spending proposals that were line item vetoed last year by the governor.

Among items vetoed in 1991 that were approved in 1992 and became effective April 30, 1992, are:

- \$500,000 over the next 14 months for wage subsidies for a summer youth employment program (HF2694, Article 4, Section 17);
- \$150,000 for an interpretive center in Nicollet County near the site where the Traverse des Sioux treaty was signed giving European-Americans control of most of

what later became Minnesota (HF 2694, Article 4, Section 17);

- \$50,000 to restore the childhood home of former U.S. Chief Justice Warren Burger in St. Paul (HF2694, Article 4, Section 14);
- \$75,000 for preliminary planning for the Itasca Center in Itasca County (HF2694, Article 4, Section 13); and
- \$4,000 for the Minnesota State Band. (HF2694, Article 4, Section 13)



### STARS system

A pair of regional pilot projects for the State Telecommunications Access Routing System (STARS) will receive \$100,000 each for startup expenses.

The test projects are slated for the Duluth and Rochester areas and require matching funds from each region. If successful, funding for expanding the video and text information-retrieval system will be considered during the 1993 legislative session.

Schools, state and local governments, courts and non-profit organizations are expected to eventually sign on to the STARS network. Lawmakers last year authorized a \$3.9 million loan to the state Department of Administration to establish a revolving fund to underwrite STARS operating costs.

The measure became effective April 30, 1992. (HF2694, Article 4, Section 13)

### Governor's office

The governor's office receives \$365,000 in fiscal year 1993 to pay for employees of his office whose salaries are currently being billed to other state agencies. (HF2694, Article 4, Section 7)

An additional \$800,000 will be used by the Department of Administration to fund the Commission on Reform and Efficiency (CORE). The commission has submitted several budget-cutting recommendations to the governor. (HF2694, Article 4, Section 13)

### Legislative commissions

Add two more legislative commissions to the existing total of 15.

The 10-member Legislative Commission

on Health Care Access will have five members from each legislative body, and receives \$125,000 "for the purpose of adding staff in existing departments who will be assigned" to the commission. The measure became effective April 24, 1992. (HF2800, Article 1, Section 5)

The Commission on Confinement and Treatment of DWI Recidivists will consist of up to 18 members appointed by House and Senate leaders, and the Legislative Coordinating Commission will be given a \$15,000 direct appropriation, and also part of a separate \$22,000 appropriation to fund its work. The measure takes effect Jan. 1, 1993. (SF897\*, Article 1, Sections 29, 30/HF285)

The Legislative Commission on Children, Youth and their Families, established in 1991, was to receive \$15,000, but had its funding cut by House-Senate crime bill conferees. (HF1849)

Likewise, a \$50,000 dedication for a proposed Task Force on Violence Against Women was nixed by human resources conferees. (HF1916)

### Minority council members increased

The Council on Black Minnesotans will be increased to 11 members from seven, and the Council on Asian-Pacific Minnesotans will have 23 members at the end of 1993 — up from the current 15 members.

The Council on Black Minnesotans asked that their membership be increased to reflect a "broader representation" of Minnesota's African-American community. Specifically, the council hopes to have "greater native African representation," says Lester Collins, the council's executive director.

Similarly, the Council on Asian-Pacific Minnesotans will be increased to recognize the diversity of Minnesota's Asian-Pacific population.

People representing Malaysia and Sri Lanka will be appointed by the governor in 1992, and representatives from communities of people from Afghanistan, Bangladesh, Myanmar, Pakistan, Singapore, and Tibet will be added in 1993.

Minnesota's Asian-Pacific population increased 193 percent during the 1980s.

The measure becomes effective Aug. 1, 1992. (HF2704)



### Killed in the line of duty

The definition of "killed in the line of duty" has been amended to include the accidental death of a peace officer while performing job duties. The measure became effective April 25, 1992.

The change stems from an incident involving a deputy sheriff who was killed in an auto accident while en route to serve a subpoena.

His family was denied survivor benefits.

Previously, the law stated that killed in the line of duty "does not include death from natural causes," and made no explicit mention of accidental death.

Also, a time limitation of two years after the death of the officer is placed on the claim for benefits, beginning Aug. 1, 1992. (HF2250)



### Minnesota's bookmobile

Should the Minnesota's Bookstore purchase a bookmobile and/or rent other high traffic space in Minneapolis, St. Paul, or another city?

The Department of Administration was authorized April 30, 1992, to conduct a study to determine if any of the proposals make sense. The idea for the bookmobile study originated with two legislators who argued the state could generate more revenue if the bookstore branched out.

The department says the bookstore already returns about \$50,000 per year to the state treasury. The bookstore sells a variety of government documents and other publications that have a Minnesota theme. It is located at 117 University Ave., just across from the State Office Building in St. Paul.

Although the measure doesn't specify a date when the study is to be completed, a spokeswoman for the bookstore said she expects it to be done before the Legislature convenes Jan. 5, 1993. (HF2694, Article 4, Section 14)



### Made in America (sort of)

Last year, salt mined in Canada was included under the definition of "manufactured in the United States."

This year, cement manufactured in Canada was tacked onto the list.

Officially, there are no cement manufacturers in Minnesota. However, there is a Duluth-based company that has a Montreal plant that manufactures cement. Since the cement isn't "made" in Minnesota, the Duluth company is precluded from bidding on state contracts. As a result, Iowa companies are bidding for — and receiving — the contracts.

The change, which became effective April 30, 1992, allows the Duluth company to bid for the contracts, since "cement manufactured in Canada" now also means made in Minnesota. (SF2115\*/HF2312)

### Interior designers certified

(See Commerce, page 8)

### CD counselors licensed

(See Health & Human Services, page 27)



## Health & Human Services

### HealthRight bill approved

The HealthRight package, which supporters say will eventually offer affordable health care to all uninsured Minnesotans, was signed April 23, 1992, by Gov. Arne Carlson.

The plan will impact virtually every sector of the state's health care industry. (HF2800)

### Funding for HealthRight

The main funding mechanism for HealthRight is the 2 percent tax on health care providers. The 2 percent tax will first apply to hospitals starting Jan. 1, 1993, and will be extended to other health care providers and wholesale drug distributors starting Jan. 1, 1994. (HF2800, Article 9, Section 7)

The tax is on gross revenues, defined as all money collected from in- and out-patient services for hospitals and all money collected by other health care providers for services. Proceeds will go to the health care access fund which will be established in the state treasury.

Exemptions from the tax are medicare payments, medical assistance payments, nursing home and supervised care services, home care services, general assistance medical care payments, HealthRight payments, and payments received from another provider that has already been subjected to the tax. (HF2800, Article 9, Section 8)

From July 1, 1992, through Jan. 1, 1994, proceeds from a 5-cent increase on the cigarette tax — from 43 to 48 cents per pack — will be deposited in the health care access fund. (HF2800, Article 9, Sections 14, 17) Starting Jan. 1, 1996, a 1 percent premium tax will be applied to non-profit health services corporations. (HF2800, Article 9, Sections 2, 3)

This will include Blue Cross/Blue Shield, Delta Dental, and HMOs. Commercial insurers are currently taxed at 2 percent.

**HealthRight Monthly Premium  
(1994 dollars)**

Monthly Income	Household Size					
	1	2	3	4	5	6 (or more)
\$500	\$8	—	—	—	—	—
\$660	\$14	\$11	—	—	—	—
\$840	\$24	\$18	\$13	—	—	—
\$1,020	\$45	\$29	\$21	\$16	—	—
\$1,200	\$65	\$42	\$25	\$25	\$19	—
\$1,400	\$95	\$62	\$39	\$29	\$29	\$22
\$1,575	\$127	\$85	\$55	\$44	\$33	\$25
\$1,750	—	\$95	\$77	\$49	\$49	\$37
\$2,060	—	\$167	\$111	\$72	\$58	\$58
\$2,300	—	—	\$156	\$101	\$81	\$64
\$2,600	—	—	\$210	\$140	\$114	\$91
\$2,850	—	—	—	\$194	\$154	\$125
\$3,125	—	—	—	\$253	\$169	\$138
\$3,450	—	—	—	—	\$235	\$186
\$3,675	—	—	—	—	\$297	\$250
\$3,900	—	—	—	—	—	\$265
\$4,200	—	—	—	—	—	\$340

Premiums are estimated for the HealthRight plan as it will be in 1994 and not transitional periods before that time.  
Estimates based on Department of Human Services statistics.

These are estimated payments for HealthRight participants. The dashes represent ineligible income levels. Those above the numerals would be eligible for other benefits.

HealthRight also provides for the self-employed to deduct the entire amount paid for health insurance under the state income tax beginning in 1993. (HF2800, Article 9, Section 4)

The entire HealthRight plan is expected to cost the state \$294 million annually by 1997 when enrollment stabilizes. Subsidies are expected to reach 160,000 Minnesotans and cost \$254 million of that total.

**Health care access**

HealthRight will build on the existing Children's Health Plan by making the families of children currently under the plan eligible for outpatient coverage beginning Oct. 1, 1992. (HF2800, Article 4, Section 1)

Beginning Jan. 1, 1993, all families with children that meet the income requirements — 275 percent of federal poverty level and who are not eligible for medical assistance — will be eligible for HealthRight. Hospital inpatient coverage will be added July 1, 1993.

Beginning Jan. 1, 1994, all Minnesotans that meet the income requirements and are not eligible for Medical assistance will be eligible for HealthRight (See chart).

(HF2800, Article 4, Section 5)

The commissioner of the Department of Human Services will report to the Legislature by 1994 on the future possibility of allowing those above the income requirements to enroll in HealthRight and pay the full premium. (HF2800, Article 4, Section 1)

**HealthRight benefits**

By 1994, benefits in the HealthRight plan will include 100 percent coverage of outpatient services, clinic services, physician services, emergency transportation services, x-ray and lab services, and other services.

Other coverage will include:

- inpatient hospital coverage with a \$10,000 annual limit and 10 percent co-payment for adults. (Annual out-of-pocket maximums will be \$2,000 per individual and \$3,000 per family);
- outpatient mental health coverage up \$1,000 per year for adults and \$2,500 per year for children;
- full coverage for preventive dental and 50 percent coverage for non-preventive dental;
- a \$3 co-payment for prescription drugs

for adults; and  
• a \$25 co-payment for eyeglasses for adults. (HF2800, Article 4, Section 4)

To be eligible for HealthRight, families and individuals must be without employer-based insurance for 18 months and any other insurance for four months. They must also fit a residency definition that includes living in the state for the last six months. (HF2800, Article 4, Section 8)

**Cost containment and state regulation**

A number of measures designed to control the annual rise in health care costs are contained in the bill. The stated goal is to decrease the rise in costs by at least 10 percent each year over the next five years.

Cost containment authority rests mainly with the commissioner of the Department of Health, who will receive recommendations from the newly-formed Minnesota Health Care Commission. Originally, sponsors of the bill placed authority with the new commission, but legislators were unsure of the constitutionality of a commission wielding broad regulatory authority.

The measure became effective April 24, 1992. (HF2800, Article 1, Section 3)

**Health commissioner's duties**

The commissioner is charged with collecting data on health care spending from providers and group purchasers, and is authorized to issue fines and obtain court orders for those who do not comply.

Expenditures on medical equipment, capital projects, or new specialized services that exceed \$500,000 must also be reported. All major spending of providers is to be reviewed in conjunction with the Minnesota Health Care Commission. Providers that do not cooperate in cost reduction and insist on performing procedures that are not the most clinically effective for the cost, would be mandatorily screened on any future major spending.

Statewide and regional limits on growth in spending are also to be developed, and the state divided into four or more regions to foster health care planning and delivery.

The commissioner is also to promote research, experimentation, and the development of practice standards, and to designate centers of excellence for high-cost and specialized procedures and to estab-

lish minimum standards for those procedures.

Consumer education and health education is also to be conducted, and uniform billing forms and procedures adopted.

These provisions become effective April 24, 1992. (HF2800, Article 1, Section 3)

#### Health care access commission

The 25-member commission — composed of four insurers, six providers, four employers, five consumers, three labor union representatives, and the commissioners of commerce, employee relations, and human services — will serve in an advisory capacity to the commissioner of Health, and will submit a plan for controlling growth in health care costs. Ten of its members are to be appointed by the governor. The commission will have broad oversight duties that include assigning duties to regional boards, and adopting rules to prohibit activities that may be a conflict of interest. These would include health care provider referral patterns and other financial, business, and professional relationships. (HF2800, Article 1, Section 4)

A hospital planning task force will also be established.

The measure became effective April 24, 1992. (HF2800, Article 1, Section 15)

#### Health planning advisory committee

The commission also will convene a health planning advisory committee to make recommendations on health care technology and large expenditures on equipment or facilities.

In conjunction with the health planning advisory committee, the commission will make recommendations to the commissioner of health that include:

- criteria for evaluating new high-cost technologies, procedures, and capital expenditures while considering effectiveness and cost;
- statewide distribution and use of high-cost technologies, procedures and capital expenditures, and statewide and regional goals for these expenditures; and
- designation of centers of excellence for transplants and other specialized procedures including requirements that physicians perform these procedures with specified regularity.

The provisions became effective April 24, 1992. (HF2800, Article 1, Section 7)

#### Regional coordinating boards

Regional coordinating boards will be locally controlled, have 16 members, and have a composition similar to the state commission, but within the regional boundaries. Intended to be one-year planning boards, each will make recommendations regarding health care expenditures, medical practices, access improvement, and affordability to the commissioner of health by June 30, 1993. (HF2800, Article 1, Section 6)

#### Mandatory medicare reimbursement

The existing practice by physicians of charging up to 20 percent more than Medicare reimbursements for their services will be phased out. Starting in 1996, Medicare reimbursement will be considered payment-in-full. (HF2800, Article 1, Section 13)

#### Data collection, research initiatives

The commissioner of health also will be required to form a health care analysis unit to begin determining medical practice standards that are most effective for certain procedures and establishing those standards statewide. (HF2800, Article 7, Section 1)

The health care analysis unit's main functions will be to establish a large-scale data base, drawing on existing and on-going research and data at the federal, state and private levels. (HF2800, Article 7, Section 2)

The research unit will then focus on a limited number of mainly high-cost procedures. The unit is directed to complete a report on its findings by Jan. 1, 1994. (HF2800, Article 7, Section 9)

#### Insurance reform

HealthRight also aims to enhance the ability of small employers and individuals to afford health insurance by limiting the current "experience rating" system used by insurers and by providing pooling mechanisms for smaller groups to access cheaper rates.

Experience rating is how insurers cur-

rently vary their rates for small employers and individuals based on factors such as gender, age, occupation, and health history. These reforms move in the direction of "community rating," whereby everyone shares equally in the burden of their community by paying equally into their insurance pool. (HF2800, Article 2, Sections 7, 8)

The stated objective is to eliminate all rating practices based on risk by July 1, 1997. The commissioner of commerce is required to present a feasibility study to the Legislature by Dec. 1, 1994. (HF2800, Article 2, Section 24)

The success of insurance reform is vital to avoid wholesale shifts onto the state plan.

#### Individual, small employer reform

Renewal of policies would be guaranteed, and health conditions that were not present when the policy was issued cannot be taken into account. (HF2800, Article 2, Section 3)

Gender can no longer be a factor in determining cost. Other factors will be limited in their weight when determining premium cost — health status (25 percent), type of work (25 percent), age (50 percent), and geography (20 percent) can only vary above or below the middle by these percentages. (HF2800, Article 2, Section 8)

There will be a 12-month pre-existing condition exclusion for new enrollment in the program and 18 months for late enrollees. (HF2800, Article 2, Section 3)

The measure becomes effective July 1, 1993, with exceptions.

#### Additional small employer reform

Defined as an employer with up to 29 employees, small employer insurers must carry two plans: one with deductibles and one with co-payments. (HF2800, Article 2, Section 3)

Out-of-pocket costs cap at \$3,000 per individual and \$6,000 per family annually with a maximum lifetime benefit of \$500,000.

Minimum benefits must include full coverage for hospital, physician, nurse practitioner, maternity, pre-natal, ambulance, and child health services up to the age of 18.

Diagnostic x-rays and lab tests must be fully covered, and partial coverage is specified for chemical dependency treatment, mental illness, and prescription drugs. (HF2800, Article 2, Section 5)

Health insurers must also disclose how rates are determined for small employers (HF2800, Article 2, Section 6), and health insurers that leave the small employer market are prohibited from returning for five years. (HF2800, Article 2, Section 9)

A reinsurance pool association is also established, through which health insurers associated with these plans may transfer and share risks.

The measure becomes effective July 1, 1993, with exceptions.

#### Private employer insurance program

The state will also establish the Private Employer's Insurance Program (PEIP) which will form a large insurance pool for small employers to access cheaper rates through the purchasing power of a large pool.

The commissioner of Employee Relations is required to establish an advisory committee and determine premiums and rating methods for PEIP. The state will also create a trust fund to receive payments, pay claims, and maintain reserves.

The provision goes into effect July 1, 1993. (HF2800, Article 3, Section 1)

#### Rural health, professional education

HealthRight includes many provisions designed to improve the delivery of health care in rural areas and provides some protections to keep the major changes in the plan from damaging existing services in rural areas.

Many of the improvements are tied to incentives offered through the education financing of health professionals.

The commissioner of health is required to establish a rural health advisory committee and an office of rural health which will enter into contracts, provide grants, and perform broad research and coordination activities.

The measure becomes effective Jan. 1, 1993. (HF2800, Article 5, Sections 7, 8)

#### Reform of rural health delivery

Current standards determining rural

hospital eligibility for planning and grant programs will be eased, and current limits on the number of grants and length of programs will be removed.

Isolated hospitals with 20 or fewer beds that are determined to be sole community hospitals and have exhausted local sources of support would receive grants.

Hospitals of 50 or fewer beds that are not located in a city of the first class and would otherwise close as a result of the provider tax would also receive grants (HF2800, Article 5, Section 10)

A data base on health services personnel would also be developed to assist in recruitment to rural areas, and community health centers in areas that are currently underserved must be established.

The measure is effective July 1, 1992. (HF2800, Article 5, Section 11)

#### Education incentives

Changes in the physician loan forgiveness program are expected to provide quicker placement of doctors in rural areas. The Higher Education Coordinating Board (HECB) would be authorized to forgive loans for up to eight fourth-year medical students, and eight first-year and eight second-year residents before June 30, 1992. The HECB would also be allowed to forgive loans for up to eight fourth-year medical students for the next three years. (HF2800, Article 6, Section 2)

The HECB will pay back one year of qualified loans for these individuals for each year of service in designated rural areas, and can designate up to \$3,500 per year in loan forgiveness for mid-level practitioners who serve in rural areas. Those professionals who do not meet their commitment must pay back the forgiven loans. (HF2800, Article 6, Section 3)

The HECB is also directed to award grants for development of mid-level practitioner training programs in rural areas and continuing education for nurses working in rural areas. (HF2800, Article 6, Sections 9, 10)

#### Other education initiatives

A similar loan forgiveness program will be established for up to 10 nurses per year who agree to serve in nursing homes. (HF2800, Article 6, Section 7)

HealthRight also urges the University of Minnesota to increase the number of medical school graduates that practice primary care by 20 percent over the next eight years by making curriculum changes, modifying its selection process, and developing programs to give medical students primary care experiences in community health clinics and health maintenance organizations.

The law is effective June 30, 1992. (HF2800, Article 6, Section 5)



#### HIV testing

Doctors and other medical workers who test positive for the virus that causes AIDS will have to report their condition to the Department of Health, which could then restrict the medical procedures such a worker could perform.

The bill does not require mandatory testing for health workers, but gives the department much broader powers to restrict the type of procedures infected workers can perform on patients. The measure would also apply to those who contract hepatitis type B.

The names of medical workers who contract either disease will be kept confidential.

The measure is effective July 1, 1992. (SF2732\*, Article 1/HF2050)

#### Work readiness expanded

Starting next year, eligibility for the Work Readiness program will expand from its current five months to six months; participants will not be required to use their benefits in consecutive months.

An additional eligibility category will be added for the General Assistance program, extending benefits to non-English speakers who are over 18 years old and who are completing their high school educations. (HF2694, Article 8, Sections 18, 19)

#### RTCs stay open

The Faribault Regional Center will remain open. Lawmakers this year approved guidelines barring the state health depart-

ment from closing any regional treatment center (RTC) or state-operated nursing home without first gaining legislative approval. (HF2694, Article 9, Section 18)

But legislators this year turned down most RTC bonding requests. They did, however, approve \$13.4 million in bonding authority for remodeling projects to be split among the Anoka, Cambridge, Fergus Falls and Moose Lake facilities. More than \$18.5 million in bonding for other RTC projects was rejected, as was a \$1.9 million request for building six new state-operated group homes, effective April 30, 1992. (HF1903, Section 8)

Overall funding for RTCs was trimmed significantly. Most of the cutbacks come from reductions in RTC chemical dependency programs and a freeze on adding new nursing home beds. (HF2694, Article 5)

### WIC not whacked

Funding was increased \$40,000 for the Women, Infant and Children (WIC) nutrition program, as of April 30, 1992. The new money is specifically targeted to help women and children living in homeless shelters and to fund state WIC coupons for purchases at farmers' markets. (HF2694, Article 5, Section 7)

### Welfare fraud

New rules will be in place to crack down on welfare fraud, including improper use of public assistance bank cards.

The administrative hearing process is being streamlined to help county officials reduce the backlog of cases where abuse of Aid to Families with Dependent Children (AFDC) and food stamp programs is alleged. The new rules will make it easier to withhold payments when fraud is proved — with permanent sanctions imposed after a third offense.

Criminal penalties will also be added for people who illegally use public assistance bank cards. Under the new provision, effective July 1, 1992, those people can be charged with theft; fines and penalties will be based on the amount of money taken. (HF2694, Article 8, Section 15)

### Nursing home moratorium eased

The 1983 freeze on nursing home beds is eased under the omnibus appropriations bill.

The ceiling for exempted construction costs will be raised from \$200,000 to \$500,000 and from 10 percent of the facility's appraised value to 25 percent, effective July 1, 1992. (HF2694, Article 7)

### Dakota County mental health project

The Legislature has asked that a plan to improve services for adults with serious and persistent mental illnesses be developed, and the result will be used as a pilot project for Dakota County.

The act states that the plan should maximize community-based alternatives and independent living and enhance the person's ability to work.

The proposal will be compiled by mental health consumers, health advocacy groups, Dakota County, and the Department of Human Services. The comprehensive plan, to be completed by Jan. 1, 1993, is subject the Legislature's approval.

Several areas for improvement are suggested in the measure, including joint collaboration between counties for greater efficiency, and waiving — or removing — the rate cap and moratorium on negotiated rate facilities. (HF2694, Article 9)

### County social service projects

In an attempt to provide better social services and allow counties more flexibility in program fund spending, intergovernmental contracts will be authorized, effective Aug. 1, 1992, for up to six counties.

Six pilot projects will permit contracts between the state and counties to fund, administer, and regulate mental health and community social service act programs. The projects will expire in June 1997.

The projects seek to encourage inter-county and regional cooperation, as well as simplify and consolidate the planning and reporting requirements. (HF2694, Article 9)

### Non-STRIDE AFDC child care

A total of \$2.8 million is marked to establish the non-STRIDE AFDC child care program to assist 2,000 families in meeting child care expenses.

The program is aimed at those who are not eligible for the STRIDE employment program, but who are involved in an educational or job search program.

Distribution of funds will be based on county caseloads, with each county receiving a minimum of two family slots.

The \$2.8 million will come from the existing sliding-fee child care program, and the amount of federal child care and development block grants will be increased to cover the amount transferred.

Establishing the non-STRIDE fund will also allow the state to receive matching federal dollars for the program. (HF2694, Article 5)

### American Indian child welfare

The Indian Child Welfare Advisory Council is formed, replacing the American Indian advisory task force that was created by the Legislature in 1987. The task force expired in June of 1991.

The 17-member council will continue the former duties of the task force, which include formulating policies and making recommendations to the Department of Human Services relating to child welfare services and grants.

The measure becomes effective Aug. 1, 1992. (SF2186\*/HF2342)

### Children's trust fund council

The Children's Trust Fund Advisory Council is increased to 19 members from 18, with the commissioner of the Department of Human Services (DHS) appointing the additional member.

The council assists in disbursing trust fund dollars for child abuse prevention programs.

The DHS had the appointing authority from 1987 until 1991, when it was supplanted by the Department of Public Safety. The commissioners of the departments of Health, Education, and Corrections also appoint one member to the council. The governor appoints 10 members; the Legislature, the remaining four.

The measure becomes effective Aug. 1, 1992. (SF2186\*/HF2342)



### CD counselors licensed

Chemical dependency (CD) counselors will be a licensed occupation under a bill signed by the governor April 27, 1992.

A 13-member advisory council will report to the commissioner of human services with recommendations on regulating the profession. The commissioner will have the authority to deny, suspend, or revoke a license.

Twelve "core functions" of CD counselors will be defined in law, including treatment planning, counseling, crisis intervention, and referral.

After July 1, 1995, no person may be licensed without passing an examination approved by the commissioner of human services.

Hospitals will not be required to employ licensed CD counselors, and may not require their CD counselors to be licensed.

A total of \$217,000 will be taken from the state government special revenue fund and allocated to the Department of Human Services to perform new duties stemming from the new licensure requirements. Four new positions are also authorized for these purposes. (SF2732\*, Article 2, /HF2050)



## Housing

Pb

### Household lead control

Efforts to control household and environmental lead were approved this year as part of another bill regulating residential hospice facilities.

The measure strengthens the state Department of Health's role in enforcing new anti-lead rules, now some of the toughest in the nation. For children and pregnant women, the bill sets maximum allowable levels of lead at 25 micrograms per decili-

ter in blood and no more than 100 parts per million in soil.

It also gives the department authority to license and regulate lead cleanup crews and offer equipment grants to eligible non-profit groups. The measure also would call for testing of all children under six years old in Minneapolis, St. Paul, Duluth, and other cities where testing shows lead concentrations over acceptable levels.

But the more sweeping portions of the original bill (HF1934) — a state-run training program for the cleanup crews and a property deed transaction tax to fund expanded programs — were not included in the measure.

The measure is effective Aug. 1, 1992. (SF2137\*/HF2696)



### Jobs, housing for homeless

The Minnesota Housing Finance Agency is authorized to award a planning grant to a non-profit organization for programs to provide home ownership opportunities, education, training and services to homeless adults.

Work experience and training, one of three program segments, must include vocational training "in an industry where there are potential opportunities for jobs that pay a living wage." Participants can be paid, but in such a way that it won't decrease any public assistance benefits they receive.

The work experience segment must be designed so that work projects result in the expansion of residential housing for homeless and very low-income individuals and families — those earning less than 50 percent of the median income for the metropolitan area.

A job skills segment will supply participants with job search skills and placement assistance, and a life skills segment will offer courses in parenting and leadership development "to encourage community involvement and responsibility."

The measure is effective Aug. 1, 1992. (SF720\*/HF1002, Article 6)

### Landlord penalties

Any landlord attempting to drive a tenant away by cutting off utility service is guilty of a misdemeanor beginning Aug. 1, 1992.

Likewise, any landlord or person instructed by the landlord who "unlawfully and intentionally removes or excludes a tenant" from a residence is guilty of a misdemeanor. (SF720\*, Article 1/HF1002)

### Housing authority per diem boosted

In 1987, housing and redevelopment authority commissioners were authorized a \$35 per diem for attending authority meetings. This year, that amount was bumped to \$55.

Commissioners who are elected officials or full-time state employees cannot collect the per diem payment, but can be reimbursed for travel and other expenses incurred. They also can't be docked any pay as a result of their board service.

In addition, lawmakers removed the annual \$2,500 cap on total per diem payments that may be collected by housing authority commissioners.

The measure is effective Aug. 1, 1992. (SF720\*, Article 3/HF1002)

### Neighborhood land trust program

(See Appropriations, page 7)



## Judiciary

### Anti-crime bill approved

In addition to increasing criminal penalties for a number of offenses, the \$12.5 million anti-crime package has \$7 million of the funds targeted for prevention and victims' services.

The measure also includes several changes to the state's juvenile justice system and amends certain civil law provisions as well.

This year's anti-crime proposal is being hailed as the first "comprehensive" plan — one that incorporates both increased prison sentences and prevention, education, and victims' services. (HF1849)

### **Criminal fees and fines raised**

The anti-crime bill will tap the state general fund for only \$6.3 million in 1993, because it will also generate nearly \$6 million in new revenue.

Effective Aug. 1, 1992, when sentencing a criminal offender, the court will need to impose a fine of at least 20 percent of the maximum allowed by law. Exceptions will be allowed only in cases where the fine would "create undue hardship" to the offender or his/her family. This will be expected to generate an additional \$3.4 million annually. (HF1849, Article 4, Section 3)

In addition, a \$5 fee will be imposed on anyone found guilty of a petty misdemeanor other than for parking violations. This will be expected to add \$2.5 million a year to state coffers. The measure becomes effective Aug. 1, 1992. (HF1849, Article 4, Section 1)

### **Tapping tax refunds**

Unpaid criminal fines imposed for misdemeanor and gross misdemeanor offenses will be deducted from a taxpayer's income tax refund. Current law only allows for such a deduction for fines imposed on felony offenses. This measure becomes effective Aug. 1, 1992. (HF1849, Article 17, Section 1)

### **Drug policy and violence prevention**

The Office of Drug Policy will become the Office of Drug Policy and Violence Prevention on Aug. 1, 1992. It will be charged with gathering and disbursing educational materials and serve as a clearinghouse for information on violence. Among other duties, the office must submit a violence prevention strategy plan to the governor each year. (HF1849, Article 10, Sections 20-23, 25)

### **Children's safety centers**

A total of \$200,000 is earmarked for the implementation of children's safety centers, which will be designed to provide a safe, supervised location for non-custodial parents to visit their children. Additionally, it will serve as a drop-off site for parents who are under no-contact orders to exchange children for visitation pur-

poses. Existing local facilities will be eligible for a grant award of up to \$50,000 to create a safety center. The measure becomes effective July 1, 1992. (HF1849, Article 10, Section 17)

### **ECFE program expansion**

A \$500,000 allocation will go to expanding existing early childhood family education (ECFE) programs. Specifically, the dollars are for expanding the Department of Education's home visit parental education programs. The department will be required to incorporate a child abuse and neglect prevention program into the existing home visit programs. The measure became effective April 30, 1992. (HF1849, Article 10, Section 1)

An additional \$300,000 will be allocated July 1, 1992, to the Department of Health to set up a home visit grant program for targeting at-risk families to prevent child abuse and neglect. This includes expanding public health nurse and family aide home visiting programs, distribution of educational materials, and staff training. (HF1849, Article 10, Section 9)

### **Youth intervention grants**

Grant money totaling \$275,000 will go to non-profit agencies after July 1, 1992, for non-residential community-based programs to help "at-risk" youth and their families. Eligible agencies include those providing advocacy, education, and referral services to families experiencing chemical, legal, or family problems. (HF1849, Article 18, Section 12)

### **School-linked programs for kids**

The commissioners of human services and education are directed to start at least two pilot programs — one in the metro area; one in greater Minnesota — that link health and social services programs in the schools. The programs are to be targeted for "at-risk" children, and include those who are economically disadvantaged, pregnant, or victims of physical or sexual abuse. The programs must be implemented within 90 days of receiving federal funding. (HF1849, Article 10, Section 18)

### **Community anti-violence councils**

Cities, counties, and school boards will get \$250,000 in fiscal year 1993 to establish community violence prevention councils. The councils will be instructed to identify community needs and target resources within the community that can aid in violence prevention efforts. (HF1849, Article 18, Section 4)

### **K-12 conflict resolution education**

A sum of \$1.5 million will be earmarked to aid a school or education district develop and incorporate anti-violence programs into the existing K-12 curriculum. The purpose will be to "help students learn how to resolve conflicts within their families and communities in nonviolent, effective ways." The measure is effective July 1, 1992. (HF1849, Article 10, Section 6)

### **Asian juvenile crime prevention**

A total of \$400,000 goes for the creation of an Asian juvenile crime prevention grant program. Individual grants of up to \$150,000 will be awarded to agencies within the Asian community with experience providing "coordinated, family-based community services" to Asian youth and families. These include agencies providing education for Asian parents, employment or career-related programs, counseling services, or language courses. The measure is effective July 1, 1992. (HF1849, Article 10, Section 16)

### **Mental health projects for juveniles**

A \$500,000 portion will go toward establishing mental health screening pilot projects for juveniles in detention. The goal is to reduce recidivism rates by treating underlying mental health problems that contribute to delinquent behavior and that can be addressed through non-residential services. At least one project will be in the metro area and one in outstate Minnesota. Results of the pilot programs must be reported to the Legislature by January 1994. The funds can't be used for out-of-home placement costs and won't replace current funding for programs already in operation. The measure is effective July 1, 1992. (HF1849, Article 10, Section 19)

### Chemical abuse prevention grants

A total of \$900,000 will be distributed after July 1, 1992, by the Department of Public Safety according to the recommendations of the Chemical Abuse Prevention Resource Council for the following programs:

- a coordinated prevention effort to reduce the rates of fetal alcohol syndrome (FAS) and the number of drug-exposed infants. (The Department of Health is instructed to conduct research to determine the most effective methods of preventing FAS and to determine the best way to collect data on its occurrence in Minnesota. A statewide FAS awareness media campaign will also be required.) (HF1849, Article 10, Section 8);
- at least two pilot programs for the non-residential treatment of 6-to-12-year-old children who need chemical dependency treatment (HF1849, Article 10, Section 14);
- grants for culturally specific chemical dependency treatment programs for minority and other high-risk youth, including those already within the juvenile court system and its facilities (HF1849, Article 10, Section 13); and
- maternal and child health and social service programs designed to improve the health of babies born to mothers using alcohol or drugs. (HF1849, Article 10, Section 14)

Additionally, the development of a chemical health index model to help coordinate state policy and programs relating to chemical abuse prevention and treatment will be required. (HF1849, Article 10, Section 24)

A comprehensive study of the availability of treatment programs within the criminal or juvenile justice system for both juveniles and adults who are chemically dependent or abuse chemicals will also be required. The findings of the study are to be reported to the Legislature by Feb. 1, 1993. (HF1849, Article 10, Section 26)

### Crime victims mediation

A sum of \$150,000 would go toward expanding mediation programs for crime victims and non-violent offenders of any age. Currently, only juvenile offenders are eligible for mediation. Grants will be

awarded by the state court administrator to qualified nonprofit organizations. The measure is effective July 1, 1992. (HF1849, Article 5, Section 10)

### Grants for crime victims

A total of \$1.4 million is earmarked as of July 1, 1992, for assisting crime victims.

A total of \$500,000 will go to emergency shelter services and support services for battered women and their children. Grants also may be awarded for training, technical assistance, or education awareness efforts to increase public awareness of the causes of battering, issues of domestic violence, and the problems faced by battered women. Grants will be geographically equitable in their distribution. (HF1849, Article 18, Section 2)

By July 1995, community-based domestic abuse advocacy and support services programs must be established in each of the state's judicial assignment districts. (HF1849, Article 6, Section 21)

Additionally, \$300,000 will be earmarked for domestic abuse advocacy grants, \$400,000 for sexual assault victims' services, and \$200,000 for crime victims' center grants. (HF1849, Article 18, Section 2)

### Crime victim services hotline

The Department of Public Safety is directed to operate a 24-hour toll-free telephone service to provide crime victims with referrals for victim services and resources. The department will receive \$30,000 after July 1, 1992, for this purpose. (HF1849, Article 5, Section 9)

### Priority for domestic abuse cases

Complaints alleging domestic assault will be ranked fourth in priority on the court's calendar, above felony complaints where the defendant is on bail. (HF1849, Article 6, Section 25)

Each county and city attorney also will be required to implement a plan to expedite domestic abuse cases brought to them. Both measures become effective Aug. 1, 1992. (HF1849, Article 6, Section 18)

### Electronic monitoring

The Department of Corrections will be required to develop standards governing the use of electronic monitoring devices used to protect victims of domestic abuse. The department is to report its findings to the Legislature by Jan. 1, 1993. (HF1849, Article 6, Section 20)

Additionally, electronic monitoring as a condition of pre-trial release will not be permitted to be used as a determining factor in deciding the alleged offender's bail after Aug. 1, 1992. (HF1849, Article 6, Section 23)

### Domestic abuse arrest policies

Law enforcement agencies will be required to develop and implement a written policy regarding arrest procedures for domestic abuse incidents. The measure becomes effective Aug. 1, 1992. (HF1849, Article 6, Section 22)

### Sex offender treatment

More than \$2 million will be set aside for the treatment of sex offenders. Juvenile treatment programs will be given priority for funds over those for adult offenders.

