

House Public Information Office

# HOUSE WEEKLY REVIEW

For MEMBERS of the Minnesota House of Representatives

March 3-10, 1988

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HOUSE WEEKLY REVIEW summarizes committee and floor action on bills

## COMMITTEE ACTION

### AGRICULTURE

Friday, March 4

#### Dairy industry—fair pricing, marketing

HF1000/SF0655 (Krueger, DFL-staples)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would provide a fair pricing and marketing program in the state for dairy products and protect consumers of dairy products from unfair trade practices, unfair methods of competition, monopoly, and restraint of trade.

\*\*Delete-everything amendment would:

- define terms involving dairy products and producers for the purpose of implementing this legislation;
- provide that wholesalers, distributors, and retailers of dairy products in this state must not sell, offer for sale, or advertise for sale a dairy product below cost;
- prohibit a retailer from selling or offering for sale dairy products of one brand at a price different from the price charged by a retailer for equal quantity of a product of the same type, quality, but of a different brand—unless the difference in price reflects the difference in price paid by the retailer for the products;
- prohibit a dairy marketer from selling or advertising for sale below cost a dairy product with the intent of damaging or harassing a competitor;

- require the commissioner to have sufficient evidence that dairy products were sold, offered for sale, or advertised for sale at prices that damaged competition before civil penalties may be imposed; moreover, the dairy marketer has the burden of proof that sales were not made below cost;

- prohibit a dairy marketer from owning or controlling more than a five percent financial interest in a retail business selling dairy products in this state, unless the dairy marketer's ownership is prominently displayed at the public entrance of the retailer;

- prohibit a dairy marketer from giving, lending, or selling furniture, fixtures, fittings, or equipment (such as refrigeration units) to a retailer as an incentive for the retailer to purchase and sell that marketer's dairy product; nor would a dairy marketer be permitted to give, lend, advance money, credit, or other things of value to a retailer for the benefit or relief of a retailer;

- provide that the commissioner of agriculture, for purpose of inspection, may enter at reasonable hours places of business operated by a dairy marketer or retailer; also provide that the commissioner may subpoena, inspect, and make copies of relevant documents.

\*\*Amendments would make technical language changes.

#### Farming—limited partnerships

HF2041/SF1996 (Brown, DFL-Appleton)—recommended to pass as amended\*\*; rereferred to Judiciary Committee. (SF in Senate Agriculture Committee)

Would limit ownership of farmland by certain corporations and limited and unauthorized partnerships.

\*\*Delete-everything amendment would:

- prevent limited partnerships from having more than five investors and owning more than 1500 acres of land;

- require partners who own 90 percent interest in a farm to reside on or engage in farming;



• reduce from ten to five years, the time nonfarm corporations or unauthorized partnerships could own land;

• exempt from the provisions of this bill, agricultural land that a limited partnership purchased before Aug. 1, 1988.

\*\*Amendments would make technical language changes.

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**Limited partnerships—land ownership study**

HF2449/SF2077 (Steensma, DFL-Luverne)—recommended to pass as amended.\*\* (SF in Senate Agriculture Committee)

Would require the commissioner of agriculture to investigate and report on the extent and nature of land owned by limited partnerships in Minnesota.

\*\*Amendments would make technical language changes.

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**Corporate farmland—ownership report**

HF2450/SF2328 (Winter, DFL-Fulda)—recommended to pass as amended\*\*; rereferred to Judiciary Committee.

Would require corporations, limited partnerships and other business entities who own agricultural land to file by April 15 of each year a thorough report to the commissioner of agriculture concerning its operation and landholdings in this state; would also provide a civil penalty of up to \$1000 a day for each day of noncompliance.

\*\*Amendment would make technical language changes.

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**Monday, March 7**

**State Agriculture Society—membership addition**

HF2022/SF1936 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Agriculture Committee)

Would add Minnesota Dairy Goat Association to the State Agricultural Society.

\*\*Amendment would include Minnesota Dairy Sheep Association in the society.

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**Purple loosestrife—eradication allowance**

HF2173/SF2042 (V. Johnson, IR-Caledonia)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would appropriate grant money to assist farmers in the eradication of purple loosestrife on their land.

**Purple loosestrife—eradication, public waters**

HF2174/SF2041 (V. Johnson, IR-Caledonia)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would shift responsibility for loosestrife eradication on public waters and wetlands that are on private land.

\*\*Amendment makes technical language changes.

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**Family Farm Security Act—benefit extension**

HF2297/SF2255 (Winter, DFL-Fulda)—recommended to pass; rereferred to Taxes Committee. (SF in Senate Agriculture Committee)

Would extend the time period for certain loan benefits made through the Farm Security Program.

\*\*Amendment would require the Department of Agriculture and the Farm Security Program to protect the identities of farm security loan recipients

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**Soybean oil—ink base**

HF2371/SF2371 (Kalis, DFL-Walters)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would require a study on the possibility of using ink with a soybean oil base for state printing.

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**Anhydrous ammonia—sales regulation**

HF2469/SF2354 (E. Olson, DFL-Fosston)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Agriculture Committee)

Would provide that buyers and sellers in agreement on the use of “float gauge” or “flow meter” metering systems, when filling anhydrous ammonia tanks, need no other source of metering.

\*\*Amendment would make technical language changes.

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**Farm safety—extension**

**safety program restoration**

HF2565/SF2242 (Dille, IR-Dassel)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would restore the position of extension safety program specialist in the agricultural extension service; would assign responsibilities and appropriate money.

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Wednesday, March 9

**Agricultural commodities—promotion**

HF1229/SF0552 (Bauerly, DFL-Sauk Rapids)—laid over. (SF in Senate Agriculture Committee)

Would investigate and promote use of agricultural commodities by manufacturers of prepared food.

**Farmer-lender mediation rules—changes**

HS1939/SF1743 (Winter, DFL-Fulda)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would change the continuing effect of certain farmer-lender mediation rules.

**Dept. of Agriculture—name change/project expansion**

HF2412/SF2129 (Knuth, DFL-New Brighton)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would rename the Department of Agriculture, appropriate \$85,000 to expand the use of the Minnesota grown label, certify soil testing laboratories and define classification procedures, require artificial dairy products substituted with real dairy products.

\*\*Amendments would make technical language changes.

**Dept. of Agriculture—laboratory services account**

HF2498/SF1651 (Kalis, DFL-Walters)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would create a laboratory services account in the state treasury to pay for laboratory services performed by the Department of Agriculture.

**Industrial by-product project—establishment**

HF2503/SF2447 (Jennings, DFL-Rush City)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Agriculture Committee)

Would establish an industrial by-product soil buffering demonstration to show how industrial by-products might be used by farmers to buffer soil while creating a use for an industrial resource.

\*\*Amendments would make technical language changes.

**APPROPRIATIONS**

**Agriculture, Transportation & Semi-State Division/APPROPRIATIONS**

**Veterans—Purple Heart**

HF223/SF213 (Beard, DFL-Cottage Grove)—recommended to pass; incorporated into the division's omnibus bill. (SF in Senate Finance Committee)

Would appropriate \$10,000 from the general fund to the Military Order of the Purple Heart to assist veterans prepare and present claims against the United States government for compensation and other benefits they're entitled to.

**Education Division/APPROPRIATIONS**

Thursday, March 10

**HECB—student voting privileges**

HF2146 (Kinkel, DFL-Park Rapids)—recommended to pass as amended.\*\*

Would give the student representative on the Higher Education Coordinating Board (HECB) voting privileges and full rights of other appointments, except that the student appointment is for two years.

\*\*Amendment would set an effective date for the day following final enactment and clarify that a student HECB member may receive compensation as a student body officer or may be a recipient of financial aid, including work study, but cannot otherwise be employed or compensated by a post-secondary institution while serving on the board.

**College savings bond program—establishment**

HF2396/SF2105 (L. Carlson, DFL-Crystal)—recommended to pass as amended.\*\* (SF in Senate Education Committee)

Would establish a college savings bond program.

\*\*Amendment would:

- clarify that the commissioner of finance can sell any series of college savings bonds directly to the public, or to financial institutions for prompt resale to the public, but must receive competitive proposals for the services of investment banks;

- allow the commissioner of finance to issue all or part of the bonds as serial maturity bonds or zero coupon bonds, or a combination of the two;

- specify methods of sale and other procedures.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 15, Higher Education, March 2)

## Health & Human Services Division/ APPROPRIATIONS

Tuesday, March 8

### MA/MSA—eligibility changes

HF2126/SF1680 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services Division omnibus bill. (SF in Senate Finance Committee)

Would prohibit health maintenance organizations (HMOs) or health insurers from denying coverage to an employee's dependents on the basis of support provided to the dependent or residence of the dependent; and from denying benefits because the covered person or dependent is eligible for medical assistance (MA).

(See bill summary in HWR Vol. 4, No. 4, Pg. 13, Health & Human Services, March 3).

\*\*Amendments would make required changes by federal law and clarify language.

### Mental health ombudsman—duty clarification

HF2138/SF1628 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services Division omnibus bill. (SF in Senate Judiciary Committee)

Would clarify and revise the role of the ombudsman for mental health and mental retardation; would extend the authority of the ombudsman to serve people with mental illness, mental retardation or related conditions, chemical dependency and emotional disturbances. Provisions would:

- specify, define, and clarify the duties, terms, and responsibilities of the ombudsman and ombudsman's office;
- transfer funds from the Welsch consent decree monitor's office to the ombudsman for mental health and mental retardation.

\*\*Amendments would make technical changes.

Wednesday, March 9

### Ventilator—dependent patients

HF1044/SF1274 (Orenstein, DFL-St. Paul)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would provide continued private duty nursing or personal care assistant services for ventilator-dependent recipients on medical assistance, should they need hospital care. The private duty/assistant would serve as liaison, interpreter or communicator with hospital personnel. Would limit payment to 120 hours.

\*\*Amendment would clarify language.

### Mental Health Act—cleanup

HF2114/SF1869 (Segal, DFL-St. Louis Park)—recommended to pass as amended\*\*; incorporate into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would make several changes and definitions in the mental health services act of 1987.

(See bill summary in HWR, Vol 4, No. 4, Pg. 13, Health & Human Services, March 3).

\*\*Amendment would clarify language.

### Environmental laboratories—certification

HF2316/SF1927 (Long, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would authorize the commissioner of health to adopt rules and certify laboratories that test environmental laboratories.

(See bill summary under Environment & Natural Resources, March 8)

\*\*Amendment would appropriate \$55,000 from the special revenue fund to the commissioner of health as seed money and set conditions for appropriation.

### Health services administration—AIDS, restaurants

HF2448/SF2245 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would limit reporting requirements of the commissioner of health for epidemiologic studies; provide grants for AIDS evaluation and counseling and appropriate \$662,000 for the grants; would provide fines for rule violations relating to licensing of hotels, restaurants, resorts and other public accommodations; would create the environmental health fee account.

