
Session Review

A Publication about the Minnesota Legislature



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Session Review is a joint publication of the Senate Publications Office and the House Public Information Office. This edition contains highlights of major bills, such as HealthRight and the anti-violence package, and a summary of all bills approved by the Legislature. In addition, there are Chapter, Senate File and House File Indexes. Staff from Senate Index and the Senate Information Office contributed to the compilation and proofing of the bill summaries section of the publication. Staff from the Senate Word Processing Center contributed to the processing of the various indexes.

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On the cover: Cass Gilbert's vision is embodied in the opulent decor of the Capitol dome, seen from the rotunda. Photo by Andrew VonBank.



Legislators, including Rep. Paul Ogren, Sen. Linda Berglin, Senate Minority Leader Duane Benson, Rep. Dave Gruenes, Senate Majority Leader Roger Moe, Sen. Pat Piper, Rep. Lee Greenfield, Rep. Brad Stanius, House Speaker Dee Long, and Rep. Alan Welle, along with Gov. Arne Carlson, Lt. Gov. Joanell Dyrsted and Asst. Health Commissioner Mary Jo O'Brien announce agreement on the HealthRight proposal at a news conference.

HealthRight a reality

The Legislature took a major step toward providing universal health care coverage and reducing health care costs for all Minnesotans with passage of Chap. 549, the HealthRight law. The bipartisan effort, authored by Sen. Linda Berglin and Rep. Paul Ogren, lays a new foundation for the delivery and financing of health care in Minnesota. The new law addresses a number of issues: cost containment, small employer insurance reform, individual market insurance reform, Children's Health Plan expansion, rural health initiatives, health professional education, data collection and research initiatives, and medical malpractice.

The cost containment segment of the law enacts measures designed to control the rate of growth in health care

spending. The commissioner of health is required to set annual limits that slow the current rate of growth by at least ten percent a year. This goal is to be accomplished through a detailed plan submitted to the Legislature and the governor. The commissioner is also charged with the duty to establish statewide and regional limits on growth in spending. The state is to be divided into four regions for purposes of fostering the development of regional health planning, coordination of health care delivery among regional health care systems, and working to achieve spending limits.

Additional cost control measures include establishment of a 25-member Minnesota Health Care Commission to make recommendations regarding

statewide and regional spending limits, to address spending in excess of the limits, and to assist communities, providers, group purchasers, employers, employees and consumers improve the affordability, quality and accessibility of health care. The commission is to include four members representing health plan companies; six members representing health care providers; four members representing employers; five consumer members; three representatives of labor unions; and the commissioners of commerce, employee relations and human services. The appointments are to be coordinated to ensure gender and geographic balance.

Regional coordinating boards, locally controlled organizations with members representing health care providers,

health plan companies, employers, consumers and elected officials, are charged with several duties under the new law. The boards are to make recommendations regarding major capital expenditures and the introduction of new technologies and medical practices in the region; educate the community and promote voluntary efforts to improve access, affordability and accessibility; and to make recommendations regarding improved access and affordability of health care in the region. In addition, a health planning advisory committee is to be convened to make recommendations on the use of health care technology and major capital expenditures.

In an effort to control costs, health care providers are required to file notices with the commissioner of health outlining expenditures of more than \$500,000 on equipment, capital projects or new specialized services. While lacking any authority to approve or disapprove projects, the commissioner, in consultation with the Minnesota Health Care Access Commission, is required to retrospectively review capital expenditures and major spending commitments and require a provider to submit to a prospective review of future expenditures if the provider refuses to cooperate in attempts to coordinate technologies and procedures and reduce the growth of inflation, uses methods that are not clinically and cost effective, or does not pursue collaborative arrangements. Providers subject to prospective review and approval are prohibited from making major spending commitments or capital expenditures for five years unless the commissioner determines, based upon application and supporting documentation, that the commitment or expenditure is appropriate. The law exempts replacement equipment, medical education and research and clinical trials by research and teaching institutions, repair, remodeling or replacement of existing buildings and fixtures, and mergers, acquisitions and other changes in ownership that do not involve an expansion of service capacity or a change in the nature of services provided from the retrospective/prospective review process. The commissioner is further required to



Chap. 549, popularly known as HealthRight, is aimed at controlling the cost of health care, reforming the health insurance system and providing coverage to uninsured Minnesotans. Initial enrollment in HealthRight will be open to families with children currently participating in the Children's Health Plan.

adopt rules limiting provider referrals that create potential conflicts of interest.

The small employer insurance market is reformed under HealthRight. Under this segment of the law, known as the Minnesota Small Employer Health Benefit Act, employers with two to 29 employees are guaranteed access to any health benefit plan available in the small employer market. Variations in premium rates are restricted to 25 percent on either side of the index rate for any type of coverage and can be based only on health status, claims experience, industry of the employer and the length of time the employer has been covered. Restrictions are also placed on premium variations based on age, gender and geographic location. The measure also requires insurers to offer two types of small employer plans. One type provides coverage with co-payment provisions and the other type provides coverage with deductible provisions. The law also prohibits providing health coverage to a

small employer through individual policies.

Significant reforms are also made in individual insurance market practices. The law provides private employers who have two or more employees with access to the purchasing power of a large pool. Coverage must emphasize managed care and be modeled after coverage available to state employees. Premium rates in the individual market are subject to all of the rating restrictions applicable to the small employer market. Farmers and other self-employed individuals may deduct 100 percent of the cost of their health insurance premiums from their state income taxes.

The law's focus on healthy children is exemplified by the expansion of the Children's Health Plan (CHP). Initial enrollment in HealthRight will be open to families with children whose income is below 185 percent of the federal poverty level. Next, families with children whose income is below 275

percent of the federal poverty level will be eligible for enrollment. Finally, single adults and families without children whose incomes are below 275 percent of the federal poverty level will become eligible.

Coverage is initially be focused on primary and preventive care, including outpatient mental health and chemical dependency. Inpatient hospital services will be added as of July 1, 1993, with an annual hospital benefit limit of \$10,000 for adults. Co-payments include ten percent for inpatient hospital services for adults, 50 percent for adult non-preventive dental services, \$3 per prescription for adults and \$25 for eyeglasses for adults.

Enrollees pay a premium based on a sliding scale under the plan. So-called "wellness" discounts are to be incorporated into the scale and enrollees are to be informed of availability of the discount and encouraged to adopt healthy lifestyles. HealthRight and Medical Assistance (MA) application and eligibility procedures are to be combined and both services are to be provided through managed care arrangements. Individuals or families with income above a specified limit will be ineligible for coverage as will those who have had access to employer-subsidized coverage during the 18 months prior to application.

The rural health initiative segment of the law contains a number of provisions designed to improve accessibility to health care in rural areas. A plan is to be developed for coordinating rural health care services through referral networks among rural providers and assisting rural communities in establishing community health centers. Financial assistance grants are to be made available to isolated rural hospitals and hospitals in danger of closing due to any charges imposed by HealthRight.

In addition, under the health professional education article of the law, loan forgiveness programs are instituted or expanded for physicians, nurses and mid-level practitioners who agree to practice in rural areas. Also under this article, the University of Minnesota Medical School is requested to select more applicants choosing careers in primary care, change the curriculum to provide

greater exposure to primary care, and develop a program for clinical experiences in primary care settings in rural communities, community health clinics and HMOs.

The Minnesota Health Care Commission is also charged with collection of data on health care spending, creating a database on specific medical conditions, and promoting improvements in health plan cooperation, efficiency and effectiveness. The commission is also to develop and disseminate outcome-based practice parameters and research findings to guide practitioners in appropriate ranges of treatments for specific conditions. Adherence to a practice parameter approved by the commissioner is an absolute defense against allegations that a provider did not comply with accepted standards of practice in the community. The law further provides that the commission may require peer review by the Minnesota Medical Association, the Minnesota Chiropractic Association or the appropriate licensing board when practice in all or part of the state deviates from practice parameters, or when there is large variation within the state in the method or frequency of treatment.

Further changes in medical malpractice law require uniform forms to be used

for requesting answers to questions about evidence to be used in malpractice cases, limits parties to ten interrogatories in addition to the uniform forms, and requires the parties to discuss alternative ways to resolve the case without a trial.

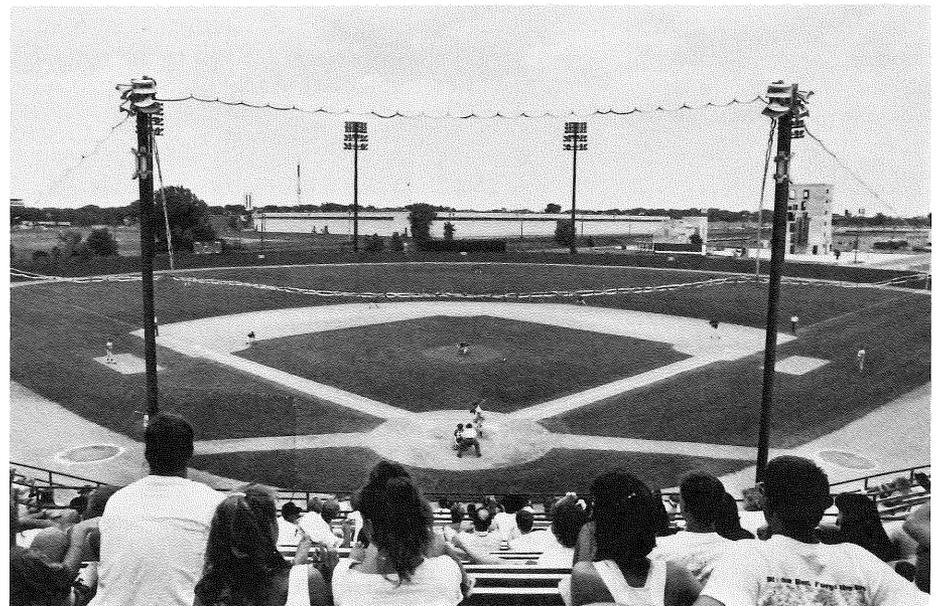
HealthRight will be funded through a five cent per pack increase in the cigarette tax and a two percent gross revenues tax on hospitals, health care providers and wholesale drug distributors. Beginning January 1, 1996, a one percent gross premium tax will be assessed on nonprofit health insurers and HMOs. Hospitals are allowed to pass the tax on to third-party insurers until January 1, 1994. A study is to be conducted during the next legislative session to determine if the provider tax is the best revenue source for HealthRight.

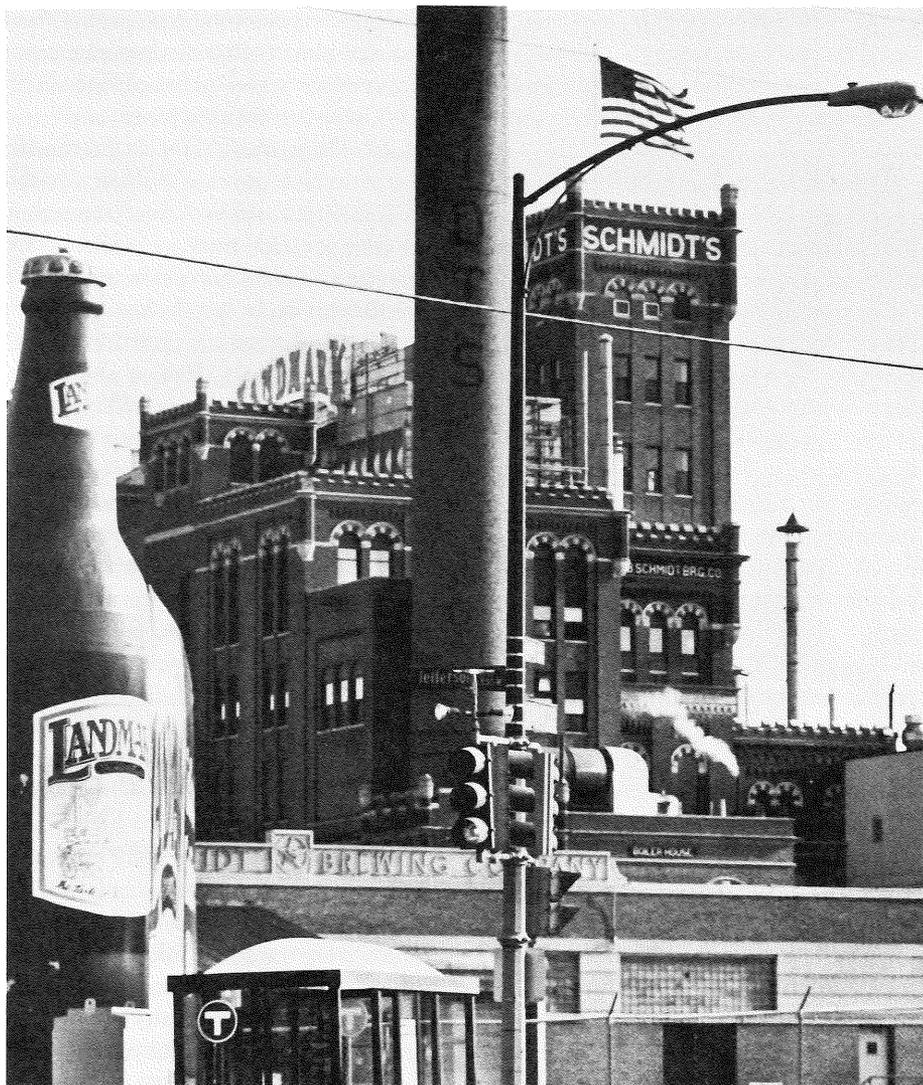
Omnibus Finance Bill

Faced with a deficit of \$569 million, the Legislature approved an omnibus finance bill cutting a total of \$134 million from the \$14.7 billion that had been appropriated for biennial funding for the organization, operation, and administration of programs relating to

In addition to cutting appropriations in order to balance the budget the omnibus appropriations measure contains a number of provisions designed to increase revenue or stimulate the economy. For instance, Chap. 513 requires DTED to assist in the reestablishment and promotion of the Northern Baseball League.

Photo by Tom Olmscheid





Chap. 513 increases a variety of fees for liquor manufacturers and brewers in addition to cutting appropriations to various state agencies.

state government, higher education, infrastructure and regulatory agencies, environment and natural resources, and human resources. Other new laws contain reductions and adjustments making up the rest of the shortfall.

Chap. 513 cuts \$11.9 million from the general fund appropriation to environment and natural resources. The general fund budget of the Department of Natural Resources (DNR) is reduced by \$4.078 million. A reduction of \$541,000 is made to the mineral economics program. Water resource management is reduced by \$750,000. Cuts to forestry road and campground maintenance equal \$1.12 million. Field equipment funding is cut by \$591,000.

An appropriation of \$41,000 is restored to the Voyageurs National Park Citizen's Council. Hill-Annex State

Park will remain open at a minimal operating level. The bill changes deposits of 50-50 forestry money from the state forest account to the general fund and restores payments in lieu of taxes.

The law expands youth programs in the DNR and appropriates funds received from use of campsites in the BWCA to the commissioner. Twenty five percent of the environmental trust fund revenue deposited in fiscal years 1994-95 must be spent for capital investments in parks and trails.

A \$1.1 million appropriation in the wetlands bill to the Board of Water and Soil Resources is canceled and \$100,000 appropriated for grants to the Minnesota Association of Soil and Water Conservation Districts. In addition, \$100,000 is appropriated for grants to counties for

administration and enforcement of the wetlands bill.

While the general fund budget of the Pollution Control Agency (PCA) is reduced by \$1.15 million, the agency's total appropriation change amounts to a reduction of \$639,000 for Fiscal Year (F.Y.) 1992 and an increase of \$689,000 for F.Y. 1993. Most of the revenue will come from the environmental fund, paid for by increased solid waste fees.

PCA cuts include \$332,000 from water pollution control; \$125,000 from hazardous waste pollution control; and, \$210,000 from general departmental support. A total of \$1.2 million is appropriated from the environmental fund for an evaluation of landfills. While Select Committee on Recycling and the Environment (SCORE) block grants to counties are not reduced, the general fund budget of the Office of Waste Management is reduced \$596,000. A solid waste fee of 20 cents per cubic yard of waste is designated and extended to all processing facilities. Funds go into a newly established landfill cleanup fund in the PCA.

The general fund budget of the Science Museum is reduced by \$60,000.

While reductions to the Dept. of Agriculture general fund budget come to \$406,000, the aggregate dollar impact will amount to a \$357,000 reduction for F.Y. 1992 and an increase of \$100,000 for F.Y. 1993. The bill authorizes the Dept. of Agriculture to charge fees for farm crisis assistance services, raises annual application fees for pesticides, and transfers \$2.2 million from the family farm security account to the general fund. Minnesota laws are amended by providing that checkoff fees under the Commodities Promotion Act may be fully or partially refunded. The commissioner of agriculture is required to appoint a task force and report on direct transfer of commodity checkoff fee refunds. Ten thousand dollars is appropriated to the Board of Animal Health for testing turkeys and chickens for avian influenza and the cap on the ethanol development account is reduced from \$9 million to \$8.55 million.

The governor's recommended \$50 million cut to higher education spending was trimmed to \$29.07 million. The cuts include \$5.785 from the appropria-

tion to the State Board for Technical Colleges; \$3.503 million from the State Board for Community Colleges; \$3.999 million from the State University Board; and, \$15.713 million from the Board of Regents of the University of Minnesota.

Changes include in-state tuition eligibility for migrant farm workers and a repeal of the requirement limiting the allowable percentage of foreign students. A workplace literacy resource center is established at Northeast Metro Technical College. The responsibility for the regulation of private business, trade, and correspondence schools is transferred from the commissioner of education to the Higher Education Coordinating Board.

General fund reductions to infrastructure and regulation come to \$14.367 million, with new revenues for the biennium projected at \$2.64 million. Changes in the Dept. of Transportation (Mn/DOT) include two transfers of trunk highway funds within the Mn/DOT and an appropriation of \$2 million for state road operations. In addition,

\$440,000 is appropriated for Greater Minnesota transit assistance and \$1.5 million is appropriated for Metro Mobility.

Reductions in the Dept. of Public Safety, where the Emergency Management Division and the Emergency Response Commission will be consolidated, equal \$2.418 million. An increase of \$283,000 is appropriated for the Dept. of Public Service and five positions for gasoline and oxygenated fuel testing and enforcement are added.

A general reduction of \$95,000 each year is required of the Minnesota Historical Society. A reduction of \$1 million is made from the Agricultural Utilization Research Institute (AURI). The World Trade Center is appropriated \$580,000 for the costs of privatization. While a general reduction of \$75,000 is made from the budget of the state arts board, \$20,000 is appropriated for the restoration of the Kee Theatre in Kiester.

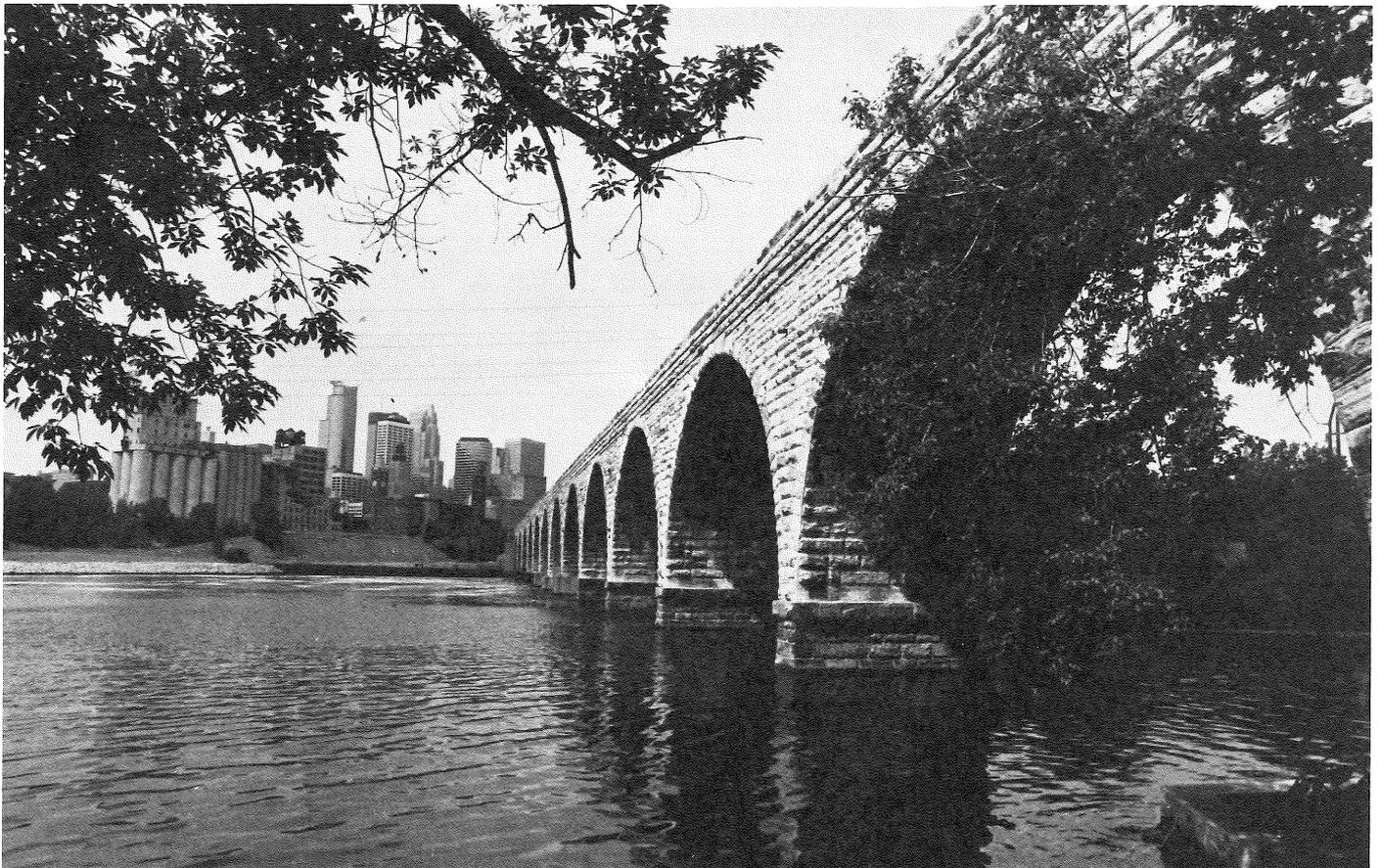
Statutory changes include one to the campaign elections fund: three percent

of individual's contributions will be retained in the general fund to cover administrative costs. Various Dept. of Commerce license fees are raised, as are specified filing fees for public offices. Another change allows the Iron Range Resources and Rehabilitation Board to accept merchandise as payment of advertising contracts.

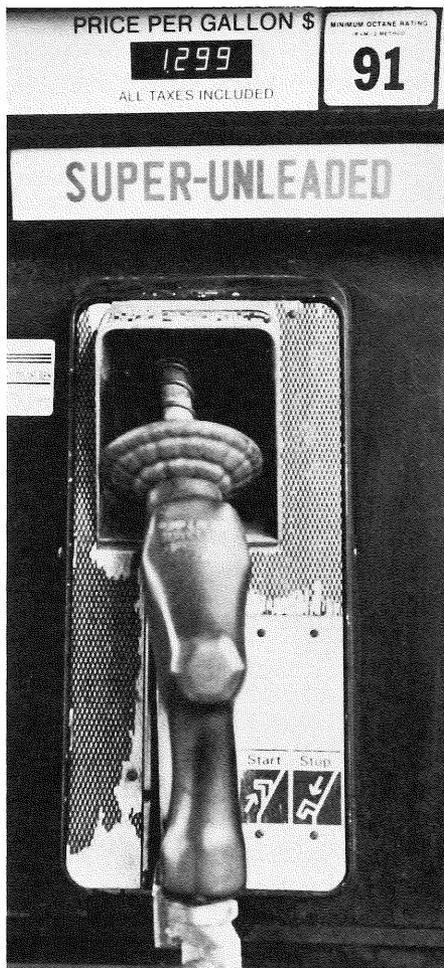
For Fiscal Year 1993, the amount the lottery director may transfer to the lottery operations account is reduced from 15 to 14.5 percent. The requirement for class D racing days is changed as is the distribution procedure for money designated for purses. The surcharge on traffic fines is increased from 12 to 15 percent and the revenue is directed to a special revenue account for peace officers training.

The economic and state affairs appropriations provisions reduce state general fund expenditures by about \$29 million for the biennium, and raise approximately \$15 million in new revenue. General reductions are approximately eight percent for the

Photo by Tom Olmscheid



The budget balancing bill also requires Hennepin County to transfer ownership of the James J. Hill Stone Arch Bridge to the state.



Money is appropriated to the Dept. of Public Service for Gasoline octane and oxygenated fuels enforcement, under Chap. 513.

Legislature, half a percent for the judicial system, and two percent for most other agencies.

Major adjustments include: \$2.4 million to improve financial and reporting systems in the Public Defender, Finance and Administration Departments; \$1.3 million for public television and radio; \$500,000 for the summer wage subsidy program for youths; and, \$1.4 million for previously approved park facilities and \$2.3 million for park operations and maintenance. The appropriation to the attorney general's office is reduced by \$550,000, and a general reduction of \$60,000 is made to the Office of Strategic and Long-Range Planning.

Other reductions include a cut of \$200,000 for the Dept. of Trade and Economic Development's annual Medical Exposition, and a cut of \$2.02 million from Minneapolis Police and

Fire Amortization Aid. This reduction is due to excess earnings by the Minneapolis Police and Fire Relief Association.

The Supreme Court is directed to adopt rules governing vacation leave of judges and paid judicial leave for educational and professional purposes. The Court is also directed to adopt rules governing the acceptance of compensation for work performed by judges on time for which they are compensated by the state. Finally, the Court is directed to report on the certification of short-hand court reporters.

Warrants issued by the state are canceled within six months instead of five years, returning revenue to the general fund. The responsibility for the cost of public defender services is shifted from counties to the Board of Public Defense.

In an effort to minimize layoffs of public employees, the bill provides state-paid health insurance for people taking early retirement.

The law provides a total of \$3.626 billion for the biennial funding of human development. This is an increase of \$2.003 million, reflecting a reduction of \$1.799 million in F.Y. 1992 and an increase of \$3.802 million in F.Y. 1993. For F.Y. 1993, total state spending is offset by \$65 million in provider payments deposited in the general fund under the broad-based health care provider tax program.

Changes in the human services include an increase in the authorization for administration funds from \$100,000 to \$314,000 annually. Health Dept. changes include increases in license and permit fees and a registration system for home management service providers who are not licensed as home care agencies. A competency evaluation program is established for nursing home assistants and the commissioner of health is directed to report on the feasibility and advisability of consolidating licensure and regulation of home care services into one system.

An annual license surcharge of \$400 for physicians is added. The surcharge on nursing home licenses is increased from \$500 to \$535 and a general surcharge of .6 percent is imposed on all health maintenance organizations (HMO). A general hospital tax equal to 1.4 percent of net patient revenues is

imposed on inpatient and outpatient services. Medical assistance (MA) payments to rural hospitals with low MA usage are increased. Hospitals with 100 or fewer admissions get a 20 percent increase, and hospitals with between 100 and 250 admissions get a 15 percent increase. Payment for mental health and chemical dependency admissions will change from a per day basis to a per admission basis.

The commissioner of human services is prohibited from granting automatic inflation adjustments for home care services, alternative care services, or operating costs for nursing homes

A new category is added for General Assistance (GA) eligibility: non-English speaking students. To the list of AFDC families who are guaranteed child care assistance, AFDC caretakers who participate in the non-STRIDE AFDC child care program are added.

A provision effective January 1, 1993, allows work readiness participation during any six nonconsecutive months in a 12-month period and requires participation in orientation before initial payment.

The monthly maximum payment rate for recipients in group residences is raised to \$966.37.

In the area of child support enforcement, the support enforcement authority and its client are exempted from paying filing fees in a motion to modify child support. Filing fees collected in other support modifications are to be paid to the court rather than the state and used to pay for child support enforcement by county attorneys. The obligee's application fee to receive support enforcement services is raised from \$5 to \$25. The commissioner of human services must give counties grants to cover the costs of the administrative process or child support enforcement and must ensure that the statewide child support system is operating efficiently.

The commissioners of administration, jobs and training, human services and trade and economic development are required to identify purchasing contracts with certified rehabilitation facilities and day training and habilitation services that will enhance employment opportunities for persons with severe disabilities.

The commissioner of human services

is prohibited from closing regional treatment centers, state-operated nursing homes, or Ah-Gwah-Ching Center without specific legislative authorization.

Among services for the developmentally disabled, case management for the mentally retarded is a covered service under Medical Assistance. The law also establishes a Dakota county mental health services project.

Anti-violence initiatives

The Legislature gave strong bipartisan support to an omnibus anti-violence initiative that spends two dollars for violence prevention and victims' services for every dollar it spends on criminals. The measure's Senate author, Sen. Allan Spear, said the law attempts to address the root causes of violence with prevention and education. The new law, Chap. 571, was sponsored by Rep. Kathlessn Vellenga in the House of Representatives.

The package, which totals \$12.593 million, provides \$4 million for the criminal justice system, \$1.83 for victim

services, and \$6.7 million for violence prevention and education including \$1 million for the Head Start program. In addition, the bill raises \$5.9 million in revenue through increases in mandatory minimum fines and increases in fees for processing petty misdemeanors.

Penalties for sex offenders are stiffened. A person convicted of first degree murder involving forcible criminal sexual conduct must be sentenced to life imprisonment without parole under the new law. A life sentence without the possibility of parole for 30 years is mandated for a third rape conviction and a 30 year sentence is mandated for a rape conviction after a prior aggravated rape conviction. Another new provision calls for review of all sex criminals six months before scheduled prison release, for possible civil commitment as psychopathic personalities.

Participation in sex offender programs is subject to rules of the commissioner of corrections and the commissioner may refuse treatment to inmates who are not amenable to treatment. The commissioner is also authorized to place sex offenders on intensive supervised release and to order offenders to participate in

sex offender programs as a condition of release. No sex offenders will be eligible for intensive community supervision programs under the new statute.

The new law gives priority for funding to juvenile sex offender programs over adult programs. The requirement for assessing a juvenile sex offender's need for sex offender treatment is extended to juveniles committing fifth degree criminal sexual conduct, offenses involving obscene or harassing phone calls or an indecent exposure offense.

The law establishes a new felony sentencing system under which an offender receives a two-part sentence consisting of a specified minimum term of imprisonment and a specified maximum period of supervised release. These offenders are no longer eligible to receive "good time" reductions in their prison sentence; instead, the sentences can be lengthened for violating prison rules. The current 40 year cap on consecutive sentences is removed. The law also permits joinder of defendants for trial if they are alleged to have participated in the same act.

An escort is required for any inmate who is released from prison to a half-way

Photos by Tom Olmscheid



One of the primary aims of the new anti-violence law, Chap. 571, is to provide funding for programs, such as Head Start, for violence prevention efforts. The new law also provides funding for victim services.

house or other residential program, and supervised release programs must inform the appropriate agency within two hours when an inmate fails to report.

Under the new law, a challenge incarceration, or "boot camp," is established for young men convicted for the first time of non-violent crimes.

Changes in the law regarding juvenile offenders include criminal prosecution of offenders between the ages of 16 and 18 if the juvenile has been referred previously for prosecution on a felony charge. Chemical use assessment is required if the probation officer determines alcohol or drug use contributed to the offense. If the offender possessed a firearm at the time of the offense, the court must order the firearm seized and the juvenile must perform at least 100 hours of community work service. Juvenile court records must be retained and forwarded to the Bureau of Criminal Apprehension (BCA), which is required to establish a

system for recording the data.

Penalties for domestic abuse and harassment are also strengthened. Persons convicted of a first time violation of an Order For Protection (OFP) must be sentenced to at least two days in jail and ordered to participate in treatment. A second OFP violation within two years means a minimum sentence of ten days in jail. In addition, ongoing training about domestic abuse is required for district judges and all law enforcement agencies must adopt written policies regarding arrest procedures for domestic abuse incidents.

The law contains several new provisions for crime victims including a 24-hour telephone line to provide referrals for victim services. Separate waiting rooms are to be provided for victims at courthouses and victims have a right to the presence of a supportive person in juvenile delinquency proceedings.

Institutions of higher education are

required, and the University of Minnesota is requested, to adopt sexual harassment and violence policies that, among other things, inform victims of their rights.

Schools are also required to post sexual harassment and sexual violence policy throughout the school building and to develop a process for discussing the policy with students and employees. Each school district is encouraged to integrate into its curriculum a violence prevention program and funding is provided to assist in the development of the programs.

Early childhood family education is expanded to include programs to prevent child abuse and neglect and funding is provided for a pilot children's safety center. The children's safety center is designed to provide a nonthreatening environment for children meeting with parents during visitation.

The law directs the commissioners of human services and education to design a statewide program to link schools with health and social services. The commissioner is also directed to establish pilot projects to reduce juvenile offender recidivism by identifying and treating mental health problems.

A grant program is established to assist local governments units in establishing community based councils to develop and implement violence prevention programs.

Chap. 571 also provides tougher sentences for sex offenders and strengthens penalties for domestic abuse.



Photo by Andrew Von Bank

Omnibus education finance

Chap. 499, the K-12 education finance package, authored by Sen. Ronald Dicklich and Rep. Ken Nelson, contains numerous provisions that make changes in current law regarding general education, transportation, enrollment options, levies and referendums, education organization and cooperation, facility financing, choice programs, and libraries. The law also contains provisions that establish referendum allowance limits and make changes to the debt service equalization program.



The new education financing law, Chap. 499, contains provisions that encourage parents' involvement in their children's education.

As part of the budget reduction effort, the law makes a five percent cut in the Dept. of Education. In addition, the law makes an accounting change that saves the state over \$180 million in the current biennial budget by increasing the property tax recognition shift percentage from 37 percent to 50 percent. The measure also creates a new open and standing state aid to reimburse districts for short term borrowing costs that result from the levy recognition. Earlier in the session, some legislators proposed a tax on soft drinks to fund some education programs. However, legislators removed the so-called "pop tax" from the package.

Parental involvement programs gain prominence, under the chapter. The new legislation requires parental involvement programs to involve parents or guardians of color and to encourage parents to actively participate in their district's curriculum advisory committee. The law requires parental involvement plan activities to include educational programs and opportunities that are multicultural, gender fair, and

disability sensitive. It also calls for parental involvement in a district's curriculum advisory committee or school building team. Financially, the measure sets aside up to \$1 of the \$5 per pupil parental involvement program allowance for promoting parental involvement in the planning, evaluating and reporting (PER) process.

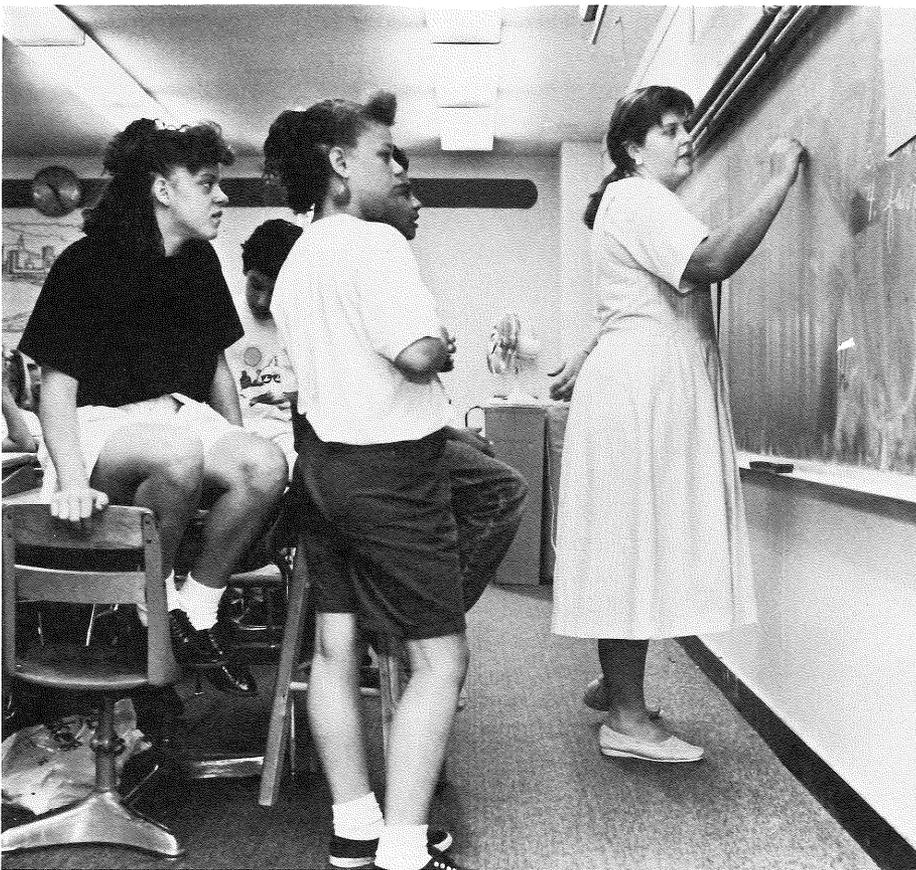
One provision in the chapter transfers the appointing authority for the commissioner of education from the governor to the State Board of Education. However, the provision gives the governor approval authority over the appointment.

Equal opportunity for sports received some attention from the Legislature. The law requires districts operating and maintaining ice arenas to offer equal sports opportunities for male and female students. Instruction in Braille reading and writing for blind students is provided for in the law through the establishment of the Blind Person's Literacy Rights and Education Act.

Teacher preparation and licensure was an issue at the Capitol in 1992. The law

requires people applying for an initial teaching license to successfully complete a skills examination before being admitted to an approved post-secondary teacher preparation program and to provide direct instruction to pupils in various K-12 programs. As a prerequisite to an internship program, the law requires applicants to successfully complete an examination of general pedagogical knowledge. And before receiving a continuing license, applicants must complete a one-year supervised and assessed internship in a professional development school and pass an examination of licensure-specific teaching skills.

Changes in graduation standards are delayed for at least two years, under one provision in the law. Another provision requires schools to conspicuously post the school sexual harassment and violence prevention policy throughout the school building and to develop a process for discussing the school policy with students and school employees. And school districts gain an extension of a special levy for crime related costs,



Chap. 499 also provides for funding K-12 education.

Photo by Tom Olmscheid

including costs for drug abuse prevention programs.

Bonding authorization

The 1992 Legislature authorized \$275 million in bond sales for a variety of state projects relating to education, human development, environment and natural resources, economic development, infrastructure, and criminal justice. Sen. Gene Merriam and Rep. Wayne Simoneau said that the list of projects is the result of a compromise between the Senate, the House of Representatives and the governor. Supporters of the package, Chap. 558, said the projects will improve the economy and provide jobs.

Higher education bonding totals \$102.3 million. The measure calls for a new basic sciences and biomedical building at the University of Minnesota at a cost \$52.7 million, the most expensive item on the list. Mankato State University receives over \$2.4 million to construct a utility tunnel and to repair

fire damage at Nelson Hall. K-12 projects total almost \$26 million. Over \$12 million goes to maximum effort school loans and \$5.9 million is marked for cooperative secondary facilities. Other education projects include a \$1.3

million library for the blind and \$400,000 for the Hoffman Center in St. Peter.

Human services projects add up to more than \$24 million. The Fergus Falls Regional Treatment Center gains \$13.4 million. And the St. Peter Regional Treatment Center receives \$8.1 million to house additional mentally ill and dangerous inmates, including sex offenders.

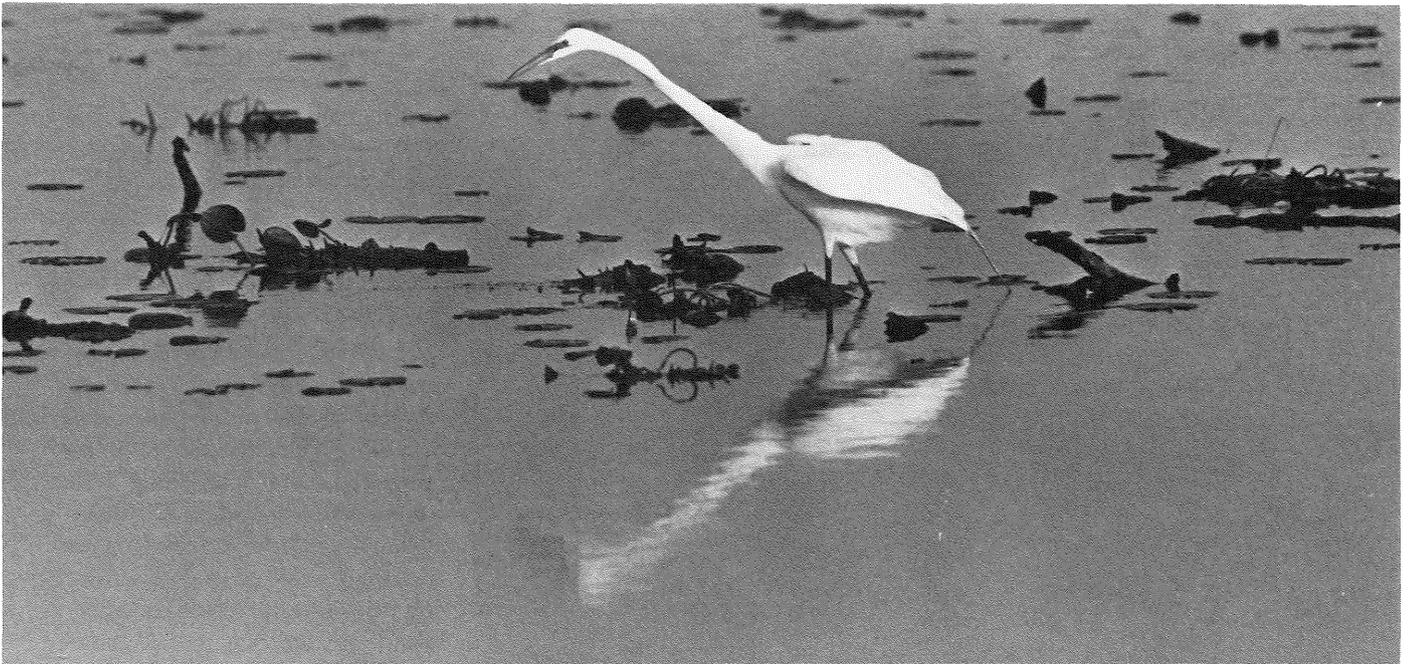
Environment and natural resources projects account for \$32.7 million of the total. The Dept. of Natural Resources is provided \$11.7 million for numerous items, including appropriations for fish hatcheries, trails, dam repairs, scientific and natural areas, and state parks. The DNR also received an appropriation to construct and renovate field offices. Other environmental allotments include over \$13 million to the Pollution Control Agency for combined sewer overflow grants, and \$2 million to the Office of Waste Management for capital assistance program grants. Transportation funding in the package comes to just under \$30 million. The long list of transportation projects include welding shops, chemical storage sheds, truck stations, equipment buildings, and an airport hanger. The largest expenditure on the list is \$10 million to match federal funds for the Bloomington Ferry Bridge project.

The Legislature's crime prevention efforts are partly reflected in the pack-

Photo by Tom Olmscheid



Chap. 558 authorizes the sale of bonds to finance state construction projects .



The bonding authorization extends to environmental and natural resource projects for scientific and natural areas.

age. The measure includes \$2 million for head start facilities and \$1 million for battered women's shelters.

MTC bonding

Financing the Metropolitan Transit Commission's efforts to make the MTC bus system more user-friendly and to counter declining ridership is the purpose of a law passed in the 1992 session. Chap. 579, sponsored by Sen. Gene Merriam and Rep. Wayne Simoneau, states legislative support for the five-year, \$116.2 million plan by the MTC and the Regional Transit Board to develop more customer-oriented facilities and policies.

The law authorizes the Metropolitan Council to issue \$62 million in bonds for carrying out the first two years of the plan. Of this initial bonding amount, \$44 million may be used for fleet replacement, facilities, and capital equipment, and \$18 million may be used for transit hubs, park-and-ride lots, community-based transit vehicles, and intelligent vehicle highway systems projects. The bill specifies that the MTC must submit a report to the Legislature in early 1994 analyzing whether ridership has increased as a result of the program.

Aquatic farming

A law licensing and regulating the business of private aquatic farms was passed by the Legislature this session. Chap. 566, sponsored by Sen. Charles Berg and Rep. Wally Sparby, is designed to prevent the spread of aquatic diseases and exotic species, to protect natural aquatic habitats and the wildlife dependent on them, and to protect private

aquatic life from unauthorized taking or harvest.

Under the law, the DNR is authorized to make fish eggs, fry and brood stock available to private aquatic farms at fair market value. The law specifies conditions for certifying and maintaining standard, containment and quarantine facilities and requires mandatory inspection for salmon, trout and catfish operations. Also, the DNR is authorized to sell game fish to private fish farms,

Photo by Laura Phillips



Chap. 579 authorizes bonding for projects designed to help increase ridership on the MTC.



Solid waste management provisions are contained in Chap. 593.

and aquatic farmers are authorized to take minnows and sucker eggs with proper licensing. Finally, rough fish and yellow perch may be sold by a tribal member of the White Earth Reservation to a licensed aquatic farmer.

Waste management

Chap. 593 sets a 25 percent state wide per capita waste reduction goal for Minnesota. The new waste management provisions are designed to foster an integrated waste management system in a manner appropriate to the waste stream by: reducing the amount and toxicity of waste generated; separating and recovering materials and energy from waste; reducing indiscriminate dependence on disposal of waste; coordinating solid waste management among political subdivisions; and, providing for the orderly development and financial security of waste facilities including disposal facilities.

Provisions of the new law, sponsored by Sen. Gene Merriam and Rep. Jean Wagenius, include the application of the state's waste management hierarchy to state purchasing decisions: whenever feasible, state agencies shall purchase recycled materials and degradable loose foam packing material. The concept of lowering the toxicity of waste is added to the definition of waste reduction or source reduction.

Cities and counties that collect solid waste management fees must use volume or weight based fee systems. Volume based pricing systems must be pay-per-unit systems. Counties and the Pollution Control Agency may not impose hazardous waste fees on material that is reused at the facility where the material is generated as long as the material does not result in an increased toxicity level in products leaving the facility.

The new law prohibits the placement of telephone books in solid waste. Effective Jan. 1, 1993, telephone books must be recyclable, and beginning in 1994, telephone book publishers must provide for collection and transportation of the books to a recycler.

Manufacturers of button cell and rechargeable batteries must note the electrode type on the battery label. In

addition, the law requires manufacturers of rechargeable batteries to set up pilot projects for their collection.

Studies are mandated on automobile related wastes, construction debris management, used motor oil management, degradable loose packing material, closed landfills, and regional waste management needs.

The Commissioner of Public Safety is required to adopt rules to implement a statewide hazardous materials incident response plan. The plan must include provisions for up to five regional hazardous response teams.

Fees are imposed on facilities that store hazardous substances.

Pollution control

The Minnesota Pollution Control Agency (PCA) is directed to start a program to help small businesses comply with the federal Clean Air Act under a new law passed this year.

Chap. 546, the Small Business Air Quality Compliance Assistance Program is designed to help businesses being regulated for the first time. Information and technical assistance on compliance with state and federal regulations, methods of pollution prevention, and air quality permits will be offered. Businesses with up to 100 employees are eligible.

The new law, presented by Rep. Mary Jo McGuire and Sen. Steven Morse, also provides for the appointment of an ombudsman to oversee the program. The ombudsman is to conduct independent evaluations of all aspects of the program and represent the concerns of small businesses. A nine-member advisory panel will be appointed to advise the PCA on the program's effectiveness.

Fees paid by companies that pollute will rise in relation to the amount they pollute, and the \$30,000 cap on toxic pollution fees is removed.

The PCA is charged with establishing a statewide monitoring program for probable sources of air-borne toxic substances. The law also requires the PCA commissioner to report to the legislature on the role of the PCA Board.

In addition, a study of occupational

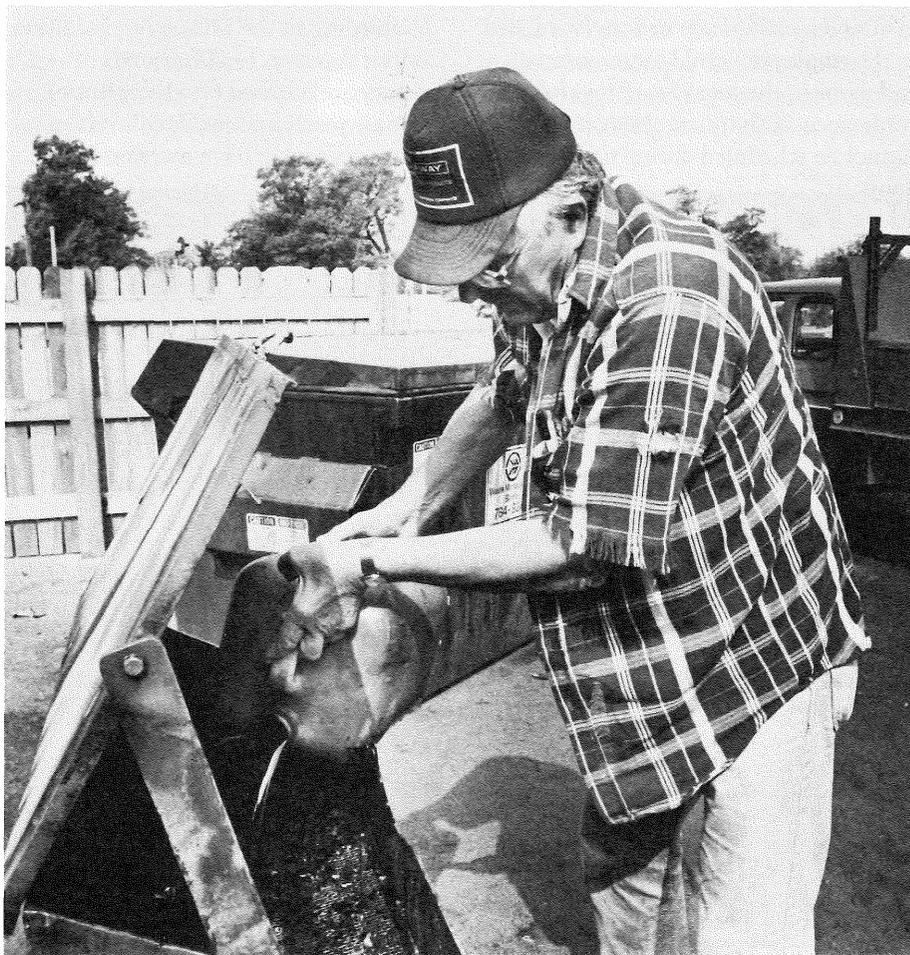
health problems associated with the operation of video display terminals (VDT's) must be conducted by the commissioner of labor and industry.

Lead abatement

Minnesota's first program to clean up home lead poisoning hazards and provide education about lead has been approved by the Legislature. However, two chapters contain the identical language concerning lead abatement. Chap. 595, sponsored by Sen. John Hottinger and Rep. Lee Greenfield, and Chap. 522 sponsored by Rep. Andy Dawkins and Sen. Joanne Benson provide for the testing of children under the age of six who live in high risk areas. Within those areas, under the new chapters, lead assessments are to be made in the homes of children and pregnant

women already exposed, including follow-up visits and testing. The law provides that safe housing be made available for use during lead abatement procedures. The law specifies that at least 50 percent of federal lead abatement funds are to be allocated for lead cleanup. Under Chap. 595 and Chap. 522, boards of health are required to order property owners to perform abatement on the homes of children or pregnant women with elevated blood lead levels if the home exceeds safe lead levels. The measure requires that an ongoing lead education program be provided to health care and social service providers, contractors, building trades professionals and nonprofessionals, property owners and parents. The new law requires proactive lead education programs for communities at high risk for toxic lead exposure to children and provides for licensing of lead abatement contractors.

The PCA and the OWM are directed to study compliance with laws relating to the collection of used motor oil under Chap. 593.



Parental leave law

Leave laws govern several kinds of employee leaves of absence, including jury duty, court appearances for crime victims, military service, sick or injured child care, and school conference and activities. The 1992 Legislature changed the existing school conference and activities leave law from 16 hours a school year to 16 hours during any 12 month period. Proponents of the policy said the parental leave policies benefit society by nurturing the relationships between children and their parents, and by reducing the incidence and expensive ramifications of abuse.

Chap. 576, authored by Sen. Pat Piper and Rep. Alice Johnson, also broadens the definition of school conference and classroom activity to include child care. If an employee's child receives child care through nursery schools, day care centers, Head Start, or extended school day programs, or if the child attends a prekindergarten regular or special education program, the employee may use leave time allotted for those purposes to attend a conference or activity related to the employee's child, or to observe and monitor the services--provided the conference, activity, or observation cannot be scheduled during nonwork hours.

Under the law, the Division of Labor in the Dept. of Labor and Industry must

attempt to resolve employee complaints by informing employees and employers about the parental leave law and directing employers to comply with the law. The law also requires the Division of Labor to develop and make available a poster that states employee rights.

Mercury recycling

A law regulating the sale, use and disposal of mercury was passed by the Legislature. Chap. 560, sponsored by Rep. Jean Wagenius and Sen. Gregory Dahl, restricts the sale of mercury to medical, dental, instructional, research, and manufacturing purposes. Purchasers are required to sign a statement attesting that they understand mercury's toxicity, and will use, store, and dispose of it properly.