Of the treatment funds:

- \$500,000 will be for operating a program for juvenile offenders at the Sauk Centre correctional facility after July 1, 1992, and for researching the effectiveness of the program (HF1849, Article 18, Section 2);
- \$350,000 will be for operating a program for offenders at the St. Cloud correctional facility after July 1, 1992, and for researching the effectiveness of the program (HF1849, Article 18, Section 2);
- \$250,000 will be available after July 1, 1992, for the anticipated cost of treatment ordered by the Department of Corrections as a condition of an intensive supervised release program (HF1849, Article 1, Section 7);
- \$150,000 has been available since April 30, 1992, for developing the sex offender treatment fund to pay for community-based treatment for juveniles and adults (standards would also be developed for the certification of such community programs) (HF1849, Article 8, Section 4); and
- \$500,000 has been available since April

30, 1992, for reimbursement to counties for sex offender assessments (the assessments, to be developed by the Department of Corrections, include the need, eligibility, and the ability to pay of an offender seeking payment for treatment from the sex offender treatment fund). (HF1849, Article 8, Section 4)

The departments of Human Services and Corrections will also be required to submit a report to the Legislature on funding for sex offender treatment by Jan. 1, 1993. (HF1849, Article 8, Section 7)

### Drug therapy for sex offenders

A \$75,000 pilot program began April 30, 1992, to test the effectiveness of drugs in the treatment of sex offenders, including those diagnosed as having psychopathic personalities. Participation in the program is voluntary. Preliminary results will be reported to the Legislature by February of 1993. (HF1849, Article 8, Section 6)

### Boot camp

Now called the "challenge incarceration program," the three-pronged proposal will hold offenders — who would otherwise be imprisoned for between 18 and 36 months — in an "intensive, structured, and disciplined" six-month period. Phases two and three involve probationary periods upon successful completion of the six-month incarceration period.

The \$1 million in funding for the program is contained in HF2694. Drug offenders are expected to comprise a majority of those in the program. The Department of Corrections is to submit a specific program plan to the Legislature by Sept. 1, 1992. (HF1849, Article 11, Section 6)

### 'Prevention' bonds

The original House-approved \$19 million in "prevention" bonds was trimmed to \$3 million in conference committee negotiations. Two million dollars in state authorized bonds are allocated for Head Start facilities; in addition, \$1 million for battered women's shelters. The measure became effective April 30, 1992. (HF1903, Sections 10, 11)

### Head Start

An additional \$1 million will be given to the Department of Jobs and Training after July 1, 1992, for Head Start programs. (HF1849, Article 18, Section 12)

### Jobs for youth

Some \$200,000 will supplement youth employment, training, service or leadership development programs currently funded under the federal Job Training Partnership Act. The measure becomes effective July 1, 1992. (HF1849, Article 18, Section 12)

### No weekend prison releases

Inmates will no longer be released from prison on weekends or holidays. Current inmates will be released on the day prior to the weekend or holiday. Those sentenced for crimes committed on or after Aug. 1, 1992 will be released the day after the weekend or holiday. The measure became effective April 30, 1992. (HF1849, Article 1, Section 3)

### Institute of sexual health

By September 1992, a committee will begin planning for a pediatric institute of sexual health. Preventing and treating sexual dysfunction in children will be the institute's goal. Research and education will also be part of the program's mission. The committee members, appointed by the governor, will include medical and educational professionals. The committee will be given \$15,000 in state funds. (HF1849, Article 1, Section 28)

### Truth in sentencing

A new felony sentencing system will begin Aug. 1, 1993. At that time, judges will impose a two-part sentence. The first will be the jail time to be served; the second, the period of supervised release. "Good time" reductions will no longer be earned, and jail time could be extended (and the supervised release period shortened), for disciplinary reasons. (HF1849, Article 2, Sections 1-7)

A five-member task force will be established to study the proposed new felony sentencing system. (HF1849, Article 2, Section 11)

### Civil commitments for sex offenders

Six months before most sex offenders are released from prison, a determination will be made as to whether the offender should be considered for civil commitment. Positive recommendations will then be forwarded to the county attorney where the offender was convicted. The measure is effective Aug. 1, 1992. (HF1849, Article 3, Section 3)

### Out-of-court testimony

Kids 12 and under will be able to testify via videotape or closed-circuit hookup if the child is a victim or witness to a crime of violence. The goal is to "minimize the trauma to the child" and provide a setting more conducive to the child's "uninhibited, truthful testimony." Current law only allows for such testimony for kids under 10 who are victims of sexual or physical abuse. The measure is effective Aug. 1, 1992. (HF1849, Article 5, Section 3)

### Juvenile offenders

Any child found by a court to be delinquent where possession of a firearm was also found at the time of the offense will be required to serve at least 100 hours of community service. The firearm will also be seized. This is in addition to any other sanctions imposed by the court, and will not apply if the juvenile is placed in a correctional facility or residential treatment program. The measure is effective Aug. 1, 1992. (HF1849, Article 7, Section 8)

If a juvenile commits a felony-level offense and is certified to stand trial as an adult and later commits a subsequent felony, the juvenile will then automatically be certified to stand trial as an adult. The measure is effective Aug. 1, 1992. (HF1849, Article 7, Sections 1, 12)

All juvenile courts will also be required to report all out-of-state placements of juveniles to the state court administrator. Currently, only Hennepin County has accurate data on this issue. The measure is effective Aug. 1, 1992. (HF1849, Article 7, Section 7)

The Minnesota Supreme Court will also be instructed to conduct a study of the juvenile justice system. A 20-member panel including judges, lawyers, and lawmakers will investigate juvenile certification and a

possible statewide juvenile sentencing guideline system, among other issues, and report back to the Legislature by Dec. 1, 1993, with its findings. (HF1849, Article 7, Section 13)

### Juvenile opportunities plan

An advisory task force — comprised of six legislators — on mentoring and community service will be established. Three House and three Senate members will be charged with proposing to the Legislature, by Jan. 15, 1993, a “comprehensive plan to improve and increase opportunities for juveniles and young adults to engage in meaningful work that benefits communities and the state.”

The panel will consult with relevant state departments and offices in developing its plan. (HF1849, Article 7, Section 14)

### Civil suits for juvenile victims

Kids under 16 who are used — or abused — in a sexual performance will have a civil cause of action. The time limitation on the filing of the suit is six years from the time the child knew or had reason to know injury was caused by his or her use as a minor in the sexual performance. The measure is effective Aug. 1, 1992 (HF1849, Article 12, Section 1)



### Locking up guns

Small firearms dealers — those displaying fewer than 50 pistols for sale — will have to lock their merchandise in a safe or steel gun cabinet, which must be anchored to prevent its removal from the store. The measure is effective Aug. 1, 1992. (HF1849, Article 15, Section 11)

### Is sentencing appropriate?

The Sentencing Guidelines Commission will be required to study whether certain criminal penalties are appropriate for the crimes committed, and whether they should be more severe. These will include the crimes of first-degree criminal sexual conduct and second-degree intentional

murder. Results must be reported to the Legislature by Feb. 1, 1993. (HF1849, Article 2, Section 12)

### Sexual harassment, victims' rights

Each technical college, community college, and state university will need to adopt a clear victims' “bill of rights” and post the policy on campus at all times. The University of Minnesota will be requested, not mandated, to do likewise. While every college is currently required to have a sexual harassment and violence policy, it does not explicitly require one for victims' rights. The measure is effective Aug. 1, 1992. (HF1849, Article 5, Section 1)

Every public and private college or university in Minnesota will be required to adopt sexual harassment and violence plans to avoid such problems on campus. The plans are to include security precautions and training efforts involving faculty, staff, and students. The plans will then be reviewed by the Higher Education Coordinating Board (HECB) and the Office of the Attorney General. The programs must be implemented by the beginning of the 1994-95 academic year. (HF1849, Article 16, Section 1)

In addition, the HECB is required to conduct a random survey of recent Minnesota college graduates, targeting those who work with victims and/or perpetrators of violence and abuse. The survey will aim at discovering whether the students received adequate instruction concerning the extent and causes of violence, and whether culturally and historically sensitive approaches to the topic were used. The HECB will furnish the Legislature with the results of this survey by Feb. 15, 1993. (HF1849, Article 16, Section 2)

### Probation standards task force

The Department of Corrections is required to establish a probation standards task force to study current caseload information, current staffing levels, and the need for increasing the number of probation officers, among other concerns. The department is to forward its report to the Legislature by Dec. 1, 1992. (HF1849, Article 11, Section 15)

### Secure juvenile corrections facility

County correctional administrators within each judicial district will have to report by Nov. 1, 1992, to the chairs of the House and Senate Judiciary committees on the need for a secure juvenile detention facility. Appropriations deleted from earlier versions of HF1849 and HF1903 included a total of \$3.3 million for developing a secure facility at Red Wing. (HF1849, Article 11, Section 16)

### Supreme court studies

The Minnesota Supreme Court is requested to study whether minimum bail guidelines should be adopted in cases involving crimes against a person. The court is also asked to examine whether the state Constitution should be amended to authorize the “preventive detention” of certain suspected offenders accused of dangerous crimes. The measure is effective Aug. 1, 1992. (HF1849, Article 9, Section 2)

### Reporting name changes

Convicted felons who apply for a legal name change will need to report the change to the Bureau of Criminal Apprehension within 10 days. The court granting the name change must do the same. Any convicted felon not reporting the name change will be guilty of a gross misdemeanor. The measure is effective Aug. 1, 1992. (HF1849, Article 15, Section 2)

### Sensitivity training for cops

Police officers will get more training in how to be more sensitive in dealing with the victims of violent crimes.

The measure, effective Aug. 1, 1992, directs the Peace Officers Standards and Training (POST) Board to develop the course after consulting with the Crime Victim and Witness Advisory Council.

Specifically, the course is to include information about the needs of such victims, and “the extent and causes of crimes of violence, including physical and sexual abuse, physical violence, and neglect.”

After Aug. 1, 1994, prospective police officers won't be able to take the peace officer licensing examination until they complete the course.

The measure is included in the section of law that requires the POST Board to de-

velop a course to train police officers in how to respond to bias crimes. (HF1849, Article 15, Section 14)

### No handguns for domestic abusers

Anyone who commits a fifth-degree assault that is classified as a domestic abuse incident within five years of a similar prior conviction could face up to a year in jail and a \$3,000 fine.

Where an offender uses a firearm in a domestic abuse assault, the offender must forfeit the gun for three years. After three years, if there is no re-offense, the gun will be returned.

A domestic abuser convicted in conjunction with a firearm will also be prohibited from possessing any pistol for three years from the date of conviction. Violation of this provision becomes a gross misdemeanor.

Testimony given during Judiciary Committee hearings indicated the change is for situations where a verbal threat of a firearm is used, or "where a gun may be placed on a table and not a word spoken," during a domestic dispute.

Additionally, anyone convicted of a "crime of violence," which includes more than two dozen felony offenses, is prohibited from possessing a pistol for 10 years. Violation of this section is a felony.

The measure will become effective Aug. 1, 1992. (SF1619\*/HF1803)

### No butane for minors

Selling butane to minors is a misdemeanor, and retailers are also required to display a "conspicuous" sign outlining the toxic products banned for sale to minors. The sign must also include a warning of the dangers of abusing such substances.

Those retailers selling just butane and no other toxic substances are only required to post a sign indicating that the sale of butane is illegal for sale to minors, rather than listing all substances where sale to minors is prohibited. These include glue, cement, and aerosol paints that contain intoxicating chemicals.

The bill is effective July 1, 1992. (SF979\*/HF1196)

## Highlights of anti-crime bill

- Life, with no possibility for parole, for those convicted of first-degree murder involving forcible criminal sexual conduct.
- Increases the statutory maximum for first-degree criminal sexual conduct from 25 to 30 years.
- Increases the statutory maximum for second-degree criminal sexual conduct from 20 to 25 years.
- Imposes life, with eligibility for parole after 30 years, for those convicted of first-degree criminal sexual conduct with a prior conviction for first-, second-, or third-degree criminal sexual conduct if the prior offense was committed on or after Aug. 1, 1989, and the person was sentenced to prison and received an upward departure of at least twice the presumptive sentence.
- Imposes life, with eligibility for parole after 30 years, for those convicted of first-degree criminal sexual conduct where the offender was previously sentenced as a dangerous and patterned sex offender.
- Imposes life, with eligibility for parole after 30 years, for those convicted of first-degree criminal sexual conduct where offender has two or more priors for first-, second-, or third-degree criminal sexual conduct.
- Imposes a mandatory 30-year prison sentence on a repeat sex offender if the offender was convicted of first- or second-degree criminal sexual conduct involving injury, threat of imminent great bodily harm, force or coercion, or the use or threatened use of a dangerous weapon.
- Imposes a mandatory 30-year prison sentence on a repeat sex offender if the offender has a previous conviction for first-, second-, or third-degree criminal sexual conduct.
- Eliminates the distinction in age groups between prostitution crimes involving minors under 13 and those who are older than 13 and not yet 16. Previously, stiffer penalties applied where the minor was under 13. Now, the higher penalty applies to crimes involving both age groups.
- Makes people convicted of third- or fourth-degree criminal sexual conduct ineligible for early prison release under the intensive community supervision program.
- Makes the supervised release period at least five years for all convicted sex offenders.
- Makes it a gross misdemeanor to assault certain public employees (agricultural inspector, child protection worker, public health nurse, or probation or parole officer) while the employee is carrying out mandated duties.
- Expands first-degree murder to include terroristic threats in child and domestic abuse situations.
- Amends assault in the second degree to include assault with a dangerous weapon where substantial bodily harm is inflicted, punishable by up to 10 years imprisonment and a \$20,000 fine.
- Expands child neglect and endangerment to include parents or caretakers who knowingly permit a child to be present when felony level drug sale or possession occurs.
- Expands child neglect crime to include not only acts that substantially harm the child, but also acts that are likely to substantially harm the child.
- Creates a new category of second-degree murder where a person who unintentionally causes the death of a person where the victim had an order for protection (OFP) against the offender.
- Sentences first-time violators of an OFP to at least three days in jail and to participate in treatment. If the jail sentence is stayed, and the offender refuses treatment, the jail time must be served.
- Requires persons arrested for violating an OFP to be held in custody for at least 36 hours, excluding the day of arrest, Sundays, and holidays, unless released earlier by the court.
- Sentences second-time violators of an OFP within two years to 10 days in jail. Prior out-of-state convictions do count under this provision.
- Increases, to a gross misdemeanor from a misdemeanor, repeated violation of the intrusion of privacy offense, or "stalking" crime if it is committed against the same victim within a five-year period or against any victim within a two-year period.

### Crack, cocaine penalties

The Legislature acted in January to equalize the penalties for crack and powder cocaine. As a result, those convicted of selling or possessing powder cocaine will now face longer jail terms and stiffer fines.

The change is in response to a Minnesota Supreme Court ruling (*State v. Russell*) that said there was "no rational basis" for imposing harsher penalties for crack cocaine than powdered cocaine.

Under the new law, those convicted of possessing 25 grams of any type of cocaine could face up to 30 years in jail and a \$1 million fine. Previously, the threshold for powder cocaine possession was 500 grams to face the same penalty.

The measure became effective Jan. 18, 1992. (SF11\*/HF1840)

### Living will update

Those desiring a living will be required to add their birthdate to the form, beginning Aug. 1, 1992.

The change is to avoid confusion among people with identical names who desire living wills.

Also, the applicant will be asked if he or she has previously indicated a desire to be an organ donor. (SF2111\*/HF2316)

### Aiding suicide

Boards regulating certain health professionals — physicians, physician assistants, nurses, dentists, and pharmacists — are given the authority to take disciplinary action against those proven to have aided or those who attempted to aid a suicide.

The law also clarifies what is not "aiding suicide."

Medication or procedures administered to relieve a patient's pain or discomfort — even if the action may hasten or increase the risk of death — does not constitute aiding suicide, unless done "knowingly" to cause death.

A civil cause of action is also created, and may be brought by any immediate relative, heir or beneficiary, legal guardian or benefactor of the person who was aided in suicide, against the person who aids or attempts to aid the suicide. The maximum civil penalty is \$50,000. This applies in any case, not just those involving health professionals.

Criminal penalties for aiding or attempting to aid a suicide were not increased. The current maximum penalty for anyone aiding suicide is 15 years in prison and a \$30,000 fine. Aiding attempted suicide carries a maximum prison term of seven years and a \$14,000 fine. (SF1693\*/HF2488)



### Transferring inmates

Since 1927, any inmate being transported more than 25 miles by a correctional officer has been entitled to have an escort of the same sex.

As a cost-saving measure, that distance has been raised to 100 miles at the request of the Minnesota Sheriff's Association.

Given the long distances county sheriffs and their deputies often must travel in greater Minnesota, the 25-mile cap "was antiquated," said the House sponsor of the bill.

The expense of the paid escorts was said to be "cost prohibitive" during committee testimony.

The measure, which became effective Aug. 1, 1992, passed both bodies without a dissenting vote. (SF2124\*/HF2896)

### Zero tolerance for violence

Minnesota lawmakers have formally recognized that "every person in the state has a right to live free from violence." Each state agency is encouraged to develop a "zero tolerance for violence" policy to coincide with this statement.

Suggested plans should include how an agency might eliminate any potential for violence in and around the workplace, and ways to promote violence-free behavior in people the agency serves and regulates.

The proposal, introduced or co-sponsored by all 42 women in the Legislature, became effective April 14, 1992. (SF1985\*/HF2964)



### Towing parking violators

Think twice the next time you consider double-parking. You may be towed — immediately.

State law requires that authorities wait four hours after a car has been cited for a parking or traffic violation before they can tow a vehicle.

Now, however, there are 16 exceptions to the law, with a vehicle illegally parked and blocking the exit of a lawfully parked vehicle being one of the latest additions to the list.

Other exceptions added this year include parking at a bus stop during prohibited hours, and parking in a school zone on a school day where signs prohibit it. The measure goes into effect Aug. 1, 1992. (HF155)

### Limited liability company

A new hybrid business organization called a Limited Liability Company (LLC) will exist in Minnesota beginning Jan. 1, 1993.

The measure will grant qualifying small businesses the tax advantages of a partnership, without some of the restrictions that a partnership classification entails.

Existing corporations aren't expected to convert to LLC status, according to the bill's sponsor. Rather, the LLC would appeal mainly to forming smaller professional organizations or members of the National Federation of Independent Businessmen.

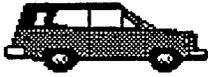
The LLC language is largely "borrowed" from the state's existing Business Corporation Act. However, an LLC offers no stock. The ownership is strictly in capital, not shares.

Under the act, an LLC would terminate whenever any member withdrew from the organization; unless their is unanimous consent from all other members to continue. There can be advance agreements made for "continuity of life," that is transferring the business of one legal entity to a new business, which would be essentially the same business without one of its partners. The measure has the preliminary approval of the Internal Revenue Service. (HF1910)

## DWI penalties increased

Minnesotans who drive cars, boats, snowmobiles, or all-terrain vehicles while intoxicated will face stiffer penalties.

The governor has signed a bill that its chief House author called "the most sweeping changes to state DWI law in 20 years." (SF897\*/HF285)



### Vehicle seizure for DWI offenders

For the first time in Minnesota, repeat drunk drivers could lose their cars. The new law says drivers convicted of their fourth DWI-related offense within five years must forfeit their vehicles, as will those with five convictions within 15 years. People convicted of a DWI whose driver's licenses have been permanently revoked will also lose their cars. The measure becomes effective Aug. 1, 1992. (SF897\*, Article 1, Section 15/HF285)

### Driver's license suspensions extended

First-time DWI offenders will be without a limited license for at least 15 days. Current law allows for immediate issuance of a limited license in most circumstances. First-time offenders refusing to submit to a blood-alcohol test will lose their license for 90 days.

Suspected second-time DWI-offenders will lose their driver's license for 90 days, up from the current 45-day wait, for a limited license. Convicted second-timers will lose their driver's license for 180 days — double the current penalty. Second-timers who refuse the blood-alcohol test will lose their license for a year. This measure becomes effective Jan. 1, 1993. (SF897\*, Article 1, Section 23/HF285)

### Mandatory blood-alcohol tests

It will be a misdemeanor to refuse to submit to a blood-alcohol test. Currently, it is a gross misdemeanor for repeat offenders to refuse a test, but there is no criminal sanction for first-time offenders. The measure becomes effective Jan. 1, 1993. (SF897\*, Article 1, Section 6/HF285)



### Boating and hunting while intoxicated

The bill makes it easier for conservation officers to arrest those suspected of driving a boat, snowmobile, or all-terrain vehicle under the influence.

Under current law, officers can only charge people with suspected violations when they witness the offense, or in those cases where there was an accident. Now, officers may act "without regard" to whether the act occurred in the officer's presence.

The boat provision went into effect June 1, 1992, but the section relating to snowmobiles and all-terrain vehicles goes into effect Aug. 1, 1992. (SF897\*, Article 2, Section 1; Article 3, Section 1/HF285)

Any hunters refusing a blood-alcohol test will be fined \$500 and prohibited from hunting for a year. The measure goes into effect Aug. 1, 1992. (SF897\*, Article 5, Section 2/HF285)

A Senate provision attempting to ease the penalty for hunting while intoxicated — currently a five-year hunting license revocation period — was deleted by the House. The Senate attempt said that a judge "may" prohibit an offender from obtaining a license for "up to" five years.

### Grants to counties

The bill also creates a \$500,000 grant fund for counties to develop intensive probation programs for repeat DWI offenders. A similar appropriation for \$164,000 was vetoed by the governor last year. The measure goes into effect July 1, 1992. (SF897\*, Article 1, Section 30/HF285)

### Commission on repeat DWI offenders

An 18-member legislative commission also will be created on "the confinement and treatment of DWI recidivists," and will be given \$15,000. The commission will be charged with creating a specific proposal "to protect society" from five-time DWI offenders. The commission will be ordered to study 10 topic areas, including the use of deterrent drugs for offenders who are unsuccessful in treatment programs, and the possibility of creating a felony-level DWI charge. An earlier version of the bill would

have made six-time convicted offenders within 15 years guilty of a felony. Current DWI law provides no penalty greater than a gross misdemeanor. That portion of the bill was scrapped in negotiations between House and Senate bill sponsors. The measure goes into effect Jan. 1, 1993. (SF897\*, Article 1, Section 29/HF285)



### Conciliation court ceiling raised

You may be able to recover more money if you file a claim in conciliation court under a bill the governor signed April 29, 1992. The maximum level that could be recovered in conciliation court will be raised to \$5,000 beginning July 1, 1992, — up from \$4,000.

But the ceiling will be raised even higher in succeeding years. The level will be raised to \$6,000 on July 1, 1993, and to \$7,500 on July 1, 1994.

The measure also will eliminate the existing \$2,500 limit on claims involving consumer credit transactions. Court administrators had requested the elimination of the lower ceiling because they said it was difficult to administer.

The measure formalizes into law a practice that has been in place for several years in all areas of the state except Ramsey and Hennepin counties.

It states that people can be represented by an attorney "when the conciliation court, in its discretion, finds the interests of justice would best be served by that representation, and it is limited to the extent and the manner that the judge considers helpful."

In Hennepin and Ramsey counties, attorneys can be present in conciliation court without the approval of the judge under existing practices. The measure does not affect that practice. (SF1691\*/HF2206)

### Data privacy

The state's data practices act has been made significantly more "user-friendly." This year's data practices bill includes an introduction to the state data practices act, with an exhaustive list of cross-references found throughout state law. The measure becomes effective Aug. 1, 1992. (HF2181, Section 4)



**Background checks for child workers**

The Minnesota Child Protection Background Check Act will be created, and apply to essentially any existing or potential employee, volunteer, or business owner who has access to children, and any business or organization that cares, treats, or educates kids.

The Bureau of Criminal Apprehension (BCA) will be charged with developing procedures to respond to organizations requesting background checks for children's service workers.

Organizations will be authorized to ask workers if they have ever been convicted of child abuse crimes, felony-level assaults, criminal sexual conduct, or any assault against a minor, among other crimes.

The individual will have to consent to the background check, after which he/she would be entitled to a copy of the investigation results and may challenge the accuracy of the report.

Organizations will be permitted to use the background check as a condition of employment. The subject of the background check will have the right to know if he or she was denied the job based on the background check.

The BCA will be allowed to charge a fee to those requesting the check. Employers may not, in turn, charge the applicant or employee for this service.

The BCA will not be permitted to respond to background requests made by those other than the children's service organization outlined in the act. The agency is also provided immunity from any litigation resulting from the background checks.

The measure goes into effect Aug. 1, 1992. (HF2181, Sections 18-22)

**AIDS testing of sex offenders**

Offenders convicted of first-through fourth-degree criminal sexual conduct can be ordered by the court to submit to an HIV-test if the victim requests it.

A victim's right to request this test will also be added to the current information that hospitals must give a patient seeking services for sexual assault.

For the test to be ordered, evidence must show the offender's blood or semen was exposed to or in contact with the victim's broken skin. The prosecuting attorney must make a motion for the test.

The results will remain private, and will be available to the victim upon request. If the victim is a minor, results will then be made available to his or her parent or guardian.

Positive results will be reported to the Department of Health, and a trained counselor will then disclose the results to the victim. Results will not be recorded in any court documents. After results are disclosed to the victim or victim's guardian, they must be destroyed.

This law will go into effect Jan. 1, 1993, and will apply to crimes committed on or after that date. (HF2181, Section 27)

**Heritage preservation act**

State data privacy laws will be eased so that relatives of children considered for out-of-home placement can be found more easily.

Courts will also be mandated to consider the heritage of a child when considering an out-of-home placement. Heritage is currently one of three criteria to be considered for such placements, but critics argued the provision often isn't followed.

The measure also amends the Minority Heritage Preservation Act to apply to children of all races, not just minorities. The change was made to bring the law into line with a Minnesota Court of Appeals ruling, which held the act unconstitutional. (SF1821\*/HF1941)



**Peace Officer Training School**

A proposed law enforcement school at Metropolitan State University in St. Paul will receive about \$500,000 in funding through an increase in the surcharge on traffic fines.

The surcharge on traffic fines was increased to 15 percent from 12 percent to finance the school and other law enforcement programs provided through the Peace Officers Standards and Training (POST)

Board.

One million dollars in funding for the law enforcement school, which was approved by the 1991 Legislature, was vetoed by the governor last summer.

In the past, the POST Board received appropriations from the state's general fund. Now, it will be completely funded through the 15 percent traffic fine surcharge, which will substantially increase its operating budget.

The measure calls for \$4.15 million to be collected in the Peace Officers Standard and Training (POST) Board's special revenue fund.

The measure is effective July 1, 1992. (HF2694, Article 3, Sections 74-76)



**Beepers and cellular phones**

County attorneys will be able to subpoena cellular phone records and those of paging companies to aid in ongoing investigations. Current law applies only to "records of telephone companies."

Additionally, they will be authorized to subpoena records of safe deposit box account numbers, customer savings and checking account numbers maintained by banks and safe deposit box companies. The measure goes into effect Aug. 1, 1992. (HF2181, Section 24)

**Legislative Commissions**

(See Governmental Operations, page 21)

**Killed in the line of duty**

(See Governmental Operations, page 22)



## Labor-Management Relations

### Workers' compensation reform

Beginning this fall, employers will pay about 16 percent less for their share of the workers' compensation program after lawmakers decided to cut benefits recently injured employees can receive and make other changes in the \$1.2-billion-per-year program.

The measure is the first significant change in Minnesota's workers' compensation laws in a decade. Business advocates had pushed hard for reforms in recent years, saying without them the cost of operating in the state was nearly prohibitive.

Employer insurance premiums should fall by about \$200 million per year and the bill places a freeze on premium increases through December 1993. It creates a "managed care" system of medical providers, requiring state certification before they can treat injured workers, and establishes a commission of business and labor leaders to further examine program savings.

The new law attempts to limit cost growth in the program by reducing the period injured workers can claim temporary disability benefits, restricting the type of eligible rehabilitation services, and lowering the minimum compensation injured workers can receive.

Yearly cost-of-living adjustments were limited to 4 percent, with the first "escalator" increase delayed until two years after the worker was hurt. Beneficiaries currently can receive up to a 6 percent annual adjustment starting one year after their accident.

The new policies affect only injured workers seeking benefits after Aug. 1, 1992; existing claims are not affected. Opponents of the measure said it relied too much on cutting benefits for workers while not pursuing savings through improved workplace safety programs or medical cost containments. (SF2107\*/HF1952)

### American Indians and taxes

American Indian tribal governments are now able to opt for the same treatment as Minnesota local governments under state unemployment compensation law. However, it is uncertain whether provisions specific to the Red Lake Band of Chippewa will comply with federal law.

Because the Red Lake Band chose not to be designated as an employer under state law, the federal government is trying to collect hundreds of thousands of dollars in unemployment insurance back taxes.

The taxes are designed to encourage employers to take part in state unemployment insurance programs, but tribal leaders said that the law is not consistent with their status as a sovereign nation.

The measure extends the governmental status to the tribe as of Aug. 1, 1993, and attempts to retroactively remove all tribal liability for the federal tax.

The legislation is scheduled to sunset Aug. 1, 1995. (SF1590\*/HF2360)

### Smokers' rights on the job

A bill the governor signed will not allow employers to fire workers for any legal activities they engage in away from the job.

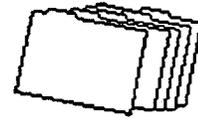
The new law specifies that an employer can't fire people for drinking and smoking tobacco. But some non-smoking advocates and business leaders say the measure unduly elevates smokers' rights.

The law also provides for exceptions when workers fail to comply with conditions in a chemical dependency treatment or aftercare program.

In addition, it allows an employer to dismiss a worker where his or her behavior off the job affects life insurance premiums paid by the employer.

"Employer," as defined in this law, does not include the state or any other political or governmental unit.

The measure becomes effective Aug. 1, 1992. (SF2336\*/HF2445)



### Personnel records

Upon request, employers must make copies of personnel records available to both current and past employees.

Workers are currently allowed to look at their files, but employers are only required to give them copies of disputed sections.

As of Aug. 1, 1992, former employees need only submit a written request to the employer to receive their personnel record by mail. In the past, former employees were allowed to review their records, but could only do so at or near the employer's location.

Current employees must review the file at the employer's office during normal business hours before requesting a copy.

The employer may charge the employee or former employee for any duplicating and mailing costs. (HF1889)



### Time off for child care activities

Employers, beginning Aug. 1, 1992, must grant employees a total of 16 hours of unpaid leave per year to attend parental conferences or classroom activities at a child care center.

Current law applies to schools, but not child care centers.

The change also applies to special education programs and other regular pre-kindergarten programs.

Employees are permitted to use accrued vacation time to attend their child's activities. (HF2142)



## Local Government & Metropolitan Affairs

### No vacation time payback

A bill that is designed to prevent local elected officials such as the former mayor of Duluth from being compensated for unused vacation and sick time has been signed by the governor.

The measure applies to cities, counties, school districts, metropolitan or regional agencies, or other political subdivisions of the state.

The former mayor received several thousand dollars in compensation after leaving office, causing several people and agencies, including the state auditor's office, to question the practice. The measure is effective Aug. 1, 1992. (SF2194\*, Section 10/HF2404)



### Frequent flyer miles

Frequent flyer miles accrued by public employees and paid for with public funds will revert to the public body that bought them.

The measure requires the airline passenger who received the frequent flyer bonus to report the benefit within 90 days. The law is effective Aug. 1, 1992.

The new law also will require the executive, legislative, and judicial branches of state government, and each political subdivision in the state, to develop policies concerning the accrual of such benefits by July 1, 1993. (SF2194\*, Section 20/HF2404)

### Reporting thieves

Public employees or public officers are now required to report the discovery of theft or embezzlement to the state auditor.

Any unlawful use of public funds uncovered by civil servants must also be reported.

Public employees and officers are exempted from the reporting requirement when doing so would interfere with an ongoing criminal investigation.

The measure, which becomes effective Aug. 1, 1992, does not specify a criminal penalty for failing to report theft or embezzlement. (SF2194\*/HF2404, Sec. 17)



### Pictures prohibited

Those calendars that cities sometimes send to their respective residents can't include pictures of elected officials anymore.

The bill prohibits cities, counties, school districts, metropolitan or regional agencies, or other political subdivisions of the state from distributing "a report or other publication" that includes pictures of elected representatives.

Directories of public services provided by the political subdivision, however, are exempt from the measure, which becomes effective Aug. 1, 1992. (SF2194\*, Section 11/HF2404)

### Fence controversies

Good fences make good neighbors, according to Robert Frost, but who pays for the fence?

State law says if a partition fence is to be erected on adjoining Minnesota land, the adjoining owners pay equally for its construction and maintenance.

In the case of a controversy — any case where either party disagrees about the need for a fence — fence viewers resolve the dispute. The viewers are generally township board or city council members.

Now, under a new law applying only to St. Louis County, property owners no longer have an obligation to pay for a fence if they can prove they don't need it.

The law also allows that fence costs may be apportioned according to the "need and benefit of each party," not just the current 50-50 split.

Should the circumstances that led to an exemption ruling change within seven years, either party may ask that the situation be re-evaluated.

The measure becomes effective upon local approval. (HF2115)



### Community ID signs

The city of Zumbrota wanted to place a "welcome" sign on the highway into town, but discovered it would be illegal. State law only allowed the signs to be posted on commercially-zoned property.

So town leaders urged their state representative to change the law. Now, with the permission of the owner of the land on which the sign will be placed, any county, town, or city can erect a community identification sign within two miles of the community, regardless of how the land is zoned.

The signs must be smaller than 750 square feet, and also must be approved by the community's governing board.

The measure becomes effective Aug. 1, 1992. (SF1893\*/HF2183)

### Equalizing revitalization grants

The city of Minneapolis will be dividing its Neighborhood Revitalization Program funds in what some say is a more equitable fashion.

Last year, participants were chosen by lottery. Of the 15 neighborhood "winners," 13 were from south Minneapolis. The far-north and northeast portions of the city were shut out.

So, this year, legislators from north Minneapolis sponsored a bill ensuring that all 11 of the city's planning districts will be represented in the revitalization program. The planning districts are composed of several neighborhoods, with the exception of the Phillips neighborhood, which is also

a separate planning district.

The Neighborhood Revitalization Program was created in 1990 to "preserve and enhance. . . the public health and safety, economic vitality, and the sense of community" in the city's neighborhoods. The annual Minneapolis program budget is \$20 million.

The measure became effective April 25, 1992. (SF2314\*/HF2302)



## Redistricting

### Congressional redistricting

(See Vetoed bills, page 44)

### Legislative redistricting

(See Vetoed bills, page 44)



## Regulated Industries

### Open meetings for co-ops

Two bills that affect how electric cooperatives operate were signed into law by Gov. Arne Carlson.

One new law requires that electric cooperatives with more than 50,000 members open meetings of the board of directors to all members of the cooperative and give reasonable prior notice of the meeting.

The law also says that electric cooperatives with more than 35,000 members must provide equal representation on their boards of directors through redistricting every 10 years. The number of members in any one district will not be allowed to vary from the average by more than 10 percent.

The redistricting law took effect April 4, 1992; cooperatives that fall under the law are required to survey their membership for equal representation within one year of their next meeting. (SF1298\*/HF1488)

The open meeting requirement will take effect Aug. 1, 1992, and has a number of

exceptions. (HF1489)

Both measures affect two co-ops in the state, Anoka Electric Association and Dakota Electric Association.



### Tracing harassing phone calls

What is the standard procedure for getting the telephone company to trace harassing calls? Currently, there isn't one — but there soon will be.

The Legislature has directed the Public Utilities Commission to adopt rules governing how telephone companies should respond to requests for tracers made by people who say they are the victims of harassing telephone calls. The rules must address when a request for a tracer may be denied or delayed. The new law applies to each of the 98 telephone companies operating in Minnesota.

A recent memo to the bill's sponsor indicates the commission has begun the rulemaking process.

In general, U. S. West will not provide a tracer service without a filed police report outlining the alleged harassment, and a tracer authorization signed by the telephone customer.

Typically, in order for a tracer to be authorized, the harassment should be occurring three to five days per week.

In an emergency situation, after a call from police, U. S. West will immediately begin a two-week tracer period.

In lieu of a tracer, representatives from U.S. West's "annoyance bureau" recommend "bluffing" a harasser, by saying that the line is tapped, or by spreading rumors of a phony tracer among acquaintances, who are often the violators. The maximum penalty for phone harassment is 90 days in jail and a \$700 fine.

U. S. West will change a customer's phone number free of charge in cases of harassment. However, the fee to maintain an unlisted number is \$2.45 per month.

The new law, which became effective April 11, 1992, stems from the frustrated efforts of a Minneapolis family whose harassment problems nearly drove them to move. House sponsor Rep. Wes Skoglund

(DFL-Mpls) believes the mandated rules will "make the phone companies take the issue more seriously." (HF2082)



### Liqueur-filled candy

A 1990 law authorized the sale of liqueur-filled candy in liquor stores, but didn't define what "liqueur-filled" meant.

This year, lawmakers explained that any candy with a liquid center containing more than a 0.5 percent alcohol by volume qualifies as "liqueur-filled."

That's different from a "confection containing alcohol," which has the alcohol mixed along with the rest of the ingredients and has no "liquid" center. Each piece of such candy must indicate on the label that it can't be sold to anyone under 21 and that the alcohol content is less than 5 percent by volume. Such a sale to an underage buyer would be a misdemeanor.