\*\*Amendments would:

- remove the section allowing the commissioner to make grants to community health boards designed to limit the transmission of AIDS.
- clarify language regarding revolving fund.

Thursday, March 10

**Hospital care—polio patient**

HF1772/SF1637 (Waltman, IR-Elgin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

\*\*Delete-everything amendment would allow continued hospital care for a medical assistance (MA) recipient who has been a polio patient in a hospital for at least 25 years; would use state money to pay the federal share of the MA reimbursement.

**Cloquet—health screening**

HF2084/SF1935 (Ogren, DFL-Aitkin)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would require the commissioner of health to conduct medical screenings of employees from the former Conwed plant in Cloquet (to establish a database which could help in developing future screenings, counseling, and treatment of workers and families); require the commissioner to submit a report on the medical screenings by March 1989.

**COMMERCE**

Tuesday, March 8

**Real property—advertised foreclosure notices**

HF1767 (R. Anderson, IR-Ottertail)—recommended to pass as amended\*\*; placed on Consent Calendar.

\*\*Amendment would require notice of foreclosure by advertisement to include the name of each mortgagor who, at the time of first publication of the notice, has been released from financial obligation on the mortgage and a statement that the named mortgagor has been released from financial obligation on the mortgage.

**Food handlers—licensing requirements**

HF1779/SF1778 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Agriculture Committee)

Would exempt people who operate as a food handler at more than one location from having to obtain a food handling

license for each location if the volume of food sales at each location is less than \$2,500 per year; would provide that one such license would cover each location and would require the person to display a copy of their license at each location.

\*\*Amendment would make technical language change.

**Motor vehicle franchise—nonrenewals, cancellations**

HF2049/SF1844 (Sparby, DFL-Thief River Falls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would include nonrenewal under statutory requirements for manufacturer to meet for cancellation or termination of a franchise for new car dealerships. Provisions would:

- make it an unfair trade practice for a car manufacturer to threaten to modify or replace a franchise with a succeeding franchise that would adversely alter rights or obligations of a dealer under an existing franchise or that substantially impairs sales or service obligations or investments of the motor vehicle dealer;

- prohibit an agreement between a manufacturer and dealer that's designed to waiver, nullify, or modify statutory regulation.

\*\*Amendment would:

- remove language that would have required motor vehicle lessors to have titles and registrations for vehicles displayed;
- prohibit agreements between a manufacturer and dealer that would prevent a new motor vehicle dealer from bringing an action in a particular forum otherwise available under law.

**Corporate takeover law—changes**

HF2253 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\*

Would make corrections to shareholders protection and corporate takeover legislation. Provisions would:

- require the offer to send the material terms of the proposed offer to all offerees (beneficial owners residing in Minnesota) as soon as possible after the filing;

- make the disclosure requirements for takeover offers consistent with the disclosure requirement in the current business corporations (Chapter 302A.671, subd. 2);

- exclude from the definition of an "acquiring person" a person who's entitled to exercise a new range of voting power solely as a result of repurchase of share, recapitalization or similar action unless:

—the repurchase, recapitalization or similar action was proposed by or on behalf of the shareholder; or  
—the shareholder acquires beneficial ownership, directly or indirectly of outstanding shares to exercise or direct the same or a higher range of voting power, as a result of the repurchase, recapitalization or similar action;

- provide that when two or more people act or agree to act as a group for purposes of acquiring, owning, or voting shares of the corporations, all members are deemed to be a person;

- define “interested shares” as the shares of an issuing public corporation beneficially owned by the acquiring person, any officer of the issuing public corporation, or any employee of the issuing public corporation;

- exclude the following from the definition of business combination: certain mergers that involve wholly-owned subsidiaries; an exchange of shares of a corporation pursuant to which the corporation becomes a wholly owned subsidiary; vendor-vendee transactions in the ordinary course of business; calls for redemption; and cash dividends or distributions made on the pro-rata basis;

- add to the definition of business combinations any issuance made for the purpose of facilitating a subsequent transaction that would have constituted a business combination if dividends or distributions have been made;

- modify the definitions of interested shareholders, market value, and share acquisition date;

- redefine who is a disinterested person who may serve on the committee of disinterested persons, allow anyone who has not been an officer or employer in the preceding five years to serve on the committee;

- require that the background of the acquiring person be included in the information statement (current law requires the acquiring company to deliver the information statement to the issuing public corporation’s executive office);

- provide that a financing agreement may still be deemed definitive even if it contains conditions or contingencies customarily contained in term loan agreements with financial institutions;

- provide that the resolution of the shareholders must be approved by:  
—the affirmative vote of the holders of a majority of the voting power of all shares entitled to vote, including all shares held by the acquiring person; and —the affirmative vote of the holders of a majority of the voting power of all shares entitled to vote, including all interested shares;

- eliminate five year restrictions on certain business combi-

nations (i.e., mergers, stock, exchanges, sales of subsidiaries or substantial assets, liquidation or dissolution);

- provide that an issuing public corporation’s election to “opt out” will be effective even if made prior to the time it became an issuing public corporation; clarify that a person with less than 10 percent of the voting power who passively finds him or herself a 10 percent shareholder is not an interested shareholder; make other changes regarding the application of the law.

\*\*Amendment would make technical language change.

#### **Food labeling—country of origin**

HF2375/SF2128 (Knuth, DFL-New Brighton)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Agriculture Committee)

Would require an country-of-origin label on imported fruits, vegetables, grains, livestock, poultry, meats, and other foods sold or offered for sale at wholesale or retail in this state that contain banned chemicals. Provisions would:

- authorize the commissioner of agriculture, by rule, to require country-of-origin labeling on imported foods sold for human consumption in this country that are grown, raised or produced in foreign countries that allow application of pesticides to the foods or administration of drugs to animals that are banned in the United States; direct the commissioner to make certain findings supporting a rule before it is adopted;

- require the commissioner, by rule, to require certain information (e.g. the percentage and true composition of a food article or who manufactures the food article) about imported foods;

- prescribe country of origin labeling for fresh, processed, and prepared foods; provide a method for labeling such foods;

- require certain printed or oral advertising material of prepared foods for consumption to bear the country-of-origin label; prohibit such advertisement from listing the United States as the country of origin for prepared foods unless 80 percent or most of the prepared is grown or produced in the U. S.;

- specify label wording and makes importers, processors, packagers, and sellers of foods that don’t bear the required label of origin liable to consumer for damages resulting from consumption and puts the burden of proof on the defendants;

- provide that if the Department of Agriculture finds that

foods are not properly identified as required by the act, the commissioner must issue a stop order for the product until it is properly labeled;

- provide that a person who fails to comply with the provisions of the act is guilty of a misdemeanor; provide that if a person knowingly fails to label or mislabels a food product that if consumed may have as adverse effect on human health is guilty of a gross misdemeanor.

\*\*Amendment would require fish that contain banned chemicals to bear the country-of-origin label.

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**Wednesday, March 9**

**Fluorescent lamp—efficiency standards**

HF2178/SF1549 (Dawkins, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Public Utilities & Energy Committee)

\*\*Delete-everything amendment would establish minimum standards for fluorescent lamp ballasts. Provisions would:

- define various terms for purposes relating to standards for fluorescent lamps;
- stipulate that the state building code must recommend buildings to comply with the fluorescent lamp ballasts minimum standards;
- require the commissioner of public service, in consultation with an advisory board of electrical contractors, retailers, and conservationists, to study the fiscal and energy conservation impact to the state if the recommended minimum standard for fluorescent lamp ballasts are made mandatory; require the commissioner to report findings to the Legislature by Jan. 1, 1990.

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**Food sales—irradiation prohibition**

HF2298 (Trimble, DFL-St. Paul)—recommended to pass.

Would prohibit the sale of irradiated food and would define such foods as food or commodities when the final product has or any of its components or ingredients have been treated with gamma radiation or any other ionizing radiation.

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**Fire marshal—movie projection room inspection**

HF2452/SF2404 (Price, DFL-Woodbury)—laid over for interim study. (SF in Senate General Legislation & Public Gaming Committee)

Would impose fire safety and operator standards on motion picture theaters in Minnesota and requires annual inspections.

**Real estate—closing services**

HF2526 (Price, DFL-Woodbury)—recommended to pass as amended.\*\*

Would regulate the provisions governing real estate closing services. Provisions would:

- define a “closing agent” or “real estate closing agent” as any person other than a licensed attorney, real estate broker, or real estate salesperson, who directly or indirectly provides closing services incident to the sale, trade, lease, or loan of residential real estate, including drawing or assisting in drawing papers incident to the sale, trade, lease, or loan, or advertises or claims to be engaged in these activities;

- allow residential real estate closing services to be performed and a fee charged by an attorney, real estate broker, real estate salesperson, and real estate closing agents, however, no fee may be charged unless services are rendered pursuant to a written contract;

- require closing agents to inform the party in writing of any charges at least five business days before the closing;

- provide that if a real estate broker, salesperson, or closing agent provides the closing services, the following regulations apply:

- the written contract for closing services must state that the broker, salesperson, or closing agent cannot express opinions regarding the legal effect of the closing documents or of the closing itself; and

- a broker, salesperson, or closing agent cannot charge a closing fee if a closing is performed without either a mortgagee’s or owner’s title insurance commitment or a legal opinion regarding the status of title;

- stipulate that nothing in the act shall be construed to imply that fees charges for closing services before its enactment constituted the unauthorized practice of law;

- stipulate that if provisions in the act are found unconstitutional or otherwise inoperative, the entire act shall be void and without effect.

\*\*Amendment would make technical changes.

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**Membership camping—contract applications**

HF2546/SF2300 (Sparby, DFL-Thief River Falls)—recommended to pass as amended\*\*; referred to Appropriations Committee. (SF on Senate Floor)

Would regulate the preparation of certain financial information for membership camping contract applications and subdivider qualification statements. Provisions would:

- remove language that required a copy of each item of advertising material to be included with the application for registration;
- require applications by membership camping operators and subdividers to include a financial statement prepared by a public accountant and certified by the operator and subdivider;
- change the reporting time period for applications by membership camping operators and subdividers to 180 days;
- provide that the following devices or sales presentations are deceptive or misleading:
  - site and conceptual plans which don't disclose which facilities are and are not currently in existence; and
  - pictorials advertising material for off-site distribution which depict more than the actual on-site condition of the campgrounds or other areas that are material to the offer or sale of membership camping contracts;
- prohibit subdivided land sellers from accepting advance payments for services rendered by an agent in connection with resale of a time share property interest.