All products, including fluorescent lamps, containing mercury must be clearly labeled and carry instructions for the disposal of the mercury. Mercury or instruments containing mercury may not be placed in solid waste or in a wastewater disposal system.

According to the Minnesota Pollution Control Agency, 14,000 pounds of mercury are released into the Minnesota's air yearly and mercury levels in Minnesota's lakes have increased three to five percent each year.

The new law bans the sale or resale of toys and games containing mercury. It



Chap. 388, the workers compensation reform package mandates a 16 percent reduction in insurance rates.

also requires recycling of major appliances and directs each county to ensure that all its residents have the opportunity to recycle used major appliances.

The major goal of Chap. 560 is to reduce mercury from the waste stream. Under the new law medical facilities are prohibited from distributing mercury thermometers.

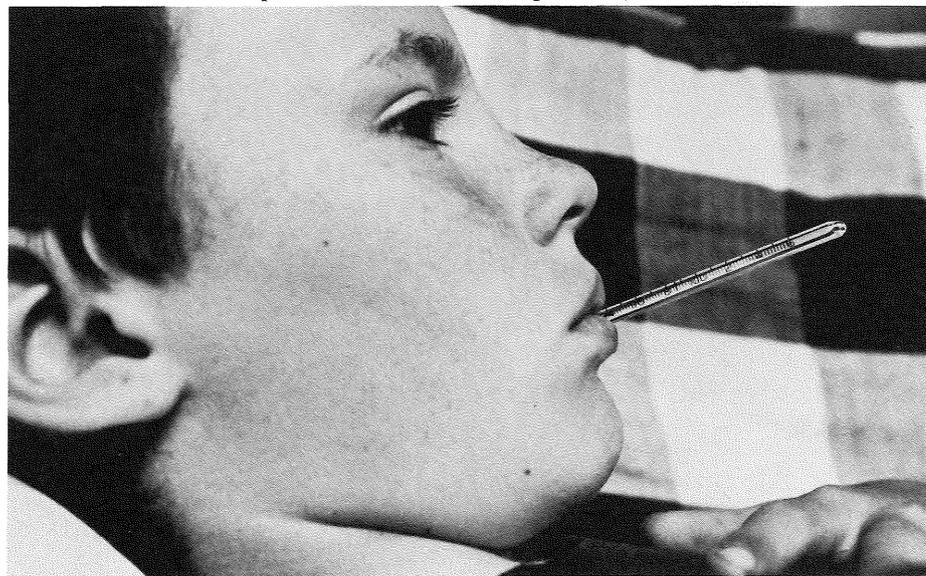


Photo by Tom Olmscheid

Workers compensation reform

Years of efforts towards workers' compensation reform came to fruition in the 1992 Session. Chap. 388, sponsored by Sen. Florian Chmielewski and Rep. Tom Rukavina, represents a bi-partisan agreement for workers' compensation reform, according to supporters of the new law.

The reform measure mandates a 16 percent reduction in insurers approved rate schedules in effect on Oct. 1, 1992 until Apr. 1, 1993, cutting approximately \$200 million dollars from the

\$1.2 billion in costs paid annually by employers. In addition, the law freezes rating plan increases filed between Apr. 1, 1992, and Apr. 1, 1993.

A key aspect of the measure is a "managed care" system under which an employer can provide medical care and services to injured employees through providers or groups of providers certified by the commissioner of the Dept. of Labor and Industry. The law establishes a fraud unit to investigate fraudulent and illegal practices by health care providers, employers, employees, insurers, or attorneys.

The reforms include an increase in the maximum benefit level to 105 percent of the statewide average weekly wage (SAWW). It also lowers the minimum benefit to the lesser of 20 percent of the SAWW or the employee's actual wage. The law limits the payments and puts a cap of 225 weeks on temporary partial benefits for working employees who are earning less than their pre-injury wage. The new law also changes the escalator (the escalator increases the percentage of growth in the SAWW) provision from six percent a year to four percent a year. Moreover, the law provides that supplementary benefits are available only to permanently and totally disabled workers. Temporary total and temporary

partially disabled workers are no longer eligible, under the new law.

The new law exempts from mandatory workers' compensation insurance coverage family farm units paying between \$8,000 and the statewide average annual wage (currently \$23,036) in cash and wages and, having insurance coverage equal to at least \$300,000 in total liability and a minimum of \$5,000 in medical coverage. The law does not change for family farm units with less than \$8,000 in cash wages.

The law creates an advisory council with six employer and six employee representatives. The council advises the commissioner of labor and industry and makes recommendations to the Legislature, if the recommendations have the support of a majority of the business and labor members. The law also charges the chief administrative law judge with amending the rules and procedures to streamline the hearing process for the Workers Compensation Court of Appeals.

Advocates for both business and labor interests agree that the best antidote to high workers compensation rates is accident prevention. The law creates an assigned risk safety fund designed to achieve methods of hazard reductions for employers with poor safety records or

employers in hazardous classifications. The fund, which is funded from fines and penalties assessed and collected under workers compensation law, also makes grants and loans to employers toward the cost of implementing safety recommendations.

Detroit Lakes economic development

A new law sponsored by Sen. Roger Moe and Rep. Loren Thompson, authorizes the commissioner of finance to sell up to \$5 million in bonds to help the town of Detroit Lakes find a buyer for the Swift-Eckrich turkey plant.

In December, 1991, Swift-Eckrich announced plans to close the plant, the largest employer in Detroit Lakes. More than 500 workers would have been laid off beginning in May 1992.

The new law, Chap. 543, seeks to save those jobs, create others, to foster long-term economic growth, and to ensure the preservation and growth of the tax base.

The proceeds of the bonds may be used to finance the costs of acquiring, renovating, improving or equipping the facility according to the new chapter.

Photo by Tim Kjos



Chap. 543 authorizes the sale of bonds to help find a buyer for the Swift-Eckrich turkey plant in Detroit Lakes in order to save jobs threatened by the plant's closure.



The likelihood of purchasing healthy pets is increased because of provisions in Chap. 585.

Puppy mill bill passed

A new law sponsored by Sen. Ted Mondale and Rep. Andy Dawkins, is aimed at curtailing the breeding and distribution of unhealthy animals by unscrupulous animal breeders. Chap. 585 requires that pet dealers must provide purchasers of animals with a written disclosure that includes details about the animal's origin and states that it is healthy. The animal must be examined by a veterinarian other than the one used by the breeder. Dealers must also provide purchasers with documents needed for registration and a statement of consumer rights.

Liquor candies

The sale of liquor-filled candies is clarified by a new law, sponsored by Sen. Sam Solon and Rep. Joel Jacobs. Under Chap. 486, authorized liquor stores and business establishments that derive more than 50 percent of their gross sales from confections are the only entities that are allowed to sell liquor candies. Previous law made it unclear whether candy stores could sell the liquor-filled confections.

The law requires the liquor candies to

bear a label that reads, "This product may not be sold to anyone under 21 years of age." The candy cannot contain more than five percent alcohol by volume where the alcohol is in a nonliquid form from being mixed with other substances during the manufacture of the candy (mostly cream-filled candies).

The law does not allow candy stores to sell "liqueur-filled" candy, which is defined as "any confectionery containing more than one-half of one percent alcohol by volume in a liquid form that is intended for or capable of beverage use." However, liquor stores can continue to sell the "liqueur-filled" confections.

Another provision in the law allows the Division of Liquor Control in the Dept. of Public Safety to use unmarked vehicles in liquor investigations. The law also provides for reasonable licensing 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 an on-sale licensee to dispense liquor at the National Sports Center in Blaine; authorizes Blue Earth County to issue an on-sale liquor license to a billiard hall; allows Lake Township in Roseau County to establish, own, and operate an exclusive liquor store; and authorizes Swift and Aitkin counties to issue off-sale liquor licenses.

Motor carrier law updated

Chap. 600, the Motor Carrier Modernization Act, makes fundamental changes in the classification and regulation of motor carriers. The new law, sponsored by Sen. Jim Vickerman and Rep. Harold Lasley, is the result of a year-long negotiation process among motor carriers, and is intended to resolve disputes in the trucking industry that arose after a 1988 Court of Appeals ruling clarified the differences between regular route and irregular route carriers.

Under Chapter 600, the current system of classification of motor carriers as "regular route" and "irregular route" carriers is eliminated. In its place is a new system, which designates carriers as Class I if they own or control two or more terminals, and Class II if they own or control one terminal. The law provides a process for converting current licenses and permits to the new system. Under the new system, Class I certificates are issued to carriers that own or control two or more terminals and Class II certificates are issued to carriers that own or control one terminal. The law also authorizes the commissioner of transportation to impose fines on carriers that operate without proper authority or who violate rate rules.

Rental housing provisions

Under a new housing law enacted this year, tenants rights are strengthened and clarified.

Chap. 376, sponsored by Rep. Karen Clark and Sen. James Metzen, authorizes tenants to pay for continued utility service after the landlord has been issued notice of service termination. If the building is condemned or the landlord's interest in the building terminated, the time in which the landlord must return a damage deposit is shortened from three weeks to five days. In rent escrow actions, tenants may be represented by persons other than lawyers and tenants who do not owe rent may begin rent escrow actions. Courts may provide additional time for a tenant who has paid all past due rent to pay other landlord costs for bringing an unlawful detainer action.

If the tenant brings past due rent to court in such actions, the court may order a refund of the landlord's filing fee. Landlords are also required to maintain energy efficiency in rental property.

Neighborhood organizations may take action on behalf of a building's tenants with the written permission of the tenants of a majority of the occupied units.

The authority of housing and redevelopment authorities (HRAs) is extended to include vacant lots that contain substandard buildings within three years preceding the exercise of eminent domain. HRAs are permitted to administer a leased existing housing assistance payment program under Section 8 provisions. Several contracts are exempted from performance bond requirements.

The new law authorizes the city of St. Paul to establish an HRA. The HRA may provide business working capital, acquire an equity interest in for-profit businesses, and use funds outside the boundaries of existing redevelopment districts.

Modifications are made to an existing youth employment grant program providing education and training to at-risk youth in conjunction with construction or rehabilitation of housing for the

homeless. Priority is given to organizations that have successfully operated such programs and annual grants are limited to \$50,000. The job readiness skills component must comprise at least 20 percent of each program. Priority for residential units that become available through the program must be given to participants.

A grant program is established in the Housing Finance Agency to set up a similar program for homeless adults. Each program must contain work

experience, job readiness, and life skills components. The work experience must include projects that result in rehabilitation or construction of housing for the homeless, offer training for potential jobs, pay monetary compensation, provide supervision, and examine how participants may achieve certification.

Airport noise mitigation efforts required

Chap. 551, sponsored by Sen. Phil Riveness and Rep. Edwina Garcia, requires the Metropolitan Airports Commission to dedicate an increasing portion of a passenger facility charge for noise mitigation measures such as land acquisition, corrective land use management, and installation of soundproofing and air conditioning in homes, schools, and other public buildings where there is a demonstrated need because of aircraft noise. The new law specifies that in 1993 and 1994, 20 percent of the amount budgeted from the fee will be spent on noise mitigation, increasing to 35 percent in 1995 and 40 percent in 1996. The MAC's request for authorization to collect the passenger facility charge is pending with the Federal Aviation Administration.

Living will form change

A minor addition to the Living Will form used in Minnesota is provided by Chap. 535, sponsored by Sen. Sam Solon and Rep. Mike Jaros.

The Living Will provides a health care declaration which gives health care providers or a designated proxy the power and guidance to make health care decisions in accord with the wishes of the signer when the signer is in a terminal condition and unable to make the decisions. Chap. 535 adds language to the form indicating whether the signer has agreed in another document or on another form to donate organs upon death.

Photo by Tom Olmscheid



The continuing problem of airport noise is addressed in Chap. 551, which requires the MAC to dedicate part of the airports facility charge for noise mitigation.



Chap. 559 authorizes the various health licensing boards to monitor health care workers who report being infected with the human immunodeficiency virus or hepatitis B virus.

advocate good health, the schools should provide a smoke-free environment.

Sen. Harold "Skip" Finn expressed concern that the law's language would prohibit some Native American cultural activities that require the display of tobacco. Dahl said the law is not intended to prohibit this kind of activity and that the Legislature will clarify the law next year.

The anti-smoking law also repeals a provision in law that allowed patients in health care facilities to smoke if the patient's attending physician authorized it in writing.

HIV, HBV and health workers

Under Chap. 559, sponsored by Sen. Pat Piper and Rep. David Bishop, licensed health care workers who are infected with the human immunodeficiency virus (HIV) or the hepatitis B virus (HBV) are required to report their status to the appropriate licensing board. The boards are authorized to monitor

the health care workers who report that they are infected with HIV or HBV and to impose sanctions on infected workers who fail to report their status to the licensing board.

Also included in Chapter 559 are provisions for the licensing of chemical dependency counselors.

Omnibus Data Practices Act

Chap. 569, containing changes to the Data Practices Act, sponsored by Sen. Jane Ranum and Rep. Phil Carruthers, enacts a variety of changes and additions to existing law regarding the collection and dissemination of data.

The law provides for background checks to be performed by the Bureau of Criminal Apprehension on individuals seeking to be employed as children's service workers. In the case of someone convicted of a sex offense, the sentencing court may order the offender to be tested for HIV if the victim requests the

Changes to the Data Practices Act, contained in Chap. 569, include authorizing criminal background checks on persons seeking employment as child care workers.

Tobacco-free schools

Chap. 576 calls for tobacco-free public elementary and secondary schools beginning Aug. 15, 1993. Under the law, "no person shall at any time smoke or use any tobacco product in a public school." The prohibition extends to all facilities whether owned, rented, or leased, and all vehicles that a school districts owns, leases, rents, contracts for, or controls.

Advocates of the policy, sponsored by Sen. Gregory Dahl and Rep. Kris Hasskamp, pointed out the contrast between the anti-smoking students and the student activists of twenty years ago who fought for the right to have smoking lounges in schools. Many supporters of the bill admitted they used to be the ones fighting for student smoking rights. They said the times have changed, however, and that because schools

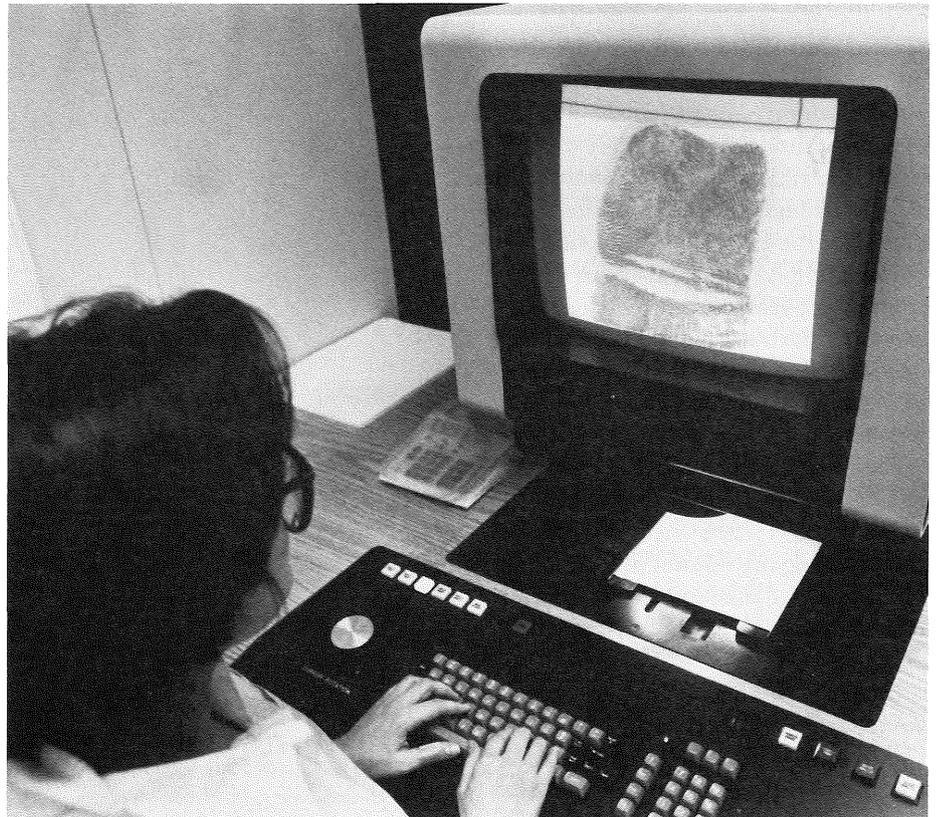
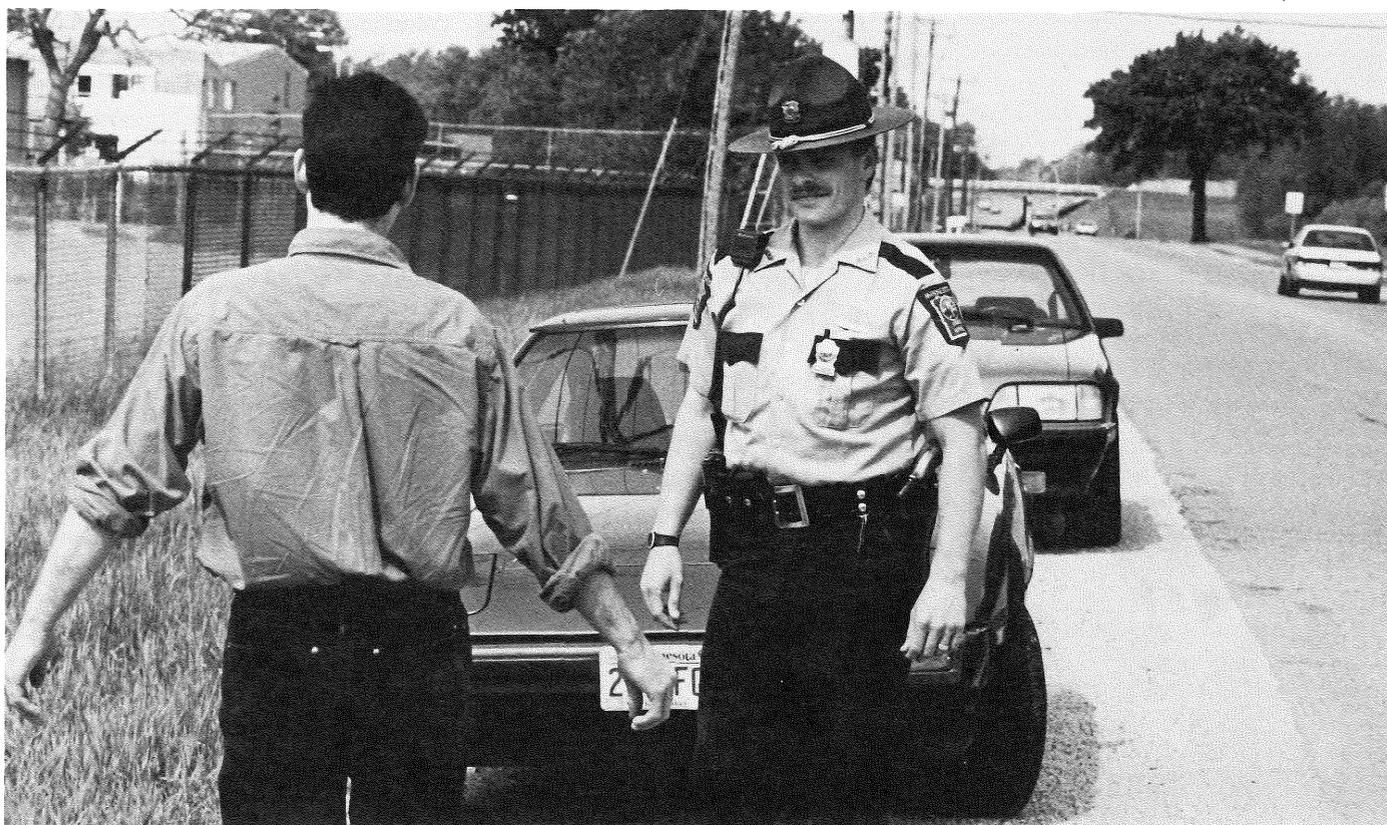


Photo by Laura Phillips



Chap. 570 makes significant changes in the DWI laws to address the problem of repeat offenders.

test, the prosecutor moves for the test and there is evidence that the victim was at risk of being exposed to the virus as a result of the offense.

The law imposes restrictions on the issuance of pardons extraordinary. In the case of a crime of violence, the offender must wait ten years after the sentence was discharged before applying for the pardon, and in the case of any other crime, the offender must wait five years. In any case, the offender must not have been convicted of a subsequent crime. The pardon extraordinary must be made a part of the pardoned offender's court record and a copy of the pardon must be sent to the BCA.

Omnibus DWI

Important changes in existing law governing penalties for offenders convicted of driving while intoxicated are made by Chap. 570, sponsored by Sen. John Marty and Rep. Phil Carruthers. The law has been applauded by Mothers Against Drunk Driving and, according to Marty, "It's the most significant group

of changes in our DWI laws in a number of years."

The new law allows confiscation of a driver's vehicle when an individual is convicted of a fourth DWI offense in five years, or is convicted of five DWI offenses in 15 years, or is convicted of a DWI offense after permanent license revocation.

First-time DWI offenders will have to wait 15 days before applying for a temporary drivers' license rather than getting the license immediately as allowed under current law. The waiting period for a temporary license on a second offense is raised from 45 days to 90 days, and, if convicted on the second offense, the person's license will be revoked for 180 days rather than 90.

The law makes refusal to take a breathalyzer test a misdemeanor on the first offense rather than on the second or subsequent offenses as current law provides. In addition, an individual convicted of a second DWI offense who is using a license revoked for the first offense will have his or her license plates impounded. Currently, such action is taken on the third offense.

More stringent penalties are imposed

by the law. A third DWI conviction will result in a 30-day jail sentence unless the court orders probation and treatment and the penalty for causing death while driving intoxicated is increased to four years in prison.

Finally, the law establishes a commission to study confinement and treatment of DWI offenders and mandates the commission to recommend specific measures to be taken to stop repeat offenders.

Auto, rail regulation changes

Chap. 581, sponsored by Sen. Gary DeCramer and Rep. Andy Steensma, makes numerous changes to automobile and railway-related regulations. Under the new law, the fee for Minnesota identification cards purchased by people with physical disabilities is lowered to 50 cents. Under current law, the 50 cent fee already applies to identification card purchasers who are mentally retarded.

The new law also exempts county



The author of the popular children's book, *Millions of Cats*, is recognized in Res. 9, urging the issuance of a postage stamp in honor of Wanda Gag.

colors are exhibited in major museums and libraries in the U.S., Great Britain, Paris and Moscow.

Ms. Gag is also the author of ten books for children, including *Millions of Cats*, a 1928 runner-up for the Newbery Medal, and a collection of diary entries and drawings entitled *Growing Pains*.

Heritage Preservation Act

The Legislature enacted several changes in laws governing placement of children in foster and adoptive homes. Prior to enactment of Chap. 557, sponsored by Sen. Linda Berglin and Rep. Richard Jefferson, a child-placing agency was required to give due consideration of the race or ethnic heritage of a minority child when making out-of-home placement decisions. The new law eliminates references to minority status and requires consideration of race or ethnic heritage in foster or adoptive placement of all children. Preference in placement is given to a relative, a family with the same racial or ethnic heritage as the child, or a family of different racial or ethnic heritage from the child that is knowledgeable and appreciative of the child's racial or ethnic heritage. The order of preference in the new law is superceded in the case of an American Indian child by the requirements of the federal Indian Child Welfare Act.

The new law further provides that a disability of a proposed custodian or the child shall not be determinative of the custody of the child unless the proposed custodial arrangement is not in the best interest of the child. Finally, the law mandates a study commission to examine issues surrounding the placement of children in foster or adoptive homes and the level of compliance with placement preferences for protection of a child's heritage or background.

Access to employee records

Sen. Gene Merriam and Rep. Tom Rukavina sponsored legislation that

social service agency vehicles used for child and vulnerable adult protective services from the requirement to display identification; authorizes issuance of restricted commercial drivers' licenses; specifies that license plate fees are to be credited to the highway user tax distribution fund; updates the list of vehicles recognized as collector vehicles; and exempts certain farm trucks from a requirement for separate service brake and parking brake systems.

Under the rail service provisions in Chap. 581, the commissioner of transportation is authorized to acquire abandoned rail lines and rights-of-way by eminent domain and to spend funds from the rail service improvement account for maintenance of rail lines and rights-of-way. The law also eliminates the requirement that state rail bank property must be offered to adjacent land owners. In addition, it authorizes the ratification of fuel tax agreements, including the international fuel tax agreement and specifies that fuel license fees collected

under the agreement are to be deposited in the highway user tax distribution fund.

Wanda Gag, American author and illustrator

Resolution 9, passed by the Legislature during the 1992 session, petitions the postmaster general of the United States to issue a postal stamp commemorating Wanda Gag, American author and illustrator. The resolution was sponsored by Sen. Dennis Frederickson and Rep. Terry Dempsey.

Wanda Gag was born in New Ulm on March 11, 1893, and studied art in Minneapolis, St. Paul and New York. During her career, she worked in fashion and commercial art before moving to the country where she concentrated on painting what she found in her surroundings. Her prints, drawings and water

amends existing law related to access to employee personnel records. Under Chap. 445, employers are required to provide an employee with a copy of the employee's personnel record whether or not there is a dispute about the accuracy of the record. The employee must submit a written request, and the employer may charge a fee for supplying the copy.

Before the enactment of Chap. 445, if an employee disputed specific information in the personnel record, the employer was required to supply the employee with a copy of the disputed information.

Limited liability companies

Chap. 517, the Minnesota Limited Liability Company Act, allows establishment of a hybrid form of corporate entity combining the limited liability characteristics of corporations with the tax status accorded to partnerships. The law, sponsored by Sen. Ember Reichgott

and Rep. Ann Rest, qualifies LLCs for favorable tax status while also making LLCs accessible to entrepreneurs who lack the resources necessary to pay for specially tailored organizing agreements.

The law takes its finance and entity dissolution structures from the law of general and limited partnerships and combines them with the governance and management provisions of the Minnesota Business Corporation Act.

Proponents said the LLC is expected to be an attractive alternative corporate structure for small and closely-held business, such as real estate companies, investment holding companies, and "start up" ventures where limited liability of all owner-members is important and the flow-through of taxable income and loss is critical.

Energy assistance and conservation

Energy assistance programs received a boost from the 1992 Legislature. Chap. 597, sponsored by Sen. Steven Novak and Rep. Joel Jacobs, provides funding

for energy assistance programs through a petroleum tank release cleanup fee and a propane gas fee. The revenues generated by the fees qualify the state for matching federal funds for the programs. The law represents an agreement between industry representatives, policy makers, and energy assistance advocates.

The chapter also allows the energy industry to solicit contributions from its customers to provide emergency energy assistance to low-income households that qualify under the federal eligibility criteria of the federal Low-Income Home Energy Assistance Program. The money collected by the energy industry goes into a statewide fuel account. The law creates the Emergency Energy Assistance Council to advise the commissioner of the Dept. of Jobs and Training on how to implement the program.

In an effort towards energy conservation, the law calls for energy efficiency rules and standards. Under the conservation provisions, the state will adopt rules that set minimum efficiency standards for some incandescent lamps, exit lights, industrial motors, commercial heating and air conditioner equipment, and showerheads and faucets. The regula-

Amusement ride operators are required to carry liability insurance and the rides are subject to inspection under Chap. 382.



Photo by Tom Olmscheid

tions prohibit the sale of some products that do not meet the conservation standards.

Tax law changes

Under Chap. 511, the omnibus tax bill, cities, counties, townships and other local governments must pay the state's 6.5 percent sales tax on purchases. The law, sponsored by Sen. Douglas Johnson and Rep. Paul Ogren, also reduces state aid to cities by \$17 million. The governor's budget would have made a \$72 million cut in the aid.

Local government aid (LGA) is increased by three percent for cities and by \$1 per capita for towns. Beginning in Fiscal Year 1993, the state will assume 100 percent of the costs of all county human services programs. Community social service aid (CSSA) is increased by three percent beginning in fiscal year 1994. A formula is provided for the secretary of state to reimburse counties and municipalities for expenses incurred in administering the presidential primary election.

The property tax portion of the law changes the filing requirement for the homestead application from every year to every four years. Homestead treatment is extended to homes occupied by

relatives of the owner. Spouses and grandchildren now qualify for homestead treatment under this provision.

The law also provides a definition of neighborhood land trusts and includes them in the homestead classification. The penalty rate on some homestead and non-homestead payments is decreased and several tax law changes are made relating to manufactured homes. A new formula is established for the targeting refund for homeowners and the maximum refund is now \$1,500.

Under the income, sales and occasional tax portion of the law, the cities of Ely, Thief River Falls and Rochester are authorized to levy local sales taxes and the sales tax already being collected by the city of Minneapolis is dedicated to fund a board to operate neighborhood early learning centers. Roseville is authorized to impose a lodging tax and Brooklyn Center is given authorization to levy a local tax on liquor and restaurant purchases. The Roseville, Brooklyn Center, Ely and Thief River Falls tax levies are subject to local approval. A 50 cent per call tax on 900 service calls is authorized. Transit companies are exempted from sales tax on petroleum products and motor vehicle purchases. A proposed increase in income tax on the wealthiest 4 percent of Minnesotans is not included in the final law.

The law authorizes the cities of St. Louis Park and St. Paul to create

Chap. 511, the omnibus tax measure, allows homeowners to file their homestead application once every four years instead of filing annually.



Inspection programs for Eurasian water milfoil are authorized under Chap. 594.

hazardous substance tax increment financing (TIF) subdistricts and appropriates \$1 million to the Minnesota Housing Finance Agency (MHFA) to be deposited in the Housing Trust Fund.

Milfoil control

The continued problem of Eurasian water milfoil and other exotic species in state waters is addressed in Chap. 594, the exotic aquatics law.

The law, sponsored by Rep. Wes Skoglund and Sen. William Luther, provides for control, public awareness, law enforcement, monitoring, and research of the nuisance species in public waters.

Transporting any of the species on state roads is prohibited, as is the placement, either intentional or accidental, of the various species in state waters. The commissioner of natural resources is directed to set up a random inspection program of watercraft removed from state waters identified as contaminated with any of the harmful species.

The commissioner is directed to develop a long-term management plan and report yearly to the Legislature.

The boat license surcharge is increased from \$2 to \$3 and a total of \$219,000 is appropriated to the commissioner of natural resources for the complete exotic species control program.

Central lien notification for farm products

Chap. 525, sponsored by Sen. Tracy Beckman and Rep. Richard Krueger, provides for a central computerized filing system for recording farm product liens. The system is designed to streamline and expedite the process of tracking liens

against farm products. Currently, potential buyers of farm products and bankers evaluating loan applications from farmers must search for lien notices on a county by county basis. Under Chap. 525, a notice filed through the office of the secretary of state will be entered into the statewide computer system.

It is believed that the new system will provide an efficient, sophisticated means for processing farm product sales and loan applications from farmers, resulting in better cash flow and more credit at lower cost to farmers.

Agriculture provisions

Chap. 602, sponsored by Sen. Dallas Sams and Rep. Jerry Bauerly, includes a variety of provisions dealing with agriculture. The law establishes an agricultural improvement loan program for grade B dairy producers who wish to upgrade to grade A production. The measure appropriates \$5 million to the Rural Finance Authority and authorizes

the issuance of state bonds to fund the program.

The new chapter also broadens the scope of provisions relating to adulterated dairy products and sets forth requirements for testing, reporting and for penalties.

Also established by the law is a mechanism by which the commissioner of agriculture may settle interest adjustment payment accounts of participants in the family farm security loan program before the contractual due date. These settlements may include partial payments for outstanding obligations if the participant and lender agree to voluntarily withdraw from the program.

The measure also appropriates \$50,000 to fund additional agricultural information centers in Wadena and Detroit Lakes.

Finally, Chap. 602 establishes a minimum price for class I milk under federal law of not less than \$13.20 per hundredweight for milk purchased in Minnesota. Any over-order premium payments are to be paid by processors directly to their suppliers of grade A milk and the suppliers will pass the premium payment on to the dairy producers.

Chap. 602 contains several provisions relating to the dairy industry in Minnesota.

Photos by Tom Olmscheid



Agriculture

Rules for feed; family farm loan requirements

Chap. 381-S.F. 1300 Authorizes the board of animal health to adopt rules authorizing a permit to exempt specified nonmeat materials from the definition of garbage for livestock and poultry feeding purposes if it is considered by the board to be in the best interest of the livestock industry and not detrimental to the public health, safety or general welfare. Requires a permit from the board to feed to livestock or poultry, or transport for the purpose of feeding, the exempted materials. Requires permit renewal on or before July 1 each year. Authorizes the board to deny or revoke the permits because of violations. Requires family farm security loan participants to submit evidence annually of participation in an approved farm management program to the commissioner of agriculture in order to continue eligibility. Authorizes the commissioner to waive the requirement upon participant request and justification. Authorizes the Rural Finance Authority to provide partial or full tuition assistance for farm management programs. Increases the state participation authority in the beginning farmer loan program. Excludes the planting of windbreaks, shelterbelts and tree plantations from one call excavation notice system requirements unless the soil is disturbed at a depth of 18 inches or more. Requires the board of animal health to study the feasibility and consequences of eliminating mandatory anaplasmosis testing of breeding cattle entering the state. Requires a report to the Legislature. Effective date: Aug. 1, 1992. BECKMAN, GIRARD.

Seed potato growing area addition

Chap. 397-S.F. 2069 Adds Roseau and Koochiching Counties to the Restricted Seed Potato Growing Area. Effective date: Apr. 4, 1992. STUMPF, TUNHEIM.

Cattle testing modification

Chap. 433-H.F. 1827 Modifies testing and vaccination requirements for the sale, lease or loan of cattle. Repeals the requirement for testing or vaccination for brucellosis. Requires the board of animal health to adopt rules providing for the control of the disease. Prohibits the sale, lease or loan of cattle in violation of board rules and expands the application of the prohibition. Expands test and vaccination requirements. Requires anaplasmosis testing only for breeding cattle entering the state from a country or state not exempted by the board. Changes the health certificate requirement to a certificate of veterinary inspection requirement. Effective date: Aug. 1, 1992. DILLE, DECRAMER.

Use of boilers for mint oil extraction

Chap. 436-H.F. 2640 Declares the use of boilers located on farms for mint oil extraction as an agricultural or horticultural use for regulation exemption purposes. Subjects the boilers to specific inspection requirements. Effective date: Aug. 1, 1992. UPHUS, JOHNSON, D.E.

Pesticide registration application change

Chap. 439-S.F. 2028 Authorizes the commissioner of agriculture to require pesticide application registrants to supply analytical standards and methods for the pesticide, pesticide breakdown products or metabolites. Effective date: Aug. 1, 1992. MORSE, COOPER.

Over order premium milk price

Chap. 489-S.F. 2728 Establishes a state over order premium milk price of no less than \$1.50 per hundredweight higher than the Class I price specified in the applicable milk marketing order for dairy farmers for Class I milk to improve rural economies. Requires the commissioner of agriculture to adopt rules to minimize disruption to existing trade practices and commercial transactions. Requires an annual report to the Legislature on impacts and benefits of the

minimum milk price. Requires the report to include a summary of processor and distributor information analyzed by the commissioner to determine compliance with dairy trade practices regulations. Effective date: Aug. 1, 1992. SAMS, WENZEL.

Noxious weed control

Chap. 500-S.F. 512 "Minnesota Noxious Weed Law." Regulates noxious weeds. Defines terms. Requires persons owning or occupying land or persons responsible for maintaining public land to control or eradicate noxious weeds as ordered by the commissioner of agriculture, the county agricultural weed inspector or the local weed inspector. Requires and provides for the commissioner of natural resources to control and eradicate purple loosestrife on public waters and wetlands. Provides an exception for lands owned in fee title or managed by the federal government. Requires the commissioner of natural resources, in consultation with the commissioner to compile a priority list of purple loosestrife infestations to be controlled in designated public waters for distribution to county agricultural inspectors, local weed inspectors and appointed agents on an annual basis. Provides that the procedure is the exclusive means for control of purple loosestrife on designated public waters by the Dept. of Natural Resources and supersedes other provisions for control of noxious weeds. Specifies duties of the commissioner of agriculture relating to administration and enforcement of the control or eradication of noxious weeds. Provides for authorized agents. Authorizes enforcement rules. Authorizes orders for control or eradication of noxious weeds. Requires the commissioner to conduct education programs for weed inspectors. Requires county boards to appoint agricultural inspectors that meet qualifications prescribed by rule. Requires town board supervisors and city mayors to act as local weed inspectors. Specifies duties of the county agricultural and local weed inspectors. Prescribes commissioner procedures for nonperformance of duties. Requires commissioner procedure rules. Requires permits from the commissioner for transportation along public highways of materials or equipment containing the propagating parts of weeds designated as noxious. Specifies conditions for permit issuance, duration and revocation. Specifies weed inspector notice requirements for controlling or eradicating noxious weeds. Provides for appeals. Requires control or eradication by weed inspectors upon noncompliance by individuals. Provides for county expenses and reimbursement. Sets forth county and municipal liability immunity provisions. Provides for appeal to county boards for noxious weed control costs. Authorizes board liens approval if the board determines that the owner or occupant responsible for controlling noxious weeds did not comply with the order of the inspector. Authorizes and provides for landowner petition for judicial review. Provides for noxious weed quarantine upon infestation of noxious weeds beyond the ability of a landowner or occupant to control. Specifies notice, expense payment and county and municipal approval requirements. Specifies prohibited acts and sets penalties. Provides for noxious weed program funding by counties and municipalities. Repeals the existing noxious weed law. Provides eligibility for reimbursement from the agricultural chemical response and reimbursement account for owners of municipal airports at Perham, Madison and Hector under aerial pesticide applicator incident conditions. Requires the commissioner and the Agricultural Chemical Response Compensation Board to study and report to the Legislature on the effect on the account of including other municipal airport owners as eligible persons. Effective date: Jan. 1, 1993. BERG, BERTRAM.

Wild rice provisions

Chap. 521-H.F. 2804 Requires packages of wild rice cultivated and offered for wholesale or retail sale in the state to be labeled with the place of origin and the method of harvesting. Modifies recordkeeping and reporting requirements. Provides for labeling for bulk sales and for the determination of misbranding by implication. Excepts sales outside the state from the requirements. Effective date: Various dates. OLSON, E., LESSARD.

Central computerized filing system establishment

Chap. 525-H.F. 769 Temporarily increases the surcharge to \$5 on Uniform Commercial Code filings and searches. Provides for the establishment of a central computerized filing system for effective financing statements and farm products statutory lien notices. Requires the secretary of state to determine by rule the products for inclusion. Provides for the content, period of effectiveness, and filing with the county recorder or the secretary of state, of the effective financing statements and lien notices. Sets fees. Specifies filing officer duties. Requires the secretary of state to record notices in the computerized filing system. Provides for the filing of continuation and termination statements. Requires the secretary of state to compile the information on effective financing statements and from lien notices recorded in the computerized filing system into master lists. Requires removal of lapsed and terminated financing statements and lien notices from the data base before preparing the master lists. Provides for distribution of master and partial lists. Provides for the handling of oral and written inquiries. Specifies filing officer recordkeeping requirements and sets fees. Provides for immunity from liability for entities or persons for errors or omissions in information supplied. Authorizes and provides for farm product dealers registration with the secretary of state to receive master lists. Specifies fees and recordkeeping requirements. Authorizes secretary of state implementation rules. Requires forms. Provides for timely receipt of written notices. Specifies that information obtained from the seller of a farm product relative to the social security number or tax identification number of the true owner of the farm product and all information obtained from the master or limited list may not be used for purposes that are not related to the purchase of a farm product, taking a security interest against a farm product or perfecting a farm product statutory lien. Specifies that buyers, commission merchants and selling agents are subject to farm products statutory liens. Requires the secretary of state to apply to the federal Dept. of Agriculture for certification of the filing system. Increases the complement of the office of the secretary of state. Repeals existing provisions regulating farm product statutory liens. Effective date: Apr. 28, 1992. KRUEGER, BECKMAN.

Loan participation limits increase

Chap. 532-S.F. 2257 Increases participation limits of the Rural Finance Authority in the beginning farmer and seller sponsored loan programs to 45 percent. Redefines agricultural business enterprise and farming for purposes of the Minnesota Agriculture Development Act. Effective date: Various dates. SAMS, WINTER.

Aquaculture regulation

Chap. 566-S.F. 2432 Regulates aquatic farms (aquaculture). Requires and provides for the licensing of aquatic farms by the commissioner of natural resources to culture private aquatic life and to prevent or minimize impacts on natural resources. Provides for the operation of aquatic farms. Authorizes and provides for the acquisition and sale of private aquatic life. Specifies powers and duties of the commissioner. Provides for and protects ownership of aquatic life. Provides for control of and restricts angling in licensed waters. Specifies license requirements. Provides for annual inspections and enforcement. Specifies licensee recordkeeping requirements. Regulates the transportation of aquatic life. Specifies requirements for the importation, transportation or storage of fish. Specifies bill of lading, permit and vehicle identification requirements. Provides for importation. Specifies transportation permit requirements. Restricts importation of fish from emergency disease enzootic areas to fertilized eggs. Specifies exceptions. Specifies fertilized egg disease free history, inspection and testing requirements. Provides for the stocking of public waters. Specifies permit requirements. Prescribes license and inspection fees. Provides for the designation of containment and quarantine facilities. Specifies disinfection requirements. Requires annual fish health inspections of trout, salmon or catfish farms. Specifies fee requirements. Authorizes the commissioner to order fish impoundment, confiscation, sale or destruction and facility

disinfections in emergency disease determination cases. Provides for the acquisition and sale of game fish. Provides for the acquisition and importation of minnows. Requires a license endorsement for the taking of sucker eggs. Sets a limit. Requires money received under the regulations to be credited to the game and fish fund. Authorizes aquatic farm licensees to acquire and transport rough fish and yellow perch acquired and possessed by tribal members for sale under the laws and regulations on the White Earth Indian Reservation until an agreement is reached by the commissioner and the reservation relating to the acquisition and sale of aquatic life from public waters. Specifies documentation requirements for the transportation of yellow perch off the reservation. Specifies commissioner rulemaking authority. Authorizes and provides for the establishment of aquatic management areas to protect, develop and manage lakes, rivers, streams and adjacent wetlands, and lands critical for fish and other aquatic life, for water quality, for intrinsic biological value, for public fishing or for other compatible outdoor recreational uses. Requires administration by the commissioner. Includes licensed aquatic farms in, and modifies a provision providing for, disposal of state hatchery eggs or fry. Exempts aquatic farm licensees from other fishing license requirement and from restrictions on the use of nets, seines or traps. Modifies restrictions on the buying and selling of fish. Repeals existing provisions regulating fish farms. Sets forth a transitional licensing provision.

Effective date: Various dates. BERG, SPARBY.

Over order premium milk price establishment

Chap. 602-H.F. 2734 Excludes persons and pharmacies selling nuts at retail from food handlers license requirements. Modifies and broadens the scope of provisions relating to adulterated dairy products. Requires the testing of milk received from producers for the presence of beta lactum drug and other residues as determined by the commissioner of agriculture before processing. Specifies test method requirements. Requires reporting of positive test results to the commissioner within 24 hours. Specifies report content and recordkeeping requirements. Clarifies the definition of adulterated. Modifies and expands penalty provisions. Establishes a state over order premium milk price of \$13.20 per hundredweight for dairy farmers of class I milk to improve rural economies. Requires the commissioner to adopt rules to minimize disruption to existing trade practices and commercial transactions. Requires an annual commissioner report to the Legislature on impacts and benefits of the minimum milk price. Requires the report to include a summary of processor and distributor information analyzed by the commissioner to determine compliance with dairy trade practices regulations. Modifies family farm security loan program provisions. Authorizes the commissioner of agriculture to add unpaid principal and interest payments on special assistance loans to the interest adjustment obligations balance. Authorizes other mutually satisfactory agreements for repayment terms between the commissioner and participants. Authorizes the commissioner to settle interest adjustment payment accounts of participants before the contractual due date. Authorizes settlement by discounting of the obligation using a present value calculation. Specifies a required interest rate. Authorizes the Rural Finance Authority to establish and implement an agricultural improvement loan program. Requires a priority for upgrading dairy farmers. Specifies a loan limit and security requirements. Prohibits loans to refinance existing debt. Authorizes the authority to impose application and origination fees. Authorizes annual review for adjustment purposes. Requires deposit of the fees in a special account. Provides for use by the commissioner for administrative expenses. Specifies loan interest rate requirements. Authorizes the issuance of state bonds to finance the program. Specifies conditions. Increases the membership of the Export Finance Authority Board. Requires representation of a company specializing in agricultural trade. Modifies the authority of the Export Finance Authority to provide insurance and guarantees. Appropriates money for agricultural information centers in Wadena and Detroit Lakes.

Effective date: Various dates. BAUERLY, SAMS.

Commerce

Brooklyn Park liquor license

Chap. 365-S.F. 1623 Authorizes and provides for the city of Brooklyn Park to issue an on-sale intoxicating liquor license to the Brooklyn Park Economic Development Authority for the Edinburgh USA Golf Course grounds, clubhouse and restaurant. Requires the city to set the license fee and provides for city liability. Effective date: Mar. 13, 1992. LUTHER, SCHREIBER.

Motor vehicle lessor requirements

Chap. 367-H.F. 917 Requires an additional license for motor vehicle lessors, wholesalers, or auctioneers when establishing an additional place of doing business in a second class city outside the Metropolitan Area. Effective date: Aug. 1, 1992. PELOWSKI, MORSE.

Property and casualty insurance termination regulations

Chap. 379-S.F. 1689 Modifies the definition of loss ratio experience under a provision regulating the cancellation of property and casualty insurance agency contracts. Requires American Arbitration Association representation on the board of review if a third member in the three member board cannot be agreed upon by the agent and the insurer. Specifies the selection process for the third person. Effective date: Apr. 2, 1992. METZEN, WINTER.

Amusement ride insurance requirements

Chap. 382-S.F. 764 Requires operators of amusement rides to carry liability insurance of \$1 million. Defines amusement ride. Requires annual inspections of amusement rides by insurers. Specifies testing standards. Exempts amusement rides permanently located in an amusement park where the owner has a rehabilitative and preventative ride maintenance program, a permanent maintenance staff and an insurance policy in force in an amount of not less than \$50 million. Requires operators to file insurance certificates and inspection affidavits with amusement ride sponsors, lessors or landowners. Authorizes the commissioner of labor and industry to request insurance and inspection information from the sponsor, lessor or landowner. Prescribes a civil penalty for violation. Provides for county attorney enforcement in District Court. Authorizes an injunction against an actual or threatened violation. Effective date: Aug. 1, 1992. DAHL, OSTHOFF.

Bloomington exception to alcohol beverage sale prohibition

Chap. 411-H.F. 1969 Prohibits the city of Bloomington from prohibiting the retail sale of alcoholic beverages by reason of the fact that an on-sale establishment is located within 1,000 feet of a school existing within a retail and entertainment complex and operated by more than one school district. Effective date: Local approval. BLATZ, BELANGER.

Motor vehicle glass repair and replacement

Chap. 413-S.F. 1997 Modifies the authority of automobile insurers to recommend vendors for the repair or replacement of damaged motor vehicle window glass. Prohibits limitation of the ability of the insured to select the repair or replacement entity. Prohibits intimidation, coercion, threat, incentive or inducement for or against particular companies or locations for repair or replacement services or products. Effective date: Apr. 8, 1992. HOTTINGER, BISHOP.

Investment products interest rate advertising

Chap. 427-H.F. 1416 Modifies restrictions on the advertising of interest rates on investment products. Requires the disclosure of the yield to maturity for a note, bond, or debenture that bears interest at a fixed rate. Defines yield to maturity as the discount rate which, when applied to all future principal and interest payments to be received from an investment product assuming the investment

product is held to maturity, results in a present value exactly equal to the price of the investment product. Repeals the penalties for false or misleading advertising. Effective date: Aug. 1, 1992. SOLBERG, COHEN.

Motor vehicle franchise termination payment modification

Chap. 472-S.F. 1801 Modifies the requirement for motor vehicle manufacturer payments to dealers upon franchise termination, cancellation or nonrenewal relating to current fair rental value of the dealership facilities. Requires a reduction to the extent the dealership makes other use of the property, sells, leases or subleases the property, or secures release from a lease. Effective date: Aug. 1, 1992. HOTTINGER, FARRELL.

Trust investment by banking institutions authorization

Chap. 473-S.F. 1729 Authorizes banking institutions acting as trustees to invest in investment companies and investment trusts. Requires disclosure to current income beneficiaries of the trust the rate, formula and method of compensation. Clarifies the definition of banking institution. Effective date: Apr. 16, 1992. HOTTINGER, SPARBY.

Insurance policy for benefit of a charity authorization

Chap. 483-H.F. 1948 Authorizes life insurance policies for the benefit of charitable organizations including fraternal benefit societies. Provides for insurable interests. Effective date: Apr. 18, 1992. CARRUTHERS, METZEN.

Omnibus liquor provisions

Chap. 486-H.F. 2709 Authorizes the use of unmarked state motor vehicles by the Division of Liquor Control in the Dept. of Public Safety for investigation purposes. Exempts the vehicles from motor vehicle registration taxes. Defines confection containing alcohol as a confection that contains or bears not more than five percent alcohol by volume where the alcohol is in a nonliquid form by reason of being mixed with other substances in the manufacture of the confection. Specifies that confection containing alcohol does not include liqueur-filled candy. Authorizes the sale of confection containing alcohol in confectionery stores. Defines licensed premises for golf course purposes. Defines liqueur filled candy as any confectionery containing more than one-half of one percent alcohol by volume in liquid form that is intended for or capable of beverage use. Authorizes the city of Minneapolis to issue an on-sale liquor license to Zuhrah Shrine Temple. Specifies the intent of retail on-sale intoxicating liquor license fees set by counties or cities to cover the costs of issuance, inspection and enforcement. Prohibits first class cities from renewing inactive on-sale intoxicating liquor licenses. Modifies conditions requiring the holding of a public hearing on continued operation of municipal liquor stores. Authorizes the city of Blaine to issue an on-sale liquor license to the Amateur Sports Commission for the National Sports Center. Authorizes the Blue Earth County Board to issue a license to a billiard hall in South Bend Township. Authorizes Lake Township in Roseau County to establish, own and operate an exclusive liquor store for the off-sale of intoxicating liquor. Authorizes the Swift County Board to issue an off-sale intoxicating liquor license to an establishment near the city of Benson. Authorizes the Aitkin County Board to issue an off-sale license to an establishment in Malmo Township. Effective date: Various dates. JACOBS, SOLON.

Check cashing business restrictions

Chap. 504-H.F. 2106 Imposes limits and restrictions on persons operating currency exchange (check cashing) businesses. Allows the operation of only one place of business per license. Authorizes the commissioner of commerce to issue more than one license to the same licensee upon compliance by the applicant with all the provisions of the law for each new license issued. Specifies a one-half mile distance limit for operation purposes. Prohibits licensees from contracting with other persons or entities to manage the business.

Requires the commissioner to require applicants to submit to a background investigation conducted by the Bureau of Criminal Apprehension as a condition of licensure. Specifies that the cost is to be paid by the applicant. Defines applicant. Requires the commissioner to submit license applications and renewals to the governing body of the local government unit of the proposed business location for concurrence purposes. Specifies the commissioner must deny the application or submit the application to the governing body of the local unit of government within 30 days of receiving the application. Specifies that the governing body must give published notice of intent to consider the issue and solicit testimony from interested persons. Specifies that if the governing body has not approved or disapproved the issue within 60 days of receipt of the application, concurrence is presumed. Specifies that the commissioner must approve or disapprove the application within 30 days from receiving the decision of the governing body. Denies state responsibility for actions of governing bodies. Restricts commissioner approval of changes of location. Requires advance notice to the commissioner of ownership changes. Specifies applicant surety bond requirements. Requires licensees to file annual reports with the commissioner. Specifies commissioner and attorney general investigation requirements. Requires licensees to pay the costs of commissioner investigations.
Effective date: Apr. 24, 1992. TRIMBLE, KELLY.

Interior design regulation

Chap. 507-H.F. 217 Defines and regulates the practice of interior design. Provides for the certification of interior designers by the Board of Architecture, Engineering, Land Surveying, Landscape Architecture and Interior Design. Changes the name of the board. Provides for certified interior designer representation on the board and for an addition public member. Requires the certified interior design member to have passed the National Council for Interior Design qualifications test. Provides for certificate issuance. Provides for determination of qualifications of applicants, suspension and revocation. Provides for the use of a seal. Provides for the certification of existing interior designers. Specifies exempt practices.
Effective date: Aug. 1, 1992. CARRUTHERS, FLYNN.

Interest on accidental death benefits clarification

Chap. 520-H.F. 1980 Subjects unpaid accidental death benefits under individual or group life insurance policies to interest requirements. Clarifies provisions regulating the Minnesota Automobile Insurance Plan relating to membership, the governing committee, the plan of operation, the distribution of risks and agents. Modifies reporting requirements. Repeals a provision allowing the use of endorsement to exclude coverage of persons without a valid drivers license. Repeals obsolete provisions.
Effective date: Various dates. PUGH, SOLON.