Beginning Aug. 1, 1992, candy containing alcohol can be sold in both liquor and candy stores, but not a convenience store. To sell candy containing alcohol, a business must derive 50 percent of its gross revenue from candy sales.

Liqueur-filled candy is still limited to sales in liquor stores and cannot be sold to those under 21 years of age. (HF2709)



## Rules & Legislative Administration

### Commission subpoena power

Any House or Senate standing committee has the power to subpoena a witness, and has since 1971.

Now, joint legislative commissions have been granted that power as well. Failure to appear is a misdemeanor.

Several years ago, a joint commission considered issuing a subpoena, but after checking the law, found it was not clear whether the authority included commissions.

Although rarely invoked, the subpoena power has been exercised in the past — specifically by the former Claims Committee — which once held full committee status. Today, the claims subcommittee falls under the jurisdiction of the Appropriations Committee.

The law becomes effective Aug. 1, 1992. (HF980)



### A stamp named Wanda

In recognition of a career that “made a unique and lasting contribution to American children’s literature,” the Legislature passed a resolution asking the U.S. Postmaster General to issue a postal stamp in commemoration of Wanda Gag.

Gag was born March 11, 1893, in New Ulm. Her body of work includes 10 children’s books and a published set of diary entries and drawings entitled, *Growing Pains*. Her first children’s book, *Millions of Cats*, was a runnerup for the American Library Association’s Newberry Medal in 1928. Her works have been translated into eight languages.

Her work is in major museums throughout the world, including the Pushkin Museum in Moscow, and the Bibliotheque Nationale in Paris. (HF1652)



### ‘Occasional sales tax’ repeal

People who buy farm equipment and other used equipment that is transferred during the sale of a business will no longer pay sales tax on those items.

The Legislature repealed the tax that began being collected on July 1, 1991, following a howl of protest from farmers, auctioneers, and small business owners.

And they weren’t the only ones upset by the tax. Several legislators say it was never intended in the first place; the vote in the House to repeal it was 129-3.

The law required people who bought small businesses to pay the 6.5 percent sales tax on equipment such as furniture and office supplies — over and above the business sale price. (SF1562\*/HF1693)

Now, “occasional and isolated sales” of business equipment is exempt from the sales tax. A separate measure, the omnibus tax bill, expanded the definition of isolated and occasional sales that are exempt from the sales tax. (HF2940, Article 8, Section 16)

The law is retroactive to June 30 of last year. People who paid sales tax on items purchased after that date are entitled to a refund from the Department of Revenue, but must follow the procedures outlined in HF2940, Article 8, Section 28.



## Taxes

### Tax bill approved

By tapping \$160 million of the \$400 million budget reserve, avoiding across the board income taxes, and imposing a sales tax on local government purchases, House and Senate lawmakers are hoping this year’s tax bill will help solve the state’s budget crisis. The budget reserve now stands at \$240 million. (HF2940, Article 9, Section 1)

### Local government sales tax

The sales tax on local government purchases is expected to raise \$67.7 million for the state in fiscal year 1993. Many local purchases will still be exempt, including purchases by school districts, hospitals and nursing homes owned and operated by local governments, libraries, medical equipment, and supplies. The provision is effective for sales made after May 31, 1992. (HF2940, Article 8, Section 15)

### Other sales and use tax provisions

A 50 cent per call tax on 900-service numbers will be imposed, and the existing gross earnings tax will be repealed. Out-of-state retailers will be subject to the one-half cent local option sales tax even though they are exempt from other local sales taxes. The measure is effective for sales made after June 30, 1992. (HF2940, Article 8, Section 10)

### Local government trust fund (LGTF)

The bill establishes the \$1.4 billion local government trust fund. It will take over and administer most state aids to local governments including property tax relief, social services aid, and local government aid (LGA) which will increase by \$20 million over the next two years. Two cents out of the 6.5 cent state sales tax is earmarked for the trust fund. (HF2940, Article 1)

### County criminal justice aids

A new county criminal justice aids program will be established and receive \$8.4 million from the trust fund in calendar year 1993. The appropriation can be increased only in succeeding years.

One-half of the distribution to counties will be determined by population and one-half will be determined by the number of more serious crimes. Counties will have broad flexibility in how they use the funds. The program becomes effective Jan. 1, 1993. (HF2940, Article 1, Section 14)

### State aid changes

A total of \$2.5 million will be distributed through the LGTF to reimburse last spring's presidential primary costs.

LGTF interest payments to the state will be eliminated in fiscal year 1994.

The state will assume 100 percent of the costs of all county human services programs. The cost to the state will be \$978,000 in fiscal year 1993. LGTF human service payments to the state will be reduced to \$5.8 million in fiscal year 1993 and eliminated in fiscal year 1994. (HF2940, Art. 1)



### Property tax provisions

Resorts will be allowed to stay open more than 250 days per year and will not be reclassified as commercial property which is taxed at a higher rate. The measure becomes effective for taxes payable in 1993. (HF2940, Article 2, Sections 17-18)

The annual filing requirement for the homestead application will be eliminated and made a four-year requirement starting in 1993, except when property changes hands. The penalty for claiming more than one homestead will be doubled from 50 to 100 percent of homestead benefits. (HF2940, Article 2, Section 16)

Homeowner eligibility for the targeting refund will be modified. The minimum property tax increase will go up from 10 to 12 percent and the maximum refund will be capped at \$1,500. The measure becomes effective for taxes payable in 1993. (HF2940, Article 2, Section 30)

### New property tax exemptions

The definition of transitional housing which is tax exempt will be expanded. Additional new exemptions include property used for solar devices and metal recycling, containment facilities for agricultural chemicals, and non-profit ice arenas primarily used by youths. The measure is effective for taxes payable in 1993. (HF2940, Article 2, Section 9)

### Property tax relief

Rental property tax rates for buildings with one to three units will be reduced to 2.5 percent for taxes payable 1993, and dropped to 2.3 percent thereafter. Apartment class rates for those buildings with four or more units will drop to 3.4 percent for taxes payable 1993.

A temporary tax cut will also benefit those in manufactured home parks. The class rate for taxes payable 1993 was cut to 2.0 percent from 2.3 percent. (HF2940, Article 2, Section 18)

### Income, franchise, and premium taxes

The method of how estimated tax payments are calculated for individuals, corporations, partnerships and trusts will be modified, raising \$25 million in 1992-93.

For individuals, the measure becomes effective for taxable years after Dec. 31, 1992. (HF2940, Article 6, Section 3).

For partnerships and trusts, the provision became effective for taxable years beginning after June 1, 1992. (HF2940, Article 6, Sections 4-7, 9)

For corporations, the measure was retroactive for taxable years beginning after Dec. 31, 1991, with certain exceptions. (HF2940, Article 6, Section 8)

A \$25 fee on taxis and other vehicles will be imposed, and a \$15 fee on passenger vehicles in lieu of premium taxes for the self-insured. Proceeds will be distributed to local governments for police pensions. This fee becomes effective Jan. 1, 1992. (HF2940, Article 6, Section 2)

### Business sales tax shift

Large businesses will help solve the state's cash flow problems.

Businesses with sales tax receipts of more than \$240,000 per year will be required to remit their sales tax receipts to the state six

days earlier each month.

State Finance Commissioner John Gunyou explained to legislators in March that shifting the payments to the 14th of each month — instead of the 20th — will help "smooth out some of the peaks and valleys" in the state's cash flow.

Minnesota has traditionally maintained a large budget reserve because there is such a pronounced ebb and flow in its cash flow.

The change will affect only about 1,600 of the state's 60,000 businesses that remit sales taxes, but those businesses account for about 80 percent of total sales tax collections, according to Gunyou.

This section of tax law goes into effect for sales made after Sept. 30, 1992. (HF2940, Article 8, Section 4)



### Tax refund on tobacco products

Taxes paid on cigarettes and other tobacco products that qualify as bad debt under federal guidelines become refundable after July 1, 1992, or can be used as a credit against other taxes owed to the state.

The money for the refunds will come from the state's general fund.

In part, the change was made to protect tobacco distributors, who pay all applicable tobacco taxes before receiving payment from retailers for the tobacco products delivered.

Previously, if a retailer closed down before receiving a pending order from a distributor, the distributor swallowed the cost of the tobacco taxes. That loss qualifies as bad debt, and now distributors are entitled to a refund.

The change doesn't apply to individual smokers, and cigarette taxes paid remain non-tax deductible. (HF2940, Article 8, Sections 5, 6)

### New tax increment financing (TIF)

Locations in St. Louis Park and St. Paul will be allowed to use TIF to fund redevelopment of highly polluted areas of less than 20 acres whose cleanup costs will exceed market value after cleanup. The locations are along Excelsior Boulevard in

St. Louis Park and lower Payne Avenue in St. Paul. The measure is effective only after local government approval. (HF2940, Article 9, Sections 29, 30)

### Pilot jobs tax credit program

A pilot jobs tax credit will be created in designated locales — currently Faribault County and South St. Paul. Businesses could receive a credit of up to \$2,000 for each new job that pays over \$15,000 annually. The program goes into effect in calendar year 1993. (HF2940, Article 9, Section 7)



### Taconite fund

A taconite economic development fund will be created by freezing the taconite production tax and diverting 10.4 cents per ton to the fund. Producers may then use their share for reinvestment in equipment, research, or technology upon consent of a joint labor-management committee. Funds not used in two years go to the taconite environmental protection fund or the northeast Minnesota economic development fund. The measure is effective for taxes payable in 1993 and 1994. (HF2940, Article 9, Section 8)



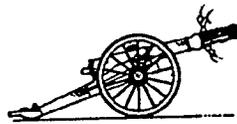
### White collar chain gangs

A white collar chain gang? You could be seeing guys in three-piece suits working on a public service project near you.

The Department of Revenue has been given the authority to allow people who owe back taxes to work off those debts by performing public service work for a state agency, political subdivision, or nonprofit agency. The program is to be administered by the Department of Corrections, which operates a similar program for state prisoners.

The program is to end June 30, 1993. The section of law authorizing the pro-

gram went into effect April 25, 1992. (HF2940, Article 9, Section 4)



### Armory for sale, cheap

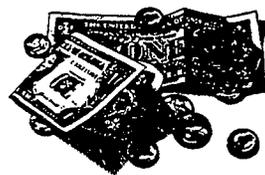
Each of the 12 Minnesota armories slated for closure must be offered for sale to the local unit of government for the rock-bottom price of \$1.

Should the local municipality and county both wish to purchase the armory, the municipality would be given preference for the building.

Grants of up to \$25,000 are available to the purchasing local unit of government for purposes of planning and renovation.

The state will save \$542,000 per year as a result of the armory closings.

The provision became effective April 25, 1992. (HF2940, Article 2, Sections 49-51)



### Fee increases

Although the Legislature approved several fee increases, there is only one — the drinking water connection fee — that affects most Minnesotans.

The proposed statewide drinking water connection fee of about \$5.21 per service connection will help pay for federal mandates requiring additional tests for drinking water. Minneapolis and St. Paul officials opposed the fee because they already do the additional testing. (See chart, page 42.)

People who use specific state services may no longer find bargain-rate fees. Many of the fee increases are intended to make the fee more accurately reflect the cost of a service.

The clinical specimen handling fee at the Department of Health will increase to \$15 from \$5. And expedited over-the-counter transactions at the Secretary of State's Office will increase to \$10 from \$5.

Many license fees will increase under the provisions of the bill to cover the cost of providing a license to a person or facility.

A fourfold increase in license fees for a number of health care facilities will pay for the cost of ongoing licensing functions and help wipe out a deficit associated with the collection of these fees. The measure will increase license fees for hospitals, nursing homes, outpatient surgery centers, boarding care homes and supervised living facilities. (A license for an outpatient surgical center, for example, will increase to \$1,645 from \$450).

Annual liquor fees will increase substantially, with most license fees doubling. Liquor wholesalers will pay \$15,000 for a license (up from \$7,500), while brewers will pay \$2,500 (up from \$1,250). Even importers and sellers of sacramental wine will see a doubling of their license fees to \$50 from \$25.

Insurance fees and license fees for real estate appraisers, insurance adjusters, insurance brokers, all will be increased. Individual license fees for insurance brokers and real estate appraisers will double to \$100 from \$50, and license renewals will increase to \$50 from \$25.

Proposed cuts to the state appropriation for the Minnesota Zoo would be offset by allowing the zoo to keep admission and parking receipts. An admission fee increase voted by the zoo board will also help offset the cuts.

The omnibus crime bill, HF1849, increases penalty assessments on criminal fines to 20 percent — up from 10 percent. It also places a \$5 fee on all petty misdemeanors other than parking violations.

Although several fee increases were approved, many were voted down this session. A \$1 increase in driver's license fees to help pay for tamper-proof cards passed in the Senate, but never made it through the House. And proposals to tax pop, automobile repairs, and packaging all stalled this session.

**A SELECTION OF FEE INCREASES IN MAJOR BILLS\* \***

	Current	New	Bill #	Article/Section	Effective date
<b>STATE GOVERNMENT</b>					
Gambling equipment distributor's license	\$2,500	\$3,500	HF2694	Art. 4, Sec. 36	7/1/92
Plaintiff, defendant civil filing fee	\$85	\$110	HF2694	Art. 4, Sec. 42	7/1/92
<b>ECONOMIC DEVELOPMENT, INFRASTRUCTURE &amp; REGULATION</b>					
Insurance broker license	\$50	\$100	HF2694	Art. 3, Sec. 28	7/1/92
Insurance salesperson's license	\$25	\$50	HF2694	Art. 3, Sec. 28	7/1/92
Real estate appraiser license	\$50	\$100	HF2694	Art. 3, Sec. 29	7/1/92
Secretary of State Information expedited service information	\$5	\$10	HF2694	Art. 3, Sec. 19	7/1/92
Candidate filing fee for governor, U.S. House and judgeships	\$200	\$300	HF2694	Art. 3, Sec. 42	7/1/92
U.S. Senate filing fee	\$300	\$400	HF2694	Art. 3, Sec. 42	7/1/92
Candidate filing fee for state House and Senate	\$75	\$100	HF2694	Art. 3, Sec. 42	7/1/92
Liquor control fees:					
manufacturer of distilled spirits	\$7,500	\$15,000	HF2694	Art. 3, Sec. 53	7/1/92
brewers	\$1,250	\$2,500			
liquor wholesalers	\$7,500	\$15,000			
Traffic fine surcharge	12%	15%	HF2694	Art. 3, Sec. 74	7/1/92
<b>ENVIRONMENT &amp; NATURAL RESOURCES</b>					
Pesticide registration (min. fee)	\$150	\$250	HF2694	Art. 2, Sec. 15	4/14/92
Large wholesale food manufacturers	0	\$30	HF2694	Art. 2, Sec. 17	4/14/92
Certain milk marketing organizations	0	\$50	HF2694	Art. 2, Sec. 17	4/14/92
<b>HUMAN RESOURCES</b>					
Safe drinking water connection	0	\$5.21/connection	HF2694	Art. 6, Sec. 3	7/1/93
Clinical specimen handling fee	\$5	\$15	HF2694	Art. 6, Sec. 2	7/1/93
JCAHO hospitals license fee	\$450	\$2,142	HF2694	Art. 6, Sec. 1	7/1/93
Non-JCAHO hospitals license fee	\$468 + \$29/bed	\$2,228+ \$138/bed	HF2694	Art. 6, Sec. 1	7/1/93
Nursing home license fee	\$68+ \$16/bed	\$324 + \$76/bed	HF2694	Art. 6, Sec. 1	7/1/93
Outpatient surgical centers license	\$450	\$1,645	HF2694	Art. 6, Sec. 1	7/1/93
Boarding care homes and supervised living facilities license	\$68+ \$16/bed	\$249+ \$58/bed	HF2694	Art. 6, Sec. 1	7/1/93
Licensed physician surcharge	0	\$400	HF2694	Art. 7, Sec. 9	10/1/92
Child support enforcement fee	\$5	\$25	HF2694	Art. 8, Sec. 53	8/1/92
<b>OTHER FEE CHANGES</b>					
Penalty assessment on criminal fines	10%	20%	HF1849	Art. 4, Sec. 2	8/1/92
Fee for all petty misdemeanors other than parking violations	0	\$5	HF1849	Art. 4, Sec. 1	8/1/92
Minimum fines on convicted criminals	no min.	min. is 20% of max.	HF1849	Art. 4, Sec. 3	8/1/92
Initial and disease inspections of aquatic farms	0	\$50	SF2432*/HF2855	Section 8	4/30/92
License to sell game fish in pet stores	\$55	\$15	SF2432*/HF2855	Section 8	4/30/92
Fee for withholding income tax refunds for child support	\$3	\$10	HF2940	Art. 7, Sec. 12	4/25/92

*\*\* Not all new fees and fee increases are listed. Does not include fee increases found in HealthRight bill.*



## Transportation

### Studebakers get respect

Certain models of Studebaker, the car before it's time, will now be considered a "classic car" under Minnesota law and be eligible for cheaper license plates.

The 1929-1933: President Studebaker, "except model 82," will now join the ranks of Alfa Romeos, Bugattis, Packards, Pierce Arrows, and many other cars in the elite automobile hall of fame.

Certain models of Nash, Graham, Graham-Paige, Triumph, and Voisin cars were also added to the list of classic cars, which, by definition, are limited to automobiles made between 1925 and 1948 that embody "fine design, high engineering standards, and superior workmanship."

The cost of elite classic car license plates is \$25.

The elite list is limited to cars. The law specifically states that "no commercial vehicles such as hearses, ambulances, or trucks are considered to be classic cars."

The measure is effective Aug. 1, 1992. (HF1701, Section 5)



### Noise reduction

The not-so tranquil skies above Richfield, Bloomington, south Minneapolis, and others areas that experience loud airport noise could become a little quieter.

The Metropolitan Airports Commission (MAC) will be required to spend a larger portion of its future construction budget for sound-proofing homes, schools and other public buildings "when there is a demonstrated need because of aircraft noise, regardless of location."

An estimated \$5.8 million will be spent for noise mitigation in 1993 — a 45-percent increase over the \$4 million budgeted by MAC in 1992

The measure calls for MAC to spend an estimated \$6.1 million in 1994, \$9.6 million in 1995, and \$8.4 million in 1996.

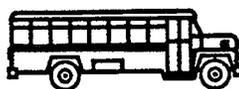
The program is tied to a new, \$3 sur-

charge tacked on to the tickets of all passengers who arrive or depart from the airport.

In 1993, for example, MAC will be required to spend an amount equal to 20 percent of what that surcharge will raise, which is estimated at \$5.8 million. The measure is effective Aug. 1, 1992. (HF2269)

### Parking patrols

The cities of Minneapolis, St. Paul, and Duluth will be allowed to organize volunteer patrols to better enforce parking restrictions in handicapped zones. The measure becomes effective Aug. 1, 1992. (HF1833)



### Hold the bus

Regional transit planners — under the auspices of the Metropolitan Council — will have \$62 million to spend for new buses and other equipment over the next three years.

The measure authorizes the Metropolitan Transit Commission (MTC) to spend up to \$44 million for new buses. And the measure gives the Regional Transit Board (RTB) the authority to spend \$18 million to develop "transit hubs" in suburban communities and an "intelligent vehicle highway system project" that eventually will allow commuters at a bus stop to track bus movement on a computer screen.

The state bonds will be paid off through increased property taxes in the Twin Cities.

Of the \$62 million, \$32 million is to be issued in the 1991-93 biennium and \$30 million in the 1993-95 biennium. (HF2191)

### Premium gasoline

There will likely be a greater chance you will get what you pay for at Minnesota gas pumps.

The Department of Public Service received a \$283,000 appropriation to hire five new people to monitor octane levels and fuel additives in gasoline.

The beefed up program follows a department investigation in December that showed that 17 percent of the gas samples taken from across Minnesota were of a

lower grade than labeled.

Although funding for the measure is included in the appropriations bill, the program itself is in SF2509, which became effective April 30, 1992. (HF2694, Article 3, Section 8, Subdivision 4)

### Regulating courier service carriers

Couriers can no longer deliver hot water heaters and other household goods.

Prior to April 9, 1992, the carriers were limited to delivering "packages and articles less than 100 pounds." There was no limit on the total weight of those less-than-100-pound packages.

Now, courier services are divided into two categories: expedited delivery — those that can pick up the packages within an hour of the request and deliver within six hours — and overnight small package delivery.

The 100-pound per package restriction has been removed for expedited service couriers, but deliveries must be made by a single axle truck or smaller vehicle.

For overnight delivery couriers, the 100-pound limit stays. An aggregate daily weight limit has also been added; a single customer may not receive more than 400 pounds from a single courier. (SF2637\*/HF2355)

### No mandatory helmet law

The Minnesota Legislature, in effect, thumbed its nose at a recently proposed federal mandate that would reduce the flow of federal highway funds to states that don't have mandatory motorcycle helmet laws.

Minnesota requires only riders under 18 to wear helmets, and the Legislature says it will stay that way for now.

A resolution saying that a federal helmet and seat belt mandate "would be a blatant transgression upon the state's regulatory authority under the Tenth Amendment" of the U.S. Constitution cleared both the House and Senate by overwhelming margins.

Congress is asked to "refrain from imposing" on the states' authority to regulate traffic and motor vehicle safety.

The Tenth Amendment states that those powers not delegated by the U.S. Constitution, nor prohibited by it, are reserved for the states. (SF1778\*/HF2029)

# Vetoeed bills

*Editor's note: Gov. Arne Carlson considered 246 bills passed by the Legislature during the 1992 Session. Of these bills, he signed 229, and allowed three to become law without his signature. He vetoed 16 of the bills: six were returned to their houses of origin without signatures, along with his reasons for the vetoes; and eight were "pocket" vetoed, meaning the governor rejected the bills after the Legislature had adjourned sine die, thus preventing the Legislature from reconsidering them. In such cases, the governor is not required to cite reasons for the inaction, though he may do so if he wishes.*

*The governor line item vetoed two appropriations bills, meaning that even though he signed both such bills into law, he eliminated certain items to which he objected.*

*All of the vetoed bills are discussed in this section. They are listed in three groupings: vetoed bills, pocket vetoed bills, and line item vetoed bills. The governor issued eight veto messages, excerpts from which are included with the appropriate entries.*

## Vetoes



### Congressional redistricting

During the first week of January, the Legislature approved a plan that would have redrawn the boundaries of the state's eight congressional districts so they would be of equal population.

Gov. Arne Carlson vetoed the measure, saying that "the bill fails to meet essential standards of fairness, and I question its constitutionality." Carlson's veto message also said, "... congressional districts must be contiguous and compact. Contiguous these districts may be; but compact they are not [which] ... thwarts the concept of community of interest."

Although the Senate later voted 45 to 21 to override the veto, the House didn't have the votes to do so, and the veto stood.

Congressional boundaries to be used for

this year's election were drawn by a federal three-judge panel. (SF1597\*/HF1728)

### Legislative redistricting

Last year, the Legislature passed its decennial legislative boundary map, and Gov. Arne Carlson thought he vetoed the measure. The state Supreme Court ruled otherwise, and the plan stood. (HF1699)

This year, lawmakers needed to pass a "technical corrections" bill to fix the hundred-plus errors contained in last year's bill. Independent-Republicans said it wasn't technical at all, that it was "an attempt to redistrict all over again." Carlson vetoed the "corrections" bill Jan. 10, 1992.

In his veto message, Carlson said that the bill "lacks the essential element of fairness, both in its substance and in the process through which it was drafted."

He wrote that the plan falls short of enhancing the "interests of minority groups," and that "too many county lines are cut. Political boundaries do not receive as much respect as practicable. Cities are sliced, suburbs are divided and townships are fragmented. . . ."

The latest word on this, the most political of battles, comes from the United States Supreme Court, which will rule this fall on the Minnesota plan.

So the redistricting plan passed by the Legislature last year (with minor changes) will be used in this November's elections. The court may decide to change those boundaries for the 1994 elections, however. (SF1596\*/HF1726)

### Work Readiness program

A bill to extend eligibility for the Work Readiness program was passed in January by the Legislature, and then vetoed by the governor.

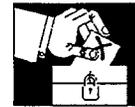
The vetoed measure would have granted program participants an extra three months of eligibility at a short-term cost to the state of \$3.4 million. The program was established in 1985 to provide benefits similar to General Assistance to those who would otherwise be ineligible for General Assistance benefits.

The program, which is designed to teach job skills to the unemployed, provides a monthly \$203 check to those who are seeking employment or attending school

through the program.

Gov. Arne Carlson wrote that the bill was an "unacceptable way to make policy in a time of strained financial resources. . . . The Legislature cannot continue to pass bills . . . without providing any way to finance them." Secondly, Carlson commented on the bill's failure to address any of the "obvious weaknesses" in the current program. . . . He wrote that the bill "does not address the fundamental skill deficiencies that render many of [the program's] recipients poor employment prospects." (SF1612\*/HF1758)

Following that veto, however, the Legislature approved a separate measure that extended eligibility for the Work Readiness program by one month. The provision becomes effective Jan. 1, 1993. (HF2694)



### Presidential primary

The Legislature tried to put the presidential primary on hold, but Gov. Arne Carlson, calling the current caucus setup a "kingmaker" system, vetoed the bill.

In his veto message, Carlson wrote, "The creation of a presidential primary is simply the latest step in the continuing effort to expand voter participation in Minnesota's electoral process."

He wrote, "... in practice [the caucus system] has drawn an average of about 3 percent of Minnesota voters. This is simply too small a pool to determine such critical decisions as Minnesota's position on candidates for President of the United States. . . ."

Carlson continued, "I want Minnesota's electoral decisions to be made by the many, not by the few . . ."

The Senate later voted 56 to 9 to override the veto. The House tried to do the same, but the final tally was 77 to 49 — 13 votes shy of the two-thirds necessary to nix the veto.

The result was that the April 7 presidential primary took place as planned. About 10.45 percent of eligible voters cast ballots in the primary, which was won by Democratic presidential candidate Bill Clinton and Republican President George Bush. (SF1598\*/HF1731)

### HRA grants, public officers

A measure that would have allowed local government officials to apply for local housing and redevelopment authority (HRA) loans or grants was vetoed April 9, 1992, by the governor.

The bill effectively would have exempted local officials from a law that prohibits potential financial conflicts of interest.

In his veto message, the governor indicated concern that the exception would create an "intimidating environment" for staffers charged with administering grants and loans "in a fair, nondiscriminatory manner."

The governor also stated that where an exception such as this would be permitted, "the law should require that there be mandatory disclosure on public record that the public officer intends to make use of an exception." (HF2388)



### Gender-balancing the boards

A bill designed to bring gender-balance to state boards and commissions was vetoed April 10, 1992, by Gov. Arne Carlson.

"This is an inappropriate intrusion into the Executive branch functions and is simply bad government," wrote Carlson in his veto message. He also noted that while gender is an important consideration, it should not "rise above all other protected group considerations."

Under the bill, in the case of a vacancy on a state board or commission, a person of the opposite sex of a majority of panel members would have been appointed to fill the position. The measure was modeled after an Iowa law.

Currently, according to a Minnesota Women's Political Caucus survey, 38 percent of the state's 1,819 appointed positions are held by women. (HF1114)

## Pocket vetoes



### Forfeit your firearms

A measure that would have allowed law enforcement officials to confiscate all firearms found as a result of a drug seizure was pocket vetoed by the governor.

The measure would have created a "presumption of administrative forfeiture" and applied to all firearms and ammunition where the firearms were found in a vehicle used (or intended to be used) to commit a felony-level drug offense.

It also would have applied to those firearms on or near the person arrested, or on the premises where the drugs are seized, if the guns were "in proximity" to the drugs.

Under current law, the forfeiture presumption in felony drug cases applies to money, precious stones and metals, and vehicles — but not firearms.

In such cases, the person whose property was seized essentially has to prove that the property wasn't used in connection with a crime in order to get it back. Those with a claim on the seized property or goods have 60 days to protest the seizure. (HF2211)

### Mandatory armory meetings

A measure that would have called for public hearings to be held before Minnesota's 12 armories slotted for closure could have shut down was pocket vetoed by the governor.

Committee testimony from the state Department of Veterans Affairs indicated that meetings in most communities had already been scheduled. (SF2286\*/HF2642)

### Morton loan forgiven

A measure that would have forgiven a loan to the city of Morton was pocket vetoed by the governor.

The funds were advanced to the city under the pilot litigation loan program that was established by the 1988 Legislature. The maximum loan under the program is \$50,000. (HF1838)

### Light rail measure vetoed

An attempt to streamline the light rail transit (LRT) planning process was pocket vetoed by the governor.

The proposal would have given the commissioner of the Department of Transportation (MnDOT) the final say on where and when the lines would be built, and given more authority to the Metropolitan Council.

The effect of the veto is a return to last year's LRT legislation, which placed a July 1, 1992, deadline on an application for federal assistance. That proposal is to be compiled by the Metropolitan Council, in conjunction with the commissioner of MnDOT, the Regional Transit Board, and regional rail authorities. Last year's bill also prohibits Hennepin County from seeking federal funds until the July 1, 1992, application is filed.

If either application is completed, it is unlikely Minnesota will receive any LRT startup funds in the near future. The federal highway bill passed in October of 1991 slotted over a dozen cities for funding, but with inadequate dollars to fund them all. No Minnesota cities made the cut.

Any federal LRT dollars eventually allocated to Minnesota would need to be matched by the state before they can be accepted. The 1992 Legislature made no such appropriation.

In a written statement issued by Gov. Arne Carlson regarding his reasons for the veto, he stated that the federal requirements on new start transit applications include completion of an alternatives analysis and a cost benefit analysis testing the project against alternative forms of transit and transportation . . . "neither has been performed for the proposed LRT project." He also wrote that "the bill does not provide any assurance that the studies necessary to complete the LRT analysis will be performed, or that the problems raised with the current ridership studies will be resolved. . . ."

Because of the veto, the Joint Powers Board created by the 1991 Legislature will continue to oversee the final design process and construction of any LRT system. (SF2510\*/HF2510)

### Protecting rail workers

A measure that would have protected all rail line workers affected by the sale of their company was pocket vetoed by the governor.

The selling railroad line, in conjunction with employee representatives, would have been required to submit a list of all employees affected by the sale to the purchasing company for purposes of establishing priority hiring.

Affected employees would have been notified of employment opportunities with the purchasing company by mail with 30 days to respond.

The measure also would have imposed stiff fines — between \$500 and \$1,000 per day of violation — if the rail lines' purchasing company failed to honor shipping or governmental contracts established by the selling company. (SF2136\*/HF2185)



### Regulating state fund deposits

The state's Executive Council — composed of the state's constitutional officers — would have been granted the authority to designate as depositories of state funds any bank or institution (as defined by law) "it considers proper," but the proposal was pocket vetoed by the governor.

The state treasurer would have been authorized to exercise the powers of the council in designating depositories of funds, but would not have been liable for the safekeeping of the funds deposited.

The bill also indicated that any depository that closes would immediately owe the state any funds deposited therein. (HF2261)



### Donating State Patrol time

A proposal that would have increased to eight from three the number of accrued vacation hours state patrol members can donate to a union representative was pocket vetoed by the governor.

The bill would have explicitly prohibited the use of donated time for political purposes. (SF735\*/HF667)



### Volunteer firefighter pensions

A measure that would have increased the maximum lump sum volunteer firefighter pension payment was pocket vetoed by the governor.

The bill also would have established penalties for payments issued in excess of statutory limits, including disqualification from receiving fire state aid funds.

Additionally, the proposal would have established an ambulance service personnel longevity award and incentive program, funded by redirecting the existing \$2 surtax on driver's licenses being channeled into the emergency medical services personnel account. (SF1230\*/HF1334)

## Line item vetoes

### Chisholm leadership program

A \$20,000 education appropriation for fiscal year 1993 was line item vetoed by the governor.

The money would have provided continued funding for a leadership program in Independent School District No. 695 in Chisholm, Minn.

The district was awarded a \$30,000 grant in 1991. (HF2121, Article 7, Section 29, Lines 16-20)

### Bonding projects vetoed

Two capital bonding projects totaling almost \$6.5 million were line-item vetoed by the governor.

The first, for \$2.15 million, would have authorized the construction of a 34-bed nursing facility annex and 10-bed infirmary at the Rice County District Hospital, adjacent to the Faribault Regional Center. (HF1903, Section 8, Subdivision 4, Lines 16-20)

The second would have provided 160 new inmate beds at the Faribault state prison. A total of \$4.3 million was marked to renovate two existing prison units. (HF1903, Section 9, Subdivision 2, Lines 34-42)

The language of the bill linked the two projects — making the release of the prison bonds contingent upon the awarding of state contracts for the nursing home project.

In his veto message, the governor called the nursing home expansion "totally unneeded," adding that its veto also "regrettably . . . requires a veto of the correctional expansion in Faribault. Fortunately, there are other economically acceptable alternatives for corrections expansion and these will be pursued," he said.

The veto of the Faribault bonds also cancels a \$3.45 million appropriation. (HF2694, Article 5, Section 6) Those funds, to be used for prison operating costs, were contingent on the release of the Faribault prison bonds. (HF1903)

# Dead bills

*Editor's note: While New Laws 1992 focuses on bills that were approved by the Legislature, we feel it is also important to mention some of the bills that received some attention during the session, but did not become law. While these bills are dead for this session, the ideas they contain could be introduced again next year.*

## Gaming changes

No gaming bills emerged from the Legislature this year, making good on the pledge of several elected leaders who vowed to hold the line on gaming expansion. Attempts to authorize video gaming, sports betting, and to relax charitable gaming restrictions for lawful purpose expenditures all failed to pass. While the Senate passed an omnibus gaming bill, it was not approved by the House. (SF1605\*/HF1750)



## Omnibus game and fish bill

The bill would have established a \$250,000 statewide program for protecting crops from destruction by wild animals, cut deer license fees in half for kids under 16, increased the minimum length for legally taken muskies to 40 from 36 inches, and appropriated \$380,000 for other DNR programs. But the Senate didn't want the House's 11th hour amendments, and voted 33-31 to send the bill to conference committee hours before adjournment. Conferees never emerged with a bill. (SF2376\*/HF2544)

## No vets' home in Fergus

Rep. Bob Anderson's 10th attempt to bring a veterans' home to Fergus Falls failed once again. His district did, however, come away with a part of the \$13 million in state-authorized bonds for the Fergus Falls Regional Treatment Center. (HF1903)

## Licensing nearly everyone

While chemical dependency counselors and interior designers made the cut, many other occupational licensing bills found the House Governmental Operations Committee their final resting place. Government Structures Division Chair Rep. Rich O'Connor (DFL-St. Paul) calculated that one of every two Minnesotans would be a "licensed" professional had they all passed. Some who didn't make it included locksmiths, keymakers, radiologic technicians, and crane operators.

## Licensure commission

A move to establish a legislative commission to review licensing proposals and make recommendations to the Legislature cleared policy committees in both bodies, but later died. (HF2298)

## Tax-free llamas

After Rep. Ted Winter (DFL-Fulda) left a Taxes Committee meeting, another member presented his bill for him, which would have exempted the sale of llamas from the state sales tax. Llama raising is big business in some areas of southwestern Minnesota. After some debate, Winter's proposal failed on a 14-15 vote. (HF2409)

## Capital punishment

Attempts to reinstate the death penalty, gone from state law since 1911, failed repeatedly. The Senate Judiciary Committee voted it down 16-3. The House voted down an amendment offered by Rep. Sylvester Uphus (IR-Sauk Centre) to the omnibus anti-crime bill on a 108-25 vote.

## Constitutional amendments

All proposed constitutional amendments, including (but not limited to) ones to impose term limits on elected officials, to lower the voting age to 16, and to create a unicameral legislature, all failed to gain approval.

## Swing your partner

A move to declare the square dance the official state dance cleared the Senate, but House members graciously declined to join in. (HF2251)



## Flag desecration

A move to pass a resolution asking Congress to offer a proposed constitutional amendment prohibiting desecration of the U.S. flag passed the Senate with some controversy, but died in the House. A procedural move by Rep. Steve Sviggum (IR-Kenyon) to bring the bill up for immediate consideration was ruled out of order by Speaker Dee Long (DFL-Mpls). (HF176)

## Merging environmental agencies

A proposal to merge several of the state's environmental delivery and regulation offices and eliminate a number of state boards won approval from a pair of House committees, and then stalled. (HF2564)

## An army of task forces

An effort to establish a violence against women task force was stripped of its \$50,000 appropriation late in the session. Likewise, funding for the Legislative Commission on Children, Youth and their Families was eliminated for the second straight year. Other proposed task forces declared dead when session ended included ones concerning cable communications, medical waste management, ReLeaf (relating to trees and planting), and credit unions.