**\*\*Amendment would:**

- remove language that would exempt time share interest from most of the state subdivided land regulation if the property is in a municipality which has adopted local subdivided land regulations;
- repeal provision that requires operators to file a sample of membership camping advertisements with the commissioner of commerce before publishing such advertisements;
- delete provision that calls for a hearing on misleading or deceptive sales practices.

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**Hearing aids—sales, repair regulation**  
 HF2559/SF2288 (Beard, DFL-Cottage Grove)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate the sale and repair of hearing aids. Provisions would:

- permit a buyer of a hearing aid to cancel the purchase within the first 30 days during which the buyer has possession of the hearing aid;
- entitle the buyer, upon cancellation, to receive a full refund within 30 days of return of the hearing aid and allows the seller to retain up to 10 percent of the payment as a cancellation fee;
- require sellers to include in the written receipt or contract a

statement of the buyers right to cancellation;

- require any person or company doing repair work on a hearing aid to provide the owner of the hearing aid with an itemized billing of all parts and labor charges;
- require any repair guarantees to be in writing and delivered to the owner of the hearing aid stating the repairer's name, address, telephone number, length of guarantee, model, and serial number of the hearing aid and all other terms and conditions of the guarantee.

**\*\*Amendment would make technical language change.**

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**Farm implement retailers—stock payment**  
 HF2567/SF2384 (Sparby, DFL-Thief River Falls)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)

Would give successors in interest the same rights as the original franchised dealer and makes successors in interest of the manufactures responsible to dealers; require that payment for returned equipment and spare parts be made within 30 days and that 85 percent of the current net price of repair parts be paid.

**\*\*Amendment would provide that any contract in force and effect on July 1, 1988 which by its terms will terminate on a date subsequent thereto and which is not renewed is governed by the law as it existed before July 1, 1988.**

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**Thursday, March 10**

**Barber licenses—requirement change**  
 HF1534/SF1467 (Welle, DFL-Willmar)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would change licensing requirements for registered barbers and registered apprentice barbers. Provisions would:

- make a person qualified to receive a certificate of registration to practice barbering after practicing 12 months under the immediate supervision of a registered barber;
- stipulate that a school of barbering must require no less than 900 hours of instruction as a prerequisite to graduate in order to be approved by the Board of Barber Examiners;
- require a person to have six years of continuous experience (currently 10 years) as a barber to own and operate a barber college;
- stipulate that the examination of applicants for certificates of registration to practice as registered barbers and registered barber apprentices must include a practical demonstration;

- provide that any fees collected as required by law and the rules of the Board of Barber Examiners be paid to the secretary of the Board of Barber Examiners; require the secretary to deposit the fees in the state treasury and to disburse them on the order of the chair in payment of expenses lawfully incurred by the board;
- delete a list of fees to be paid to the board.

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**Cemeteries, mausoleums, funeral services—regulation HF1996/SF1867 (Reding, DFL-Austin)—recommended to pass. (SF on Senate Floor)**

Would require annual reporting and recordkeeping on prepaid funeral and burial funds. Provisions would:

- require sellers of pre-need personal property and funeral services to tell buyers where their funds are held and provide identifying account numbers;
- require such sellers to continue to file an annual report disclosing the state of the trust fund with county auditors;
- require licensed funeral directors to file annual reports disclosing the state of the trust fund with the commissioner of health;
- require sellers and funeral home directors to report any changes in the fund's trustee to the commissioner or the county auditor;
- require the county auditor and the commissioner to review the reports and report any findings of malfeasance, misfeasance, or nonfeasance to the state auditor who must audit those entities that have violated state laws;
- require any person, partnership, association, or corporation that's holding money in a trust to retain records in Minnesota until the death of the person for whose benefit the money was paid;
- provide that any person, partnership, association, or corporation that knowingly violates the reporting and recordkeeping requirements are guilty of a misdemeanor; provide that second offenses are gross misdemeanors;
- require sellers of cemetery lots and mausoleum or columbarium space to tell buyers where the permanent care and improvement funds are held and provide the buyer with account numbers;
- require such sellers to notify the county auditor and buyer of any changes in the fund's trustee or when the principal of the fund is transferred or withdrawn;

- require any person, partnership, association, or corporation that's holding money in a permanent care and improvement trust fund to retain records in Minnesota until the death of the person for whose benefit the money was paid;
- provide that any person, partnership, association, or corporations that knowingly violates the reporting and recordkeeping requirements are guilty of a misdemeanor; provide that second offenses are gross misdemeanors;

- require people that sell space in mausoleums or columbariums prior to construction to get and file a performance bond with the county auditor before making any sales;
- make people who violate the bonding requirement guilty of a misdemeanor for the first offense and guilty of a gross misdemeanor for a second offense;
- require sellers who must have permanent care and improvement funds and/or performance bonds to annually submit a certified letter or independent audited financial statement on the fund and/or bond;
- make people who fail to provide the county auditor with an audit statement guilty of a misdemeanor for the first offense and guilty of a gross misdemeanor for a second offense;
- require the county auditor to review the reports and report any findings of malfeasance, misfeasance, or nonfeasance to the state auditor who must audit those entities that have violated state laws.

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**Agricultural equipment—manufacturer-dealer relations HF2309/SF2096 (Sparby, DFL-Thief River Falls)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)**

Would regulate business relations between manufacturers of agricultural equipment and independent retail dealers. Provisions would:

- define the following terms: "farm equipment," "farm equipment manufacturer," "farm equipment dealer or dealership," and "dealership agreement";
- provide that a farm equipment manufacturer may not terminate, cancel, fail to renew, or substantially change the competitive circumstances of a dealership agreement without good cause;
- define "good cause" as failure by a farm equipment dealer to substantially comply with essential and reasonable requirements imposed upon the dealer by the dealership agreement, if the requirements are not different from those requirements imposed on other similarly-situated dealers either by their terms or in the manner of their enforcement;

list other good causes for termination or cancellation;

- require farm equipment manufacturer to provide a farm equipment dealer with a 90-day written notice of termination, cancellation, or nonrenewal of the dealership agreement; require the notice to state reasons for the termination or cancellation;
- give the dealer 60 days to correct any claimed deficiency and provide that if the deficiency is corrected within 60 days, the notice is void;
- prohibit manufacturers from coercing dealers to accept equipment and parts not ordered; list other violations;
- allow actions for damages and injunctive relief by dealers and award of attorney fees.

\*\*Amendment would:

- add to the definition of "farm equipment manufacturer" any successor in interest of the farm equipment manufacturer, including any purchaser of assets or stock, any surviving corporation resulting from a merger or liquidation, any receiver or assignee, or any trustee of the original farm equipment manufacturer;
- make technical language changes to the list of good causes for termination;
- make provisions applicable to all dealership agreements currently in effect which have no expiration date and which are continuing contracts, and all other contracts entered into, amended, or renewed after July 31, 1988;
- provide that any contract in force and effect on Aug. 1, 1988 which by its terms will terminate on a date subsequent thereto and which is not renewed is governed by the law as it existed before Aug. 1, 1988.

#### Franchise regulation

HF2491/SF2347 (Segal, DFL-St. Louis Park)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)

Would modify the definition of "franchise" to include an oral or written contract or agreement, either expressly or implied, for a definite or indefinite period, between two or more persons, under which the manufacturer, selling security systems through dealers or distributors in Minnesota, requires regular payments from the distributor or dealer as royalties or residuals for products purchased and paid for by the dealer or distributor.

\*\*Amendment would:

- allow any burglar alarm manufacturer that has sold products to a Minnesota distributor for at least five years to establish itself as a franchisor requiring said distributors to begin paying an annual franchise fee or a sign up fee for operations within the state after the manufacturer provides its existing non-franchised distributor five years notice of such intent, with an automatic extension of the existing distributor contractual arrangement during the notice period;
- prohibit a manufacturer from establishing a business in Minnesota in competition with the distribution during the notice period;
- provide that any manufacturer that terminates an existing burglar alarm distributor contract in Minnesota must wait five years before opening distributorship in this state.

## ECONOMIC DEVELOPMENT & HOUSING

Monday, March 7

#### Housing trust fund

HF2019/SF1462 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Economic Development & Housing Committee)

Would create a low income housing trust fund and provide for the fund's uses.

Delete-everything amendment would:

- create a trust fund made up of:
  - money appropriated and transferred from other state funds;
  - interest accrued from pooled real estate trust accounts;
  - gifts, grants, and donations;
- specify that the housing trust fund be used for loans and grants for low income rental and cooperative residential units. At least 75 percent of the residential units that would be supported through the fund must be rented to individuals or families with income equal to or less than 30 percent of the metropolitan's median income;
- require that the trust fund pay an interest rate equal to the current passbook savings account interest rate;
- clarify that buyers and sellers of real estate can receive the interest from their deposits if they agree to that in writing.

#### Landlord penalties—renting condemned property

HF2224 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\*

Would penalize landlords who rent condemned property by making them liable to tenants for actual damages and three times the amount of money collected from tenants after the property has been condemned or declared unfit for habitation.

\*\*Amendment would clarify language.

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**Challenge Grant Program—local unencumbered funds** HF2285/SF1968 (Cooper, DFL-Bird Island)—recommended to pass; rereferred to Taxes Committee. (SF in Senate Economic Development & Housing Committee)

Would allow municipalities to use unencumbered money in their general funds and certain tax increments to help capitalize revolving loan funds through the Challenge Grant Program. Provisions would specify that loans using specific tax increments must be for businesses located in the districts that generated the tax increments.

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**Minnesota Job Skills Partnership—changes** HF2408/SF2153 (Segal, DFL-St. Louis Park)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would change the structure of the Minnesota job skills partnership board and repeal the sunset date.

\*\*Amendments would:

- eliminate the repealer;
- leave the structure in its current form.

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#### **Jobs 2000**

HF2516 (Otis, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Labor-Management Relations Committee.

Would create the Jobs 2000 Program to provide dislocated workers with services and incentives so they may return to employment. Provisions would:

- replace the Minnesota Job Skills Program with Jobs 2000 and specify governance, structure and reporting requirements;
- define a dislocated worker as:  
—someone employed in the same occupation or with the same employer for the past three years who is laid off or has received notice of being laid off because of job obsolescence, job abolishment, plant closing, decline in the occupation or industry slowdown. This worker must not be likely to return to the same employer or has limited chance of being employed in the same occupation;

—a farmer or self-employed person under severe household financial distress;

—a homemaker displaced because of death, disability or divorce of spouse or whose spouse is a dislocated worker;

—someone who has exhausted unemployment benefits and was at one time employed in an occupation for three years;

—an underemployed person;

—someone the commissioner of jobs and training believes will become a dislocated worker within the next 12 months;

- authorize the Jobs 2000 Board to oversee dislocated worker projects that are geared at retraining or re-employment.