Applicant's prior claims use prohibition

Chap. 524-H.F. 2099 Prohibits automobile insurers from using the prior no-fault claims histories of applicants as an underwriting standard or guideline if the applicant was 50 percent or less negligent in the accident or accidents causing the claims. Requires automobile insurers to fully reimburse insureds for deductible amounts before retaining subrogation proceeds. Specifies that recovery by the insurer and receipt by the insured of less than all of the insured's deductible amount does not affect the insured's rights to recover any unreimbursed portion of the deductible from parties liable for the loss.
Effective date: Jan. 1, 1993. CARRUTHERS, LUTHER.

Insurance solvency law technical corrections

Chap. 540-S.F. 2463 Article I -- Business Transacted with Producer Controlled Property/Casualty Insurer Act. Recodifies and modifies provisions regulating business transacted with producer controlled property/casualty insurers. Specifies minimum standards.

Provides for applications and exemptions. Specifies contract and audit committee requirements. Specifies annual reporting requirements of controlled insurers. Requires disclosures of controlling producers to prospective insureds. Prescribes penalties and authorized actions by the commissioner of commerce for violations. Provides for civil actions.

Article II -- Miscellaneous solvency provisions. Makes various technical corrections to insurance solvency regulation provisions. Increases the limit on the excess in the Dept. of Commerce examination revolving fund required to be canceled to the general fund. Clarifies an examination requirement of the commissioner of commerce. Adds the payment of a filing fee to the qualifications required of accredited assuming insurers. Requires securities evidenced by the federal reserve book entry system or held in a clearing corporation to be deposited through an approved custodian or the commissioner. Includes obligations issued or guaranteed by the Federal Home Loan Mortgage Corporation and the Federal National Mortgage Association as authorized investments for domestic companies. Clarifies authorized real estate investments. Specifies a deadline for annual filing of loss reserve certifications. Exempts small domestic insurers having less than \$100,000 of premiums written in any year and fewer than 500 policyholders from the requirement. Authorizes the commissioner to allow an exception to the stand alone certification where it can be demonstrated that a company in a group has a pooling or 100 percent reinsurance agreement used in a group which substantially affects the solvency and integrity of the reserves of the company, or where it is only the parent company of a group which is licensed to do business in Minnesota. Modifies independent audit requirements. Requires and provides for a notice of insurance guaranty fund protection with the sale of property and casualty insurance. Exempts policy renewals, fraternal benefit societies and fidelity or surety bonds, policies or contracts. Requires policies or contracts not covered by the insurance guaranty associations to contain a notice of nonprotection. Requires domestic life insurance company investments to be valued according to procedures established by the National Association of Insurance Commissioners. Specifies exceptions. Modifies the definition of contractual obligation under the Minnesota Life and Health Insurance Guaranty Association Act. Clarifies assignment duties and subrogation rights of the association. Modifies and prescribes the form of the coverage notice requirement of the association. Delays the effective date of prior provisions providing for adjustment for inflation or liability limits of the association and requires the association to borrow money. Exempts the actuary employed by the Dept. of Commerce to review actuarial opinions and analyses from a salary limit. Repeals the notice of limits and exclusions requirement of insolvent insurers.
Effective date: Various dates. LUTHER, SKOGLUND.

Board of Accountancy disciplinary procedures

Chap. 542-S.F. 2746 Establishes procedures for disciplinary actions by the Board of Accountancy. Requires the board to establish a complaint committee to investigate, mediate or initiate administrative or legal proceedings relating to complaints filed with or information received by the board alleging or indicating violations by accountants. Specifies membership requirements. Provides for legal action and for board or committee issuance of cease and desist orders. Authorizes and provides for the board to deny, suspend, or revoke applications, certificates or licenses. Specifies reinstatement conditions and requirements. Prescribes civil penalties and fees for violations.
Effective date: Aug. 1, 1992. LUTHER, MILBERT.

Credit card disclosure report requirement

Chap. 552-H.F. 2608 Requires creditors distributing credit card applications after July 31, 1992, to file annual credit card disclosure reports with the state treasurer. Requires the state treasurer to adopt rules governing form, content, and public access. Authorizes other administrative rules.
Effective date: July 31, 1992. O'CONNOR, SOLON.

Medicare supplement insurance regulations

Chap. 554-S.F. 2743 Article I -- Modifies Medicare supplement insurance policy requirements to conform with federal regulations. Regulates loss indemnification, benefit changes, policy termination, renewal or continuation provisions. Regulates marketing procedures. Specifies buyers guide, separate community rate and health maintenance organization drug coverage requirements. Prohibits supplement policies or certificates from duplicating benefits provided by Medicare. Expands and regulates extended basic and basic Medicare supplement plan coverage requirements. Specifies standards for the payment of claims. Requires annual issuer reports of multiple policies. Modifies loss ratio standards. Specifies a time limit for premium refunds after policy returns. Modifies outline of coverage requirements. Authorizes rules of the commissioner of commerce to prescribe measures to conform Medicare supplement policies and certificates to federal regulations. Grants the commissioner the authority to, by order, make additions or changes required under the Federal Omnibus Budget Reconciliation Act of 1990. Requires notice of the additions or changes to the Legislature. Specifies application form content and notice requirements. Defines compensation for Medicare supplement plan agents commission, sales allowance, service fee or compensation regulation purposes. Extends the deadline for allowing experimental use of alternative means of health care delivery. Increases the maximum lifetime benefit amount for qualified Medicare supplement plans under the Minnesota Comprehensive Health Act.

Article II -- Regulates Medicare select policies and certificates. Requires approval of the commissioner of commerce for issuance. Requires issuers to file proposed plans of operation with the commissioner. Specifies content requirements. Requires quarterly filing of updated lists of network providers. Restricts payment restrictions for covered services provided by nonnetwork providers. Specifies provisions, restrictions and limits disclosure requirements. Requires complaint and grievance procedures. Specifies requirements and options. Requires an annual report. Specifies policy or certificate availability and continuation of coverage requirements. Effective date: Various dates. HOTTINGER, SKOGLUND.

Real estate provisions

Chap. 555-S.F. 2662 Article I -- Provides that licensed real estate brokers or agents who arrange for the sale of a contract for deed are exempt from securities licensing requirements if the real estate broker or agent receives no compensation in addition to the brokerage commission or fee and represents the seller, buyer, lessor, or lessee in the sale lease, or exchange of the subject property. Regulates the sale of securities outside the scope of licensing. Expands the continuing education requirement for real estate brokers and salespersons to other antidiscrimination laws. Increases the fee paid by real estate brokers, salespersons and closing agents for the real estate education, research and recovery fund. Eliminates the amount in fund required to be available for recovery purposes. Authorizes the commissioner of commerce to determine the necessary amounts and increases the maximum insufficiency assessment amount. Modifies judgment entitlement provisions relating to bankruptcy. Modifies the licensee claims limit. Provides a pending claims exemption. Requires aggrieved persons to seek recovery from bonds posted by broker dealers, agents and investment advisors before seeking payment from the recovery fund. Modifies the deadline for satisfaction of claims by the commissioner.

Article II - Temporarily reduces the interest rate on tenant security deposits to four percent per year until May 1, 1997. Effective date: Various dates. PAPPAS, DAWKINS.

Omnibus insurance provisions

Chap. 564-H.F. 1681 Article I -- Classifies and provides for release of data received by the commissioner of commerce or the commissioner's designee by virtue of membership or participation in an association, group, or organization that is not otherwise subject to Chapter 13. Clarifies investigatory and penalty imposition powers of the commissioner. Requires persons subject to the jurisdiction of the

commissioner to comply with requests from the department within the time specified by the request, or, if not time is specified, within 30 days of the mailing of the request by the department. Exempts the commissioner from criminal offender rehabilitation requirements in the granting of licenses. Modifies provisions regulating insurance premium finance agreements. Specifies or modifies notice requirements. Defines association for insurance regulation purposes. Clarifies powers of the commissioner. Provides for waiting period waiver upon a finding that the association is in full compliance, sanctions have not been imposed against the association as a result of significant disciplinary action by the commissioner and at least 80 percent of the association's income comes from dues, contributions, or sources other than the sale of insurance. Exempts domestic insurance corporations from the requirement for a majority of board members to be residents of the state. Modifies requirements for temporary capital stock of mutual life insurance companies. Modifies unearned premium reserve requirements for casualty companies writing workers compensation insurance. Modifies the exemption from insurance agents continuing education requirements for persons holding life and health or property and casualty licenses. Authorizes the commissioner to accredit home-study courses if the student is a nonresident agent residing in a state which is not contiguous to Minnesota. Reduces the frequency requirement for the list of unavailable lines of insurance published by the commissioner. Modifies surplus lines insurer filing requirements. Defines affiliate or affiliated for insurers rehabilitation and liquidation purposes. Eliminates requirements of the commissioner relating to the employment of a special deputy. Clarifies the definition of control for insurance holding companies regulation purposes. Authorizes commissioner approval of mergers or acquisitions by domestic insurers in rehabilitation or court ordered supervision if the acquiring party commits to a plan that would enable the domestic insurer to satisfy the requirements for the issuance of a license within a reasonable amount of time. Subjects unpaid accidental death benefit payments under individual or group life insurance policies to interest requirements. Clarifies an accident and health insurance conversion privilege coverage option for former spouses and dependent children. Includes all subscriber contracts offered by nonprofit health service plan corporations under requirements for coverage of diagnostic procedures for cancer. Includes joint self insurance plans in the definition of contributing member under the Minnesota Comprehensive Health Insurance Act (MCHA). Provides for enrollment in the comprehensive health plan by residents covered by conversion policies or health coverage contracts with waivers of the preexisting condition limit and the evidence of rejection. Specifies notice and information provision requirements of insurers and health maintenance organizations issuing conversion policies relating to coverage under the plan. Grants conversion privileges under MCHA in cases of employer member failure to pay. Subjects multiple employer welfare arrangements to joint self insurance employee health plan regulations and reduces the minimum covered employees requirement. Authorizes participation by employees of the Joint Underwriting Association in the state retirement and deferred compensation plans for employees in the unclassified service. Authorizes an insurance plan administered by the commissioner of employee relations. Modifies a restriction on the application of automobile insurance surcharges to prior accidents or traffic violations under the Minnesota Automobile Insurance Plan. Prohibits automobile insurers from discrimination in offering or establishing rates, premiums, dividends, benefits or rebates. Specifies a time for filing annual reports by insurers selecting chemical dependency reviewers to conduct claims evaluations. Includes crop hail adjusters under insurance adjuster regulations and licensing requirements. Provides an examination requirements exemption. Modifies the effective date of provisions changing the annual expiration dates for insurance agents and adjusters licenses. Requires the commissioner of commerce to study mandated property and casualty insurance coverages including bonds and report to the Legislature. Specifies report content requirements. Repeals provisions relating to the regulation of automobile insurance rates

and requirements for insurers offering mass marketed life or health insurance under policies issued outside the state.

Article II -- Making uniform the statutory service of process provisions under the jurisdiction of the Dept. of Commerce. Regulates service of process on banks, insurance agents and companies, fraternal benefit societies, securities issuers, franchisees, real estate brokers, salespersons, closing agents and appraisers, membership camping operators or brokers and subdivided land sellers.

Article III -- Modifies and clarifies the authority of the commissioner of commerce to deny, suspend or revoke certificates of insurance authority or agent licenses. Recodifies provisions regulating insurance agents and solicitors.

Article IV -- Clarifies the status of bonds issued under the authority of the commissioner of commerce. Requires the seal of the Dept. of Commerce to be capable of being legibly reproduced under photographic methods. Requires insurers to make a good faith effort to notify covered persons before cancellation of group life, accidental death and dismemberment, disability income or medical expense policies, plans or contracts. Authorizes the commissioner to accept fidelity bonds in lieu of unlimited guarantees from parent corporations for vendors of risk management services or entities administering insurance or self insurance plans. Require accident and health insurance policies, contracts of plans to require group policy or contract holders to, upon request, provide insureds, subscribers or enrollees with writing verification of the cost of continuation coverage at the time of eligibility and at any time during the continuation period. Imposes a premium limit for contracts issued by nonprofit health service plan corporations. Prohibits health insurance exclusions and limits for conditions caused by breast implants. Extends the expiration date for experimental means of health care delivery and sets a maximum lifetime benefit under the comprehensive health insurance plan. Modifies the requirement for the provision of homeowners insurance nonrenewal plan statements to insureds. Prohibits charges or fees for the issuance of conversion policies, plans or contracts. Eliminates the requirement for attorney general approval of surety bonds submitted by collection agency license applicants and credit services organizations. Expands the authority of the commissioner relating to recovery of unclaimed property. Requires the commissioner to study the effects of noncomprehensive accident and health insurance policies minimum loss ratios and report to the Legislature.

Article V -- Requires credit life and accident and health insurers to file a report covering that calendar year as a supplement to the annual statement. Specifies requirements for the contents of the report.

Effective date: Various dates. SKOGLUND, SOLON.

Minnesota Utilization Review Act of 1992

Chap. 574-S.F. 651 Regulates health benefit plan utilization review services. Specifies the scope and jurisdiction. Requires utilization review organization compliance with standards. Requires nonlicensed organizations to register with the commissioner of commerce by Jan. 1, 1993 and to certify compliance. Prescribes penalties for failure to comply. Provides for commissioner enforcement. Provides standards for utilization review performance. Specifies information collection and data element restrictions. Provides procedures for review determination and for appeals of determinations not to certify admissions, procedures, services or extensions of stay. Provides for expedited and standard appeals. Provides standards for prior authorization of services. Requires written procedures to ensure confidentiality of patient specific information. Specifies staff and program qualifications. Specifies accessibility and on site review requirements and restrictions. Authorizes enrollee complaints to the commissioners of commerce or health. Prohibits financial incentives. Provides a severability clause. Specifies the effect of compliance or noncompliance and the applicability of other requirements. Provides for joint rulemaking by the Dept. of Commerce and the Dept. of Health.

Effective date: Jan. 1, 1993. SPEAR, ORENSTEIN.

Puppy mill provisions

Chap. 585-S.F. 1841 Regulates the sale of dogs and cats by animal distributors. Specifies pet dealer animal history and health status information disclosure requirements. Specifies pedigree registration document delivery requirements. Outlines purchaser remedies for failure to comply. Requires and regulates animal examination by a veterinarian before sale by brokers or pet dealers. Specifies responsibilities and rights of purchasers and rights of pet dealers relating to ill or dead animals. Authorizes court actions. Specifies pet dealer posted notice and consumer rights statement provision and retention requirements. Provides that agreements or contracts for waiver of rights are unenforceable. Imposes criminal and civil penalties for violations.

Effective date: Dec. 1, 1992. MONDALE, DAWKINS.

Financial institutions provisions

Chap. 587-S.F. 2213 Article I -- Financial institutions. Modifies provisions regulating financial institutions. Requires the percentage of additional fees imposed for the costs of approving or disapproving contested applications to be payable to the Dept. of Commerce. Modifies a condition relating to expenses for the issuance of charters. Expands the definition of banking institution to include a holding company owning or controlling a banking institution for acquisition regulation purposes. Clarifies a background check requirement. Modifies a provision relating to the authority of the commissioner of commerce to release confidential data. Eliminates the authority for release to issuers of commitments for insurance or guarantees of certificate of industrial loan and thrift companies. Authorizes financial institutions to close for up to three hours on Good Friday. Requires posting of a notice of the closing. Clarifies the nonadjacency of real property relating to intervening highways, streets, roads, alleys and other public thoroughfares for investment purposes. Requires banks, trust companies and savings banks or associations to maintain documentation of transactions with interested parties. Modifies the maximum interest rate on conventional or cooperative apartment loans or contracts for deed. Eliminates provisions relating to the monthly index of the Federal Home Loan Mortgage Corporation auction yields. Requires and provides for precomputed loans to provide for a refund of the precomputed finance charge according to a specific actuarial method. Modifies detached facility hearing procedures. Requires the purchase of assets and assumption of liabilities of existing detached facilities by other banks or branches of savings and loan associations or savings banks to follow notice and approval procedures. Provides an exception to other banks consent requirement. Authorizes any financial officer of a bank or trust company to certify capital funds to the commissioner. Exempts financial intermediaries from checking account identification confirmation requirements if the checking account applicant presents a driver's license impervious to alteration as is reasonably practicable in the design and quality of material and technology. Includes capital stock savings and loan associations or savings banks under merger and consolidation regulations. Authorizes the acquisition of mutual associations directly through the purchase of assets and assumption of liabilities. Eliminates the option for audits of credit unions by certified public accountants. Eliminates the authority of credit unions to obtain account insurance from legally constituted credit union share insurance corporations. Restricts changes in places of business of industrial loan and thrift companies and regulated lenders to locations outside the current trade area or more than 25 miles from the present location. Removes an annual report publication requirement for industrial loan and thrift companies. Codifies a consideration by the commissioner in granting applications for regulated loan companies. Authorizes closing of real estate secured loans by unrelated qualified closing agents at other locations. Expands dollar amount adjustment provisions to industrial loan and thrift real estate secured loans and to regulated open end loans. Specifies the reference base index for interest rates and additional charges. Authorizes the commissioner to waive a banking corporation stockholder voting restriction and a first meeting requirement. Excludes qualified organizations designated as

representative payees for social security and supplemental security income and Omnibus Budget Reconciliation Act purposes from debt prorating collection agency regulations. Requires financing statements for secured transactions under the Uniform Commercial Code to include the social security or taxpayer identification number of the debtor.

Article II -- State deposits and investments. Requires depositories of state funds to satisfy community reinvestment standards. Requires the executive council to revoke the designation of depositories receiving a low community reinvestment rating. Requires certificates of deposit to meet collateral requirements for State Board of Investment purposes. Authorizes board investments in certificates of deposit issued by credit unions. Sets a limit of amounts up to the limit of insurance coverage provided by the National Credit Union Administration.

Article III -- Detached banking facilities. Authorizes the establishment of three additional detached banking facilities in the city of Duluth and a detached facility in the town of New Scandia with prior approval of the commissioner of commerce. Excepts detached banking facilities in the cities of Millville and Dover from numerical limits on the establishment and maintenance of detached facilities.

Article IV -- Real estate appraisers. Authorizes federal residential real property appraisers to appraise noncomplex one to four residential units or agricultural property having a transaction value less than \$1 million and complex one to four residential units or agricultural property having a transaction value less than \$250,000. Removes the examination requirement and experience acquisition time period limit for real estate appraisers.

Effective date: Various dates. SOLON, SKOGLUND.

Minors purchase of tobacco prohibition

Chap. 588-S.F. 2475 Specifies that whoever uses, purchases, or attempts to purchase tobacco or tobacco related devices and is under the age of 18 is guilty of a petty misdemeanor. Provides that the penalty does not apply to a person under the age of 18 who purchases or attempts to purchase tobacco or tobacco related devices while under the direct supervision of a responsible adult for training, education, research, or enforcement purposes.

Effective date: Aug. 1, 1992. BECKMAN, O'CONNOR.

Economic Development and Housing

Rental housing provisions

Chap. 376-S.F. 720 Article I - Landlord and tenant. Provides for court actions relating to rent escrow accounts. Provides for tenant restoration of possession upon payment of the amount of rent in arrears with later payment of interest and attorney fees or upon partial payment. Provides for the application of rental payments. Specifies landlord energy conservation measures for rental property for covenant or lease purposes. Provides for tenants' payment in order to continue essential utility services before the services are disconnected. Reduces the time period for return of security deposits in legal building condemnation cases and specifies a time limit for the transfer or return of deposits upon landlord termination of interest in the premises. Clarifies the punitive damage penalty for bad faith retention of deposits. Applies remedy provisions relating to property abandonment and unlawful ouster to occupants and owners of residential property with expired redemption or reinstatement periods under mortgage foreclosure or contract for deed cancellation proceedings. Clarifies procedures for the recovery of possession under forcible entry and unlawful detainer provisions. Requires a hold harmless statement in specific vacation notices to tenants. Requires

the Housing Calendar Consolidation Project in the Second and Fourth Judicial Districts to retain jurisdiction in property removal matters. Requires court orders for requiring the plaintiff to return the property. Requires court orders for the awarding of expenses in property abandonment cases. Applies unlawful removal or exclusions and recovery of possession provisions to occupants and owners of residential property with expired redemption or reinstatement periods under mortgage foreclosure or contract for deed cancellation proceedings. Also applies the provisions to mortgagees and contract for deed vendors. Clarifies administrator provision and allows receipt of federal or state funds to cover violation remedy costs. Imposes criminal penalties for unlawful ouster or exclusion.

Article II - Assignment of rents and receivership. Modifies and clarifies rents and profits assignment and receivership provisions.

Article III - Housing and redevelopment authorities. Updates the definition of Section 8 Program for housing and redevelopment authority (HRA) purposes. Increases HRA commissioners' compensation maximum for meeting attendance and removes the annual compensation limit. Specifies conditions for payments to state or public employees serving as commissioners. Expands eminent domain powers of the authorities. Allows rental housing projects mortgage or loan security through obtaining the appointment of receivers or assignments of rents and profits. Specifies a limit exception. Authorizes HRAs administering leased existing housing assistance payments programs under Section 8 of the Federal Housing Act to administer the programs under the statutory and regulatory portability provisions of the existing federal program. Increases the performance bond requirement and expands exceptions to the requirement. Authorizes and provides for the acceptance of certified or cashiers checks in lieu of performance bonds for contracts entered into by an authority for an expenditure of less than \$25,000.

Article IV - Local housing and economic development programs. Authorizing and providing for the city of St. Paul and the St. Paul Housing and Redevelopment Authority to implement an economic development program. Specifies powers.

Article V - Miscellaneous. Imposes an annual monetary limit on grants for programs to provide education and training services to targeted youth. Specifies priorities for the awarding of grants by the commissioner of jobs and training. Specifies an organization match requirement. Specifies a priority for housing for homeless individuals participating in constructing, rehabilitating or improving the residential units under the work experience component of the program. Creates an exception to the rent escrow requirement.

Article VI - Housing and redevelopment programs. Authorizes the commissioner of the Housing Finance Agency to provide planning grants to eligible organizations for programs to provide home ownership opportunities, education and training or services to homeless adults. Requires inclusions in the programs of work experience and training and job and life skills components. Outlines requirements.

Effective date: Various dates. METZEN, CLARK.

Bloomington Port Authority membership

Chap. 384-S.F. 1633 Provides that the Bloomington Port Authority consists of seven commissioners and sets the terms of members. Effective date: Local approval. BELANGER, BLATZ.

St. Paul economic development program

Chap. 407-H.F. 1249 Authorizes and provides for the city of St. Paul and the city HRA to implement an economic development program. Specifies powers. Effective date: Local approval. HAUSMAN, KELLY.

Minneapolis loan guarantee authority

Chap. 412-H.F. 1862 Removes the limit on and extends the authority of the city of Minneapolis to guarantee small business working capital loans. Repeals a provision requiring the city to spend a specific amount of community resource money on the Way to Grow Program. Effective date: Various dates. JEFFERSON, KROENING.

State science and technology policy

Chap. 467-S.F. 2380 Provides a state science and technology policy for economic growth purposes. Requires the Legislature to consider the effect of proposed legislation on the policy.
Effective date: Aug. 1, 1992. NEUVILLE, SIMONEAU.

Lead abatement provisions

Chap. 522-H.F. 2501 Modifies requirements for lead education assessment, screening and abatement. Require the proactive lead education program to include home visits to provide information relating to safety measures, nutrition, health follow up materials and methods to be followed before, during and after the abatement process. Requires the program's home visits to also provide information relating to community, legal and housing resources. Requires the provision of ongoing education to health care and social service providers; contractors, building trades professionals and nonprofessionals; property owners and parents. Requires the commissioner to provide for a proactive lead education program serving communities at high risk for toxic lead exposure to children in which a board of health does not have a contract with the commissioner for a proactive lead education strategy. Lowers blood lead level requirements. Modifies home assessment requirements. Requires the commissioner to award grants to health boards to pay for relocation costs. Provides for state grants to fund lead cleanup equipments and educational materials and for lead abatement certification training for staff and volunteers. Specifies equipment requirements. Modifies medical and environmental sample analyses reporting requirements. Expands requirements for the testing of children to all areas of high risk. Requires the commissioner to conduct surveys and soil assessments in outstate areas. Modifies statewide lead screening requirements. Modifies residence assessment, residential lead assessment guide content and commissioner reporting requirements. Requires and provides for the registration and licensing of abatement contractors. Requires and provides for the certification of employees. Requires the commissioner to specify training and testing requirements and to charge license or certificate and training fees. Requires crediting to the lead abatement licensing and certification account. Specifies rulemaking requirements. Requires the commissioner to provide health and safety information on lead abatement to licensed residential building contractors. Requires continuing education courses for contractors to contain information on lead abatement rules and safe lead abatement procedures. Requires the commissioner to adopt priorities for providing abatement services to areas defined as high risk for toxic lead exposure. Transfers rulemaking and soil assessment requirements from the Pollution Control Agency to the commissioner of health and eliminates some rulemaking deadlines. Requires the commissioner to work with the commissioner of the Housing Finance Agency in allocating at least 50 percent of federal lead abatement funds for swab teams. Provides that priority for funding swab teams is to be given to contractors who hire residents from neighborhoods where the contractor is providing lead abatement services. Specifies that to the extent practicable under federal guidelines, the commissioner may use federal funding for local boards of health for lead screening, lead assessment, and lead abatement only to the extent that the federal funds do not replace existing funding for these lead services. Modifies HFA provisions. Modifies the definition of residential housing to include manufactured home parks for persons and families of low and moderate income. Authorizes housing rehabilitation loans made with federal funds to persons and families of low and moderate income to exceed maximum limits to comply with federal lead abatement requirements. Modifies a provision authorizing loans or grants to provide housing to low and moderate income chronic chemically dependent adults. Expands the authority of the HFA to make grants and loans for lease purchase housing. Restricts emergency rulemaking authority to demonstration programs using bond proceeds. Recodifies provisions authorizing the use of mortgage bond proceeds for loans to disabled persons for new accessible housing in the Metropolitan Area. Restricts appropriations from the

local government unit housing account in the housing development fund to loans to cities. Requires the agency to ensure distribution of the funds around the state. Modifies use of the fund for transitional housing. Specifies restrictions. Eliminates grants for the program and authorizes loans with or without interest. Authorizes use of the account for neighborhood land trusts and specifies restrictions. Increases the bonding authority of the HFA. Modifies the definition of limited equity formula. Modifies the definitions of persons and families of low and moderate income for neighborhood land trusts purposes. Authorizes cities to act as neighborhood land trusts. Specifies powers and duties. Requires the ground leases held by the trusts to include the legal description of the property subject to the lease and to be recorded with the county recorder or filed with the registrar of titles in the county of location. Authorizes public officers to apply for loans or grants from housing and redevelopment authorities under contract with the local government unit to administer a loan or grant program for local property owners and to enter into franchise agreements or contracts with a utility for the provision of city utility services. Temporarily authorizes the HFA, cities and county housing finance authorities to make loans financed with mortgage bond proceeds for new single family housing the Metro Area under specific conditions. Exempts property taxes and special assessments on property in redevelopment areas under improvement agreements with HRAs from a limit on the inclusion of real estate taxes and assessments by licensed gambling organizations as lawful purposes expenditures. Repeals an exception to the lead abatement requirement; rural and urban homesteading program provisions; and the authority of the HFA to use the local government unit housing account for publicly owned housing rehabilitation, modernization and subsidized rental housing preservation.
Effective date: Various dates. DAWKINS, JOHNSON, J.B.

Detroit Lakes turkey plant bond authorization

Chap. 543-S.F. 1648 Authorizes and provides for the issuance of state bonds to finance an agricultural industrial facility for processing turkeys or other agricultural products in the city of Detroit Lakes. Specifies limits. Authorizes and provides for the establishment of debt service reserve accounts. Authorizes the commissioner of trade and economic development to assist the city in making economic use of the facility.
Effective date: Aug. 1, 1992. MOE, R.D., THOMPSON.

Capital City Cultural Resources Commission establishment

Chap. 550-H.F. 2586 Establishes a Capital City Cultural Resources Commission to review and recommend to the Legislature, the Ramsey County Board and the mayor of St. Paul the proper use of state and local financial resources to develop the city of St. Paul as a cultural capital. Specifies commission membership, powers and duties.
Effective date: Apr. 25, 1992. TRIMBLE, COHEN.

Mpls. neighborhood revitalization requirement

Chap. 590-S.F. 2314 Requires the city of Minneapolis to ensure the opportunity of participation by all planning districts in the neighborhood revitalization program.
Effective date: Apr. 25, 1992. KROENING, RICE.

Education

Student housing at technical colleges

Chap. 398-S.F. 1991 Authorizes technical colleges to contract with student housing facility owners or on site management firms to assist in the operation, control and management of the facilities.
Effective date: Aug. 1, 1992. STUMPF, SPARBY.

Temporary school board structure authorization

Chap. 409-H.F. 2377 Authorizes groups of school districts operating cooperative secondary facilities under the cooperative secondary facilities grant act and implementing consolidation proceedings to propose a temporary school board structure in the consolidation petition or resolution. Authorizes the districts to propose the number of existing members of each district to become members of the school board of the consolidated district. Provides a method to gradually reduce the membership. Requires approval by the State Board of Education. Exempts approved proposals from election requirements. Subjects elections conducted after the effective date of the consolidation to Minnesota election laws.

Effective date: Aug. 1, 1992. UPHUS, JOHNSON, D.E.

Parental review of instructional materials

Chap. 496-S.F. 2556 Requires the annual planning, evaluation and reporting (PER) policies adopted by school boards to include a procedure for parents, guardians or adult students to review the content of instructional materials provided to children or adult students and to make reasonable arrangements with school personnel for alternative instruction upon objection to the materials. Provides that the school board is not to be required to pay for the costs of alternative instruction provided by parents, guardians or adult students. Prohibits penalty imposition for arranging alternative instruction. Authorizes evaluation and assessment by school personnel. Requires the annual report to include the adopted procedure. Specifies report content and name requirements. Requires inclusion of information relating to curriculum advisory committee membership.

Effective date: Various dates. OLSON, LYNCH.

Omnibus education finance provisions

Chap. 499-H.F. 2121 Article I -- General education. Increases the levy recognition shift and provides aid reduction for districts off the shift. Modifies the levies excluded from the shift aid adjustments. Excludes levies made after the year of certification. Provides for the determination of referendum revenue for reorganized districts and changes the term levies to revenues. Modifies the time for payment of aids and credits to school districts for payment dates falling on a Saturday or holiday. Authorizes the commissioner of education to change the aid payment schedule for districts documenting substantial harm to instructional programs due to the change in the shift percentage. Provides short term borrowing costs reimbursement aid to school districts with cash needs due to the change. Requires and provides for referendum and desegregation revenue conversion by the Dept. of Education to compensate for the changes in the property tax class rates. Specifies determination duties of the commissioner of revenue and provides a per pupil revenue option. Modifies the referendum allowance limit. Restricts levy referenda to the calendar year before the levy increase. Clarifies referendum levy ballot requirements. Authorizes the commissioner of education to approve alternative referenda dates if the district is in statutory operating debt and has an approved plan or has received an extension from the department to file a plan to eliminate the statutory operating debt. Increases the general education tax rate. Provides an alternative general education revenue reduction calculation for districts where the ratio of the number of nonpublic students ages 5 to 18 to the total number of residents in the district ages 5 to 18 is greater than 40 percent. Expands the authorized uses of staff development revenue and broadens the scope of staff development plans. Grants low fund balance levy authority to districts meeting specific qualifications. Reduces appropriations for changes in the tax shift percentage and aid subtraction of recognized referendum levies. Temporarily increases the school district borrowing limit.

Article II -- Transportation. Authorizes school districts to provide bus transportation for participants in learning readiness programs on a space available basis if the service does not result in an increase in the districts' expenditures for transportation. Authorizes school districts to levy for late transportation home from school or between

schools for students involved in after school activities. Requires transportation to be provided for academic related activities as well as athletic activities. Restricts the levy authority to districts previously providing late transportation.

Article III -- Special Programs. Blind Persons Literacy Rights and Education Act. Provides a presumption of proficiency in Braille reading and writing as essential to achieving satisfactory education progress for blind student individualized education program development purposes. Changes the term "handicapped children" to "students with disabilities." Requires individualized education plans to include a statement of needed services for transition from secondary services to post-secondary education and training and employment. Reduces the time limit for issuance of decisions on appeal of local due process hearing decisions. Defines resident district for students with a parent or guardian as an inmate of a state correctional facility or halfway house. Modifies State Interagency Coordinating Council membership and recommendations requirements. Clarifies joint responsibilities of county boards and school districts to provide services for children with disabilities. Requires representation on community transition interagency committees of adults with disabilities having received transition services. Requires the annual summary assessing the progress of transition services in the community to include follow up of individuals provided the services. Changes the date for submission of the summary to the commissioner of education. Authorizes districts to contract with residential facilities to provide instruction by licensed teachers to students with short term or temporary physical or emotional illnesses or disabilities. Modifies tuition payment requirements. Expands the individualized learning and development program. Exempts public school programs serving children in combined special education and regular prekindergarten programs from human services licensing requirements. Eliminates a Dept. of Education preschool programs standards adoption requirement. Clarifies a prior appropriation for Indian teacher preparation grants. Requires a commissioner of education adjustment to the revenue base and to revenue for school districts receiving alternative delivery revenue. Provides for commissioner allocation of federal funds for the regional special education low incidence plans in the Northwest ECSU Region. Requires the State Interagency Coordinating Council to appoint a task force to study and report to the Legislature on the short and long term fiscal impact to the state of providing services to infants and toddlers with disabilities. Requires the Early Childhood Care and Education Council to appoint a task force to study and recommend to the Legislature on standards and licensure procedures for programs subject to Dept. of Human Services licensure. Repeals uniform financial accounting and reporting system (UFARS) requirements and variance options of the Faribault Academies for the Deaf and Blind. Appropriates money to the Dept. of Education for a grant to Independent School District #518, Worthington, for new residential facilities for the Lakeview Program for students with disabilities. Specifies a match requirement.

Article IV -- Early childhood, community and adult education. Modifies early childhood developmental screening requirements. Provides parents or guardians with the option to decline to answer questions or provide information about family circumstances affecting development and identification of risk factors influencing learning. Specifies notice requirements. Allows attendance at school for 30 days before participation in screening. Adds height and weight as required screening components and health history as an optional component. Expands exceptions to the average daily membership restriction for alternative programs for general education revenue calculation purposes. Applies adult basic education aid guarantee after proration. Places a cap on state reimbursement for the costs of GED tests. Authorizes school districts to levy for the additional costs of offering extended day programs to children with disabilities. Eliminates a prior appropriation to contract for GED and Learn to Read on TV.

Article V -- Facilities. Modifies the authority of the commissioner of education to submit a negative review and comment relating to

school district construction. Provides for reconsideration and appeal. Sets the capital expenditure facilities revenue formula. Requires reduction if the unreserved balance in the capital expenditure facilities account on June 30 of the prior school year exceeds \$270 times the fund balance pupil units in the prior year. Authorizes school districts to apply to the commissioner for an exception to the fund balance limit. Modifies authorized uses of capital expenditure facilities revenue. Reduces capital expenditure equipment revenue. Restricts maximum effort capital loans eligibility and removes a prohibition on the issuance of loans. Removes the project limit under the Cooperative Secondary Facilities Grant Act and requires districts receiving grants to hold a referendum on the question of combination within four years after the grant award. Provides eligibility for cooperation and combination revenue. Reduces the pupil service requirements for grant eligibility purposes and authorizes the development of a plan providing for the location of health, social service and other programs serving pupils and community residents. Restricts grant awards after July 1, 1992 to the group of districts consisting of Independent School District #240, Blue Earth; Independent School District #225, Winnebago; Independent School District #219, Elmore; Independent School District #218, Delevan; and the group making up the Grant County project. Extends the deadline for submission of the question of funds to the voters of the district. Modifies school district levy authority for handicapped access and fire safety improvements. Modifies and expands eligibility for the debt service equalization program. Requires the commissioner to determine procedures to calculate excess amounts in the debt service fund and modifies levy and revenue requirements. Requires the commissioner to prorate debt service equalization aid under insufficiency conditions. Appropriates money to the commissioner for payment of the aid. Adjusts payment for Fiscal Years 1993 and 1994. Authorizes and provides for school districts to purchase real property under installment contracts or lease purchase agreements and levy the amounts necessary to pay the obligations under the contracts or agreements. Provides for a sunset. Provides for representation on county facilities groups of school districts located in more than one county. Grants additional bonding authority to Independent School District #392, Le Center and Independent School District #2071, Lake Crystal-Wellcome Memorial. Modifies a maximum effort capital loan debt redemption excess retention and levy reduction provision and increases the forgivable amount. Requires \$60,000 of a previous health and safety aid appropriation to be used by the commissioner for state fire marshal services contracts. Authorizes Independent School District #280, Richfield to revise the health and safety plan of the district to include payment for a fire safety loan from the city of Richfield to be paid off by July 1, 1995. Authorizes and provides for the issuance of bonds for capital improvements by Independent School District #709, Duluth; Independent School District #381, Lake Superior; Independent School District #318, Grand Rapids; and Independent School District #706, Virginia. Provides a fund balance limit exception for Special School District #6, South St. Paul and specifies levy and aid adjustment requirements. Modifies Special School District #1, Minneapolis bonding authority taxpayer notice requirements. Authorizes Independent School District #885, St. Michael-Albertville to recognize an amount not to exceed \$325,000 of the maximum effort capital loan as capital expenditure equipment revenue. Requires the Dept. of Education to adjust the 1992 school district levies by an amount of debt service equalization aid received for Fiscal Year 1993. Requires the revisor of statutes to codify a 1990 maximum effort loan bond issue provision.

Article VI -- Organization and cooperation. Requires regional management information centers to provide data reports to the Dept. of Education. Requires essential data sent by school districts to ESV regional computer centers to be edited and transmitted to the department. Modifies the requirement for regional management information center board members to be members of the school boards of member districts. Eliminates the requirement to transfer the actual pupil share of unreserved fund balances upon school district transfer from one center to another. Modifies the effective

date of consolidation or dissolution orders. Modifies board membership requirements for newly consolidated districts and authorizes gradual reduction. Expands eligibility for the cooperation and combination program. Eliminates long term revenue and expenditure projection requirements for combining districts. Modifies the date requirements for holding subsequent referenda on the question of combination and sets a levy restriction. Provides for the computation of referendum levies for consolidating districts. Authorizes and provides for severance pay or early retirement incentive levies for consolidating or combining districts. Modifies the requirement for assignment of teachers in consolidating districts. Clarifies an education district levy provision and reduces revenue for extended cooperation. Requires the Dept. of Education to adjust certified levies for districts ceasing to cooperate. Temporarily modifies intermediate school district levy authority. Requires Dept. of Education recalculation of levies upon school district joining or withdrawing from an intermediate school district. Authorizes intermediate districts to issue tax anticipation certificates. Changes the teacher contract deadline for consolidating districts. Eliminates the requirement for intermediate school district board members to be members of the school boards of member districts. Clarifies and modifies procedures for school district withdrawal from an intermediate district. Requires approval of the State Board of Technical Colleges rather than the State Board of Education for intermediate district bond issuance and eliminates the requirement for approval of the boards for school district joining of intermediate districts. Authorizes and provides for special cooperation levies in school districts meeting specific criteria and provides for early recognition of 50 percent of the proceeds. Requires use for special and secondary vocational education. Expands the extra capital expenditure levy for interactive television. Provides for the calculation of reorganization operating debt for Independent School District #237, Spring Valley and Independent School District #236, Wykoff. Provides for a new statewide preK-12 and community education service delivery system for educational services to reduce the number of different cooperative organizations. Provides for cooperation and combination revenue for joint school districts receiving cooperative secondary facilities grants and for Joint School District #6011, Lac qui Parle Valley. Authorizes intermediate school districts to levy to restore a portion of a prior revenue reduction. Authorizes members of secondary vocational cooperatives and education districts to levy to restore funding cuts. Repeals intermediate district revenue, regional management information systems and ECSU appropriation allocation provisions. Repeals cooperative organizations participation and financial support limit, education district levy and aid and secondary vocational cooperative revenue eligibility and use provisions. Provides an expiration date for intermediate school district, regional management information center, education district, vocational education cooperative center and secondary vocational cooperative revenue provisions.

Article VII -- Other program funding. Authorizes a district that has conducted a successful referendum on the question of combination to make permanent transfers between any of the funds in the district with the exception of the debt redemption fund for up to one year prior to the effective date of combination. Increases learning readiness aid. Authorizes districts to transfer from the general fund to the capital expenditure fund energy and operation cost saving resulting from guaranteed energy savings contracts. Enacts the Minnesota Education Finance Act of 1992 to provide basic instruction aid and elective instruction and local discretionary revenue to school districts. Specifies authorized uses. Requires and provides for the Dept. of Education to determine the required services and costs necessary to establish allowances. Requires an annual progress report to the Legislature. Creates the education trust fund for payments or general fund advances to school districts. Codifies a provision authorizing and providing for the commissioner of education to award grants to hospitals and clinics to establish summer health care intern programs. Provides for advanced placement and international baccalaureate training programs for teachers and provides a subsidy for advanced placement or international

baccalaureate examination fees. Extends school district authority to levy for crime related costs and modifies authorized uses. Authorizes and provides for school districts to levy for retired employees health insurance or benefits costs. Modifies operating funds transfer authority. Provides for operating debt levies for Independent School Districts #381, Lake Superior and Independent School District #316, Coleraine. Authorizes fund transfers in Independent School District #319, Nashwauk-Keewatin; Independent School District #424, Lester Prairie; Independent School District #762, Ellendale-Geneva; and Independent School District #195, Randolph. Provides for the continuation of prior appropriations to Nett Lake for unemployment compensation and insurance premium payments. Provides for the continuation of a prior appropriation for summer health intern programs. Requires use of \$12,000 for operating expenses of the Minnesota Education in Agriculture Leadership Council. Appropriates money to the commissioner of education to supplement a science and mathematics grant from the National Science Foundation. Appropriates \$20,000 for further funding of a leadership grant to Independent School District #695, Chisholm (LINE ITEM VETOED). Requires the Dept. of Education to report to the Legislature on a formula for learning readiness aid for school districts. Authorizes school districts operating and maintaining ice arenas to levy for net operational costs and requires equal sports opportunities for male and female students. Repeals a provision providing aid to school districts for the PER process. Repeals specific general education and referendum revenue, aid and levy, and training and experience index provisions. Repeals reserved revenue requirements as of June 30, 1999. Repeals a requirement for the State Board of Education to present recommendations to the Legislature for integrating education funding and the achievement of state and local outcomes.

Article VIII -- Miscellaneous. Transfers the authority for appointment of the commissioner of education from the governor to the Board of Education. Requires gubernatorial approval of appointments. Clarifies a requirement for the number of hours of instruction. Authorizes regional management information centers and Educational Cooperative Service Units (ECSUs) to provide administrative, purchasing, and data processing services to cities, counties or other governments at mutually negotiated prices. Authorizes school board reimbursement to student advisory members for expenses. Provides that the portion of superintendent and fiscal manager costs that can be documented as attributable to the food service program may be charged to the food service fund provided that the school district does not employ or contract with a food service director or other individual who manages the food service program or food service management company. Provides that if the costs of the superintendent or fiscal manager is charged to the food service fund the charge must be at a wage rate not to exceed the statewide average for food service managers. Provides for the handling of fund deficits and surpluses. Assures the involvement of parents or guardians of color in parental involvement programs. Requires coordination of the programs with the PER process. Requires the activities to include multicultural, gender fair and disability sensitive educational programs and opportunities. Specifies teacher and support personnel qualifications for licensing purposes. Requires the Board of Teaching to develop pilot projects on restructuring teacher education preparation and licensure. Authorizes the board to study licensure structure flexibility. Exempts school districts that have adopted a review process for continuing contract teachers that has been mutually agreed upon by the exclusive representative of the teachers in the district and the school board from a peer review requirement. Specifies additional teacher examination and board rules requirements for licensing purposes. Provides for board selection of professional development schools for internship program purposes. Eliminates the expiration of the licensing authority of the Board of Teaching and the Board of Education. Changes the optional mentorship program in the revised teacher preparation curriculum to a required internship program. Requires the Board of Teaching to appoint an advisory task force to assist in implementing the restructured teacher preparation and

licensure system. Specifies membership requirements and duties. Requires annual board progress reports to the Legislature. Requires the board to disapprove teacher preparation institutions failing to implement the revised teacher preparation curriculum by the 1996-1997 academic year. Requires schools to develop a process for discussing sexual harassment and violence policies with students and employees. Removes commissioner of education representation on the State High School League Board. Requires an annual board report to the commissioner. Provides for early recognition of technical college transfer levy proceeds. Modifies petition requirements for technical college levies. Authorizes districts receiving taconite referendum aid to use the required reserve for early childhood programs. Authorizes the superintendent of schools in Special School District #1, Minneapolis, to appoint parent liaisons and to appoint public school nurses in the unclassified service. Requires a reduction in state payment for free, reduced and federally reimbursable school lunches under insufficiency conditions. Authorizes employees of the Hibbing Technical College who are over the age of 50 and have more than 20 years of combined experience to retain benefits under the merger with Independent School District #701, Hibbing. Authorizes and provides for a Council on Disabilities study of the health needs of medically fragile or technology dependent students. Reenacts a school board student advisory members appointment provision. Delays the effective date for the peer review program. Requires the Legislative Commission on Employee Relations to evaluate and make recommendations to the Legislature relating to the use of binding arbitration to resolve negotiations at impasse as an alternative to the bargaining deadline and aid penalty. Specifies a legislative commitment to a results oriented graduation rule. Authorizes the Board of Education to continue proceeding to adopt a rule. Prohibits final action before authorization. Requires the Board of Teaching to appoint a task force to study and make recommendations to the Legislature on the appropriate role for the board in licensing support personnel. Repeals a provision defining teachers for initial licensing exam purposes.

Article IX -- Choice programs. Modifies the application deadline under the Open Enrollment Program. Expands authorized locations for the offering of secondary or post-secondary nonsectarian courses under district agreements with post-secondary institutions. Provides for the offering of courses taught by secondary teachers or post-secondary faculty members at secondary schools under the Post-Secondary Enrollment Options Act and authorizes enrollment by students enrolled in schools located under 40 miles from the nearest eligible institution. Reenacts and modifies payment provisions. Expands eligibility and provides for aid for additional private alternative programs under the high school graduation incentives program.

Article X -- Libraries. Classifies as private and provides for the protection of data on library patrons or borrowers. Modifies the formula for determining regional library basic system support grants. Provides for grants for Fiscal Years 1993, 1994, and 1995 to regional public library systems for participating cities or counties that meet specific conditions. Repeals a provision requiring increased support after the second year of participation in a regional system.

Article XI -- State agencies. Includes resident kindergarten students in the attendance count at the Academies for the Deaf and Blind for tuition purposes and provides for the carryforward of unexpended balances of tuition appropriations. Modifies comprehensive arts planning program provisions. Authorizes application by groups of school districts. Modifies Dept. of Education consultation and cooperation requirements and requires involvement of the Minnesota Center for Arts Education. Clarifies contracting authority and fee deposit requirements of the Faribault Academies. Provides for the continued availability of prior appropriations for outcome based education program contracts. Reduces the complement of the Dept. of Education. Authorizes and provides for the conveyance of state land to Independent School District #656, Faribault. Appropriates sale proceeds to the Dept. of Education for use by the academies for capital improvements. Reduces previous appropriations for various programs. Provides for allocation. Prohibits reduction from the

Faribault Academies. Repeals Teachers Employment Bureau and specific UFARS requirements and variance options of the academies.

Article XII -- Noncontroversial and technical changes. Modifies school district consolidation election judge provisions. Eliminates the required number per polling place and eliminates compensation. Clarifies the effective date for consolidation in even numbered years. Provides for the payment of bonded debt of consolidating school districts. Modifies reorganized district referendum levy provisions due to referendum equalization. Recodifies and modifies a provision relating to limits on financial support agreements. Subjects alternative delivery aid to tax shift adjustment requirements. Clarifies instructional time requirements. Includes special education, referendum equalization and training and experience levies in aid adjustment calculation requirements. Recodifies supplemental levy and aid provisions. Modifies general education revenue, levy and aid provisions to reflect the training and experience levy. Clarifies a teacher sabbatical leave provision. Reflects changes to intermediate district levy authority. Excludes voting machine voter instruction and ballot card transportation duties of election judges in school district elections not held in conjunction with a statewide election. Requires the Dept. of Education to adjust school district levies for aid changes enacted after levy certification. Restricts the use of funds received under outcome based education program contracts to outcome based education purposes and activities specified in the contract. Corrects the effective date of a provision prohibiting the enrollment of foreign exchange students in the post-secondary enrollment options program. Reenacts a provision requiring an education statement to be given to parents or guardians enrolling children in kindergarten. Repeals a provision prohibiting school lunch aid for free or reduced price lunches and levy adjustment requirements.

Effective date: Various dates. NELSON, K., DICKLICH.

Tobacco use prohibition

Chap. 576-S.F. 1898 Prohibits smoking or the use of tobacco products in public school facilities or vehicles. Exempts technical colleges. Sets penalties for violations. Removes the smoking prohibition exemption for patients in hospitals or health care facilities allowed by attending physicians.

Effective date: Various dates. DAHL, HASSKAMP.

Elections and Ethics

Primary date

Chap. 364-S.F. 1598 Delays the year of the presidential primary. Specifies that the primary be held in on the first Tuesday in April of each year after 1993 in which there is a presidential election. Effective date: VETOED. MARTY, LASLEY.

Minneapolis school district elections

Chap. 378-S.F. 2385 Authorizes Special School District #1, Minneapolis, to modify the process for electing board members. Provides that the governing body of the district may provide for election of four of its directors in 1994 and subsequent years for four-year terms, and election of three of its directors in 1996 and subsequent years for four-year terms. Provides that to accomplish the change, the governing body may provide that the terms of office for directors elected in 1991 will expire Jan. 1, 1995, and that the terms of office for directors to be elected in 1993 will expire Jan. 1, 1997. Provides for a referendum.

Effective date: Apr. 1, 1992. SPEAR, JEFFERSON.

Ward system abolition deadlines

Chap. 388-S.F. 2307 Modifies the deadlines for statutory cities to abolish the ward system for city council members election purposes. Effective date: Apr. 1, 1992. JOHNSON, D.E., UPHUS.

Town polling places

Chap. 474-S.F. 1716 Authorizes towns with more than one precinct to designate one centrally located polling place. Authorizes the appointment, rather than election, of the Olmsted County recorder upon adoption of a resolution by the county board of commissioners. Authorizes and provides for the abolishment and reorganization of the office of county recorder. Provides for a referendum. Effective date: Local approval. BRATAAS, BISHOP.

Employment

Parental leaves for school conferences

Chap. 438-H.F. 2142 Changes the requirement for employers to grant leave to parents to attend school conferences or activities from a school year to a 12 month basis. Authorizes use of the leave time by employees to attend child day care or prekindergarten regular or special education conferences or activities, provided that the conference, activity or observation cannot be scheduled during nonwork hours. Requires the Division of Labor Standards in the Dept. of Labor and Industry to receive, informally investigate and attempt to resolve employee complaints relating to the parenting leave law. Requires annual reports to the Legislature relating to complaints received. Requires the division to develop an educational poster stating employee rights under the law. Requires that the poster be available for posting by employers upon request. Effective date: Aug. 1, 1992. JOHNSON, A., PIPER.

Employee personnel record access

Chap. 445-H.F. 1889 Requires employers to provide a copy of the personnel record of an employee after review or upon separation upon employee request rather than only in cases of dispute. Authorizes the charging of a fee for the copy. Limits the fee to the actual cost of making, compiling and mailing the copy. Effective date: Aug. 1, 1992. RUKAVINA, MERRIAM.

Unemployment compensation provisions

Chap. 484-S.F. 1590 Includes registered successors to employers in the definition of interested party. Modifies the definitions of nonpublic school and contribution report. Specifies auxiliary report content requirements. Increases the frequency of the required report of the commissioner of jobs and training to employers of benefits charged to employer accounts. Clarifies application or notice mailing requirements. Provides for the treatment of American Indian tribal governments as employers for unemployment compensation coverage purposes. Specifies a minimum participation period requirement. Invalidates claims filed for a second benefit year sufficiently in advance of anticipated unemployment to make limits ineffective. Modifies the unavailable for work condition for full time students. Modifies a provision requiring benefit disqualification for failure to apply for or accept suitable work or reemployment. Requires the commissioner to provide notice of benefit year establishment to registered successors of employers. Grants the commissioner first priority to setoff funds owed by the department to delinquent employers for contribution and reimbursement lien purposes. Requires the commissioner to waive recovery of overpayment resulting from administrative failure to identify unearned wage credits. Requires the commissioner to enter into a compromise agreement with the governing body of the Red Lake band of Chippewa Indians retroactively establishing contribution rates for the years 1988 through 1993. Specifies agreement requirements, outlines legislative intent and provides a sunset of Aug. 1, 1995 for provisions dealing with the Red Lake band of Chippewa Indians. Effective date: Various dates. STUMPF, TUNHEIM.

Railroad employee protection

Chap. 506-S.F. 2136 Provides for the protection of interests of employees following railroad acquisitions. Requires the attorney

general or the commissioner of transportation to meet with accredited union representatives of the divesting line and representatives of the acquiring and divesting lines to clarify points of interest relating to the impact on employees and relating to compliance with laws regulating the sale of railroad lines. Prescribes penalties for violations by acquiring lines. Specifies requirements for the assertion of priority in hiring. Specifies employee notice requirements and minimum decision time requirements. Effective date: VETOED. MONDALE, FARRELL.