## Faith healing stays health care

A move to eliminate the current exemption for 'faith healing' in the state's child endangerment and neglect statutes was scrapped (HF442), as was a 'compromise' plan to establish a health-care mediator position within the Department of Health to assist those organizations with non-traditional health care practices. (HF1982)

## (I know) who's calling

The House voted to authorize phone companies to sell consumers a product that would display the phone number of the person calling — before you picked up the phone. The bill also would have cleared the way for a blocking service to stop anyone with such an ID service from knowing who's placing the call. The measure, however, stalled in the Senate. (HF2505)

### Raising speed limits

A move by Rep. Bob Vanasek (DFL-New Prague) to hike the speed limit along the stretch of I-35E from downtown St. Paul south to the Mississippi River from 45 to 55 miles per hour was spiked by Rep. Rick Krueger (DFL-Staples), who at the time was presiding over the House as Speaker pro tem. Vanasek was trying to tack the controversial proposal onto another bill, but was ruled out of order by Krueger.



### Pets for the elderly

A move to allow those over 62 whose rent is partially subsidized to have a spayed or neutered dog or cat, (or two birds) cleared the House Housing Committee March 2, and then stalled. (HF123)

### Acupuncturist's licensure plan popped

Intensive lobbying efforts on the part of acupuncturists, including free demonstrations for lawmakers and staff, failed to garner licensure for the occupation. (HF1357)

### Birth information for adoptees

A move to eliminate the current practice of notifying a birth parent when an adult adopted child wants to receive his/her birth certificate drew heated debate on both sides of the issue. The measure would have called for birth parents to file a "refusal to disclose" notice. If they didn't, the birth certificate could simply be released. Birth parents argued for privacy while adoptees wanted to answer "Who am I?" The measure passed a House subcommittee, and then stalled. (HF1702)



### Safety on the slopes

A measure to better enforce "skier conduct codes" by giving them the force of law crashed into a great big tree in the House Judiciary Committee. The measure earlier passed the Commerce Committee, however. (HF2822)



### Cloth diaper option nixed

Child care centers would have been required to offer cloth diapers — in addition to disposables — for kids, but the proposal stalled in both the House and Senate. (HF1992)

### Taste of (just) Minnesota

A move to highlight Minnesota products at the annual Taste of Minnesota festival passed the House, but stalled in the Senate. The bill called for "Minnesota-only" grown, produced and prepared products to be served at the event. Anything made by a Minnesota restaurant qualified, and Minnesota-bottled pop qualified, too. Proponents argued the event should "showcase Minnesota products," and shouldn't be a "corporate sponsorship." The Senate never voted on the bill. (HF2108) Another similar measure that would have required bars at Minneapolis-St. Paul International Airport to sell only Minnesota-produced beer also stalled. (HF2074)

### Gas tax stalls

A proposal to raise gasoline taxes up to 5 cents per gallon to finance highway construction and mass transit sputtered and died in the final week of the 1992 Session.

As proposed in House legislation, it would have raised gasoline taxes 2 cents per gallon and would have extended a 2.6 percent sales tax on gas purchases. Supporters said the tax hike was needed to generate enough state money to match federal matching funds for highway construction. (HF2605)

### Super majority for tax bills

A move to raise the margin by which tax bills must be approved was scrapped by the House Rules and Legislative Administration Committee. The proposal would have called for 60 percent of members, or 81 House votes, to approve any tax bill. That's up 13 votes from the current majority rule of 68 needed for passage. Proponents said it would guarantee that tax bills pass with a greater "consensus."

### No street user fees

Lawmakers apparently want to think a while longer before considering to impose user fees to pay for municipal road projects. A bill that would have allowed cities to collect regular fees from property owners based on the amount of traffic the property generates was referred to a subcommittee for further study. Road user fees have been gaining acceptance in several other states as an alternative to street assessments for generating local construction and maintenance funds. (HF1709)

### Paycheck envy

A move to hold county commissioner salaries to those equal to or less than what state lawmakers earn was deleted from this year's omnibus appropriations bill. Legislators will take home about \$29,700 before taxes this year, while commissioners in the state's larger county governments — such as Hennepin and Ramsey — can earn nearly \$70,000 a year. (HF2694)



### Go home

A proposal to extend to 3 a.m. the time bars and restaurants legally can serve alcohol did not receive a hearing this year. The measure easily passed out of the Regulated Industries Committee early in the 1991 Session, but was forced to dry out on the General Orders Calendar for the rest of the year. It returned to its committee of origin when lawmakers returned to work in January, but never was voted on. (HF353)

### Working papers

A measure that would have barred lawmakers from using "working papers" to make appropriations more difficult for the governor to line-item veto was idled by committee inactivity. After the 1991 Session adjourned, Gov. Arne Carlson and DFL legislative leaders sparred over whether Carlson's veto authority extended to working papers — detailed lists compiled by appropriations divisions specifying how they want state money spent. The dispute eventually wound up in court and lawmakers this year generally steered cleared

of using the documents in their appropriations bills.

A separate provision in the package also would have blocked the Legislature from using the state reserve account to help close budget shortfalls. (HF1987)

### The merger moves ahead

The House gave the Senate three opportunities to repeal the merger of three of the public higher education systems. But the Senate didn't take action on any of them. On the session's last day, the House emphasized its opposition to the merger of the community college, technical college, and state university system by approving a bill to repeal it on a 123-5 vote. (HF2042)

### Tuition doubled?

College students and their families — provided they weren't eligible for financial aid — can breathe a sigh of relief. A proposal to double public college tuition didn't pass. The proposal would have essentially reversed the way the state funds higher education, requiring students to pay two-thirds of education costs. The money saved by the state would have been used to increase financial aid and to improve programs. The idea was heard in February, opposed, and scrapped. (HF1597)

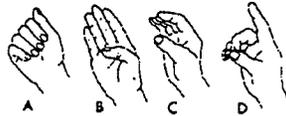
### Waseca campus opens — NOT

Last ditch efforts to keep the University of Minnesota-Waseca campus within the public higher education system were not successful. Instead, the campus will close.

The House Education Committee passed two bills which would have made Waseca an agricultural center, but both died in the Appropriations Committee. (HF2606, HF2785)

### EdVest

A proposal to allow parents to invest their state tax refunds directly into U.S. savings bonds so they could be used later for college was dropped from the omnibus appropriations bill during conference committee negotiations. The plan originated with the governor's office, which had hoped to create a mechanism for supplementing the funds saved by the parents.



### American Sign Language

Advocates of American Sign Language (ASL) successfully quashed a proposal to delay a requirement that teachers of the hearing impaired demonstrate their proficiency in ASL by July 1, 1995. The proposal, contained within the omnibus education finance bill, would have delayed the requirement for a year. (HF2121)

### Team names

A provision preventing the State Board of Education from making rules that would prevent school teams from using American Indian names and symbols was deleted by omnibus education finance bill conferees. Marsha Gronseth, executive director of the State Board of Education, said the board doesn't have any intention of adopting a policy prohibiting the use of Indian names. But the board does encourage schools to eliminate them or to develop multi-cultural education programs to prevent any racist uses. (HF2121)

### Pop tax

The Senate's so called "pop tax" proposal was deleted from the omnibus education finance bill during conference committee negotiation. Revenues from the new tax on soft drinks would have been used to fund learning readiness and violence prevention programs. (HF2121)



### Nice TV

A resolution calling on network broadcasters to reduce the amount of sex and violence they air was approved by a committee, but never reached the House floor. (HF2944)

### Cable fees

Gone for another year is a proposal to limit cable TV companies on the amount they can charge customers for late payments. It would have held delinquent charges to 1.5 percent of the outstanding bill per month. The measure cleared the House Commerce Committee, but a Senate companion never was heard in committee. (HF2876)

### Penny wise

A pair of resolutions calling on the U.S. Congress to adopt a balanced budget in the future died this year in the House. (HF3003, HF3017)



### Take off, eh

A bill that would have allowed the Department of Natural Resources to sell complete sets of past year duck stamps and use the proceeds to purchase waterfowl habitat in Canada failed to gain approval. It flew out of a pair of House committees but got lost in the flock of other bills also seeking passage in the session's final week. (HF2718)

### No recreation in Cuyuna country

A plan calling for the establishment of the Cuyuna Recreation Area — a site toured by lawmakers last fall as part of the Brainerd Lakes/Cuyuna Country Mini-Session — stalled in both the House and the Senate. (HF2502)

### Aquafarm regulation eased

A proposal that would have weakened the Minnesota Pollution Control Agency's ability to regulate aquafarms in Chisholm's abandoned mining pits stalled, and died. (HF2832)

# Summary

## A glance at the 1992 Session

Exactly 2,537 bills were introduced this legislative session — 1,329 by the House and 1,208 by the Senate. Of those, with a few exceptions that carried over from last year, 246 were passed by both bodies during the 1992 Session and sent to the governor.

So what happened to the other 2,292? Some were folded into other bills, but most are dead, gone from the legislative process unless they are re-introduced next year. The biennium has ended, and bills do not carry over from one biennium to the next.

And the 246 sent to the governor? He vetoed 16 of them (six vetoes, eight pocket vetoes, and two line item vetoes). Here's a brief description of the governor's veto powers during an even-numbered legislative year — the final year of a biennium. The governor can:

- sign the bill and it will become law;
- veto the bill;
- line item veto individual items within an appropriations bill; or
- do nothing, which at the end of the biennium results in a pocket veto.

The timing of these actions is as important as the actions themselves.

If a bill that was passed by the Legislature and presented to the governor before the final three days of the session, the bill will become law unless the governor vetoes it by returning it to the Legislature within three days. The governor normally signs the bills and files them with the secretary of state, but his signature is not required.

But if a bill is passed during the last three days of the session, the governor has a longer time to act on it. He/she must sign and deposit it with the secretary of state within 14 days of adjournment or the bill will not become law. Inaction by the governor results in a "pocket veto," and the governor is not required to provide a reason for the veto.

Only on appropriations bills can the governor exercise the line-item veto authority. This option allows the governor to eliminate the appropriation items to which he/she objects. As with all vetoes, the governor must include a statement listing the reasons for the veto with the returned bill. Here, too, the timetable is either 14 days after adjournment for bills passed during the final three days of the session, or within three days after the governor receives the bill at any other time.

A two-thirds vote of the members in each house is needed to override a veto. But because only the governor can call a special session of the Legislature, anything vetoed after the Legislature adjourns is history — at least until next year.

If you have any questions, call or write the House Public Information Office, 175 State Office Building, St. Paul, Minn., 55155; (612) 296-2146, 1-800-657-3550.

## Key to Summary

• **Enactment date** — The date the governor signed the bill into law.

• **Veto** — The governor did not approve the bill.

• **Pocket veto** — The governor did not act on the bill within the constitutional time limit, thus preventing it from becoming law.

• **Line item veto** — The governor signed the bill, but vetoed certain sections to which he objected.

• \* — An asterisk marks the version of the bill the House and Senate approved and passed on to the governor.

• **Effective date** — Each act takes effect at 12:01 a.m. on the day it becomes effective, unless the act specifies a different time.

• **Aug. 1, 1992** — Each act the governor signs into law, except for those that make appropriations, take effect on August 1 following its final enactment, unless the act specifies a different date.

• **July 1, 1992** — An appropriations act, or an act having appropriations items, takes effect at the beginning of the first day of July following its final enactment, unless the act specifies a different date.

• **Upon local approval** — A special law requiring approval from the local government unit it affects becomes effective the day after the local governing body files a certificate with the secretary of state, unless the act specifies a later date.

• **Various dates** — Different articles or sections of the act have different effective dates which are cited at the end of each article.

• **With exceptions** — An act is effective, for the most part, on one particular date, but there are some minor exceptions.

• **With qualifications** — The act adds conditions to the effective date.

• **Retroactive** — The act or parts of the act go into effect as of a specified date in the past.

*Editor's note: All 246 bills the Legislature passed are included in the Summary section. Each entry includes a short title, House and Senate File numbers, chief authors, chapter number, the official title with statutory citations, an enactment date, and an effective date. Each law or bill is listed under the committee of origin, or the committee to which it was first referred, then numerically according to House File number.*

*The discussion on page 50 centers on the governor's options in considering the bills that were passed by both the House and the Senate.*

*Also, a key to references that appear in each entry precedes this section.*



## Agriculture

### Farm products— central filing system established

HF769\* (Krueger)

SF850 (Beckman)

**Chapter 525:** relates to agriculture; increases the surcharge on Uniform Commercial Code filings and searches; provides for a central computerized filing system for effective financing statements and farm products statutory lien notices; appropriates money; amends *Minnesota Statutes 1991 Supplement*, section 336.9-413; proposes coding for new law as *Minnesota Statutes*, chapter 336A; repeals *Minnesota Statutes 1990*, sections 223A.02; 223A.03; 223A.04; 223A.05; 223A.06; and 223A.07.  
**Enactment:** April 27, 1992

**Effective:** April 28, 1992, with qualifications

### Noxious weed law adopted

HF829 (Bertram)

SF512\* (Berg)

**Chapter 500:** relates to agriculture; regulates noxious weeds; changes eligibility for agricultural chemical response compensation; imposes penalties; amends *Minnesota Statutes 1990*, section 18E.02, subdivision 5; proposes coding for new law in *Minnesota Statutes*, chapter 18; repeals *Minnesota Statutes 1990*, sections 18.171 to 18.189;

18.192; 18.201; 18.211 to 18.315; and 18.321 to 18.323; *Minnesota Statutes 1991 Supplement*, section 18.191.

**Enactment:** April 23, 1992

**Effective:** Jan. 1, 1993

### Animals allowed to eat nonmeat by-products of food processing

HF1391 (Girard)

SF1300\* (Beckman)

**Chapter 381:** relates to agriculture; allows exemption of certain garbage from requirements for feeding to livestock or poultry; provides for certain farm loans; regulates excavations; regulates livestock tests; amends *Minnesota Statutes 1990*, sections 35.73, subdivision 4; 41.55; 41.57, subdivision 3; 41B.036; 41B.039; and 216D.01, subdivision 5; proposes coding for new law in *Minnesota Statutes*, chapter 35.

**Enactment:** April 1, 1992

**Effective:** Aug. 1, 1992

### Cattle testing—brucellosis, anaplasmosis

HF1827\* (Dille)

SF1681 (DeCramer)

**Chapter 433:** relates to livestock diseases; modifies requirements for certain tests; amends *Minnesota Statutes 1990*, sections 35.245, subdivisions 1 and 2; and 35.251; proposes coding for new law in *Minnesota Statutes*, chapter 35; repeals *Minnesota Statutes 1990*, section 35.245, subdivision 1a.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

### Seed potato growing area— counties added

HF2125 (Tunheim)

SF2069\* (Stumpf)

**Chapter 397:** relates to agriculture; by adding Roseau and Koochiching counties to the restricted seed potato growing area; amends *Minnesota Statutes 1990*, section 21.1196, subdivision 1.

**Enactment:** April 3, 1992

**Effective:** April 4, 1992

### Agricultural business enterprise—defined

HF2633 (Winter)

SF2257\* (Sams)

**Chapter 532:** relates to agricultural development; changes certain loan participation limits; redefines "agricultural business enterprise" and "farming" for purposes of

the Minnesota agricultural development act; amends *Minnesota Statutes 1990*, sections 41B.039, subdivision 2; and 41B.042, subdivision 4; *Minnesota Statutes 1991 Supplement*, section 41C.02, subdivisions 2 and 10.

**Enactment:** April 27, 1992

**Effective:** various dates

### Boilers, mint oil extraction—considered agricultural

HF2640\* (Uphus)

SF2408 (Johnson, D.E.)

**Chapter 436:** relates to occupations and professions; elevators and boilers; provides that boilers used for mint oil extraction are considered to be used for agricultural or horticultural purposes; amends *Minnesota Statutes 1991 Supplement*, section 183.56.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

### Minimum class I milk price established

HF2733 (Wenzel)

SF2728\* (Sams)

**Chapter 489:** relates to agriculture; establishes a state over-order premium milk price for dairy farmers for certain milk; proposes coding for new law in *Minnesota Statutes*, chapter 32A.

**Enactment:** April 20, 1992

**Effective:** Aug. 1, 1992, with exceptions

### Ag improvement loan program for Grade B producers established

HF2734\* (Bauerly)

SF2710 (Sams)

**Chapter 602:** relates to agriculture; provides for establishment of an agricultural improvement loan program for grade B dairy producers; appropriates money and authorizes the issuance of state bonds to fund the program; changes provisions concerning adulterated dairy products; exempts persons who sell nuts from certain licensing requirements; by adding a member to a board; changes family farm security loan payment provisions; establishes an over-order premium milk price; requires rules and a report; appropriates money for agricultural information centers; amends *Minnesota Statutes 1990*, sections 28A.15, subdivisions 7 and 8; 32.21; 41.56, subdivision 3; 41.57, by adding subdivisions; 41B.02, by adding a subdivision; 116J.9673, subdivisions 2 and 7;

proposes coding for new law in *Minnesota Statutes*, chapters 32A; and 41B; repeals 1992 S.F. No. 2728, if enacted.

**Enactment:** April 29, 1992

**Effective:** various dates

### Minnesota wild rice labeling, reporting modified

HF2804\* (Olson, E.)

SF2572 (Lessard)

**Chapter 521:** relates to agriculture; requires labels for packaged wild rice offered for wholesale or retail sale in Minnesota to customers or consumers in Minnesota to include the place of origin and the method of harvesting; eliminates annual reporting requirements and modifies record keeping requirements; amends *Minnesota Statutes 1990*, section 30.49, subdivisions 1, 2, 3, and by adding subdivisions.

**Enactment:** April 24, 1992

**Effective:** Aug. 1, 1992; Jan. 1, 1993

### Pesticide registration application

HF2853 (Cooper)

SF2028\* (Morse)

**Chapter 439:** relates to agriculture; changes requirements for pesticide registration applications; amends *Minnesota Statutes 1990*, section 18B.26, subdivision 2.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992



## Appropriations

### University of Minnesota—system specials restored

HF1740 (Carlson)

SF1621\* (Stumpf)

**Chapter 360:** relates to education; University of Minnesota; appropriates money for the institute of technology and system specials.

**Enactment:** Jan. 17, 1992

**Effective:** July 1, 1992

### Municipal litigation—pilot project loans forgiven

HF1838\* (Cooper)

SF1894 (Bernhagen)

**Chapter 531:** would have forgiven advances and loans made under a pilot litigation loan project relating to wastewater treatment.

**Pocket vetoed**

### Bonding—

#### statewide capital projects funded

HF1903\* (Simoneau)

SFnone (Merriam)

**Chapter 558:** relates to public administration; authorizes spending to acquire and to better public land and buildings and other public improvements of a capital nature with certain conditions; authorizes issuance of bonds; authorizes assessments for debt service; appropriates money, with certain conditions; amends *Minnesota Statutes 1990*, sections 16B.24, subdivision 2; 16B.30; 16B.31, subdivision 1; and 136C.05, subdivision 5; *Minnesota Statutes 1991 Supplement*, sections 124.479; proposes coding for new law in *Minnesota Statutes*, chapters 16A; and 136; repeals *Minnesota Statutes 1990*, sections 136.03, subdivision 2.

**Enactment:** April 29, 1992

**Line item vetoes:** 2 (See page 46)

**Effective:** April 30, 1992

### Worthington—community college allowed to transfer funds for LRC

HF2010 (Winter)

SF1854\* (Vickerman)

**Chapter 498:** relates to appropriations; clarifies the purposes for which a certain appropriation may be spent at Worthington Community College.

**Enactment:** April 20, 1992

**Effective:** April 21, 1992

### Appropriations—omnibus bill

HF2694\* (Greenfield)

SF1945 (Merriam)

**Chapter 513:** relates to the organization and operation of state government; provides for programs relating to higher education; environment and natural resources; agriculture, transportation, semi-state, and regulatory agencies; economic and state affairs; health and human services; pro-

vides for regulation of certain activities and practices; makes fund and account transfers; provides for fees; makes grants; appropriates money and reduces earlier appropriations with certain conditions; amends *Minnesota Statutes 1990*, sections 3.21; 3.305; 3.736, subdivision 8; 5.09; 5.14; 10A.31, subdivision 4; 15.0597, subdivision 4; 16A.45, by adding a subdivision; 16A.48, subdivision 1; 16B.85, subdivision 5; 17.03, by adding subdivisions; 18B.26, subdivision 3; 43A.191, subdivision 2; 44A.0311; 60A.1701, subdivision 5; 72B.04, subdivision 10; 80A.28, subdivision 2; 82.21, subdivision 1; 82B.09, subdivision 1; 85A.04, subdivision 1; 89.035; 89.37, by adding a subdivision; 115D.04, subdivision 2; 116J.9673, subdivision 4; 116P.11; 136.60, by adding a subdivision; 136A.1354, subdivision 4; 136A.29, subdivision 9; 138.56, by adding a subdivision; 138.763, subdivision 1; 138.766; 141.21, by adding a subdivision; 144.122; 144.123, subdivision 2; 144A.071, subdivision 2; 144A.073, subdivisions 3, 3a, and 5; 144A.43, subdivisions 3 and 4; 144A.46, subdivision 5; 144A.51, subdivisions 4 and 6; 144A.52, subdivisions 3 and 4; 144A.53, subdivisions 2, 3, and 4; 144A.54, subdivision 1; 147.01, by adding a subdivision; 151.06, subdivision 1, and by adding a subdivision; 169.01, subdivision 55; 169.965, by adding a subdivision; 176.104, subdivision 2, and by adding subdivisions; 176.129, subdivisions 1 and 11; 176.183, subdivision 1; 182.666, subdivision 7; 204B.11, subdivision 1; 204B.27, subdivision 2; 204D.11, subdivisions 1 and 2; 237.701, subdivision 1; 240.14, subdivision 3; 245A.02, by adding subdivisions; 245A.07, subdivisions 2 and 3; 245A.11; 245A.13, subdivision 4; 252.025, subdivision 4; 254A.03, subdivision 2; 254B.06, subdivision 3; 256.12, by adding a subdivision; 256.81; 256.9655; 256.9695, subdivision 3; 256B.02, by adding subdivisions; 256B.035; 256B.056, subdivisions 1a, 2, 3, 5, and by adding a subdivision; 256B.057, by adding a subdivision; 256B.059, subdivisions 2 and 5; 256B.0595, subdivision 1; 256B.0625, by adding subdivisions; 256B.064, by adding a subdivision; 256B.092, by adding a subdivision; 256B.14, subdivision 2; 256B.15, subdivisions 1 and 2; 256B.19, by adding

a subdivision; 256B.36; 256B.41, subdivisions 1 and 2; 256B.421, subdivision 1, and by adding a subdivision; 256B.431, subdivisions 2i, 4, and by adding subdivisions; 256B.432, by adding a subdivision; 256B.433, subdivisions 1, 2, and 3; 256B.48, subdivisions 1b, 2, 3, 4, and by adding subdivisions; 256B.495, subdivisions 1, 2, and by adding subdivisions; 256B.50, subdivisions 1b and 2; 256B.501, subdivision 3c, and by adding subdivisions; 256C.28, subdivisions 2 and 3; 256D.02, subdivision 8, and by adding subdivisions; 256D.03, by adding a subdivision; 256D.051, by adding a subdivision; 256D.06, subdivision 5, and by adding a subdivision; 256D.35, subdivision 11; 256D.54, subdivision 3; 256E.14; 256H.01, subdivision 9, and by adding a subdivision; 256H.10, subdivision 1; 256I.01; 256I.02; 256I.03, subdivisions 2 and 3; 256I.04, as amended; 256I.05, subdivisions 1, 3, 6, 8, 9, and by adding a subdivision; 256I.06; 270.063; 270.71; 298.221; 299E.01, subdivision 1; 299F.011, subdivision 4a; 340A.301, subdivision 6; 340A.302, subdivision 3; 340A.315, subdivision 1; 340A.317, subdivision 2; 340A.408, subdivision 4; 345.32; 345.33; 345.34; 345.35; 345.36; 345.37; 345.38; 345.39; 345.42, subdivision 3; 349.161, subdivision 4; 349.163, subdivision 2; 352.04, subdivisions 2 and 3; 353.27, subdivision 13; 356.65, subdivision 1; 357.021, subdivision 1a; 357.18, by adding a subdivision; 359.01, subdivision 3; 363.071, by adding a subdivision; 363.14, subdivisions 2 and 3; 466.06; 490.123, by adding a subdivision; 514.67; 518.551, subdivisions 7 and 10; 609.131, by adding a subdivision; 609.5315, by adding a subdivision; 611.27, by adding a subdivisions; and 626.861, subdivision 3; *Minnesota Statutes 1991 Supplement*, sections 16A.45, subdivision 1; 16A.723, subdivision 2; 17.63; 28A.08; 41A.09, subdivision 3; 60A.14, subdivision 1; 84.0855; 89.37, subdivision 4; 121.936, subdivision 1; 135A.03, subdivisions 1a and 7; 136A.101, subdivision 8; 136A.121, subdivision 6; 136A.1353, subdivision 4; 144.50, subdivision 6; 144A.071, subdivision 3; 144A.31, subdivision 2a; 144A.46, subdivisions 1 and 2; 144A.49; 144A.51, subdivision 5; 144A.53, subdivision 1; 144A.61, subdivisions 3a and 6a; 144B.01, subdivisions 5, 6, and by adding a subdivi-

vision; 144B.10, subdivision 2; 147.03; 148.91, subdivision 3; 148.921, subdivision 2; 148.925, subdivisions 1, 2, and by adding a subdivision; 168.129, subdivisions 1 and 2; 182.666, subdivision 2; 240.13, subdivisions 5 and 6; 240.15, subdivision 6; 240.18, by adding a subdivision; 245A.03, subdivision 2; 245A.04, subdivision 3; 245A.16, subdivision 1; 251.011, subdivision 3; 252.28, subdivision 1; 252.46, subdivision 3; 252.50, subdivision 2; 254B.04, subdivision 1; 256.031, subdivision 3; 256.033, subdivisions 1, 2, 3, and 5; 256.034, subdivision 3; 256.035, subdivision 1; 256.0361, subdivision 2; 256.035, subdivision 1; 256.935, subdivision 1; 256.9656; 256.9657, subdivisions 1, 2, 3, 4, 7, and by adding a subdivision; 256.9685, subdivision 1; 256.969, subdivisions 1, 2, 9, 20, and 21; 256.9751, subdivisions 1 and 6; 256.98, subdivision 8; 256B.0625, subdivisions 2, 13, and 17; 256B.0627, subdivision 5, as amended; 256B.064, subdivision 2; 256B.0911, subdivisions 3, 8, and by adding a subdivision; 256B.0913, subdivisions 4, 5, 8, 11, 12, and 14; 256B.0915, subdivision 3, and by adding subdivisions; 256B.0917, subdivisions 2, 3, 4, 5, 6, 7, 8, and 11; 256B.0919, subdivision 1; 256B.092, subdivisions 4 and 7; 256B.093, subdivisions 1, 2, and 3; 256B.431, subdivisions 2l, 2m, 2o, and 3f; 256B.49, subdivision 4; 256B.74, subdivisions 1 and 3; 256D.03, subdivisions 3 and 4; 256D.05, subdivision 1; 256D.051, subdivision 1; 256H.03, subdivisions 4 and 6; 256H.05, subdivision 1b, and by adding a subdivision; 256I.05, subdivisions 1a, 1b, 2, and 10; 261.035; 340A.311; 340A.316; 340A.504, subdivision 3; 349A.10, subdivision 3; 357.021, subdivision 2; 508.82; 508A.82; 611.27, subdivision 7; 626.861, subdivisions 1 and 4; *Laws 1987*, chapter 396, article 12, section 6, subdivision 2; *Laws 1991*, chapter 233, section 2, subdivision 2; *Laws 1991*, chapter 254, article 1, section 7, subdivision 5; and *Laws 1991*, chapter 356, articles 1, section 5, subdivision 4; 2, section 6, subdivision 3; and 6, section 4, by adding a subdivision; proposes coding for new law in *Minnesota Statutes*, chapter 4A; 16B; 44A; 84; 115B; 136C; 144; 144A; 149; 244; 245A; 246; 256; 256B; 256D; 256I; and 501B; repeals *Minnesota Statutes 1990*, sections 41A.051; 84.0885; 89.036; 136A.143; 136C.13, sub-

division 2; 141.21, subdivision 2; 144A.15, subdivision 6; 211A.04, subdivision 2; 245A.14, subdivision 5; 245A.17; 252.46, subdivision 15; 256B.056, subdivision 3a; 256B.495, subdivision 3; 256D.09, subdivision 3; 256I.05, subdivision 7; and 270.185; *Minnesota Statutes 1991 Supplement*, sections 97A.485, subdivision 1a; 135A.50; 144A.071, subdivision 3a; 256.9657, subdivision 5; 256.969, subdivision 7; 256B.74, subdivisions 8 and 9; 256I.05, subdivision 7a; 326.991; and *Laws 1991*, chapters 292, article 4, section 77; and 356, article 3, section 14.

**Enactment:** April 29, 1992

**Effective:** various dates

**Claims against state—funding provided**  
HF3020 (Steensma)

SF2781\* (Beckman)

**Chapter 541:** relates to claims against the state; provides for payment of various claims; appropriates money.

**Enactment:** April 27, 1992

**Effective:** July 1, 1992



## Commerce

**Interior designers—licensed, regulated**  
HF217\* (Carruthers)

SF394 (Flynn)

**Chapter 507:** relates to occupations and professions; requires the certification of interior designers; defines certified interior designer; provides for administration of certification requirements; changes the name of the board of architecture, engineering, land surveying, and landscape architecture; amends *Minnesota Statutes 1990*, sections 116J.70, subdivision 2a; 319A.02, subdivision 2; 326.02, subdivisions 1, 5, and by adding a subdivision; 326.03, subdivision 1; 326.031; 326.05; 326.06; 326.07; 326.08, subdivision 2; 326.09; 326.10, subdivisions 1, 2, and 2a; 326.11, subdivision 1; 326.12; 326.13; and 326.14; *Minnesota Statutes 1991 Supplement*, section 326.04.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

**Leased cars—****license needed for non-metro resale**

HF917\* (Pelowski)

SF1109 (Morse)

**Chapter 367:** relates to commerce; requires additional license for motor vehicle lessor, wholesaler, or auctioneer when establishing additional place of doing business in a second class city outside of the metropolitan area; amends *Minnesota Statutes 1990*, section 168.27, subdivision 10.

**Enactment:** March 20, 1992**Effective:** March 21, 1992**Investments—****advertising restrictions modified**

HF1416\* (Solberg)

SF1243 (Cohen)

**Chapter 427:** relates to commerce; modifies the regulation of interest rate advertising; amends *Minnesota Statutes 1990*, section 45.025, subdivisions 1 and 2; repeals *Minnesota Statutes 1990*, section 45.025, subdivision 7.

**Enactment:** April 9, 1992**Effective:** Aug. 1, 1992**UCC—negotiable instruments to conform with other regulations**

HF1892 (Farrell)

SF1644\* (Finn)

**Chapter 565:** relates to commerce; regulates negotiable instruments; adopts the revised article 3 of the Uniform Commercial Code with conforming amendments to articles 1 and 4 approved by the American Law Institute and the National Conference of Commissioners on Uniform State Laws; prohibits certain methods of authorizing electronic fund transfers from consumer accounts; amends *Minnesota Statutes 1990*, sections 336.1-201; 336.1-207; 336.4-101; 336.4-102; 336.4-103; 336.4-104; 336.4-105; 336.4-106; 336.4-107; 336.4-108; 336.4-201; 336.4-202; 336.4-203; 336.4-204; 336.4-205; 336.4-206; 336.4-207; 336.4-208; 336.4-209; 336.4-210; 336.4-211; 336.4-212; 336.4-213; 336.4-214; 336.4-301; 336.4-302; 336.4-303; 336.4-401; 336.4-402; 336.4-403; 336.4-404; 336.4-405; 336.4-406; 336.4-407; 336.4-501; 336.4-502; 336.4-503; 336.4-504; and 541.21; proposes coding for new law in *Minnesota Statutes*, chapter 336; repeals *Minnesota Statutes 1990*, sections 336.3-

101 to 336.3-805; and 336.4-109.

**Enactment:** April 24, 1992**Effective:** Aug. 1, 1992**Pet origin, disclosure required; penalties added**

HF2043 (Dawkins)

SF1841\* (Mondale)

**Chapter 585:** relates to commerce; consumer protection; regulates the sale of dogs and cats by pet dealers; prescribes penalties; provides remedies; proposes coding for new law in *Minnesota Statutes*, chapter 325F.

**Enactment:** April 29, 1992**Effective:** Dec. 1, 1992**Automobiles—****lienholders notified before sale**

HF2046\* (Bertram)

SF2437 (Bertram)

**Chapter 395:** relates to commerce; motor vehicle lienholders; requires notice to certain secured creditors before the vehicle is sold; amends *Minnesota Statutes 1990*, section 514.20.

**Enactment:** April 3, 1992**Effective:** Aug. 1, 1992**Motor vehicles—franchise termination payments regulated**

HF2096 (Farrell)

SF1801\* (Hottinger)

**Chapter 472:** relates to commerce; motor vehicle sale and distribution; regulates payments upon franchise termination, cancellation, or nonrenewal; amends *Minnesota Statutes 1990*, section 80E.09, subdivision 1.

**Enactment:** April 15, 1992**Effective:** Aug. 1, 1992**Currency exchanges—business limits created**

HF2106\* (Trimble)

SF1836 (Kelly)

**Chapter 504:** relates to financial institutions; currency exchanges; imposes distance limitations and operates restrictions; requires local approval of licenses; amends *Minnesota Statutes 1990*, sections 8.31, subdivision 1; 53A.02; 53A.03; 53A.04; 53A.05; and 53A.08; proposes codes for new law in *Minnesota Statutes*, chapter 53A;

repeals *Minnesota Statutes 1990*, section 53A.14.**Enactment:** April 23, 1992**Effective:** April 24, 1992**Legal—Nonprofit Corporation Act amended**

HF2402 (Pugh)

SF2088\* (Reichgott)

**Chapter 503:** relates to corporations; makes miscellaneous changes in provisions deals with the organization and operation of nonprofit corporations; amends *Minnesota Statutes 1990*, sections 309.52, subdivision 1; 317A.011, subdivision 14; 317A.111, subdivision 3; 317A.227; 317A.251, subdivision 3; 317A.255, subdivisions 1, 2, and by adding a subdivision; 317A.341, subdivision 2; 317A.431, subdivision 2; 317A.447; 317A.461; 317A.751, subdivision 3; 317A.821, subdivision 3; and 317A.827, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, sections 317A.821, subdivision 2; 317A.823; and 317A.827, subdivision 1.

**Enactment:** April 23, 1992**Effective:** Aug. 1, 1992**Corporate registration procedures modified**

HF2551\* (Rest)

SF2413 (Reichgott)

**Chapter 477:** relates to corporations; regulates registrations of domestic corporations with the secretary of state; amends *Minnesota Statutes 1990*, section 302A.821, as amended.

**Enactment:** April 17, 1992**Effective:** retroactive to Sept. 1, 1991**Probate code—****"successor" definition modified**

HF2572\* (McEachern)

SF2309 (Solon)

**Chapter 423:** relates to probate; alters the definition of successors; amends *Minnesota Statutes 1990*, sections 353A.02, subdivision 21; 524.1-201; 524.3-303; and 524.3-308.

**Enactment:** April 8, 1992**Effective:** Aug. 1, 1992

**Credit card companies required to file state treasurer reports**

HF2608\* (O'Connor)

SF1649 (Solon)

**Chapter 552:** relates to consumer protection; requires certain creditors to file credit card disclosure reports with the state treasurer; provides rulemaking authority; proposes coding for new law in *Minnesota Statutes*, chapter 325G.

Enactment: April 27, 1992

Effective: July 31, 1992

**State boards—accountancy granted disciplinary authority**

HF2813 (Milbert)

SF2746\* (Luther)

**Chapter 542:** relates to occupations and professions; board of accountancy; establishes procedures for the board to carry out disciplinary proceedings; provides penalties; amends *Minnesota Statutes 1990*, section 326.211, subdivision 9; proposes codes for new law in *Minnesota Statutes*, chapter 326; repeals *Minnesota Statutes 1990*, sections 326.23; and 326.231.

Enactment: April 27, 1992

Effective: Aug. 1, 1992

**Tobacco purchases by minors—penalties added**

HF2904 (O'Connor)

SF2475\* (Beckman)

**Chapter 588:** relates to commerce; by adding a penalty for the purchase of or an attempt to purchase tobacco by a child; amends *Minnesota Statutes 1990*, section 609.685, subdivision 3.

Enactment: April 27, 1992

Effective: Aug. 1, 1992

**Real estate fraud—compensating victims**

HF2950 (Dawkins)

SF2662\* (Pappas)

**Chapter 555:** relates to commerce; regulates real estate brokers and salespersons and the real estate, education, research, and recovery fund; temporarily changes the interest rate required on a rental deposit; amends *Minnesota Statutes 1990*, sections 82.19, by adding a subdivision; and 82.34, subdivisions 3, 4, 7, 9, 11, 13, and 14; 504.20, subdivision 2; *Minnesota Statutes 1991 Supplement*, section 82.22, subdivision 13; proposes coding for new law in *Minnesota Statutes*, chapter 80A; repeals

*Minnesota Statutes 1990*, section 82.34, subdivision 20.