- establish a training allowance for dislocated workers to be paid during enrollment in approved training and specify that the allowance would be at least equal to two-thirds of the statewide average weekly unemployment benefit;

- establish a transitional allowance to encourage workers to return to work within 18 weeks of becoming unemployed;

- mandate that the commissioner of jobs and training create an early warning network to identify plant closing and mass layoffs;

- mandate that the commissioner of jobs and training create rapid response teams to assist all parties in reacting to plant closing or layoffs;

- mandate that the commissioner of jobs and training administer individual dislocated worker projects and establish community advisory committees as part of those projects;

- allow the Jobs 2000 fund to pay wages due employees of businesses in bankruptcy or receivership, if they otherwise wouldn't receive those wages.

\*\*Amendments would delete tax funding provisions and specify that the Minnesota Job Skills Partnership have three years to close out its operations.

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#### **Foreign trade office—Federal Republic of Germany**

HF2572/SF2274 (Wenzel, DFL-Little Falls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Economic Development & Housing Committee)

Would require the commissioner of trade and economic development to create a foreign trade office in West Germany. Provisions would:

- specify that the trade office promote:

- the export of Minnesota goods and services, especially if those goods and services come from small- and medium-sized businesses;

—reverse investment by identifying and assisting foreign businesses in locating facilities in Minnesota;

- specify that the trade office help plan, arrange for, and host trade delegations from Minnesota;
- specify that the trade office provide marketing information and other services to Minnesota businesses that are interested in exporting to West Germany;
- appropriate money to the commissioner of trade and economic development for the trade office.

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## Tuesday, March 8

### Youth employment—planning grants

HF1893/SF2419 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Education Committee)

Would authorize the commissioner of education to provide planning grants to educational institutions, community groups and labor organizations for designing youth employment programs.

\*\*Delete-everything amendment would:

- require that each program have:
  - an education component that requires participation in a school setting for those without a high school degree;
  - a work experience component that trains participants in vocational skills, including projects that expand housing for the homeless;
  - a job readiness skills component to provide participants job search skills, placement skill, and other skills to assist a participant in getting a job;
- specify that at least five planning grants are to be awarded, two in central cities, two in greater Minnesota, and one in a suburban area;
- outline requirements expected of the grantee;
- require the commissioner of education to prepare and submit a report to the Legislature by Feb. 15, recommending program designs for the Youth Employment Planning Grants program.

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### Nonprofit organizations—economic development assistance

HF2246/SF2405 (Clark, DFL-Mpls)—recommended to pass. (SF in Senate Economic Development & Housing Committee)

Would insure that nonprofit organizations, including labor

organizations and community groups, are eligible to receive economic development assistance from the Greater Minnesota Corporation, Enterprise Development Centers, Science and Technology Resource Center at Southwest State University, and customized training through Minnesota's technical institutes.

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### Set-aside program—local small business

HF2468/SF2196 (G. Anderson, DFL-Bellingham)—recommended to pass. (SF in Senate in Governmental Operations Committee)

Would permit the commissioner of administration, for building projects in Greater Minnesota, to replace the required socially or economically disadvantaged small business (SED business) with a non-SED small business if a SED business is not located within 25 miles of the project site. Provisions include defining "socially or economically disadvantaged person" as persons living in counties where the median income for married couples is less than 70 percent of the state median income for married couples.

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### Dislocated worker task force

HF2533/SF2311 (McLaughlin, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Employment Committee)

Would create an advisory task force on the employment and training of dislocated workers. Provisions would specify member make-up, duties, and legislative report by Jan. 1, 1989.

\*\*Amendment would require minority party representation on the task force.

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### Small business development—loan limit exemption

HF2568/SF2345 (K. Olson, DFL-Sherburn)—recommended to pass. (SF in Senate Agriculture Committee)

Would change and clarify the small business development loan portion of the agricultural resource loan guarantee program and remove the \$1 million cap on loans. Provisions would require the Agricultural and Economic Development Board to pass that the board has determined that a proposal has met at least three of five specified criteria for eligibility for special assistance.

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## Thursday, March 10

### Landlord repairs—tenant rights

HF1872/SF1819 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Economic Development & Housing Committee)

Would provide for tenant's remedies if the owner fails to repair the premises. Provisions would:

- specify that, if the owner is required to supply specified essential services and fails to do so for reasons not beyond his/her control, the tenant may obtain reasonable amounts of the essential service and deduct the actual, reasonable cost;
- specify that, if an essential service is not available, the tenant may give written notice, obtain substitute housing during the owner's noncompliance and deduct from the rent the cost of substitute housing;
- provide limitations;
- set guidelines for the court to proceed regarding the above issues.

\*\*Amendment would:

- authorize tenants in single-metered multi-resident buildings to pay for gas and electric utilities, then deduct the payments from rent due;
- clarify that tenants can give oral notice to the owner about the problem, but must mail or deliver a written notice within 24 hours.

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#### **Housing redevelopment authorities—interest program extension**

HF2159/SF1672 (Gruenes, IR-St. Cloud)—recommended to pass. (SF in Senate Taxes & Tax Laws Committee)

Would remove the Jan. 1, 1989 sunset date on the interest reduction program of housing redevelopment authorities (HRAs), thereby allowing the program to continue.

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#### **Housing for homeless—project grants**

HF2444 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would establish demonstration projects through a grant programs that would create housing for homeless persons. Provisions would:

- set up a grant program in the Minnesota Housing Finance Agency (MHFA) for purchasing, rehabilitating, and constructing residential units for homeless persons and families; provisions would:
  - limit the grants from MHFA to \$25,000 per unit;
  - specify that organizations consider the use of abandoned or empty public dwellings;
  - provide three options for the use of the property: self-management by the organization, sale to homeless or very

low income persons, or sale or lease of the property to an organization that will manage it as residence for homeless or very low income people;

- set up a grant program in the Department of Jobs and Training for developing and administering life skills and employment plans for homeless persons who live in the residential units that result from the above grant program;
- appropriate \$1 million to the MHFA commissioner and \$315,000 to the commissioner of jobs and training for the grants.

\*\*Amendments would make technical changes.

## **EDUCATION**

**Thursday, March 3**

#### **Parental involvement programs**

HF1825/SF1881 (K. Nelson, Mpls)—heard. (SF in Senate Education Committee)

Would establish a demonstration grant program and create a parental involvement advisory committee to help administer the program. Provisions specify committee membership, purpose, program grant guidelines, and a \$30,000 limit to the grants.

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#### **Elementary teaching—preparation time**

HF1993/SF1893 (A. Johnson, Spring Lake Park)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would direct the State Board of Education to adopt a rule establishing one hour of preparation time a day for elementary school staff. The change would become effective for the 1989-90 school year.

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#### **School District No. 1—budget deadline changes**

HF2055/SF 1848 (Otis, DFL-Mpls)—recommended to pass. (SF in Senate Education Committee)

Would change the deadline from Dec. 15 to Dec. 31 for School District No. 1 to adopt and publish its operating and capital budgets. The change brings School District No. 1 in accordance with the deadline for other school districts.

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#### **Cooperative secondary facilities**

HF2215/SF2195 (G. Anderson, DFL-Bellingham)—recommended to pass. (SF in Senate Education Committee)

Would make technical corrections to the cooperative secondary facilities grant act.

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**Friday, March 4**

**State High School League—changes**

HF2373 (Quinn, DFL-Coon Rapids)—recommended to pass as amended.\*\*

Would regulate the State High School League by specifying membership on the league's governing board, mandating annual legislative audits, and directing certain other league policies.

\*\*Delete-everything amendment would:

- direct the league to adopt an affirmative action policy;
- make the league subject to comparable worth provisions;
- preclude the league from limiting individual competitor's participation in extracurricular activities scheduled before or after the league's season unless the league can demonstrate substantial harm;
- preclude the league from having credit cards;
- require the league to justify ownership of league cars as the most cost effective way to transport league members.

\*\*Amendment would mandate that the league follow state data practices requirements.

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**Monday, March 7**

**Fire inspection—public schools**

HF987 (Kelso, DFL-Shakopee)—recommended to pass as amended.\*\*

Would require the state fire marshal to inspect every public school building once every three years, beginning July 1, 1989.

\*\*Amendment would exempt schools that are already inspected regularly by their local governments.

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**Compulsory school attendance to 18**

HF1905/SF1913 (Wagenius, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would raise the age for compulsory school attendance to 18 for the 2000-01 school year and years thereafter unless the child has graduated from high school. Provisions would:

- require parents, beginning with the 1988-89 school year, sign a statement that provides notice of a compulsory school attendance age of 18 and makes a parent responsible for working with school personnel in the interest of the child, and requires school personnel to give their best effort to educate each child.

- change the definition of "habitual truant" to mean a child under 18 instead of 16 who is absent from school without lawful excuse for a specified period of time, beginning with the 2000-01 school year;

- change the definition of an adult basic and continuing education program to refer to a day or evening program offered to people over 18 instead of 16, beginning with the 2000-01 school year.

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**Library services levies**

HF2263/SF2060 (Bauerly DFL-Sauk Rapids)—recommended to pass as amended.\*\* (SF in Senate Education Committee)

Would exclude library services levies from from certain levy limitations.

\*\*Amendment would remove a provision requiring the Department of Education to make recommendations to the Legislature regarding the organization, financing, and formation of regional public library districts.

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**School health services—staff, drug administration**

HF2441 (Kelso, DFL-Shakopee)—recommended to pass as amended.\*\*

Would require school districts with 1,000 or more pupils to employ at least on full-time equivalent licensed school nurse or to contract with a health organization or public agency for appropriate health services provided by licenses and certified public health nurses. Provisions would:

- allow schools to make other arrangements for the above requirements, if those arrangements are approved by the State Board of Education;

- set forth procedures and guidelines for schools to administer prescribed drugs and medicine to pupils at their parents' or guardians' request.

\*\*Amendment would allow registered nurses who are already employed as school nurses but who do not have their school nurse licenses to continue their employment without certification for up to four years, if they are enrolled in programs leading to certification.

Wednesday, March 9

**Teen suicide prevention**

HF1575 (A. Johnson, DFL-Spring Lake Park)—heard; amended.\*\*

Would provide for suicide prevention programs in schools.

\*\*Delete-everything amendment would:

- require every school district to develop and implement, with community involvement, a suicide prevention and stress reduction plan;
- make that plan available to all school district employees.
- list plan contents;
- appropriate \$60,000 to the Department of Education for technical assistance and coordination;
- permit the department to provide assistance to nonpublic schools.

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**Student suspension—chemical dependency tests**

HF1674/SF1539 (Bauerly, DFL-Sauk Rapids—recommended to pass as amended.\*\* (SF in Senate Education Committee)

Would permit schools to require a chemical dependency evaluation as part of readmission conditions for suspended students.