Omnibus workers compensation provisions

Chap. 510-S.F. 2107 Article I -- Benefits. Expands the definition of employee to include voluntary uncompensated workers in the building and construction industry rendering services for joint labor management nonprofit community service projects. Expands the definition of family farm to include farms which pay cash wages, exclusive of machine hire, to farm laborers during the preceding calendar year an amount less than \$8,000 or less than the statewide average annual wage when the farm operation has total liability and medical payment coverage equal to \$300,000 and \$5,000, respectively, under a family liability insurance policy, and the policy covers injuries to farm laborers. Alters temporary total and temporary partial disability benefits and conditions for payment. Redefines permanent total disability. Defines totally and permanently incapacitated. Specifies that if an employee is a minor and sustains a personal injury resulting in permanent total disability, for the purpose of computing the compensation to which the employee is entitled for the injury, the compensation rate for a permanent total disability is the maximum rate for temporary total disability. Requires temporary total disability payments to cease at retirement. Grants compensation judges additional compensation authority. Provides for the payment of temporary total compensation to employees who are not employed during a retraining plan. Increases the limit on payment of burial expenses. Restricts the payment of supplementary benefits. Provides for recovery of overpayments when the commissioner or compensation judge determines that the mistaken compensation was not received in good faith. Specifies that a payment is not received in good faith if it is obtained through fraud, or if the employee knew that the compensation was paid under mistake of fact or law and the employee has not refunded the mistaken compensation. Reduces the limit on benefit increases. Delays cost of living adjustments.

Article II -- Legal and judicial. Modifies the determination of legal fees and sets limits. Requires attorney fee statements to include the number of hours spent on the case. Requires insurers and self insured employers to file annual statements with the commissioner of labor and industry detailing the amount of legal fees and other legal costs incurred. Specifies statement content requirements. Authorizes either party to apply for review of attorney fees by the Workers Compensation Court of Appeals. Requires disability ratings under the schedule for permanent partial disability to be based on objective medical evidence. Requires the commissioner, in consultation with the Medical Services Review Board, to periodically review the rules establishing a schedule of degrees of disability for updating purposes. Requires permanent partial disability compensation to be paid in accordance with the disability ratings. Provides for the assignment and compensation of unrated injuries. Prohibits the provision of names of persons registering pre-existing physical impairments under the second injury fund to assist employers in discriminating against the registered persons. Sets a gross misdemeanor penalty. Prescribes penalties for workers compensation fraud. Provides for treatment as theft. Establishes a Small Claims Court in the Dept. of Labor and Industry. Provides for eligibility, for testimony and appearance of the parties, for admissible evidence and for settlement. Requires the chief administrative law judge to assign workers compensation cases to compensation judges using a block system. Specifies conditions for chief administrative law judge certification of a question of workers compensation law to the Workers Compensation Court of Appeals as important and doubtful. Provides for resolution by the Supreme

Court. Requires expedited decisions. Specifies notice requirements. Requires findings of fact to be clearly erroneous for appeal of orders to the Workers Compensation Court of Appeals. Defines and limits the phrase "for cause" in setting aside awards. Provides for the filling of judicial vacancies on the Workers Compensation Court of Appeals. Specifies notice provision. Requires the chief administrative law judge to reduce the formality and length of hearings in workers compensation cases. Requires a report to the Legislature on success in meeting the goals of completing 50 percent of the hearings in less than two hours, 75 percent in less than four hours, and nearly all of the hearings in less than one day.

Article III -- Administrative, safety, and insurance. Requires workers compensation insurers to provide an option to employers for deductible workers compensation policies. Provides an exception if, as a result of a credit investigation, the insurer determines that the employer is not sufficiently financially stable to be responsible for the payment of deductible amounts. Provides that the amount of deductible is to be selected by the employer. Provides for premium reduction and for payment of deductibles. Requires insurers to provide safety consultation services to requesting policyholders. Specifies notice requirements. Requires the rating association to make data relating to the calculation of indicated pure premium rates available for inspection. Requires the assigned risk plan to consider using certified managed care plans and to implement a medical cost containment program. Specifies minimum program requirements. Requires the plan to establish a program to group employers in the same or similar risk classification for group premium underwriting and claims management purposes. Specifies consultation requirements. Modifies the rejection requirement for participation in the plan. Authorizes policies issued by the plan and the State Fund Mutual Insurance Company to include "all states coverage." Creates an assigned risk safety account in the special compensation fund. Requires the plan to perform on site surveys of employers and recommend practices and equipment designed to reduce the risk of employee injury. Specifies the priority for surveying employers. Requires the assigned risk plan to develop a premium rating system, subject to commissioner of commerce approval, that provides a reduction in premium rates for employers following the recommendations and increases the rates for employers not following the recommendations. Authorizes the commissioner of labor and industry to make grants or loans from the safety account to employers for safety recommendation implementation costs and to adopt implementation rules. Requires the deposit of fines and penalties in the safety account. Requires the commissioner to submit annual reports to the Legislature on assessment and collection. Requires lessors of employees to register with the commissioner of commerce before workers compensation insurance policy eligibility. Specifies registration requirements and ineligibility. Imposes a criminal penalty for violations. Modifies the composition and duties of the Workers Compensation Advisory Council. Makes the council permanent. Modifies the penalties for failure to insure. Authorizes the Dept. of Labor and Industry, the Dept. of Jobs and Training and the Dept. of Revenue to share information relating to employment status of individuals, including payroll and withholding and income tax information. Requires a compensation judge to determine an employer's insurance status before issuance of orders for compensation payments from the special compensation fund. Requires assessments against employers if the employer is found to be not insured or self-insured as required. Specifies liability of the special compensation fund and employers. Requires every public or private employer of more than 25 employees to establish and administer a joint labor-management safety committee. Specifies that every public or private employer of 25 or fewer employees is to establish and administer a safety committee if the employer has a lost workday cases incidence rate in the top ten percent of all rates for employers in the same industry or the workers compensation premium classification assigned to the greatest portion of the payroll for the employer has a pure premium rate in the top 25 percent of premium rates for all classes. Authorizes commissioner of labor and industry rules for training of committee members and operation of the

committees. Requires the Dept. of Labor and Industry to initially refer employers and employees with legal questions to attorneys or rehabilitation and medical specialists employed by the department. Requires the department to try to settle problems of employees and employers by contacting third parties. Requires the department to establish a workers compensation fraud unit to investigate fraudulent and other illegal practices of health care providers, employers, insurers, attorneys and employees. Requires the attorney general to provide training. Requires the commissioner to study data sharing on employers for insurance requirements compliance determination purposes and report to the Legislature. Requires the Department of Employee Relations to assess the number and severity of work related repetitive motion injuries incurred by state employees and to report to the Legislature. Requires the department to develop a plan for a pilot project to reduce repetitive motion injuries. Requires the commissioner of labor and industry to study the practice of employee leasing and declaration of independent contract status to evade or reduce premiums for workers compensation insurance. Requires reduction of rate schedules by 16 percent and prohibits the filing of rate increases between Apr. 1, 1992 and Apr. 1, 1993. Requires the commissioner to survey employers to determine the implementation of the required reduction. Requires a report to the Legislature. Repeals subsequent disability compensation.

Article IV -- Medical and rehabilitation. Removes physical rehabilitation from the scope of vocational rehabilitation. Requires the commissioner of labor and industry to, by rule, establish a fee schedule and limits for qualified rehabilitation consultants and vendors. Makes rehabilitation consultation and services optional at the request of the employee, employer or commissioner. Specifies notice requirements. Alters procedures for the selection of qualified rehabilitation consultants. Specifies rehabilitation plan deadlines. Requires rehabilitation consultants to file progress reports with the commissioner for redirection, amendment, suspension or termination purposes. Requires timely billing by rehabilitation consultants or vendors for payment purposes. Requires insurers and self insurers to assist the commissioner in monitoring health care by reporting cases of suspected ineffective, inappropriate or unnecessary treatment for review by the Medical Services Review Board. Requires board reporting for sanctions imposition purposes. Requires the commissioner to provide rules for sanctions. Provides for appeal and effect of decision. Authorizes the Workers Compensation Court of Appeals to establish implementation rules. Adds a physical therapist to Medical Services Review Board membership. Broadens the definition of injury for employer supplied replacement or repair purposes. Authorizes employers to provide treatment and supplies under certified managed care plans. Provides for payment of compensation for exposure to occupational disease. Prescribes conditions for denial of compensation. Includes hospitals in uniform billing form requirements. Exempts U.S. government veterans facilities from uniform billing form requirements. Authorizes and provides for managed care for injured workers. Requires the commissioner to certify health care providers. Specifies plan requirements. Provides for dispute resolution. Authorizes the commissioner to set implementation rules. Extends the effectiveness of and modifies requirements for medical fee rules. Limits the liability of employers for services included in the medical fee schedule and for articles and supplies provided to employees. Requires the commissioner to adopt rules limiting charges for independent medical examinations. Provides for the determination of excessive health or medical service charges. Increases the employee liability limit for residence remodeling due to permanent disability. Requires physician examinations to be scheduled at a location within 150 miles of the employee's residence unless the employer can show cause to the department to order an examination at a location further from the employee's residence. Requires the commissioner to set rules establishing standards and procedures for health care provider treatment. Specifies criteria requirements. Requires the Medical Services Review Board to review excessive, inappropriate or unnecessary health care provider treatment. Requires the commissioner to appoint a committee to study the utilization of high

technology medical procedures for treatment of injuries. Requires the commissioners of commerce and labor and industry to study the feasibility of providing medical coverage currently furnished through the workers compensation system through other health insurance mechanisms. Requires reports to the Legislature.

Article V -- Self insurance. Modifies provisions regulating workers compensation self insurance. Requires audits of self insurance applications. Specifies procedures. Requires the Self Insurance Advisory Committee to review financial data filed with the Dept. of Commerce five years after certification for certificate revocation recommendation purposes. Eliminates the authority of the commissioner to modify self insurer net worth requirements. Sets net worth requirements for self insurers. Authorizes the commissioner to deny applications for self insurance authority or to terminate existing authority if the applicant or self insurer does not have sufficient assets, net worth, and liquidity to promptly and completely meet all of its self insurance obligations. Modifies requirements for the filing of annual financial statements by group self insurers and the frequency of estimated future liability determinations for nongroup private self insurer security fund members. Modifies the calculation of security fund assessments for private employers ceasing to be self insured. Requires the deposit of securities with the state treasurer or in custodial accounts. Requires the filing of surety bonds with the commissioner. Authorizes the commissioner and the state treasurer to sell or collect sufficient funds to pay compensation due in cases of employer or fund default. Provides for the assignment, custody, release and exchange or replacement of securities. Repeals specific rules.

Article VI -- Insurance regulation. Authorizes and provides for the commissioner of commerce to hold hearings whenever an insurer files a change in its existing rate level that is greater than eight percent in a 12 month period to determine if the rate is excessive. Effective date: Various dates. CHMIELEWSKI, RUKAVINA.

Employer action prohibition

Chap. 538-S.F. 2336 Prohibits employers from refusing to hire job applicants or from disciplining employees or from discharging employees for the use of lawful consumable products, such as food, tobacco or alcoholic beverages, off the employment premises during nonworking hours. Provides an exception if the employer's restriction relates to a bona fide occupational requirement and is reasonably related to employment activities or responsibilities of a particular employee or group of employees; or the employer's restriction is necessary to avoid a conflict of interest or the appearance of a conflict of interest with any responsibilities owed by the employee to the employer. Specifies that it is not a violation of the prohibition for an employer to refuse to hire an applicant or discipline or discharge an employee who refuses or fails to comply with the conditions established by a chemical dependency treatment or aftercare program. Specifies that it is not a violation of the prohibition for an employer to offer, impose, or have in effect a health or life insurance plan that makes distinctions between employees for the type of coverage or the cost of coverage based upon the employee's use of lawful consumable products. Provides that it is not a violation of the prohibition for an employer to refuse to hire an applicant or discipline or discharge an employee on the basis of the applicant's or employee's past or present job performance. Specifies that the sole remedy for a violation of the prohibition is a civil action for damages.

Effective date: Aug. 1, 1992. CHMIELEWSKI, SARNA.

Managed care plan appropriation

Chap. 599-S.F. 1880 Appropriates \$1.644 million to the commissioner of labor and industry to carry out mandated workers compensation duties relating to standards of treatment, managed care plans, the relative value fee schedule, the fraud unit and other activities. Increases the complement of the department. Effective date: July 1, 1992. CHMIELEWSKI, RUKAVINA.

Energy and Public Utilities

DNR pipeline authority repeal

Chap. 374-H.F. 1013 Repeals the authority of the commissioner of natural resources to approve pipeline projects under eminent domain. Effective date: Apr. 2, 1992. PETERSON, BENSON, J.E.

Telephone advertising services regulation

Chap. 377-S.F. 1919 Regulates telephone advertising services. Defines telephone advertising service as a service providing recorded advertisements through the use of voice mail or messaging devices accessed by telephone. Specifies verification and identification requirements of persons operating telephone advertising services. Requires the attorney general to investigate violations. Effective date: Aug. 1, 1992. NOVAK, OLSEN, S.

Electric cooperatives' bylaws requirement

Chap. 401-S.F. 1298 Requires bylaws of electric cooperatives for selecting directors on a district or local unit basis to provide for the apportionment of equal representation on the boards of directors. Requires periodic surveys for membership change determination purposes. Effective date: Apr. 4, 1992. DICKLICH, DAWKINS.

Open Meeting Law application to electric cooperatives

Chap. 435-H.F. 1489 Applies the Open Meeting Law to electric cooperatives with more than 50,000 members. Specifies meeting notice requirement. Authorizes closed meetings to discuss personnel, litigation or financial matters. Effective date: Aug. 1, 1992. DAWKINS, DICKLICH.

Rules for telephone tracers requirement

Chap. 442-H.F. 2082 Requires the Public Utilities Commission to adopt rules governing telephone companies response to requests for tracers made by persons allegedly receiving harassing telephone calls. Effective date: Apr. 11, 1992. SKOGLUND, RANUM.

Miscellaneous utility provisions

Chap. 478-S.F. 1399 Authorizes public utilities to file a petition with the Public Utilities Commission for classification of pipelines as intrastate pipelines. Requires the commissioner of public service to review annual energy conservation improvement investment reports of municipal electric utilities and cooperative electric associations to ensure spending on residential conservation improvement programs addressing the needs of renters and low income persons. Specifies an exception if there are an insufficient number of appropriate programs available. Defines low income. Authorizes utility customers not represented by the attorney general to petition the PUC to modify or revoke energy conservation improvement programs. Authorizes modification or revocation of programs failing to adequately address the residential conservation improvement needs of low income persons. Changes the date for determination of reconciliation of actual assessments against public utilities and telephone companies by the Dept. of Public Service and the PUC. Effective date: Aug. 1, 1992. BENSON, J.E., JACOBS.

Telephone provisions

Chap. 493-S.F. 2017 Removes the one call excavation notice system exemption for the installation of real estate "for sale" signs. Authorizes and provides for land surveyors to receive location information relating to underground facilities under the systems. Provides for the protection of information subject to protective orders submitted to the Public Utilities Commission by telephone companies. Clarifies the authority of the PUC to reinstate the original rate for telephone service subject to emerging competition on finding the proposed rate to be below incremental cost or not just and reasonable. Decreases the amount of time for PUC final decisions relating to the propriety of rate increases on rates subject to

refund. Provides an exception. Authorizes telephone companies to discontinue services subject to emerging competition. Sets forth conditions. Specifies effectiveness and an exception for hearing. Authorizes and regulates telephone companies promotion of the use of services by offering waivers of recurring or nonrecurring charges, redemption coupons or premiums with purchase of the service. Clarifies duties of city boundary commissions. Requires parcels registered as torrens property and under judicial review to be referred to the examiner of titles for a report. Eliminates the need for property taxes to be paid or current as a condition of filing the plat. Authorizes the recording of monuments before actual placement. Authorizes a financial guarantee requirement. Effective date: Aug. 1, 1992. NOVAK, O'CONNOR.

TACIP Board terms and compensation modification

Chap. 518-H.F. 2749 Modifies a provision providing for the terms and compensation for members of the Telecommunications Access for Communication Impaired Persons Board. Authorizes the board to advance money to the contractor of the message relay service if the contractor establishes to the board's satisfaction that the advance payment is necessary for operation of the service. Specifies that the advance payment may be used only for working capital reserve for the operation of the service and that the payment must be offset or repaid by the end of the contract fiscal year together with interest accrued from the date of payment. Effective date: Various dates. CLARK, MARTY.

Octane testing provisions

Chap. 575-S.F. 2509 Modifies the definition of ethanol (gasohol) under the agricultural resource loan guaranty program to coordinate with definitions and specifications under the Dept. of Revenue and the Dept. of Public Service. Defines terms relating to petroleum products for weights and measures and taxation purposes. Modifies gasoline products and equipment inspection and testing procedures and requirements of the Division of Weights and Measures in the Dept. of Public Service. Specifies recordkeeping, publication, registration and audit requirements. Requires the director of the division to reject noncomplying products or equipment and to take actions to prohibit the sale of the products or the use of the equipment. Specifies product quality maintenance and rejected product blending or removal responsibilities. Regulates petroleum dispensers with automatic and manual price computation. Regulates price advertising signs and storage tank marking. Restricts the use of the term premium. Establishes specifications coordinated with the Dept. of Agriculture and the Dept. of Revenue for gasoline, gasoline blended with ethanol, denatured ethanol, gasoline blended with an oxygenate, heating and diesel fuel oils, kerosene, aviation gasoline and turbine fuel, jet fuel and gas turbine fuel oil. Requires petroleum product shippers to supply distributors with test results upon request. Requires transfer, shipment, distribution and sale of the products by volume. Prohibits adjustment. Provides exception. Specifies oxygenated gasoline content requirements and blending restrictions. Specifies blender registration requirements. Specifies blending records maintenance and audit requirements. Specifies oxygenated gasoline disclosure and dispenser labeling requirements for carbon monoxide control purposes. Regulates gasoline octane content. Specifies disclosure and dispenser labeling requirements. Modifies violation provisions. Expands penalty provisions. Effective date: Aug. 1, 1992. GUSTAFSON, HEIR.

Energy efficiency provisions

Chap. 597-H.F. 2134 Modifies requirements under the state building and fire codes for internally illuminated exit signs. Prescribes the method for payment of petroleum tank release cleanup fees. Specifies gasoline distributors fee payment responsibility. Requires persons removing basement heating oil storage tanks to ensure the removal or sealing of fill and vent pipes. Establishes minimum energy efficiency standards for lighting for highways, streets and parking lots. Excludes roadway sign lighting. Establishes minimum energy efficiency standards for some motors, commercial

heating, air conditioning and ventilating equipment, showerheads and faucets. Modifies the energy efficiency standards for room air conditioners. Requires the commissioner of public service to adopt rules setting minimum efficiency standards for specific incandescent lamps. Provides for implementation and product testing rules. Specifies rule requirements. Increases the petroleum products inspection fee. Imposes a fee on propane sales. Authorizes energy providers to annually solicit contributions from customers for fuel funds established by energy providers or other entities to provide emergency energy assistance to qualifying low income households. Requires the commissioner of jobs and training to establish a statewide fuel account. Authorizes implementation of a program to solicit, manage and distribute money to low income households. Restricts use of the money for administrative expenses. Requires the commissioner to appoint an Emergency Energy Assistance Advisory Council composed of persons from households eligible for emergency energy assistance and of persons representing energy providers, customers, local energy assistance providers, existing fuel fund delivery agencies and community action agencies to advise the commissioner on implementation. Exempts residential automatic fire safety sprinkler systems from property and sales taxes. Requires continuing education standards for residential building contractors to include requirements for courses in the implementation of energy and other building codes designed to conserve energy. Requires the St. Louis County Civil Service Commission to adopt rules to govern the transfer of employees performing community development block grant services for the county to a city under a contract between the city and county for the services. Appropriates money to the energy and conservation account for programs administered by the commissioners of public service or jobs and training to improve the energy efficiency of residential oil fired heating plants or propane heating equipment in low income households. Appropriates money to provide weatherization services to the homes.
Effective date: Various dates. JACOBS, NOVAK.

Environment and Natural Resources

Once-through water use prohibition exemption

Chap. 366-H.F. 2044 Exempts once-through cooling systems with permits for the use of groundwater discharged into wetlands or public waters wetlands owned or leased by nonprofit corporations from termination or conversion requirements if the membership of the corporation includes a local government unit, the deed or lease requires that the area containing the wetland be maintained as a nature preserve, public access is allowed consistent with the area's status as a nature preserve and by Jan. 1, 2003, the permittee incurs costs of developing the nature preserve and associated facilities that, when discounted to 1992 dollars, exceed twice the projected cost of the required conversion, discounted to 1992 dollars.
Effective date: Aug. 1, 1992. TRIMBLE, NOVAK.

Hubbard County land sale

Chap. 370-H.F. 1911 Authorizes and provides for the private sale of land in Hubbard County previously exchanged for tax-forfeited land. Authorizes the sale, by the commissioner of natural resources of the former Lake Winnibogoshish fish hatchery location in Cass County to the federal government in trust for the Chippewa Indian Tribe for use for fish propagation purposes. Authorizes the conveyance of surplus state land leased and used as a site for radio antennae and related equipment to Hubbard County.
Effective date: Mar. 26, 1992. KINKEL, FINN.

Faribault easement release

Chap. 387-H.F. 1763 Requires and provides for the release of a state

easement in the city of Faribault.

Effective date: Apr. 1, 1992. RODOSOVICH, NEUVILLE.

BWSR committee modification

Chap. 399-S.F. 2310 Modifies the composition of the Board of Water and Soil Resources Dispute Resolution Committee so that the committee consists of two of the three citizen members, one county commissioner member, one soil and water conservation district supervisor member and one watershed district or watershed management organization representative member.
Effective date: Aug. 1, 1992. PRICE, MUNGER.

Kandiyohi County land sale

Chap. 404-S.F. 2308 Authorizes and provides for the sale of tax-forfeited lands bordering public water in Kandiyohi County.
Effective date: Apr. 4, 1992. JOHNSON, D.E., WELLE.

Timber permit term extension

Chap. 405-S.F. 2421 Extends the terms of timber permits issued before June 1, 1990, June 1, 1988 or June 1, 1991 until June 1, 1994, if all regular extensions provided in statutes have been used. Specifies that the extensions are to be without interest. Specifies billing requirements. Authorizes and provides for the commissioner of natural resources to enter into a cooperative agreement with the federal forest service to construct and maintain a dam and control structure across waters in St. Louis County. Specifies that the projects are to be known as the Camp 97 Creek, Gold Mine and Crane Lake Tower Impoundments. Authorizes the projects to create and maintain permanent impoundments for the benefit of wildlife, recreation and other public purposes. Defines substantially equal value for class B state land exchange purposes.
Effective date: Apr. 8, 1992. LESSARD, ANDERSON, I.

Petroleum tank release cleanup liability modification

Chap. 414-S.F. 2001 Modifies petroleum tank release cleanup liability and reimbursement provisions. Modifies or specifies the liability of tank mortgagees and holders of security interests in tanks. Prohibits the Petroleum Tank Release Compensation Board from reducing reimbursements to mortgagees acquiring title to the property through foreclosure or receipt of a deed. Expands the eligibility of local government units for partial reimbursement from the petroleum tank release cleanup account. Specifies restrictions and requirements.
Effective date: Apr. 8, 1992. DECRAMER, STEENSMA.

RIM provisions

Chap. 415-S.F. 2301 Modifies or clarifies Reinvest in Minnesota Resources Program (RIM) provisions. Authorizes the enrollment of marginal agricultural land adjacent to wetlands and locally designated priority waters in the program. Defines "riparian" land for eligibility purposes. Removes restrictions on eligible land relating to ownership duration.
Effective date: Aug. 1, 1992. PRICE, MUNGER.

Mille Lacs County land sale

Chap. 441-H.F. 2707 Authorizes and provides for the sale of tax-forfeited land in Mille Lacs County. Requires and provides for the private exchange of state land located in Aitkin County. Requires the approval of the Land Exchange Board.
Effective date: Apr. 14, 1992. KOPPENDRAYER, DAVIS.

Veterans home property lease authorization

Chap. 447-S.F. 1252 Authorizes the Minnesota Veterans Homes Board to lease veterans home property adjacent to Minnehaha State Park to the Minneapolis Park and Recreation Board.
Effective date: Aug. 1, 1992. FLYNN, SKOGLUND.

Soil and water conservation district agreements

Chap. 450-S.F. 2311 Authorizes soil and water conservation district agreements for enforcement of city or county soil and water

conservation related official controls. Specifies agreement requirements.

Effective date: Aug. 1, 1992. PRICE, MUNGER.

State park land modifications

Chap. 451-S.F. 2392 Deletes lands from Cascade River State Park in Cook County. Authorizes and provides for the commissioner of natural resources to sell the deleted land to adjacent landowners. Adds and deletes lands to and from Father Hennepin State Park in Mille Lacs County. Adds lands to McCarthy Beach State Park in St. Louis County and to Nerstrand Big Woods State Park in Rice County. Grants a permanent roadway easement in McCarthy Beach State Park to a landowner for access purposes. Requires the campground in the park to remain primitive.

Effective date: Aug. 1, 1992. JOHNSON, J.B., RODOSOVICH.

Blufflands trail establishment

Chap. 456-S.F. 2299 Establishes the Blufflands Trail System in Fillmore and Houston Counties. Requires the establishment of trails in addition to the Root River Trail to extend the system to include La Crescent, Hokah, Caledonia and Spring Grove in Houston County and Preston and Harmony in Fillmore County. Requires the trails to use abandoned railroad rights-of-way where possible and to be developed primarily for nonmotorized riding and hiking.

Effective date: July 1, 1992. MORSE, PELOWSKI.

DNR rulemaking procedures

Chap. 462-S.F. 2389 Authorizes the commissioner of natural resources to use alternative rulemaking procedures to set seasons for harvesting wild ginseng roots and wild rice and to restrict or prohibit harvesting in designated areas. Requires the commissioner to issue permits for the possession, moving or disturbing of stromatolites (rare fossilized alga) located in state waters and authorizes commissioner rules. Modifies the definition of designated trout lake or stream. Clarifies the definition of public access. Eliminates the requirement for the commissioner to designate game refuges by order. Clarifies the public hearing requirement. Exempts the designation from rulemaking procedures and removes restrictions on vacation or boundaries modification. Modifies the procedure for allowing hunting, trapping and fishing in scientific and natural areas. Provides for the validity of licenses issued by the commissioner to take a second deer by archery and expands the authority of the commissioner to issue licenses to take a second deer by firearms or archery. Defines and modifies the procedure for designating experimental and special management waters. Exempts the designations from rulemaking procedures. Modifies the procedure for establishing open seasons and limits for fishing on the waters. Allows the use of nonmetal tags on fish nets. Modifies the effective date of prior provisions relating to hunting and fishing in scientific and natural areas, migratory waterfowl seasons and limits, and the open season for netting lake whitefish and ciscoes.

Effective date: Various dates. MERRIAM, WEAVER.

Watershed district provisions

Chap. 466-S.F. 2298 Requires county boards to provide public notice before appointing watershed district managers. Specifies notice requirements. Authorizes county commissioners to appoint managers from towns and municipalities failing to submit lists of nominees. Exempts watershed districts from local government unit permit fees. Specifies a frequency requirement for annual audits of watershed district books and accounts. Clarifies procedures for appealing watershed district decisions. Requires the Board of Water and Soil Resources to adopt rules governing appeals. Subjects decisions of the board on appeal to judicial review. Authorizes prevailing parties to recover reasonable attorney fees and costs.

Effective date: Aug. 1, 1992. PRICE, PETERSON.

Barbed hook use prohibition

Chap. 469-S.F. 522 Prohibits the use of barbed hooks for taking fish in southeastern experimental trout streams in Houston, Fillmore,

Mower, Dodge, Olmsted, Winona, Wabasha and Goodhue Counties. Effective date: Apr. 18, 1992. BENSON, D.D., REDING.

Mississippi Headwaters Board provisions

Chap. 476-H.F. 2623 Modifies provisions relating to activities of the Mississippi Headwaters Board. Modifies comprehensive land use plan adoption requirements. Prohibits commencement of noncomplying actions by local and special governmental units until board review and comment on consistency with Mississippi headwaters planning and management requirements. Authorizes the Spirit Mountain Recreation Area Authority in the city of Duluth to engage in business activities outside the geographic boundaries of the recreation area.

Effective date: Local approval. SOLBERG, LESSARD.

Radio equipment prohibition limit

Chap. 479-S.F. 2185 Limits the prohibition on the use of radio equipment in hunting to the taking of big or small game.

Effective date: Aug. 1, 1992. MERRIAM, WEAVER.

Split Rock Lighthouse fee structure

Chap. 481-H.F. 2849 Authorizes the commissioner of natural resources to negotiate with the Minnesota Historical Society to set a special fee structure for the Split Rock Lighthouse State Historic Site within Split Rock Lighthouse State Park.

Effective date: Apr. 18, 1992. SIMONEAU, MERRIAM.

Petroleum tank release consultant regulation

Chap. 490-S.F. 2430 Regulates petroleum tank release consultants and contractors. Defines consultant, contractor and contractor services. Requires consultants and contractors to register with the Petroleum Tank Release Compensation Board for participation in the petroleum tank release cleanup program. Requires the board to maintain a list of registered consultants and contractors. Requires applicants applying for reimbursement to use registered consultants and contractors for reimbursement eligibility purposes. Requires the board to disqualify consultants or contractors convicted in criminal proceedings of submitting false or fraudulent bills as claims for reimbursement from the list for five years. Authorizes the board to impose sanctions for violations. Specifies consideration requirements. Requires civil penalties recovered to be credited to the petroleum tank release cleanup account. Requires notice of proposed sanctions. Provides for the effectiveness of sanction orders. Specifies records retention requirements of persons applying for reimbursement and of contractors or consultants billing applicants for services. Prohibits consultant or contractor kickbacks. Requires consultants or contractors removing petroleum tanks to immediately notify the Pollution Control Agency (PCA) of the presence of petroleum contamination in excess of state guidelines. Authorizes the board to demand return of reimbursements to persons entering agreements to settle or compromise a portion of the incurred costs. Sets forth a proration requirement. Requires reporting of the agreements to the board. Provides for board access to information. Requires owners and operators of underground or aboveground tank systems to notify the PCA before installing or removing the tanks. Specifies notice content requirements. Requires the commissioners of the PCA and the Dept. of Commerce to jointly prepare a report to the Legislature describing reimbursed corrective action costs and listing reasonable charges for corrective action services.

Effective date: Aug. 1, 1992. SAMS, KRUEGER.

Withdrawal of marginal lands and wetlands from sale modification
Chap. 502-S.F. 1787 Modifies provisions relating to the withdrawal of nonforested marginal land and wetlands from sale or exchange.

Requires notice of the existence of the land or wetlands to prospective purchasers and requires the deed to contain a restrictive covenant precluding enrollment of the land in a state funded program providing compensation for conservation of the land or wetlands for sale or exchange purposes. Authorizes and provides for the sale of surplus state land bordering public waters in Cottonwood County to

the city of Mountain Lake for addition to the city park system. Authorizes and provides for the sale of tax-forfeited lands bordering public water in Fillmore County. Authorizes and provides for the private sale of state land in Washington County in the Bayport State Wildlife Management Area. Requires crediting the proceeds to the wildlife land acquisition account. Appropriates a portion to the commissioner of natural resources for acquisition of replacement wildlife management area lands in the Metropolitan Area. Authorizes the commissioner to accept funds from the purchaser for environmental cleanup of a former disposal site on the land prior to conveyance. Specifies an expenditure limit. Provides for the treatment of specific marginal lands.
Effective date: Apr. 24, 1992. BENSON, D.D., DAVIDS.

Land Recycling Act of 1992

Chap. 512-H.F. 1985 Provides protection from liability for release of hazardous substances to persons not otherwise liable for undertaking and completing response actions under a voluntary cleanup plan approved by the commissioner of the Pollution Control Agency. Provides for submission of the plans to the commissioner and specifies criteria for commissioner approval. Requires commissioner certification of completion of response actions. Authorizes the commissioner to issue written determinations or enter into agreements with property owners near the source of hazardous substance releases relating to future cleanup liability. Specifies the scope and effect of the determinations or agreements.
Effective date: Apr. 24, 1992. WAGENIUS, MONDALE.

Mille Lacs Preservation and Development Board authorization

Chap. 536-S.F. 2499 Authorizes and provides for the establishment of the Mille Lacs Preservation and Development Board by Mille Lacs, Crow Wing and Aitkin Counties. Specifies membership. Requires the board to appoint an advisory committee. Requires and provides for the board to prepare the Mille Lacs Lake comprehensive land use plan to provide for the protection, enhancement and coordinated development of the area surrounding Mille Lacs Lake. Requires other government units to comply with the plan and requirements. Establishes a procedure for review and certification of land use actions.
Effective date: Local approval. DAVIS, MUNGER.

Nitrate data base provisions

Chap. 544-H.F. 2717 Requires the commissioner of administration, through the Land Management Information Center, to maintain a statewide nitrate data base. Establishes the Nitrate Data Advisory Task Force to recommend to the Environmental Quality Board (EQB) the standards for selecting nitrate data to be integrated into the land management information system. Specifies membership. Requires the EQB to adopt standards and to ensure integration of the appropriate available data into the data base. Requires costs of integrating the data to be borne by the agency generating the data or by the board. Provides for waiver of water well minimum distance requirements for dairy farmers if the water well was in place prior to Jan. 1, 1974; the well complies with all rules of the commissioner of health other than the minimum distance requirement; and water from the well is tested at least once every six months in compliance with guidelines established by the commissioner of agriculture. Requires the commissioner of agriculture, in consultation with the commissioner of health, to establish guidelines for testing water samples from wells receiving grade A milk permits. Delays the deadline for compliance until Jun. 30, 1994, for dewatering wells 45 feet or less in depth with well construction requirements. Modifies the exemption from well disclosure certificate requirements for the sale of property with no well status or number changes. Specifies a statement requirement. Requires and provides for the sealing of borings. Establishes a well sealing account to be used by the commissioner of health for sealing wells and borings. Specifies revenue sources and a sealing priority for the Mt. Simon-Hinckley aquifer. Requires the commissioners of commerce and agriculture, in

consultation with the commissioners of the Pollution Control Agency and finance, the attorney general and appropriate professional organizations to prepare a report on environmental consulting services reimbursed for chemical and petroleum tank release cleanup expenses. Specifies report content requirements. Requires submittal to the Legislative Water Commission.
Effective date: July 1, 1992. DILLE, MORSE.

PCA provisions

Chap. 546-H.F. 2437 Conforms pollution control measures to amendments to the federal Clean Air Act. Eliminates a toxic pollution prevention fee limit. Modifies Pollution Control Agency (PCA) emission fee rules requirements. Requires the PCA to establish a statewide monitoring program for, and inventory of, probable sources of releases into the air, ambient concentrations in the air and deposition from the air of toxic substances. Sets a deadline of July 1, 1993, for program establishment. Requires funding through additional revenues generated by the removal of the pollution prevention fee limit. Codifies the definition of chlorofluorocarbons (CFCs). Provides for the Small Business Air Quality Compliance Assistance Act. Requires the commissioner of the PCA to establish a small business stationary source technical and environmental compliance assistance program required by the federal Clean Air Act. Specifies program requirements. Requires the commissioner to appoint an ombudsman for small business air quality compliance assistance to oversee the program. Specifies duties. Authorizes and provides for independent action and specifies ombudsman qualification requirements. Requires the commissioner to provide office support to the ombudsman. Establishes a Small Business Air Quality Compliance Assistance Advisory Council within the PCA. Specifies membership, powers and duties. Provides for funding and staff. Requires the PCA Board to study and develop recommendations on the role of the board in formulating, implementing and enforcing state environmental policy. Specifies consideration requirements and requires a report to the Legislature. Specifies report content requirements. Requires and provides for the commissioner of labor and industry to review and identify the occupational health problems associated with video display terminals. Requires a report to the Legislature. Requires the commissioner of the PCA to report to the Legislative Commission to Review Administrative Rules and to the Legislature on rulemaking activities.
Effective date: Various dates. MCGUIRE, MORSE.

Mercury recycling provisions

Chap. 560-H.F. 2147 Bans the placement of mercury or mercury containing products in solid waste, in solid waste processing or disposal facilities or in wastewater disposal systems. Expects traces of materials inadvertently passing through filtration systems during dental procedures. Provides for enforcement. Specifies a household hazardous waste generator administrative penalty limit. Requires the recycling of mercury used in major appliances. Requires a material safety data sheet and the signing of a statement of intended use before the sale of mercury. Requires labeling of products sold containing mercury. Requires the removal of mercury from products after removal from service for reuse or recycling. Specifies requirements for manufacturers of thermostats. Prohibits medical facilities from distributing thermometers. Specifies information provision requirements for the sale of fluorescent and high intensity discharge lamps for large use applications. Prohibits the sale of toys or games containing mercury. Requires the Office of Waste Management, in consultation with the Pollution Control Agency and manufacturers of fluorescent or high intensity discharge lamps containing mercury, to study and report to the Legislative Commission on Waste Management on recommendations for implementing a system for ensuring the recycling of toxic materials contained in lamps that are replaced. Specifies that the director of the Office of Waste Management must submit a preliminary report to the commission by Oct. 1, 1992.
Effective date: Various dates. WAGENIUS, DAHL.

Tax-forfeited land sales provisions

Chap. 561-H.F. 2280 Modifies provisions relating to the withdrawal of nonforested marginal land and wetlands from sale or exchange. Requires notice of the existence of the land or wetlands to prospective purchasers. Requires the deed to contain a restrictive covenant precluding enrollment of the land in a state funded program providing compensation for conservation of the land or wetlands for sale or exchange purposes. Authorizes and provides for the sale of tax-forfeited lands in St. Louis County to the city of Biwabik, in Hubbard County to the Leech Lake Band of Chippewa Indians and in Itasca County to bring the common area and units for the Pokegama Commons Condominium Development into common ownership. Authorizes and provides for the private sale of state and tax-forfeited lands in St. Louis County to specific individuals. Authorizes and provides for the sale of tax-forfeited land bordering public water in Chisago County.
Effective date: Apr. 30, 1992. RUKAVINA, DICKLICH.

Snowmobile provisions

Chap. 573-S.F. 2233 Affords the same protection and assigns the same liability to Minnesota trail assistance program fund recipients as local government units for activities associated with the administration, design, construction, maintenance and grooming of snowmobile trails. Exempts snowmobile manufacturer testing activities from speed limits established by the commissioner of natural resources if the snowmobile is operated for testing purposes by a driver employed by the manufacturer, the snowmobile is clearly marked as a test machine and the snowmobile is operated in compliance with all other applicable laws and rules. Allows snowmobile operation on lands identified by the commissioner as wildlife management areas unless prohibited by rule of the commissioner. Allows the towing of persons on water skis or other devices behind personal watercraft equipped with factory installed or factory specified replacement rearview mirrors.
Effective date: Various dates. STUMPF, RUKAVINA.

Sheriffs' authority over unsafe ice

Chap. 584-S.F. 2011 Grants sheriffs the power to bar motor vehicles, including snowmobiles and all terrain vehicles, from unsafe ice. Requires publicizing and notice to the commissioner of natural resources of prohibitions or restrictions. Authorizes the commissioner to review and suspend restrictions imposed. Eliminates the right to appeal decisions of sheriffs to deny permits for public races, regattas, tournaments or other competitions or exhibitions or trial races on water or ice to the commissioner.
Effective date: Various dates. BERTRAM.

Animal dealer, tanners and taxidermist provisions

Chap. 589-S.F. 2162 Expands conditions for the voidance of game and fish licenses relating to violations of recordkeeping and reporting requirements for animal dealers, tanners and taxidermists. Authorizes the commissioner of natural resources to adopt rules governing recordkeeping, reporting and marking of specimens by taxidermists. Authorizes the possession, transport, buying or sale of inedible portions of lawfully taken or acquired big game or fur bearing animals and game birds other than waterfowl. Requires the Dept. of Natural Resources to study the effects on the animals and on law enforcement and report to the Legislature.
Effective date: Aug. 1, 1992. BERNHAGEN, STANIUS.

Waste management provisions

Chap. 593-S.F. 2199 Article I -- Modifies procedural requirements for the purchase of recycled materials by the commissioner of administration and state agencies. Provides for the enforcement of waste management requirements and restrictions. Requires public entities, when feasible, to purchase and use degradable loose foam packing material manufactured from vegetable starches or other renewable resources, unless the cost of the packing material is more

than ten percent greater than the cost of packing material made from nonrenewable resources. Defines packing material. Modifies the legislative policy on waste management to include reduction in the toxicity of waste generated. Defines postconsumer material and source reduction. Authorizes the director of the Office of Waste Management, after consultation with the commissioner of administration, the Metropolitan Council, local government units and other interested persons, to adopt rules to establish uniform methods for collecting and reporting waste reduction, generation, collection, transportation, storage, recycling, processing and disposal statistics necessary for proper waste management. Requires submission of the proposed rules to the Legislative Commission on Waste Management (LCWM) for review and comment before publication. Changes the dates for required annual or biennial solid waste management reports and changes the basis for a specific report from the fiscal to the calendar year. Transfers the responsibility for supplementary review of waste facilities from the Office of Waste Management to the Environmental Quality Board (EQB). Sets a minimum statewide waste packaging goal of a 25 percent per capita reduction by Dec. 31, 1995. Provides for measurement and requires annual reports to the commissioner of the PCA, the director of the Office of Waste Management and the Legislature. Imposes an administrative penalty on facility owners or operators for failure to comply with reporting requirements. Extends the deadline until Dec. 31, 1996, for county compliance with supplementary recycling goals. Defines recycle. Specifies recycled or postconsumer materials content requirements for labeling purposes. Removes a restriction on the establishment of waste management districts. Modifies solid waste designation provisions and expands the exemptions from designations. Authorizes the attorney general to intervene in administrative or court actions to represent the interest of the state in solid waste designation. Expands rechargeable battery pilot project requirements. Exempts facilities processing construction debris from county solid waste fees. Requires charges for mixed municipal solid waste to increase with the volume or weight of the waste collected. Requires licensing authorities or local government units requiring a pricing system based on volume to determine a base unit size for average small quantity household generators and to establish a multiple unit pricing system ensuring higher prices for waste generated in excess of the base unit amount. Requires establishment of a per bag charge. Modifies the definition of yard waste to include shrub and tree waste. Authorizes placement of yard waste in resource recovery facilities for reuse. Requires the recycling of telephone directories. Specifies recyclability requirements. Requires telephone directory publishers or distributors to provide for collection and delivery of waste directories to recyclers. Specifies annual reporting requirements. Modifies solid waste disposal facility owner or operator and PCA commissioner report content requirements. Reduces the required frequency of the report by the commissioner to the LCWM. Modifies financial responsibility requirements of municipalities owning or operating solid waste disposal facilities and eliminates rule amendment requirements of the PCA. Prohibits the PCA or counties from imposing hazardous waste generator fees on waste reused at the generating facility. Authorizes solid fuel fired boilers to use refuse derived fuel (RDF) produced by PCA permitted facilities designed as part of regional waste management systems if the waste is mechanically and hand sorted to avoid the inclusion of items containing mercury or other heavy metals in the waste that is processed into RDF and the producer has contracted with an end user to combust the fuel. Requires boiler owners or operators intending to use RDF to notify the PCA commissioner of the amount of fuel expected to be used and the beginning date of the expected use. Prohibits the PCA from requiring additional monitoring or testing of emissions as a condition of using RDF. Modifies restrictions on the treatment, recycling, storage or disposal of low level radioactive waste and exempts low level radioactive waste specifically authorized by the U.S. Nuclear Regulatory Commission from the restrictions. Specifies labeling requirements for rechargeable batteries. Prohibits the sale of petroleum based sweeping compound products and provides for enforcement. Authorizes counties to require service charge

collection from solid waste generators as a condition of solid waste collection licensure. Authorizes counties to audit collector records for compliance with county remittance requirements. Classifies data received. Requires the Metropolitan Council to require cooperative purchase of capital equipment among metropolitan cities, counties and districts, where practical. Clarifies a solid waste disposal prohibition provision. Delays the deadline for recommendations to the Legislature by the Advisory Task Force on Low Level Radioactive Waste Deregulation. Provides interim organized solid waste collection options for a city with a population of more than 10,000 and less than 12,000 that has begun the process of organizing solid waste collection and that is a party to an exclusive contract for collection of solid waste that will expire before the new organized collection system will be in effect. Requires the LCWM, in consultation with the PCA commissioner, the Waste Management Office director and other interested persons, to study the existing system for managing automobile related wastes and make recommendations to the Legislature. Requires the PCA commissioner to gather and summarize information on construction debris and nonhazardous industrial waste and, in consultation with director of the Waste Management Office, to identify locations for the retail sale of motor oil and for the deposit and collection of used motor oil for compliance determination purposes. Requires the director of the Office of Waste Management to assess regional waste management needs and to evaluate the advantages and disadvantages of loose packing material manufactured from vegetable starches and from petroleum products. Requires reports to the LCWM. Requires the PCA commissioner to inspect mixed municipal solid waste disposal facilities to determine the status of closure activities and to evaluate the environmental and public health threats posed by the facilities. Requires identification of actions necessary for compliance with closure requirements. Requires establishment of a proposed priority list of the evaluated facilities based on the risk or danger to public health or welfare or to the environment.

Article II -- Minnesota Hazardous Materials Incident Response

Act. Requires the commissioner of public safety, after consultation with the commissioners of natural resources, agriculture, transportation, the PCA, and with the state fire marshal, the Emergency Response Commission and appropriate technical emergency response and affected party representatives, to adopt rules to implement a statewide hazardous materials incident response plan. Specifies plan content requirements. Authorizes the commissioner to contract with other state departments and agencies, counties, cities, towns, other states, Indian tribes, the federal government or nonpublic persons to implement the response plan. Provides tort liability immunity and workers compensation coverage for members of regional hazardous materials response teams during response operations. Provides civil damages liability immunity for persons assisting at the scene of a hazardous materials response incident. Specifies response cost liability of responsible persons. Imposes hazardous materials incident response fees on persons required to notify the emergency response commission of the storage of extremely hazardous substances or required to submit toxic chemical release forms to the commission. Requires deposit to the general fund. Increases the complements of the Dept. of Public Safety and the Dept. of Transportation. Delays the deadline for compliance by persons owning or operating motor vehicles, rolling stock or facilities storing less than 250,000 gallons of oil or hazardous substance with discharge response plan preparation requirements. Requires filing of annual hazardous materials registration statements with the commissioner of transportation and payment of a fee to transport hazardous material. Requires the commissioner to adopt implementation rules. Specifies fee limits and requirements. Requires deposit of the fees into the general fund. Effective date: Various dates. MERRIAM, WAGENIUS.

Ecologically harmful exotic species management

Chap. 594-S.F. 1959 Provides for the management of ecologically harmful exotic species. Prohibits the transportation of or the water launching of watercraft with zebra mussels, Eurasian water milfoil or

other harmful exotic species identified by the commissioner of natural resources. Prohibits intentional placement of ecologically harmful exotic species in public waters. Requires commercial weed harvesters to clean equipment of aquatic vegetation before launching in another body of water. Requires Dept. of Natural Resources inspection of licensed watercraft and associated equipment removed from waters identified as contaminated with Eurasian water milfoil, zebra mussels or other water transmitted exotic harmful species identified by the commissioner. Provides a penalty. Requires the long term statewide ecologically harmful exotic species management plan prepared by the commissioner to include containment strategies. Requires an annual report to the Legislature. Authorizes the commissioner to adopt rules restricting the introduction, propagation, use, possession and spread of ecologically harmful exotic species. Requires the rules to identify bodies of water with limited infestation of Eurasian water milfoil. Requires that infested areas are to be marked and prohibited for use. Provides for watercraft license suspension for noncompliance with inspection and removal orders. Increases the watercraft surcharge to \$3. Appropriates money. Effective date: Various dates. LUTHER, SKOGLUND.

Wastewater treatment provisions

Chap. 601-H.F. 1453 Modifies the authority of the Pollution Control Agency (PCA) relating to governmental units with wastewater treatment works permits. Requires the governmental units to annually evaluate the condition of existing systems and to identify future capital improvements needed to maintain standards. Requires the holding of public information meetings before the creation of sanitary districts. Specifies notice and meeting requirements. Requires district submission to the PCA of meeting records. Requires PCA notice publication in the State Register and the mailing of copies to property owners in the affected territory. Specifies notice content requirements. Requires PCA hearings on petitions if 25 or more timely requests for hearing are received. Requires the Public Facilities Authority to establish the wastewater infrastructure funding program to provide supplemental assistance to local government units receiving loans or other assistance from the water pollution control revolving fund. Provides for administration and specifies funding and application requirements. Requires the commissioner of trade and economic development to adopt rules establishing procedures for administration of the program. Specifies wastewater treatment project review and certification requirements of the commissioner of the PCA. Requires PCA administration rules. Expands the authority of the Public Facilities Authority to set and collect fees. Specifies limits and provides for the disposition of fees collected. Requires an annual report to the Legislature. Authorizes and provides for the Public Facilities Authority to issue bonds to finance loans to public and private entities for the costs of replacing once-through cooling systems with environmentally acceptable cooling systems. Requires the commissioner of public service to adopt rules establishing energy efficiency criteria for replacement cooling systems. Requires the authority to submit loan applications to the commissioner for determination of proposed cooling systems compliance with the criteria. Requires commissioner certification. Requires a loan priority to nonprofit organizations and school districts. Specifies loan conditions. Requires the deposit of a portion of once-through systems fees into a special account to be used for the loans. Appropriates loan repayments to the authority to make new loans. Modifies Metropolitan Council fully developed area study reporting requirements. Requires the Metropolitan Council to contract with the Board of Regents of the University of Minnesota to conduct a metropolitan disposal system rate structure study. Specifies study requirements and requires a report to the Legislature. Authorizes and provides for the city of Cloquet to issue general obligation bonds for a water line extension to the Fond du Lac Community College. Specifies a limit. Provides for the use of a previous appropriation for water pollution control grants to local units for the individual on site treatment systems program. Requires transfer of the amount by the PCA to the Public Facilities Authority. Effective date: Various dates. TRIMBLE, MORSE.

Finance

U of M appropriation restoration

Chap. 360-S.F. 1621 Appropriates money to the University of Minnesota Board of Regents for the geological survey, underground space center, talented youth mathematics program, microelectronics and information science center and the productivity center. Appropriates money for fellowships for minority and disadvantaged students, general research, intercollegiate athletics, student loans matching money and industrial relations education. Appropriates money for the natural resources research institute, the sea grant college program, the biological process technology institute, the supercomputer institute, the center for urban and regional affairs, the museum of natural history and the Humphrey exhibit. Includes in the appropriations money to improve the programs and resources available to women and to ensure compliance with Title IX of the Federal Educational Amendment Act of 1972 and a state law requiring equal opportunity among men and women to participate in athletic programs. Sets minimum amounts to be allocated to campuses for women's athletics. Effective date: July 1, 1992. STUMPF, CARLSON.

Worthington Community College appropriation

Chap. 498-S.F. 1854 Authorizes the use of a prior appropriation to Worthington Community College for space renovation and construction for construction of a new learning resource center. Effective date: Apr. 21, 1992. VICKERMAN, WINTER.

Omnibus budget balancing provisions

Chap. 513-H.F. 2694

Article I -- Higher education. Reduces appropriations to the State Board of Technical Colleges by \$5.785 million, the State Board for Community Colleges by \$3.503 million the State University Board by \$3.999 million and the Board of Regents of the University of Minnesota by \$15.713 million. Cancels a \$70,000 appropriation to the Higher Education Coordinating Board (HECB) for the post-high school planning program. Expands eligibility for and provides for full grant awards by the HECB in Fiscal Year 1993. Authorizes the use of a prior appropriation for renovation and construction at Worthington Community College for construction of a learning resource center. Requires the Technical College Board and the Community College Board to develop and implement an integrated administrative structure and coordinated program delivery for the Technical College and Community College Center at Duluth. Directs the State University Board to resolve claims associated with the Kummer Landfill cleanup. Appropriates money to the State University Board for the task force on post-secondary funding and authorizes the board to demolish and replace the Anishinabe Center on the Bemidji State University Campus. Provides for the determination of a base budget for each higher education system. Authorizes the commissioner of finance to negotiate alternative payment schedules with the State Board of Technical Colleges and the U of M Board of Regents if there is a determination that the state will experience cash flow imbalances. Requires joint vocational technical districts to submit management information system financial data directly to the region or the State Board of Technical Colleges. Extends average cost funding eligibility to Duluth. Includes migrant farmworkers in calculating student enrollment for state appropriation purposes. Establishes a Community College Center at Duluth. Clarifies the definition of resident student for state grant purposes. Requires the HECB to prorate the cost of attendance for part time students to the actual number of credits taken. Modifies the application dates for the nursing grant programs. Increases the bonding authority of the Higher Education Facilities Authority. Establishes a workplace literacy resource center at Northeast Metro Technical College. Reduces the minimum contribution requirement for special collegiate license plates and removes the minimum number of orders required to produce the plates. Allows the University of Minnesota to retain a portion of traffic and parking fines collected. Extends the deadlines

for contributions for a sustainable agriculture chair at the U of M. Extends the deadline for the report to the Legislature required of the Post-Secondary Funding Task Force. Eliminates the cap on the State University Board allocation for implementation of quality education initiatives. Provides for the protection of employee affected by peace officer education restructuring. Transfers regulation of private proprietary schools from the Dept. of Education to the HECB. Repeals provisions relating to limits on the number of foreign students granted resident tuition; to specified number of days in a technical college quarter for tuition purposes; and to joint technical and community college joint administrative appointment and Duluth Community College courses transfers requirements.