Enactment: April 27, 1992

Effective: April 28, 1992

**Economic Development****St. Paul—housing, redevelopment program created**

HF1249\* (Hausman)

SF1172 (Kelly)

**Chapter 407:** relates to the city of St. Paul; provides certain economic development authority.

Enactment: April 7, 1992

Effective: upon local approval

**Detroit Lakes—agricultural industrial facilities funding established**

HF1795 (Thompson)

SF1648\* (Moe, R.D.)

**Chapter 543:** relates to the agricultural economy; authorizes the commissioner of finance to issue obligations to assist in the use of agricultural-industrial facilities in the city of Detroit Lakes.

Enactment: April 29, 1992

Effective: Aug. 1, 1992

**Minneapolis small business loans—cap removed**

HF1862\* (Jefferson)

SF1721 (Kroening)

**Chapter 412:** relates to the city of Minneapolis; extends authority to guarantee certain loans; eliminates community resource funding for way to grow program; amends *Laws 1988*, chapter 594, section 6; repeals *Minnesota Statutes 1990*, section 466A.06, subdivision 2.

Enactment: April 7, 1992

Effective: Aug. 1, 1992, with exceptions

**Proposed legislation—effect on state technology policy**

HF2189 (Simoneau)

SF2380\* (Neuville)

**Chapter 467:** relates to the legislature; requires committees and commissions of

the legislature to consider the effect of proposed legislation on the state's science and technology policy; proposes coding for new law in *Minnesota Statutes*, chapter 3.

Enactment: April 17, 1992

Effective: Aug. 1, 1992

**St. Paul tourism district—reorganization**

HF2586\* (Trimble)

SF2323 (Cohen)

**Chapter 550:** provides for a study of the civic and cultural functions of downtown Saint Paul.

Enactment: April 24, 1992

Effective: April 25, 1992

**Mille Lacs preservation and development board established**

HF2878 (Munger)

SF2499\* (Davis)

**Chapter 536:** relates to economic development; authorizes the establishment of the Mille Lacs preservation and development board; proposes coding for new law in *Minnesota Statutes*, chapter 103F.

Enactment: April 27, 1992

Effective: upon local approval

**Education****Liquor sales allowed near school at Mall of America**

HF1969\* (Blatz)

SF2175 (Belanger)

**Chapter 411:** relates to alcoholic beverages; prohibits the city of Bloomington from prohibiting certain retail sales of alcoholic beverages.

Enactment: April 7, 1992

Effective: upon local approval

**Volunteer services—federal grant proposal**

HF2002\* (Orenstein)

SF1908 (Marty)

**Chapter 369:** relates to community service; directs the Minnesota office on volunteer services to prepare a federal grant proposal.

**Enactment:** March 20, 1992  
**Effective:** March 21, 1992

### Technical college board authorized to contract for housing services

HF2013 (Sparby)  
 SF1991\* (Stumpf)

**Chapter 398:** relates to education; authorizes a technical college to contract to provide services; proposes coding for new law in *Minnesota Statutes*, chapter 136C.

**Enactment:** April 3, 1992  
**Effective:** Aug. 1, 1992

### Tobacco use prohibited at public schools

HF2093 (Hasskamp)  
 SF1898\* (Dahl)

**Chapter 576:** relates to clean indoor air; prohibits the use of all tobacco products in public elementary and secondary schools; removes a provision allowing certain persons to smoke in health care facilities; amends *Minnesota Statutes 1990*, sections 144.413, subdivision 2; 144.414, subdivision 3; and 144.417, subdivisions 2 and 3; proposes coding for new law in *Minnesota Statutes*, chapter 144.

**Enactment:** April 29, 1992  
**Effective:** Aug. 15, 1993

### Education Finance—omnibus bill

HF2121\* (Nelson, K.)  
 SF2326 (Dicklich)

**Chapter 499:** relates to education; provides for general education revenue, transportation, special programs, community services, facilities and equipment, education organization and cooperation, other aids and levies, other education programs, miscellaneous education matters, libraries, state education agencies; imposes a tax; modifies appropriations; appropriates money; amends *Minnesota Statutes 1990*, sections 120.17, subdivisions 2, 3a, 8a, 16, and by adding a subdivision; 121.148, subdivision 3; 121.16, subdivision 1; 121.935, and by adding a subdivision; 122.23, subdivisions 12, 13, 13a, and 16; 122.241, subdivision 3; 122.247, subdivision 1; 122.531, subdivisions 1a, 2, 2a, 2b, 2c, and by adding subdivisions; 122.532, subdivision 2; 123.33, subdivision 7; 123.35, by adding a subdivision; 123.3514, subdivisions 6, as amended, as reenacted, 6b, as amended, as reenacted, and by add-

ing subdivisions; 123.39, subdivision 8d; 123.58, by adding a subdivision; 123.744, as amended, as reenacted; 124.155, subdivision 1; 124.243, subdivisions 2, 6, and by adding a subdivision; 124.244, subdivision 1; 124.2725, subdivisions 13 and 14; 124.331, subdivisions 1 and 3; 124.431, by adding a subdivision; 124.493, subdivision 1; 124.494, subdivisions 2, 4, and 5; 124.85, subdivision 4; 124A.22, subdivision 2a, and by adding subdivisions; 124A.23, subdivision 3; 124A.26, subdivision 2, and by adding a subdivision; 124C.07; 124C.08, subdivision 2; 124C.09; 124C.61; 125.05, subdivisions 1, 7, and by adding subdivisions; 125.12, by adding a subdivision; 125.17, by adding a subdivision; 125.18, subdivision 1; 126.22, by adding a subdivision; 127.46; 128A.09, subdivision 2, and by adding a subdivision; 128C.01, subdivision 4; 128C.02, by adding a subdivision; 134.34, subdivision 1, and by adding a subdivision; 136C.69, subdivision 3; 136D.22, subdivision 1; 136D.27, subdivision 2; 136D.74, subdivision 2a; 136D.75; 136D.82, subdivision 1; 136D.87, subdivision 2; 205A.10, subdivision 2; and 275.125, subdivision 14a, and by adding subdivisions; *Minnesota Statutes 1991 Supplement*, sections 13.40, subdivision 2; 120.062, subdivision 8a; 120.064, subdivision 4; 120.17, subdivisions 3b, 7a, and 11a; 120.181; 121.585, subdivision 3; 121.904, subdivisions 4a and 4e; 121.912, subdivision 6; 121.932, subdivisions 2 and 5; 121.935, subdivisions 1 and 6; 122.22, subdivision 9; 122.23, subdivision 2; 122.242, subdivision 9; 122.243, subdivision 2; 122.531, subdivision 4a; 123.3514, subdivisions 4 and 11; 123.702, subdivisions 1, 1a, 1b, and 3; 124.155, subdivision 2; 124.19, subdivisions 1 and 7; 124.195, subdivisions 2 and 3a; 124.214, subdivisions 2 and 3; 124.2601, subdivision 6; 124.2605; 124.2615, subdivision 2; 124.2721, subdivision 3b; 124.2727, subdivision 6, and by adding a subdivision; 124.479; 124.493, subdivision 3; 124.646, subdivision 4; 124.84, subdivision 3; 124.95, subdivisions 1, 2, 3, 4, 5, and by adding a subdivision; 124A.03, subdivisions 1c, 2, 2a, and by adding a subdivision; 124A.23, subdivisions 1 and 4; 124A.24; 124A.26, subdivision 1; 124A.29, subdivision 1; 125.185, subdivi-

sions 4 and 4a; 125.62, subdivision 6; 126.23; 126.70; 136D.22, subdivision 3; 136D.71, subdivision 2; 136D.72, subdivision 1; 136D.76, subdivision 2; 136D.82, subdivision 3; 245A.03, subdivision 2; 275.065, subdivisions 1 and 6; 275.125, subdivisions 6j and 11g; 298.28, subdivision 4; 364.09; and 373.42, subdivision 2; *Laws 1990*, chapter 366, section 1, subdivision 2; *Laws 1991*, chapter 265, articles 3, section 39, subdivision 16; 4, section 30, subdivision 11; 5, sections 18, 23, and 24, subdivision 4; 6, section 67, subdivision 3; 7, sections 37, subdivision 6, and 41, subdivision 4; 8, sections 14 and 19, subdivision 6; 9, sections 75 and 76; and 11, section 23, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapters 124; 124A; 126; and 135A; repeals *Minnesota Statutes 1990*, sections 121.25; 121.26; 121.27; 121.28; 124.274; 124A.02, subdivision 24; 124A.23, subdivisions 2, 2a, and 3; 124A.26, subdivisions 2 and 3; 124A.27; 124A.28; 124A.29, subdivision 2; 125.03, subdivision 5; 126.071, subdivisions 2, 3, and 4; 128A.022, subdivisions 5 and 7; 128A.024, subdivision 1; 134.34, subdivision 2; 136D.74, subdivision 3; and 136D.76, subdivision 3; *Minnesota Statutes 1991 Supplement*, sections 123.35, subdivision 19; 124.2727, subdivisions 1, 2, 3, 4, and 5; 124.646, subdivision 2; 124A.02, subdivisions 16 and 23; 124A.03, subdivisions 1b, 1c, 1d, 1e, 1f, 1g, 1h, and 1i; 124A.04; 124A.22, subdivisions 2, 3, 4, 4a, 4b, 8, and 9; 124A.23, subdivisions 1, 4, and 5; 124A.24; 124A.26, subdivision 1; 124A.29, subdivision 1; 126.071, subdivision 1; and 136D.90, subdivision 2; *Laws 1990*, chapters 562, article 12; and 604, article 8, section 12; *Laws 1991*, chapter 265, articles 2, section 18; 3, section 36; 5, section 17; 6, sections 4, 20, 22 to 26, 28, 30 to 33, 41 to 45, 60, and 64; 7, section 35.

**Enactment:** April 29, 1992

**Line-item veto:** 1 (See page 46)

**Effective:** various dates

### Parental review of instructional materials included in PER policy

HF2318 (Lynch)  
 SF2556\* (Olson)

**Chapter 496:** relates to education; includes in the PER policy a procedure for parents to review the content of instruc-

tional materials; entitles the PER report the "Annual Report on Curriculum and Student Performances"; includes in the PER report information about curriculum advisory committee membership; amends *Minnesota Statutes 1990*, section 126.666, subdivisions 1 and 4.

**Enactment:** April 20, 1992

**Effective:** June 1, 1992, with exceptions

### School consolidation law changed

HF2377\* (Uphus)

SF1968 (Johnson, D.E.)

**Chapter 409:** relates to education; authorizes recipients of a cooperative secondary facilities grant to have a temporary school board structure after they consolidate; amends *Minnesota Statutes 1990*, section 124.494, by adding a subdivision; and *Minnesota Statutes 1991 Supplement*, section 122.23, subdivision 2.

**Enactment:** April 7, 1992

**Effective:** Aug. 1, 1992

### Elections—

#### special school district exemption

HF2585 (Jefferson)

SF2385\* (Spear)

**Chapter 378:** relates to elections; Special School District No. 1; allows Special School District No. 1 to change the years of its elections; amends *Laws 1959*, chapter 462, section 3, as amended.

**Enactment:** March 31, 1992

**Effective:** April 1, 1992



## Energy

### Petroleum, oil fired plants— inspection fee increased

HF2134\* (Jacobs)

SF2030 (Novak)

**Chapter 597:** relates to energy; prescribes the method of payment of petroleum tank release cleanup fees; requires persons who remove basement heating oil storage tanks to remove fill and vent pipes to the outside; changes the inspection fee for petroleum products; imposes a fee on sales of liquefied petroleum gas; requires adoption of

and compliance with energy efficiency rules and standards; provides for emergency energy assistance; excludes certain items from market value for property tax purposes; exempts certain items from the sales tax; regulates the transfer of certain employees; appropriates money to energy and conservation account for programs to improve energy efficiency of residential oil-fired and liquefied petroleum gas heating plants in low-income households; amends *Minnesota Statutes 1990*, sections 115C.08, subdivision 3; 216C.19, subdivisions 1, 13, and by adding subdivisions; 273.11, by adding a subdivision; 297A.25, by adding a subdivision, 383C.044; *Minnesota Statutes 1991 Supplement*, sections 16B.61, subdivision 3; 239.78; and 299F.011, subdivision 4c; 326.87, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapters 116; 239; and 268.

**Enactment:** April 29, 1992

**Effective:** various dates



## Environment & Natural Resources

### Experimental fishing streams— prohibited in some counties

HF905 (Reding)

SF522\* (Benson, D.D.)

**Chapter 469:** relates to game and fish; specifies allowed methods for taking fish in certain designated trout streams; proposes coding for new law in *Minnesota Statutes*, chapter 97C.

**Enactment:** April 17, 1992

**Effective:** April 18, 1992

### Pipeline projects approval authority— repealed

HF1013\* (Peterson)

SF1401 (Benson, J.E.)

**Chapter 374:** repeals certain pipeline approval authority of the commissioner of natural resources; repeals *Minnesota Statutes 1990*, section 117.49.

**Enactment:** April 1, 1992

**Effective:** April 2, 1992

### Minnehaha State Park—land lease

HF1347 (Skoglund)

SF1252\* (Flynn)

**Chapter 447:** relates to state lands; authorizes the Minnesota Veterans Homes Board to lease certain land adjacent to Minnehaha State Park to the Minneapolis Park and Recreation Board.

**Enactment:** April 13, 1992

**Effective:** Aug. 1, 1992

### Wastewater treatment— funding modified

HF1453\* (Trimble)

SF1292 (Morse)

**Chapter 601:** relates to the environment; modifies procedures for creating sanitary districts; requires governmental subdivisions to evaluate annually their wastewater disposal system needs; establishes a program of supplemental financial assistance for the construction of municipal wastewater disposal systems; expands the authority of the public facilities authority to set and collect fees; requires a study and report; authorizes bonds for the city of Cloquet for a water line extension; allocates appropriations; amends *Minnesota Statutes 1990*, sections 115.03, subdivision 1; 115.19; 115.20, subdivisions 1, 2, 3, 4, 5, and 6; 446A.04, subdivision 5; and 446A.07, subdivision 8; *Minnesota Statutes 1991 Supplement*, section 103G.271, subdivision 6; *Laws 1991*, chapter 183, section 1; proposes coding for new law in *Minnesota Statutes*, chapters 116; and 446A.

**Enactment:** April 29, 1992

**Effective:** various dates

### Exotic species—management, funding

HF1965 (Skoglund)

SF1959\* (Luther)

**Chapter 594:** relates to natural resources; provides for the management of ecologically harmful exotic species; requires rule-making; provides penalties; appropriates money; amends *Minnesota Statutes 1990*, sections 18.317, subdivisions 1, 2, 3, 5, and by adding subdivisions; and 86B.401, subdivision 11; *Minnesota Statutes 1991 Supplement*, sections 84.968; 84.9691; and 86B.415, subdivision 7.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992; July 1, 1992

**Land recycling act adopted**

HF1985\* (Wagenius)

SF1866 (Mondale)

**Chapter 512:** relates to the environment; provides protection from liability for releases of hazardous substances to persons not otherwise liable who undertake and complete cleanup actions under an approved cleanup plan; provides for submission and approval of cleanup plans and supervision of cleanup by the commissioner of the pollution control agency; authorizes the commissioner of the pollution control agency to issue determinations or enter into agreements with property owners near the source of releases of hazardous substances regarding future cleanup liability; appropriates money; amends *Minnesota Statutes 1990*, section 115B.17, subdivision 14; proposes coding for new law in *Minnesota Statutes*, chapter 115B.

Enactment: April 23, 1992

Effective: April 24, 1992

**Water—once-through cooling permit exemption for non-profit**

HF2044\* (Trimble)

SF1830 (Novak)

**Chapter 366:** relates to water; creates an exemption from certain requirements relating to once-through water use permits; amends *Minnesota Statutes 1990*, section 103G.271, subdivision 5.

Enactment: without governor's signature

Effective: Aug. 1, 1992

**Mercury—sale, disposal**

HF2147\* (Wagenius)

SF2042 (Dahl)

**Chapter 560:** relates to the environment; bans placement of mercury in solid waste; regulates the sale and use of mercury; requires recycling of mercury in certain products; requires a report on fluorescent and high intensity discharge lamps; amends *Minnesota Statutes 1991 Supplement*, section 115A.9561, subdivision 2; proposes coding for new law in *Minnesota Statutes*, chapters 115A; and 116.

Enactment: April 29, 1992

Effective: various dates

**Waste Management Act—amendments**

HF2150 (Wagenius)

SF2199\* (Merriam)

**Chapter 593:** relates to waste management; defines postconsumer material; emphasizes and clarifies waste reduction; sets requirements for use of labels on products and packages indicating recycled content; authorizes the director of the office of waste management to establish rules for reporting waste statistics; sets a goal for reduction of packaging in the waste stream; amends provisions related to designation of waste; strengthens the requirement for pricing of waste collection based on volume or weight of waste collected; requires recycled content in and recyclability of telephone directories and requires recycling of waste directories; changes provisions related to financial responsibility requirements and low-level radioactive waste; prohibits the use of petroleum-based sweeping compound products; requires labeling of rechargeable batteries; prohibits the imposition of fees on the generation of certain hazardous wastes that are reused or recycled; requires studies on automobile waste, degradable packing material, construction debris, and used motor oil; and makes various other amendments and additions related to solid waste management; provides for the Minnesota hazardous materials incident response act; appropriates money; amends *Minnesota Statutes 1990*, sections 16B.121; 115A.03, subdivision 36a, and by adding subdivisions; 115A.07, by adding a subdivision; 115A.32; 115A.551, subdivision 5; 115A.557, subdivision 3; 115A.63, subdivision 3; 115A.81, subdivision 2; 115A.87; 115A.93, by adding a subdivision; 115A.981; 116.12, subdivision 2; 325E.125, subdivision 1; 400.08, subdivisions 4 and 5; 400.161; 473.811, subdivision 5b; and 473.844, subdivision 4; *Minnesota Statutes 1991 Supplement*, sections 16B.122, subdivision 2; 115A.02; 115A.15, subdivision 9; 115A.411, subdivision 1; 115A.551, subdivisions 2a and 4; 115A.83; 115A.9157, subdivisions 4 and 5; 115A.93, subdivision 3; 115A.931; 115E.04, subdivision 2; 116.07, subdivision 4h; 116.90; 116C.852; and 473.849; *Laws 1990*, chapter 600, section 7; *Laws 1991*, chapter 337, section 90; proposes coding for new law in *Minnesota Statutes*, chapters 16B; 115A;

221; 299A; 299K; and 325E.

Enactment: April 27, 1992

Effective: various dates

**Petrofund reimbursement provided to cities, towns**

HF2267 (Steensma)

SF2001\* (DeCramer)

**Chapter 414:** relates to the environment; changes and by adding provisions relating to the liability of and reimbursement to mortgagees and holders of other security interests for petroleum tank releases; expands the eligibility of political subdivisions for reimbursement from the petroleum tank release cleanup account; amends *Minnesota Statutes 1990*, sections 115C.02, subdivision 8; 115C.021, by adding a subdivision; and 115C.09, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 115C.09, subdivision 3b.

Enactment: April 7, 1992

Effective: April 8, 1992

**Snowmobiles—liability, speed limit exemption**

HF2282 (Rukavina)

SF2233\* (Stumpf)

**Chapter 573:** relates to natural resources; establishes liability standards for recipients of trail assistance program funds; exempts snowmobile testing activities from applicable speed limits under certain conditions; allows the use of snowmobiles on certain conservation lands unless prohibited by rule of the commissioner of natural resources; allows towing of persons with personal watercraft equipped with rear-view mirrors; amends *Minnesota Statutes 1990*, sections 84.83, by adding a subdivision; 84.87, by adding a subdivision; and 84A.55, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 86B.313, subdivision 1.

Enactment: April 27, 1992

Effective: April 28, 1992; Aug. 1, 1992

**Watershed districts provisions**

HF2320 (Peterson)

SF2298\* (Price)

**Chapter 466:** relates to watershed districts; requires counties to provide public notice prior to makes watershed district manager appointments; modifies requirements for appoints watershed district man-

agers; exempts watershed districts from permit fees charged by political subdivisions; requires watershed district audits by certified public accountants or the state auditor under certain circumstances; clarifies procedures for appealing watershed district decisions; allows recovery of attorney fees; amends *Minnesota Statutes 1990*, sections 103D.311, subdivisions 2 and 3; 103D.335, by adding a subdivision; 103D.355, subdivision 1; 103D.535, subdivision 1; and 103D.545, by adding a subdivision; proposes coding for new law in *Minnesota Statutes*, chapter 103D.

**Enactment:** April 17, 1992

**Effective:** Aug. 1, 1992

#### Clean Air Act amendments— business assistance program

HF2437\* (McGuire)

SF2095 (Morse)

**Chapter 546:** relates to the environment; pollution control; eliminates a fee limit; conforms certain pollution control measures to federal Clean Air Act amendments; authorizes assessment of emission fees; changes method used for calculating emission fees; changes the definition of chlorofluorocarbons; establishes a small business air quality compliance assistance program; provides for the appointment of an ombudsman for small business air quality compliance assistance; creates a small business air quality compliance advisory council; requires a report on the role of the Pollution Control Agency Board; requires a monitoring program and certain studies and reports; amends *Minnesota Statutes 1990*, sections 115D.12, subdivision 2; and 116.70, subdivision 3; *Minnesota Statutes 1991 Supplement*, section 116.07, subdivision 4d; proposes coding for new law in *Minnesota Statutes*, chapter 116.

**Enactment:** April 29, 1992

**Effective:** various dates

#### Timber permit extensions provided

HF2483 (Anderson, I.)

SF2421\* (Lessard)

**Chapter 405:** relates to natural resources; extends the term of certain timber permits; provides for a cooperative agreement with the United States Forest Service for control of certain waters; provides conditions for class B land exchanges; amends *Minnesota*

*Statutes 1990*, section 94.344, subdivision 3.

**Enactment:** April 7, 1992

**Effective:** April 8, 1992

#### RIM project land— eligibility requirements modified

HF2543 (Munger)

SF2301\* (Price)

**Chapter 415:** relates to water and soil resources; lands eligible for the reinvest in Minnesota program; amends *Minnesota Statutes 1990*, sections 103F.505; 103F.511, by adding a subdivision; and *Minnesota Statutes 1991 Supplement*, section 103F.515, subdivision 2.

**Enactment:** April 7, 1992

**Effective:** Aug. 1, 1992

#### Radio equipment prohibition— fishing exempted

HF2578 (Weaver)

SF2185\* (Merriam)

**Chapter 479:** relates to game and fish; limits the prohibition on the use of radio equipment to take protected wild animals to big game and small game; amends *Minnesota Statutes 1990*, section 97B.085, subdivision 1.

**Enactment:** April 17, 1992

**Effective:** Aug. 1, 1992

#### Game and fish— commercial activity modified

HF2592 (Stanisus)

SF2162\* (Bernhagen)

**Chapter 589:** relates to natural resources; expands circumstances under which game and fish licenses are void for violations of law; allows possession, transportation, purchase, or sale of certain inedible portions of wild animals; requires a report; authorizes rules; amends *Minnesota Statutes 1990*, sections 97A.421, subdivision 1; and 97A.425, by adding a subdivision; proposes coding for new law in *Minnesota Statutes*, chapter 97A.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

#### Natural resources regulations— modified, changed, clarified

HF2612 (Weaver)

SF2389\* (Merriam)

**Chapter 462:** relates to natural resources; allows use of alternative rulemaking pro-

cedures for certain rules of the commissioner of natural resources; regulates activities relating to stromatolites; changes definitions; modifies provisions relating to game refuges, scientific and natural areas, experimental waters, and special management waters; expands certain authorities relating to deer licenses; exempts certain rules of the commissioner from the Administrative Procedure Act; allows non-metal tags for fish nets; authorizes rule-making; amends *Minnesota Statutes 1990*, sections 86A.05, subdivision 5; 97A.015, subdivisions 15 and 40; 97A.085, subdivisions 2, 3, 4, 5, 8, and by adding a subdivision; 97A.411, subdivision 3; 97A.485, subdivision 9; 97C.001; 97C.005; 97C.351; and 103G.615, subdivision 3; *Minnesota Statutes 1991 Supplement*, sections 14.29, subdivision 4; and 97A.093; and *Laws 1991*, chapter 259, section 25, as amended; proposes coding for new law in *Minnesota Statutes*, chapter 84.

**Enactment:** April 17, 1992

**Effective:** various dates

#### State park boundaries— provided additions, deletions

HF2619 (Rodosovich)

SF2392\* (Johnson, J.B.)

**Chapter 451:** relates to state parks; authorizes additions to and deletions from certain state parks; authorizes an easement and regulates campground use at McCarthy Beach State Park.

**Enactment:** April 13, 1992

**Effective:** Aug. 1, 1992

#### Mississippi River Headwaters Area Board provisions changed

HF2623\* (Solberg)

SF2344 (Lessard)

**Chapter 476:** relates to the Mississippi river headwaters area; updates and changes provisions relating to activities of the Mississippi headwaters board; authorizes certain powers for the Spirit Mountain recreation area authority; amends *Minnesota Statutes 1990*, sections 103F.361, subdivision 2; 103F.363, subdivision 2; 103F.365, by adding a subdivision; 103F.367, subdivision 6; 103F.369, subdivisions 1 and 4; 103F.371; 103F.373, subdivisions 1 and 2; 103F.375, subdivision 1; and 103F.377; *Minnesota Statutes 1991 Supplement*, section 103F.369, subdivision 2; *Laws 1973*,

chapter 327, section 5.

**Enactment:** April 17, 1992

**Effective:** upon local approval

#### **Petrofund contractors— competence, fees regulated**

HF2624 (Krueger)

SF2430\* (Sams)

**Chapter 490:** relates to the environment; by adding sanctions and procedures relating to petroleum tank release consultants and contractors; requires a report to the Legislature; amends *Minnesota Statutes 1990*, sections 115C.01; 115C.02, subdivision 1, and by adding subdivisions; 115C.03, by adding a subdivision; 116.48, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 115C.09, subdivisions 5 and 7; proposes coding for new law in *Minnesota Statutes*, chapter 115C.

**Enactment:** April 20, 1992

**Effective:** Aug. 1, 1992

#### **Board of Water and Soil Resources— dispute resolution committee**

HF2702 (Munger)

SF2310\* (Price)

**Chapter 399:** relates to waters; changes the composition of the Board of Water and Soil Resource's dispute resolution committee; amends *Minnesota Statutes 1990*, section 103B.101, subdivision 10.

**Enactment:** April 3, 1992

**Effective:** Aug. 1, 1992

#### **Nitrate data advisory task force; milk certification**

HF2717\* (Dille)

SF2102 (Morse)

**Chapter 544:** relates to water; requires maintenance of a statewide nitrate data base; establishes a nitrate data advisory task force; modifies requirements relating to well disclosure certificates and sealing of wells; establishes a well sealing account; requires a report on environmental consulting services; grants a waiver for water well requirements to dairy farmers; allows an extension for well construction compliance; appropriates money; amends *Minnesota Statutes 1990*, sections 32.394, by adding subdivisions; 103I.115; 103I.301, subdivision 4; 103I.315; and 103I.341, subdivisions 1 and 5; *Minnesota Statutes 1991 Supplement*, sections 16B.92, by adding a

subdivision; 103I.235; and 103I.301, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapters 103A and 103I.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

#### **Soil and water conservation— city, county controls**

HF2746 (Munger)

SF2311\* (Price)

**Chapter 450:** relates to waters; authorizes agreements by soil and water conservation districts for enforcement of city or county controls; amends *Minnesota Statutes 1990*, section 103C.331, by adding a subdivision.

**Enactment:** April 13, 1992

**Effective:** Aug. 1, 1992

#### **Blufflands trail system established**

HF2842 (Pelowski)

SF2299\* (Morse)

**Chapter 456:** relates to state trails; provides for the establishment of the Blufflands Trail System; amends *Minnesota Statutes 1990*, section 85.015, subdivision 7.

**Enactment:** April 13, 1992

**Effective:** July 1, 1992

#### **Split Rock Lighthouse fee structure authorized**

HF2849\* (Simoneau)

SF2101 (Merriam)

**Chapter 481:** relates to state parks; authorizes the commissioner of natural resources to negotiate a special fee structure for the Split Rock Lighthouse state historic site within Split Rock Lighthouse State Park; amends *Minnesota Statutes 1990*, section 85.053, by adding a subdivision.

**Enactment:** April 17, 1992

**Effective:** April 18, 1992

#### **Aquatic farming— regulations, wildlife protection**

HF2855 (Sparby)

SF2432\* (Berg)

**Chapter 566:** relates to agriculture; regulates aquatic farming; protects certain wildlife populations; amends *Minnesota Statutes 1990*, sections 86A.05, by adding a subdivision; 86A.09, subdivision 1; 97C.203; 97C.301, by adding a subdivision; 97C.345, subdivision 4; 97C.391; and 97C.505, subdivision 6; proposes cod-

ing for new law in *Minnesota Statutes*, chapter 17; repeals *Minnesota Statutes 1990*, sections 97A.475, subdivision 29a; and 97C.209.

**Enactment:** April 29, 1992

**Effective:** April 30, 1992, with exceptions

#### **Thin ice—sheriff enforcement**

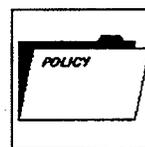
HFnone

SF2011\* (Bertram)

**Chapter 584:** relates to waters; grants sheriffs power to bar vehicles from unsafe ice; eliminates the appeal to the commissioner of natural resources from a sheriff's decision; amends *Minnesota Statutes 1990*, section 86B.121; proposes codes for new law in *Minnesota Statutes*, chapter 86B.

**Enactment:** April 29, 1992

**Effective:** April 30, 1992; Aug. 1, 1992



## **Financial Institutions & Insurance**

#### **Health insurance—utilization review**

HF802 (Orenstein)

SF651\* (Spear)

**Chapter 574:** relates to insurance; regulates utilization review services; provides standards and procedures; regulates appeals of determinations not to certify; regulates prior authorization of services; prescribes staff and program qualifications; proposes codes for new law as *Minnesota Statutes*, chapter 62M.

**Enactment:** April 29, 1992

**Effective:** Jan. 1, 1993

#### **Banks, credit unions, lenders— regulated, practices modified**

HF1680 (Skoglund)

SF2213\* (Solon)

**Chapter 587:** relates to commerce; regulates bank charters, the purchase and sale of property, relocations, loans, detached facilities, capital and surplus requirements, and clerical services; regulates the report and audit schedules and account insurance of credit unions; authorizes certain financial institution closings; regulates

business changes of industrial loan and thrifts; regulates business changes, license requirements, loan security, and interest rates of regulated lenders; provides special corporate voting and notice provisions for banking corporations; requires additional information on finances and continuation statements; regulates state depositories; regulates investments in share certificates; authorizes the establishment of additional detached facilities in the cities of Duluth, Dover, Millville, and New Scandia; modifies real estate appraiser requirements; amends *Minnesota Statutes 1990*, sections 9.031, by adding a subdivision; 46.041, subdivision 4; 46.044; 46.047, subdivision 2; 46.048, subdivision 3; 46.07, subdivision 2; 47.015, by adding a subdivision; 47.10; 47.101, subdivision 3; 47.20, subdivisions 2, 4a, and 5; 47.54; 47.55; 48.02; 48.89, subdivision 5; 49.34, subdivision 2; 52.06, subdivision 1; 52.24, subdivision 1; 53.03, subdivision 5; 53.09, subdivision 2; 56.04; 56.07; 56.12; 56.131, subdivision 4; 82B.13, as amended; 300.23; 300.52, subdivision 1; 332.13, subdivision 2; 336.9-402; 336.9-403; *Minnesota Statutes 1991 Supplement*, sections 11A.24, subdivision 4; 48.512, subdivision 4; 82B.11, subdivisions 3 and 4; and 82B.14; repeals *Minnesota Statutes 1990*, section 48.03, subdivisions 4 and 5.

**Enactment:** April 27, 1992

**Effective:** various dates

#### Insurance—omnibus bill

HF1681\* (Skoglund)

SF2212 (Solon)

**Chapter 564:** relates to commerce; regulates data collection, enforcement powers, premium finance agreements, temporary capital stock of mutual life companies, surplus lines insurance, conversion privileges, coverages, rehabilitations and liquidations, the comprehensive health insurance plan, and claims practices; requires insurers to notify all covered persons of cancellations of group coverage; regulates continuation privileges and automobile premium surcharges; regulates unfair or deceptive practices; regulates insurance agent licensing and education; carries out the intent of the Legislature to make uniform the statutory service of process provisions under the jurisdiction of the Depart-

ment of Commerce; regulates annual reports on credit insurance; makes various technical changes; amends *Minnesota Statutes 1990*, sections 45.012; 45.027, by adding subdivisions; 45.028, subdivision 1; 46.03; 48.185, subdivision 7; 59A.08, subdivisions 1 and 4; 59A.11, subdivision 4; 59A.12, subdivision 1; 60A.02, subdivision 7, and by adding a subdivision; 60A.03, subdivision 2; 60A.07, subdivisions 1 and 10; 60A.12, subdivision 4; 60A.1701, subdivisions 3 and 7; 60A.19, subdivision 4; 60A.201, subdivision 4; 60A.203; 60A.206, subdivision 3; 60A.21, subdivision 2; 60A.23, subdivision 8; 60B.03, by adding a subdivision; 60B.15; 60B.17, subdivision 1; 61A.011, by adding a subdivision; 62A.10, subdivision 1; 62A.146; 62A.17, subdivision 2; 62A.21, subdivisions 2a and 2b; 62A.30, subdivision 1; 62A.41, subdivision 4; 62A.54; 62B.07, by adding a subdivision; 62C.142, subdivision 2a; 62C.17, subdivision 5; 62D.101, subdivision 2a; 62D.22, subdivision 8; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 9; 62E.14, by adding a subdivision; 62E.15, subdivision 4, and by adding subdivisions; 62E.16; 62H.01; 64B.33; 64B.35, subdivision 2; 65A.29, subdivision 11; 65B.133, subdivision 4; 71A.02, subdivision 3; 72A.07; 72A.125, subdivision 2; 72A.20, subdivisions 23, and by adding a subdivision; 72A.201, subdivision 3; 72A.22, subdivision 5; 72A.37, subdivision 2; 72A.43, subdivision 2; 72B.02, by adding a subdivision; 72B.03, subdivision 2; 72B.04, subdivision 6; 80A.27, subdivisions 7 and 8; 80C.20; 82.31, subdivision 3; 82A.22, subdivisions 1 and 2; 83.39, subdivisions 1 and 2; 270B.07, subdivision 1; 332.15, subdivision 4; and 543.08; *Minnesota Statutes 1991 Supplement*, sections 45.027, subdivisions 1, 2, 5, 6, and 7; 60A.13, subdivision 3a; 60D.15, subdivision 4; 60D.17, subdivision 4; 62E.10, subdivision 9; 62E.12; 72A.201, subdivision 8; 82B.15, subdivision 3; 332.55; and 345.485; *Laws 1991*, chapter 233, section 111; proposes coding for new law in *Minnesota Statutes*, chapters 45; 60A; 62A; and 62I; proposes coding for new law as *Minnesota Statutes*, chapter 60K; repeals *Minnesota Statutes 1990*, sections 60A.05; 60A.051; 60A.17, subdivisions 1, 1a, 1b, 1c, 2c, 2d, 3, 5, 5b,

6, 6b, 6c, 6d, 7a, 8, 8a, 9a, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, and 21; 65B.70; and 72A.13, subdivision 3; *Minnesota Statutes 1991 Supplement*, section 60A.17, subdivision 1d.

**Enactment:** April 27, 1992

**Effective:** various dates

#### Medicare supplemental insurance—regulations

HF1791 (Skoglund)

SF2743\* (Hottinger)

**Chapter 554:** relates to insurance; regulates Medicare supplement; makes various changes in state law required by the federal government; regulates coverages and practices; regulates the Minnesota Comprehensive Health Association; increases the maximum lifetime benefit amounts of certain state plan coverages; extends the effective date of the authorization of use of experimental delivery methods; amends *Minnesota Statutes 1990*, sections 62A.31, by adding subdivisions; 62A.315; 62A.36, subdivision 1; 62A.38; 62A.39; 62A.42; 62A.436; 62A.44; and 62E.07; *Minnesota Statutes 1991 Supplement*, sections 62A.31, subdivision 1; 62A.316; 62E.10, subdivision 9; and 62E.12; proposes codes for new law in *Minnesota Statutes*, chapter 62A.

**Enactment:** April 29, 1992

**Effective:** April 30, 1992; July 30, 1992, with qualifications

#### Trustee investments—certain mutual funds allowed

HF1884 (Sparby)

SF1729\* (Hottinger)

**Chapter 473:** relates to financial institutions; authorizes a banking institution that is a trustee to invest in certain investment companies and investment trusts; amends *Minnesota Statutes 1990*, sections 48.01, subdivisions 1 and 2; 48.38, subdivision 6; 48.84; and 501B.10, subdivision 6.