\*\*Amendment would:

- require that the evaluation be done by a community-based professional skilled in chemical dependency assessment and treatment;
- guarantee confidentiality on the part of the professional.

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**Counseling referrals—for secondary students**

HF2203 (Quinn, DFL-Coon Rapids)—recommended to pass as amended.\*\*

Would allow school districts to designate a volunteer staff person in each secondary school as a referral counselor for students.

\*\*Delete-everything amendment would:

- permit a public secondary school principal to designate a staff person as a referral counselor for every 500 students;

- assure confidentiality between the counselor and student, unless the student waives the right or the student intends to commit a crime;

- make the volunteer referral counselor who acts in good faith immune from civil or criminal liability that could result from his/her service.

\*\*Amendment would make technical changes and require the referral counselor to report suspected cases of neglect or abuse to appropriate local authorities.

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**National Guard service—state bonuses**

HF2281/SF2109 (Kinkel, DFL-Park Rapids)—recommended to pass; referred to Appropriations Committee. (SF in Senate Veterans Committee)

Would provide a state bonus for national guard service and establish a tuition reimbursement program for national guard members and their surviving dependents.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 10, General Legislation, Veterans Affairs & Gaming, March 3.)

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**Teen parent programs**

HF2595 (Trimble, DFL-St. Paul)—heard.

Would require a community-based instruction program relating to the family life experience and establish a student-at-risk program. Provisions would:

- define “student at risk” as a school age person who is a parent or pregnant, is not attending school, and has not graduated from high school or earned a GED;
- direct school districts to set up a team approach for evaluating interested students’ educational needs and then develop a written individual education program plan for each student;
- set guidelines for the plans;
- require the team to conduct periodic reviews to determine whether plan objectives are being achieved;
- increase the pupil unit figure by .25 for these students and authorizes state transportation aid to and from the child care provider for them.

## Education Finance Division/EDUCATION

Friday, March 4

### Education programs—health, wellness

HF1924/SF1898 (Segal)—heard. (SF in Senate Education Committee)

Would authorize health and wellness education program planning. Provisions would:

- direct the Department of Education to assist districts with health and wellness programs, and early childhood and family education programs;
- mandate that the department collect information from districts about such education programs and evaluation results;
- appropriate \$30,000 in 1989 to the commissioner of education for administering the program planning;
- appropriate \$300,000 in 1989 for planning and implementation grants for up to 90 school districts regarding health and physical education curricula.

### Education programs—revenue requests

HF2124/SF2024 (K. Nelson, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would appropriate monies from the general fund to the general education revenue for new or existing programs.

### Education Omnibus Bill

HF2245/SF2095 (K. Nelson, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would establish the amount of formula allowance for general education revenue, specify programs, appropriate money.

### Library services levies

HF2263/SF2060 (Bauerly, DFL-Sauk Rapids)—recommended to pass as amended. (SF in Senate Education Committee)

Would exclude library services levies from certain levy limitations.

Amendment would remove a provision requiring the Department of Education to make recommendations to the Legislature regarding the organization, financing, and formation of regional public library districts.

**Comprehensive arts planning program—funding**  
HF2366/SF2281 (Vellenga)—heard. (SF in Senate Education Committee)

Would authorize additional uses for arts program appropriations and allow appropriations to be available for the biennium. Provisions would:

- allow any unexpended fund balances from the first year of the biennium to be carried over to the second year;
- require the Department of Education to submit a report on categorical aids programs to the Legislature by Jan. 1, 1990 and define content of the report.

Monday, March 7

### School facilities—funding procedures

HF2499 (Kelso, DFL-Shakopee)—recommended to pass as amended.\*\*

Would alter the capital expenditure formula for school district facilities, create health and safety revenue, create equipment revenue, create a repair and betterment program, set guidelines, and authorize levies.

\*\*Delete-everything amendment would:

- restore the leased facilities levy for districts that lease facilities;
- create a down payment levy for districts wishing to acquire funds to make a down payment on a capital facilities project;
- create a health and safety revenue for districts that have serious health and safety hazards in their schools. Provisions would:
  - define health hazards;
  - set guidelines for fire safety and life safety plans;
  - set guidelines for revenue applications and approvals;
- set an equipment revenue at \$70 per pupil unit;
- set a repair and betterment revenue at \$1 per square foot and specify a definition for square footage;
- repeal all current capital expenditure programs and make the new capital expenditure formulas effective for the 1989-90 school year.

**Tuesday, March 8**

**Secondary education—adult eligibility**

HF1768/SF1734 (Bauerly, DFL-Sauk Rapids)—heard. (SF in Senate Education Committee)

Would provide two years of secondary education at state expense for Minnesotans who are aged 20 or older and have not graduated from high school.

(See bill summary in Vol. 4, No. 2, Pg. 2, Education, Feb. 17)

**Adult basic education**

HF1813/SF1729 (K. Nelson, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would appropriate \$2.5 million for adult basic education.

(See bill summary in Vol. 4, No. 4, Pg. 6, Education, Feb. 29)

**Bus transportation—for non-qualified students**

HF1977/SF2180 (Blatz, IR-Bloomington)—heard. (SF in Senate Education Committee)

Would allow school districts to provide bus transportation along regular school bus routes, if space is available, for pupils who live inside the normal walking areas set by the school board.

**Curriculum for labor history**

HF2043/SF1965 (Trimble, DFL-St. Paul)—heard. (SF in Senate Education Committee)

Would appropriate \$50,000 in 1989, to be matched by \$25,000 in money or agreements for in-kind assistance, to the Labor Studies and Resource Center for a demonstration project on labor curriculum. Provisions would set forth guidelines on teacher training, cooperative curriculum development, and a legislative report.

**Teacher productivity**

HF2129/SF2205 (K. Nelson, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would create a three-year pilot project to institute a cost effective process for improving productivity in 20 school districts, beginning July 1988. Provisions would:

- set up an advisory group to supervise the project;

- outline project activities, including assessment interviews, survey questionnaires, in-service seminars, and problem resolution packages;

- require a legislative report on the project at the end of the 1990-91 school year.

**Levy equity repeal**

HF2279 (Segal, DFL-St. Louis Park)—heard.

Would delete levy equity provisions in the general education levy.

**Community education formula**

HF2501/SF2305 (Kelso, DFL-Shakopee)—heard. (SF in Senate Education Committee)

Would require school districts to pay community education employees' contributions to teacher retirement plans and social security out of the district's general fund. Provisions would:

- set the community education aid formula for districts without approved youth development plans at \$6.50 times the district population;
- set the community education aid formula for districts with approved youth development plans at \$7 times the district population;
- define maximum revenue for 1990 and each year thereafter as \$91.25 times the greater of 150 or the number of children under five years of age in the district;
- increase the maximum levy amounts for community education to match the new revenue levels.

**Levy reduction aid—for auditor's error**

HF2506/SF2236 (Kelso, DFL-Shakopee)—heard. (SF in Senate Education Committee)

Would provide levy adjustment aid to school districts that received considerably less money than they should have in 1988 because the county auditor erred. Provisions would set the computation for levy adjustment aid and make general education revenue adjustments in these districts for the 1989-90 school year.

**Wednesday, March 9**

**Indian school council**

HF2032/SF1878 (Otis, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would establish an Indian school council to develop and recommend opportunities for Indian control of Indian education through optional means. Provisions would:

- specify council membership and guidelines;
- outline certain items that the council must consider, including funding programs, facilities acquisition, and school formation;
- authorize the State Board of Education to provide space for council meetings and staff at no cost to the council;
- require a council report to the State Board of Education and Legislature by Dec. 1, 1988.

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**Education programs—revenue requests**

HF2124/SF2024 (K. Nelson, DFL-Mpls)—heard. (SF in Senate Education Committee)

Would appropriate monies from the general fund to the general education revenue fund for new or existing programs.

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**Special education funding—1989 deficiency**

HF2164/SF1849 (Cooper, DFL-Bird Island)—heard. (SF in Senate Education Committee)

Would provide for a deficiency appropriation from the general fund to the Department of Education for special education in 1989.

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**Teachers' retirement—TRA/FICA payments**

HF2276 (S. Olsen, IR-St. Louis Park)—heard.

Would restore state aid payments for teacher retirement and social security aid by appropriating \$210,035,000 from the general fund to the Department of Education. This appropriation would be in addition to any other appropriation for teacher retirement and social security aid.

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**Summer school aid—restoration**

HF2294/SF2173 (S. Olsen, IR-St. Louis Park)—heard. (SF in Senate Education Committee)

Would restore certain aids for 1989 categorical education programs, create reimbursement aid for special academic programs, increase interdistrict cooperation aid, and increase summer program aid. Provisions would:

- allow state aid for schools that establish an international baccalaureate program or another program that offers

enhanced academic opportunities for secondary students for which the students may obtain postsecondary credit;

- set summer school reimbursement for districts at the foundation formula allowance times the number of students in summer school;

- appropriate in 1989 :

- \$1,048,700 for arts education aid;
- \$870,700 for chemical abuse programs;
- \$550,000 for the international baccalaureate and advanced placement programs;
- \$1,166,800 for the gifted and talented education programs;
- \$20,084,000 for interdistrict cooperation;
- \$25,000 for programs of excellence;
- \$28,717,500 for summer programs.

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**Special education funding—reimbursement increase**

HF2397/SF2232 (S. Olsen, IR-St. Louis Park)—heard.

Would increase the regular special education reimbursement rate and reduce the levy equity reductions by an amount equal to the increase in additional special education funding until the levy equity deduction is equal to zero. Provisions would appropriate \$21,800,000 from the general fund to the Department of Education for regular special education aid for the fiscal year ending June 30, 1989.

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**Permanent school fund lands—lakeshore lease sales**

HF2438/SF2267 (Minne, DFL-Hibbing)—heard; amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would specify procedures and requirements for selling permanent school fund lands.

\*\*Delete-everything amendment would:

- direct the commissioner of natural resources to first reimburse the permanent school fund for the costs of surveying, appraising and selling permanent school fund lands before depositing any remaining money from the sale of lands in other funds;

- remove a provision in current law that lets a lessee to designate \$500 (or the annual lease payment, whichever is less) as part of the down payment for purchase;

- direct that lots be put on the market at the lessee's request and that all lots be offered for sale before Sept. 1, 1993;

- specify procedures and guidelines for appraisals and allocations of appraisal and survey costs;

- allow the commissioner to offer all lots in a plat for sale at one time if more than 50 percent of the lessees in the platted area request that the lots be sold.

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**Secondary vocational funding—formula increase**  
HF2555 (S. Olsen, IR-St. Louis Park)—heard.

Would extend state funding from the 1987-88 to the 1988-89 school year for various secondary vocational expenses, including salaries, travel, and contracted services. Would appropriate \$9,320,900 from the general fund to the Department of Education for secondary vocational aid for the fiscal year ending June 30, 1989.