Article II -- Environment and natural resources. Reduces appropriations to the Pollution Control Agency (PCA) by \$639 million, the Office of Waste Management by \$496,000, the Zoological Board by \$3.468 million, the Dept. of Natural Resources (DNR) by \$4.397 million, the Dept. of Agriculture by \$357,000, the Citizens Council on Voyageurs National Park by \$18,000, the Science Museum of Minnesota by \$60,000 and the Board of Water and Soil Resources (BWSR) \$1.1 million. Requires the PCA to provide \$24,000 to the city of Garrison for ongoing testing of the sewage system. Appropriates \$1.2 million to the PCA for evaluation of mixed municipal solid waste disposal facilities. Requires PCA continuation of regionalization efforts. Appropriates \$200,000 to the Office of Waste Management for pollution prevention education. Appropriates \$139,000 to the DNR for reforestation, \$110,000 for Hill Annex Mine State Park; \$332,000 for aquatic exotic species management; \$255,000 for watercraft titling and \$94,000 for hunting license administration. Requires the DNR to provide \$120,000 for construction of shore fishing structure projects on the Mississippi River in South St. Paul and Brooklyn Center. Requires the DNR to confer with the commissioner of transportation to resolve the problem of excessive sedimentation and vegetation in the Mississippi River resulting from the construction of a bridge on Trunk Highway #10 near Little Falls and to develop a plan for the consolidation, enhancement and realignment of division, region and area responsibilities. Appropriates \$149,000 to the Dept. of Agriculture for environmental activities, \$200,000 to the department for farmer-lender mediation services and \$150,000 to the department for the oxygenated gasoline training program. Requires the Dept. of Agriculture to spend \$50,000 for the WIC coupon program and \$50,000 for legal challenges to discriminatory aspects of the federal milk market order system. Appropriates \$600,000 from the Minnesota future resources fund to the DNR for the Upper Mississippi River Environmental Education Center at Winona. Appropriates \$160,000 from the fund to the DNR for biological control of Eurasian water milfoil. Appropriates \$100,000 from the fund to BWSR for grants to the Minnesota Association of Soil and Water Conservation Districts for wetlands education and training. Appropriates \$10,000 from the fund to the Board of Animal Health for avian influenza testing of poultry. Provides for the continued availability of previous appropriations. Authorizes the Dept. of Agriculture to charge a fee for farm crisis assistance services and provides immunity from liability. Authorizes the department to charge a fee for reports, publications or other material produced by the department. Permits partial refund of producer checkoff fees. Increases pesticide application and registration fees. Sets food handler licenses for wholesale food manufacturers processing less than 70,000 pounds per year of cultured dairy food and for a milk marketing organization without facilities for processing or manufacturing that purchases milk from milk producers for delivery to a licensed wholesale food processor or manufacturer. Reduces the cap on payments to ethanol producers. Expands the special receipts authority of the DNR. Requires and provides for DNR youth corps programs. Requires the use of Boundary Waters Canoe Area fees for campsites maintenance. Provides for allocation of Minnesota Zoo admission and parking receipts to the special revenue fund for operations and maintenance purposes. Provides for state forest lands income to be allocated to the general fund and for tree planting stock payments to be allocated to a forest nursery account. Provides for use

of money in the forest nursery account for tree planting purposes. Establishes the landfill cleanup account in the environmental fund. Authorizes the use of 25 percent of environment and natural resources trust fund money in Fiscal Years 1994 and 1995 for parks and trails. Expands the authority of the commissioner of agriculture to use unexpended balances of a prior appropriation for farm safety programs. Requires the commissioner to appoint a task force to review direct transfer of commodity checkoff fee refunds to commodity associations or farm organizations. Temporarily imposes additional solid waste landfill fees and provides for crediting to the environmental fund and the landfill cleanup account in the Superfund. Expands the scope of pollution prevention outreach programs. Repeals provisions relating to current DNR youth programs and the apportionment of state forest receipts to counties.

Article III -- Infrastructure and regulation. Appropriates \$2 million from the trunk highway fund for state road operations, aeronautics and Greater Minnesota transit assistance. Requires the commissioner to hold a public hearing in each highway construction district and to establish an advisory board for advice on highways to be included in the national highway system. Appropriates \$1.5 million to the Regional Transit Board (RTB) for Metro Mobility. Reduces general fund appropriations but provides special revenue fund appropriations to the Peace Officer Standards and Training (POST) Board. Appropriates \$275,000 to the Dept. of Commerce, appropriates \$24,000 to the Board of Accountancy, and appropriates \$123,000 to the Board of Architecture, Engineering, Land Surveying and Landscape Architecture. Appropriates money to the Dept. of Public Service for gasoline octane and oxygenated fuels enforcement and to purchase equipment for the enforcement effort. Appropriates \$20,000 to the Minnesota Historical Society for the Greater Cloquet-Moose Lake Forest Fire Center and appropriates \$100,000 for historic site grants. Appropriates \$20,000 to the State Board of the Arts for restoration of the Kee Theatre in Kiester. Appropriates \$3.274 from the workers compensation fund to the Dept. of Labor and Industry for workers compensation regulation and enforcement and for the Occupational Safety and Health Act program. Reduces appropriations to the Dept. of Public Safety by \$2.418 million but provides \$142,000 to match federal funds for winter storm damage. Reduces appropriations to the Dept. of Public Service. Reduces appropriations to the Minnesota Historical Society by \$190,000, to the Minnesota Humanities Commission by \$10,000, to the State Board of the Arts by \$75,000, to Minnesota Technology, Inc. by \$7.851 million, to the World Trade Center Corporation by \$50,000 and the secretary of state by \$248,000. Requires the commissioner of public safety to consolidate the Emergency Response Commission with the Division of Emergency Management. Restricts reductions in grants to the Agriculture Utilization Research Institute. Requires and provides for a World Trade Center privatization study. Increases prior appropriations to the Dept. of Transportation for navigational aids and airport construction and maintenance grants. Provides for the continued availability of previous appropriations. Eliminates the requirement for the secretary of state to publish a preelection statement describing constitutional amendments and modifies a requirement relating to vacancy notice publication. Makes optional the requirement for the secretary of state to publish a student edition of the Legislative Manual and eliminates the legislative approval requirement. Increases the transaction surcharge for expedited service by the secretary of state. Requires the retention of three percent of the state elections campaign fund income tax checkoff designation for administrative costs. Provides for reversion of money remaining in the World Trade Center Corporation account after sale to the general fund. Requires sale of the corporation by Dec. 31, 1993. Increases Dept. of Commerce filing and license fees. Designates the former Sibley County Courthouse as the Joseph R. Brown Historical Interpretive Center. Increases the size of the St. Anthony Falls Heritage Board and requires Hennepin County to match funds for heritage projects. Expands the definition of implement of husbandry for traffic regulations purposes. Provides for the treatment of Dept. of Labor and Industry vocational rehabilitation services claims as a lien against payable workers

compensation benefits. Requires reimbursements for rehabilitation and occupational safety and health services to be credited to the special compensation fund. Requires funding of the Vocational Rehabilitation Unit and of occupational safety and health costs through the fund. Increases the maximum fine for OSHA violations contributing to the death of an employee. Increases some election candidate filing fees. Eliminates the requirements for the secretary of state to prepare an extract of election laws for election judges and to prepare the pink ballot. Eliminates the requirement for the state to contribute to the cost of preparing the white ballot. Authorizes money set aside for purses in simulcast horse races to be used by the Racing Commission for purses or to promote racing. Eliminates the limit on county fair racing days. Allows available money from the Minnesota breeders fund generated by other breeds to be used as financial incentives to encourage racing and breeding of the breeds. Authorizes the Iron Range Resources and Rehabilitation Board to accept merchandise for payment of advertising contracts if the commissioner determines that the merchandise can be used for special event prizes or mementos at facilities operated by the board. Requires the director of the Capitol Complex Security Division in the Dept. of Public Safety to be a member of the state patrol. Increases liquor manufacturer, wholesaler and broker license fees. Modifies unclaimed property duration requirements and makes optional the requirement for the commissioner of commerce to mail notices to persons entitled to property presumed abandoned. Reduces the state lottery operations budget for fiscal year 1993 and prohibits a reduction in advertising expenditures to meet the required reduction. Increases the fees for notary commissions and for recording the commissions. Requires District Court administrators to forward \$20 of the fee to the state. Extends property liens for unpaid government charges to amounts paid for deputy motor vehicle registrar services. Increases the surcharge on traffic violation fines and requires crediting to a peace officer training account in the special revenue fund. Requires the Hennepin County Board to transfer the James J. Hill Stone Arch Bridge to the commissioner of transportation. Repeals provisions requiring the secretary of state to publish a digest of election laws and requiring absentee ballot applications to be made available with deer licenses.

Article IV -- State government affairs. Reduces appropriations to the Legislature by \$3.564 million, to the Court of Appeals by \$28,000, to the District Courts by \$247,000, to the state auditor by \$30,000, to the state treasurer by \$63,000, to the attorney general by \$600,000, to the Office of Strategic and Long Range Planning by \$60,000, to the State Board of Investment by \$20,000, to the Dept. of Finance by \$176,000, to the Dept. of Employee Relations (DOER) by \$269,000, to the Dept. of Revenue by \$1.16 million, to the Dept. of Trade and Economic Development (DTED) by \$1.046 million, to the Dept. of Military Affairs by \$1.384 million, and to the Dept. of Veterans Affairs by \$29,000. Appropriates \$600,000 to the Supreme Court for alternative dispute resolution in Anoka County and a judges workload study. Requires \$625,000 to be distributed to qualified legal services programs. Requires the Supreme Court to study and report to the Legislature on the certification of shorthand court reporters. Requires the Supreme Court to adopt rules governing judicial leave and the acceptance of compensation for work performed on state time or related to official duties. Appropriates \$60,000 to the State Board of Public Defense. Requires the board to allocate \$140,000 for an automated data collection system and transfer of fiscal agent functions from the counties to the state. Requires \$160,000 for costs associated with the defense of persons involved in the sting operation at the Stillwater Correctional Facility. Appropriates \$608,000 to the governor and lieutenant governor for litigation costs and personnel costs. Appropriates \$50,000 to the attorney general to pay the costs of appealing the trial court decisions the case of Sheridan and Dianne Skeen vs. the State of Minnesota. Appropriates \$826,000 to the Dept. of Administration for grants to the city of St. Paul for restoration of the Warren Burger House, for grants to public television and radio, for STARS regions telecommunications development and for the state band. Requires the commissioner of administration to study the possible purchase

and staffing of a bookmobile. Appropriates \$2.096 million to the Dept. of Finance for continuation of the statewide systems project, for a bonding allocation application deposit refund to the city of Redwood Falls, for enhanced collection activities in the Departments of Finance, Human Services and Revenue, for the departments to identify long term options on restructuring the state accounts receivable process. Appropriates \$2.619 million to DTED for grants to the cities of Minneapolis and St. Paul for Metropolitan Area parks debt service payments, maintenance and operation, for a summer youth employment program and for a grant to Nicollet County to establish a tourist information and interpretive center on the site of the treaty of the Traverse des Sioux. Requires DOER to present a bureaucratic bloat control analysis to the Legislature. Requires the Dept. of Revenue to increase revenue collections by \$1.8 million in Fiscal Year 1993. Reduces grants to the World Trade Center Corporation by \$200,000, to the Minnesota Job Skills Partnership by \$50,000, and to Advantage Minnesota by \$125,000. Specifies required uses of previous appropriations for economic recovery grants. Requires DTED to provide \$50,000 from the economic recovery grant program to the city of Brooklyn Center to serve as the project coordinator of the first stage of a four-city business retention and local market expansion project. Requires DTED to attempt to recover previous tourism promotion appropriations, to assist in the reestablishment and promotion of the Northern Baseball League and to proceed with the small business incubator pilot project. Reduces grants for support of international cultural, educational and business exchange or partnership programs. Requires the Office of Tourism to plan a unified state based telephone electronic mail reservation system and report to the Legislature. Specifies film promotion duties of the Minnesota Motion Picture Board. Reduces police and fire amortization aid to the city of Minneapolis by \$2.020 million. Provides for appropriation transfers and cancellations and for the continued availability of previous appropriations. Requires the commissioner of employee relations to conduct comprehensive medical utilization reviews of state employee workers compensation medical claims and to develop and implement procedures to enhance agency registrations of state employee prior to injuries and illness. Requires the commissioner to review medical claim files and to account for savings due to FICA and Medicare reductions. Requires the commissioner to declare premium holidays to adjust balances in the accounts of the insurance trust fund. Prohibits building or relocation projects without review. Clarifies the effect of the purchase of liability insurance by state agencies and local government units. Authorizes the director of the Office of Strategic and Long Range Planning to apply for grants and enter into contracts. Reduces the time limit for cancellation of unpaid warrants from five years to six months and prohibits fees for the location of unpaid warrants. Eliminates the requirement for the attorney general to approve refunds. Expands the authorized uses of reimbursements collected for governor's residence expenses. Authorizes the Dept. of Revenue to use additional funds for collection activities costs. Increases gambling equipment distributor and manufacturer license fees. Reduces Minnesota State Retirement System employee and employer contribution rates. Requires later rate increases if it is determined that the contributions amount to less than the actuarial requirements. Increases plaintiff and defendant civil filing fees and exempts public authorities from the requirement to pay subpoena and writ issuance fees. Imposes a surcharge on some fees collected by county recorders and registrars. Provides for the payment of pension benefits to retired judges not participating in the postretirement investment fund. Requires the Conference of Chief Judges to establish a schedule of misdemeanors to be treated as petty misdemeanors. Provides that persons charged under the schedule are not eligible for court appointed counsel. Requires agency criminal forfeiture reports to the state auditor. Provides for public defense responsibilities in cases of inadequate representation. Provides early retirement incentives through employer paid hospital, medical and dental benefits for qualifying state, state university and community college and Higher Education Board employees. Authorizes the University of Minnesota and local government units to provide

similar benefits. Repeals an authorized use of the agricultural and economic development account and the reassessment account in the special revenue fund used to compensate special assessors. Delays the repeal of a provision exempting Minneapolis and St. Paul residential building contractors from the licensure requirement. Requires reductions in equal percentages of management and support personnel in the event of layoffs in agencies with 50 or more employees.

Article V -- Human development. Reduces appropriations to the Dept. of Human Services. Offsets total state spending by \$65 million in provider payments deposited in the general fund under the broad-based health care provider tax program under the HealthRight legislation. Requires the commissioner of finance to exclude from the biennial budget for Fiscal Years 1994-1995 excess revenues received from the tax and to prepare a plan to phase out the non-HealthRight provider surcharges by June 30, 1995. Appropriates \$75,000 to the commissioner for a cooperative MAXIS data project with Alexandria Technical College. Appropriates money for certain health care costs. Requires a SAIL county preadmission screening numbers adjustment due to a computer error. Authorizes the use of unexpended start work grant funds to pay for Work Readiness services obligations. Provides for the payment of refugee case and Medical Assistance (MA) costs. Requires the commissioner to transfer \$2.8 million to the AFDC child care program to establish the base for the non-STRIDE AFDC child care program. Provides a grant to a specific downsized nursing facility to cover the costs of meeting OBRA requirements. Requires the commissioner to submit a plan to the Legislature to downsize a specific intermediate care facility located in Dakota County. Exempts newly constructed or newly established intermediate care facilities for the mentally retarded developed and financed during the Fiscal Year ending June 30, 1993 from the equity requirements specified in law provided that the provider's interest rate does not exceed the interest rate available through state agency tax exempt financing. Repeals a provision providing for a reduced reimbursement rate for therapy services provided by physical or occupational therapy assistants. Requires the commissioner to help negotiate debt refinancing for long-term care providers with high mortgage rates on existing debt. Requires the commissioner to allocate sufficient home and community based waived service openings and money to persons relocated from existing ICF/MR. Provides for the consideration of facilities sold under receivership as newly established facilities for rate setting purposes. Requires a report to the Legislature by the commissioner before implementation of managed care initiatives for persons with developmental disabilities or mental illness. Authorizes the commissioner to implement demonstration projects designed to create alternative delivery systems for acute and long term care services to elderly and disabled persons. Provides for the transfer of facilities at the Faribault Regional Treatment Center to the commissioner of corrections. Requires the commissioner to use an appropriation for regional treatment center programs to offset operating deficits and assure maintenance of chemical dependency programs. Provides for fund transfers and the continued availability of previous appropriations. Imposes spending restrictions. Reduces appropriations to the Ombudsman for Mental Health and Mental Retardation by \$50,000 and to the Veterans Nursing Homes Board by \$381,000. Appropriates \$1.325 million to the commissioner of jobs and training. Authorizes use of the amount designated for mental illness vocational rehabilitation services demonstration grants for innovative programs for persons with serious and persistent mental illness. Requires the commissioners of jobs and training, human services and finance to develop an extended employment and day training and habilitation programs plan for delivery to the governor. Restricts the use of appropriations for Head Start. Appropriates \$4.45 million to the Dept. of Corrections for Faribault Correctional Facility operating costs. Reduces other appropriations by \$1.5 million. Appropriates \$871,000 to the Dept. of Health for the WIC Program, to provide information to retail businesses on restrictions on the sale of toxic substances to minors and for lead abatement contractor licensing. Reduces and cancels other appropriations by

\$1.072 million. Requires the commissioner to conduct a demonstration for improving the quality of life of nursing home residents, to increase the annual license fee charged to accredited hospitals and to monitor the water testing program. Appropriates money to the Board of Medical Practice, the Board of Dentistry, the Board of Nursing and the Board of Podiatric Medicine and requires the boards to increase fees to recover the cost of the appropriations for the reporting and monitoring of health care workers infected with HIV or HBV. Increases the appropriation to the Board of Social Work by \$44,000, to the Board of Psychology by \$222,000, to the Board of Chiropractic Examiners by \$14,000, to the Board of Dentistry by \$11,000, to the Board of Medical Practice by \$94,000, to the Board of Nursing by \$86,000 and to the Board of Podiatric Medicine by \$2,000. Reduces appropriations to the commissioner of the Housing Finance Agency (HFA) by \$750,000. Provides \$225,000 each year for the urban Indian housing program and \$187,000 each year for the urban and rural homesteading program. Provides \$750,000 for a demonstration project to remove blighted residential property that is multiple unit rental property. Reduces appropriations to the Dept. of Human Rights by \$32,000. Increases the limit on administrative expenses reimbursement from the telephone assistance fund.

Article VI -- Health Department. Requires the commissioner of health to set hospital, nursing home, outpatient surgical center, boarding care home and supervised living facility license fees at specific levels. Increases the fee for diagnostic laboratory services from \$5 to \$15. Authorizes the commissioner to assess an annual fee of \$5.21 for every service connection to a public water supply that is owned or operated by cities and towns. Expands the classification of class B supervised living facilities for building code purposes. Modifies the definitions of home management services and home care provider under the home care hospice program. Removes the license fee exemption for home care agencies operated by local government units. Modifies home care provider license requirement exemptions and exempts registered home management services from the requirement. Requires only persons having direct contact with home care clients to disclose criminal convictions and provides agency unemployment compensation liability immunity for employee termination. Requires and provides for registration of home management services. Clarifies the inclusion of residential care homes under health care facility grievance and complaint provisions. Specifies training requirements for nursing assistant competency evaluation purposes. Requires completion of the evaluation before employment. Modifies the definition of residential care home. Removes health related services such as assistance with walking, grooming, dressing, eating, bathing, toileting, and providing reminders to residents to take medications from the definition of supportive services. Reduces the inspection frequency requirement for residential care homes. Modifies requirements for licensing as a physician and clarifies psychologist licensing and supervision requirements. Authorizes the Board of Psychology to approve exceptions to the weekly supervision requirement for a week when the supervisor is ill or otherwise unable to provide supervision. Requires the commissioner, in consultation with the commissioner of human services, to submit a report to the Legislature on the feasibility of consolidating licensure and regulation of home care services and residential care homes.

Article VII -- Medical programs. Requires the commissioner of health to promptly provide the commissioner of human services with information on hospital revenues, nursing home licensure and health maintenance organization revenues specifically required to operate the provider surcharge program. Increases the limit on construction projects with costs in excess of \$500,000 or 25 percent of the facility's appraised value, whichever is less, under exceptions to the nursing home moratorium and specifies requirements for commissioner of health approval of projects over the limits. Requires adoption of rules. Expands exceptions to the nursing home moratorium. Extends the nursing home moratorium exception proposal approval period. Exempts nursing home relocations from the distance limit. Requires the Interagency Long Term Care Planning Committee to develop

and implement long term care insurance strategies. Imposes an annual surcharge on physician licenses. Requires the Board of Pharmacy to adopt rules relating to prospective drug utilization review and patient counseling. Authorizes disciplinary action for prevention of providing the services. Eliminates automatic inflation adjustments to payments to vendors of day training and habilitation services. Prohibits payment of vendors of chemical dependency treatment services before settlement of private insurance company claims. Provides for submission of electronic claims by medical providers. Modifies provider surcharge imposition and payment provisions and provides for enforcement. Authorizes the commissioner of human services to establish exemptions to inpatient hospital services requirements and an administrative reconsideration process for appeals of services determined to be medically unnecessary under Medical Assistance (MA). Increases the hospital cost index and prohibits automatic inflation adjustments of MA and General Assistance Medical Care (GAMC) payment rates. Extends the disproportionate population adjustment and provides for determination. Increases MA payments for rural hospitals. Modifies the basis for mental health or chemical dependency hospital admissions and hospital rate increase requirements. Clarifies the definition of congregate housing services project. Expands the use of managed care services to all MA, GAMC and Children's Health Plan recipients. Allows the use of budgeting methods to determine income and assets for MA eligibility purposes. Modifies the homestead exclusion, asset limits and spend down requirements. Requires MA and GAMC applicants and recipients to cooperate in identifying potential third party payors and payments. Specifies eligibility for payment of Medicare part B premiums. Clarifies the allocation of assets between spouses in institutionalization cases. Requires assets available to the institutionalized spouse to be used for the care of that spouse. Specifies the application of prohibited transfer provisions. Provides MA coverage for terminal patients in swing beds if the patient's physician certifies that the patient's condition is likely result in death within 30 days and that moving the patient would not be in best interest of the patient and patient's family; no open nursing home beds are available within 25 miles of the facility; and no open beds are available in any Medicare hospice program within 50 miles of the facility. Modifies drug formulary recommendation and prior authorization requirements. Establishes a Drug Utilization Review Board. Increases the special transportation base rate under MA. Eliminates automatic inflation adjustments for home care services. Provides coverage for personal care services and medical supplies and equipment. Modifies home care services payment limits. Expands the monetary recovery authority of the commissioner relating to fraudulent MA claims. Modifies nursing home preadmission screening requirements and increases the size of the advisory committee. Expands authorized uses of alternative care program funds and provides for the determination of client premiums. Provides for negotiation of adult foster care daily rates and prohibits automatic inflation adjustments for alternative care and home and community based waived services. Requires periodic reassessments of clients served under the elderly or disabled waiver. Modifies Seniors Agenda for Independent Living (SAIL) Project multicounty participation requirements. Authorizes targeted alternative care funds received through the SAIL Project approval process to be transferred from one county to another. Expands the living at home/block nurse grant program. Eliminates an adult foster care license restriction. Clarifies traumatic brain injury case management requirements and parental contribution determination provisions. Subjects GAMC payments to claims against estates and provides for interest on claims that have been allowed but not paid. Requires an intergovernmental transfer of revenue from the public hospitals in Hennepin and Ramsey Counties to the state in conjunction with the provider surcharge program. Modifies the personal allowance for disabled MA recipients in nursing facilities. Requires inclusion of the nursing home surcharge in the plant operations and maintenance operating cost category for MA reimbursement rate determination purposes. Requires the commissioner to establish a new base year. Prohibits inflation adjustments for nursing homes. Extends the rates

paid to nursing homes specializing in the treatment of Huntington's disease and makes permanent the special payment rates for short stay nursing homes. Increases the equipment allowance. Provides a one time adjustment for the 21 month inflation factor. Provides for a hold harmless property relating payment rate. Provides for adjustment of property related payment rates following facility sale. Establishes payment rates for repair and replacement and for moratorium exception project costs. Provides new appraisal procedures and establishes a refinancing incentive. Establishes a special property related payment rate for nursing facilities approved for total replacement under the moratorium exception process. Requires the commissioner to update specific dollar thresholds. Clarifies the application of central office cost provisions to facilities in receivership. Subjects mental health therapy services provided by nursing homes to requirements for other ancillary services. Allows nursing homes phasing out of the MA program to resume full participation. Expands recordkeeping requirements. Provides that reinstatement of reimbursement rates reduced for report incompleteness or inaccuracy are to be retroactive. Authorizes the commissioner to make reasoned assumptions for inadequately documented field audits. Extends the deadline for reporting deadline extension requests. Terminates agreements limiting the number of residents reimbursed as a condition of allowing the certification of additional beds. Provides rate adjustments for nursing facilities in receivership. Clarifies rate appeal time limits. Prohibits automatic inflation adjustments for intermediate care facilities. Modifies special payment provisions. Requires trust funds to be applied toward the asset maximum for GAMC eligibility determination purposes. Provides for the unenforceability of trust provisions making proceeds unavailable upon beneficiary application for public assistance. Requires increases in hospital outpatient and physician and dental reimbursement rates. Requires adjustment of HMO reimbursement rates to reflect the increases. Requires the commissioner to make quarterly reports to the Legislature on the provider surcharge program. Requires the commissioner of health to study the physical condition of nursing facilities. Repeals the separate MA asset limits for veterans. Repeals a provision providing for the establishment of property related payment rates for hospitals at the 70th percentile. Repeals special payment contingency, adjustment prohibition and contingent budget reduction provisions.

Article VIII -- Assistance payments. Authorizes disposal of unclaimed cremated remains. Modifies or clarifies Minnesota Family Investment Plan (MFIP) test group, eligibility, and family income and resources determination provisions. Establishes an administrative fraud disqualification process for persons accused of wrongfully obtaining assistance. Authorizes the state or counties to ask recipients of AFDC to give written consent for advance notice to landlords before reduction or termination of vendor payments. Removes the limit on funeral expenses for AFDC recipients and eliminates the liability of children for their parents' funeral costs. Imposes criminal penalties for public assistance transaction card fraud. Modifies specific GA provisions. Expands the definition of income. Restricts GAMC coverage for case managements services for persons with serious and persistent mental illness. Expands GA eligibility to persons over age 18 whose primary language is not English and who is attending high school at least half time. Extends the Work Readiness Program eligibility period to six months. Specifies that after July 1, 1992, if orientation is available within three weeks after the date eligibility is determined, initial payment will not be made until the registrant attends orientation. Authorizes counties to make start work grants to assist Work Readiness participants to accept employment. Expands interim assistance contract provisions. Requires the commissioner of human services to contract to convert eligible GA recipients to the federal Supplemental Security Income (SSI) Program and to retroactively collect federal health care benefits for the recipients. Establishes a grant diversion program for Work Readiness recipients. Modifies the definition of "in kind income" under the Minnesota Supplemental Aid Act and authorizes the commissioner to contract under the interim assistance advocacy incentive program. Modifies or clarifies

child care programs provisions. Modifies the county guaranteed floor. Establishes a non-STRIDE AFDC child care program under the AFDC child care program. Changes the Negotiated Rate Act to the "Group Residential Housing Rate Act." Expands eligibility to foster care settings for single adults and imposes a licensing requirement for eligibility purposes. Creates an exception to the bed moratorium for a facility in Hennepin County providing housing for chronic inebriates. Increases the maximum monthly payment rate and establishes a lower maximum rate for unlicensed facilities. Provides a maximum rate exemption for a specific licensed boarding care home. Eliminates the separate payment rates for uncertified boarding care homes and institutions for mental diseases. Prohibits automatic inflation adjustments for group residential housing rates. Modifies foster care payment rates. Clarifies a rate limit relating to waived services eligibility. Requires funerals and final dispositions provided at county expense to be in accordance with religious and moral beliefs of the decedent. Modifies child support enforcement provisions. Exempts enforcement authorities and clients from paying court filing fees in motions to modify child support. Requires the Supreme Court to set a filing fee for motions to modify support. Requires counties to use fees collected for child support enforcement efforts. Increases the child support and maintenance collection services application fee. Requires the commissioner to distribute money to counties to cover the costs of the administrative process for child support enforcement, to make recommendations for a process to increase the collection of child support arrearages and to institute cost recovery in child support enforcement. Requires the commissioner to ensure effective and efficient operation of the statewide computer system for the collection and enforcement of child support. Requires the commissioner to establish a shared housing demonstration project for mentally ill persons receiving assistance under the MSA Program. Repeals a provision authorizing the commissioner of health to request the commissioner of human service to reestablish nursing home receivership fees under specific conditions.

Article IX -- Social services, mental health, and developmental disabilities. Requires the commissioner of administration to identify purchasing contracts with certified rehabilitation facilities and day training and habilitation services enhancing employment opportunities for persons with severe disabilities. Requires state agency affirmative action plans to identify positions available for use as supported employment of disabled persons. Authorizes and provides for the commissioner of corrections to establish a boot camp program for eligible offenders. Defines HIV minimum standards and respite care services for human services licensing purposes. Exempts from licensing requirements unrelated individuals providing out of home respite care for persons with mental retardation, respite care services provided as a home- and community-based service to a person with mental retardation or a related condition, in the person's primary residence, or community support services programs and family community support services as defined in law. Clarifies the timelines for appeals of license suspension or revocation orders. Exempts ICF/MR certified under federal standards from specific residential program licensing rules. Prohibiting restrictions on permitted single family residential uses or property. Specifies the maximum license capacity for adult foster and day care facilities. Requires the commissioner of human services to seek input from counties and municipalities on methods to integrate all residential programs into the community. Authorizes county or private agencies designated by the commissioner of human services to perform licensing functions to issue variances. Requires the chemical dependency treatment program license applicants and holders to comply with HIV minimum standards and specifies staff and client training requirements. Prohibits the commissioner from closing regional treatment centers or state operated nursing homes without legislative authorization. Requires continuation of the Ah-Gwah-Ching facility. Requires legislative authorization for beds reduction at or closure of the facility. Subjects the commissioner to mandamus actions for failure to comply with regional treatment center capacity establishment requirements. Reduces the frequency requirement for

redeterminations of need for residential and day training and habilitation services for persons with mental retardation. Restricts financing of state operated community based facilities through the HFA. Establishes an American Indian Section in the Alcohol and Drug Abuse Section of the Dept. of Human Services. Specifies a priority in distributing state chemical dependency treatment funds to nonentitled persons. Provides MA coverage for case management services for persons with mental retardation. Requires case managers to consult with corrections administrators in screening persons with developmental disabilities under the jurisdiction of correctional agencies. Requires the commissioner of human services to adjust the limits of average daily reimbursement rates for waived community based services to include the cost of home care services and the average daily reimbursement rates to include additional MA eligible costs. Makes permanent and modifies the duties of the Council for the Hearing Impaired. Modifies the distribution of grants for case management for persons with mental retardation under the Community Social Services Act. Authorizes an agreement between the commissioners of public safety and human services to facilitate follow up inspections of day care providers for fire safety. Requires respondents determined to have engaged in unfair discriminatory practices under the Human Rights Act to reimburse the Human Rights Dept. and the attorney general for litigation costs. Provides a financial hardship exception. Provides a special reimbursement rate and licensing exception for a particular boarding care facility serving persons with mental illness. Requires the commissioner of human services to report to the Legislature with plans to implement a rate structure for home and community based services and to establish a mental health services delivery system pilot project in Dakota County. Authorizes the commissioner to authorize a pilot project to provide community based crisis services and to develop pilot projects providing alternative day training and habilitation services for persons with mental retardation. Authorizes the commissioner to approve up to six counties to participate in a pilot project to demonstrate the use of intergovernmental contracts to fund and administer mental health and community social services programs. Requires the commissioner to report to the Legislature on the feasibility of prohibiting restrictions in real estate deeds or covenants on the use of residential property for family day care. Repeals the authority of the commissioner to approve for profit organizations to provide day training and habilitation services.
Effective date: Various dates. GREENFIELD, MERRIAM.

Morton loan forgiveness

Chap. 531-H.F. 1838 Forgives a loan or advance made by the Pollution Control Agency to the city of Morton under the municipal litigation loan pilot project relating to wastewater treatment.
Effective date: VETOED. COOPER, BERNHAGEN.

Claims against the state

Chap. 541-S.F. 2781 Provides for the payment of claims against the state. Appropriates money to the commissioner of corrections for payment of inmate claims and for reimbursement for medical services for injuries incurred in the performance of community service work for correctional purposes. Appropriates money to the Dept. of Agriculture for payment to a party for use of a truck during the haylift program. Appropriates money to the Dept. of Veterans Affairs for payment of claims of World War II, Korean Conflict and Vietnam War veterans.
Effective date: July 1, 1992. BECKMAN, STEENSMA.

Bonding authorization

Chap. 558-H.F. 1903 Appropriates money and authorizes the issuance of state building bonds for the acquisition and betterment of public lands and buildings and other public improvements of a capital nature. Appropriates money to the State Board of Technical Colleges for construction and improvements at the Minneapolis, Brainerd, Duluth and Red Wing Technical Colleges and for the Northwest Minnesota Interactive Television Project. Appropriates money to the commissioner of administration for construction and

improvements at the North Hennepin and Austin Community Colleges. Appropriates money to the State University Board for construction and improvements at the Mankato, Moorhead, Bemidji, Metro, St. Cloud and Winona State Universities. Appropriates money to the State University Board for library system costs and specifies supervision and control requirements. Appropriates money to the University of Minnesota for repairs and for construction of the basic sciences and biomedical engineering building campus. Requires the post-secondary boards to report on petroleum tank release cleanup account reimbursements in biennial budget requests. Appropriates money to the commissioner of administration for the library for the blind and physically handicapped and for construction an educational facility at Hoffman Center in St. Peter. Appropriates money to the commissioner of education for Grant County school districts cooperation and combination; for cooperative facilities grants to ISD #24 Blue Earth, ISD #225 Winnebago, ISD #219 Elmore and ISD #218 Delavan; for maximum effort school loans to ISD #38 Red Lake and ISD #139 Rush City; for an education facility at ISD #15 St. Francis; for secondary facilities construction grants to ISD #145 Glyndon-Felton and ISD #147 Dilworth; and for desegregation grants. Appropriates money to the commissioner of administration for improvements at regional treatment centers and correctional facilities. (An appropriation of \$4.3 million for the Faribault Correctional Facility was LINE ITEM VETOED and an appropriation of \$2.145 million for the construction of a 34 bed nursing facility annex and ten bed infirmary at the Rice County District Hospital location was LINE ITEM VETOED.) Appropriates money to the commissioner of jobs and training for Head Start and early intervention education program facilities rehabilitation. Appropriates money to the Housing Finance Agency for neighborhood and trust program loans and for grants for construction rehabilitation of battered women shelters or crime victims facilities. Appropriates money to the commissioner of administration for other state building and parking ramp repairs, to renovate the old Historical Society and Transportation Buildings, to relocate state agencies, to separate the sanitary and storm sewers in the Capitol Area, for land acquisition and for a Capitol Building fire management system. Appropriates money to the Lake Superior Center Authority and the Lake Superior Zoological Gardens. Appropriates money to the adjutant general to construct the National Guard Education Center. Appropriates money to the Dept. of Trade and Economic Development for payment to the Metropolitan Council for regional parks acquisition and development, for construction of the John Rose Memorial Oval Speedskating Facility in Roseville and for the National Sports Center for additional soccer fields. Appropriates money to the Public Facilities Authority for water pollution control. Appropriates money to the Amateur Sports Commission for the Homenkollen Ski Jump in Bloomington. Appropriates money to the Science Museum for planning and working drawings. Appropriates money to the commissioner of natural resources for dam repair and replacement, for state fish hatchery improvement, for flood hazard mitigation, for field offices consolidation, for underground fuel tank replacement, for state parks, for forests, for scientific and natural areas and critical habitat acquisition, for state trail development and for well sealing. Appropriates money to the Board of Water and Soil Resources for the Reinvest in Minnesota Resources (RIM) Program. Appropriates money to the commissioner of administration for an East Grand Forks potato inspection facility. Appropriates money to the Pollution Control Agency for combined sewer overflow grants. Appropriates money to the Office of Waste Management for capital assistance program grants. Appropriates money to the Minnesota Zoological Garden for repairs. Appropriates money to the Minnesota Historical Society for exhibits at the State History Center, for repairs at Fort Snelling, for the Battle Point Historic Site, for the Prairieland Expo Center and for grants to the St. Anthony Falls Heritage Board. Appropriates money to the commissioner of transportation for trunk highway facility and bridge projects and for a St. Paul airport hangar. Appropriates money to the commissioner of finance for bond sale expenses. Provides for debt service on the bonds. Removes a restriction on and provides for the issuance of maximum effort school

loan bonds. Requires the public post-secondary governing boards to consider the availability of physical space and the adequacy of facilities at institutions in planning for new program offerings. Requires examination of the feasibility of developing new programs at different institutions within the systems or in cooperation with other systems. Requires the boards to pay a percentage of debt service on state bonds sold for authorized projects and specifies exceptions. Requires and provides for commissioner of finance assessments of the higher education system boards and other public entities for capital projects bonding costs. Authorizes the State University Board to purchase neighboring property for development of the state universities and specifies legislative consultation requirements. Eliminates the exemption for school boards to obtain approval for incidental uses of technical college property.
Effective date: Apr. 30, 1992. SIMONEAU, MERRIAM.

Governmental Operations

Earlier accrual date for retiree of DOT

Chap. 368-H.F. 2259 Sets an earlier accrual date for a retired member of the Minnesota State Retirement System formerly employed by the Dept. of Transportation.
Effective date: Mar. 21, 1992. REDING, PIPER.

Volunteer services proposal requirement

Chap. 369-H.F. 2002 Requires the Minnesota Office on Volunteer Services, in the Dept. of Administration, to prepare a proposal to maximize receipt of federal funds. Specifies requirements for the proposal. Specifies consultation requirements.
Effective date: Mar. 21, 1992. ORENSTEIN, MARTY.

Falcon Heights firefighters vesting period

Chap. 372-H.F. 1567 Provides for shorter vesting requirements--after five years--for members of the Falcon Heights Volunteer Firefighters Relief Association.
Effective date: Local approval. MCGUIRE, MARTY.

Survivor benefit study

Chap. 373-H.F. 1744 Provides retroactive entitlement to a joint and survivor optional annuity form under the Public Employees Retirement Association to a specific surviving spouse of a deceased disabled former member. Requires the Legislative Commission on Pensions and Retirement to study gaps in survivor coverage for members of public pension coordinated programs. Requires a report to the Legislature by Jan. 4, 1993.
Effective date: Apr. 2, 1992. DEMPSEY, FREDERICKSON, D.R.

Pretax expense account modification

Chap. 375-H.F. 2744 Authorizes the commissioner of employee relations to use FICA savings generated from the dependent care and medical and dental expense account programs to pay for the administrative costs of the programs and to pay for unfunded liabilities in the medical and dental expense account program. Provides that the forfeited balances from the programs may be used to pay for the administrative costs of the programs.
Effective date: Apr. 2, 1992. KOPPENDRAYER, RENNEKE.

Legislative commission subpoena powers

Chap. 385-H.F. 980 Authorizes joint legislative commissions to issue subpoenas for attendance at meetings or productions of records.
Effective date: Aug. 1, 1992. LONG, RIVENESS.

Virginia police relief benefit calculation

Chap. 392-H.F. 2769 Provides for the calculation of postretirement benefit increases for the Virginia Police Relief Association.
Effective date: Local approval. RUKAVINA, DICKLICH.

St. Paul Police Relief Association provisions

Chap. 393-H.F. 2225 Authorizes retired members, surviving spouses

and service and disability pensioners to participate in St. Paul Police Relief Association Board elections and other governance issues. Specifies requirements for the approval of questions considered at regular or special membership meetings.
Effective date: Local approval. O'CONNOR, WALDORF.

Duluth TRA postretirement adjustment mechanism

Chap. 403-S.F. 2182 Provides a lump sum postretirement adjustment mechanism for the Duluth Teachers Retirement Fund Association. Specifies eligibility and provides for the determination of the adjustment amount. Authorizes the board of trustees to eliminate or reduce the amount. Authorizes conversion to a monthly annuity, upon the request of the annuitant or benefit recipient and with the approval of the board of trustees, based on the age of the annuitant or benefit recipient on the date of the lump sum adjustment, the mortality table established by the board and a postretirement interest rate assumption of 7.5 percent. Authorizes amendment of the bylaws or articles of incorporation for implementation purposes. Repeals prior provisions relating to lump sum postretirement adjustments by the Duluth and St. Paul Teachers Retirement Associations.
Effective date: July 1, 1992. SOLON, JAROS.

State councils membership increase

Chap. 408-H.F. 2704 Increases the membership of the State Council on Black Minnesotans to eleven. Increases the membership of the State Council on Asian Pacific Minnesotans to 23. Specifies that 11 members be broadly representative of the Asian Pacific community of the state. Provides for representation of people from Malaysia, Sri Lanka, Afghanistan, Bangladesh, Myanmar, Pakistan, Singapore and Tibet. Requires the council to adopt rules to implement designation of Asian Pacific ethnic communities to be represented on the council.
Effective date: Aug. 1, 1992. CLARK, PAPPAS.

Optometrists' licensing

Chap. 419-H.F. 2924 Modifies the examination procedure for the licensing of optometrists by the board of optometry.
Effective date: Aug. 1, 1992. JEFFERSON, SAMS.

TRA transfer to IRA plan

Chap. 420-H.F. 1996 Expands a provision authorizing the transfer of employer contributions from the Teachers Retirement Association to the Individual Retirement Account Plan for state university board or community college board employees first employed after June 30, 1988, and before July 1, 1989, with less than three years prior allowable service that elected to have the transfer before Jan. 1, 1991.
Effective date: Apr. 9, 1992. REDING, BENSON, J.E.

St. Paul fire relief association benefit for surviving spouse

Chap. 422-H.F. 2186 Authorizes the payment of benefits by the St. Paul Fire Department Relief Association to the surviving former spouse of a particular deceased member.
Effective date: Local approval. MCGUIRE, MARTY.

Nashwauk police relief survivor benefit

Chap. 428-H.F. 2683 Authorizes and provides for increases in survivor benefits payable by the Nashwauk Police Relief Association. Eliminates the requirement for pensions to cease upon remarriage of the surviving spouse.
Effective date: Local approval. SOLBERG, LESSARD.

Mpls. fire relief association benefit

Chap. 429-H.F. 2792 Provides level benefits for retired members of the Minneapolis Fire Department Relief Association who retired from active service with the city before June 15, 1980, and who had accrued the maximum amount of service credit under the terms of the pension plan at the time of their retirement.
Effective date: Local approval. RICE, KROENING.

TACIP membership change

Chap. 430-H.F. 2732 Replacing the commissioner of public service as a member of the Telecommunications Access for Communication Impaired Persons Board with the commissioner of administration. Effective date: Aug. 1, 1992. HEIR, MARTY.

Thief River Falls police benefits

Chap. 431-H.F. 2369 Retroactively increases benefits payable to retired police officers and surviving spouses by the Thief River Falls Police Trust Fund. Effective date: Local approval. SPARBY, STUMPF.

MSRS and PERA provisions

Chap. 432-H.F. 2137 Article I - Minnesota State Retirement System (MSRS). Eliminates employees of the Ladies of the Grand Army of the Republic and labor service employees from the list of excluded employees. Modifies the exclusions for trainees and for chaplains and nuns for MSRS coverage purposes. Eliminates the requirement for employees of labor organizations to be former state employees for coverage qualification purposes and extends the deadline for election of coverage. Authorizes the payment of refunds to permanently disabled employees before the effective accrual date of the disability benefit. Provides for the computation of interest on refunds after death. Eliminates a deferred annuity accrual condition relating to required membership in the Public Employees Retirement Association (PERA) or the Teachers Retirement Association (TRA). Eliminates the requirement for advance election of optional annuities by judges. Repeals prior service credit purchase authorization for employees of labor organizations.

Article II - Public Employees Retirement Association (PERA).

Modifies a provision relating to the transfer of prior service contributions after refund repayment under the state unclassified employees retirement program. Clarifies PERA coverage exclusions relating to appointed and elected employees with actual compensation under \$425 per month, to police and firefighters relief associations not consolidated with PERA and to part time students. Includes periodic repetitive leaves offered to local government unit employees in the definition of allowable service. Modifies the definitions of surviving spouse and the definition of retirement relating to the defined benefit plan. Requires and provides for employers to annually furnish exclusion reports in lieu of duplicate payroll abstracts. Modifies omitted salary deductions provisions and provides for the repayment of refunds by terminated employees. Increases the time period for retroactive payment of retirement annuities to elective public officials. Entitles former spouses to a portion of the monthly surviving spouse benefit or optional annuity under terms of a marriage dissolution decree. Requires lump sum payment under some conditions. Eliminates a disability benefits entitlement exclusion and extends the time period for repayment of refunds. Requires the cessation of payments the first of the month following reinstatement to the payroll. Authorizes the executive director of PERA to contract for a medical adviser. Requires the adviser to review medical reports to determine continued eligibility for disability benefits. Eliminates eligibility for membership in the police and fire fund for members elected or appointed to another office. Requires disability benefits to cease the first of the month following reinstatement to a position covered by the Public Employees Police and Fire Fund. Entitles former spouses to a portion of the monthly surviving spouse benefit and death benefit under the terms of a marriage dissolution decree. Requires a lump sum payment under some conditions. Provides for the calculation of survivor benefits for part time police officers or firefighters. Modifies provisions relating to association actions preliminary to voluntary local relief association consolidation finalization. Modifies final approval notice requirements. Requires the executive director to request information from relief associations and municipalities for consolidation completion purposes. Requires active members of local police or firefighters relief associations eligible for automatic service credit for military service to make employee contributions to receive allowable service credit from the association for military service leave

after the effective date consolidation. Provides for contribution refunds. Modifies and clarifies consolidation account provisions. Provides for the dissolution of the accounts under if the account no longer has current or potential future liabilities for the payment of annuities, benefits, refunds, or administrative expenses. Clarifies public employees who are elected local government officials and defines contribution plan provisions. Defines former participant. Provides for election of investment options by former participants. Modifies the effective date of investment option choices. Removes the limit on deductions to defray administrative expenses and authorizes the assessment of up to an additional three percent of employer and employee contributions for the expenses if the amount recovered under a statute does not meet the annual expenses. Modifies a provision relating to lump sum payment of benefits and provisions relating to elected local government officials contributions for prior elected service. Authorizes augmentation of deferred combined service annuities under specific conditions. Restricts the receipt of additional credit for years of service for combined service disability or survivor benefits computation purposes. Defines appointed public officer for prior service credit purchase eligibility purposes. Modifies the application of the elimination of the surviving spouse benefit discontinuation requirement upon remarriage. Requires and provides for the governor to appoint five persons to the PERA Board of Trustees. Repeals a provision allowing disabled members of the police and fire fund over a specific age and with a specific number of years of allowable service to elect to draw a retirement annuity. Repeals a provision prohibiting commencement of deferred annuity payments to former PERA members working and accruing service credit as a member of another public retirement system.

Effective date: Various dates. LOUREY, STUMPF.

Amortization state aid eligibility elimination

Chap. 437-H.F. 2287 Eliminates eligibility for amortization state aid and supplementary amortization state aid for police and firefighters relief associations and consolidation accounts with no unfunded actuarial accrued liability.

Effective date: Apr. 9, 1992. JEFFERSON, WALDORF.

Annuity suspension requirement change

Chap. 440-H.F. 2063 Changes the requirement for annuity suspension under the Public Employees Retirement Association after reemployment to a requirement for annuity reduction. Provides for calculation of the reduction.

Effective date: Jan. 1, 1992 (retroactive). O'CONNOR, DAHL.

Credit for wrongfully discharged employees

Chap. 443-H.F. 1350 Entitles public employees determined by a court or by an arbitrator to have been wrongfully discharged from public employment and receiving back pay awards to service and salary credit for the back pay. Provides for the determination and payment of the required member and employer contribution amounts.

Effective date: Apr. 14, 1992. JAROS, SOLON.

Higher ed employee eligibility for IRA plan

Chap. 446-H.F. 2438 Expands State University and Community College Individual Retirement Account Plan eligibility to technical college, state university and Higher Education Coordinating Board managerial employees currently covered under the State Unclassified Employee Retirement Plan of the Minnesota State Retirement System. Provides for election of coverage. Modifies a prior service credit purchase provision. Provides for transfers from the supplemental investment fund and for member and employer contribution. Modifies the formula for compounding interest on deferred annuities of former constitutional officers or commissioners. Effective date: Various dates. REDING, MORSE.

Duluth fire and police pension plan provisions

Chap. 448-S.F. 1558 Requires establishment by the executive

director of the Public Employees Retirement Association of a joint Duluth police and fire consolidation account upon Duluth Fire Department Relief Association consolidation with the Public Employees Police and Fire Fund for the consolidated Duluth Police Pension and Fire Department Relief Associations. Provides for the crediting of assets and member and municipal contributions. Requires transfers and payments from the joint account. Requires the executive director to maintain separate personnel data records in connection with each consolidated relief association and to adopt administration policies and procedures.
Effective date: Local approval. SOLON, JAROS.

Mpls. police and fire surviving spouse benefits

Chap. 454-S.F. 2382 Provides for increases in surviving spouse benefits payable by the Minneapolis Police and Firefighters Relief Associations.
Effective date: Local approval. POGEMILLER, JEFFERSON.

Austin Fire Department Relief Association provisions

Chap. 455-S.F. 2352 Authorizes the Austin Fire Department Relief Association to pay per diem to members of the board of trustees. Sets a limit. Authorizes and provides for payment of a health or medical insurance premium benefit to eligible pension recipients. Requires the use of actuarial assumptions of six percent preretirement interest, six percent postretirement interest, and four percent salary increase in preparation of actuarial valuations of the relief association.
Effective date: Local approval. PIPER, REDING.

Gender balance on state boards

Chap. 457-H.F. 1114 Requires and provides for gender balance in multimember state agencies. Requires the exclusion of ex officio membership. Requires the reflection of racial, ethnic and socioeconomic diversity. Authorizes deviations if the agency serves the needs or addresses the concerns of a specific gender-defined population or if, after a good faith effort to achieve gender balance, the appointing authority has been unable to find enough persons of the underrepresented gender who are qualified and willing to accept appointment. Requires the annual report of the secretary of state on open appointments to include information on the certifications.
Effective date: VETOED. KAHN, PAPPAS.

Uniform documents for negotiations requirement

Chap. 458-S.F. 2037 Requires the commissioner of the Bureau of Mediation Services to adopt uniform baseline determination and uniform collective bargaining agreement settlement documents applicable to all negotiations between exclusive representatives of public employees and public employers, except townships. Requires the commissioner to prescribe procedures and instructions for completion of the documents. Specifies requirements for documents availability. Provides for initial use of the documents.
Effective date: Aug. 1, 1992. PRICE, BAUERLY.

Virginia firefighters survivor benefits

Chap. 465-H.F. 2756 Authorizes annual increases in survivor benefits payable by the Virginia Firefighters Relief Association.
Effective date: Local approval. RUKAVINA, DICKLICH.

Mpls. police relief recodification

Chap. 471-S.F. 2547 Article I - Minneapolis Police Relief Association special law recodification. Recodifies local laws applicable to the local relief association relating to the exclusion from membership of the Minneapolis police chief, to leaves of absence and continuation of membership, to pension fund membership and management, to the governing board, to fund sources, to assets and disbursements, to health insurance, to service and disability pensions, to survivor, temporary disability and health and welfare benefits, to mandatory retirement, to postretirement adjustments, and to lawsuits and process exemptions. Repeals the local and special laws relating to the association.

Article II - Conforming amendments. Makes conforming amendments in other special laws relating to the Minneapolis Police and Firefighters Relief Associations.
Effective date: Local approval. POGEMILLER, SARNA.

MERF provisions

Chap. 480-S.F. 1935 Modifies provisions relating to the Minneapolis Employees Retirement Fund (MERF). Modifies the formula for determination of estimates of administrative expenses for annual financial statement purposes. Modifies the distribution of excess earnings or losses. Modifies the effective date of payment of retirement allowances. Removes a restriction on the payment of annuities upon death of the benefit recipient. Provides that spousal remarriage is not to suspend the payment of survivor benefits.
Effective date: Apr. 18, 1992. POGEMILLER, JEFFERSON.

Dept. of Ed early retirement provisions

Chap. 482-H.F. 765 Grants eligibility for state paid hospital, medical and dental benefits to employees of the Dept. of Education choosing early retirement and covered under the Teachers Retirement Fund Association. Requires employees to choose between early retirement incentives and the state paid health insurance benefit. Excludes employees retiring under the Rule of 90 from the required review calculation.
Effective date: May 5, 1990 (retroactive). MCGUIRE, MARTY.