**Enactment:** April 15, 1992

**Effective:** April 16, 1992

#### Insurance agents—terminations regulated

HF1901 (Winter)

SF1689\* (Metzen)

**Chapter 379:** relates to insurance; property and casualty; regulates certain terminations and modifications or changes to

certain agent agreements; modifies the definition of loss ratio experience; modifies membership in the board of review; amends *Minnesota Statutes 1990*, sections 60A.172; and 60A.177, subdivision 3.

**Enactment:** April 1, 1992

**Effective:** April 2, 1992

#### Insurance—charity donations

HF1948\* (Carruthers)

SF1855 (Metzen)

**Chapter 483:** relates to life insurance; authorizes policies for the benefit of a charity; authorizes policies for the benefit of a corporation or a trustee; proposes coding for new law in *Minnesota Statutes*, chapters 61A; and 309.

**Enactment:** April 17, 1992

**Effective:** April 18, 1992

#### Auto insurance—technical changes

HF1980\* (Pugh)

SF1922 (Solon)

**Chapter 520:** relates to insurance; clarifies interest on accidental death benefits; regulates the structure and functions of the Minnesota automobile insurance plan; amends *Minnesota Statutes 1990*, sections 61A.011, by adding a subdivision; 65B.01; 65B.02, subdivisions 1, 4, and 7; 65B.03, subdivision 1; 65B.04, subdivisions 3, 4, and by adding a subdivision; 65B.05; 65B.06; 65B.07, subdivision 4; 65B.08, subdivisions 1 and 2; 65B.09; 65B.10; and 65B.12, subdivision 1; repeals *Minnesota Statutes 1990*, sections 65B.04, subdivisions 1 and 2; and 65B.07, subdivision 2.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992, with qualifications

#### Auto insurance—deductibles

HF2099\* (Carruthers)

SF2374 (Luther)

**Chapter 524:** relates to insurance; automobile; prohibits discrimination in automobile insurance policies; specifies rights of insureds; amends *Minnesota Statutes 1990*, section 72A.20, subdivision 23; *Minnesota Statutes 1991 Supplement*, section 72A.201, subdivision 6.

**Enactment:** April 29, 1992

**Effective:** Jan. 1, 1993

#### State fund regulations

HF2261\* (Winter)

SF2402 (Riveness)

**Chapter 528:** relates to state government; Executive Council, would have regulated depositories for state funds; would have amended *Minnesota Statutes 1990*, sections 9.031, by adding subdivisions; and 289A.40, subdivision 1; would have proposed coding for new law in *Minnesota Statutes*, chapter 9; would have repealed *Minnesota Statutes 1990*, section 9.031, subdivisions 2, 3, 4, 5, and 10; *Minnesota Statutes 1991 Supplement*, section 9.031, subdivision 1.

**Pocket Vetoed**

#### Insurance—

##### auto glass coverage modified

HF2346 (Bishop)

SF1997\* (Hottinger)

**Chapter 413:** relates to insurance; provides for automobile insurance policy coverage on the repair or replacement of motor vehicle glass; amends *Minnesota Statutes 1991 Supplement*, section 72A.201, subdivision 6.

**Enactment:** April 7, 1992

**Effective:** April 8, 1992

#### Insurance solvency—technical corrections

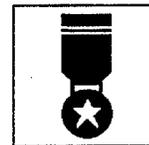
HF2688 (Skoglund)

SF2463\* (Luther)

**Chapter 540:** relates to insurance; solvency; makes various technical corrections; requires notice; regulates business transacted with a producer controlled insurer; modifies various provisions relates to the guaranty association; amends *Minnesota Statutes 1990*, sections 45.025, subdivision 2, as amended; 60A.03, subdivision 6; 60A.10, subdivision 4; 61B.03, subdivision 5; 61B.06, subdivision 7; and 61B.12, by adding subdivisions; *Minnesota Statutes 1991 Supplement*, sections 60A.031, subdivision 1; 60A.092, subdivision 3; 60A.11, subdivisions 13 and 20; 60A.112; 60A.12, subdivision 10; 60A.124; 60D.17, subdivision 1; 61A.28, subdivision 1; and 61B.12, subdivision 6; *Laws 1991*, chapter 325, article 5, section 6; proposes coding for new law in *Minnesota Statutes*, chapters 60C; and 60J; repeals *Minnesota Statutes 1991 Supplement*, sections 60J.01; 60J.02; 60J.03; 60J.04; 60J.05; and 72A.206.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992, with exceptions



## General Legislation, Veterans Affairs & Gaming

### Safety—amusement rides inspected, liability insurance required

HF748 (Osthoff)

SF764\* (Dahl)

**Chapter 382:** relates to public safety; regulates amusement rides; requires insurance and inspections; provides penalties; proposes coding for new law as *Minnesota Statutes*, chapter 184B.

**Enactment:** March 31, 1992

**Effective:** Aug. 1, 1991

### Elections—presidential primary delayed

HF1731\* (Lasley)

SF1598 (Marty)

**Chapter 364:** would have changed the year for implementing the presidential primary; would have amended *Minnesota Statutes 1990*, section 207A.01.

**Vetoed:** Jan. 16, 1992

### Veterans—property, room searches

HF2465\* (Frederick)

SF2029 (Pariseau)

**Chapter 410:** relates to veterans; clarifies the definition of "veteran"; clarifies procedures for searches of veterans' home residents' rooms or property; amends *Minnesota Statutes 1990*, sections 197.447; and 198.33, subdivision 1.

**Enactment:** April 10, 1992

**Effective:** Aug. 1, 1992

### Elections—ward system abolition deadlines changed for certain cities

HF2535 (Uphus)

SF2307\* (Johnson, D.E.)

**Chapter 388:** relates to elections; changes deadlines for certain statutory cities to abolish the ward system; amends *Minnesota Statutes 1990*, section 412.023, subdivision 4.

**Enactment:** March 31, 1992

**Effective:** April 1, 1992

**Military—armory closings,  
public hearings required**

HF2642 (Olson, K.)

SF2286 (Vickerman)

**Chapter 495:** would have provided for a public hearing before the adjutant general closes an armory, would have amended *Minnesota Statutes 1990*, section 193.36, by adding a subdivision.

Pocket vetoed

**Counties—Yellow Medicine  
hospital district elections**

HF2658 (Peterson)

SF2514\* (Frederickson, D.J.)

**Chapter 534:** relates to hospital districts; provides for board membership and elections in the Yellow Medicine County hospital district; provides for the organization, administration, and operation of a hospital district in the county of Swift and the city of Benson; amends *Laws 1963*, chapter 276, sections 2, subdivision 2, and by adding subdivisions; and 4.

Enactment: April 27, 1992

Effective: upon local approval

**Governmental  
Operations****Fire protection—****advisory council created**

HF31\* (Simoneau)

SF151 (Kroening)

**Chapter 508:** relates to public safety; creates the Minnesota advisory council on fire protection systems; requires licensing and certifying of the fire protection industry; provides for rules and an exemption; provides for fees; imposes a penalty; appropriates money; proposes coding for new law as *Minnesota Statutes*, chapter 299M.

Enactment: April 29, 1992

Effective: Aug. 1, 1992

**Retirement—****tax sheltered annuity payments allowed**

HF419\* (Johnson, R.)

SF410 (Morse)

**Chapter 487:** relates to retirement; police state aid program; requires payments equivalent to automobile insurance premium taxes by self-insurers; public employee retirement savings programs; authorizes an employer matching contribution to certain tax sheltered annuity contracts; amends *Minnesota Statutes 1990*, section 356.24; *Minnesota Statutes 1991 Supplement*, section 69.021, subdivisions 5 and 6; proposes coding for new law in *Minnesota Statutes*, chapter 60A.

Enactment: April 20, 1992

Effective: various dates

**State patrol members—  
vacation donation allowed**

HF667 (O'Connor)

SF735\* (Lessard)

**Chapter 562:** would have increased the amount of vacation time that certain state employees can donate to bargaining representatives, would have amended *Minnesota Statutes 1990*, section 43A.04, subdivision 8.

Pocket vetoed

**Retirement—****judges' contributions increased**

HF699\* (Reding)

SF684 (Pogemiller)

**Chapter 492:** relates to retirement; judges retirement fund; eliminates the offset for a portion of social security benefits; amends *Minnesota Statutes 1991 Supplement*, section 490.123, subdivision 1a; proposes coding for new law in *Minnesota Statutes*, chapter 355; repeals *Minnesota Statutes 1990*, section 490.129.

Enactment: April 20, 1992

Effective: various dates

**Early retirement—****health insurance incentives provided**

HF765\* (McGuire)

SF726 (Marty)

**Chapter 482:** relates to certain state employees; establishes eligibility for state-paid insurance after retirement in certain circumstances.

Enactment: April 17, 1992

Effective: April 18, 1992; retroactive to May 5, 1990

**Gender balance required in state agency  
appointments**

HF1114\* (Kahn)

SF768 (Pappas)

**Chapter 457:** would have provided for gender balance in multimember agencies; would have amended *Minnesota Statutes 1990*, section 15.0597, by adding subdivisions.

Vetoed: April 10, 1992

**Public employees—****bargaining settlements released**

HF1133 (Bauerly)

SF2037\* (Price)

**Chapter 458:** relates to public employment; requires the commissioner of the Bureau of Mediation Services to adopt a uniform baseline determination document and a uniform collective bargaining agreement settlement document and to prescribe procedures for the use of these documents; amends *Minnesota Statutes 1990*, section 179A.04, subdivision 3.

Enactment: April 17, 1992

Effective: Aug. 1, 1992

**Volunteer firefighters—  
qualifying service defined**

HF1334 (Reding)

SF1230\* (Stumpf)

**Chapter 509:** relates to volunteer firefighters relief associations and the state university and community college individual retirement account plans; would have increased service pension maximums; would have established a fire state aid maximum apportionment; would have provided penalties for noncompliance with service pension maximums; would have specified duties for the state auditor; would have ratified certain prior nonconforming lump sum service pension payments; would have continued certain nonconforming lump sum service pension amounts in force; would have modified certain investment performance calculations; would have modified certain local volunteer firefighters relief association provisions; would have increased the individual retirement account plans employer contribution rate; would have established an ambulance service per-

sonnel longevity award and incentive program; would have appropriated money; would have amended *Minnesota Statutes 1990*, sections 11A.04; 354B.04, subdivision 1; 354B.05, subdivision 1; 356.218, subdivisions 2 and 3; and 424A.02, subdivisions 1, 3, and by adding a subdivision; *Minnesota Statutes 1991 Supplement*, sections 171.06, subdivision 2b; 353D.01, subdivision 2; 353D.02; 353D.03; 353D.05, subdivisions 1 and 3; 353D.06; 354B.04, subdivision 2; *Laws 1991*, chapter 140, section 5, as amended; would have proposed coding for new law in *Minnesota Statutes*, chapters 69, and 354B; would have proposed coding for new law as *Minnesota Statutes*, chapter 356B; would have repealed *Minnesota Statutes 1991 Supplement*, sections 353D.01, subdivisions 1a and 1b; 353D.021; 353D.031; 353D.051; 353D.091; *Laws 1991*, chapter 291, article 19, section 11.  
Pocket vetoed

**Pensions—back pay granted for wrongful discharge**

HF1350\* (Jaros)  
SF1139 (Solon)

**Chapter 443:** relates to retirement; major and statewide retirement plans; credits service and salary when back pay is awarded in the event of a wrongful discharge; proposes codes for new law in *Minnesota Statutes*, chapter 356; repeals *Minnesota Statutes 1991 Supplement*, section 353.27, subdivision 5a.

**Enactment:** April 13, 1992  
**Effective:** April 14, 1992

**Pensions—Falcon Heights firefighters permitted vesting**

HF1567\* (McGuire)  
SF2354 (Marty)

**Chapter 372:** relates to retirement; Falcon Heights volunteer firefighters relief associations; authorizes full vesting with five years of service.

**Enactment:** April 1, 1992  
**Effective:** upon local approval

**Retirement—municipal police, fire accounts merged with PERA**

HF1692 (Jaros)  
SF1558\* (Solon)

**Chapter 448:** relates to retirement; Du-

luth fire and police pension plans; authorizes a joint consolidation account in the event of the consolidation of the Duluth Fire Department Relief Association with the Public Employees Police and Fire Fund.

**Enactment:** April 13, 1992  
**Effective:** upon local approval

**Pensions—PERA, surviving spouse optional annuity**

HF1744\* (Dempsey)  
SF1710 (Frederickson, D.R.)

**Chapter 373:** relates to retirement; Public Employees Retirement Association; provides entitlement for optional annuities to certain surviving spouses of certain deceased disabilitants; mandates a study of coordinated program survivorship benefit gaps.

**Enactment:** April 1, 1992  
**Effective:** April 2, 1992

**Public lands—**

**Faribault County:** certain lands released  
HF1763\* (Rodosovich)

SF1772 (Neuville)

**Chapter 387:** relates to state lands; authorizes the conveyance or release of a state easement in Faribault.

**Enactment:** March 31, 1992  
**Effective:** April 1, 1992

**Retirement—retired public employees continued health coverage provided**

HF1873\* (Reding)  
SF1731 (Solon)

**Chapter 488:** relates to public employment; requires public employers to include certain former employees in the same insurance pool as active employees; amends *Minnesota Statutes 1990*, sections 43A.27, subdivision 3; 43A.316, by adding a subdivision; and 471.61, by adding a subdivision.

**Enactment:** April 20, 1992  
**Effective:** various dates

**Pensions—public employee post-retirement adjustments**

HF1960\* (Reding)  
SF1910 (Morse)

**Chapter 530:** relates to retirement; changes the formula governing calculation of post-retirement adjustments for certain public pension plans; requires certain investment

performance and post-retirement adjustment reporting; provides state reimbursement for supplemental retirement benefits paid to volunteer firefighters; appropriates money; amends *Minnesota Statutes 1990*, section 11A.18, subdivision 9.

**Enactment:** April 29, 1992  
**Effective:** various dates

**Retirement—**

**teacher contribution transfers modified**  
HF1996\* (Reding)

SF2023 (Benson, J.E.)

**Chapter 420:** relates to retirement; permits certain persons to have employer contributions transferred from the Teachers Retirement Association to the Individual Retirement Account Plan; amends *Laws 1990*, chapter 570, article 3, section 11.

**Enactment:** April 8, 1992

**Effective:** April 9, 1992, with retroactive application

**Retirement—MERF coverage granted certain employees**

HF2001\* (Jefferson)  
SF1934 (Pogemiller)

**Chapter 596:** relates to retirement; requires the Metropolitan Airports Commission to apply for certain state aid; provides an optional method for calculating annuities of certain members of the Minneapolis Employees Retirement Fund; amends *Minnesota Statutes 1990*, sections 69.011, by adding a subdivision; 69.031, subdivision 5; and 422A.01, by adding subdivisions; *Minnesota Statutes 1991 Supplement*, section 69.011, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapter 422A.

**Enactment:** April 29, 1992

**Effective:** July 1, 1992, with qualifications

**Retirement—police, fire granted actuarial assumption increase**

HF2014 (Reding)  
SF2352\* (Piper)

**Chapter 455:** relates to retirement; Austin Fire Department Relief Association; authorizes an actuarial assumption change; provides various benefit increases; authorizes board member per diem payments.

**Enactment:** April 13, 1992

**Effective:** upon local approval

**Retirement—****St. Paul fire benefits modified**

HF2018 (Farrell)

SF2750\* (Kelly)

**Chapter 563:** relates to retirement; St. Paul fire department and police relief associations; increases service pension amounts; limits future benefit reductions; amends *Laws 1955*, chapters 151, section 9, subdivisions 5, as amended, and 6, as amended; and 375, sections 21, as amended, and 22, as amended.

**Enactment:** April 27, 1992**Effective:** upon local approval**Retirement—****MSRS interest rates increased**

HF2025\* (Reding)

SF1916 (Waldorf)

**Chapter 598:** relates to retirement; various retirement plans; increases the interest rate on the repayment of refunds and similar transactions; authorizes purchases of prior service credit; increases the employer contribution rate for certain first class city teacher retirement fund association coordinated programs; makes various changes in administrative provisions of laws governing the first class city teachers retirement fund associations; provides authority for the Minneapolis Teachers Retirement Fund Association to amend its articles of incorporation to modify disability benefits for basic program members; amends *Minnesota Statutes 1990*, sections 3A.03, subdivision 2; 352.01, subdivision 11; 352.04, subdivision 8; 352.23; 352.27; 352.271; 352B.11, subdivision 4; 352C.051, subdivision 3; 352C.09, subdivision 2; 352D.05, subdivision 4; 352D.11, subdivision 2; 352D.12; 353.28, subdivision 5; 353.35; 353.36, subdivision 2; 353A.07, subdivision 3, as amended; 354.41, subdivision 9; 354.50, subdivision 2; 354.51, subdivisions 4 and 5; 354.52, subdivision 4; 354.53, subdivision 1; 354A.011, subdivisions 4, 8, 11, 12, 13, 15, 21, 24, and 27; 354A.021, subdivision 6; 354A.05; 354A.08; 354A.096; 354A.12, subdivision 2; 354A.31, subdivision 3; 354A.36, subdivision 3; 354A.38, subdivision 3; and 490.124, subdivision 12; *Minnesota Statutes 1991 Supplement*, sections 353.01, subdivision 16; 353.27, subdivisions 12, 12a,

and 12b; 354.094, subdivision 1; and 354A.011, subdivision 26; repeals *Minnesota Statutes 1990*, sections 354A.011, subdivision 2; and 354A.40, subdivisions 2 and 3.

**Enactment:** April 29, 1992**Effective:** various dates**Investment board allowed additional investments**

HF2026 (Reding)

SF1917\* (Waldorf)

**Chapter 539:** relates to the State Board of Investment; management of funds under board control; authorizes certain investments by the board; amends *Minnesota Statutes 1990*, sections 11A.14, subdivision 2; 11A.16, subdivision 5; 11A.17, subdivisions 1, 4, 9, 14, and by adding a subdivision; 11A.18, subdivision 11; 116P.11; 352D.04, subdivision 1; 352D.09, subdivision 7; and 354B.05, subdivision 3; *Minnesota Statutes 1991 Supplement*, sections 11A.24, subdivision 4; 353D.05, subdivisions 2 and 3; and 354B.07, subdivision 2.

**Enactment:** April 27, 1992**Effective:** July 1, 1992**Retirement—MERF provisions modified**

HF2028 (Jefferson)

SF1935\* (Pogemiller)

**Chapter 480:** relates to retirement; makes changes in laws governing the Minneapolis Employees Retirement Fund; amends *Minnesota Statutes 1990*, sections 422A.12, subdivision 2; 422A.14, subdivision 1; and 422A.23, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, sections 422A.101, subdivision 1; and 422A.17; repeals *Minnesota Statutes 1990*, section 422A.14, subdivision 2.

**Enactment:** April 17, 1992**Effective:** April 18, 1992, with qualifications**Retirement—PERA provisions amended**

HF2063\* (O'Connor)

SF1819 (Dahl)

**Chapter 440:** relates to retirement; changes provisions governing reduced annuities from the Public Employees Retirement Association due to re-employment of annuitants; amends *Minnesota Statutes 1990*, section 353.37, subdivision 1.

**Enactment:** April 10, 1992**Effective:** retroactive to Jan. 1, 1992**Retirement—MSRS administrative bill**

HF2137\* (Lourey)

SF2048 (Stumpf)

**Chapter 432:** relates to retirement; the Minnesota State Retirement System and the Public Employees Retirement Association; makes various changes to administration, benefits, and investment practices; amends *Minnesota Statutes 1990*, sections 352.01, subdivision 2b; 352.029, subdivisions 1 and 2; 352.113, subdivisions 1, 3, 4, and 10; 352.12, subdivision 1; 352.22, subdivision 3; 352D.12; 353.01, subdivision 28; 353.27, subdivision 10; 353.29, subdivision 7; 353.33, subdivisions 1, 6, 6a, and 6b; 353.34, subdivision 2; 353.65, subdivision 1; 353.656, subdivision 5; 353.659; 353.68, subdivision 4; 353A.02, subdivision 12; 353A.04, subdivision 2; 353A.05, subdivision 3; 353A.07, subdivision 3; 353A.08, subdivision 6, and by adding a subdivision; 353A.09, subdivision 1; 353A.10, subdivision 4, and by adding a subdivision; 356.30, subdivision 1; 356.302, subdivision 6; 356.303, subdivision 3; 490.124, subdivision 11; *Minnesota Statutes 1991 Supplement*, sections 353.01, subdivisions 2b, 16, and 20; 353.27, subdivisions 12 and 12b; 353.31, subdivision 1; 353.32, subdivision 1a; 353.64, subdivision 5a; 353.657, subdivisions 1, 2, and 2a; 353A.03; 353A.06; 353D.01, subdivision 2; 353D.02; 353D.03; 353D.04, subdivision 1; 353D.05, subdivisions 2 and 3; 353D.07, subdivisions 2 and 3; 353D.12, subdivision 1; *Laws 1990*, chapter 570, article 8, section 14, subdivision 1, as amended; *Laws 1991*, chapter 269, article 2, section 13; proposes coding for new law in *Minnesota Statutes*, chapter 353; repeals *Minnesota Statutes 1990*, sections 352.029, subdivision 4; 353.656, subdivision 7; and 353.71, subdivision 3.

**Enactment:** April 9, 1992**Effective:** various dates

**Pensions—****St. Paul fire: surviving spouse benefits**

HF2186\* (McGuire)

SF1780 (Marty)

**Chapter 422:** relates to retirement; St. Paul Fire Department Relief Association; authorizes the payment of benefits to surviving former spouses of certain members.**Enactment:** April 8, 1992**Effective:** upon local approval**St. Paul—voting procedures for police relief association changed**

HF2225\* (O'Connor)

SF2412 (Waldorf)

**Chapter 393:** relates to retirement; St. Paul Police Relief Association; authorizes retirees and surviving spouses to participate in relief association board elections and other governance issues; amends *Laws 1955*, chapter 151, section 1, subdivision 3, as amended.**Enactment:** April 3, 1992**Effective:** upon local approval**Pensions—St. Paul police benefit regulations modified**

HF2226 (O'Connor)

SF2418\* (Waldorf)

**Chapter 586:** relates to retirement; St. Paul Police Relief Association; validates a change in the date on which personal and benefit payments are made.**Enactment:** April 29, 1992**Effective:** upon local approval**Administrative rules corrections**

HF2231 (Carruthers)

SF2282\* (Hottinger)

**Chapter 494:** relates to state government; regulates administrative rulemaking; provides for corrective legislation; extends the response period that precedes the writing of an administrative law judge's report on rules adopted after public hearing; requires the attorney general and administrative law judge to disregard harmless errors; regulates notices; amends *Minnesota Statutes 1990*, sections 3C.04, subdivision 4; 14.115, subdivision 5; 14.15, subdivision 1, and by adding a subdivision; 14.22; 14.26; 14.30; and 14.32.**Enactment:** April 20, 1992**Effective:** April 21, 1992**Peace officers—****"killed in line of duty" clarified**

HF2250\* (Carruthers)

SF2120 (Bertram)

**Chapter 523:** relates to public safety officer's survivor benefits; alters a definition; provides a claim filing limitation; amends *Minnesota Statutes 1990*, section 299A.41, subdivisions 3 and 4; proposes coding for new law in *Minnesota Statutes*, chapter 299A.**Enactment:** April 24, 1992**Effective:** April 25, 1992**Pensions—MnDOT employee granted early accrual**

HF2259\* (Reding)

SF2239 (Piper)

**Chapter 368:** relates to retirement; sets an earlier accrual date for a certain retired member of the state retirement system.**Enactment:** March 20, 1992**Effective:** March 21, 1992**Police, fire fighter relief associations—state aid altered**

HF2287\* (Jefferson)

SF1970 (Waldorf)

**Chapter 437:** relates to retirement; local police and salaried firefighter relief associations; eliminates eligibility for amortization state aid and supplementary amortization state aid for relief associations and consolidation accounts with no unfunded actuarial accrued liability; amends *Minnesota Statutes 1991 Supplement*, section 423A.02.**Enactment:** April 18, 1992**Effective:** April 9, 1992**Manufactured in USA—Canadian cement included**

HF2312 (Jaros)

SF2115\* (Solon)

**Chapter 583:** relates to state government; purchases; amends the definition of "manufactured in the United States"; amends *Minnesota Statutes 1991 Supplement*, section 16B.101, subdivision 1.**Enactment:** April 29, 1992**Effective:** April 30, 1992**Retirement—Duluth teachers allowed lump sum adjustment**

HF2313 (Jaros)

SF2182\* (Solon)

**Chapter 403:** relates to retirement; Duluth Teachers Retirement Fund Association; proposes coding for new law in *Minnesota Statutes*, chapter 354A; repeals *Laws 1985*, chapter 259, section 2; and *Laws 1990*, chapter 570, article 7, section 4.**Enactment:** April 3, 1992**Effective:** July 1, 1992**State departments—administration bill**

HF2335 (Peterson)

SF2699\* (Riveness)

**Chapter 514:** relates to state government; Department of Administration; modifies the encumbrance process for agency construction projects; modifies authority for building maintenance and leasing; changes requirements for certain agency purchases; amends administration of STARS; changes the date for the Department of Administration to report recycling goals; provides that the department may retain money from successful litigation; amends auditing requirements for noncommercial radio stations; extends the date for relocating the state printing operation; requires certain studies; makes various technical changes; amends *Minnesota Statutes 1990*, sections 16A.15, subdivision 3; 16B.09, by adding a subdivision; 16B.121; 16B.24, subdivisions 1 and 5; 16B.31, by adding a subdivision; 16B.33, subdivision 3; 16B.40, subdivision 8; 16B.465, subdivisions 2, 3, and 6; 16B.58, subdivision 5; 129D.14, subdivisions 3, 4, and 6; *Minnesota Statutes 1991 Supplement*, sections 16B.19, subdivision 2b; 103B.311, subdivision 7; 115A.15, subdivision 9; and 138.94, subdivision 1; and *Laws 1991*, chapters 183, section 1; and 345, article 1, section 17, subdivision 4.**Enactment:** April 29, 1992**Effective:** various dates

**Pensions—****Thief River Falls police benefit increased**

HF2369\* (Sparby)

SF2242 (Stumpf)

**Chapter 431:** relates to retirement; authorizes a benefit increase for certain retired police officers and surviving spouses in the city of Thief River Falls.

**Enactment:** April 18, 1992

**Effective:** retroactive to Jan. 1, 1992; upon local approval

**PEIP—various modifications**

HF2435\* (Wejcman)

SF2700 (Waldorf)

**Chapter 491:** relates to the Department of Employee Relations; public employment; removes a committee's expiration date; modifies retirement program options; expands a bidding requirement exemption; amends *Minnesota Statutes 1990*, section 43A.316, subdivisions 4, 6, and 10; *Minnesota Statutes 1991 Supplement*, section 43A.316, subdivision 8; repeals *Laws 1990*, chapter 589, article 2, section 3.

**Enactment:** April 20, 1992

**Effective:** April 21, 1992

**Pensions—technical college employees made eligible**

HF2438\* (Reding)

SF2367 (Morse)

**Chapter 446:** relates to retirement; Individual Retirement Account plan; expands plan coverage to include certain higher education employees; changes the formula for compounding interest on deferred annuities of constitutional officers or commissioners; amends *Minnesota Statutes 1990*, sections 136.88, subdivision 1; 352C.033; 352D.02, subdivisions 1 and 1a; 352D.03; 354B.01, subdivision 2, and by adding subdivisions; 354B.015; 354B.02, subdivisions 1, 4, and by adding subdivisions; 354B.03, by adding a subdivision; 354B.04, subdivision 1; and 354B.05, subdivision 1; *Minnesota Statutes 1991 Supplement*, section 354B.04, subdivision 2; repeals *Laws 1986*, chapter 458, section 36.

**Enactment:** April 15, 1992.

**Effective:** July 1, 1992, with exceptions

**Pensions—Minneapolis police, fire survivor benefits increased**

HF2565 (Jefferson)

SF2382\* (Pogemiller)

**Chapter 454:** relates to retirement; provides for surviving spouse benefits for the Minneapolis Police Relief Association and the Minneapolis Fire Department Relief Association; amends *Laws 1949*, chapter 406, section 6, subdivision 1, as amended; and *Laws 1965*, chapter 519, section 1, as amended.

**Enactment:** April 13, 1992

**Effective:** upon local approval

**Pensions—Nashwauk police survival benefits increased**

HF2683\* (Solberg)

SF2467 (Lessard)

**Chapter 428:** relates to the city of Nashwauk; authorizes an increase in benefits payable to surviving spouses by the police relief association; repeals a surviving spouse remarriage penalty; amends *Laws 1943*, chapter 196, section 4, as amended.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

**State councils—****Asian-Pacific membership increase**

HF2704\* (Clark)

SF2597 (Pappas)

**Chapter 408:** relates to state government; increases the size of the Council on Black Minnesotans and the Council on Asian-Pacific Minnesotans; provides for representation of various Asian-Pacific communities on the council; amends *Minnesota Statutes 1991 Supplement*, sections 3.9225, subdivision 1; and 3.9226, subdivision 1.

**Enactment:** April 7, 1992

**Effective:** Aug. 1, 1992

**State departments—****employee relations expenses**

HF2744\* (Koppendrayner)

SF2566 (Renneke)

**Chapter 375:** relates to the Department of Employee Relations; modifies expense account terms and uses; amends *Minnesota Statutes 1991 Supplement*, section 43A.48.

**Enactment:** April 1, 1992

**Effective:** April 2, 1992

**Retirement—****Virginia fire survivor benefit increased**

HF2756\* (Rukavina)

SF2530 (Dicklich)

**Chapter 465:** relates to the city of Virginia; authorizes annual increases in survivor benefits payable by the Virginia Firefighters Relief association.

**Enactment:** April 15, 1992

**Effective:** retroactive to Jan. 1, 1992; upon local approval

**Virginia—police relief benefits changed**

HF2769\* (Rukavina)

SF2531 (Dicklich)

**Chapter 392:** relates to retirement; provides for the calculation of pension increases for the Virginia Police Relief Association.

**Enactment:** April 3, 1992

**Effective:** upon local approval

**Cities—Minneapolis police relief laws codified**

HF2784 (Sarna)

SF2547\* (Pogemiller)

**Chapter 471:** relates to retirement; Minneapolis Police Relief Association; recodifies the local laws applicable to the local relief association; amends *Laws 1980*, chapter 607, article XV, sections 8, 9, as amended, and 10; *Laws 1989*, chapter 319, article 19, sections 6 and 7, subdivisions 1 and 4, as amended; and *Laws 1990*, chapter 589, article 1, section 6; repeals *Minnesota Statutes 1957*, sections 423.71; 423.715; 423.72; 423.725; 423.73; 423.735; 423.74; 423.745; 423.75; 423.755; 423.76; 423.765; 423.77; 423.775; *Special Laws 1891*, chapter 143; *Laws 1943*, chapter 280; *Laws 1949*, chapter 406; *Laws 1953*, chapter 127; *Laws 1957*, chapters 721 and 939; *Laws 1959*, chapters 428 and 662; *Laws 1961*, chapter 532; *Laws 1963*, chapter 315; *Laws 1965*, chapters 493, 520, and 534; *Laws 1967*, chapters 820 and 825; *Laws 1969*, chapters 258 and 560; *Laws 1973*, chapters 272 and 309; *Laws 1975*, chapter 428; *Laws 1980*, chapter 607, article XV, section 21; *Laws 1983*, chapter 88; *Laws 1987*, chapters 322, sections 2, 3, 4, 5, 6, 7, and 8; and 372, article 2, sections 2, 3, 4, 6, and 15; *Laws 1988*, chapters 572, sections 3, 5, and 6; and 574, sections 2, 4, and 5; *Laws 1990*, chapter

589, article 1, section 4; and *Laws 1991*, chapter 90.

**Enactment:** April 15, 1992

**Effective:** upon local approval

#### Retirement—Minneapolis fire, level benefits provided

HF2792\* (Rice)

SF2581 (Kroening)

**Chapter 429:** relates to retirement; provides level benefits for members of the Minneapolis Fire Department Relief Association.

**Enactment:** April 9, 1992

**Effective:** upon local approval

#### Firefighters—survivor benefits modified

HF2827 (O'Connor)

SF2628\* (Kelly)

**Chapter 553:** relates to public safety officers; defines firefighters for purposes of the public safety officer's survivor benefits law; amends *Minnesota Statutes 1990*, section 299A.41, subdivision 4.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

#### Optometry license, exam procedures modified

HF2924\* (Jefferson)

SF2486 (Sams)

**Chapter 419:** relates to licensure board powers; amends the examination procedure for licensing optometrists; amends *Minnesota Statutes 1990*, section 148.57, subdivision 1.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992



## Health & Human Services

#### Work readiness—time limit extended

HF1758 (Greenfield)

SF 1612\* (Samuelson)

**Chapter 361:** would have temporarily removed the time limit on work readiness assistance.

**Vetoed:** Jan. 17, 1992

#### Dental practice—ionizing radiation regulations

HF1978\* (Cooper)

SF1824 (Solon)

**Chapter 444:** relates to health; delays the effective date of rules regulating ionizing radiation; requires a study.

**Enactment:** April 13, 1992

**Effective:** retroactive to Oct. 10, 1991; April 14, 1992

#### Diseases—HIV, hepatitis B: testing for emergency volunteers

HF2034\* (Bodahl)

SF1724 (Reichgott)

**Chapter 425:** relates to health; allows persons who voluntarily provide assistance at the scene of an accident to obtain test results to determine whether they have been exposed to HIV or hepatitis B; amends *Minnesota Statutes 1990*, section 144.761, subdivision 5.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

#### Diseases—

##### HIV, hepatitis B monitoring, reporting

HF2050 (Bishop)

SF2732\* (Piper)

**Chapter 559:** relates to public health; provides for the reporting and monitoring of certain licensed health care workers who are infected with the human immunodeficiency virus or hepatitis B virus; authorizes rulemaking for certain health-related licensing boards; provides penalties; provides licensing requirements for chemical dependency counselors; provides for denial, suspension, or revocation of licenses

under certain circumstances; requires the commissioner of human services to adopt rules for licensure of chemical dependency counselors; appropriates money; amends *Minnesota Statutes 1990*, sections 144.054; 144.55, subdivision 3; 147.091, subdivision 1; 148.261, subdivision 1; 150A.08, subdivision 1; 153.19, subdivision 1; 214.12; and 595.02, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapters 150A; and 214; proposes coding for new law as *Minnesota Statutes*, chapter 148C.

**Enactment:** April 27, 1992

**Effective:** various dates

#### Medical assistance—provider appeals modified

HF2081\* (Tunheim)

SF1903 (Stumpf)

**Chapter 426:** relates to health; modifies provider appeal requirements for medical assistance; amends *Minnesota Statutes 1990*, section 256B.50, subdivision 1b.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

#### Pharmacy board appointments—geographic representation

HF2254\* (Cooper)

SF2049 (Vickerman)

**Chapter 389:** relates to occupations and professions; clarifies membership requirements for the Board of Pharmacy; amends *Minnesota Statutes 1991 Supplement*, section 151.03.

**Enactment:** April 2, 1992

**Effective:** April 3, 1992

#### Mental health professionals—marriage, family therapists added

HF2273\* (Cooper)

SF2084 (Samuelson)

**Chapter 526:** relates to mental health; by adding licensed marriage and family therapists to the list of qualified mental health professionals; authorizes a demonstration project; amends *Minnesota Statutes 1991 Supplement*, sections 245.462, subdivision 18; and 245.4871, subdivision 27.

**Enactment:** April 24, 1992

**Effective:** Aug. 1, 1992

**Blind person reporting—ophthalmologists and optometrists**

HF2286 (Boo)

SF1805\* (Traub)

**Chapter 470:** relates to human services; requires reporting of legally blind persons to Minnesota state services for the blind and visually handicapped; modifies the duties of the commissioner of jobs and training; removes a council's expiration date; amends *Minnesota Statutes 1990*, sections 248.07, subdivisions 1 and 5; and 248.10, subdivision 2; proposes coding for new law in *Minnesota Statutes*, chapter 248.

Enactment: April 17, 1992

Effective: Aug. 1, 1992

**American Indian child welfare advisory council created**

HF2342 (Jefferson)

SF2186\* (Traub)

**Chapter 515:** relates to human services; provides for appointment of a member to the Child Abuse Prevention Advisory Council by the commissioner of human services; provides for an American Indian child welfare advisory council; amends *Minnesota Statutes 1990*, section 257.3579; *Minnesota Statutes 1991 Supplement*, section 299A.23, subdivision 2.

Enactment: April 24, 1992

Effective: Aug. 1, 1992

**Medical assistance coverage—personal care services provided**

HF2499 (Greenfield)

SF2337\* (Flynn)

**Chapter 391:** relates to human services; provides for medical assistance coverage of home health services delivered in a facility under certain circumstances; provides for medical assistance coverage of personal care services provided outside the home when authorized by the responsible party; allows foster care providers to deliver personal care services if monitored; defines responsible party; allows recipients to request continuation of services at a previously authorized level while an appeal is pending; requires cost effectiveness of services to be considered; amends *Minnesota Statutes 1991 Supplement*, sections 256B.0625, subdivisions 6a and 19a; and

256B.0627, subdivisions 1, 4, 5, and 6.