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**Regional program access revenue**  
HF2679 (K. Olson, DFL-Sherburn)—heard.

Would provide for a regional program access revenue of no more than \$30,000 for purchasing programs and services from an educational cooperative service unit or a regional management information center. Provisions would specify formulas and allow districts to levy for the money each year.

**ENVIRONMENT & NATURAL RESOURCES**

Tuesday, March 8

**Environmental Quality Board—amendments**  
HF2087/SF2286 (Knuth, DFL-New Brighton)—recommended to pass; rereferred to Governmental Operations Committee. (SF in Senate Environment & Natural Resources Committee)

Would amend certain laws the Environmental Quality Board (EQB) administers. Provisions would:

- prohibit EQB members from delegating their responsibilities;
- clarify that the EQB must act on a petition for an environmental assessment or impact statement that a governmental agency files with the EQB before physical construction can occur or a final governmental decision can be made;
- clarifies that the attorney general can bring an action to enforce a requirement for an environmental assessment or impact statement if the EQB or its chair so requests;
- require the EQB to assess the actual (rather than reasonable) costs of an environmental impact statement (EIS) upon the proposer of a specific action, whether public or private;
- provide that money a project proposer pays to a state

agency for an EIS is appropriated to the agency to offset EIS costs;

- repeal the law providing a minimum project cost of \$1,000,000 to qualify for an EIS assessment.

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**Heartland Trail—amendments**

HF2155/SF2212 (Kinkel, DFL-Park Rapids)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

\*\*Delete everything amendment would revise provisions relating to the Heartland Trail in Hubbard and Cass counties, and establish the Paul Bunyan Trail in Crow Wing, Cass, Hubbard, and Beltrami counties.

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**Deer stands—height**

HF2185/SF2199 (Sparby, DFL-Thief River Falls)—recommended to pass. (SF in Senate Environment & Natural Resources Committee)

Would adjust the height of deer stands from 9 to 12 feet.

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**Chippewa Indians—memorandum ratification**

HF2216/SF2141 (Battaglia, DFL-Two Harbors)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Environment & Natural Resources Committee)

Would ratify a "Memorandum of Agreement" between the commissioner of natural resources and the Grand Portage, Bois Forte, and Fond du Lac bands of Chippewa Indians over hunting, fishing, trapping and gathering rights ratified in an 1854 treaty; would require the commissioner to fulfill the duties and obligations of the Memorandum of Agreement, including paying money the Legislature appropriates.

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**CFC-processed food packages—prohibition**

HF2248/SF2131 (Trimble, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Environment & Natural Resources Committee)

Would prohibit using chlorofluorocarbon-processed (CFC) food packaging materials after July 1, 1990.

\*\*Delete-everything amendment would:

- define:
  - “CFC-processed food packaging” as food packaging that uses chlorofluorocarbons as blowing agents in its manufacture;
  - “distributor” as any person engaged in business who ships or transports products to Minnesota retailers which those

retailers will sell;

—“food packaging” as all bags, sacks, wrapping, containers, bowls, plates, trays, cartons, cups, and lids used to package food or beverages that aren’t intended for reuse;

• require distributors to:

—maintain a written statement the food packaging manufacturer signs stating that the packaging isn’t CFC-processed;  
—note on each food packaging invoice that the packaging the invoice covers isn’t CFC-processed;

• permit the Pollution Control Agency (PCA) to inspect the documentation at any time;

• require the PCA to complete a CFC study and report to the Legislature by July 1, 1989;

• provide a \$500 penalty for violators;

• appropriate money from the general fund to the PCA for administrative costs and the cost of the study.

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#### Forestry laws—changes

HF2272/SF1687 (Solberg, DFL-Bovey)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would change certain forestry laws. Provisions would:

• remove obsolete penalty language for a state forestry employee’s neglect or refusal to perform duty;

• add forestry administrative tracts that are no longer needed to those lands the commissioner of natural resources may sell from state forests;

• allows the commissioner to contract with a state timber purchaser for forest regeneration in the sale area;

• eliminate a certain administrative site from George Washington State Forest in Itasca County.

\*\*Amendment would make technical language changes.

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#### Environmental laboratories—certification

HF2316/SF1927 (Long, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would establish a certification program for environmental laboratories.

\*\*Delete-everything amendment would:

• authorize the commissioner of health to adopt rules and

certify laboratories that test environmental laboratories;

• allow the commissioner to charge an annual base fee of \$250 for certification, and a test category fee depending on the laboratories’ specialization;

• require the commissioner to set fees to cover the costs of program administration.

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#### Fee increases

HF2344 (Kahn, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee.

Would change certain laws relating to fees. Provisions would:

• increase:

—state park permit fees from \$15 to \$16;

—special 2-day state park permit fees from \$3 to \$3.25;

—special 2-day state park permit fee for handicapped persons and persons over age 65 from \$1.50 to \$2;

—certain water permit fees which the Department of Natural Resources authorize.

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#### Dept. of Natural Resources—land sale, exchange

HF2349/SF2214 (Jennings, DFL-Rush City)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would authorize the commissioner of natural resources to sell certain surplus lands to local governments for local recreation or natural resource purposes.

\*\*Delete-everything amendment would:

• clarify road easements across state lands;

• authorize the commissioner to:

—release a flowage easement if its no longer needed to a landowner when the landowner pays a price the commissioner determines;

—sell surplus lands not needed for state trails to adjoining landowners;

• include survey, appraisal, and associated administrative costs in the sum when a purchaser buys state land;

• remove the county treasurer and auditor from duties and payments of a certificate of sale; would assign those duties to the commissioner;

• require the commissioner to offer leases of land at public or private sale; would allow leases of longer than 10 years with Executive Council approval;

• allow an exchange of school trust land within a state park;

would require the Permanent School Fund Advisory Committee to be trustee of school trust land in an exchange with state land;

- allow counties to exchange tax-forfeited land with any other land in the same county;
- require a private landowner or governmental unit to pay up to one-half the appraisal and survey costs in a land exchange with the state;
- amend waterbank laws to change the value of easement payments for limited duration easements;
- delete provisions that would:
  - allow the commissioner to acquire title insurance in class A land exchange;
  - require certain appraisal standards for exchanges of state and tax-forfeited land;
  - specify public hearing requirements in certain land exchanges;
  - clarify deed transfers after a tax-forfeited land exchange.

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**Wild animals, nondomesticated—possession permit**  
HF2436 (Quinn, DFL-Coon Rapids)—recommended to pass; rereferred to Appropriations Committee.

Would require a \$50 annual permit from the commissioner of natural resources to possess a dangerous nondomesticated wild animal, except for certain wildlife kept for public exhibit or research.

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**Wednesday, March 9**

**Vehicle emission inspections—requirements**

HF1803/SF1783 (D. Nelson, DFL-Champlin)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Rules & Administration Committee)

Would require mandatory annual inspections of motor vehicle emission control equipment on vehicles registered in the metropolitan area.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 27, Transportation, March 2)

\*\*Amendment would remove the provision that would require all unleaded gasoline sold after Jan. 1, 1991, to be a gasoline blend containing 3.5 percent oxygen by weight.

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**Motor vehicles—pollution control equipment**  
HF2086/SF1980 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would remove certain restrictions regarding restricted gasoline fill pipes.

\*\*Amendment would prohibit anyone from transferring a motor vehicle without a written certification that the vehicle's air pollution control systems haven't been removed, altered, or rendered inoperative.

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**Environmental law violations—penalties**

HF2101/SF1674 (D. Nelson, DFL-Champlin)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would transfer the criminal penalties for people who violate water pollution control laws from the section of law governing water pollution to the section that governs criminal penalties; would not change the penalties.

\*\*Amendment would make technical changes.

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**Safe Drinking Water Act**

HF2307/SF1928 (D. Nelson, DFL-Champlin)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

\*\*Delete-everything amendment would establish a safe drinking water account in the state treasury; would require the commissioner of health to use the money to support the Safe Drinking Water Program; would prohibit anyone from installing any pipes and pipe fittings containing more than 8 percent lead in any plumbing installation which conveys a potable water supply; would appropriate \$1,485,000 from the general fund to the commissioner for the safe drinking water account.

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**St. Louis County—shoreland sale**

HF2483/SF2265 (Rukavina, DFL-Virginia)—laid over. (SF in Senate Environment & Natural Resources Committee)

Would allow St. Louis County to sell up to 30 percent of its tax-forfeited waterfront land for forest management purposes.

(See bill summary under Governmental Operations, March 8)

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**Hazardous waste containment center—state ownership**  
HF2542/SF2289 (Munger, DFL-Duluth)—recommended to pass. (SF in Senate Environment & Natural Resources Committee)

Would authorize the Waste Management Board (WMB) to

would require the Permanent School Fund Advisory Committee to be trustee of school trust land in an exchange with state land;

- allow counties to exchange tax-forfeited land with any other land in the same county;
- require a private landowner or governmental unit to pay up to one-half the appraisal and survey costs in a land exchange with the state;
- amend waterbank laws to change the value of easement payments for limited duration easements;
- delete provisions that would:
  - allow the commissioner to acquire title insurance in class A land exchange;
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(See bill summary under Governmental Operations, March 8)

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**Hazardous waste containment center—state ownership**  
HF2542/SF2289 (Munger, DFL-Duluth)—recommended to pass. (SF in Senate Environment & Natural Resources Committee)

Would authorize the Waste Management Board (WMB) to

enter agreements providing for the development and operation of a wholly or partially state-owned hazardous waste stabilization and containment facility; would require WMB to submit a copy of any agreement with a developer to the Legislative Commission on Waste Management and its recommendations for necessary legislative actions, including appropriate financial assurance requirements.

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**Severed mineral interests—lease**

HF2629/SF2340 (Begich, DFL-Eveleth)—recommended to pass. (SF in Senate Environment & Natural Resources Committee)

Would authorize the commissioner of natural resources to lease certain severed mineral interests.