Auto self-insurer payments to police state aid account

Chap. 487-H.F. 419 Requires annual payments to the commissioner of revenue by automobile self-insurers. Imposes penalties for late payment. Requires crediting to the police state aid account in the general fund. Authorizes administration rules by the commissioners of revenue and commerce. Modifies the calculation and apportionment of police state aid. Authorizes the payment by governmental units of the applicable portion of premiums on tax sheltered annuities contracts purchased from qualified insurance companies as an exception to the prohibition on contributions of public funds to supplemental pension or deferred compensation plans. Defines qualified insurance company and specifies determination duties of the State Board of Investment. Authorizes personnel policies or collective bargaining agreements to establish limits on the number of vendors selected and conditions for employee contact.
Effective date: Various dates. JOHNSON, R., MORSE.

Retired employees pooled with active employees requirement

Chap. 488-H.F. 1873 Requires the state and local governments to pool retired public employees and dependents in the same health insurance group as active employees for premiums and hospital, medical and dental coverage establishment purposes. Prohibits discrimination in coverage for the retired employees and dependents on the basis of evidence of insurability or preexisting conditions unless identical conditions are imposed on active employees in the group that the employee left. Specifies restrictions and notice requirements. Authorizes the assessment of active employees through payroll deduction for additional premium costs from inclusion of retired employees in the active employee group if retired employees were not permitted to remain in the active employee group prior to the effective date. Specifies an exception. Authorizes insurance continuation to be provided for in collective bargaining agreements or personnel policies. Requires the inclusion of chiropractic services under the public employees insurance plan.
Effective date: Various dates. REDING, SOLON.

Public employees insurance plan provisions

Chap. 491-H.F. 2435 Modifies the public employees insurance plan. Removes the expiration date of the labor management committee. Requires the commissioner of employee relations, with the assistance of the committee, to periodically assess the financial feasibility of offering or continuing an individual retiree program with competitive premium rates and benefits. Provides that participation eligibility is to apply to retirees of eligible employers not participating in the

insurance plan. Modifies plan continuation of coverage eligibility requirements. Eliminates the requirement for the commissioner to establish sets of health insurance premiums for various classes. Expands the bidding requirement exemption under the plan. Repeals an obsolete newly eligible employee notice requirement. Effective date: Apr. 21, 1992. WEJCMAN, WALDORF.

Judges retirement provisions

Chap. 492-H.F. 699 Authorizes members of the basic program of the Judges Retirement Plan to elect social security coverage in a second social security referendum held by the Dept. of Employee Relations. Increases member contributions to the judges retirement fund. Repeals the benefits offset for a portion of social security benefits. Effective date: Various dates. REDING, POGEMILLER.

Administrative rulemaking provisions

Chap. 494-S.F. 2282 Regulates administrative rulemaking procedures. Requires the office of the revisor of statutes to prepare and submit to the Legislature bills clarifying and correcting administrative rules. Extends the response period preceding the writing of administrative law judge reports on rules adopted after public hearing. Requires the attorney general and the administrative law judge to disregard harmless errors. Requires notices of proposed rules to include the ending date of the comment period. Provides for and regulates state agency dual notices of rule adoption and public hearing. Specifies a minimum number of 10 days requirement between the last day for requesting a hearing and the day of the hearing. Requires attorney general dual notice form and content rules. Effective date: Apr. 21, 1992. HOTTINGER, CARRUTHERS.

Fire protection systems provisions

Chap. 508-H.F. 31 Creates the Minnesota Advisory Council on Fire Protection Systems. Specifies membership and duties. Requires the licensing of fire protection contractors, the certification of journeyman sprinkler fitters and the registration of apprentice sprinkler fitters by the commissioner of public safety. Exempts persons licensed as a professional engineers who are competent in fire protection system design or persons licensed as alarm and communication contractors. Requires the commissioner to adopt council operation, permit, certificate, license qualification, and examination requirements rules. Requires the commissioner to set fees. Specifies fee requirements. Temporarily exempts persons who submit satisfactory proof of actively engaging in full-time fire protection system installation either as fire protection contractors or journeyman sprinkler fitters for a period of five years and who apply for a license or certificate within 60 days from examination requirements. Authorizes the commissioner to revoke, suspend or refuse to issue or renew licenses or certificates. Authorizes a hearing. Authorizes cities or towns to, by ordinance, require payment of permit fees and inspection of fire protection systems. Requires notice to the commissioner. Prohibits additional licensing, certification, registration, bonding or insurance requirements. Specifies prohibited acts and specifies penalties for violations. Authorizes the commissioner to contract for services with local units of government. Requires money received to be credited to the general fund. Specifies fee requirements. Effective date: July 1, 1992. SIMONEAU, KROENING.

Volunteer fire benefit and investment provisions

Chap. 509-S.F. 1230 Article I -- Volunteer fire benefit changes. Sets the maximum fire state aid. Authorizes the proration of service pensions for fractional years of service. Requires the bylaws or articles of incorporation to include such a provision. Modifies the maximum monthly and lump sum service pension formulas and schedules. Prescribes penalties for paying pensions greater than applicable maximums. Specifies duties of the state auditor. Requires crediting of excess aid or service pension amounts to the fire insurance premium tax proceeds available for the next apportionment. Ratifies prior nonconforming lump sum service

pension payments and continues nonconforming lump sum service pension amounts in force.

Article II -- Volunteer fire investment performance reporting.

Provides an alternative investment performance calculation formula for volunteer firefighters relief associations that have assets with a book value of at least \$500,000 but less than or equal to \$2 million as of the end of the preceding plan year.

Article III -- Local volunteer fire relief association provisions.

Requires additional funding for funeral benefit coverage for the Golden Valley Firefighters Relief Association. Ratifies excess prior funeral benefit payments.

Article IV -- Individual Retirement Account Plan employer contribution rate increase and related changes. Modifies member and employer contribution rates under the State University and Community College Individual Retirement Account Plan. Provides for contributions by plan participants on sabbatical leave. Requires deductions from member and employer contributions to pay administrative expenses. Provides for the payment of benefits immediately upon death or termination.

Article V -- Ambulance service personnel longevity award and incentive program. Establishes an ambulance service personnel longevity award and incentive program to recognize the service rendered by qualified ambulance attendants, ambulance drivers and ambulance service medical directors or advisors and to reward qualified personnel for significant contributions to state and local governments and to the public. Requires and provides for administration by the commissioner of health. Specifies program eligibility requirements. Establishes an ambulance service personnel longevity award and incentive trust and trust account in the general fund for payment of the awards upon career completion. Requires crediting of the proceeds of the drivers license surtax to the account. Provides for the priority of claims and for the distribution of award payments. Requires investment of the account by the State Board of Investment. Specifies recordkeeping requirements. Provides for the determination of allocations. Specifies award application eligibility and requirements. Specifies the effect of the program and subsequent changes and the nonassignability of entitlements or claims. Increases the complement of the Dept. of Health.

Article VI -- Conforming changes. Repeals the emergency medical services personnel account and transfers the deposit of the proceeds from the drivers license surtax from the account to the ambulance service personnel longevity award and incentive trust account. Repeals the ambulance service personnel incentive program under the Public Employees Retirement Association and removes ambulance service personnel from public employees defined contribution plan eligibility. Extends the deadline for the report by the commissioner of health to the Legislature on the state emergency medical services system. Effective date: VETOED. STUMPF, REDING.

Dept. of Administration housekeeping provisions

Chap. 514-S.F. 2699 Authorizes state agencies with projects funded by building appropriations to allow contractors to proceed with supplemental work before the encumbrance of money. States the noncumulative effect of agency purchase preference requirements. Specifies that the total percentage of preference granted on a contract may not exceed the highest percentage of preference allowed for that contract under any one statutory section. Modifies the purchase preference and procedures relating to recyclable materials. Clarifies the disability requirement under the small business purchase preference. Places maintenance and operation of the Judicial Center under the authority of the commissioner. Expands the authority of the commissioner to lease space. Authorizes the department to retain awards from successful litigations involving capital improvements to state buildings to pay for litigation costs. Requires reporting of awards received in biennial budget requests. Modifies the monetary limits on projects required to be submitted to the Designer Selection Board. Requires the commissioner to develop data security policies, guidelines and standards. Requires department or agency heads to be responsible for the security of department or

agency data. Modifies the name of the Statewide Telecommunications Access and Routing System (STARS) by including the word "and." Modifies the administration and the membership of the STARS Advisory Council. Eliminates the requirement of the commissioner to appoint a chief executive officer of the system. Provides for operation of the system as part of the intertechnologies revolving fund. Authorizes the use of money collected as parking lot or facility fees for the replacement of parking lots and facilities. Changes the deadline for the annual report by the commissioner to the Office of Waste Management and the Metropolitan Council on recycling rates for state offices. Provides that rates are to be estimated for the previous calendar year. Modifies auditing requirements for noncommercial radio stations for State Arts Board grant eligibility or receipt purposes. Requires annual reports to the commissioner by grant recipients on funds use. Provides that if the application and report are not submitted within the deadline prescribed by the commissioner, the grant may be redistributed to the other noncommercial radio stations eligible for a grant. Clarifies the designation of the State History Center and requires department maintenance of the center according to standards established by the Minnesota Historical Society. Extends the deadline for the department to relocate the state printing operation from the Ford Building. Transfers the responsibilities of the director of the Office of Strategic and Long Range Planning for the Office of Dispute Resolution and the Groundwater Information Clearinghouse to the commissioner. Requires the Metropolitan Council to contract with the Board of Regents of the University of Minnesota to conduct a metropolitan disposal system rate structure study. Specifies a contract amount limit. Requires cooperation of the council and the Metropolitan Waste Control Commission in the study. Specifies study requirements and requires the Met Council to submit the study report to the Legislature with comments by Jan. 4, 1993. Modifies requirements for the fully developed area study of the Metropolitan Council.

Effective date: Various dates. RIVENESS, PETERSON.

Killed in the line of duty definition

Chap. 523-H.F. 2250 Clarifies the definition of killed in the line of duty relating to peace officers by including the death of an officer caused by accidental means while the peace officer is acting in the course and scope of duties as a peace officer. Includes full and part time peace officers in the definition of public safety officer for public safety officer survivor benefits eligibility purposes. Specifies a time limit of two years after the date of death for filing for benefits from the public safety officers death benefit account.

Effective date: Various dates. CARRUTHERS, BERTRAM.

Depositories of state funds designation

Chap. 528-H.F. 2261 Requires the Executive Council to designate as depositories of state funds national, insured state banks or thrift institutions. Authorizes the council to authorize the state treasurer to designate depositories. Specifies that the treasurer is not liable for the safekeeping of the funds. Regulates the amounts deposited. Requires the institution to furnish a surety bond for amounts deposited in excess of the maximum amount of insurance. Provides for collateral security and for required collateral amounts. Requires deposited collateral to be accompanied by an assignment to the state from the depository. Specifies assignment requirements. Specifies notice and state treasurer approval requirements for depository withdrawal or substitution of collateral. Specifies that closing of a depository is to be considered a default. Requires collateral to be deposited with the state treasurer or placed in safekeeping in a financial institution approved by the treasurer. Specifies that the collateral may not be redeposited in the bank, trust company or thrift institution furnishing it. Authorizes the commissioner of revenue to waive the time limit on claims for refund of state tax overpayments. Repeals existing provisions regulating depositories for state funds.

Effective date: VETOED. WINTER, RIVENESS.

Postretirement adjustment calculation modification

Chap. 530-H.F. 1960 Modifies the formula for the calculation of postretirement adjustments under the Minnesota postretirement investment fund by the State Board of Investment for participating public pension plans or funds. Provides a transition adjustment. Requires the board to report annually to the Legislative Commission on Pensions and Retirement and the Legislature on the investment performance activities and postretirement adjustment calculations of the fund. Appropriates money to the commissioner of revenue for state reimbursement of supplemental retirement benefits paid to volunteer firefighters.

Effective date: Various dates. REDING, MORSE.

State Investment Board provisions

Chap. 539-S.F. 1917 Clarifies the ownership of assets in the combined investment funds. Provides for the apportionment of gains and losses from the sale of securities in the permanent school fund. Changes the guaranteed return account in the supplemental investment fund to a fixed interest account and authorizes investment in debt obligations. Provides for distribution of an amount equal to one-twelfth of an annual charge equal to one-tenth of one percent of the assets of each fund for public retirement funds administrative expenses. Modifies the calculation of interest on transfers resulting from mortality adjustments under the Minnesota postretirement investment fund. Authorizes the state board to invest in deposit notes and alternative guaranteed investment contracts where the underlying assets comply with requirements. Provides for the calculation of interest earnings generated from and the apportionment of gains and losses resulting from the sale of securities in the environment and natural resources trust fund. Modifies provisions relating to the coverage of administrative expenses of the public employees defined contribution plan under the Public Employees Retirement Association.

Effective date: July 1, 1992. WALDORF, REDING.

Firefighter definition

Chap. 553-S.F. 2628 Expands the definition of firefighter for public safety officers' survivor benefits purposes. Provides that the definition includes an individual employed on a full-time basis by the state or by a fire department of a government subdivision of the state, who is engaged in any of the following duties: firefighting; emergency motor vehicle operation; investigation into the cause and origin of fires; the provision of emergency medical services; or hazardous material responder.

Effective date: Aug. 1, 1992. KELLY, O'CONNOR.

Highway Patrol vacation time donation increase

Chap. 562-S.F. 735 Increases the number of hours of vacation time, from three to eight, that may be donated by Highway patrol officers, lieutenants, captains and majors to the employee's union representative for the purpose of carrying out the duties of office. Prohibits union representatives from using time donated for political purposes.

Effective date: VETOED. LESSARD, O'CONNOR.

St. Paul Police Relief Association provisions

Chap. 563-S.F. 2750 Increases service pension and disability benefit amounts for St. Paul Police Relief Association members who retired or were disabled before June 1, 1971 and did not receive the benefit increases in 1971 or 1973, respectively. Increases pre-1973 service pension amounts for retired members of the St. Paul Fire Department Relief Association. Limits future postretirement benefit reductions.

Effective date: Various dates. KELLY, FARRELL.

Department of Employee Relations provisions

Chap. 567-H.F. 2848 Article I -- Ratifies labor agreements between the state and bargaining units representing the American Federation of State, County and Municipal Employees (AFSCME) Council 6, the Minnesota Association of Professional Employees (MAPE), the Middle Management Association, the Minnesota Government

Engineers, the State Residential Schools Association, the Minnesota Nurses Association, the Minnesota Community College Faculty Association, the Interfaculty Organization, and the State University Association of Administrative and Service Faculty approved by the Legislative Commission on Employee Relations. Ratifies agreements with the managerial plan, the plan for unrepresented employees, the plan for the unclassified employees of the Higher Education Coordinating Board (HECB), the plan for the Technical Colleges Board, the plan for the Community College System, the plan for administrative law judges, and the plan for unrepresented employees of the State University System approved by the Legislative Commission on Employee Relations. Ratifies the salaries for the chancellors of the Technical College System and the Community College System, for the Higher Education Board and for the director of the HECB approved by the Legislative Commission on Employee Relations. Provides for interim approval.

Article II -- Requires the commissioner of employee relations to evaluate and report to the Legislative Commission on Employee Relations and the Legislature on the appropriate salary range for the director of the State High School League and the appropriateness of establishing salary ranges for agency heads and employees of quasi-state agencies.

Article III -- Increases the salary range for the executive director of the Board on Judicial Standards. Provides for the governance of the Dept. of Agriculture Seed Laboratory employees and for Lottery employees under Dept. of Employee Relations provisions. Eliminates examiners from unclassified service and include deputy and assistant agency heads and confidential secretaries in the Office of Strategic and Long Range Planning in the unclassified service. Includes executive directors or executive secretaries appointed by and reporting to policymaking boards or commissions in the unclassified service. Provides for the classification of professional positions associated with the outdoor recreation program in the Dept. of Trade and Economic Development. Provides for the transfer of incumbent employees to classified service without competitive or qualifying examination. Authorizes and provides for participants in the unclassified employees retirement program transferred to classified service to elect to maintain membership in the unclassified program as long as the person holds the position or a position in a higher class in the same agency. Appropriates an additional \$10,000 to the Board on Judicial Standards.

Effective date: Various dates. REDING, WALDORF.

Bureau of Mediation Services provisions

Chap. 582-S.F. 2565 Eliminates the Minnesota Public Employment Relations (PER) Board under the Public Employment Labor Relations Act (PELRA) and transfers duties to the commissioner of the Bureau of Mediation Services. Requires the commissioner to maintain a list of arbitrators for referral to employers and exclusive representatives for the resolution of grievance or interest disputes. Provides for review of decisions of the commissioner relating to supervisory, confidential, essential and professional employees. Provides for appropriateness of units or fair share fee challenges by the Court of Appeals. Provides for the selection of arbitrators. Eliminates arbitration panel meeting date selection requirements. Eliminates confidential and managerial employees from the strike prohibition.

Effective date: Aug. 1, 1992. RENNEKE, GUTKNECHT.

Canadian cement provision

Chap. 583-S.F. 2115 Expands the preference for state department and agency purchase of materials manufactured in the United States to include cement manufactured in Canada.

Effective date: Apr. 30, 1992. SOLON, JAROS.

St. Paul police benefit provision

Chap. 586-S.F. 2418 Provides for the payment of service and disability pensions and survivor benefits by the St. Paul Police Relief Association. Validates pension and benefit payments made between

July 30, 1991 and enactment of this provision.

Effective date: Local approval. WALDORF, O'CONNOR.

Governmental and elected official provisions

Chap. 592-S.F. 2194 Authorizes the state auditor to employ two additional deputies but specifies that the complement of the office is not to increase. Eliminates the option of the State Board of Investment to invest state and pension assets in specific debt obligations. Requires businesses seeking state grants, loans or tax incentives of more than \$250,000 to make available for public inspection its audited financial statements for the three most recent years. Specifies that the statements include all information that would be required by the U.S. Securities and Exchange Commission prior to any public stock offering. Exempts finance assistance sought from the Iron Range Resources and Rehabilitation Board or from local government units from the requirement. Requires the payment of delinquent property taxes and special assessments with currency or by check or money order. Requires public accountants auditing towns combining the officers of clerk and treasurer to forward copies of the audits to the state auditor. Defines public accountant for town and city audit purposes. Authorizes regional development commissions to contract with certified public accountants for annual audits. Requires copies to be sent to the state auditor. Prohibits constitutional officers and elected public officials from receiving monetary compensation for unused vacation or sick leave accruals. Modifies city and town fiscal year designation requirements. Prohibits the inclusion of pictures of elected officials in county or city publications tending to attribute the publication to individuals instead of to the county or city. Exempts directories of public services. Includes towns with a population of more than 2,500 with an annual revenue of \$500,000 or more under financial reporting requirements. Requires the state auditor to prescribe uniform financial accounting and reporting standards for towns. Requires cities operating municipal liquor stores to submit audited financial statements to the state auditor. Authorizes acceptance by the state auditor in lieu of another required report. Defines political subdivision for purposes of crimes affecting public officers or employees. Requires public employees or officers to report in writing to the state auditor evidence of discovered theft, embezzlement or unlawful use of public funds or property. Provides an exception for when reporting would impede or otherwise interfere with an ongoing criminal investigation. Exempts property taxes and special assessment on property in redevelopment areas under improvement agreements with housing and redevelopment authorities from a limit on the inclusion of real estate taxes and assessments by licensed gambling organizations as lawful purpose expenditures. Clarifies the qualified status of newspapers. Requires airline travel credits or benefits to accrue to the public body funding the travel. Requires state authorities and local government units to develop and implement policies governing the accrual of the credits or benefits. Eliminates the requirement for the state auditor to conduct biennial audits of the Pine Point School.

Effective date: Various dates. REICHGOTT, PUGH.

MAC qualification for police state aid

Chap. 596-H.F. 2001 Qualifies the Metropolitan Airports Commission (MAC) for police state aid for specific employees covered under the Minneapolis Employees Retirement Fund (MERF). Requires the commission to apply for the aid and to apply the total aid toward the employer contribution to MERF. Provides an alternative method for calculating annuities from MERF for peace officers or firefighters retiring from employment with the commission.

Effective date: July 1, 1992. JEFFERSON, POGEMILLER.

Miscellaneous pension provisions

Chap. 598-H.F. 2025 Article I -- Minnesota State Retirement System. Increases the interest rate on the repayment of contribution refunds to or by and the payment of omitted salary deductions and service credit contributions for or by members of the Legislature, the Minnesota State Retirement System (MSRS), the State Patrol

Retirement Fund, the Elective State Officers Retirement Plan, the Unclassified Employees Retirement Program and the Judges Retirement Fund.

Article II -- Public Employees Retirement Association. Increases the interest rate on the repayment of refunds to or by and the payment of omitted salary deductions and service credit contributions for or by members of the Public Employees Retirement Association.

Article III -- Teachers Retirement Association. Increases the interest rate on the repayment of refunds to or by and the payment of omitted salary deductions and service credit contributions for or by members of the Teachers Retirement Fund.

Article IV -- Purchases of prior service and other retirement law changes. Authorizes and provides for the purchase of prior service credit in the Public Employees Retirement Association by a member formerly employed by the city of Minneapolis as a construction equipment operator. Authorizes and provides for the purchase of prior credit in the Public Employees Police and Fire Fund by a firefighter in the city of Eveleth and by the fire chief in the city of Stillwater. Provides for a refund of employee contributions for a PERA member on sick leave from employment by Hennepin County. Provides prior service eligibility for a former legislator due to prior law changes. Authorizes Shorewood City Council members to terminate participation in the Public Employees Defined Contribution Plan and sets forth a refund provision.

Article V -- First class city Teacher Retirement Fund Associations employer contribution rate increase. Reduces the regular employer contribution rates for coordinated members of the Duluth Teachers Retirement Fund Association and for basic members of the Minneapolis and St. Paul Teachers Retirement Fund Associations. Imposes additional employer contribution rates for basic members of the Minneapolis and St. Paul associations and for coordinated members of the Duluth, Minneapolis, and St. Paul associations. Requires annual reports by the associations to the Legislative Commission on Pensions and Retirement and the Legislature on the amount raised by and the sufficiency of the additional contributions. Requires annual reports to the Legislature from the superintendents of Special School District #1, Minneapolis and Independent School District #625, St. Paul on additional educational revenue needs attributable to the increased employer contribution rate requirements.

Article VI -- First class teachers administrative provisions. Codifies Minneapolis, St. Paul, and Duluth Teachers Retirement Fund Association administrative provisions. Clarifies or modifies definitions. Eliminates enrollees under the federal Comprehensive Employment and Training Act from the list of exclusions under the definition of teacher. Clarifies a trustees fiduciary obligation requirement. Eliminates the authority to receive real estate or personal property by gift. Modifies the calculation of payment for allowable service credit for medical leave. Reduces the amount of the required reduction in annuity payments under the coordinated program upon resumption of teaching. Eliminates a provision disqualifying disabled coordinated members from entitlement to elect an optional annuity form. Increases the interest rate on the repayment of refunds under the coordinated plan. Authorizes the associations to amend articles of incorporation or bylaws to provide for continued annuity payments to basic program retirees upon resumption of service. Requires a reduction if the person's income from teaching service is an amount greater than the maximum earnings allowable for that age for the continued receipt of full benefit amounts monthly under federal provisions. Excludes reserve teachers for whom contributions were not made to the Minneapolis Teachers Retirement Fund Association in Special School District #1, Minneapolis from prior service credit for periods of omitted contributions and requires future reserve teachers to become members of the retirement fund association. Authorizes reimbursement to Special School District #1, Minneapolis, for omitted contributions for prior service credit purposes and requires notice to teachers of the option. Specifies the payment procedure. Authorizes and provides for the Minneapolis Teachers Retirement Fund Association to amend the articles of incorporation to clarify

procedures governing disability benefits for members of the basic program and to conform administrative provisions to statutory provisions applicable to disability benefits for coordinated program members. Repeals a provisions relating to coordinated members entitlement to disability or survivor benefits for partial service.

Article VII -- Correction of prior enactments. Makes a technical correction to a provision previously enacted providing for the transfer of assets upon local relief association consolidation with the Public Employees Police and Fire Fund.

Effective date: Various dates. REDING, WALDORF.

Health and Human Services

Work Readiness extension

Chap. 361-S.F. 1612 Specifies that for the period beginning Feb. 1, 1992 and ending Apr. 30, 1992, the commissioner of human services cannot impose a maximum time limit on eligibility for Work Readiness Assistance for persons who meet all other eligibility criteria. Requires the commissioner to notify persons who were terminated because of the time limit and inform them that they may be eligible for additional assistance.

Effective date: VETOED. SAMUELSON, GREENFIELD.

Board of Pharmacy membership clarification

Chap. 389-H.F. 2254 Clarifies the membership requirements for the Board of Pharmacy. Requires the governor to make appointments to the board reflecting the geography of the state. Requires pharmacist board members to reflect the broad mix of practice types in the state. Effective date: Apr. 3, 1992. COOPER, VICKERMAN.

MA coverage of home health services delivered at facilities

Chap. 391-S.F. 2337 Provides for Medical Assistance (MA) coverage of home health services delivered at hospitals or nursing, intermediate care or health care facilities funded under home and community based services waivers. Provides for coverage of personal care services provided outside the home upon authorization by the responsible party. Modifies requirements for the payment for personal care services by foster care providers. Specifies case management requirements. Specifies home care plan signature requirements. Defines responsible party for home care services coverage purposes. Requires consideration of all home care services in service combination cases for cost effectiveness purposes. Requires the commissioner of human services to determine the cost and cost effectiveness of the services for medical necessity approval purposes. Modifies the qualifications for recipients with complex medical needs. Allows recipients to request continuation of home care services at a previously authorized level pending appeal. Authorizes providers to request temporary authorizations for home care services by telephone. Provides for commissioner approval.

Effective date: Apr. 1, 1992. FLYNN, GREENFIELD.

Nursing home review organizations authorization

Chap. 400-S.F. 1900 Authorizes nursing homes to establish review organizations. Includes the provision of quality assurance under Medical Assistance and Medicare as a review organization activity. Effective date: Aug. 1, 1992. FINN, COOPER.

Signature requirements for earned income savings withdrawals

Chap. 406-S.F. 2117 Specifies signature requirements for withdrawals from General Assistance earned income savings accounts established for residents of licensed chemical dependency programs. Requires the signature of a representative of the residential facility before money may be withdrawn.

Effective date: Aug. 1, 1992. BERGLIN, CLARK.

Good samaritan HIV/HBV exposure notification

Chap. 425-H.F. 2034 Includes persons voluntarily providing assistance at the scene of an emergency and qualifying for liability

immunity under the Good Samaritan Law in the definition of emergency medical services personnel for human immunodeficiency virus (HIV) or hepatitis B (HBV) exposure notification protocol purposes.

Effective date: Aug. 1, 1992. BODAH, REICHGOTT.

Provider appeal for MA modification

Chap. 426-H.F. 2081 Modifies a provider notice of appeal requirement for Medical Assistance. Requires the commissioner of human services to review appeals by nursing facilities received after the deadline due to postal service delay.

Effective date: Aug. 1, 1992. TUNHEIM, STUMPF.

X ray quality rules effective date delay

Chap. 444-H.F. 1978 Delays the effective date of existing ionizing radiation quality assurance rules until July 1, 1993. Provides an exception for rules relating to mammographic procedures. Requires the commissioner of health, after consultation with the health related licensing boards subject to the rules and with representatives of affected health care professions, to review ionizing radiation quality rules for determination of appropriateness for and application to medical, dental, chiropractic, podiatric, osteopathic and veterinary medicine facilities.

Effective date: Various dates. COOPER, SOLON.

Supported employment services standards

Chap. 459-S.F. 2247 Establishes standards for supported employment services for persons with severe disabilities (mental retardation). Requires coordination among the Dept. of Human Services, the Dept. of Jobs and Training and the Dept. of Education to promote the most efficient and effective funding, avoid duplication and improve access and transition to employability services. Requires a report to the Legislature. Requires the commissioner of human services to submit for publication rules relating to the protection of persons with mental retardation or related conditions. Prohibits the commissioner from adopting rules requiring county staff performing public guardianship or conservatorship duties for persons with mental retardation to be separate from the workers providing case management services without state funding sufficient to cover additional costs. Requires the commissioner to recommend alternatives to the Legislature.

Effective date: Aug. 1, 1992. KROENING, SEGAL.

Board of Social Work and mental health boards provisions

Chap. 460-S.F. 2234 Requires the availability of settlement agreements and other board orders resulting from the imposition of disciplinary actions by the Board of Social Work and mental health boards. Requires the boards to furnish to complainants a statement of investigation results and a description of actions taken by the board. Eliminates provisions relating to automatic or temporary suspension of the right to provide services. Requires state or local professional societies or associations to forward to the appropriate board complaints received concerning ethics or conduct of practice. Clarifies violation examination provisions. Authorizes a board to restore and reissue permission to provide services with disciplinary or corrective measures as a condition. Modifies the definition of psychotherapy relating to social work. Modifies supervision requirements. Changes the deposit of social work license application fees from the general fund to the special revenue fund. Authorizes and provides for the Social Work Licensing Board to issue practice permits to license applicants under specific conditions. Specifies requirements for a change of licensure level. Authorizes applicants or licensees to request a contested case hearing relating to adverse actions by the board. Reduces social work licensee continuing education requirements. Modifies a practice without license provision for students.

Effective date: Aug. 1, 1992. FINN, DORN.

Ophthalmologist and optometrists provisions

Chap. 470-S.F. 1805 Requires ophthalmologists or optometrists

diagnosing legal blindness to advise clients of services available through state services for the blind and visually handicapped. Requires reporting the name of the client to the state services within 30 days of diagnosis upon client consent. Requires state services for the blind and visually handicapped to contact the newly blind individual within 30 days and provide a summary of available services to the individual in an accessible media. Requires the commissioner of jobs and training to promote literacy and access to print materials through production of alternative reading formats and other services originating from the communication center in the Division of Services for the Blind and Visually Handicapped in the department. Provides for the receipt of gifts to aid the blind. Eliminates the expiration date of the Council for the Blind.

Effective date: Aug. 1, 1992. TRAUB, BOO.

American Indian Child Welfare Advisory Council name change

Chap. 515-S.F. 2186 Changes the American Indian Advisory Task Force to the American Indian Child Welfare Advisory Council and eliminates the expiration date. Increases the membership of the Child Abuse Prevention Advisory Council. Requires the commissioner of human services to appoint the additional member.

Effective date: Aug. 1, 1992. TRAUB, JEFFERSON.

Ramsey County demonstration project authorization

Chap. 526-H.F. 2273 Adds marriage and family therapists to the list of qualified mental health professionals under the Comprehensive Mental Health Act. Authorizes Ramsey County to implement a demonstration project to downsize residential facilities for persons with mental illness, to use flexibility in delivering case management services and to waive or remove the rate cap or moratorium on negotiated rate facilities. Requires a report to the commissioner of human services.

Effective date: Aug. 1, 1992. COOPER, SAMUELSON.

Minnesota HealthRight Act

Chap. 549-H.F. 2800 Providing for the delivery and financing of health care in the state.

Article I -- Cost containment. Requires the commissioner of health to set annual limits on the rate of growth in health care spending. Specifies data collection requirements. Provides for enforcement of information or document provision requirements. Classifies data received. Specifies additional cost containment and rulemaking duties of the commissioner. Creates the Minnesota Health Care Commission to establish a plan for containing growth in health care spending in the state and to help Minnesota communities, providers, group health care services purchasers, employers, employees and consumers improve the affordability, quality and accessibility of health care. Specifies membership requirements. Requires the commission to submit a detailed plan, by Jan. 15, 1993, for slowing growth in health care spending to the governor and the Legislature for approval. Specifies that the goal of the plan is to reduce the growth rate of health care spending, adjusted for population changes, so that it declines by a least ten percent per year for each of the next five years. Specifies options for consideration. Establishes the Legislative Commission on Health Care Access to review implementation activities. Specifies membership, study and reporting requirements. Establishes temporary locally controlled regional coordinating boards consisting of providers, health plan companies, employers, consumers and elected officials for recommendations purposes. Provides a delivery networks or systems organization planning process. Requires the State Health Care Commission to convene an advisory committee to make recommendations relating to the use and distribution of health care technologies and procedures and major capital expenditures by providers. Specifies membership and duties. Requires and provides for provider reporting of expenditures to the commissioner for retrospective review until the establishment of spending limits. Requires prospective review and approval in the event providers refuse to cooperate with attempts by the Minnesota Health Care Commission and regional coordinating organizations to coordinate

the use of technologies and procedures and reduce the growth rate in expenditures or in the event the providers purchase or perform technologies and procedures that are not clinically effective and cost effective or in the event providers fail to pursue collaborative agreements. Provides for appeal, penalties and remedies. Requires regional coordinating organizations to submit plans to the commissioner by June 30, 1993. Provides for enforcement and requires a commissioner progress report to the Legislature by Jan. 1, 1993. Requires the commissioner to seek full participation of federal health care programs. Requires the commissioner to adopt rules restricting financial relationships or payment arrangements involving health care providers under which a provider benefits financially by referring a patient to another provider, recommending another provider, or furnishing or recommending an item or service. Specifies interim restrictions. Authorizes the commissioner to assess penalties for violation. Provides for a phased in mandatory Medicare assignment. Requires the commissioner to establish criteria and procedures to review and authorize contracts, business or financial arrangements involving providers or purchasers in the best interests of the state but likely to be construed as violations of antitrust laws. Provides for application and approval. Requires commissioner implementation rules by Jan. 1, 1994. Requires the Legislative Commission on Health Care Access to convene a Hospital Health Planning Task Force to undertake preliminary planning relating to cost containment and accessibility and quality of health care services. Requires reports to the Health Care Commission by Aug. 1, 1992 and July 1, 1993. Requires the commissioner to study cost shifting and uncompensated care costs in the health care industry and recommend to the Legislature by Jan. 15, 1993, methods to recover from health care providers an amount equal to the share of uncompensated care costs shifted to other payers that are no longer incurred by the provider as uncompensated care costs, due to the availability of the HealthRight Plan. Requires the commissioners of commerce and health to study and make recommendations to the Legislature by Jan. 15, 1993, relating to the regulation of health care management companies and health maintenance organizations (HMOs). Requires the commissioner of health, in consultation with representatives of the home medical equipment industry, to study the financial impact of the phase-in of mandatory Medicare assignment on home medical equipment suppliers. Requires recommendations to the Legislature by Jan. 15, 1993.

Article II -- Small employer insurance reform. Minnesota Small Employer Health Benefit Act. Promotes and regulates the availability of health insurance to small employers. Requires health insurance carriers, as a condition of participating in the small employer market, to make available a health benefit plan to small employers. Provides for exceptions. Provides for compliance and employer participation. Limits underwriting restrictions. Restricts plan denial, cancellation or nonrenewal. Requires health carriers to offer coverage to Minnesota Comprehensive Health Association (MCHA) enrollees. Requires each health carrier in the small employer market to make available to any small employer both a deductible type small employer plan and a copayment type small employer plan. Specifies plan benefit requirements. Authorizes specific variations and exclusions. Regulates continuation of coverage provisions. Applies specific dependent coverage requirements to the plans and provides for medical expense reimbursement. Provides for plan design. Requires and provides for health carriers disclosure of underwriting rating practices. Requires small employers eligibility verification. Requires written documentation of waivers. Specifies premium rate restrictions. Authorizes the use of rate cells and provides for the development of index rates and premiums. Specifies a filing requirement. Requires annual joint reports by the commissioners of health and commerce on the effect of the rating restrictions and the appropriateness of proceeding with additional rate reform. Requires health carriers ceasing to participate in the small employer market to give advance notice to the commissioner of commerce and to covered employers. Prohibits reentry into the market for five years from the date of notice to the commissioner. Requires health carriers to annually file

actuarial opinions with the commissioner of commerce. Specifies recordkeeping requirements. Requires the commissioner to regulate premium rates. Requires health carrier reporting of transitional practices. Provides for penalties and enforcement. Authorizes the commissioner to suspend or revoke licenses or certificates of authority or to impose monetary penalties for violations. Specifies a penalty limit of \$25,000 for each violation. Restricts health carriers issuance of individual policies. Specifies prohibited practices of employers. Prohibits health carriers from conditioning the sale of health benefit plans on the purchase by small employers of other insurance products offered by the carrier. Establishes the Health Coverage Reinsurance Association as a nonprofit corporation to provide for the fair and equitable transfer of risk associated with participation by health carriers in the small employer market to a private reinsurance pool established and maintained by the association. Specifies powers and commissioner supervision responsibilities. Provides for a reinsurance association board of directors and specifies members, meetings and duties. Requires and provides for the association to contract with a qualified entity for operation and administration purposes. Provides for participation in the association. Requires the board to establish minimum claim processing and managed care standards. Provides for the ceding and transfer of risk among participants. Specifies allowable reinsurance benefits. Imposes reinsurance premiums on health carriers ceding individuals or groups to the association and provides for the adjustment of premium rates. Requires and provides for member assessments to cover association costs. Provides for appeal. Subjects small employer health benefit plans to specified loss ratio standards. Requires the commissioner of commerce to study the effects of the program and report to the Legislature by Dec. 1, 1994.

Article III -- Insurance reform: Individual market and miscellaneous. Establishes the Private Employers Insurance Program (PEIP) to be administered by the commissioner of employee relations. Requires the commissioner to establish an advisory committee. Specifies employer eligibility, term of coverage, minimum employee participation and cost contribution requirements. Requires the commissioner to establish employer and employee application procedures. Specifies that employers are to determine individual eligibility criteria. Provides for health coverage and authorizes the offering of dental coverage. Provides for the payment of premiums. Requires the commissioner to determine the premium rates and rating method. Specifies requirements and that premiums paid to the program are not subject to premium taxes. Creates the private employers insurance trust fund. Specifies reserve and investment requirements. Requires a commissioner program evaluation report to the Legislature by Dec. 15, 1995. Expands health plan filing requirements. Specifies an additional standard for commissioner of commerce disapproval of health insurance premium rates relating to actuarial data. Provides for a determination of reasonableness and specifies conditions for a presumption of excessive rates. Provides for commissioner withdrawal of form or rate approval. Sets forth notice and hearing requirements. Establishes minimum loss ratio standards. Specifies a dependent definition requirement for coverage purposes. Prohibits the severing of bad health risks in employer group health plans. Includes health service plan corporation subscriber contracts under Medicare supplement policy minimum standards requirements and clarifies the preexisting condition limits imposition prohibition. Requires a separate community rate for the coverage and sets forth factors. Regulates the individual market and requires guaranteed renewal. Specifies premium rate restriction. Prohibits gender rating and requires coverage portability. Subjects PEIP and joint self insurance plans to MCHA membership. Requires MCHA funding from the health care access account after Jan. 1, 1994. Specifies a members rate adjustment requirement. Restricts eligibility for enrollment in the comprehensive health insurance plan for persons covered under the small employers plan. Subjects multiple employer welfare arrangement to joint self insurance employee health plan regulations. Requires the commissioner of commerce to pursue an exemption from the federal preemption of state laws relating to health coverage provided under the Employee Retirement Income Security Act (ERISA) and to study the operation of the individual

market and the possibility of health lifestyle premium reductions. Requires reports to the Legislature by Dec. 15, 1992. Specifies study and report requirements. Requires the commissioner to review and make recommendations to the Legislature by Feb. 1, 1993, relating to standardized health care policy forms to be used by all insurers, health service plans or other entities.

Article IV -- Children's Health Plan expansion. Renames the Children's Health Plan the HealthRight Plan and expands coverage to families with children, individuals and households without children. Requires the commissioners of human services and health to recommend to the Legislature, by Jan. 1, 1993, methods to incorporate discounts for wellness factors into the HealthRight Plan premium sliding scale. Requires the commissioners of human services and revenue to apply for federal waivers necessary to allow state health care program enrollees to assign the federal health insurance credit component of the earned income tax credit to the state. Requires the commissioner of human services to develop a plan to combine Medical Assistance (MA) and HealthRight Plan application and eligibility procedures. Requires the commissioner of human services to submit a plan to the Legislature, by Jan. 1, 1993, for providing all MA and HealthRight Plan services through managed care arrangements. Requires the commissioner to report to the Legislature by Jan. 1, 1994, on the effect on average premium cost for the HealthRight Plan of allowing families ineligible for a subsidy to enroll in the HealthRight Plan at full coverage of premium cost. Specifies commissioner plan administration and rule adoption requirements. Expands covered services under the plan to include alcohol and drug dependency (Oct. 1, 1992) and inpatient hospital services (July 1, 1993) and emergency medical transportation services (July 1, 1993). Specifies limits and copayment and coinsurance requirements. Provides for continuation of coverage after initial enrollment. Specifies eligibility and income verification requirements. Requires plan enrollees to pay premiums based on a sliding scale. Requires the commissioner to develop and implement procedures to require enrollees to report changes in income, to adjust sliding scale premium payments and to disenroll enrollees from the plan for failure to pay required premiums. Provides eligibility for subsidized premiums based on a sliding scale. Prohibits access to employer subsidized coverage. Requires state residency and requires four months of no insurance coverage. Requires medical care vendors and HMOs to participate in the MA and General Assistance Medical Care (GAMC) Programs and the HealthRight Plan as a condition of participation in state paid health insurance plans. Increases or modifies increases in hospital outpatient, physician and dental reimbursements under MA and specifies that the increases are contingent upon an appropriation to cover the entire state cost. Requires the commissioner of administration to convene a task force to develop a plan for coordinating the health care programs administered by state agencies and local government units. Requires recommendations to the Legislature by Jan. 1, 1994. Requires the commissioner of human services to study the cost of HealthRight premiums and the level of premium subsidies in relationship to benefits and report to the Legislative Commission on Health Care Access by Jan. 15, 1993. Requires the commissioner to continue to accept enrollments in the Children's Health Plan until July 1, 1993, using prior eligibility and coverage requirements until the Fiscal Year 1993 appropriation is exhausted. Requires the commissioner to examine the impact of HealthRight Plan premium costs on access to health care for Children's Health Plan enrollees. Requires recommendations to the Legislature by Feb. 15, 1993.

Article V -- Rural health initiatives. Requires the Dept. of Human Services to notify hospitals receiving reimbursement under the MA and GAMC Programs of invoice errors within 30 days of discovery of the errors. Exempts doctors of osteopathy employed by local government units from government salary limits. Prohibits health plan companies from excluding, as a participating provider, a physician who is licensed and meets statutory requirements, solely because the physician has not completed a full residency or is not board certified if the physician meets specific requirements but provides a sunset of July 1, 1994. Modifies the definition of eligible

rural hospital relating to net income losses for rural hospital planning and transition grant program eligibility purposes and includes the financial condition of the hospital as a consideration in the awarding of grants. Makes the grant program permanent. Requires the commissioner of health to establish a Rural Health Advisory Committee. Specifies membership and duties. Assigns duties to the Office of Rural Health and requires involvement of the University of Minnesota Medical Schools and other organizations addressing rural health care problems. Requires the commissioner through the office to establish rural health initiatives. Requires consultation with the commissioners of human services and commerce, the Higher Education Coordinating Board and other state agencies. Requires the commissioner to award financial assistance grants to rural hospitals in isolated areas of the state and to other rural hospitals to offset the impact of the hospital tax. Specifies eligibility requirements. Requires the commissioner to develop and maintain a data base on health services personnel to assist state and local government units in developing health personnel recruitment and retention plans and to develop and implement a program to establish community health centers in underserved rural areas to provide communities with technical assistance, capital grants and short term assistance. Modifies powers of nonprofit hospital corporations relating to recruitment and retention of physicians. Authorizes the use of the emergency medical services fund to provide discretionary grants for emergency medical service projects with potential region wide significance and modifies the distribution of the fund. Reduces the city or town participation requirement for hospital district establishment. Requires the commissioner of health, through the Office of Rural Health, to conduct special studies, and to examine the eligibility criteria for rural hospital financial assistance grants. Requires the commissioner of human services, in consultation with the commissioner of health, to study the mechanisms and rates of reimbursement for advanced and basic life support ambulance and special transportation services under MA and GAMC and report to the Legislature by Jan. 1, 1993. Requires the commissioner of health, with the commissioner of commerce, to study prepaid ambulance service plans and report to the Legislature by Jan. 1, 1993.

Article VI -- Health professional education. Expands eligibility for the rural physicians loan forgiveness program administered by the Higher Education Coordinating Board (HECB). Creates a midlevel practitioner education account for use by the HECB to establish a loan forgiveness program for nurse practitioners, nurse midwives, nurse anesthetists, advanced clinical nurse specialists or physician assistants agreeing to practice in designated rural areas. Specifies eligibility requirements and loan forgiveness conditions. Prescribes a penalty for nonfulfillment of the minimum commitment of service requirement. Provides for education and training of primary care physicians. Defines primary care. Requires initiatives of the University of Minnesota Medical School in implementing the education and training program to encourage newly graduated primary care physicians to practice in underserved rural areas. Requests the Board of Regents to seek grants for the initiatives and report annually to the Legislature on progress. Specifies curriculum design and clinical experience requirements. Requests the Medical School to increase the opportunities for general medicine, pediatrics and family practice residents to serve rotations in primary care settings, to establish a rural residency training program in family practice and to develop continuing medical education programs for primary care physicians. Creates an education account in the general fund for a loan forgiveness program for nurses agreeing to practice in nursing homes. Specifies eligibility requirements and loan forgiveness conditions. Specifies a penalty for nonfulfillment of the minimum commitment of service requirement. Requires HECB implementation rules. Requires the commissioner of health to study access to obstetrical services and report to the Legislature by Jan. 1, 1993. Authorizes the HECB to award grants to schools or colleges to establish and administer midlevel practitioner training programs in rural Minnesota and to establish a competitive grant program for nursing schools to develop continuing education programs for nurses working in rural areas.

Article VII -- Data collection and research initiatives. Requires the commissioner of health, in consultation with the Health Care Commission, to establish a Health Care Analysis Unit to conduct data and research initiatives to improve the efficiency and effectiveness of health care. Specifies commissioner duties. Specifies criteria for unit data and research initiatives and for initiatives relating to public sector health care programs. Specifies data collection procedures. Classifies data collected and requires commissioner data access. Requires use criteria and procedures rules. Requires the commissioner to convene a Data Collection Advisory Committee. Specifies membership and duties. Authorizes commissioner implementation rules. Requires the Health Care Analysis Unit to establish a large scale data base for a limited number of health conditions. Outlines requirements. Requires the unit to analyze the data and to provide medical practitioners with information on medical practice parameters. Authorizes the unit or the commissioner to require peer reviews of medical practice for specific medical conditions deviating from practice parameters. Requires the commissioner to establish a Practice Parameter Advisory Committee for recommendations on the adoption of practice parameters. Requires the unit to provide technical assistance to health plan and health care purchasers. Specifies information collection requirements. Authorizes the unit to develop outcome based practice standards and outlines requirements. Provides for commissioner approval of practice parameters and provides a practice parameter defense in malpractice cases. Expands the functions of health care review organizations to include determination of professional membership in state or local associations and review of professional practice upon request of the Health Care Analysis Unit. Modifies data confidentiality requirements. Requires health licensing boards to assist the commissioner and the analysis unit in data collection activities and to assist the commissioner of revenue in provider tax collection activities. Specifies grounds for disciplinary action against regulated persons. Requires the unit to study costs and requirements incurred by health carriers, group purchasers and health care providers relating to the collection and submission of information to the state and federal government, insurers and other third parties. Requires recommendations to the commissioner and the Health Care Commission by Jan. 1, 1994.

Article VIII -- Medical malpractice. Specifies affidavit and interrogatory signature requirements for medical malpractice actions purposes. Requires the court to order deadlines for the calling of experts. Provides for alternative dispute resolution and for uniform plaintiff interrogatories in civil cases.

Article IX -- Financing. Establishes a health care access fund in the state treasury. Imposes a one percent gross premium tax on health maintenance organizations and nonprofit health service corporations beginning in 1996. Exempts the Children's Health Plan, the HealthRight Plan and MCHA Plan premiums from the tax. Provides an income tax subtraction for amounts paid for health insurance by self employed individuals. Imposes a two percent gross premium tax on hospitals, health care providers and wholesale drug distributors and imposes a use tax on prescription drugs not subject to the wholesale drug distributors tax. Provides for deductions or exemptions. Requires and provides for estimated tax payments and for collection and enforcement of the tax by the commissioner of revenue. Requires the deposit of revenues in the health care access fund. Provides a severability clause. Increases the tax on cigarettes by a nickel per pack and reduces the discount on cigarette tax stamps to reflect the increase in the tax rate. Provides for temporary deposit of the revenues in the health care access fund. Imposes a floor stocks tax on cigarettes held by distributors, retailers and other sellers of cigarettes. Requires deposit of the revenues in the health care access fund. Provides hospital tax transition and passthrough provisions. Requires the commissioner of revenue, in consultation with the commissioner of health and the Board of Pharmacy, to report to the Legislature by Nov. 1, 1992, on the expected impact of the wholesale drug tax and health care provider tax on pharmacies and pharmacists. Requires the commissioner of human services to apply for a federal waiver from health care related tax restrictions.

Article X -- Appropriations. Appropriates \$809,000 to the commissioner of commerce; \$3.005 million to the commissioner of health; \$13.371 million to the commissioner of human services; \$189,000 to the HECB; \$1.679 million to the commissioner of employee relations; \$2.2 million to the Board of Regents; \$917,000 to the commissioner of revenue; and \$125,000 to the Legislature for implementation purposes. Requires the commissioner of finance to transfer \$4.368 million from the health care access fund to the general fund for Fiscal Year 1993.

Effective date: Various dates. OGREN, BERGLIN.

Child placement provisions

Chap. 557-S.F. 1821 Modifies provisions relating to the custody and placement of children. Limits the authority of the court to consider physical, sensory or mental disabilities in determining child custody disputes. Regulates the frequency of physical examinations of children accepted for placement. Requires child placing agencies to develop and follow procedures for implementing the order of placement preference and for requirements prescribed by the federal Indian Child Welfare and Minnesota Indian Family Preservation Acts. Provides for the disclosure of private or confidential data to relatives in implementing orders of preference for suitable placement location purposes. Requires standards for determining the suitability of proposed placements. Establishes a general preference for adoption by relatives. Provides for the appointment of a multidisciplinary task force to examine issues raised by alternative disposition recommendations. Requires a report to the Legislature. Specifies report content requirements.

Effective date: Various dates. BERGLIN, JEFFERSON.

Health care workers and HIV monitoring

Chap. 559-S.F. 2732 Article I -- Provides for the reporting and monitoring of licensed health care workers infected with the human immunodeficiency virus (HIV) or the hepatitis B virus (HBV). Authorizes the commissioner of health to subpoena privileged medical information of patients exposed by licensed dental hygienists, dentists, physicians, nurses or podiatrists or registered dental or physicians assistants to HIV or HBV. Requires hospitals to establish policies and procedures to prevent the transmission of HIV and HBV to patients and within the health care setting. Requires policies and procedures to conform with federal recommendations. Requires compliance evaluation by the commissioner. Subjects physicians, registered and licensed practical nurses, dentists and podiatrists knowingly providing false and misleading information directly related to the care of patients to disciplinary action by the respective regulatory boards unless done for an accepted therapeutic purpose such as the administration of a placebo. Authorizes and provides for the Board of Dentistry to obtain medical or health records without consent when the board has probable cause to believe that a licensee's or registrant's condition meets specified grounds. Classifies the information obtained as private data. Requires the Board of Chiropractic Examiners, the Board of Dentistry, the Board of Medical Practice, the Board of Nursing or the Board of Podiatric Medicine to require licensees to obtain instruction or continuing education in the subject of infection control for license renewal purposes. Establishes an HIV and HBV prevention program. Specifies reporting obligations of licensed dental hygienists, dentists, physicians, nurses, podiatrists and chiropractors and registered dental and physicians assistants infected with HIV or HBV to the commissioner of health. Specifies reporting obligations of persons and institutions required to report to the commissioner of health. Authorizes reporting by others with knowledge of the diagnosis. Specifies infection control reporting requirements of regulated persons. Prohibits discharge or discrimination for filing complaints. Details a reporting liability immunity provision. Specifies grounds for disciplinary or restrictive action by regulatory boards against persons failing to follow accepted and prevailing infection control procedures or failing to comply with monitoring or reporting requirements. Authorizes and provides for temporary suspension of the right to practice. Specifies that if the board has reasonable grounds to believe

a regulated person infected with HIV or HBV has done or omitted doing any act that would be grounds for disciplinary action, the board may take action after giving notice three business days before the action, or sooner if deemed necessary by the board. Specifies that the board may temporarily suspend the regulated person's right to practice; requires the regulated person to appear personally at a conference and to provide information relating to the regulated person's health or professional practice; and take any other lesser action deemed necessary by the board for the protection of the public. Requires the boards to enter into contracts with the commissioner to perform required monitoring functions. Specifies board monitoring plan requirements. Authorizes and provides for assistance from expert review panels. Sets forth a liability immunity provision. Authorizes and provides for the boards to conduct inspections of clinical practices of regulated persons for infection control procedures compliance determination purposes. Specifies notice requirements. Provides for access to premises and records. Specifies authorized board actions. Authorizes the boards to adopt rules setting standards for infection control procedures. Requires joint rulemaking. Requires the adoption of rules before the conducting of inspections. Classifies data obtained by the boards and the commissioner and restricts disclosure.