Enactment: March 31, 1992

Effective: April 1, 1992

**Guardian powers related to mentally retarded—restricted**

HF2532 (Segal)

SF2247\* (Kroening)

**Chapter 459:** relates to human services; defines supported employment services; prohibits the commissioner from adopting rules requiring counties to separate their public guardianship function from their case management function, unless state funding is provided to cover county costs; requires a report; proposes codes for new law in *Minnesota Statutes*, chapter 252.

Enactment: April 17, 1992

Effective: Aug. 1, 1992

**Social work board—disciplinary powers, reporting**

HF2579 (Dorn)

SF2234\* (Finn)

**Chapter 460:** relates to occupations and professions; modifies disciplinary requirements of the Board of Social Work; allows the issuance of practice permits; clarifies requirements for changes in licensure level; amends *Minnesota Statutes 1990*, sections 148B.04, by adding a subdivision; 148B.15; 148B.18, subdivisions 9 and 12; 148B.21, subdivision 2, and by adding subdivisions; 148B.22, subdivision 2; 148B.28, subdivision 2; *Minnesota Statutes 1991 Supplement*, sections 148B.04, subdivision 3; 148B.05, subdivision 1; 148B.07, subdivision 3; 148B.08, subdivision 1; and 148B.175, subdivisions 3, 4, 5, and 8; proposes coding for new law in *Minnesota Statutes*, chapter 148B; repeals *Minnesota Statutes 1990*, section 148B.05, subdivision 2.

Enactment: April 17, 1992

Effective: Aug. 1, 1992

**Lead-education, assessment, screening, abatement; hospices**

HF2696 (Greenfield)

SF2137\* (Hottinger)

**Chapter 595:** relates to health; modifies requirements for lead education, assessment, screening and abatement; transfers rule authority from the commissioner of the Pollution Control Agency; defines a residential hospice facility; modifies hos-

pice program conditions; limits the number of residential hospice facilities; requires a report; amends *Minnesota Statutes 1990*, sections 144.871, subdivisions 3, 6, 8, and by adding subdivisions; 144.872, subdivisions 1, 2, 3, and 4; 144.873, subdivisions 2 and 3; 144.874, subdivision 4; 144.876; 144.878, subdivision 2, and by adding a subdivision; and 144A.48, subdivision 1, and by adding a subdivision; *Minnesota Statutes 1991 Supplement*, sections 144.871, subdivision 2; 144.873, subdivision 1; 144.874, subdivisions 1, 2, 3, and 12; and 326.87, subdivision 1; repeals *Minnesota Statutes 1990*, sections 116.51; 116.52; 116.53, subdivision 1; and 144.878, subdivision 4.

Enactment: April 29, 1992

Effective: Aug. 1, 1992

**HealthRight—coverage for uninsured, underinsured**

HF2800\* (Ogren)

SF2603 (Berglin)

**Chapter 549:** relates to health care; provides health coverage for low-income uninsured persons; establishes statewide and regional cost containment programs; reforms requirements for health insurance companies; establishes rural health system initiatives; creates quality of care and data collection programs; revises malpractice laws; creates a health care access fund; imposes taxes; provides penalties; appropriates money; amends *Minnesota Statutes 1990*, sections 16A.124, by adding a subdivision; 43A.17, subdivision 9; 60A.15, subdivision 1; 62A.02, subdivisions 1, 2, 3, and by adding subdivisions; 62C.01, subdivision 3; 62E.02, subdivision 23; 62E.10, subdivision 1; 62E.11, subdivision 9, and by adding a subdivision; 62H.01; 136A.1355, subdivisions 2 and 3; 144.147, subdivisions 1, 3, and 4; 144.581, subdivision 1; 144.8093; 145.682, subdivision 4; 256.936, subdivisions 1, 2, 3, 4, and by adding subdivisions; 256B.057, by adding a subdivision; 290.01, subdivision 19b; and 447.31, subdivisions 1 and 3; *Minnesota Statutes 1991 Supplement*, sections 62A.31, subdivision 1; 145.61, subdivision 5; 145.64, subdivision 2; 256.936, subdivision 5; 297.02, subdivision 1; and 297.03, subdivision 5; proposes coding for new law in *Minnesota Statutes*, chapter 16A; 43A; 62A; 62E; 62J; 136A; 137; 144;

214; 256; 256B; 295; and 604; proposes coding for new law as *Minnesota Statutes*, chapter 62L; repeals *Minnesota Statutes 1990*, section 62A.02, subdivisions 4 and 5.

**Enactment:** April 23, 1992

**Effective:** various dates

#### Health care review powers provided for nursing homes

HF2962 (Cooper)

SF1900\* (Finn)

**Chapter 400:** relates to health; allows nursing homes to establish review organizations; includes quality assurance under medical assistance and Medicare as an activity of a review organization; amends *Minnesota Statutes 1991 Supplement*, section 145.61, subdivisions 4a and 5.

**Enactment:** April 3, 1992

**Effective:** Aug. 1, 1992

#### Residential facility residents' savings accounts regulated

HF2967 (Clark)

SF2117\* (Berglin)

**Chapter 406:** relates to human services; modifies requirements for earned income savings accounts for residents of residential facilities; requires the signature of a representative of the residential facility before money may be withdrawn; amends *Minnesota Statutes 1991 Supplement*, section 256D.06, subdivision 1b.

**Enactment:** April 7, 1992

**Effective:** Aug. 1, 1992



## Housing

### Housing—omnibus bill

HF1002 (Clark)

SF720\* (Metzen)

**Chapter 376:** relates to housing and economic development; modifies procedures relating to rent escrow actions; modifies procedures relating to the tenant's loss of essential services; modifies provisions relating to tenant remedy actions, retaliatory eviction proceedings, and receivership proceedings; modifies provisions relating to Minnesota Housing Finance Agency low- and moderate-income housing programs; modifies certain receivership, assignment of rents and profits, and landlord and tenant provisions; modifies provisions relating to housing and redevelopment authorities; authorizes certain economic development activities within the city of St. Paul; provides for job training for homeless persons; amends *Minnesota Statutes 1990*, sections 268.362; 268.364, subdivision 4; 268.365, subdivision 2; 469.002, subdivision 24; 469.011, subdivision 4; 469.012, subdivisions 1 and 3; 469.015, subdivisions 3, 4, and by adding a subdivision; 504.02; 504.18, subdivision 1; 504.185, subdivision 2; 504.20, subdivisions 3, 4, 5, and 7; 504.27; 559.17, subdivision 2; 566.03, subdivision 1; 566.17, by adding a subdivision; 566.175, subdivision 6; 566.18, subdivision 9; 566.29, subdivisions 2 and 4; 566.34, subdivision 2; 576.01, subdivision 2; *Minnesota Statutes 1991 Supplement*, sections 481.02, subdivision 3; proposes coding for new law in *Minnesota Statutes*, chapter 609.

**Enactment:** April 1, 1992

**Effective:** Aug. 1, 1992; upon local approval

### Civil law—landlord, tenant detainer actions modified

HF2076 (Dawkins)

SF1938\* (Pappas)

**Chapter 533:** relates to landlords and tenants; provides for assignment to the county attorney of the landlord's right to evict for breach of the covenant not to sell

drugs or permit their sale; clarifies the law on forfeiture of real estate interests related to contraband or controlled substance seizures; amends *Minnesota Statutes 1990*, sections 504.181, subdivision 2; 609.5311, subdivision 3; and 609.5317, subdivision 1.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992; Aug. 1, 1992

### MHFA—bond, loan procedures clarified

HF2501\* (Dawkins)

SF2496 (Johnson, J.B.)

**Chapter 522:** relates to housing; modifies requirements for lead education, assessment, screens and abatement; transfers rule authority from the commissioner of the Pollution Control Agency; modifies provisions of rehabilitation loans, lease-purchase housing, and urban and rural homesteading; limits use of emergency rules; modifies limitations on the use of bond proceeds; modifies provisions of publicly owned transitional housing program; modifies provisions for neighborhood land trusts; regulates certain interests in contracts by public officers; increases the debt ceiling of the Minnesota Housing Finance Agency; removes the limitation on payment of property taxes and assessments on certain HRA property as a lawful purpose; amends *Minnesota Statutes 1990*, sections 462A.03, subdivision 7; 462A.05, subdivision 14a; 462A.06, subdivision 11; 462A.202, subdivision 2; and 462A.22, subdivision 1; *Minnesota Statutes 1991 Supplement*, sections 462A.05, subdivision 36; 462A.073, subdivision 2; and 462A.30, subdivisions 6 and 9; repeals *Minnesota Statutes 1990*, section 462A.057, subdivisions 2, 3, 4, 5, 6, 7, 8, 9, and 10; and *Laws 1991*, chapter 292, article 9, section 35.

**Enactment:** April 29, 1992

**Effective:** April 30, 1992, with exceptions



## Judiciary

### Towing of unlawfully parked vehicles authorized

HF155\* (Bishop)

SF816 (Brataas)

**Chapter 580:** relates to traffic regulations; authorizes immediate towing of certain unlawfully parked vehicles; amends *Minnesota Statutes 1990*, section 169.041, subdivision 4.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

### Crime—omnibus DWI bill

HF285 (Carruthers)

SF897\* (Marty)

**Chapter 570:** relates to driving while intoxicated; makes it a crime to refuse to submit to tests under the implied consent law; expands the scope of the administrative plate impoundment law; authorizes the forfeiture of vehicles used to commit certain repeat DWI offenses; increases certain license revocation periods; revises the implied consent advisory; imposes waiting periods on the issuance of limited licenses; increases certain fees; updates laws relating to operating a snowmobile, all-terrain vehicle, motorboat, or aircraft, and to hunting, while intoxicated; imposes penalties for hunting while intoxicated; changes sentencing provisions; appropriates money; amends *Minnesota Statutes 1990*, sections 84.91; 84.911; 86B.331; 86B.335, subdivisions 1, 2, 4, 5, and 6; 97B.065; 168.042, subdivisions 1, 2, 4, 10, and 11; 169.121, subdivisions 1a, 3, 3a, 3b, 3c, 4, and 5; 169.123, subdivision 4; 169.126, subdivision 1; 169.129; 360.0752, subdivision 6, and by adding a subdivision; and 360.0753, subdivisions 2, 7, and 9; *Minnesota Statutes 1991 Supplement*, sections 169.121, subdivision 5a; 169.123, subdivision 2; 169.126, subdivision 2; 169.1265, subdivisions 1 and 3; 171.30, subdivision 2a; 171.305, subdivision 2; and 609.135, subdivision 2; proposes coding for new law in *Minnesota Statutes*, chapters 97B; and 169; repeals *Minnesota Statutes 1990*, section 169.126,

subdivision 4c.

**Enactment:** April 29, 1992

**Effective:** various dates

### Crimes—butane, toxic substance sale to minors prohibited

HF1196 (Clark)

SF979\* (Pappas)

**Chapter 485:** relates to crimes; provides that it is a misdemeanor to sell a toxic substance containing butane to a minor; moves certain misdemeanor provisions to the criminal code; amends *Minnesota Statutes 1990*, section 145.406; proposes codes for new law in *Minnesota Statutes*, chapter 609; repeals *Minnesota Statutes 1990*, sections 145.38; 145.385; 145.39; and 145.40.

**Enactment:** April 20, 1992

**Effective:** July 1, 1992

### Corporation—

#### legal representation law modified

HF1441 (Milbert)

SF1319\* (Metzen)

**Chapter 497:** relates to the practice of law; allows the sole shareholder of a corporation to appear on behalf of the corporation in court; amends *Minnesota Statutes 1991 Supplement*, section 481.02, subdivision 3.

**Enactment:** April 20, 1992

**Effective:** Aug. 1, 1992

### Child custody—

#### non-parental visitation rights modified

HF1738\* (Vellenga)

SF1700 (Ranum)

**Chapter 529:** relates to family law; modifies the requirements for a person other than a parent who seeks child custody or visitation; amends *Minnesota Statutes 1990*, section 518.156, subdivision 1.

**Enactment:** April 24, 1992

**Effective:** Aug. 1, 1992

### Crime—

#### pistol permits denied in certain cases

HF1803 (Bishop)

SF1619\* (Marty)

**Chapter 537:** relates to crimes; enhances penalties for an assault against a family or household member; requires courts to take possession of any firearm used in the commission of such an assault; disqualifies persons convicted of fifth-degree domestic assault from possessing a pistol under cer-

tain circumstances; requires persons convicted of crimes of violence to be notified that they are prohibited from possessing pistols for ten years after restored to civil rights; amends *Minnesota Statutes 1990*, sections 609.224, subdivision 2, and by adding a subdivision; and 624.713, by adding a subdivision.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

### Statutes—

#### session laws, numbering clarified

HF1823 (Milbert)

SF1671\* (Luther)

**Chapter 416:** relates to statutes; provides for the numbering of session law chapters; amends *Minnesota Statutes 1990*, section 3C.04, subdivision 5.

**Enactment:** April 7, 1992

**Effective:** April 8, 1992

### Drugs—

#### crack, cocaine penalties equalized

HF1840 (Solberg)

SF11\* (Spear)

**Chapter 359:** relates to crimes; controlled substances; increases penalties for sale or possession of powder cocaine to be identical to the penalties for sale or possession of cocaine base; amends the definition of sale to include possession with intent to sell; amends *Minnesota Statutes 1990*, sections 152.01, subdivision 15a, and by adding a subdivision; 152.021, subdivision 2; 152.022, subdivision 2; 152.025, subdivision 2; *Minnesota Statutes 1991 Supplement*, sections 152.01, subdivision 20; 152.021, subdivision 1; 152.022, subdivision 1; and 152.023, subdivision 2.

**Enactment:** Jan. 17, 1992

**Effective:** Jan. 18, 1992

### Crime—omnibus bill

HF1849\* (Vellenga)

SF1687 (Spear)

**Chapter 571:** relates to crime; anti-violence education, prevention and treatment; increases penalties for repeat sex offenders; provides for life imprisonment for certain repeat sex offenders; provides for life imprisonment without parole for certain persons convicted of first-degree murder; increases penalties for other violent crimes and crimes committed against children;

increases penalty for second-degree assault resulting in substantial bodily harm; removes the limit on consecutive sentences for felonies; increases supervision of sex offenders; requires review of sex offenders for psychopathic personality commitment before prison release; provides a fund for sex offender treatment; eliminates the "good time" reduction in prison sentences; allows the extension of prison terms for disciplinary violations in prison; authorizes the commissioner of corrections to establish a challenge incarceration program; authorizes the imposition of fees for local correctional services on offenders; requires the imposition of minimum fines on convicted offenders; expands certain crime victim rights; provides programs for victim-offender mediation; enhances protection of domestic abuse victims; requires city and county attorneys to adopt a domestic abuse prosecution plan; creates a civil cause of action for minors used in a sexual performance; provides for a variety of anti-violence education, prevention, and treatment programs; requires training of peace officers regarding crimes of violence and sensitivity to victims; creates an advisory task force on the juvenile justice system; provides for chemical dependency treatment for children, high-risk youth, and pregnant women, and women with children; provides for violence prevention trains and campus safety and security; appropriates money; amends *Minnesota Statutes 1990*, sections 8.01; 121.882, by adding a subdivision; 127.46; 135A.15; 169.791; 169.792; 169.793; 169.796; 171.07, subdivision 1a; 171.19; 241.021, by adding a subdivision; 241.67, subdivisions 1, 2, 3, 6, and by adding a subdivision; 242.195, subdivision 1; 243.53; 244.01, subdivision 8; 244.03; 244.04, subdivisions 1 and 3; 244.05, subdivisions 1, 3, 4, 5, and by adding subdivisions; 245.4871, by adding a subdivision; 253B.18, subdivision 2; 254A.14, by adding a subdivision; 254A.17, subdivision 1, and by adding a subdivision; 259.11; 260.125, subdivision 3a; 260.151, subdivision 1; 260.155, subdivision 1, and by adding a subdivision; 260.161, subdivision 1, and by adding a subdivision; 260.172, subdivision 1; 260.181, by adding a subdivision; 260.185, subdivisions

1, 4, and by adding a subdivision; 260.311, by adding a subdivision; 270A.03, subdivision 5; 401.02, subdivision 4; 485.018, subdivision 5; 518B.01, subdivisions 7, 13, and by adding subdivisions; 526.10; 546.27, subdivision 1; 595.02, subdivision 4; 609.02, by adding a subdivision; 609.055; 609.10; 609.101, by adding a subdivision; 609.125; 609.135, subdivision 5, and by adding a subdivision; 609.1351; 609.1352, subdivisions 1 and 5; 609.15, subdivision 2; 609.152, subdivisions 2 and 3; 609.184, subdivisions 1 and 2; 609.185; 609.19; 609.222; 609.2231, by adding a subdivision; 609.224, subdivision 2; 609.322; 609.323; 609.342; 609.343; 609.344, subdivisions 1 and 3; 609.345, subdivisions 1 and 3; 609.346, subdivisions 2, 2a, and by adding subdivisions; 609.3471; 609.378, subdivision 1; 609.746, subdivision 2; 609.748, subdivision 5; 611.271; 611A.03, subdivision 1; 611A.0311, subdivisions 2 and 3; 611A.034; 611A.04, subdivisions 1 and 1a; 611A.52, subdivision 6; 624.7131, subdivisions 1 and 6; 624.7132, subdivision 1; 624.714, subdivisions 3 and 7; 626.5531, subdivision 1; 626.843, subdivision 1; 626.8451; 626.8465, subdivision 1; 629.72, by adding a subdivision; 630.36, subdivision 1, and by adding a subdivision; and 631.035; *Minnesota Statutes 1991 Supplement*, sections 8.15; 121.882, subdivision 2; 124A.29, subdivision 1, as amended; 126.70, subdivisions 1, as amended, and 2a; 168.041, subdivision 4; 169.795; 171.29, subdivision 1; 171.30, subdivision 1; 244.05, subdivision 6; 244.12, subdivision 3; 245.484; 245.4884, subdivision 1; 260.161, subdivision 3; 299A.30; 299A.31, subdivision 1; 299A.32, subdivisions 2 and 2a; 299A.36; 357.021, subdivision 2; 481.10; 518B.01, subdivisions 3a, 4, 6, and 14; 609.101, subdivision 1; 609.135, subdivision 2; 609.748, subdivisions 3 and 4; and 611A.32, subdivision 1; *Laws 1991*, chapter 232, section 5; proposes coding for new law in *Minnesota Statutes*, chapters 126; 145; 145A; 169; 241; 244; 256; 256F; 260; 299A; 299C; 480; 526; 609; 611A; 617; 624; and 629; repeals *Minnesota Statutes 1990*, sections 65B.67; 65B.68; 65B.69; and 169.792, subdivision 9; *Minnesota Statutes 1991 Supplement*, section 168.041,

subdivision 1a.

**Enactment:** April 29, 1992

**Effective:** various dates

#### Legal—

#### limited liability company act created

HF1910\* (Rest)

SF1740 (Reichgott)

**Chapter 517:** relates to corporations; provides for the formation, organization, operation, taxation, management, and ownership of limited liability companies; prescribes the procedures for filing articles of organization; establishes the powers of a limited liability company; providing for the names of a limited liability company; provides for the appointment of a resident agent for a limited liability company; establishes the relationship of the members of a limited liability company to each other and to third parties; permits the merger of one or more limited liability companies with other domestic limited liability companies and domestic and foreign corporations; provides for the dissolution, winding up, and termination of a limited liability company; provides for foreign limited liability companies to do business in this state; defines certain terms; amends *Minnesota Statutes 1990*, sections 211B.15, subdivisions 1, 2, 3, 4, 6, 7, 9, 10, and 11; 290.01, by adding a subdivision; 302A.011, subdivision 19; 302A.115, subdivision 1; 302A.121, subdivision 2; 302A.601, by adding a subdivision; 308A.005, subdivision 6; 308A.121, subdivision 1; 317A.011, subdivision 16; 317A.115, subdivision 2; 319A.02, subdivision 5, and by adding a subdivision; 319A.03; 319A.05; 319A.06, subdivision 2; 319A.07; 319A.12, subdivisions 1a and 2; 319A.20; 322A.01; 322A.02; 333.001; 333.18, subdivision 2; 333.20, subdivision 2; and 333.21, subdivision 1; *Minnesota Statutes 1991 Supplement*, sections 290.06, subdivision 22; 302A.471, subdivision 1; and 500.24, subdivision 3; proposes coding for new law as *Minnesota Statutes*, chapter 322B.

**Enactment:** April 29, 1992

**Effective:** Jan. 1, 1993

**Legal—mortgage, foreclosure provisions modified**

HF1938 (Pugh)

SF1856\* (Finn)

**Chapter 463:** relates to real property; abolishes issuance of duplicate certificates of title and duplicate CPTs for use by lessees and mortgagees of registered land; provides for mortgage satisfaction or release by fewer than all mortgagees; regulates various notice, hearing, and other procedures and requirements for foreclosures and other involuntary transfers of real property; provides for new certificates of title or CPT to be issued for registered land adjoins a vacated street or alley; provides that purchase money mortgages are subject to rights or interest of nonmortgaging spouse; provides that marital property interest of nontitled spouse is not subject to levy, judgments, or tax liens; clarifies provisions relating to notice of termination of contract for deed; changes certain dates relating to validation of mortgage foreclosures; amends *Minnesota Statutes 1990*, sections 507.03; 508.44, subdivision 2; 508.45; 508.55; 508.56; 508.57; 508.58; 508.59; 508.67; 508.71, subdivision 6; 508.73; 508.835; 508A.11, subdivision 3; 508A.44, subdivision 2; 508A.45; 508A.55; 508A.56; 508A.57; 508A.58; 508A.59; 508A.71, subdivision 6; 508A.73; 508A.835; 508A.85, subdivision 3; 514.08, subdivision 2; 518.54, subdivision 5; 559.21, subdivisions 2a and 3; 580.15; 582.01, by adding a subdivision; and 582.27; *Minnesota Statutes 1991 Supplement*, sections 508.82; and 508A.82; proposes codes for new law in *Minnesota Statutes*, chapters 507; and 580.

**Enactment:** April 15, 1992

**Effective:** Aug. 1, 1992, with qualifications, exceptions

**Child custody—placement provisions modified**

HF1941 (Jefferson)

SF1821\* (Berglin)

**Chapter 557:** relates to children; changes certain provisions for placement of children; establishes a general preference for adoption by relatives; requires continued study of out-of-home dispositions; amends *Minnesota Statutes 1990*, sections 257.025; 257.071, subdivision 1; 257.072, subdivision 7; 259.255; 259.28, subdivision 2;

259.455; 260.181, subdivision 3; and 518.17, subdivision 1.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992, with exceptions

**Probate proceedings—trust, powers of attorney modified**

HF2000\* (Macklin)

SF1859 (Merriam)

**Chapter 548:** relates to probate; changes provisions relating to merger of trusts, certificates of trust, affidavits of trustees, and powers of attorney; amends *Minnesota Statutes 1990*, sections 508.62; 508A.62; 523.02; 523.03; 523.07; 523.08; 523.09; 523.11, subdivisions 1 and 2; 523.17; 523.18; 523.19; 523.21; 523.22; 523.23, subdivisions 1, 2, 3, and by adding subdivisions; 523.24, subdivisions 1, 7, 8, and 9; *Minnesota Statutes 1991 Supplement*, section 518.58, subdivision 1a; proposes codes for new law in *Minnesota Statutes*, chapters 501B; and 523; repeals *Minnesota Statutes 1990*, section 523.25.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

**Data practices—omnibus bill**

HF2181\* (Carruthers)

SF1974 (Ranum)

**Chapter 569:** relates to data practices; provides for the collection, classification, and dissemination of data; modifies provisions concerning patient consent to release of medical records; provides for charges for patient medical records; expands the administrative subpoena power of the county attorney; makes information on closed bank accounts available to authorities investigating worthless check cases; specifies when certain search warrants may be served; imposing a waiting period on persons who seek a pardon extraordinary from the Board of Pardons; requires that a pardon extraordinary be made a part of the pardoned offender's court record and that a copy be sent to the bureau of criminal apprehension; improves the pardon application procedure; requires certain reports; appropriates money; amends *Minnesota Statutes 1990*, sections 13.03, by adding a subdivision; 13.05, subdivision 4; 72A.20, by adding a subdivision; 144.335, by adding subdivisions; 152.18, subdivision 1; 242.31; 270B.14, by adding a subdivision;

299C.11; 299C.13; 388.23, subdivision 1; 609.168; 611A.20, subdivision 2; 626.14; 638.02, subdivisions 2 and 4; *Minnesota Statutes 1991 Supplement*, sections 13.03, subdivision 3; 144.0525; 144.335, subdivisions 1 and 3a; 609.535, subdivision 6; 638.02, subdivision 3; 638.05; and 638.06; *Laws 1990*, chapter 566, section 9; proposes coding for new law in *Minnesota Statutes*, chapter 13; 144; 299C; 357; 611A; and 638; proposes coding for new law as *Minnesota Statutes*, chapter 13C.

**Enactment:** April 29, 1992

**Effective:** various dates

**Courts—conciliation procedures amended**

HF2206 (Pugh)

SF1691\* (Kelly)

**Chapter 591:** relates to courts; authorizes certain appearances in conciliation court; modifies and clarifies conciliation court jurisdiction and procedures; increases jurisdictional amounts; amends *Minnesota Statutes 1990*, sections 487.30, subdivisions 1, 3a, 4, 7, 8, and by adding subdivisions; 488A.12, subdivision 3; 488A.16, subdivision 1; 488A.17, subdivision 10, and by adding a subdivision; 488A.29, subdivision 3; 488A.33, subdivision 1; 488A.34, subdivision 9, and by adding a subdivision; and 549.02; *Minnesota Statutes 1991 Supplement*, section 481.02, subdivision 3; repeals *Minnesota Statutes 1990*, sections 487.30, subdivision 3; 488A.14, subdivision 6; and 488A.31, subdivision 6.

**Enactment:** April 29, 1992

**Effective:** July 1, 1992; Aug. 1, 1992

**Firearms—pistol possession eligibility modified**

HF2211\* (Bauerly)

SF1847 (Kelly)

**Chapter 475:** would have clarified certain law enforcement powers, would have provided for administrative forfeiture of firearms; would have created a permissive inference of possession with respect to a firearm in an automobile; would have made technical corrections to the eligibility criteria and transfer process applicable to permits possess a pistol; would have amended *Minnesota Statutes 1990*, sections 169.98, subdivision 1a; 99D.06; 609.5314, subdivision 1; 624.713, subdivision 1; 624.7131, subdivision 10; and 624.7132, subdivi-

sions 4 and 8; would have proposed coding for new law in *Minnesota Statutes*, chapter 609.

#### Pocket vetoed

#### Health—living will form updated

HF2316 (Jaros)

SF2111\* (Solon)

**Chapter 535:** relates to living wills; by adding certain information to the suggested health care declaration form; amends *Minnesota Statutes 1990*, section 145B.04.

**Enactment:** April 24, 1992

**Effective:** Aug. 1, 1992

#### Crimes—health providers, aiding suicide provisions modified

HF2488 (Wenzel)

SF1693\* (Waldorf)

**Chapter 577:** relates to crimes; provides that certain health care providers who administer medications to relieve another person's pain do not violate the law making it a crime to aid or attempt aiding suicide; authorizes certain licensure disciplinary options against physicians, physician assistants, nurses, dentists, and pharmacists who are convicted of aiding or attempting to aid suicide; amends *Minnesota Statutes 1990*, sections 147.091, subdivision 1; 148.261, subdivision 1; 150A.08, subdivision 1; 151.06, subdivision 1; and 609.215, by adding subdivisions; proposes codes for new law in *Minnesota Statutes*, chapter 147.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992

#### Probate proceedings—transfers, death security registration

HF2541 (Pugh)

SF2368\* (Finn)

**Chapter 461:** relates to probate; allows collection of personal property by affidavit; enacts the uniform transfer on death security registration act; provides for rights of creditors and revocation of beneficiary designation by will; amends *Minnesota Statutes 1990*, section 168A.14, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 524.3-1201; proposes coding for new law in *Minnesota Statutes*, chapter 524.

**Enactment:** April 15, 1992

**Effective:** June 1, 1992

#### Peace officers—federal enforcement authority modified

HF2610 (Vellenga)

SF2383\* (McGowan)

**Chapter 449:** relates to peace officers; affords qualified federal law enforcement officers the authority of peace officers when assigned to special state and federal task forces; proposes coding for new law in *Minnesota Statutes*, chapter 626.

**Enactment:** April 13, 1992

**Effective:** Aug. 1, 1992

#### Statutes—revisor's bill

HF2647\* (Milbert)

SF2622 (Neuville)

**Chapter 464:** relates to *Minnesota Statutes*; corrects erroneous, ambiguous, and omitted text and obsolete references; eliminates certain redundant, conflicts, and superseded provisions; makes miscellaneous technical corrections to statutes and other laws; amends *Minnesota Statutes 1990*, sections 11A.23, subdivision 2; 13.791; 82B.20, subdivision 2; 86B.115; 86B.601, subdivision 1; 88.45; 103I.112; 115A.63, subdivision 3; 115A.82; 116J.70, subdivision 2a; 176.1041, subdivision 1; 176.361, subdivision 2; 177.23, subdivision 7; 183.38, subdivision 1; 214.01, subdivision 2; 268A.09, subdivision 7; 290.10; 297A.15, subdivision 5; 298.402; 298.405, subdivision 1; 326.405; 326.43; 348.13; 352.116, subdivision 3b; 352B.10, subdivision 5; 352B.105; 356.24; 356.82; 466.131; 504.02; 514.53; 517.08, subdivision 1c; and 609.0331; *Minnesota Statutes 1991 Supplement*, sections 3.873, subdivision 6; 16B.122, subdivision 2; 60D.20, subdivision 1; 60G.01, subdivision 2; 116.072, subdivision 1; 116J.693, subdivision 2; 124.19, subdivision 1; 124.479; 169.983; 171.06, subdivision 3; 179A.10, subdivision 2; 256.969, subdivisions 2 and 3a; 256B.74, subdivision 2; 256H.03, subdivision 5; 272.01, subdivision 2; 272.02, subdivision 1; 275.50, subdivision 5; 340A.4055; 457A.01, subdivision 5; 473.845, subdivision 3; and 611A.02, subdivision 2; reenacts *Minnesota Statutes 1991 Supplement*, section 256B.431, subdivision 3f; repeals *Minnesota Statutes 1990*, section 326.01, subdivision 20; *Laws 1989*, chapter 282, article 2, section 188; *Laws 1991*, chapters 182, section 1; and 305,

section 10.

**Enactment:** April 15, 1992

**Effective:** Aug. 1, 1992

#### Mortgages—

#### foreclosure proceedings modified

HF2649\* (Pugh)

SF2384 (Spear)

**Chapter 547:** relates to real estate foreclosures; establishes a voluntary foreclosure process with waiver of deficiency claims and equity; proposes coding for new law in *Minnesota Statutes*, chapter 582.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1993, with qualifications

#### Jury service exclusion prohibition for disabled

HF2695 (Greenfield)

SF2177\* (Spear)

**Chapter 453:** relates to juries; prohibits exclusion from jury service based on a disability; amends *Minnesota Statutes 1990*, section 593.32.

**Enactment:** April 14, 1992

**Effective:** Aug. 1, 1992

#### Human rights—disabled persons clarified

HF2750\* (Bishop)

SF2468 (Reichgott)

**Chapter 527:** relates to human rights; defines certain terms; clarifies certain discriminatory practices; amends *Minnesota Statutes 1990*, sections 363.01, subdivision 35, and by adding subdivisions; 363.02, subdivision 1; 363.03, subdivisions 1, 2, 3, 4, and 10.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992

#### Ramsey County—suburban courthouse funding provided

HF2757 (McGuire)

SF2694\* (Knaak)

**Chapter 468:** relates to courts; authorizes Ramsey County to provide for a single suburban court facility; amends *Minnesota Statutes 1990*, sections 488A.18, subdivision 10; and 488A.185.

**Enactment:** April 15, 1992

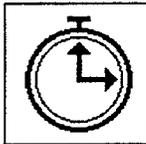
**Effective:** Aug. 1, 1992

**Law enforcement—  
inmate transfers modified**

HF2896 (Brown)  
SF2124\* (Spear)  
**Chapter 417:** relates to crimes; increases the distance an accused or convicted person may be transferred without an escort of the same sex; amends *Minnesota Statutes 1990*, section 631.412.  
**Enactment:** April 7, 1992  
**Effective:** Aug. 1, 1992

**Zero tolerance violence policy established**

HF2964 (McGuire)  
SF1985\* (Piper)  
**Chapter 452:** relates to human rights; declares a state policy of zero tolerance of violence; encourages state agencies to act to implement the policy; proposes coding for new law in *Minnesota Statutes*, chapters 1 and 15.  
**Enactment:** April 13, 1992  
**Effective:** April 14, 1992



**Labor-Management  
Relations**

**Personnel records—  
employee access expanded**

HF1889\* (Rukavina)  
SF1747 (Merriam)  
**Chapter 445:** relates to employment; modifies provisions related to access to employee personnel records; amends *Minnesota Statutes 1990*, sections 181.961, subdivision 2; and 181.962, subdivision 1.  
**Enactment:** April 13, 1992  
**Effective:** Aug. 1, 1992

**Workers' compensation—  
benefits, insurance regulated**

HF1952 (Rukavina)  
SF2107\* (Chmielewski)  
**Chapter 510:** relates to workers' compensation; provides for comprehensive reform; regulates benefits; provides for medical cost control; requires improved safety measures; regulates attorneys; provides for more efficient administrative procedures;

eliminates the second injury fund; regulates insurance; reforms the assigned risk plan; regulates fraud; imposes penalties; amends *Minnesota Statutes 1990*, sections 79.251, by adding subdivisions; 79.252, subdivisions 1 and 3; 79.58, by adding a subdivision; 79A.02, by adding subdivisions; 79A.03, subdivisions 3, 4, 7, and 9; 79A.04, subdivision 2; 79A.06, subdivision 5; 175.007; 176.011, subdivisions 9 and 11a; 176.081, subdivisions 1, 2, and 3; 176.101, subdivisions 1, 2, 5, 6, and 8; 176.102, subdivisions 1, 2, 4, 6, 9, and 11; 176.103, subdivisions 2, 3, and by adding a subdivision; 176.105, subdivision 1; 176.106, subdivision 6; 176.111, subdivision 18; 176.129, subdivision 10; 176.130, subdivisions 8 and 9; 176.132, subdivision 1; 176.135, subdivisions 1, 5, 6, and 7; 176.136, subdivisions 1, 2, and by adding subdivisions; 176.137, subdivision 5; 176.138; 176.139, subdivision 2; 176.155, subdivision 1; 176.179; 176.181, subdivision 3, and by adding a subdivision; 176.182; 176.183; 176.185, subdivision 5a; 176.194, subdivisions 4 and 5; 176.221, subdivisions 3 and 3a; 176.231, subdivision 10; 176.261; 176.421, subdivision 1; 176.461; 176.645, subdivisions 1 and 2; 176.83, subdivision 5, and by adding a subdivision; 176A.03, by adding a subdivision; 480B.01, subdivisions 1 and 10; 609.52, subdivision 2; proposes coding for new law in *Minnesota Statutes*, chapter 79; 79A; and 176; repeals *Minnesota Statutes 1990*, sections 176.131; 176.135, subdivision 3; and 176.136, subdivision 5.

**Enactment:** April 28, 1992  
**Effective:** various dates

**Family leave law modified—  
child care centers included**

HF2142\* (Johnson, A.)  
SF2393 (Piper)  
**Chapter 438:** relates to employment; leaves of absence; assigns duties to the division of labor standards; modifies provisions related to school conference leave for employees with children; amends *Minnesota Statutes 1990*, sections 177.26, subdivision 2; and 181.9412; proposes coding for new law in *Minnesota Statutes*, chapter 181.

**Enactment:** April 8, 1992  
**Effective:** Aug. 1, 1992

**Workers' compensation**

HF2177 (Rukavina)  
SF1880\* (Chmielewski)  
**Chapter 599:** relates to workers' compensation; funds various activities of the Department of Labor and Industry; appropriates money.  
**Enactment:** April 27, 1992  
**Effective:** Aug. 1, 1992

**Railroad employee protections—  
following acquisitions**

HF2185 (Farrell)  
SF2136\* (Mondale)  
**Chapter 506:** would have protected interests of employees following railroad acquisitions; would have imposed a penalty; would have amended *Minnesota Statutes 1990*, sections 222.86, subdivision 3; 222.87, by adding a subdivision; and 222.88.