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**Thursday, March 10**

**Solid waste reduction, recycling program**

HF2069/SF1902 (Kahn, DFL-Mpls)—heard; amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would establish a comprehensive solid waste reduction and recycling program through county programs, a waste reduction initiative fee on containers, and public education. Provisions would:

- require each Minnesota county to provide at least a local recycling center and public education on recycling by Jan. 1, 1990; would require at least monthly curbside pickup of at least three materials in metropolitan cities over 5,000;
- require a county to license local recycling centers unless it designates a city to do so;
- require a county to approve a license application if the proposed center:
  - is a convenient service;
  - will accept at least beverage containers, food packaging glass, and two other nonbeverage recyclable materials;
- place a 1-cent fee on each packaged product or packaging product retailers use to package products for retail sale; would require distributors to pay the fee;
- exempt from the fee any package which is:
  - recyclable and made of at least 50 percent recycled materials;
  - intended for use in a manufacturing process;
  - used to package drugs and medicines;
  - used to package food or food products that are exempt from sales tax; or
  - require a refundable deposit of at least 4 cents;
- require each person who must pay the fee to submit reports

to the Department of Revenue specifying numbers of items sold;

- prohibit:
  - packaging beverages in material containing polyvinyl chloride (PVC);
  - packaging beverage containers together with nondegradable plastic;
  - placing recyclable materials in landfills, except as the Pollution Control Agency authorizes;
  - placing yard waste in landfills, after Jan. 1, 1990 in the metropolitan area, and after Jan. 1, 1992 in nonmetropolitan areas;
- provide a \$1,000 fine per day of violation for those who violate the fee requirements, reporting and payment requirements, or the prohibitions on the use of some plastics.

**\*\*Amendments would:**

- require the Waste Management Board to establish labeling requirements for plastic containers to facilitate recycling, reclamation, or reuse efforts; would conform requirements to national plastics industry standards;
- remove provisions that would place a mandatory deposit on nonrefillable beverage containers.

**FINANCIAL INSTITUTIONS & INSURANCE**

**Thursday, March 3**

**HMO solvency—requirements**

HF2127/SF2008 (Greenfield, DFL—Mpls)—recommended to pass as amended\*\*; rereferred to Health & Human Services Committee. (SF in Senate Financial Institutions & Insurance Committee)

Would require health maintenance organizations (HMOs) to be certified by the commissioner of health and to meet insolvency requirements.

**\*\*Delete-everything amendment would:**

- require HMOs to disclose their net worths;
- require HMOs to carry insurance against insolvency, and to deposit \$500,000 with the commissioner of revenue;
- allow the HMO to satisfy one-half of its deposit through the use of a letter of credit provided that nothing more than a demand for payment is necessary for payment, that the letter is irrevocable and unconditional, and the letter is issued by a bank which is a member of the federal reserve system;
- require HMOs to deposit on or before April 1, following

the HMO's first year of operation, an amount equal to the difference between the initial deposit and 50 percent of its uncovered expenditures incurred during its first year of operation;

- require HMOs to make full payment to any participating health provider (doctor, pharmacist, clinic, or other) within 30 days from the date of billing.

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**Wednesday, March 9**

**HMO coverage—cleft palate**

HF1794/SF1646 (DeBlieck, DFL-Milroy)—recommended to pass. (SF on Senate Floor)

Would clarify that coverage under individual family HMOs and accident and health policies would cover inpatient and outpatient expenses, including dental and other treatments of cleft palate.

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**MIGA—regulations**

HF1897/SF1802 (Scheid, DFL-Brooklyn Park)—heard, amended.\*\* (SF on Senate Floor)

Would regulate the Minnesota Insurance Guaranty Association (MIGA). Provisions would:

- exclude investment risk insurance from coverage by MIGA;
- restrict MIGA insurance coverage to Minnesota corporations whose primary place of business is within the state;
- prevent affiliate companies of an insolvent insurance company from recovering losses from MIGA;
- provide that a covered claim does not include (except for excluded late filings) claims filed with MIGA after the deadline for filing, as set by the court;
- exclude from MIGA coverage, subrogation claims by other insurance companies or claims against those who are insured by the MIGA-covered insolvent company;
- provide clarification that there is no deductible on claims between MIGA and the assigned claims plan for auto coverage;
- provide that persons having the ability to collect under more than one insurance guaranty association shall first seek recovery of their loss from the company in their home state;
- direct the MIGA board to assist the commissioner of commerce by responding to requests and making recommen-

dations;

- allow for staggered terms for MIGA board members.

\*\* Amendments would:

- make technical language changes;
- allow insurance purchasers with a net worth greater than \$50 million to collect from MIGA;
- direct MIGA to return monies recovered from the estate of an insolvent insurer to the account which covered the loss, and to use this money if necessary to cover future claims.

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**HMOs—mandatory cancer screening coverage**

HF1935/SF1838 (Minne, DFL-Hibbing)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)

Would offer health and accident insurance policies and HMO plans to provide coverage for routine pap tests and mammography screening when ordered or provided by a physician.

\*\* Amendments would make technical language changes.

**FUTURE & TECHNOLOGY**

**Monday, March 7**

**Genetically engineered organisms—task force**

HF2227/SF2316 (Trimble, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Environment & Natural Resources Committee)

Would create a task force to study certain issues relating to genetic engineering. Provisions would:

- establish task force and define membership, duties, and responsibilities;
- require task force to study existing U.S. international and local laws and regulations governing the release of genetically engineered organisms and issue a report on the findings to the Legislature.

\*\* Amendments would:

- strike the section requiring businesses, organizations, or individuals to notify officials of a proposed genetically engineered release into the environment;
- make technical changes.

## GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Tuesday, March 8

### Fergus Falls veterans home—establishment

HF2544—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

\*\*Delete-everything amendment would require veterans to be housed and cared for at the Fergus Falls Regional Treatment Center.

### Silver Bay veterans home—establishment

HF2658—recommended to pass; rereferred to Appropriations Committee.

Would require the commissioner of veterans affairs to establish a veterans home in Silver Bay by renovating an existing facility donated by the city.

Wednesday, March 9

### Contributions, solicitations—session regulation

HF1099/SF604\* (Scheid, DFL-Brooklyn Park)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would regulate contributions by registered lobbyists, political committee or political fund to a candidate for the State Legislature during a regular session of the Legislature and candidate for the State Legislature may not solicit contributions during a regular session of the Legislature from registered lobbyists, political committee or political fund.

Violators would be subject to a civil fine up to \$500.

### Animals—motor vehicle transportation

HF1880/SF1815 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate General Legislation & Public Gaming Committee)

Would prohibit a person from leaving an animal unattended in a standing or parked motor vehicle in a manner that endangers the animal's health or safety. Provisions would:

- allow a peace officer, a humane agent, a dog warden, a volunteer, or professional member of a fire or rescue department to use reasonable force to enter the vehicle and remove the animal;
- subject guilty party to a petty misdemeanor.

\*\* Amendment would remove the section prohibiting a person from transporting a dog or cat in an open compartment of a motor vehicle.

### Charitable gambling—real property profit

HF1921/SF1661 (Reding, DFL-Austin)—recommended to pass as amended\*\*; rereferred to Taxes Committee. (SF in Senate General Legislation & Public Gaming Committee)

Would provide that any erection, acquisition, improvement, expansion, maintenance or repair of real property using profits from charitable gambling may be done only if the Charitable Gambling Control Board finds that the property will be used exclusively for charitable gambling purposes.

\*\* Amendments would:

- prohibit persons from leasing a facility to more than one licensed organization to conduct bingo without having obtained a bingo hall license, unless person is a licensed organization;
- define licensure, qualifications, restrictions, leases and responsibilities;
- add language allowing an organization to exclude gross receipts, expenses and net profit from any licensed premises at which profits from all lawful gambling conducted by the organization do not exceed \$50,00 in any 12-month period. This exclusion does not relieve an organization of any requirement the board imposes for reporting gambling activity and expense computation at any licensed premises.

### Veterans service officers—compensation

HF1944/SF1833 (Quinn, DFL-Coon Rapids)—recommended to pass. (SF in Senate Veterans Committee)

Would strike language that enables counties with a population of 150,000 or less to levy a tax to defray the cost of a veterans service officer. Amended language would authorize any county where a veterans service officer is employed to levy a tax to defray the costs of the officer.

### St. Louis County—polling place

HF2210/SF2134 (Rukavina, DFL-Virginia)—recommended to pass as amended.\*\* (SF in Senate Elections & Ethics Committee)

Would require St. Louis County to provide at each primary and general election a polling place at a specified fire hall.

\*\* Amendment would make a technical change.

**State armory—bonding**

HF2255/SF1618 (Quinn, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would increase the amount of the total bonded indebtedness of the state armory building commission from \$4,500,000 to \$7,000,000.

\*\*Amendment would add that the bill is approved the day after final enactment.

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**Election polls—special hours**

HF2331 (Jennings, DFL-Rush City)—recommended to pass; placed on Consent Calendar.

Would establish hours when polls are open for election to change county seat; would change hours from 8 a.m. - 5 p.m. to 1 a.m. - 8 p.m.

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**Veterans Preference Act—changes**

HF2359 (Simoneau, DFL-Fridley)—recommended to pass.

Would regulate hearing panels under the Veterans Preference Act. Provisions would clarify statutes for Veterans Preference Act

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**Charitable Gambling Control Board—appointment requirement**

HF2394 (O'Connor, DFL-St. Paul)—recommended to pass as amended\*\*

Would require the governor to appoint Charitable Gambling Control Board members from fraternal, religious, veteran's and other nonprofit organizations. Would specify that 11 members must either be involved in the supervision of lawful gambling or must be officers or directors of the general organization and not a subordinate corporation.

\*\*Amendment would clarify membership, make technical changes.

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**Voter registration—computerization, account establishment**

HF2536 (Orenstein, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee.

Would provide that statewide computerized voter registration system satisfy requirements for duplicate registration file and establish voter registration account.

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**Racetracks—financial reports**

HF2537/SF1765 (Kelso, DFL-Shakopee)—recommended to pass. (SF in Senate General Legislation & Public Gaming Committee)

Would change the date when the racetrack must submit its financial statement to the Racing Commission and allow the breeders fund to be used to supplement purses for Minnesota horses racing in nonrestricted races.

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**Falcon Heights—election precinct consolidation**

HF2539/SF1164 (Rose, IR-Roseville)—recommended to pass. (SF in Senate General Legislation & Public Gaming Committee)

Would allow the City of Falcon Heights to consolidate election precincts.

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**Optical scan voting systems—equipment testing**

HF2558/SF2224 (Scheid, DFL-Brooklyn Park)—recommended to pass; placed on Consent Calendar. (SF in Senate Elections & Ethics Committee)

Would require official in charge of elections to test electronic voting systems within 14 days prior to election day and optical scan voting systems within 14 days prior to election day, to ascertain that the voting systems will correctly count the votes cast.

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**Horseracing simulcasting—regulations**

HF2655/SF2387 (Rukavina, DFL-Virginia)—laid over for interim study. (SF in Senate General Legislation & Public Gaming Committee)

Would allow for the simulcasting of horse races under certain conditions.

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**Thursday, March 10**

**Lottery—constitutional amendment proposal**

HF4/SF2 (Oshoff, DFL-St. Paul)—recommended to pass; rereferred to Rules & Legislative Administration Committee. (SF in Senate Rules & Administration Committee)

Would amend the Minnesota Constitution, allowing the Legislature to authorize certain lotteries. The proposed lottery would be submitted to the people at the 1988 general election.