Article II -- Establishes the Chemical Dependency Licensing Advisory Council to study the provision of chemical dependency counseling and advise the commissioner of human services, the profession and the public. Specifies membership. Specifies duties of the commissioner. Requires the commissioner to appoint a Continuing Education Committee to advise on the administration of continuing education requirements. Requires and provides for commissioner setting and adjustment of license fees. Requires crediting the fees to the special revenue fund. Specifies biennial reporting requirements of the commissioner. Prescribes requirements for licensure and continuing education requirements for license renewal purposes. Provides for license issuance to applicants not meeting license requirements during the transition period. Provides for license reciprocity with other jurisdictions if the commissioner finds that the requirements for that credential are substantially similar to Minnesota requirements. Specifies grounds for denial, suspension or revocation of licenses. Provides for annual review and license restoration. Prohibits individuals from engaging in the practice of chemical dependency counseling without a license. Specifies exceptions and specifies penalties. Restricts testimony of licensed chemical dependency counselors as competent court witnesses.

Effective date: Various dates. PIPER, BISHOP.

Lead abatement provisions

Chap. 595-S.F. 2137 Modifies requirements for lead education, assessment, screening and abatement. Requires the proactive lead education program to include home visits to provide information relating to safety measures, community, legal and housing resources, nutrition, health follow up materials and methods to be followed before, during and after the abatement process. Requires the provision of ongoing education to health care and social service providers, contractors, building trades professions and nonprofessionals, property owners and parents. Requires the commissioner of health to provide for a proactive lead education program serving communities at high risk for toxic lead exposure to children in which a board of health does not have an education strategy. Lowers blood lead level requirements. Modifies home assessment requirements. Requires the commissioner to award grants to health boards to pay for relocation costs. Provides for state grants to fund lead cleanup equipment and educational materials and for lead abatement certification training for staff and volunteers. Specifies equipment requirements. Modifies medical and environmental sample analysis reporting requirements. Expands requirements for the testing of children to all areas of high risk. Requires the commissioner to conduct surveys and soil assessments in outstate areas. Modifies statewide lead screening requirements. Modifies residence assessment, residential lead assessment guide

content and commissioner reporting requirements. Requires and provides for the registration and licensing of abatement contractors. Requires and provides for the certification of employees. Requires the commissioner to specify training and testing requirements and to charge license or certificate and training fees. Requires crediting to the lead abatement licensing and certification account. Specifies rulemaking requirements. Requires the commissioner to provide health and safety information on lead abatement to licensed residential building contractors. Requires continuing education courses for the contractors to contain information on lead abatement rules and safe lead abatement procedures. Requires the commissioner to adopt priorities for providing abatement services to areas defined as high risk for toxic lead exposure. Transfers rulemaking and soil assessment requirements from the Pollution Control Agency to the commissioner of health and eliminates some rulemaking deadlines. Requires the commissioner to work with the commissioner of the Housing Finance Agency in allocating at least 50 percent of federal lead abatement funds for swab teams. Provides that priority for funding swab teams is to be given to contractors who hire residents from neighborhoods where the contractor is providing lead abatement services. Specifies that to the extent practicable under federal guidelines, the commissioner may use federal funding for local boards of health for lead screening, lead assessment, and lead abatement only to the extent that the federal funds do not replace existing funding for these lead services. Defines and provides for residential hospice facilities under the home care hospice program. Authorizes hospice programs to operate licensed facilities as residential hospice facilities under specific conditions. Limits the number of residential hospice programs allowed to be licensed by the commissioner of health to 15. Requires the commissioner to report to the Legislature by Mar. 1, 1993, on the number of programs that have been licensed or have applied for licenses. Specifies report content requirements.

Effective date: Aug. 1, 1992. HOTTINGER, GREENFIELD.

Judiciary

Cocaine and crack penalties equalization

Chap. 359-S.F. 11 Increases the penalties for sale or possession of powder cocaine to be identical to the penalties for sale or possession of cocaine base (crack). Defines cocaine. Expands the definition of sale under controlled substance violations to include possession with intent to sell.

Effective date: Jan. 18, 1992. SPEAR, SOLBERG.

Revisor's bill

Chap. 363-S.F. 1562 Provides for the correction of miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature in statutes and laws enacted by the 1991 Legislature.

Article I -- Corrects errors relating corporate mergers and dissolutions and real estate appraisers. Extends the effective dates of transitional or existing real estate appraiser license provisions. Reconciles conflicting amendments relating to interest on court verdicts and judgments relating to marriage dissolution. Clarifies provisions relating to the Advisory Task Force on Paratransit. Eliminates an uncertified boarding care negotiated General Assistance rate reduction limit. Provides an income tax disregard for property and payroll at mail order distribution centers outside the state for apportionment purposes under specific conditions. Includes property used for housing for the elderly or low and moderate income families as defined by the Housing Finance Agency in the definition of class 4c property for property tax purposes. Inserts figures relating to economic development authority small business capital investment limits. provides for the use of additional permanent school fund land lease proceeds for survey, appraisal and selling costs payment purposes. Reduces an appropriation to the Dept. of Administration

for the Intertechnologies Group. Provides an effective date for Hennepin County financial statement and audit requirement modifications. Expands the application of a provision relating to committing to the custody of the commissioner of corrections felony offenders sentenced in a Community Corrections Act County. Appropriates money to the executive director of the Minnesota State Retirement System for insufficiencies in the judges retirement fund. Retroactively exempts occasional sales of farm machinery, farm auction sales and sales of assets of a trade or business from the sales tax. Defines farm auction and provides for refunds. Extends the expiration date for temporary charter carrier permits.

Article II -- Correction, education funding. Repeals intermediate school district withdrawal provisions. provides for the reduction of basic revenue for part time pupils under the high school graduation incentive program. Clarifies the program review and approval requirement for school district learning readiness aid purposes. Effective date: Various dates. SPEAR, BISHOP.

Motor vehicle lienholders notice requirement

Chap. 395-H.F. 2046 Requires motor vehicle lienholders to provide written notice to secured creditors listed on the certificate of title before sale of the vehicle. Specifies notice requirements. Specifies that failure to comply renders the lien ineffective against the creditors.

Effective date: Aug. 1, 1992. BERTRAM, BERTRAM.

Session law chapter numbering modification

Chap. 416-S.F. 1671 Modifies the numbering requirement for session law chapters by the revisor of statutes. Specifies that as far as practical, numbers shall be assigned in the order of the date of the Legislature's last vote on the bills before presentation to the governor.

Effective date: Apr. 8, 1992. LUTHER, MILBERT.

Escorts for persons accused or convicted of crimes

Chap. 417-S.F. 2124 Increases the distance for persons accused or convicted of crimes to be transferred without the requirement for a same sex escort to 100 miles.

Effective date: Aug. 1, 1992. SPEAR, BROWN.

Uniform Probate Code successor definition

Chap. 423-H.F. 2572 Expands the definition of successors under the Uniform Probate Code to include funeral directors or county governments providing funerals and burials of decedents.

Effective date: Aug. 1, 1992. MCEACHERN, SOLON.

Federal law enforcement officers authority

Chap. 449-S.F. 2383 Affording qualified federal law enforcement officers assigned to special task forces the authority of peace officers participating in the special task force under a memorandum of understanding.

Effective date: Aug. 1, 1992. MCGOWAN, VELLENGA.

Zero tolerance of violence declaration

Chap. 452-S.F. 1985 Declares a state policy of zero tolerance of violence. Requires the Legislature, state agencies and public corporations to adopt a goal of zero tolerance of violence. Encourages and provides for the development of workplace and client plans providing for the safety of employees and persons served. Requires the filing of statements and plans with the Legislative Reference Library for public inspection purposes. Specifies a state civil liability exemption provision.

Effective date: Apr. 14, 1992. PIPER, MCGUIRE.

Jury service provision

Chap. 453-S.F. 2177 Prohibits exclusion from jury service based on physical or sensory disability. Retains the right to strike individuals for cause.

Effective date: Aug. 1, 1992. SPEAR, GREENFIELD.

Probate provisions

Chap. 461-S.F. 2368 Article I -- Collection of personal property by affidavit. Authorizes the registrar of motor vehicles upon receipt

of an affidavit for the collection of personal property, an application for a new certificate of title and the required fee to issue a new certificate of title for the motor vehicle in the name of the successor as owner with a listing of secured parties. Requires mailing of the certificate to the successor and issuance of a notice to secured parties of security interest filing.

Article II -- Enactment of the Uniform TOD Security Registration Act. Enacts the "Uniform Transfer on Death Security Registration Act." Provides for registration in beneficiary form. Provides for effect of registration in beneficiary form. Provides for ownership on death of the owner. Specifies the rights of creditors. Provides for protection of registering entities and for revocation of beneficiary designation by will. Specifies the terms, conditions and forms for registration.

Effective date: June 1, 1992. FINN, PUGH.

Real estate provisions

Chap. 463-S.F. 1856 Subjects purchase money mortgages to the rights or interest of a nonmortgaging spouse. Provides for mortgage satisfaction or release by fewer than all mortgagees. Eliminates the issuance of duplicate certificates of title and of possessory title for use by mortgagees or lessees of registered land. Modifies mortgage foreclosure notice requirements. Provides for the issuance of certificates of title to new owners of property after foreclosure by action or after forfeiture. Modifies certificate requirements for land taken by eminent domain. Provides for the issuance of certificates of title or CPTs for registered land adjoining vacated streets or alleys. Modifies lien statement content requirements. Exempts marital property interests of nontitled spouses from subjection to levy, judgements or tax liens. Clarifies provisions relating to notice of termination of contracts for deed. Authorizes and provides for the filing of requests for notice of mortgage foreclosure by advertisement with the county recorder or registrar of titles. Specifies a minimum fee for foreclosure by advertisement. Changes dates relating to validation of mortgage foreclosure sales.

Effective date: Various dates. FINN, PUGH.

Revisor's bill

Chap. 464-H.F. 2647 Corrects erroneous, ambiguous and omitted text and obsolete references. Eliminates redundant, conflicting and superseded provisions. Makes miscellaneous technical corrections to statutes and other laws.

Article I -- Statutory corrections. Corrects references and cross references in provisions relating to the Legislative Commission on Children, Youth and Families; the investment of pension fund assets; workers compensation rehabilitation services; the purchase of office paper by public entities; real estate appraisers prohibited practices; water safety; forest fire abatement; water well fee exemptions; solid waste management districts; Advantage Minnesota board of directors; business licenses; maximum effort school loans; credit card payment of speeding fines; drivers license anatomical gift applications; minimum wage; state bargaining units; boiler inspections; inpatient hospital payment system diagnostic categories; special Medical Assistance payments for physician services; property tax exemptions; plumber licensing; bounties; the bounce back annuity under the Minnesota State Retirement System; state troopers retirement; supplemental pension or deferred compensation plan restrictions; normal retirement age; tort liability; the marriage license fee; increased maximum penalties for petty misdemeanors; crime victims rights; the Metropolitan landfill contingency action fund; and hazardous waste violation orders.

Article II -- Obsolete references. Eliminates or changes obsolete references in provisions relating to health related licensing boards; income tax nondeductible items; sales tax collection; occupation taxes; and liens.

Effective date: Aug. 1, 1992. MILBERT, NEUVILLE.

Firearms provisions

Chap. 475-H.F. 2211 Clarifies powers of law enforcement and state patrol officers relating to stopping vehicles for traffic violations and to issuing citations for motor vehicle inspection violations. Provides

for administrative forfeiture of firearms, ammunition and firearm accessories involved in controlled substance crimes. Creates a permissive inference of possession relating to firearms in passenger automobiles. Makes technical corrections to the possession eligibility criteria and transfer process applicable to pistols. Exempts transfer to licensed peace officers from transfer report filing requirements. Effective date: VETOED. BAUERLY, KELLY.

Domestic corporation registration modifications

Chap. 477-H.F. 2551 Modifies requirements for registration of domestic corporations with the secretary of state. Eliminates the option of annual filing with the commissioner of revenue. Changes the fee for loss of good standing for failure to file a registration to a fee for regaining good standing after filing a registration. Requires the secretary of state to dissolve corporations failing to file a registration within the time limit after notification. Provides for retroactive reinstatement of corporate existence after statutory dissolution.

Effective date: Sept. 1, 1991 (retroactive). REST, REICHGOTT.

Butane sale to minors prohibition

Chap. 485-S.F. 979 Recodifies provisions prohibiting the sale of toxic substances to minors and adding butane to the prohibition. Specifies sign posting requirements. Provides for an affirmative defense.

Effective date: July 1, 1992. PAPPAS, CLARK.

Sole shareholder appearance authorization

Chap. 497-S.F. 1319 Authorizes the sole shareholder of a corporation to appear on behalf of the corporation.

Effective date: Aug. 1, 1992. METZEN, MILBERT.

Nonprofit corporation provisions

Chap. 503-S.F. 2088 Modifies provisions relating to the organization and operation of nonprofit corporations. Requires charitable organization registration statements on file with the attorney general to contain the total annual compensation paid to officers, directors, trustees and chief executive officers. Clarifies the definition of notice. Requires the use of a resolution adopted by the board or by the members, whichever elected or appointed the officer, for the removal of officers except as otherwise provided in the articles or bylaws. Clarifies the right of members and directors to vote. Removes a requirement for the filling of vacancies on boards of directors held by designated directors. Clarifies a presumption of assent by directors relating to actions on conflicts of interest and modifies conflict procedures. Clarifies the authority of members to call meetings on demand. Requires the retention of voting agreements and specifies a duration limit of six years for the required retention of records. Modifies inspection provisions. Restricts the use of records by members or directors and authorizes the court to issue protective or relief orders for enforcement purposes. Authorizes corporations to charge for the costs of providing copies of documents. Provides for the maintenance of computerized records. Specifies remedies for members or directors wrongfully denied access to documents. Authorizes directors to bring actions. Eliminates provisions relating to the registration of nondistinguishable names for corporations losing good standing for failure to register with the secretary of state and changes the deadline for required dissolution and optional extension of corporations failing to regain good standing. Requires the annual registration to include the names of persons performing the functions of president. Authorizes the secretary of state to give notice of the requirement to file the annual registration by appropriate means. Provides for alternate notice by the secretary of state for failure to file annual reports. Changes the deadline for the filing of initial registrations and modifies involuntary dissolution procedures. Provides for reactivation and sets fees.

Effective date: Aug. 1, 1992. REICHGOTT, PUGH.

Limited liability company authorization

Chap. 517-H.F. 1910 Provides for the formation, organization, operation, taxation, management and ownership of limited liability companies. **Article I --** Defines limited liability company for

political contribution purposes and for income tax and tax administration and compliance purposes as a partnership. Provides for credit for taxes paid to other states. Includes limited liability companies under provisions regulating business, nonprofit and professional corporations, cooperatives and limited partnerships. Authorizes corporations to participate in mergers or exchanges with domestic limited liability companies. Prohibits limited liability companies from farming and ownership of agricultural land.

Article II -- Minnesota Limited Liability Company Act. Specifies the scope of the provisions and defines terms. Provides for the formation and articles of organization of limited liability companies. Specifies articles content requirements and options. Specifies name requirements and prohibitions. Specifies requirements for name reservation. Specifies registered office requirements and authorizes the designation of registered agents. Provides for amendments to articles of organization and includes procedures for amendment before and after contribution. Provides for class or series voting on amendments. Specifies articles of amendment requirements. Provides for the effect of amendments. Requires the filing of articles of organization with the secretary of state. Provides for the effective date of articles of organization and for the issuance of a certificate of organization by the secretary of state. Specifies the powers and duration of limited liability companies. Provides for the use of a seal. Provides for members and membership interests. Sets forth termination provisions. Specifies the personal liability of members. Provides for the assignment of financial, membership and governance rights. Provides for the effective date of assignment. Specifies the rights of judgment creditors. Provides for the powers of estate of deceased or incompetent members. Provides for the allocation of profits and losses. Specifies preemptive rights of members. Provides for regular and special meetings and sets forth notice requirements. Authorizes and provides for the use of electronic communications in lieu of presence at meetings. Provides for written actions in lieu of meetings. Specifies quorum requirements and member voting rights. Provides for voting by proxy and sets limits. Provides for member voting and control agreements. Specifies recordkeeping and annual financial statement requirements. Specifies inspection rights. Provides for equitable remedies for violations. Provides for the rights of dissenting members and specifies procedures for asserting dissenters rights. Provides for the acceptance and valuation of contributions. Provides for contribution and contribution allowance agreements. Specifies requirements and restrictions. Provides for the distribution of cash or other assets and for interim distributions. Restricts distributions in kind and specifies other limits and restrictions. Specifies member status as a creditor. Specifies the liability of members and governors for illegal distributions. Provides for the organization and governance of the companies. Provides for operating agreements and a board of governors. Specifies powers and duties and provides for meetings. Establishes a standard of conduct and specifies conflict of interest. Requires and provides for managers. Specifies managers powers, duties, and standard of conduct. Provides for loans, obligations and advances. Specifies indemnification requirements and restrictions. Regulates mergers, exchanges and transfers of assets. Provides for and regulates dissolution or termination of the companies. Authorizes and provides for judicial intervention. Provides for the distribution of assets. Provides for actions against limited liability companies. Specifies requirements and limits for the transaction of business in Minnesota by foreign limited liability companies. Requires issuance of a certificate of authority by the secretary of state.

Effective date: Various dates. REST, REICHGOTT.

Human Rights clarification

Chap. 527-H.F. 2750 Clarifies and modifies discriminatory practice provisions to conform to the federal Disability Discrimination Act. Defines and redefines terms. Regulates the maintenance of records obtained in medical examinations of prospective employees and restricts access. Modifies reasonable accommodation requirements relating to employment. Expands the equal access to real property requirement for disabled persons with service dogs to persons with

service animals. Expands public accommodations accessibility requirements to persons with sensory or mental disabilities. Eliminates a structural changes requirement exemption. Specifies general prohibitions against discrimination on the basis of disability and specific prohibitions relating to goods, services, facilities, accommodations and public transportation.
Effective date: Aug. 1, 1992. BISHOP, REICHGOTT.

Child visitation modification

Chap. 529-H.F. 1738 Modifies the requirements for a person other than the parents seeking child custody or visitation rights by specifying that the person meet the requirement outlined in law relating to rights of visitation.
Effective date: Aug. 1, 1992. VELLENGA, RANUM.

Unlawful detainer action right assignment

Chap. 533-S.F. 1938 Provides for the assignment to the county attorney of the right of landlords to bring unlawful detainer actions against lessees breaching the covenant not to allow drugs. Clarifies provisions that allow for the forfeiture of real or rental property related to contraband or controlled substance seizures. Restricts forfeiture of real property owned by the parent of the offender.
Effective date: Various dates. PAPPAS, DAWKINS.

Living will form change

Chap. 535-S.F. 2111 Adds information relating to birthdate and organ donation to the suggested adult health care declaration (Living will) form. Provides that not having the information does not affect the validity of a declaration if the declaration is otherwise substantially in the form prescribed by law.
Effective date: Aug. 1, 1992. SOLON, JAROS.

Family assault penalty enhancement

Chap. 537-S.F. 1619 Enhances penalties for repeat offenses of fifth degree assault against family or household members. Requires courts to take possession of firearms used in the commission of the assaults. Disqualifies persons convicted of fifth degree domestic assault from pistol possession if the offense was committed within three years of a previous conviction or the person has been convicted of assault in the fifth degree and the victim was a family or household member. Requires notice to persons convicted of a crime of violence of the prohibition on pistol possession for ten years after the person is restored to civil rights or since the sentence expires, whichever occurs first and that it is a felony to violate the prohibition.
Effective date: Aug. 1, 1992. MARTY, BISHOP.

Nonjudicial mortgage foreclosure process

Chap. 547-H.F. 2649 Establishes a voluntary nonjudicial mortgage foreclosure process for nonhomestead or nonagricultural property with waiver of deficiency claims and equity. Requires and provides for notice to creditors. Provides for the filing or recording of certificate of sale. Provides for redemption by creditors with junior liens. Authorizes and provides for filing of a request for notice. Specifies remedies for failure to comply.
Effective date: Aug. 1, 1993. PUGH, SPEAR.

Probate provisions

Chap. 548-H.F. 2000 Provides for the nonmerger of trusts in the case of a trustee and beneficiary being the same person. Provides for the execution of certificates of trust setting less than all provisions of a trust instrument and amendments. Specifies authorized uses and required contents. Provides for effect and amendment or revocation. Provides for an affidavit of trustee in real property transactions and specifies effect. Prohibits the use of power of attorney as a defense against the transfer of marital property in marriage dissolution proceedings. Clarifies the validity of power of attorney and durable power of attorney. Modifies and clarifies interpretation provisions. Specifies requirements for the statement of an expiration date in a power of attorney. Provides for the termination of durable and nondurable powers of attorney in marriage dissolution cases. Clarifies

a notice of revocation provision. Provides for the qualification of a successor attorney in fact named in a statutory short form power of attorney. Provides a form of affidavit by attorney in fact as conclusive proof of nontermination and nonrevocation in real property transactions. Provides for effect. Specifies the duty of attorneys in fact relating to accounting of reimbursement for expenditures. Modifies the statutory short form used to create a power of attorney, specifies the requirements constituting a common law power of attorney and specifies the effect of the use of street addresses instead of legal descriptions of property under the short form. Provides for reimbursement of attorneys in fact for expenditures. Extends the short form power of attorney in beneficiary transactions to qualified and nonqualified benefit plans and individual retirement assets. Clarifies powers relating to gift transactions and modifies fiduciary transaction powers. Repeals a modification to the statutory short form power of attorney.
Effective date: Aug. 1, 1992. MACKLIN, MERRIAM.

UCC revised article adoption

Chap. 565-S.F. 1644 Uniform Commercial Code (UCC) - Negotiable Instruments. Adopts the revised Article 3 of the UCC with conforming amendments approved by the American Law Institute and the National Conference of Commissioners on Uniform State Laws. **Revised Article 3 of the UCC (Negotiable Instruments) with conforming amendments to Article 1 (General Provisions) and Article 4 (Bank Deposits and Collections).** Modifies general definitions and a reservation of rights provision under Article 1 of the UCC.

Part 1 -- General provisions and definitions. Defines the subject matter and terms. Provides for the issuance and payment of instruments as an unconditional promise or order. Provides for the payment of interest on and the dating of instruments. Provides for the enforcement of incomplete instruments. Specifies joint and several liability and a statute of limitations for enforcement actions. Provides for notice of the right to defend an action.

Part 2 -- Negotiation, transfer and endorsement. Defines negotiation and provides for negotiation subject to rescission. Provides for the transfer, endorsement and reacquisition of instruments.

Part 3 -- Enforcement of instruments. Provides for the value and consideration of instruments, for the determination of overdue instruments, for defenses and claims in recoupment, for claims to an instrument, for notice of breach of fiduciary duty, for proof of signatures and status, for enforcement of lost, destroyed or stolen instruments, for the effect of instruments on obligations, for accord and satisfaction and for the treatment of lost, destroyed, or stolen cashiers, tellers or certified checks.

Part 4 -- Liability of parties. Establishes signature requirements for liability purposes. Provides for the treatment of instruments issued to impostors or fictitious payees. Specifies employer responsibility for fraudulent endorsement by an employee. Establishes negligence contributing to forged signatures or altered instruments. Provides for the acceptance of drafts and for the refusal to pay cashiers, tellers and certified checks. Specifies the obligations of issuers, acceptors, drawers and endorsers. Specifies transfer and presentment warranties. Provides for recovery under payment or acceptance by mistake. Provides for instruments signed for accommodation and for the conversion of instruments.

Part 5 -- Dishonor. Provides for the dishonor of notes and of unaccepted and accepted drafts. Provides for excused presentment. Provides for notice and for evidence of dishonor.

Part 6 -- Discharge and payment. Provides for the discharge, effect and payment of instruments. Exempts gaming activities conducted under the federal Indian Gaming Regulatory Act from a provision voiding commitments for gambling debts.

Conforming and miscellaneous amendment to UCC Article 4 -- Bank Deposits and Collections. Specifies item payability through or at a bank. Defines collection bank. Provides for electronic presentment. Specifies a statute of limitations. Modifies warranty

and settlement provisions. Provides for the liability of collecting and payor banks and for the return of items. Sets a cutoff hour for checks and sets a time of determining account insufficiency. Specifies the effectiveness of stop payment orders. Modifies a provision relating to customer duty to report unauthorized signatures or alterations. Effective date: Aug. 1, 1992. FINN, FARRELL.

Government data practices provisions

Chap. 569-H.F. 2181 Authorizes responsible authorities to require persons requesting copies of data to pay the actual costs of making, certifying and compiling the copies. References and provides for the classification of, or access to, provisions codified outside the Government Data Practices Act relating to data of the commissioner of revenue supplied to the Tax Study Commission, legislative audit data, Ethical Practices Board disclosure of complaint or investigation information, information in registers of ownership of state bonds or certificates, pesticide dealers records inspected or copied by the commissioner of agriculture, disclosure of information in dairy production reports filed with the commissioner of agriculture, family farm security loans data received or prepared by the commissioner of agriculture, Rural Finance Authority and World Trade Center Corporation data, disclosure of financial institution and insurance data by the commissioner of commerce, data obtained by the commissioner of health in the examination of health maintenance organizations, sharing of auto theft data among law enforcement officers, prosecutors and insurers, disclosure of data received by the workers compensation self insurers security fund, environmental response data obtained by the Pollution Control Agency (PCA) and hazardous or solid waste data or records exchanged between the PCA and the Dept. of Revenue or records inspected by counties, low level radioactive waste data, trade secret information of the PCA, data collected and used by the Higher Education Coordinating Board (HECB) on applicants for financial assistance, limits on access to records transferred to the state archives, Health Dept. data relating to founding reports, birth certificates, the human leukocyte antigen type registry, health directives, hospital inspections, the cancer surveillance system, medical malpractice claims reports, HIV test results, home care services, terminated pregnancies, health care review organizations and family planning grants, data on physicians, chiropractors, nurses, mental health and social workers and dentists held by the respective regulatory boards, motor vehicle registration and drivers license data, accident and worker injury or death reports, names of reporters of information to the Dept. of Labor and Industry, drug and alcohol test results and occupational safety and health inspection results, veterans benefits, data maintained by veterans service officers, data received by health licensing boards, energy data maintained by the commissioner of public safety, data on children receiving mental health services and state hospital patients, data collected by mental health clinics and centers, chemical dependency service agreements, data maintained by Ramsey Health Care, chemical dependency service agreements, judicial commitment prepetition screening investigations, data on research subjects and alcohol or drug abuse treatment recipients, data practices of the commissioner of human services as part of the Child Mortality Review Panel, artificial insemination, parentage action, adoption and juvenile records, data maintained by the Dept. of Jobs and Training, transitional housing, emergency jobs program, vocational rehabilitation and Revenue Recapture Act data, tax and mineral rights exploration data, data relating to the undercover buy fund of the Bureau of Criminal Apprehension and arson investigations, data obtained by the director of the Office of Pipeline Safety, data relating to Human Rights Dept. conciliations and investigations and Hennepin County Board meetings covering medical center purchases and marketing, coroner or medical examiner death reports, rural development financing authority information, municipal self insurance claims relating to employee health benefits, metropolitan solid waste landfill fee, municipal obligation register and child custody proceedings data, farmer lender mediation information relating to debtors and creditors, presentence investigation reports, data on the use of a motor vehicle to patronize prostitutes and public

defender, crime victims, gunshot wounds, child and vulnerable adult abuse and peace officer discipline procedures data. Provides for consumer access to credit reports prepared by consumer reporting agencies. Authorizes the use of data collected by the commissioner of health for epidemiologic investigation purposes for notice to persons exposed to health hazards resulting from employment. Authorizes the release of tax data for epidemiologic investigation purposes. Modifies provisions relating to patient consent to release of health or medical records. Authorizes the exchange of immunization data without patient consent if the person requesting access provides services on behalf of the patient. Authorizes and provides for the opening of criminal conviction records by court order for criminal investigation prosecution or sentencing purposes. Specifies sealed records availability notice requirements.

Minnesota Child Protection Background Check Act. Authorizes criminal background checks of professional and volunteer children's service workers. Requires the BCA to develop procedures to enable children's service providers to request the background checks. Specifies requirements, restrictions and workers' rights. Expands the administrative subpoena power of county attorneys to records of cellular phone and paging companies and to records of safe deposit box and customer savings and checking account numbers. Makes information on closed bank accounts available to authorities investigating worthless checks cases. Authorizes and provides for the testing of sex offenders to determine the presence of HIV if the prosecutor moves for the test order in camera; the victim requests the test and evidence exists that the broken skin or mucous membrane of the victim was exposed to or had contact with offender's semen or blood during commission of the crime. Restricts disclosure of test results. Sets forth a health insurance discrimination prohibition. Specifies hours for the service of search warrants and provides for exceptions. Imposes a waiting period on persons seeking a pardon extraordinary from the Board of Pardons and sets forth an exception. Requires the court to send a copy of the set aside order and the pardon to the BCA upon board granting of a pardon extraordinary. Prohibits applications for the sealing of records after a conviction set aside. Requires applications for pardons to be signed under oath. Provides for disclosure to the board of private data on applicants from other states relating to grounds for the pardon. Imposes a deadline for filing applications with the board. Requires the secretary of the board to publish notices of applications for pardons extraordinary in the local newspaper of the county of crime occurrence. Requires annual board reports to the Legislature. Specifies report content requirements. Extends the expiration date of matching agreements for computer comparisons of data. Requires the Dept. of Administration, with the technical assistance of the BCA to conduct a study to determine the feasibility, cost and impact of conducting background checks of criminal arrest and history data from the Federal Bureau of Investigation on children's service workers and report to the Legislature. Requires the Supreme Court to develop a standardized form to be used by the District Courts in entering orders for conviction set asides for pardons extraordinary. Requires the board to assess the adequacy of staff and resources in relation to workload. Authorizes the disclosure of welfare data collected by the Telephone Assistance Plan (TAP) to the Dept. of Revenue for eligibility determinations purposes. Appropriates money to the commissioner of corrections to computerize the records maintained by the Board of Pardons.

Effective date: Various dates. CARRUTHERS, RANUM.

DWI provisions

Chap. 570-S.F. 897 Article I -- Driving while intoxicated provisions. Expands the definition of violation for administrative impoundment of license plates purposes to include aggravated violations of the DWI law and driving after drivers license revocation. Modifies the conditions for impoundment. Requires the arresting peace officers to serve a notice of intent to impound and an impoundment order for drivers license violations. Provides for judicial review and for the issuance of new plates upon dismissal of the charges or acquittal. Expands the crime of refusing to submit to

chemical testing and increases the penalties for subsequent DWI violations. Imposes a mandatory minimum sentence on habitual offenders. Provides an exception for participation in intensive probation pilot programs. Removes the requirement for the court to refer persons refusing testing to the level of care recommended in chemical use assessment reports. Increase the drivers license revocation periods for some violations. Increases the chemical dependency assessment charge and provides for county collection and retention of a portion of the charge. Specifies requirements for release of impounded motor vehicles. Authorizes and provides for the forfeiture of motor vehicles use to commit repeat DWI offenses. Sets limits and provides for disposition. Modifies the implied consent advisory and authorizes the testing without consent of persons suspected of violating criminal vehicular homicide and injury laws. Limits the right to consult with an attorney. Requires submission of chemical use assessment reports to the Dept. of Public Safety. Requires the commissioner to prescribe the form. Requires cooperation of the commissioners of human services and corrections in administration of intensive probation pilot programs. Modifies program element requirements for grants eligibility purposes. Modifies the limited drivers license waiting period. Removes the time limit on the statewide ignition interlock device pilot program and delays the deadline for the report to the Legislature evaluating the program. Delays the deadline for the issuance of limited licenses under the program. Limits sentence stays for some DWI convictions. Requires the Sentencing Guidelines Commission to modify a guideline to increase the criminal history score of repeat DWI offenders and requests the commission to consider ranking criminal vehicular operation and injury violations in severity level VII of the sentencing guidelines grid. Requires the commissioner to develop a program to provide monthly notice to local law enforcement agencies of the names and addresses of persons residing in the local jurisdiction with canceled driving privileges. Classifies data in the notices. Requires and provides for legislative appointment of a commission on the confinement and treatment of DWI recidivists. Requires the commission to present to the Legislature a proposal for effective treatment or confinement to protect society from repeat offenders. Specifies determination requirements. Repeals reimbursements to counties for chemical use assessments.

Article II -- Operating a snowmobile or all-terrain vehicle while intoxicated. Expands the crime of operating snowmobiles or all-terrain vehicles while under the influence of alcohol or controlled substance. Expands peace officer arrest authority. Authorizes the use of preliminary screening test results in civil actions resulting from the operation or use of snowmobiles or all-terrain vehicles. Clarifies penalty provisions and provides for prosecution and access to criminal history information. Requires court notice to first time offenders of enhanced criminal penalties for repeat violators. Expands the chemical testing requirement and authorizes testing without consent for suspected violation of criminal vehicular operation and injury laws. Limits the right to consult with an attorney.

Article III -- Boating while intoxicated. Expands the crime of operating motorboats while under the influence of alcohol or controlled substance (BWI). Expands peace officer arrest authority. Authorizes the use of preliminary screening test results in civil actions resulting from the operation or use of motorboats. Authorizes the use as evidence of test results obtained more than two hours after the alleged violation. Provides for an affirmative defense. Clarifies penalty provisions and provides for prosecuting attorney access to criminal history information. Requires court notice to first time offenders of enhanced criminal penalties for repeat violators. Expands the chemical testing requirement and authorizes testing without consent for suspected violation of criminal vehicular operation and injury laws. Limits the right to consult with an attorney.

Article IV -- Aircraft operation while intoxicated. Expands the crime of refusing to submit to chemical testing for operating aircraft under the influence of alcohol or controlled substance. Modifies the implied consent advisory. Authorizes testing without consent for

suspected violation of criminal vehicular operation and injury laws. Limits the right to consult with an attorney.

Article V -- Hunting while intoxicated. Clarifies and expands the crime of hunting while under the influence of alcohol or controlled substance. Authorizes arrests without warrant for probable cause. Sets forth a liability immunity provision. Provides for preliminary screening tests and specifies authorized uses. Prescribes penalties for violation. Provides for mandatory chemical testing and specifies penalties for refusal. Provides for judicial and administrative review and for enforcement of penalties.
Effective date: Various dates. MARTY, CARRUTHERS.

Omnibus anti-violence provisions

Chap. 571-H.F. 1849 Article I -- Sex offenders. Modifies sex offender program provisions. Eliminates the term "treatment." Makes sex offender program participation subject to the rules of the commissioner of corrections. Authorizes program denial to offenders if the offender is determined by prison professionals as unamenable to programming within the prison system or if the offender refuses or fails to comply with the program's requirements. Prohibits the release of inmates on supervised release on Fridays, weekends or holidays. Authorizes the commissioner to place sex offenders on intensive supervised release for all of the conditional or supervised release term and to order participation in a sex offender program as a condition of release. Applies intensive community supervision ineligibility to all sex offenders. Expands the requirement for the court to order independent professional assessments of juvenile sex offenders. Grants assessors access to private data or confidential data if access is relevant and necessary for assessment. Requires the court to make specific findings relating to mental health and chemical dependency treatment needs of felony level juvenile offenders. Increases the probationary period for some misdemeanor sexual misconduct offenses. Modifies the sentencing requirements for patterned sex offenders. Changes the sentence option to a mandate. Modifies the mental status assessment requirement and the conditions for conditional release. Allows reimprisonment for the remainder of the release term for violation of the conditions. Requires life imprisonment without parole for conviction of first degree murder involving forcible criminal sexual conduct. Increases the maximum sentences for criminal sexual conduct in the first and second degrees. Restricts unsupervised contact with the victim for persons convicted of intrafamilial sexual abuse. Requires independent professional assessment of sex offenders relating to treatment needs. Authorizes a waiver if the sentencing guidelines provide a presumptive prison sentence for the offender or an adequate assessment was conducted prior to the conviction. Grants assessors access to private or confidential data if access is relevant and necessary for the assessment. Requires life imprisonment or 30 year sentences for repeat sex offenders. Specifies a minimum upward sentencing departure requirement for conviction of criminal sexual conduct involving threats, force or coercion. Requires minimum supervised release terms for convicted sex offenders. Modifies a victim identity confidentiality provision. Requires the commissioner to adopt an interim sliding fee scale to determine amount of money to be contributed by sex offenders toward required assessment costs. Requires distribution to District Court administrators. Requires the commissioner of health, in cooperation with the director of Strategic and Long Range Planning, to convene an interdisciplinary committee to plan for an Institute of Pediatric Sexual Health. Requires plan submission to the Legislature.

Article II -- Sentencing. Establishes a new determinate sentencing system for felony offenders including specified minimum terms of imprisonment and maximum periods of supervised release. Eliminates the accrual of "good time" and provides for the imposition of disciplinary confinement periods for violation of disciplinary offense rules. Eliminates the cap on consecutive prison sentences. Eliminates the requirement for a substantial portion of income to be derived from the criminal activity for career offender presumptive sentence aggravated durational departure imposition purposes. Establishes a task force to study the implementation of the new

felony sentencing system. Requires a report to the Legislature. Requires the Sentencing Guidelines Commission to study and report to the Legislature on whether the crime of first degree criminal sexual conduct should be ranked, in whole or in part, in the next higher severity level of the sentencing grid; whether the current presumptive sentence for the crime of second degree intentional murder is proportional to the mandatory life penalty for first degree murder; and whether the sentencing guidelines should provide a presumption in favor of consecutive sentences for persons who are convicted of multiple crimes against a person in separate incidents. Requires the commission to modify the guidelines to include a presumption in favor of consecutive sentences for persons convicted of committing crimes while imprisoned at a state correctional facility.

Article III -- Psychopathic personality provisions. Authorizes the attorney general to assume the duties of the county attorney in psychopathic personality commitment proceedings upon county attorney request. Prohibits the assessment of a fee for services. Requires the commissioner of corrections to make a preliminary determination relating to the appropriateness of a petition for commitment as a psychopathic personality for convicted sex offenders determined to be in a high risk category before release. Requires the determination to be included in the sentencing order. Modifies procedures for the commitment of persons mentally ill and dangerous to the public. Specifies a deadline for the filing of treatment reports for persons in the custody of the commissioner of corrections. Provides for filing of the petition and clarifies the order of serving sentence for psychopathic personalities committed to both the commissioner of corrections and the commissioner of human services. Authorizes the Supreme Court to establish a panel of district judges with statewide authority to preside over commitment proceedings under the psychopathic personality commitment law.

Article IV -- Other penalty provisions. Imposes a court fee of \$5 on defendants pleading guilty to or sentenced for petty misdemeanors except for parking tickets. Increases the surcharge to 20 percent on persons convicted of crimes other than petty misdemeanors and sentenced to pay a fine. Requires court imposition of an additional minimum fine on persons convicted of specific crimes. Authorizes waiver under hardship conditions. Expands the definition of heinous crime for increased penalty imposition purposes. Expands the definitions of child and domestic abuse under the crime of first degree murder. Expands the crime of second degree murder to include domestic abuse homicides when the perpetrator is restrained under an order for protection and the victim is a person designated to receive protection under the order. Increases the penalties for second degree assault resulting in substantial bodily harm and for assault of agricultural inspectors, child protection workers, public health nurses or probation or parole officers in the performance of mandated duties. Expands the crimes of promoting or receiving for profit from the prostitution of minors, and the crime of child neglect and endangerment relating to the sale or possession of controlled substances. Requires the state court administrator to report to the Legislature on information relating to criminal fine assessments and collections. Specifies report content requirements.

Article V -- Crime victims. Expands sexual harassment and violence policy requirements for public post-secondary education institutions. Requires posting at appropriate locations. Makes the requirements optional for the University of Minnesota. Allows alleged victims of juvenile criminal acts to have a supportive person present during testimony. Raises the age limit and expands the circumstances for courts to allow special arrangements for the taking of testimony of children relating to crimes of violence against the child or other persons. Prohibits the use of two way video or TV monitors during testimony of minors if the court finds that the presence of the defendant during testimony would psychologically traumatize the witness so as to render the witness unavailable to testify. Clarifies the right of victims to make oral statements at sentencing hearings. Clarifies the responsibility of the court to provide victims with increased security in courthouses without separate waiting areas. Grants crime victims the right to receive restitution. Requires the court to request information from the

victim to determine the amount of restitution owed. Provides an exception if the victim's noncooperation prevents the court from obtaining competent evidence regarding restitution. Provides offenders the opportunity to respond to specific items of restitution at sentencing or dispositional hearings. Authorizes the Crime Victims Reparations Board to file claims for restitution. Includes crimes committed by juveniles under victims reparations provisions. Requires the commissioner of public safety to establish a statewide toll-free 24 hour telephone line to provide crime victim referral services. Requires the state court administrator to award grants to nonprofit organizations to create or expand mediation programs for crime victims and offenders charged with a nonviolent crime or a juvenile with respect to whom a petition for delinquency has been filed in connection with a nonviolent offense. Specifies goals. Requires the administrator to establish mediator qualification criteria and organization match requirements.

Article VI -- Domestic abuse and harassment. Requires the Supreme Court judicial education program on domestic abuse to include ongoing training and education for District Court judges on domestic abuse laws and related issues. Modifies Domestic Abuse Act provisions. Prohibits charges to the petitioner for protection order service of process duties. Requires the court to advise petitioners of the right to seek restitution as part of a protection order. Provides for enforceability as a civil judgment. Authorizes the court to award temporary custody or provide for temporary visitation rights under protection orders without making detailed findings except for cases in which custody is contested. Specifies that a finding by the court of a basis for issuing an ex parte temporary order for protection constitutes a finding of sufficient reason not to require advance notice to the respondent of the application for the order. Provides for enforcement of protection orders upon a change in residence. Prescribes minimum terms of imprisonment and counseling requirements for Domestic Abuse Act violators and repeat violators. Provides for statewide application of protection orders. Requires the state court administrator, in consultation with the Advisory Council on Battered Women, city and county attorneys and legal advocates for victims, to develop a uniform order for protection form to facilitate consistent enforcement. Specifies requirements and limits for the use of electronic monitoring devices. Requires the commissioner of corrections to adopt standards. Includes previous out of state convictions for domestic abuse under the crime of fifth degree assault. Increases the penalties for the crime of stalking. Modifies the procedure for obtaining restraining orders. Makes permanent domestic abuse prosecution plan and procedure requirements. Requires city and county attorneys to adopt a plan by June 1, 1994. Requires the plans to include procedures to encourage the prosecution of all provable domestic abuse cases. Requires the establishment of community based domestic abuse advocacy and support services programs in judicial districts with battered women pilot programs by July 1, 1995. Requires and provides for law enforcement agencies to develop and implement policies relating to arrest procedures for domestic abuse incidents. Specifies a model development requirement. Requires courts to give docket priority to domestic assault cases with the defendant free on bail.

Article VII -- Juveniles. Requires chemical use assessments of juveniles found delinquent for committing a felony level offense if the probation officer determines that alcohol or drug use was a contributing factor in the commission of the offense. Specifies a time limit for court filing of decisions in hearings on petitions involving sexual or physical abuse of children alleged to be in need of protection or services or neglected and in foster care. Requires the Juvenile Court to retain criminal sexual conduct violation records of juveniles until the offender reaches the age of 25 and specifies that if the offender commits another violation as an adult the court must retain the records for as long as the records would have been retained if the offender had been an adult at the time of the juvenile offense. Requires the court to forward to the Bureau of Criminal Apprehension (BCA) data on juveniles adjudicated delinquent for sex crimes. Specifies BCA data retention requirements. Authorizes the court to impose reasonable conditions of release on juveniles.

Requires the Juvenile Court administrator to report to the state court administrator information on juveniles placed in out of state residential programs. Requires an annual report of the information to the Legislature. Requires minors committing an offense in possession of a firearm to forfeit the firearm and serve at least 100 hours of community service work in addition to other court dispositions. Provides an exception to the community service work requirement if the child is placed in a residential treatment program or a juvenile correctional facility. Expands the authority of the Juvenile Court to extend probation orders. Requires the BCA to establish a system for recording data on juvenile adjudicated delinquent for sexual assault. Classifies and provides for access to data in the system. Modifies the criminal liability of juveniles. Requires the Supreme Court to convene an Advisory Task Force on the Juvenile Justice System for study purposes. Specifies membership and duties. Requires a report to the governor and the Legislature. Requires the Advisory Task Force on Mentoring and Community Service to propose a comprehensive plan to improve and increase meaningful work and service opportunities for juveniles and young adults. Specifies consultation requirements.

Article VIII -- Sex offender treatment. Expands eligibility for sex offender treatment programs. Requires the commissioner of corrections to adopt rules for the certification of community based adult and juvenile sex offender treatment programs operated outside state or local correctional facilities. Requires the commissioner to give funding priority to juvenile sex offender programs over adult programs. Specifies that the rules adopted by the commissioner must require all certified programs to participate in an ongoing outcome-based evaluation and quality management system established by the commissioner. Establishes a sex offender treatment fund to be administered by the commissioner of human services to pay for community based sex offender treatment for adults and juveniles. Requires the commissioners of corrections and human services to establish an interagency staff work group to coordinate agency activities relating to sex offender treatment. Specifies statewide sex offender treatment system oversight and coordination duties of the commissioner of corrections. Specifies persons eligible to receive treatment. Requires the commissioner to establish a process and criteria for assessing the eligibility and treatment needs of persons seeking treatment funding. Requires development of a sliding fee scale for contributions from persons with financial resources. Provides for allocation of funds to counties. Requires the commissioner to approve grants to counties for special projects. Provides for payment of county administration costs. Specifies maintenance of effort and vendor eligibility requirements. Requires the awarding of grants to counties or providers for program start up costs. Requires that the commissioner promote a statewide system of sex offender treatment programs that will provide reasonable geographic access to treatment throughout the state. Requires the commissioners of corrections and human services to identify and develop methods of coordinating funding sources. Requires the commissioner of corrections to establish and operate a juvenile sex offender program at one of the state juvenile correctional facilities and, in consultation with the commissioner of human services, to administer a grant to create a pilot program to test the effectiveness of pharmacological agents in the treatment of sex offenders. Requires a report to the Legislature. Requires the commissioners of corrections and human services to report to the Legislature on funding for sex offender treatment. Specifies report content requirements.

Article IX -- Procedural provisions. Modifies requirements for joinder of defendants for trial. Authorizes joinder for alleged participation in the same act or transaction constituting the offense. Authorizes and provides for court orders for joinder relief in prejudicial cases. Requests Supreme Court bail and preventive detention studies.

Article X -- Violence prevention and education. Includes programs to prevent child abuse and neglect under authorized early childhood family education (ECFE) programs. Requires the commissioner of education to include in ECCE programs a parent education

component to prevent child abuse and neglect. Specifies component content and home visit requirements. Authorizes the use of school district staff development revenue for in-service violence prevention education programs. Authorizes staff development plans to provide for training staff to help students learn to resolve conflicts nonviolently and to encourage staff to teach violence prevention policy and curricula addressing sexual and racial harassment issues. Encourages school districts to offer violence prevention education programs and in-service training. Specifies curricula content and commissioner program development assistance requirements. Requires schools to develop a process for discussing sexual harassment and violence policies with students and employees. Requires the commissioner of health, in coordination with the commissioners of education and human services, to design and implement a coordinated prevention effort to reduce the incidence of fetal alcohol syndrome and drug exposed infants. Provides for the establishment of a grant program to provide early intervention services through home visits for families at risk of child abuse and neglect. Specifies program requirements. Requires the commissioner of human services to adopt permanent rules under the Comprehensive Mental Health Act specifying program requirements for family community support services. Requires the commissioner to work with mental health professionals to develop standards for clinical supervision of the services. Provides for crisis assistance under the Children's Mental Health Act. Requires the commissioner to award grants on a pilot project basis to develop culturally specific chemical dependency treatment programs for minority and other high risk youth, to develop models for chemical dependency treatment programs for children and to fund special chemical dependency treatment programs for pregnant women and women with children. Requires and provides for the commissioner to establish grant programs for coordinated, family based crime prevention services for Asian youth. Requires and provides for the commissioner to establish grant programs for nonprofit organization use of existing local facilities as pilot children's safety centers to reduce vulnerability to violence and trauma relating to family visitation in domestic violence or abuse cases. Requires the commissioners of human services and education to design a statewide program to link schools with federally funded health and social services to enhance the delivery of services to at risk children and youth. Requires the commissioner of human services, in cooperation with the commissioner of corrections, to establish county pilot projects to reduce juvenile offender recidivism rates through identification and treatment of mental health problems contributing to delinquent behavior. Requires development of a model screening tool for screening youth held in juvenile detention. Specifies program, interagency agreement, evaluation and reporting requirements. Expands the duties of the Office of Drug Policy to include violence prevention activities. Increases the size of the Chemical Abuse Prevention Resource Council and specifies additional violence prevention duties of the council. Requires development and testing of a state chemical health index model. Requires the commissioner of corrections, in collaboration with the commissioner of human services and the assistant commissioner of the Office of Drug Policy and Violence Prevention, to study the availability and quality of appropriate treatment programs within the criminal or juvenile justice system for chemically dependent adult and juvenile offenders. Requires a report to the Legislature. Requires the commissioner of health, in collaboration with the commissioners of human services and public safety, to design and implement a statewide mass media campaign for the promotion of chemical health. Requires the commissioner of human services to award a grant to Parents Anonymous. Increases ECCE aid to school districts for violence prevention programs. Requires and provides for the commissioner of education to establish a violence prevention education grant program to assist school districts in program development and implementation.

Article XI -- State and local corrections. Requires residential chemical dependency treatment programs operated by the commissioner of corrections to treat adults and juveniles committed to the custody of the commissioner to comply with standards for

treatment programs operated by community based residential treatment facilities. Establishes multiple occupancy standards for medium and minimum security correctional facilities. Requires inmates in high security facilities to be confined in separated cells, except for geriatric or honor dormitory type facilities. Requires the commissioner to provide escorts for inmates on parole or supervised release who are released to halfway houses or other residential community programs. Requires early notice to the appropriate authorities of missing inmates on supervised release. Establishes a challenge incarceration program for offenders who are committed to the commissioner's custody following revocation of a stayed sentence and offenders who are committed to the commissioner's custody for a term of imprisonment of not less than 18 months nor more than 36 months and who did not receive a dispositional departure under the sentencing guidelines. Specifies duties of the commissioner. Authorizes local correctional agencies to establish a schedule of fees to be imposed on offenders by the courts to defray the costs of local correctional services. Authorizes and provides for probation officers to detain probationers or persons on conditional release without a warrant to prevent escape or enforce discipline. Requires the commissioner to establish a Probation Standards Task Force. Requires a caseload issues report to the Legislature. Requires county correctional administrators to report to the Legislature on secure juvenile detention facility needs.

Article XII -- Civil law provisions. Provides for a cause of civil action for the recovery of damages by minors used in sexual performances. Sets forth statute of limitations. Retroactively modifies the applicability of a provision allowing the revival of time barred civil sexual abuse actions.

Article XIII -- Criminal justice data privacy provisions. Authorizes the use of drivers license photographs maintained by the Dept. of Public Safety for the investigation of violations of the crime of indecent exposure. Requires the commissioner of corrections to establish procedures for obtaining and forwarding to the BCA fingerprints and thumbprints of inmates, parolees or probationers received from other states. Allows photographs of juveniles taken into custody provided that the photograph must be destroyed when the child reaches the age of 19. Requires the commissioners of administration, public safety, human services, health, corrections and education, a representative of the Data Practices Division of the Dept. of Administration and the state public defender to study and make recommendations on the exchange of data among law enforcement agencies, local social service agencies, schools, courts, court service agencies and correctional agencies. Requires consideration of the impact of proposed recommendations on individual privacy rights. Requires the commissioners of corrections and public safety and the state court administrator to study and make recommendations on the need for an integrated criminal justice information system. Requires appointment of an assisting task force.

Article XIV -- Mandatory vehicle insurance provisions. Defines or redefines terms for purposes of the criminal penalties for failure to produce proof of vehicle insurance. Modifies the penalties for failure to produce proof of insurance. Restricts conviction of nonowner drivers and modifies requirements for later production of proof of insurance or information by nonowner drivers. Requires the court to impose a minimum fine upon conviction. Authorizes the court to allow community service in lieu of the fine in cases of indigency. Subjects violators to drivers license and motor vehicle registration revocation and imposes a penalty for knowingly providing false information. Specifies District Court administrator law enforcement agency notice requirements. Modifies drivers license revocation procedures and notice requirements. Requires vehicle registration revocation upon drivers license revocation. Provides for early drivers license reinstatement if the person provides proof of insurance or other verifiable insurance information as determined by the commissioner, establishing that insurance covered the vehicle at the time of the original demand and that any required insurance on any vehicle registered to the person remains in effect. Eliminates references to nonresident operating privileges. Recodifies existing mandatory no-fault automobile insurance provisions. Authorizes the

commissioner to receive data by electronic transfer. Increases the complement of the department of public safety.