**Pocket vetoed**

**American Indians—  
unemployment compensation**

HF2360 (Tunheim)  
SF1590\* (Stumpf)  
**Chapter 484:** relates to unemployment compensation; makes various technical and administrative changes; pertains to treatment of American Indian tribal governments as employers for purposes of unemployment compensation insurance payments; amends *Minnesota Statutes 1990*, sections 268.04, subdivisions 18, 32, and 34; 268.06, subdivisions 18, 19, 22, and by adding a subdivision; 268.07, subdivision 3; 268.071, subdivision 6; 268.08, subdivision 1; 268.09, subdivisions 1 and 2; 268.10, subdivision 1; 268.161, subdivision 5; and 268.18, subdivision 1.  
**Enactment:** April 20, 1992  
**Effective:** April 21, 1992, with exceptions

**Unfair labor practices—  
employee off-work activity**

HF2445 (Sarna)  
SF2336\* (Chmielewski)  
**Chapter 538:** relates to employment; prohibits certain actions by an employer because of a job applicants' or employees' use of certain products; proposes coding for new law in *Minnesota Statutes*, chapter 181.  
**Enactment:** April 29, 1992  
**Effective:** Aug. 1, 1992

**Public employment—  
relations board eliminated**

HF2727 (Gutknecht)

SF2565\* (Renneke)

**Chapter 582:** relates to the Bureau of Mediation Services; eliminates the Minnesota Public Employment Relations Board; modifies arbitration procedures; amends *Minnesota Statutes 1990*, sections 14.03, subdivision 2; 43A.06, subdivision 2; 179A.03, subdivisions 3, 5, and 17; 179A.10, subdivisions 1 and 3; 179A.12, subdivision 3; 179A.13, subdivision 3; 179A.16, subdivisions 3, 5, and 8; 179A.17; 179A.18, subdivision 1; 179A.20, subdivision 1; 179A.21, subdivisions 2 and 3; 179A.22, subdivision 4; and 179A.25; *Minnesota Statutes 1991 Supplement*, sections 179A.04, subdivision 3; 179A.13, subdivision 2; and 179A.16, subdivisions 4, 6, and 7; proposes coding for new law in *Minnesota Statutes*, chapter 179A; repeals *Minnesota Statutes 1990*, section 179A.05, as amended.

Enactment: April 27, 1992

Effective: Aug. 1, 1992

**State employees—  
labor, salary plans ratified**

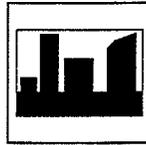
HF2848\* (Reding)

SF2505 (Waldorf)

**Chapter 567:** relates to state government; ratifies labor agreements; provides for classification changes for certain employees; requires a report to the Legislature; raises the salary range for the executive director of the Board on Judicial Standards; appropriates money; amends *Minnesota Statutes 1990*, sections 15A.083, subdivision 4; 21.85, subdivision 2; *Minnesota Statutes 1991 Supplement*, sections 43A.08, subdivisions 1 and 1a; and 349A.02, subdivision 4.

Enactment: April 29, 1992

Effective: various dates

**Local Government &  
Metropolitan Affairs****Minneapolis—park, recreation board  
districts reapportioned**

HF1756 (Jefferson)

SF1622\* (Pogemiller)

**Chapter 362:** relates to the Minneapolis Park and Recreation Board; provides for two members appointed by the Minneapolis Park and Recreation Board on the Minneapolis Reapportionment Commission; establishes standards for park board redistricting.

Enactment: Jan. 17, 1992

Effective: upon local approval

**Local government contracts—  
conflict provisions modified**

HF1825 (Bodahl)

SF1666\* (Chmielewski)

**Chapter 380:** relates to local government; authorizes county hospitals to undertake certain projects; amends various laws relating to contracts and conflicts of interest; amends *Minnesota Statutes 1990*, sections 376.08; 412.311; 412.691; 471.345, subdivisions 3, 4, and by adding a subdivision; and 471.88, subdivision 5; repeals *Minnesota Statutes 1990*, section 471.88, subdivision 8.

Enactment: March 31, 1992

Effective: Aug. 1, 1992

**Chippewa County—offices combined**

HF1852\* (Welker)

SF1717 (Frederickson, D.J.)

**Chapter 421:** relates to Big Stone, Chippewa, and Kandiyohi counties; permits each county to consolidate the offices of auditor and treasurer.

Enactment: April 8, 1992

Effective: upon local approval

**Olmsted County—  
recorder office reorganized**

HF1853 (Bishop)

SF1716\* (Brataas)

**Chapter 474:** relates to local government; provides for town election precincts; per-

mits the appointment of the Olmsted County recorder; authorizes the abolishment and reorganization of the office; amends *Minnesota Statutes 1991 Supplement*, section 204B.16, subdivision 2.

Enactment: April 17, 1992

Effective: Aug. 1, 1992, upon local approval

**Hubbard County—  
tax-forfeited land exchanged**

HF1911\* (Kinkel)

SF1766 (Finn)

**Chapter 370:** relates to state lands; authorizes the private sale of certain land which was exchanged for tax-forfeited land; authorizes the commissioner of natural resources to sell certain land and related improvements located in Cass County to the United States of America; requires the commissioner of natural resources to convey certain land to Hubbard County.

Enactment: March 25, 1992

Effective: March 26, 1992

**Cook County—hospital board terms**

HF1957\* (Battaglia)

SF1966 (Johnson, D.J.)

**Chapter 505:** relates to local government; clarifies the duties of the county highway engineer; restricts compensation for local elected officials; provides for terms for Cook County hospital district board members; amends *Minnesota Statutes 1990*, sections 43A.17, by adding a subdivision; 163.07, subdivision 1; and *Laws 1989*, chapter 211, section 8, subdivision 3.

Enactment: April 23, 1992

Effective: various dates

**Olmsted County—  
courthouse sale authorized**

HF1976 (Bishop)

SF2208\* (Brataas)

**Chapter 402:** relates to Olmsted County; permits certain exemptions for the conveyance of certain county property.

Enactment: April 3, 1992

Effective: upon local approval

**Fencing—**

**costs apportioned on basis of need**

HF2115\* (Begich)

SF2461 (Bertram)

**Chapter 519:** relates to St. Louis County; provides for partition fence disputes to include certain findings relating to the benefit and need of the parties; provides for the apportionment of the costs of the partition fence.

**Enactment:** April 27, 1992

**Effective:** upon local approval

**Zumbrota—**

**informational highway signs erected**

HF2183 (Waltman)

SF1893\* (Mehrkens)

**Chapter 572:** relates to local government; authorizes placement of community identification signs; amends fees for highway advertising devices; restricts the commissioner's authority over business zoning; amends *Minnesota Statutes 1990*, sections 173.08, subdivision 1; and 173.16, subdivision 5; *Minnesota Statutes 1991 Supplement*, section 173.13, subdivision 4.

**Enactment:** April 27, 1992

**Effective:** Aug. 1, 1992

**Twin Cities airport—**

**capital budget, noise mitigation funds**

HF2269\* (Garcia)

SF2271 (Riveness)

**Chapter 551:** relates to metropolitan government; requires the Metropolitan Airports Commission to budget for noise mitigation; requires a recommendation to the Legislature; amends *Minnesota Statutes 1990*, section 473.661, subdivision 1, and by adding a subdivision.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992

**Biwabik—state land sale**

HF2280\* (Rukavina)

SF2193 (Dicklich)

**Chapter 561:** relating to state lands; changes provisions relating to withdrawal of certain lands from sale or exchange; authorizes the private sale of tax-forfeited lands in St. Louis, Hubbard, Itasca, and Chisago counties; amends *Minnesota Statutes 1991 Supplement*, section 103F.535, subdivision 1; repeals *Minnesota Statutes*

1990, section 103F.535, subdivisions 2, 3, and 4.

**Enactment:** April 29, 1992

**Effective:** April 30, 1992

**Neighborhood revitalization program fund distribution requirements**

HF2302 (Rice)

SF2314\* (Kroening)

**Chapter 590:** relates to the city of Minneapolis; requires an equitable participation by planning districts in neighborhood revitalization programs; amends *Minnesota Statutes 1990*, section 469.1831, by adding a subdivision.

**Enactment:** April 24, 1992

**Effective:** April 25, 1992

**Bloomington—**

**city allowed to join port authority**

HF2305 (Blatz)

SF1633\* (Belanger)

**Chapter 384:** relates to the city of Bloomington; provides for the membership of the port authority; amends *Minnesota Statutes 1990*, section 469.071, by adding a subdivision.

**Enactment:** March 31, 1992

**Effective:** upon local approval

**Ramsey County—**

**workers put on eligibility list**

HF2319 (Orenstein)

SF2210\* (Pappas)

**Chapter 383:** relates to Ramsey County; provides for the certification of eligibles for county positions; amends *Minnesota Statutes 1990*, section 383A.291, by adding a subdivision.

**Enactment:** April 1, 1992

**Effective:** upon local approval

**Fillmore County—**

**tax-forfeited land sale authorized**

HF2324 (Davids)

SF1787\* (Benson, D.D.)

**Chapter 502:** relates to state lands; changes provisions relating to withdrawal of certain lands from sale or exchange; authorizes the sale of surplus land bordering public waters for public use; authorizes public sale of certain tax-forfeited lands that border public water in Fillmore County; authorizes a private sale of lands in Washington County; prescribes condi-

tions; amends *Minnesota Statutes 1991 Supplement*, section 103F.535, subdivision 1; repeals *Minnesota Statutes 1990*, section 103F.535, subdivisions 2 and 3.

**Enactment:** April 23, 1992

**Effective:** April 24, 1992

**HRA—**

**public officials to apply for loans, grants**

HF2388\* (Bodahl)

SF2170 (Morse)

**Chapter 434:** would have regulated certain interests in contracts by public officers; would have amended *Minnesota Statutes 1990*, section 471.88, by adding subdivisions.

**Vetoed:** April 9, 1992

**Government financial operations provisions**

HF2404 (Pugh)

SF2194\* (Reichgott)

**Chapter 592:** relates to authorizing two additional deputies in the state auditor's office; regulates certain investments; provides for certain audits, reports, and payments; prohibits monetary compensation for unused vacation or sick leave to certain state and local officers; sets conditions for certain state laws; prohibits the use of pictures of elected officials in certain local government publications; requires that airline travel credit accrue to the issuing public body and requires policies covering the benefits issued by airlines for travel paid for by public funds; amends *Minnesota Statutes 1990*, sections 6.02; 11A.24, subdivision 6; 13.76, by adding a subdivision; 15A.082, by adding a subdivision; 367.36, subdivision 1; 412.222; 462.396, subdivision 4; 471.49, by adding a subdivision; 471.66; 471.68, by adding a subdivision; 471.696; 471.697; 471.6985; 477A.017, subdivision 2; 609.415, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapters 279; and 609; repeals *Minnesota Statutes 1991 Supplement*, section 128B.10, subdivision 2.

**Enactment:** April 29, 1992

**Effective:** various dates

**Kandiyohi County—  
tax-forfeited property exchanged**

HF2593 (Welle)  
SF2308\* (Johnson, D.E.)

**Chapter 404:** relates to state lands; authorizes public sale of certain tax-forfeited land that borders public water in Kandiyohi County.

**Enactment:** April 3, 1992

**Effective:** April 4, 1992

**Mille Lacs County—  
tax-forfeited land sale authorized**

HF2707\* (Koppendrayner)  
SF2511 (Davis)

**Chapter 441:** relates to state lands; authorizes public sale of certain tax-forfeited land in Mille Lacs County; authorizes an exchange of real property.

**Enactment:** without governor's signature

**Effective:** April 14, 1992

**Redistricting****Redistricting—technical changes**

HF1726 (Rodosovich)  
SF1596\* (Pogemiller)

**Chapter 358:** would have made technical and other corrections to the legislative redistricting plan; would have amended *Laws 1991*, chapter 246.

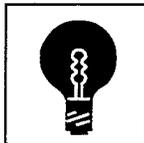
**Vetoed:** Jan. 10, 1992

**Reapportionment—  
congressional boundaries**

HF1728 (Rodosovich)  
SF1597\* (Pogemiller)

**Chapter 357:** would have changed the boundaries of congressional districts; would have proposed coding for new law in *Minnesota Statutes*, chapter 2; would have repealed *Minnesota Statutes 1990*, sections 2.741; 2.751; 2.761; 2.771; 2.781; 2.791; 2.801; and 2.811.

**Vetoed:** Jan. 10, 1992

**Regulated Industries****Electric cooperatives—reapportionment**

HF1488 (Dawkins)  
SF1298\* (Dicklich)

**Chapter 401:** relates to cooperatives; provides for equal representation on the board from districts or units of certain cooperatives; proposes coding for new law in *Minnesota Statutes*, chapter 308A.

**Enactment:** April 3, 1992

**Effective:** April 4, 1992

**Open meetings—  
electric cooperative members**

HF1489\* (Dawkins)  
SF1297 (Dicklich)

**Chapter 435:** relates to cooperatives; applies the open meeting law to certain electric cooperatives; proposes coding for new law in *Minnesota Statutes*, chapter 308A.

**Enactment:** April 9, 1992

**Effective:** Aug. 1, 1992

**Telephone advertising—  
services regulation**

HF1751 (Olsen, S.)  
SF1919\* (Novak)

**Chapter 377:** relates to trade regulations; regulates telephone advertising services; provides penalties and remedies; amends *Minnesota Statutes 1990*, section 8.31, subdivision 1; proposes coding for new law in *Minnesota Statutes*, chapter 325E.

**Enactment:** April 1, 1992

**Effective:** Aug. 1, 1992

**Brooklyn Park—liquor licensing**

HF1777 (Schreiber)  
SF1623\* (Luther)

**Chapter 365:** relates to intoxicating liquor; authorizes the city of Brooklyn Park to issue an on-sale license to the city's economic development authority for a restaurant at the Edinburgh, U.S.A. golf course; specifies that the city is the licensee for purposes of civil liability and insurance.

**Enactment:** March 12, 1992

**Effective:** March 13, 1992

**Telephone company—  
data disclosure restricted**

HF1943 (O'Connor)  
SF2017\* (Novak)

**Chapter 493:** relates to utilities; defines the term excavation; authorizes land surveyors to receive location information related to underground facilities; requires notice of land surveys; clarifies authority of commission to reinstate original rate for a telephone service subject to emerging competition on finding proposed rate is below incremental cost or is not just and reasonable; requires commission to make final decision within 180 days on rate increase of telephone service subject to effective competition, when contested case hearing is not held; provides for telephone company promotion activities; authorizes the recording of monuments on plats before actual placement; amends *Minnesota Statutes 1990*, sections 216D.01, subdivision 8, and by adding subdivisions; 216D.04; 237.60, subdivision 2; 465.79, subdivisions 2 and 4; 505.02, subdivision 1; and 505.03, subdivision 1; *Minnesota Statutes 1991 Supplement*, 216D.01, subdivision 5; proposes coding for new law in *Minnesota Statutes*, chapter 237.

**Enactment:** March 20, 1992

**Effective:** Aug. 1, 1992

**Telephone tracer service—  
harassing calls, rules provided**

HF2082\* (Skoglund)  
SF2320 (Ranum)

**Chapter 442:** relates to utilities; requires the Public Utilities Commission to adopt rules governing telephone companies' responses to requests for tracing calls made to households that have received harassing calls; proposes coding for new law in *Minnesota Statutes*, chapter 237.

**Enactment:** April 10, 1992

**Effective:** April 11, 1992

**Pipeline regulation—liquified natural gas**

HF2397\* (Jacobs)  
SF2484 (Novak)

**Chapter 386:** relates to pipelines; regulates liquefied natural gas facilities; amends *Minnesota Statutes 1990*, sections 299J.02, subdivisions 12, 13, and by adding subdivisions; 299J.04; 299J.07, subdivision 1; 299J.10; 299J.12, subdivisions 2 and 3;

and 299J.15.

**Enactment:** April 1, 1992

**Effective:** Aug. 1, 1992

**Public utilities—  
reconciliation date change**

HF2431 (Jacobs)

SF1399\* (Benson, J.E.)

**Chapter 478:** relates to utilities; authorizes a public utility to petition to have a pipeline classified as an intrastate pipeline; requires conservation improvement plans to address the needs of low-income persons; authorizes utility customers not represented by the attorney general to challenge an energy conservation improvement program; determines when reconciliation of actual assessments to public utilities and telephone companies must be completed; amends *Minnesota Statutes 1990*, sections 216B.045, subdivision 1; 216B.62, subdivision 3; and 237.295, subdivision 2; *Minnesota Statutes 1991 Supplement*, section 216B.241, subdivisions 1b and 2.

**Enactment:** April 17, 1992

**Effective:** Aug. 1, 1992

**Liqueur-filled candy—sales authorized**

HF2709\* (Jacobs)

SF2483 (Solon)

**Chapter 486:** relates to alcoholic beverages; authorizes the sale of confectionery containing alcohol in confectionery stores; provides for the division of liquor control to use unmarked motor vehicles for liquor investigations; provides for reasonable licenses fees; specifies conditions under which a municipality is required to hold a public hearing on the question of continued operation of a municipal liquor store; authorizes dispensing of liquor by an on-sale licensee at the National Sports Center in Blaine; authorizes Blue Earth county to issue an on-sale liquor license to a billiard hall; authorizes Lake Township in Roseau County to establish, own, and operate an exclusive liquor store; authorizes the counties of Swift and Aitkin to issue off-sale liquor licenses; amends *Minnesota Statutes 1990*, sections 16B.54, subdivision 2; 31.121; 168.012, subdivision 1; 340A.101, subdivision 15, and by adding a subdivision; 340A.412, by adding a subdivision; and 340A.602; *Minnesota Statutes 1991 Supplement*, sections 340A.404, subdivision 2; and 340A.408, subdivision 2; pro-

poses coding for new law in *Minnesota Statutes*, chapter 31.

**Enactment:** April 20, 1992

**Effective:** various dates

**Fuels—inspection provided**

HF2723 (Heir)

SF2509\* (Gustafson)

**Chapter 575:** relates to motor fuels; weights and measures; regulates octane and oxygenated fuels; amends *Minnesota Statutes 1990*, sections 41A.09, subdivision 2, and by adding a subdivision; 239.75; 239.79; 239.80; 296.01, subdivisions 1, 2, 3, 4, 4a, 4b, 15, 24, and by adding subdivisions; 296.02, subdivisions 1, 2, and 7; *Minnesota Statutes 1991 Supplement*, section 239.05, subdivision 1, and by adding subdivisions; proposes coding for new law in *Minnesota Statutes*, chapter 239; repeals *Minnesota Statutes 1990*, sections 239.75, subdivisions 3 and 4; 239.76, as amended; 239.79, subdivisions 1 and 2; 296.01, subdivision 2a; and 325E.09.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992

**Telecommunications—  
communication-impaired access: member removed**

HF2732\* (Heir)

SF2660 (Marty)

**Chapter 430:** relates to public utilities; removes the public service member from the Telecommunications Access for Communication-Impaired Persons Board; amends *Minnesota Statutes 1990*, section 237.51, subdivisions 2 and 6.

**Enactment:** April 8, 1992

**Effective:** Aug. 1, 1992

**Telecommunications—communication-impaired access: advance money**

HF2749\* (Clark)

SF2503 (Marty)

**Chapter 518:** relates to telecommunications; authorizes the Telecommunications Access for Communication-Impaired Persons Board to advance money to contractors under certain conditions; prescribes the terms and compensation of board members; amends *Minnesota Statutes 1990*, sections 237.51, subdivision 3; and 237.52, subdivision 5.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992



**Rules & Legislative  
Administration**

**Subpoenas—issuance by joint  
legislative commissions authorized**

HF980\* (Long)

SF1496 (Riveness)

**Chapter 385:** relates to the Legislature; authorizes joint legislative commissions to issue subpoenas; amends *Minnesota Statutes 1990*, section 3.153.

**Enactment:** April 2, 1992

**Effective:** Aug. 1, 1992

**Postal stamp commemorating Wanda  
Gag—resolution**

HF1652\* (Dempsey)

SF1502 (Frederickson, D.R.)

**Resolution 9:** memorializes the Postmaster General to issue a postal stamp in commemoration of Wanda Gag, American author and illustrator.

**Enactment:** March 16, 1992

**Filed:** March 16, 1992

**Revisor's bill—technical corrections made**

HF1693 (Bishop)

SF1562\* (Spear)

**Chapter 363:** relates to legislative enactments; provides for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amends *Minnesota Statutes 1990*, sections 92.46, subdivision 1; 290.191, subdivision 4; and 490.123, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, sections 82B.05, subdivision 1; 82B.11, subdivision 1; 82B.17; 82B.19, subdivision 3; 122.895, subdivision 5; 124.2615, subdivision 1; 126.22, subdivision 8; 256I.05, subdivision 1b; 273.13, subdivision 25; 297A.25, subdivision 12; 302A.461, subdivision 2; 469.101, subdivision 23; and *Laws 1989*, chapter 341, article 1, section 26; *Laws 1991*, chapter 97, section 15; chapter 265, article 4, section 34; article 6, section 67, subdivision 1; chapter 292, article 1, section 6, subdivision 2; chapter 298, article 7, section 9; chapter 333, section 38; chapter 345, ar-

ticle 1, section 17, subdivision 3; article 1, by adding a section; repeals *Minnesota Statutes 1991 Supplement*, section 136D.90, subdivision 2.

**Enactment:** Jan. 17, 1992

**Effective:** various dates

#### Revisor's bill—technical corrections

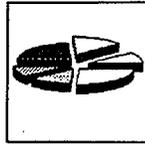
HF3042 (Milbert)

SF2795\* (Spear)

**Chapter 603:** relates to legislative enactments; provides for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results, and technical errors of a noncontroversial nature; amends *Minnesota Statutes 1990*, sections 18B.26, subdivision 3, as amended; 124.155, subdivision 1, as amended; 148B.21, subdivision 7, as added; 169.965, subdivision 8, as added; 256.936, subdivision 2a, as added; 256B.431, subdivision 17, as added; 275.125, subdivision 6k, as added; and 477A.015; *Minnesota Statutes 1991 Supplement*, sections 16A.711, subdivision 5, as added; 124A.03, subdivision 2b, as added; 256.969, subdivisions 20, as amended, and 21, as amended; 275.065, subdivision 6, as amended; 275.125, subdivision 6j, as amended; and 302A.402, subdivision 3; *Laws 1992*, chapter 382, section 8; 1992 House File 1701, by adding sections; House File 1849, article 10, section 28; House File 2121, article 1, section 20; article 5, section 37; article 6, section 39; article 8, sections 32 and 33; House File 2147, section 3, subdivision 9; House File 2694, article 4, section 59, subdivision 3; article 5, section 2, subdivision 2; and section 12; article 7, sections 132 and 137; House File 2800, article 1, section 6, subdivision 5; sections 9 and 10; House File 2940, article 1, section 3; article 3, section 10; and article 8, by adding a section.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992



## Taxes

### Vacant property—assessments delayed

HF2031\* (Olson, E.)

SF1949 (Reichgott)

**Chapter 556:** relates to taxation; property; provides for the valuation and assessment of vacant platted property; excludes certain unimproved land sales from sales ratio studies; allows for orderly annexations by petition and by ordinance; limits the establishment of certain fire protection district; amends *Minnesota Statutes 1990*, sections 124.2131, subdivision 1; 273.11, by adding a subdivision; 414.0325, by adding a subdivision; and 414.033, subdivisions 2, 3, 5, and by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 273.11, subdivision 1; repeals *Minnesota Statutes 1990*, section 414.031, subdivision 5.

**Enactment:** April 29, 1992

**Effective:** various dates

### Bonding procedures, authority modified for HFA, HECB, RFA

HF2884\* (Rest)

SF2648 (Pogemiller)

**Chapter 545:** relates to public finance; changes procedures for allocates bonding authority; defines acceptable securities for use by self-insurers for workers' compensation; provides an exemption from competitive bidding for certain HRA projects; corrects and clarifies provisions relating to public obligations; amends *Minnesota Statutes 1990*, sections 136A.29, subdivision 9; 176.181, subdivision 2, and by adding a subdivision; 429.091, subdivision 2; 469.015, subdivision 4; *Minnesota Statutes 1991 Supplement*, 462A.073, subdivision 1; 469.155, subdivision 12; 474A.03, subdivision 4; 474A.04, subdivision 1a; 474A.047, subdivision 1; 474A.061, subdivisions 1 and 3; 474A.091, subdivisions 2 and 3; and 475.66, subdivision 3.

**Enactment:** April 27, 1992

**Effective:** April 28, 1992, with exceptions

### Taxes—omnibus bill

HF2940\* (Ogren)

SF2755 (Johnson, D.J.)

**Chapter 511:** relates to the financing and operation of government in Minnesota; revises the operation of the Local Government Trust Fund; modifies the administration, computation, collection, and enforcement of taxes; imposes taxes; changes tax rates, bases, credits, exemptions, withholds, and payments; modifies aids to local governments; authorizes and modifies provisions relating to property tax classifications and levies; reduces the amount in the budget and cash flow reserve account; authorizes imposition of local taxes; updates references to the Internal Revenue Code; modifies provisions relates to political campaign contribution refunds; changes certain bonding and local government finance provisions; changes definitions; makes technical corrections and clarifications; enacts provisions relating to certain cities, counties, school districts, special taxing districts, and watershed districts; appropriates money; amends *Minnesota Statutes 1990*, sections 60A.15, subdivision 1; 60A.19, subdivision 6; 103B.241; 103B.255, by adding a subdivision; 103B.335; 103F.221, subdivision 3; 124.2131, subdivision 1; 174.27; 216C.06, by adding a subdivision; 256E.06, by adding a subdivision; 270.07, subdivision 3; 270.075, subdivision 1; 270.69, by adding a subdivision; 270A.05; 270A.07, subdivisions 1 and 2; 270A.11; 270B.01, subdivision 8; 270B.12, by adding a subdivision; 271.06, subdivision 7; 272.115; 273.11, by adding subdivisions; 273.1104, subdivision 1; 273.135, subdivision 2; 273.1391, subdivision 2; 274.19, subdivision 8; 274.20, subdivisions 1, 2, and 4; 275.065, subdivisions 1a and 4; 275.125, subdivision 10; 278.02; 279.37, subdivision 1; 281.23, subdivision 8; 282.01, subdivision 7; 282.012; 282.016; 282.09, subdivision 1; 282.241; 282.36; 289A.11, subdivision 3; 289A.25, by adding a subdivision; 289A.26, subdivisions 3, 4, 7, and 9; 289A.50, subdivision 5; 290.05, subdivision 4; 290.091, subdivision 6; 290.0922, subdivision 2; 290.9201, subdivision 11; 290.923, by adding a subdivision; 290A.03, subdivision 8; 290A.19; 290A.23; 297A.07; 297A.14, subdivision 1; 297A.15, subdivisions 5 and 6; 297A.25, subdivisions 7, 11, 24, 34, 45, and by adding subdivisions; 297B.01, subdivision 8; 298.24, subdivision 1; 298.28, by adding a subdivi-

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2; 273.124, subdivision 15; 295.367; *Laws 1991*, chapter 291, article 2, section 3; and article 15, section 9.

**Enactment:** April 24, 1992

**Effective:** various dates



## Transportation

### Hazardous waste— over-the-road shipping regulated

HF804 (Morrison)

SF695\* (DeCramer)

**Chapter 578:** relates to transportation; makes technical and clarifying changes; permits a town board by resolution to take certain actions relates to abandoned roads; establishes comprehensive regulation of personal transportation service vehicles; defines terms; provides for maximum weight per inch of tire width; modifies axle weight limitations; allows commissioner of transportation to adopt rules assessing administrative penalties for violations of special transportation service standards; provides for regulation of motor vehicles having a gross vehicle weight of 10,000 pounds or more and operated by motor carriers; requires certain carriers to comply with rules on driver qualifications and maximum hours of service after Aug. 1, 1994; applies federal regulations on drug testing to intrastate motor carriers; regulates transportation of hazardous materials, substances, and waste; specifies identification information required on power units; authorizes small fee for motor carrier identification stamps; regulates building movers; authorizes release of criminal history data for purposes of special transportation license endorsements; appropriates money; amends *Minnesota Statutes 1990*, sections 164.06; 168.011, by adding a subdivision; 169.01, subdivision 55; 169.825, subdivisions 11 and 14; 174.30, subdivision 2; 221.011, subdivisions 20, 21, 25, and by adding subdivisions; 221.021; 221.031, subdivisions 1, 2, 2a, 3, 3a, 6, and by adding subdivisions; 221.033, subdivisions 1, 2, and by adding subdivisions; 221.034, subdivisions 1 and 3; 221.035, subdivisions 1, 2, and by adding a subdivision; 221.121, subdivisions 1 and

7; 221.131, subdivisions 1, 2, and 6; 221.161, subdivision 1; 221.60, subdivision 2; 221.605, subdivision 1; and 221.81, subdivisions 2, 4, and by adding subdivisions; *Minnesota Statutes 1991 Supplement*, sections 169.781, subdivisions 1 and 5; 169.825, subdivisions 8 and 10; 169.86, subdivision 5; 221.025; 221.091; 221.84, subdivision 2; and 364.09; proposes coding for new law in *Minnesota Statutes*, chapters 168; and 221.

**Enactment:** April 27, 1992

**Effective:** various dates

### Railways— right-of-way acquisitions clarified

HF1701\* (Steensma)

SF1575 (DeCramer)

**Chapter 581:** relates to transportation; exempts certain vehicles of county social services agencies from the requirement to display identification; authorizes issuance of restricted commercial drivers' licenses; credits license plate fees to highway uses tax distribution; updates collector vehicle list for vehicle registration purposes; exempts certain farm trucks from requirement for separate braking systems; authorizes expenditure of rail service improvement account money for maintenance of rail lines and rights-of-way in the rail bank; authorizes the commissioner of transportation to acquire abandoned rail lines and rights-of-way by eminent domain; eliminates requirement to offer state rail bank property to adjacent land owners; authorizes fuel tax compacts; provides for fees; amends *Minnesota Statutes 1990*, sections 168.012, subdivision 1, and by adding a subdivision; 168.042, by adding a subdivision; 168.12, subdivisions 2 and 5; 168.128, by adding a subdivision; 168.187, subdivisions 17 and 26; 168.29; 169.67, subdivision 1; 171.02, by adding a subdivision; 222.50, subdivision 7; 222.63, subdivisions 2, 2a, and 4; *Minnesota Statutes 1991 Supplement*, sections 168.041, by adding a subdivision; 168.10, subdivision 1b; 169.781, subdivision 5; 171.07, subdivision 3; proposes coding for new law in *Minnesota Statutes*, chapter 296; repeals *Minnesota Statutes 1990*, sections 222.63, subdivision 5; and 296.17, subdivision 9a.

**Enactment:** April 29, 1992

**Effective:** Aug. 1, 1992

**Volunteer parking patrols authorized**

HF1833\* (Wejcman)

SF1674 (Pogemiller)

**Chapter 424:** relates to traffic regulations; permits certain cities to provide for volunteer enforcement of certain regulations; amends *Minnesota Statutes 1990*, section 169.346, by adding a subdivision.

Enactment: April 8, 1992

Effective: Aug. 1, 1992

**Fergus Falls—Hwy. 297 redefined**

HF1933 (Anderson, R.)

SF1767\* (Larson)

**Chapter 396:** relates to highways; changes description of a route in the state highway system.

Enactment: April 3, 1992

Effective: Aug. 1, 1992

**Traffic safety exempt from federal regulation—resolution**

HF2029 (Dempsey)

SF1778 (Laidig)

**Resolution 10:** memorializes Congress to refrain from imposing upon the states' constitutional authority to regulate traffic and motor vehicle safety within their respective boundaries, and specifically, to refrain from mandating the passage of state laws requiring the use of motorcycle helmets, safety belts, and child restraint systems.

Enactment: April 24, 1992

Filed: April 24, 1992

**Passenger drivers—working hours limited**

HF2030\* (Rice)

SF2057 (Chmielewski)

**Chapter 568:** relates to transportation; makes certain persons who transport passengers for hire in intrastate commerce subject to rules of the commissioner of transportation on insurance and driver hours of service; amends *Minnesota Statutes 1990*, sections 221.031, by adding a subdivision; and 221.141, by adding a subdivision; *Minnesota Statutes 1991 Supplement*, section 221.025.

Enactment: April 27, 1992

Effective: Aug. 1, 1992

**School buses—safety rules modified**

HF2113\* (Orenstein)

SF1999 (Cohen)

**Chapter 516:** relates to traffic regulations; authorizes the operation of flashing lights

and stop arms on school buses transporting persons age 18 and under to and from certain activities; requires school bus sign on school bus provides such transportation; amends *Minnesota Statutes 1991 Supplement*, sections 169.441, subdivision 3; and 169.443, subdivision 3, and by adding a subdivision; *Laws 1988*, chapter 573, section 1.

Enactment: April 29, 1992

Effective: Aug. 1, 1992; upon local approval

**Transit bonding authority extended**

HF2191 (Simoneau)

SF2144\* (Merriam)

**Chapter 579:** relates to metropolitan government; authorizes the acquisition and betterment of transit facilities and equipment and provides financing for their cost; states the intent of the Legislature; requires a report; amends *Minnesota Statutes 1990*, section 473.39.

Enactment: April 29, 1992

Effective: Aug. 1, 1992

**Public transit—engineering, planning funding provided**

HF2341\* (Mariani)

SF1914 (Cohen)

**Chapter 394:** relates to transportation; authorizes non-operating assistance for public transit service; amends *Minnesota Statutes 1990*, section 174.24, subdivisions 3, 5, and by adding subdivisions; repeals *Minnesota Statutes 1990*, section 174.245.

Enactment: April 3, 1992

Effective: Aug. 1, 1992

**Courier services regulated**

HF2355 (Johnson, A.)

SF2637\* (Pappas)

**Chapter 418:** relates to motor carriers; regulates courier services carriers; amends *Minnesota Statutes 1990*, section 221.011, subdivision 25.

Enactment: April 8, 1992

Effective: April 9, 1992

**Trucking—route permit conversion regulated**

HF2368\* (Lasley)

SF2665 (Vickerman)

**Chapter 600:** relates to motor carriers; provides for the expiration of certificates and permits as regular and irregular route carriers of property, and for their conversion to class I certificates and class II per-

mits; specifies operating authority granted by each class; restricts transfer of certain operating authority; prohibits the lease of class I certificates and class II permits; increases registration fees for vehicles of motor carriers; appropriates money; amends *Minnesota Statutes 1990*, sections 221.011, subdivisions 7, 8, 9, 14, and by adding subdivisions; 221.036, subdivisions 1 and 3; 221.041; 221.051; 221.061; 221.071, subdivision 1; 221.111; 221.121, subdivisions 1, 4, 6a, and by adding subdivisions; 221.131, subdivisions 2 and 3; 221.141, subdivision 4; and 221.151, by adding a subdivision; proposes coding for new law in *Minnesota Statutes*, chapter 221; repeals *Minnesota Statutes 1990*, section 221.011, subdivision 11.

Enactment: April 29, 1992

Effective: various dates

**Special needs transit committee selected**

HF2375\* (Mariani)

SF1770 (Frank)

**Chapter 390:** relates to metropolitan government; provides a name for the transportation accessibility advisory committee; amends *Minnesota Statutes 1990*, section 473.386, subdivisions 2 and 3.

Enactment: April 2, 1992

Effective: Aug. 1, 1992

**LRT—project governance guidelines established**

HF2510 (Simoneau)

SF2510\* (Flynn)

**Chapter 501:** would have provided procedures for design, approval, and construction of light rail transit; would have established corridor management committee, providing for resolution of disputes; would have changed membership and responsibilities of the light rail transit joint powers board; would have amended *Minnesota Statutes 1990*, sections 174.32, subdivision 2; 473.167, subdivision 1; 473.3993; 473.3994, subdivisions 2, 3, 4, 5, 7, and by adding subdivisions; 473.3996; 473.4051; *Minnesota Statutes 1991 Supplement*, sections 473.3997; and 473.3998; would have proposed coding for new law in *Minnesota Statutes*, chapter 174; would have repealed *Minnesota Statutes 1990*, sections 473.399, subdivisions 2 and 3; 473.3991; 473.3994, subdivision 6; and *Laws 1991*, chapter 291, article 4, section 20.

Pocket vetoed

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Key: HF—House File; SF—Senate File; CH—Chapter; R—Resolution

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Key: HF—House File; SF—Senate File; CH—Chapter; R—Resolution

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1763	1772	387	Governmental Operations	64	2099	2374	524	Financial Institutions & Insurance	62
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1791	2743	554	Financial Institutions & Insurance	61	2113	1999	516	Transportation	82
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1666	1825	380	Local Government & Metropolitan Affairs	76	1991	2013	398	Education	56
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2194	2404	592	Local Government & Metropolitan Affairs	77	2503	2749	518	Regulated Industries	79
2199	2150	593	Environment & Natural Resources	58	2505	2848	567	Labor-Management Relations	76
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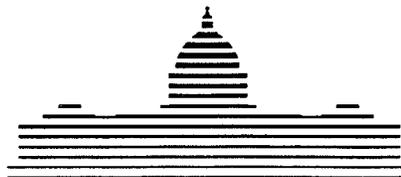
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