Article XV -- Law enforcement and public safety. Requires persons renting or leasing motor vehicles on a short term basis to have the rental or lease agreement in possession while operating the vehicle. Requires production upon demand and imposes a criminal penalty for failure to comply. Imposes a criminal penalty for false or fictitious agreements. Requires convicted felons applying for a legal name change and courts granting the change to report the name change to the BCA. Imposes a criminal penalty on applicants failing to report. Requires reasonable telephone access to an attorney at all times for persons in custody. Eliminates the requirement for the attorney to be a resident of the county. Provides for public defender access to all documents without charge. Expands information requirements for applications for permits to transfer or carry pistols. Requires the commissioner of public safety to adopt statewide standards governing the form and contents of pistol transfer and possession permit applications and permits. Requires the applications and permits to meet the statewide standards. Specifies that small firearms dealers must place all pistols that are located in the dealer's place of business in a locked safe or locked steel gun cabinet, or on a locked, hardened steel rod or cable that runs through the pistol's trigger guards after business hours. Requires the commissioner to adopt standards specifying minimum security requirements for small and large firearms dealers. Requires the appointment of a task force. Requires the reporting of bias crimes upon victim allegation. Requires the Peace Officers Standards and Training (POST) Board to adopt rules relating to supervision of part time peace officers and requirements for documentation of hours worked by part time peace officers on active duty. Requires the POST Board, in consultation with the Crime Victim and Witness Advisory Council and the School of Law Enforcement to prepare a training course to assist peace officers in responding to crimes of violence and to enhance peace officer sensitivity in interacting with crime victims. Specifies that an individual is not eligible to take the peace officer licensing exam after Aug. 1, 1994, unless the individual has received the victim sensitivity course.

Article XVI -- Campus safety and security. Requires public and private post-secondary institutions to prepare and implement plans to avoid problems of violence and sexual harassment on campus. Specifies required plan components. Requires review and comment by the HECB and the attorney general for reporting to the Legislature. Requires the HECB to conduct a random survey of Minnesota graduates working with victims and perpetrators of violence and abuse to determine relevancy of the instruction received. Requires recommendations to the Legislature by Feb. 15, 1993, on how to strengthen curricula and special programs. Requires the Dept. of Education, the Dept. of Health, the Dept. of Human Services and the Dept. of Administration to develop recommendations relating to improved uses of interactive television and the Statewide Telecommunications Access Routing System for staff development for persons working with victims and perpetrators of violence and abuse. Specifies HECB coordination and reporting requirements. Authorizes the HECB to award multidisciplinary training program grants to eligible post-secondary educational institutions. Specifies program requirements.

Article XVII -- Miscellaneous provisions. Expands the definition of debt under the Revenue Recapture Act to include criminal fines for misdemeanors or gross misdemeanors. Requires the state to reimburse counties for extradition expenses from forfeited bail of defendants or probationers previously forwarded by the District Court administrator to the state.

Article XVIII -- Appropriations. Appropriates \$3.897 million to the commissioner of corrections for grants for the development of standards for electronic monitoring devices used to protect victims of domestic abuse, for battered women and sexual assault victims services, for domestic abuse advocacy and crime victim center grants, for increased supervised release efforts costs, for sex offender programs at the St. Cloud and Sauk Centre Correctional Facilities and for the development of a sex offender treatment fund. Appropriates \$1.5

million to the commissioner of human services for children's safety center demonstration projects and for juvenile mental health screening projects. Specifies that the juvenile mental health screening projects appropriation may not be used to pay for out-of-home placement or to replace current funding for programs presently in operation. Requires the commissioner to distribute the appropriation for family based services as special incentive bonus payments or as family based crisis service grants under the Minnesota Family Preservation Act. Appropriates \$2.250 million to the commissioner of education for additional ECFE revenue and for encouraging the establishment of community violence prevention councils. Requires aid appropriated for violence prevention education grants to be paid in Fiscal Year 1993. Appropriates \$1.352 million to the commissioner of public safety for violence prevention efforts, for chemical abuse prevention programs and for a child abuse prevention grant. Appropriates \$150,000 to the HECB; \$315,000 to the commissioner of health; \$225,000 to the Supreme Court; \$500,000 to the District Courts; \$75,000 to the attorney general; and \$800,000 to the Board of Public Defense. Appropriates \$1.475 million to the commissioner of jobs and training for Head Start Programs and to supplement youth employment, training, service, leadership development and intervention programs. Effective date: Various dates. VELLENGA, SPEAR.

Suicide assistance prohibition.

Chap. 577-S.F. 1693 Authorizes disciplinary actions against physicians, physician assistants, nurses, dentists and pharmacists aiding suicide or attempted suicide. Specifies evidence requirements. Excepts health care providers administering, prescribing or dispensing medications or procedures to relieve pain or discomfort from the crime of aiding suicide. Excepts health care providers who withhold or withdraw life sustaining procedures in compliance with the Living Will Act or in accordance with reasonable medical practice from the crime of aiding suicide. Provides for injunctive relief. Provides for civil damages and attorney fees for violations under the crime of suicide. Effective date: Aug. 1, 1992. WALDORF, WENZEL.

Conciliation Court procedure modifications

Chap. 591-S.F. 1691 Modifies and clarifies Conciliation Court procedures and jurisdiction provisions. Increases the jurisdictional monetary limit to \$5,000. Authorizes the determination of ownership and possession of personal property with a value that does not exceed \$5,000. Eliminates the requirement for the court administrator to attach a copy of overdue student loans or dishonored checks to the summons before issuance in actions relating to the loans or checks. Specifies the jurisdiction of the court in actions against foreign corporations or other nonresidents and multiple defendants and in tenant actions. Clarifies the limit on representation by attorney. Requires the court to adopt simplified procedures for self representation. Authorizes corporations, partnerships, sole proprietorships or associations to be represented by attorney or nonattorney officers, partners or employees. Specifies power of attorney requirements. Expands cause removal notice content requirements and increases the opposing party award requirements. Requires the District and Municipal Court, upon request of the judgement creditor and under cause removal conditions, to order the judgement debtor to mail to the judgement creditor information on assets, liabilities, and personal earnings of the debtor. Specifies remedies for violation. Increases allowable District Court costs. Specifies that the costs are not to apply to actions removed to District Court from Conciliation Court. Effective date: Various dates. KELLY, PUGH.

Revisor's corrections

Chap. 603-S.F. 2795 Correcting miscellaneous oversights, inconsistencies, ambiguities, unintended results and technical errors of a noncontroversial nature in provisions relating to inclusion of information relating to share dividends; divisions or combinations by action of corporate boards of directors in article amendments; social work licensure candidacy status; the State Board of Education

graduation rule; school district health insurance; low fund balance and crime related cost levies; referendum revenue and aid adjustments; local government aid payment dates; an appropriation for a cooperative project between the commissioner of human services and Alexandria Technical College; health maintenance organizations reimbursement; public hearings on proposed property taxes; the local government trust fund; health care access regional coordinating boards and financial responsibility of Medical Assistance eligibles for covered services; child abuse prevention grants; Medical Assistance hospital inpatient payment rates; public employee early retirement incentives; and household hazardous waste generator violations. Provides or corrects specific effective dates. Authorizes the Dakota County Regional Railroad Authority to transfer money to Dakota County for other transportation purposes. Provides for commissioner of transportation light rail transit contract amendment requirement. Modifies the allocation of University of Minnesota traffic violation and parking fines. Repeals specific school consolidation bonded debt provisions. Provides for the expiration of Educational Cooperative Service Units. Authorizes nursing facilities completing projects under the moratorium exception process to elect either to request a special reappraisal with the corresponding adjustment to the property related payment rate under Medical Assistance or to submit capital asset and debt information and obtain the property related payment rate adjustment for reimbursement purposes. Increases the pesticide registration application fee and modifies fee crediting requirements. Appropriates money to the commissioner of revenue to administer the Ely and Thief River Falls local sales taxes. Provides for the establishment of Medical Assistance and General Assistance Medical Care rates for mental health or chemical dependency hospital admissions. Effective date: Aug. 1, 1992. SPEAR, MILBERT.

Local Government

Local government contract provisions

Chap. 380-S.F. 1666 Authorizes county hospitals, by majority vote of the board of commissioners, to undertake construction or remodeling projects or to acquire equipment without complying with the \$65,000 limit or election requirements if the funds for the project are derived from dedicated, restricted, or other designated accounts or the hospital's depreciation fund and do not require incurring debt by the county through the issuance of bonds or otherwise. Applies hospital construction moratorium and capacity limit provisions to the construction projects. Modifies provisions regulating local government unit contracts. Increases bidding requirement limits. Prohibits the court from awarding damages, attorney fees or costs in actions challenging the validity of contracts under the Uniform Municipal Contracting Law but allows awards for the costs of bid' preparation to unsuccessful bidders. Repeals an exception to the prohibition on contracts for goods or services with interested public officers. Effective date: Aug. 1, 1992. CHMIELEWSKI, BODAHL.

Ramsey County personnel certification

Chap. 383-S.F. 2210 Requires the Ramsey County personnel director to certify as eligibles the county employees displaced or laid off due to the closing of a county facility or for another reason. Effective date: Local approval. PAPPAS, ORENSTEIN.

Olmsted County conveyance

Chap. 402-S.F. 2208 Authorizes Olmsted County to convey the county courthouse and adjacent parking lot by contract without reserving mineral rights. Effective date: Local approval. BRATAAS, BISHOP.

Auditor, treasurer office consolidation

Chap. 421-H.F. 1852 Authorizes and provides for the consolidation of the offices of auditor and treasurer in Big Stone, Chippewa and

Kandiyohi Counties upon adoption of a resolution by the county boards of commissioners. Provides for a referendum.
Effective date: Local approval. WELKER, FREDERICKSON, D.J.

Public official loan application authorization

Chap. 434-H.F. 2388 Authorizes public officers to apply for loans or grants from housing and redevelopment authorities under contract with the local government unit to administer a loan or grant program for local property owners and to enter into franchise agreements or contracts with a utility for the provision of city utility services.
Effective date: VETOED. BODAHN, MORSE.

Ramsey County suburban court

Chap. 468-S.F. 2694 Authorizes Ramsey County to provide for a centrally located suburban court facility.
Effective date: Aug. 1, 1992. KNAAK, MCGUIRE.

Local elected officials pay provisions

Chap. 505-H.F. 1957 Prohibits compensation plans for elected officials of cities, counties, towns or school districts from including provisions for vacation or sick leave. Prohibits the reduction of the salaries of the officials for absence due to vacation or sickness. Clarifies the duties of county highway engineers. Modifies the terms of members of the Cook County Hospital District Board.
Effective date: Local approval. BATTAGLIA, JOHNSON, D.J.

Fence viewer provisions

Chap. 519-H.F. 2115 Provides that when an owner or occupant of land in St. Louis County applies to the fence viewers for settlement of a partition fence controversy, the fence viewers shall not require an owner or occupant who can establish to the fence viewers that he or she has need for a fence to pay any share of the cost of construction or maintenance of the fence. Provides that if the owner's or occupant's circumstances change to include the need for a partition fence within seven years of completion, either owner or occupant may request the fence viewers to perform a reevaluation and reassignment of shares of the cost. Provides further that if the landowners or occupants disagree about the need for a fence, a decision by the fence viewers of a controversy relating to a partition fence may include an assignment of shares of the cost of construction, repair, or maintenance of a partition fence in accordance with the need and benefit of each party.
Effective date: Local approval. BEGICH, BERTRAM.

Hospital board provisions

Chap. 534-S.F. 2514 Modifies Yellow Medicine County Hospital Board members election procedures and reduces the meeting frequency requirement. Authorizes and provides for the reorganization and operation of a hospital organized under a joint powers agreement between Swift County and the city of Benson into a hospital district. Requires the adoption of resolutions by the county board and the city council to create the district. Authorizes reorganization and operation or dissolution. Specifies no taxing authority. Provides for a board of directors and specifies powers, borrowing and bonding authority of the district. Authorizes and provides for the lease of hospitals, nursing homes or other facilities to nonprofit or public corporations as community facilities. Specifies the appropriations authority of the county and the city.
Effective date: Local approval. FREDERICKSON, D.J., PETERSON.

Metropolitan Affairs

RTB committee name

Chap. 390-H.F. 2375 Provides a name for the Transportation Accessibility Advisory Committee established by the Regional Transit Board.
Effective date: Aug. 1, 1992. MARIANI, FRANK.

Airport noise mitigation

Chap. 551-H.F. 2269 Requires the Metropolitan Airports Commission (MAC) to dedicate a portion of the approved annual budget for capital improvements at the Minneapolis St. Paul International Airport to noise mitigation projects. Requires MAC annual project description and status reports to the Legislature. Requires a recommendation, with the assistance of the Sound Abatement Advisory Committee, within 60 days of submitting the airport planning and development report relating to appropriate funding levels for noise mitigation at the airport and in the neighboring communities.
Effective date: Aug. 1, 1992. GARCIA, RIVENESS.

Redistricting

Congressional redistricting plan

Chap. 357-S.F. 1597 Changes the boundaries of congressional districts to reflect population changes according to the 1990 census.
Effective date: VETOED. POGEMILLER, RODOSOVICH.

Legislative redistricting plan corrections

Chap. 358-S.F. 1596 Makes technical and other corrections to the legislative redistricting plan.
Effective date: VETOED. POGEMILLER, RODOSOVICH.

Mpls. Park Board commission appointments

Chap. 362-S.F. 1622 Authorizes the Minneapolis Park and Recreation Board to appoint two members to the Minneapolis Reapportionment Commission to replace the members of the commission appointed by the majority and minority caucuses of the city council to determine the reapportionment of park and recreation districts. Prohibits the members appointed by the park board from considering the reapportionment of city council ward boundaries and the members appointed by the city council from considering the reapportionment of park district boundaries. Authorizes the reapportionment commission to adopt procedures to ensure full participation by the park board appointees in the process. Establishes standards for the reapportionment of park districts.
Effective date: Local approval. POGEMILLER, JEFFERSON.

Resolutions

Wanda Gag postage stamp

Res. 9-H.F. 1652 Memorializes the postmaster general to issue a postal stamp in commemoration of Wanda Gag, American author and illustrator.
DEMPSEY, FREDERICKSON, D.R.

Congress to refrain from mandating traffic laws

Res. 10-S.F. 1778 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.
LAIDIG, DEMPSEY.

Taxes and Tax Laws

Omnibus tax provisions

Chap. 511-H.F. 2940 Article I -- Aids to local governments.
Eliminates the interest on the repayment of advances from the

general fund to the local government trust fund (LGTF). Changes the fund estimate requirement of the commissioner of finance from a fiscal year basis to a biennial basis. Specifies the trust fund aids subject to reduction in case of revenue excesses or shortfalls. Appropriates money from the fund to the commissioner of revenue for various payments. Requires the Legislature to appropriate the remaining trust fund receipts to finance intergovernmental aid formulas or programs. Provides for secretary of state reimbursement to counties and municipalities for presidential primary election administration expenses. Provides for full payment of county human services aids and modifies the payment schedule. Increases and appropriates money from the LGTF for community social services aids. Renames the homestead and agricultural credit guarantee program the transition credit program. Provides open and standing appropriations from the trust fund for nonschool homestead and agricultural credit aid (HACA) and the disparity reduction, credit and transition credit. Transfers payments for human services aid from the LGTF to the general fund and the nonschool mobile home HACA and the property tax refund program for homeowners from the general fund to the LGTF. Specifies that the renters credit and the targeting program are to remain in the general fund. Prohibits transfer of the aid reduction for county courts costs from the trust fund to the general fund. Creates and provides for a new county criminal justice aid. Requires the superintendent of the Bureau of Criminal Apprehension to collect and tabulate, on a county by county basis, the data contained in the report on part I offenses for aid purposes. Increases town and city local government aids. Increases the appropriation limit for equalization aid. Restores aid to the city of Alden. Provides an adjustment to county HACA amounts for counties with public defender aid offsets exceeding levied amounts. Cancels general fund appropriations for the Community Social Services Act. Appropriates money for the state takeover of the growth in human services programs and to the secretary of state for presidential primary election reimbursements. Repeals specific blanket appropriations for Fiscal Year 1992 and Fiscal Year 1993 from the trust fund.

Article II -- Property taxes Modifies procedures for collection of delinquent property taxes on manufactured homes. Eliminates or makes optional the escrow account requirement. Authorizes counties to levy outside levy limits to pay for increased costs to soil and water conservation districts or watershed management organizations for administering and implementing priority programs identified in approved and adopted local water management or groundwater plans. Authorizes the commissioner of revenue to include forced sales in the assessment/sales ratio studies if the commissioner determines that the forced sales indicate true market value. Modifies the rules of evidence in Tax Court appeals. Clarifies the treatment of manufactured home structures such as storage sheds, decks, and similar removable improvements, as personal property for tax purposes. Modifies the transitional housing facilities property tax exemption. Exempts secondary containment areas used to confine agricultural chemicals, photovoltaic devices used to produce or store electric power and real and personal property owned by private nonprofit corporations and used as ice arenas or rinks for youth and high school programs from the property tax. Eliminates the annual filing requirement for the homestead application and provides a certificate of value filing requirement. Establishes the taxation procedures for property owned by neighborhood land trusts. Restricts the authority to value income producing property to accredited or senior accredited assessors beginning with the 1995 assessment. Defines income producing property. Expands homestead treatment to property occupied by relatives of the owner to the extent of the homestead treatment that would be provided if the owner occupied the property. Adds spouse and grandchild to the list of relatives. Delays the provision for property classified as seasonal recreational residential property. Sets forth a property tax refund claim prohibition. Modifies qualifications for classification as a leasehold cooperative. Specifies an application deadline for midyear homesteads and establishes homestead application procedures. Modifies the classification of temporary and seasonal residential

property. Increases the commercial use duration specification and provides for the classification of resort property. Extends 4d classification to qualifying buildings and land leased under a particular lease-purchase program administered by the Minnesota Housing Finance Agency or an authorized housing and redevelopment authority. Reduces the classification rate for manufactured home parks. Provides for the classification of class 4c low income housing. Extends the authority of school districts to levy for crime related costs and modifies authorized uses. Includes the issuance of debt obligations by local government units payable from property taxes in referendum levies. Modifies penalty rates for unpaid taxes on homestead and nonhomestead property. Exempts land located in the Minneapolis Loring Park targeted neighborhood from the redemption period limit. Specifies restrictions on the repurchase of tax-forfeited property by the property owners. Modifies and limits the additional targeted property tax refund. Requires the commissioner to furnish lists to county assessors containing the names and social security numbers of persons applying for both homestead classification and a property tax refund as a renter for improper claims investigation. Grants manufactured home park residents the right to join and participate in resident association activities. Defines resident association. Requires and provides for county auditor notice to the Dept. of Revenue of abatements resulting from erroneous classification of homestead property as nonhomestead property. Expands the authority of counties to levy for monuments preservation and restoration activities. Defines tax revenues for Regional Transit Board opt out communities transit assistance determination purposes. Limits the levy by the Metropolitan Mosquito Control Commission and restricts commissioner compensation. Renames the Metropolitan Revenue Distribution Law (Fiscal Disparities Law) the Charles R. Weaver Metropolitan Revenue Distribution Act. Guarantees a metropolitan agricultural preserves land credit. Modifies the distribution of fines or penalties collected by Ramsey County Municipal Court. Increases the percentage distribution to the city of St. Paul. Requires and provides for repayment of payments received. Extends the property tax exemption for property used for wastewater treatment and metal recycling. Authorizes the city of Hutchinson to establish a special service district. Defines special services. Exempts student housing at the Duluth and Thief River Falls Technical Colleges from the ad valorem property tax. Specifies qualification requirements. Exempts cooperative association property located in St. Louis, Koochiching, Itasca and Lake Counties and purchased by public utilities from the property tax. Authorizes Hennepin County to provide a property tax exemption for an athletic facility acquired by a church. Requires and provides for the transfer of closed armories to the municipalities or counties of location. Specifies the administrative fund levying authority of the Nine Mile Creek, Riley Purgatory Bluff Creek, Minnehaha Creek, Coon Creek, Lower Minnesota River and Wild Rice Watershed Districts. Exempts the city of Otsego from penalties imposed for exceeding levy limits. Requires the commissioner of revenue to survey selected county assessors to obtain information on the number and types of single use industrial real estate properties in the state and to study alternative methods for identifying improper claims for homestead classification and report to the Legislature. Requires the Housing Finance Agency, in consultation with the commissioner, to study the effect of property tax policy on the long term affordability of rental housing. Requires the appointment of a task force for advice and requires a report to the governor and the Legislature. Requires the Dept. of Revenue, in consultation with assessors and legislative tax staff, to study the valuation of manufactured home parks and make recommendations to the Legislature. Eliminates specific aid to the Regional Transit Board and requires an adjustment. Changes the effective date for a levy or bond referendum ballot notice requirement. Exempts any city or county that conducted a referendum prior to May 1, 1992, and had publicly advertised to its property owners using levy amounts that, if adopted, reflect net tax capacity from the requirement for referendum levies to be levied against the market value of all taxable property. Provides a certification requirement. Repeals a manufactured home

taxation study requirement of the Dept. of Revenue.

Article III -- Proposed and final tax notices. Modifies the dates for certification of HACA payments, proposed levies and proposed local tax rates in overlapping jurisdictions. Modifies the dates for mailing or posting of proposed property tax notices and specifies an additional notice content requirement. Requires reclassification of nonhomestead property to homestead property if the homeowner provides satisfactory documentation to the county assessor that the property is owned and has been used as the owner's homestead prior to June 1 of that year. Changes the apportionment of the cost of printing the notices from population to number of parcels. Modifies the type size required for newspaper advertisements and deletes some advertisement content requirements. Changes public hearing date requirements.

Article IV -- Property taxes: Administrative and technical. Transfers the responsibility for the establishment of the general education tax rate from the commissioner of revenue to the commissioner of education. Modifies requirements for determination by the commissioner of revenue of the tax rate to be levied against the net tax capacity of flight property. Modifies the valuation of iron ore. Clarifies the classification of 4c seasonal residential recreational property. Requires the classification of unimproved commercial, industrial or agricultural property according to actual use. Increases the market value of residential homesteads for taconite homestead credit equivalency determination purposes. Transfers the standing appropriation for the payment of the homestead and agricultural credit and disparity reduction aid for school districts from the commissioner of revenue to the commissioner of education. Clarifies the calculation of the reduction in state tax increment financing (TIF) aid. Modifies the calculation of the manufactured home HACA and prohibits payment to taxing jurisdictions ceasing to levy property taxes. Specifies exceptions. Requires the commissioner of education to establish the basic transportation tax rate for school districts and eliminates the certification requirement. Subjects delinquent personal property taxes on leased property to the same penalties as delinquent taxes on real property. Modifies petition service requirements for homestead assessment objections. Requires petitions to include the assessment date. Eliminates a provision requiring the payment of increased interest on delinquent property taxes and eliminates a provision providing a redemption period reduction for certain property. Restricts the composing of delinquent taxes on unimproved land into a confession of judgment. Authorizes counties to recover costs incurred in publishing and serving redemption period expiration notices. Requires counties to remit to the commissioner of revenue amounts collected on tax-forfeited land sales for deposit in the general fund. Increases the fee for repurchase of tax-forfeited land. Requires remission to the commissioner of revenue for crediting to the general fund. Eliminates the requirement for county or city assessor approval of abatements of property tax penalties or interest. Clarifies police and salaried firefighters relief associations supplementary amortization state aid to municipalities provisions. Eliminates a tax increment financing original local tax rate computation requirement. Clarifies the Metropolitan Area transit tax levy. Provides for the 1989 population and number of households figure for local units no having annual estimates prepared by the Metropolitan Council for payable 1992 HACA calculation purposes.

Article V -- Levy limit repeal. Makes technical corrections due to the repeal of per capita and general levy limits effective for taxes payable beginning in 1993. Eliminates a requirement for the state demographer to prepare separate population and number of household estimates for areas annexed by local government units subject to levy limits. Eliminates references to statutory levy limits. Requires local government units previously subject to levy limits to file annual reports with the commissioner of revenue. Defines local government unit. Requires the commissioner to establish procedures. Specifies report content requirements.

Article VI -- Income, franchise, gross premiums taxes. Changes the gross premium tax installment payment dates for domestic and foreign insurance companies and includes marine insurance

companies under gross premium tax installment payment requirements. Imposes a premium tax equivalent on automobile risk self insurers and requires distribution of the revenues to local government units for police pensions. Adopts federal estimated income tax rules for individuals. Subjects partnerships and trusts to estimated tax payment requirements. Modifies the options for calculation of estimated tax payments. Prohibits the imposition of the civil penalty for failure to pay taxes pending Tax Court appeal. Adopts federal changes to the definition of net income for income tax purposes. Exempts lawful gambling revenues from the unrelated business income tax. Changes the date for filing political contribution refund claims. Exempts cooperatives classified as homesteads providing housing exclusively to the elderly from the alternative minimum tax. Extends the withholding exception for public speakers. Exempts persons or entities with publicly traded shares or certificates from the deduction and withholding requirements for royalties upon ore. Provides relief from additional tax charges for certain corporations. Requires the revisor of statutes to update references to the Internal Revenue Code.

Article VII -- State taxes: Administrative and technical. Provides for the classification and disclosure of data created, collected or maintained by the Dept. of Revenue. Clarifies the consideration of insurance company obligations or assessments as taxes, licenses or fees for foreign company retaliation purposes. Modifies Revenue Recapture Act provisions. Reduces the minimum sum collectible, modifies setoff notice requirements and increases the debt setoff fee. Requires deduction of the fee from the refund. Authorizes the release of the name of the spouse of the debtor in joint tax return cases. Includes the Tax Administration and Compliance Law under tax data classification and disclosure provisions. Eliminates a requirement for corporations required to make estimated tax payments by electronic funds transfers to also make payments with the return. Prohibits suits to restrain assessment or collection of taxes, penalties or interest. Sets forth exceptions. Increases the fee for commissioner withholding of refunds from child support debtors. Eliminates exempt status information filing requirements. Modifies the working family income tax credit. Modifies the tentative minimum tax for alternative minimum tax calculation purposes. Simplifies the method used by nursing home residents to calculate property tax refunds. Changes the date for rental property owners or managing agents to report rental property taxes to the commissioner. Includes the local option sales tax under refund regulations. Eliminates the statute of limitations on the collection of sales and use taxes. Modifies the effective date for previous provisions relating to the income tax credit for qualified corporate research expenses. Repeals an information returns filing requirement of exempt organizations. Repeals specific rules.

Article VIII -- Sales and use taxes. Provides for waiver of the signature requirement for filing sales tax returns by agreement between the commissioner and the person required to file the returns. Specifies agreement requirements. Modifies vendors' payment liability. Provides for a refund to distributors of cigarette and tobacco taxes qualifying as bad debt. Modifies hearing requirements for sales tax permit revocation. Exempts motor vehicles leased to provide licensed taxi service from the rental tax. Imposes a call tax on 900 telephone services. Imposes the use tax on the use, storage or consumption of tangible personal property personally manufactured, fabricated or assembled from new materials. Provides an exception. Subjects out of state retailers to the local option sales tax. Exempts petroleum products purchased by transit systems receiving financial assistance under the public transit subsidy or metro transit assistance programs from the sales tax. Eliminates the sales tax exemption for local government units except for school districts and for sales to hospitals, nursing homes, libraries and ambulance service supplies, equipment and motor vehicle purchases. Expands the occasional sales tax exemption to members of controlled groups and to assets of a trade or business. Provides for refunds due to retroactive effective date. Exempts tickets or admissions sold by municipal boards promoting cultural and arts activities, ships with a gross registered tonnage of at least 3,000 tons, photovoltaic devices, wind energy

conversion systems, air cooling equipment purchased for conversion or replacement of existing groundwater based once-through cooling systems and construction materials and supplies for recycling facilities from the sales tax. Sets forth a construction materials and supplies refund provision. Exempts local units from requirements to pay local sales taxes. Requires the commissioner of revenue to estimate the revenues derived from imposing the sales and motor vehicle excise taxes on state agencies and local government units and report to the commissioner of finance. Requires the commissioner of finance to exclude the amount from reports to the federal government on sales and motor vehicle excise tax collections. Requires reporting of revenue received from local government units as intergovernmental grants and from state agencies as reduced state expenditures. Excludes motor vehicle modifications for handicapped accessibility purposes from the definition of purchase price for motor vehicle excise tax purposes. Authorizes and provides for the city of Roseville to impose a lodging tax for a speed skating and bandy ice rink. Grants the commissioner of revenue temporary powers relating to administration of state and local sales taxes. Authorizes and provides for the city of Brooklyn Center to impose a liquor and restaurant tax to fund approved housing projects. Authorizes and provides for the city of Ely to impose additional sales and motor vehicle excise taxes to fund the Wilderness Gateway Project. Authorizes and provides for the city of Thief River Falls to impose additional taxes to pay for constructing, operating, promoting and developing the area tourism convention facilities. Authorizes and provides for the city of Rochester to impose additional taxes to pay for fire station, city hall and public library facility capital improvements. Authorizes and provides for the city of Minneapolis and Special School District #1 to establish neighborhood early learning centers to promote the physical, emotional and social development of children residing in the city. Establishes an advisory committee to recommend a method of funding the unfunded accrued liability of the Minneapolis Teachers Retirement Fund Association. Prohibits a referendum to rescind the Duluth sales tax before repayment of bonds issued before Jan. 1, 1993. Makes a retroactive change to the distressed county sales tax exemption to allow machinery and equipment purchased by contractors to be exempt from the sales tax. Repeals the gross earnings tax on 900 pay per call telephone services.

Article IX -- Miscellaneous. Reduces the budget and cash flow reserve account balance requirement. Provides that the account will be reduced by \$160 million. Modifies the calculation of peace officer state aid. Authorizes the commissioner of revenue to abate delinquent tax liabilities based upon inability to pay under uncompensated public service work performance conditions. Requires county recorders to search registered land records within the county and memorialize state tax liens on identifiable certificates of title. Authorizes county officials to bid on and purchase tax-forfeited land offered for sale under the alternative sale procedure. Requires and provides for the commissioner of trade and economic development to designate counties for business job creation income tax credit purposes. Creates a taconite economic development fund for production years 1992 and 1993 to be used for equipment and machinery or research and development on mining technology. Specifies joint labor management committee requirements. Freezes the taconite production tax for the same production years and provides for distribution of a portion of the tax to the fund. Extends the expiration date of the county capital improvement bonding program. Modifies requirements for the issuance of tax anticipation certificates by large counties. Authorizes and provides for counties or groups of counties participating in the community corrections subsidy program to levy for construction of or improvements to correctional facilities. Increases the bonding authority of the Housing Finance Agency. Authorizes Ramsey County to exercise the powers of a housing and redevelopment authority. Authorizes housing and redevelopment authorities to pledge the general obligation of the general jurisdiction governmental unit as additional security for revenue bonds issued to finance qualified housing projects. Includes community corrections and other law enforcement facilities in the definition of project for municipal industrial development purposes.

Authorizes county boards to enter into lease agreements with cities or county HRAs to construct law enforcement facilities. Extends the capital improvement bonding authority of the city of St. Paul and authorizes the city and Independent School District #625 to establish a joint tax levy advisory committee. Provides for the application of fiscal disparities to the Interstate, Lyndale, and Nicollet Tax Increment Financing District in the city of Richfield. Provides for an alternative calculation method. Authorizes the city of Minneapolis to issue general obligation bonds to finance parking, plaza and other improvements adjacent to the federal courts facility and to extend the duration of the Laurel Village TIF District. Authorizes the cities of St. Louis Park and St. Paul to create hazardous substance subdistricts for TIF purposes. Appropriates money to the commissioner of revenue to prepare a microdata sample of individual income tax returns. Appropriates money to the HFA for deposit in the housing trust fund account. Effective date: Various dates. OGREN, JOHNSON, D.J.

Bond allocation and public finance provisions

Chap. 545-H.F. 2884 Article I -- Bond allocation. Increases the bonding authority of the Higher Education Facilities Authority. Modifies a redevelopment area finding requirement under the program authorizing the Housing Finance Agency (HFA) to use mortgage bond proceeds for loans to purchase single family existing housing. Modifies the issuer application fee under the Bond Allocation Act. Eliminates an entitlement issuer subsequent year allocation deduction requirement. Clarifies a condition relating to the use of residential rental bond proceeds for multifamily housing projects. Authorizes the Higher Education Coordinating Board to apply for and receive allocations from the manufacturing, housing, public facilities and unified pools without submitting an application deposit. Exempts the HFA from a restriction on allocations from the housing pool for allocations for cities choosing to issue bonds through the agency. Applies an allocation return and refund deposit provision to allocations of the manufacturing, multifamily housing and public facilities pools. Removes the restriction on application for allocations from the unified pool for the Rural Finance Authority and provides an application deposit submittal requirement exemption. Reserves \$5 million of the August bonding authority allocation from the unified pool for agricultural development bond loan projects of the Rural Finance Authority and requires pro rata distribution under bonding authority insufficiency conditions. Eliminates percentage reservation requirements for small issue and public facility bonds under insufficiency conditions. Authorizes allocations from the unified pool after September 1 to finance publicly owned facility projects. Specifies manufacturing and unified pool reservation requirements for 1992 and 1993 for student loan bonds issued by the Higher Education Coordinating Board. Authorizes the commissioner of finance to carry forward mortgage bonds allocation authority for the student loan bonds. Transfers bonding authority remaining in the small issue, housing and public facilities pools to a common pool under federal tax law amendment failure conditions. Provides for allocation and carryforward.

Article II -- Public Finance. Specifies acceptable securities and surety bonds for use to fund workers compensation self insurance plans. Requires the commissioner of commerce to amend rules for consistency with the changes. Changes the term improvement warrants to assessment revenue notes under local improvements financing provisions. Clarifies competitive bidding requirement exceptions for housing authority development projects and redevelopment agency refunding bonds issuance authority. Effective date: Various dates. REST, POGEMILLER.

Vacant platted property valuation

Chap. 556-H.F. 2031 Excludes unimproved land sales from sales ratio studies if the statutory basis on which the property's taxable value as most recently assessed is less than market value as defined in statute or the property has undergone significant physical change or a

change of use since the most recent assessment. Provides for the valuation and assessment of unimproved vacant platted land for property tax purposes and provides for delayed assessment of valuation increases for vacant land platted before August 1, 1991. Provides for orderly annexation by petition of designated areas, specifies duties of the municipal board and requires advance notice to petitioners of utility service cost changes resulting from the annexation. Authorizes municipal annexation of land by ordinance upon petition of all property owners. Sets forth notice requirement exemption. Repeals specific annexation election requirements. Prohibits the commissioner of natural resources from creating or establishing forest fire protection districts within the towns of Queen and Eden in Polk County.
Effective date: Various dates. OLSON, E., REICHGOTT.

Transportation

Liquefied natural gas facility regulation

Chap. 386-H.F. 2397 Defines and provides for the regulation of liquefied natural gas facilities by the Office of Pipeline Safety in the Dept. of Public Safety. Provides for assessment of LNG facility operators for office support costs.
Effective date: Aug. 1, 1992. JACOBS, NOVAK.

Public transit nonoperating financial assistance

Chap. 394-H.F. 2341 Authorizes and provides for the commissioner of transportation to provide nonoperating finance assistance for public transit services. Repeals the public transit capital grant assistance program.
Effective date: Aug. 1, 1992. MARIANI, COHEN.

Route 297 substitution

Chap. 396-S.F. 1767 Substitutes a new Route 297 in the city of Fergus Falls for the existing Route 297 in the trunk highway system upon a transfer of jurisdiction agreement between the commissioner of transportation, the city of Fergus Falls and Otter Tail County.
Effective date: Aug. 1, 1992. LARSON, ANDERSON, R.

Courier services carrier definition

Chap. 418-S.F. 2637 Modifies the definition of courier services carrier for motor vehicle carriers regulation purposes. Specifies recordkeeping requirements.
Effective date: Apr. 9, 1992. PAPPAS, JOHNSON, A.

Handicapped parking enforcement

Chap. 424-H.F. 1833 Authorizes first class cities to establish programs to enforce restrictions relating to parking spaces for the physically disabled using citizen volunteers to issue citations to violators. Specifies ordinance content requirements.
Effective date: Aug. 1, 1992. WEJCMAN, POGEMILLER.

Light rail transit design procedures

Chap. 501-S.F. 2510 Provides procedures for the design, approval and construction of light rail transit. Establishes a corridor management committee. Specifies membership and duties. Provides for hearings. Provides for resolution of disputes. Provides for alternatives analysis and environmental review. Changes the membership and responsibilities of the Light Rail Transit Joint Powers Board.
Effective date: VETOED. FLYNN, SIMONEAU.

School bus requirements

Chap. 516-H.F. 2113 Authorizes the use of flashing lights and stop arms on school buses transporting children to and from regularly scheduled recreational or education activities. Requires compliance with school bus sign, inspection certificate, drivers license school bus

endorsement and school superintendent safety of bus routes consultation requirements. Includes students in grade six who attend a school serving grades six through eight in the definition of secondary students for Duluth Transit Authority student transportation purposes.
Effective date: Various dates. ORENSTEIN, COHEN.

Maximum hours of service for drivers

Chap. 568-H.F. 2030 Requires persons who transport passengers for hire in intrastate commerce to be subject to rules of the commissioner of transportation relating to maximum hours of service for drivers and liability insurance or bonding requirements. Specifies exceptions.
Effective date: Aug. 1, 1992. RICE, CHMIELEWSKI.

Community identification signs authorization

Chap. 572-S.F. 1893 Authorizes counties, towns or cities to erect community identification signs along highways. Requires that the signs be located within two miles of the community and do not exceed 750 square feet. Requires approval from the governing body of the community. Requires consultation with local road authorities on placement and location. Requires consent of the affected land owner. Eliminates the increases in permit fees for advertising devices along interstate highways. Restricts the authority of the commissioner of transportation to disapprove zoning ordinances establishing business areas for advertising devices determination purposes.
Effective date: Aug. 1, 1992. MEHRKENS, WALTMAN.

Miscellaneous transportation provisions

Chap. 578-S.F. 695 Authorizes town boards to, by resolution, disclaim and extinguish a town interest in an abandoned town road if it is in the public interest, the interest is not a fee interest, the interest was established more than 25 years earlier, the interest is not recorded or filed with the county recorder, no road improvement has been constructed on a right-of-way affected by the interest, and no road maintenance on a right-of-way affected by the interest has occurred within the last 25 years. Requires filing and recording of the resolution with the county auditor and recorder. Defines and regulates personal transportation service vehicles and specifies registration and liability insurance requirements. Clarifies the definition of implement of husbandry for traffic regulations purposes. Defines building mover vehicle for commercial motor vehicle inspection purposes. Modifies weight limits for pneumatic tired vehicles. Clarifies the duration of the gross weight seasonal increase allowed for the movement of sugar beets and potatoes and imposes an area restriction. Provides for the issuance of special permits for refuse compactor vehicles and subjects tridem rear axle compactor vehicles to a pressure control preset so that the weight carried on the variable load axle may not be varied by the operator during transport of any load. Authorizes the commissioner of transportation to adopt rules for the assessment of administrative penalties for violations of special transportation service standards. Modifies definitions for motor vehicle carriers regulation purposes. Includes persons providing limousine service in the definition of charter carrier and defines personal transportation service. Authorizes the Transportation Regulation Board (TRB) to suspend or revoke certificates for violations. Modifies the operations permit or certificate exemption for the transportation of waste. Exempts vehicles with a gross vehicle weight of 10,000 pounds or less transporting newspapers, telephone books, handbills, circulars, or pamphlets from certificate or permit requirements. Reduces the gross weight requirement for private carriers regulation purposes and expands driver qualification, hours of service, safe operation of vehicles and vehicle identification rule compliance requirements. Exempts persons transporting asphalt cement, cementitious material, fly ash, sod, construction debris or solid waste from hours of service rules when the transportation is provided within a radius of 100 miles from the person's home post

office or a highway construction or maintenance site where the material is being used. Adopts federal regulations governing testing for controlled substances of persons providing intrastate transportation. Applies federal regulations relating to the transportation of hazardous materials equally to intrastate and interstate commerce. Clarifies the hazardous materials regulation exemption for agricultural carriers. Exempts cargo tanks of up to 3,000 gallons capacity that transport gasoline in intrastate commerce from the federal leakage test requirement. Requires immediate notice to the Emergency Services Division of the Dept. of Public Safety for additional hazardous materials incidents. Extends the time limit for the required written report. Prohibits the commissioner of transportation from issuing hazardous waste transporter licenses to applicants with a past history of violating hazardous waste transportation regulations. Requires a criminal records check. Requires the Bureau of Criminal Apprehension to provide, upon request of the commissioner, applicant conviction information. Authorizes the issuance of temporary interstate hazardous waste trip permits to persons who meet specified requirements and sets a fee. Requires hazardous materials handlers to provide information to the Dept. of Transportation. Grants department representatives and hazardous material specialists inspection authority. Requires applicants to operate as permit or local cartage carriers to file letters of shipper support with the petition. Clarifies permit renewal and tariff filing requirements. Requires permit holders to display specific information on the power units of registered vehicles. Imposes a service charge on identification stamps or cards issued to interstate motor carriers. Authorizes the commissioner to inspect vehicles and records of building movers for regulation compliance purposes. Specifies identification and rule compliance requirements for building movers. Authorizes the commissioner to revoke, suspend or deny licenses for noncompliance with additional building mover violations. Modifies limousine service insurance requirements. Regulates personal transportation services. Specifies permit and decal requirements. Imposes penalties for violations. Sets forth a transitional provision. Exempts the services from specific criminal offender rehabilitation requirements.
Effective date: Various dates. DECRAMER, MORRISON.

Met Council transit bonding authorization

Chap. 579-S.F. 2144 Grants the Metropolitan Council additional bonding authority for use by the Metropolitan Transit Commission (MTC) and the Regional Transit Board (RTB) for the acquisition of transit facilities and equipment. Specifies limits. Specifies the intent of the Legislature to support the capital expenditure program developed by the Metro Council, RTB, and MTC. Requires the MTC to submit a report to the Legislature analyzing increases in ridership resulting from implementation of customer oriented policies.
Effective date: Aug. 1, 1992. MERRIAM, SIMONEAU.

Immediate towing of unlawfully parked vehicles

Chap. 580-H.F. 155 Authorizes the immediate towing of unlawfully parked motor vehicles parked at bus stops or parked in school zones on school days during prohibited hours or parked in a manner to prevent egress by lawfully parked vehicles.
Effective date: Aug. 1, 1992. BISHOP, BRATAAS.

Transportation provisions

Chap. 581-H.F. 1701 Authorizes county social service agencies to use unmarked tax exempt motor vehicles for child and vulnerable adult protective services. Requires Dept. of Public Safety administrative fees and fees collected from the sale of motor vehicle license plates to be credited to the highway user tax distribution fund. Adds vehicles to the classic car category for motor vehicle registration purposes. Authorizes and provides for the recovery of the cost of manufacturing and issuing certain license plates and stickers. Exempts farm trucks from commercial motor vehicle separate brake system requirements. Requires building mover vehicles to display inspection decals. Authorizes the commissioner of public safety to

issue restricted commercial drivers licenses. Specifies requirements and restrictions. Reduces the fee for a Minnesota identification card for physically disabled persons. Authorizes the commissioner of transportation to use money from the rail service improvement account for maintenance of rail lines and rights-of-way acquired for the state rail bank and for the state matching portion of federal grants for rail highway grade crossing improvement projects. Expands the rail bank program to include rail lines and rights-of-way proposed for abandonment in system diagram maps of railroad companies. Restricts the acquisition of abandoned rail lines and rights-of-way for trail use by state departments or agencies or by local government units. Authorizes the commissioner to acquire abandoned rail lines and rights-of-way by eminent domain. Specifies restrictions. Repeals the requirement to offer state rail bank property to adjacent land owners. Authorizes the commissioner of public safety to enter into agreements or arrangements with other states granting owners of vehicles registered or licensed in other states exemptions from paying fuel taxes, fees or other charges. Requires reciprocal privileges and treatment. Specifies arrangement requirements. Authorizes agreements for the exchange of information for audit and enforcement activities in connection with fuel tax licensing. Authorizing the commissioner to ratify the International Fuel Tax Agreement or other fuel tax agreements. Requires Minnesota based interstate carriers to be licensed under the fuel tax compact in Minnesota. Subjects fleet owners to suspension of apportioned license plates and the International Fuel Tax Agreement license for delinquency in filing or paying International Fuel Tax Agreement reports or registration plans. Provides for the transfer of funds to pay delinquent fees. Requires license fees paid to the commissioner under the International Fuel Tax Agreement to be deposited in the highway user tax distribution fund. Specifies fee requirements. Authorizes the commissioner to issue and require the display of a decal or other identification to show compliance. Authorizes a fee.
Effective date: Aug. 1, 1992. STEENSMA, DECRAMER.

Motor carrier regulation

Chap. 600-H.F. 2368 Provides for the expiration of certificates and permits as regular and irregular route carriers of property. Provides for conversion to class I certificates and class II permits. Define class I carrier and class II carrier. Specifies the operating authority granted by each class. Provides for Transportation Regulation Board (TRB) issuance of classes of permits and for the issuance of temperature controlled commodities permits. Increases annual permit and certificate registration fees. Restricts the transfer of operating authority. Expands the authority of the commissioner of transportation to issue penalty orders. Specifies a penalty limit. Prohibits protests against extensions of authority by the TRB for a class of permits. Specifies transition notice requirements of the commissioner. Appropriates money for implementation.
Effective date: Various dates. LASLEY, VICKERMAN.

Veterans and General Legislation

Veteran definition clarification

Chap. 410-H.F. 2465 Clarifies the definition of veteran to include Persian Gulf War veterans. Clarifies procedures for searches of veterans home residents' rooms or property. Provides for written authorization by a designee of the administrator.
Effective date: Aug. 1, 1992. FREDERICK, PARISEAU.

Armory closing hearing requirement

Chap. 495-S.F. 2286 Provides for a public hearing before the adjutant general closes an armory. Provides for public notice.
Effective date: VETOED. VICKERMAN, OLSON, K.

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375	Governmental Operations	2566	2744*	Renneke	Koppendrayner
376	Economic Development and Housing	720*	1002	Metzen	Clark
377	Energy and Public Utilities	1919*	1751	Novak	Olsen, S.
378	Elections and Ethics	2385*	2585	Spear	Jefferson
379	Commerce	1689*	1901	Metzen	Winter
380	Local Government	1666*	1825	Chmielewski	Bodahl
381	Agriculture and Rural Development	1300*	1391	Beckman	Girard
382	Commerce	764*	748	Dahl	Osthoff
383	Local Government	2210*	2319	Pappas	Orenstein
384	Economic Development and Housing	1633*	2305	Belanger	Blatz
385	Governmental Operations	1496	980*	Riveness	Long
386	Transportation	2484	2397*	Novak	Jacobs
387	Environment and Natural Resources	1772	1763*	Neuville	Rodosovich
388	Elections and Ethics	2307*	2535	Johnson, D. E.	Uphus
389	Health and Human Services	2049	2254*	Vickerman	Cooper
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391	Health and Human Services	2337*	2499	Flynn	Greenfield
392	Governmental Operations	2531	2769*	Dicklich	Rukavina
393	Governmental Operations	2412	2225*	Waldorf	O'Connor
394	Transportation	1914	2341*	Cohen	Mariani
395	Judiciary	2437	2046*	Bertram	Bertram
396	Transportation	1767*	1933	Larson	Anderson, R.
397	Agriculture and Rural Development	2069*	2125	Stumpf	Tunheim
398	Education	1991*	2013	Stumpf	Sparby
399	Environment and Natural Resources	2310*	2702	Price	Munger
400	Health and Human Services	1900*	2962	Finn	Cooper
401	Energy and Public Utilities	1298*	1488	Dicklich	Dawkins
402	Local Government	2208*	1976	Brataas	Bishop
403	Governmental Operations	2182*	2313	Solon	Jaros
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406	Health and Human Services	2117*	2967	Berglin	Clark
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408	Governmental Operations	2597	2704*	Pappas	Clark
409	Education	1968	2377*	Johnson, D. E.	Uphus
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^v indicates veto.

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414	Environment and Natural Resources	2001*	2267	DeCramer	Steensma
415	Environment and Natural Resources	2301*	2543	Price	Munger
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417	Judiciary	2124*	2896	Spear	Brown
418	Transportation	2637*	2355	Pappas	Johnson, A.
419	Governmental Operations	2486	2924*	Sams	Jefferson
420	Governmental Operations	2023	1996*	Benson, J. E.	Reding
421	Local Government	1717	1852*	Frederickson, D. J.	Welker
422	Governmental Operations	1780	2186*	Marty	McGuire
423	Judiciary	2309	2572*	Solon	McEachern
424	Transportation	1674	1833*	Pogemiller	Wejcman
425	Health and Human Services	1724	2034*	Reichgott	Bodahl
426	Health and Human Services	1903	2081*	Stumpf	Tunheim
427	Commerce	1243	1416*	Cohen	Solberg
428	Governmental Operations	2467	2683*	Lessard	Solberg
429	Governmental Operations	2581	2792*	Kroening	Rice
430	Governmental Operations	2660	2732*	Marty	Heir
431	Governmental Operations	2242	2369*	Stumpf	Sparby
432	Governmental Operations	2048	2137*	Stumpf	Lourey
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438	Employment	2393	2142*	Piper	Johnson, A.
439	Agriculture and Rural Development	2028*	2853	Morse	Cooper
440	Governmental Operations	1819	2063*	Dahl	O'Connor
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442	Energy and Public Utilities	2320	2082*	Ranum	Skoglund
443	Governmental Operations	1139	1350*	Solon	Jaros
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445	Employment	1747	1889*	Merriam	Rukavina
446	Governmental Operations	2367	2438*	Morse	Reding
447	Environment and Natural Resources	1252*	1347	Flynn	Skoglund
448	Governmental Operations	1558*	1692	Solon	Jaros
449	Judiciary	2383*	2610	McGowan	Vellenga
450	Environment and Natural Resources	2311*	2746	Price	Munger
451	Environment and Natural Resources	2392*	2619	Johnson, J. B.	Rodosovich
452	Judiciary	1985*	2964	Piper	McGuire
453	Judiciary	2177*	2695	Spear	Greenfield
454	Governmental Operations	2382*	2565	Pogemiller	Jefferson
455	Governmental Operations	2352*	2014	Piper	Reding
456	Environment and Natural Resources	2299*	2662	Morse	Pelowski
457 ^v	Governmental Operations	768	1114*	Pappas	Kahn
458	Governmental Operations	2037*	1133	Price	Bauerly
459	Health and Human Services	2247*	2532	Kroening	Segal
460	Health and Human Services	2234*	2579	Finn	Dorn
461	Judiciary	2368*	2541	Finn	Pugh
462	Environment and Natural Resources	2389*	2612	Merriam	Weaver
463	Judiciary	1856*	1938	Finn	Pugh
464	Judiciary	2622	2647*	Neuville	Milbert
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480	Governmental Operations	1935*	2028	Pogemiller	Jefferson
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482	Governmental Operations	726	765*	Marty	McGuire
483	Commerce	1855	1948*	Metzen	Carruthers
484	Employment	1590*	2360	Stumpf	Tunheim
485	Judiciary	979*	1196	Pappas	Clark
486	Commerce	2483	2709*	Solon	Jacobs
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488	Governmental Operations	1731	1873*	Solon	Reding
489	Agriculture and Rural Development	2728*	2733	Sams	Wenzel
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503	Judiciary	2088*	2402	Reichgott	Pugh
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505	Local Government	1966	1957*	Johnson, D. J.	Battaglia
506 ^v	Employment	2136*	2185	Mondale	Farrell
507	Commerce	394	217*	Flynn	Carruthers
508	Governmental Operations	151	31*	Kroening	Simoneau
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513	Finance	2788	2694*	Merriam	Greenfield
514	Governmental Operations	2699*	2335	Riveness	Peterson
515	Health and Human Services	2186*	2342	Traub	Jefferson
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518	Energy and Public Utilities	2503	2749*	Marty	Clark
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520	Commerce	1922	1980*	Solon	Pugh
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524	Commerce	2374	2099*	Luther	Carruthers

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527	Judiciary	2468	2750*	Reichgott	Bishop
528 ^v	Governmental Operations	2402	2261*	Riveness	Winter
529	Judiciary	1700	1738*	Ranum	Vellenga
530	Governmental Operations	1910	1960*	Morse	Reding
531 ^v	Finance	1894	1838*	Bernhagen	Cooper
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533	Judiciary	1938*	2076	Pappas	Dawkins
534	Local Government	2514*	2658	Frederickson, D. J.	Peterson
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539	Governmental Operations	1917*	2026	Waldorf	Reding
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548	Judiciary	1859	2000*	Merriam	Macklin
549	Health and Human Services	2603	2800*	Berglin	Ogren
550	Economic Development and Housing	2323	2586*	Cohen	Trimble
551	Metropolitan Affairs	2271	2269*	Riveness	Garcia
552	Commerce	1649	2608*	Solon	O'Connor
553	Governmental Operations	2628*	2827	Kelly	O'Connor
554	Commerce	2743*	1791	Hottinger	Skoglund
555	Commerce	2662*	2950	Pappas	Dawkins
556	Taxes	1949	2031*	Reichgott	Olson, E.
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558 ^{liv}	Finance	2780	1903*	Merriam	Simoneau
559	Health and Human Services	2732*	2050	Piper	Bishop
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564	Commerce	2212	1681*	Solon	Skoglund
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566	Agriculture and Rural Development	2432*	2855	Berg	Sparby
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569	Judiciary	1974	2181*	Ranum	Carruthers
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