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**House, Senate—size reduction**

HF2342 (Tjornhom, IR-Richfield)—laid over for interim study.

Would reduce the number of members in the House of Representatives and Senate.

**Lobbyist—redefinition**

HF2580 (Begich, DFL-Eveleth)—laid over for interim study.

Would amend and change the definition of "lobbyist."

**GOVERNMENTAL OPERATIONS**

**Friday, March 4**

**Day care building code—task force**

HF1795/SF1617 (Ogren, DFL-Aitkin)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would require the commissioner of administration to establish a task force to determine occupancy standards for family and group family day care homes. Provisions would define task force membership, and require the commissioner to report findings to the Legislature.

**State employees, part-time—study**

HF2220/S1987 (Riveness, DFL-Bloomington)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

\*\*Delete-everything amendment would direct the commissioner of employee relations to study the use of part-time employees in the executive branch workforce, and report the results to the Legislature; would specify topics the report must contain.

**State employees—certain salary ranges**

HF2250/SF2003 (Jefferson, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Local & Urban Affairs Committee. (SF on Senate Floor)

Would change certain laws governing state employees. Provisions would:

- include the ombudsman for corrections and the ombudsman for mental health and retardation under the \$42,500-\$60,000 salary range;
- amend affirmative action laws to clarify and distinguish the process for determining annual objectives from the process of goal setting in the statewide Affirmative Action Program;
- authorize the commissioner of employee relations to remove health maintenance organizations from continuing as a carrier under the state's group insurance plan;

- allow the commissioner to provide to retired state employees insurance coverage equal in value to coverages available to active state employees;

- limit participation in the statewide insurance plan to those public employees of local jurisdictions who are insurance eligible within their jurisdictions;

- waive bidding requirements for the statewide public employees insurance program;

- clarify that a job coach in the Supported Work Program isn't a state employee due to his/her position as a job coach.

\*\*Amendment would:

- remove provisions that would allow the commissioner to:—extend emergency staff appointments for an additional 30 days, to a total of 60 days;—designate individual positions within a class for shortage occupation position filling;

- establish equitable compensation relationships when the average compensation for female-dominated classes is equal to the average compensation for male-dominated classes of comparable skill, effort, responsibility, working conditions, and other relevant work-related criteria;

- allow the commissioner to review a political subdivision's comparable work study;

- require the commissioner to transfer Waste Management Board employees to classified state service.

**St. Paul police, fire relief funds—directors**

HF2431 (O'Connor, DFL-St. Paul)—recommended to pass; placed on Consent Calendar.

Would require the St. Paul police and fire department relief associations to amend their articles of incorporation and bylaws to ensure that retired members are represented on the associations' boards of directors in the same proportion that the number of retired members in each association bears to the association's total membership.

**St. Paul police, fire relief funds—majority vote**

HF2432 (O'Connor, DFL-St. Paul)—recommended to pass.

Would require a majority vote of all members of the St. Paul police and fire department relief associations on consolidation with the Public Employees Retirement Association.

**Monday, March 7**

**Local governments—state mandates**

HF518/SF433 (Simoneau, DFL-Fridley)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would set up a system for the state to reimburse local units of government for carrying out program or financial mandates.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 14, Local & Urban Affairs, Feb. 25)

\*\*Amendment would exempt the Metropolitan Council and its commissions and agencies from the definition of a "political subdivision."

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**Dept. of Administration—changes**

HF2291/SF2059 (Lasley, DFL-Cambridge)—heard; amended\*\*; laid over. (SF in Senate Governmental Operations Committee)

Would amend, enact, and repeal certain laws the Department of Administration (DOA) administers. Provisions would:

- allow state agencies to pay telephone bills in advance, rather than in arrears;
- allow the commissioner of administration, with the finance commissioner's approval, to transfer from an internal service or enterprise fund account to another internal service or enterprise fund account, any contributed capital the Legislature appropriated, to provide working capital or cash for cash flow purposes;
- allow the commissioner to:
  - add new products to existing contracts to permit upgrades or changes in technology;
  - negotiate and/or extend contracts for any period up to five years;
  - negotiate contracts and/or purchases pursuant to bidders' response to a request for proposal, instead of seeking competitive bids;
- broadens the definition of "responsible bidder" to include more in-depth evaluation of vendors' past or predicted performance;
- allow the commissioner, in certain circumstances, to award more than one contract per request for bid;
- create a "materials distribution fund" to consolidate sales to local units of government and the public from the federal surplus property and resource recovery enterprise fund programs and the state surplus property, auction, and co-op

purchasing special revenue fund activities;

- extend to June 30, 1993, the existence of the Intergovernmental Information Systems Advisory Council;
- allow DOA Management Analysis Division to provide consulting services to local units of government;
- require that gas tax refunds from the federal government would be returned to the motor pool revolving account;
- require a state employee to obtain prior approval from their agency head, rather than the commissioner, when using a state vehicle to travel between home and work;
- strike the requirement for the Department of Employee Relations' involvement in municipal building code officials certification process;
- clarify that a building code application appeal must be heard as a contested case under the Administrative Procedures Act; would require the party that doesn't prevail to pay contested case costs;
- clarify risk management responsibilities, and broaden the areas in which the state may self insure;
- allow the commissioner to sign and issue a quitclaim deed to a purchaser of state surplus real property (would remove the governor's responsibility);
- permit the state to use decals to identify state vehicles;
- strike the requirement that the commissioner be involved in preparing biennial reports to the Legislature for non-health related occupational licensing boards;
- clarify that the commissioner isn't responsible to provide forms for counties to bond officers and/or employees.

\*\*Amendment would delete language that would:

- increase special revenue fund complement by two for the Minnesota Office on Volunteer Services;
- appropriate money for the 9-1-1 emergency telephone service program.

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**East Grand Forks—land sale**

HF2358/SF2213 (Lieder, DFL-Crookston)—recommended to pass; placed on Consent Calendar. (SF in Senate Environment & Natural Resources Committee)

Would authorize Polk County to sell certain tax-forfeited land in East Grand Forks.

**Humane Society—preservation**

HF2435/SF2317 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate General Legislation & Public Gaming Committee)

Would preserve the Minnesota Humane Society (HS) as a nonprofit corporation. Provisions would:

- continue and confirm the existence of HS as a nonprofit corporation;
- permit the state to create a federation of county and district societies;
- strike language that:
  - allows this federation to appoint representatives in counties with no active society;
  - establishing the federation’s purpose;
- add HS to the list of groups that can call upon a law enforcement official to investigate laws relating to cruelty to animals;
- allow law enforcement officers to deliver any animal they take to HS, as well as any local county or district society;
- add HS to the list of groups that can remove and care for an animal;
- add physical abuse to the list of reasons why an animal can be removed;
- directs the commissioner of administration to cease acting as HS administrator and transfer control of HS affairs and all of its property to the HS member-elected board of directors;
- repeal the 1987 law that ordered the commissioner to begin proceedings to dissolve HS and to transfer its assets to the federation.

\*\*Amendment would add technical language.

Tuesday, March 8

**Historical Society employees—PERA benefits**

HF2106/SF2006 (Milbert, DFL-South St. Paul)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would establish conditions under which employees of a county historical society can become members of the Public Employees Retirement Association (PERA), and permit counties to purchase insurance for employees of county historical societies that receive funding from the county.

**Environment and Natural Resources Trust Fund**

HF2182/SF2000 (Munger, DFL-Duluth)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would propose an amendment to the Minnesota Constitution to establish an environment and natural resources trust fund.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 8, Environment & Natural Resources, March 1)

\*\*Amendments would:

- allow members of the proposed Minnesota Future Resources Commission to appoint a chair and serve until their successors are appointed; would provide for filling vacancies;
- provide that trust fund would reimburse:
  - administrative and investment expenses the State Board of Investment incurs in investing money in the trust fund;
  - administrative expenses of the Minnesota Future Resources Commission and advisory committee.

**Dept. of Administration—changes**

HF2291/SF2059 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would amend, enact, and repeal certain laws the Department of Administration administers.

(See bill summary under Governmental Operations, March 7)

\*\*Amendment would remove nonprofit organizations from the provision that would allow the commissioner of administration to centrally acquire, warehouse and distribute supplies, materials, and equipment for governmental units or nonprofit organizations.

**Economic development board—funds, organization**

HF2299 (Reding, DFL-Austin)—recommended to pass; rereferred to Appropriations Committee.

Would appropriate certain investment earnings to the Minnesota Agricultural and Economic Development Board; would organize the Department of Trade and Economic Development (DTED) consistent with the other divisions and offices within DTED.

**University of Minnesota—employee job classifications**  
HF2388/SF2414 (Rice, DFL-Mpls)—recommended to pass.  
(SF in Senate Governmental Operations Committee)

Would allow the director of the Bureau of Mediation Services to assign University of Minnesota employee job classifications to an appropriate bargaining unit under certain circumstances.

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**IRRRB—fire insurance coverage**

HF2463 (Begich, DFL-Eveleth)—recommended to pass;  
placed on Consent Calendar.

Would authorize the Iron Range Resources and Rehabilitation Board (IRRRB) to purchase fire insurance for facilities the board operates.

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**St. Louis County—shoreland sale**

HF2483/SF2265 (Rukavina, DFL-Virginia)—recommended to pass as amended\*\*; rereferred to Environment & Natural Resources Committee. (SF in Senate Environment & Natural Resources Committee)

Would allow St. Louis County to sell up to 30 percent of its tax-forfeited waterfront land for forest management purposes.

\*\*Amendment would require the county to prepare a tax-forfeited shoreland sale plan which the commissioner of natural resources must approve prior to the county's selling the tax-forfeited shorelands.

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**Dept. of Administration—land sale**

HF2485/SF2155 (Simoneau, DFL-Fridley)—amended\*\*;  
laid over. (SF in Senate Governmental Operations Committee)

Would allow the commissioner of administration to convey or lease certain land to the Minnesota Children's Center.

\*\*Amendment would require the Minnesota Children's Center to pay all of the administrative costs to the state associated with making the conveyance if the commissioner conveys the land for less than its appraised value.

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**St. Louis County—land sale authorization**

HF2509 (Begich, DFL-Eveleth)—recommended to pass;  
placed on Consent Calendar.

Would authorize St. Louis County to privately sell certain tax-forfeited land.

**Wednesday, March 9**

**Fire protection systems, licensing**

HF1780/SF1883 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would create a state advisory council of examiners for fire protection systems and require the Department of Labor and Industry to issue licenses and conduct inspections.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 7, Governmental Operations, Feb. 22)

\*\*Delete-everything amendment would:

- prohibit anyone from designing, selling, installing, repairing, or similar actions related to fire protection systems unless the Department of Labor and Industry (DLI) licensed him/her to perform such duties;
- specify acts that a person:
  - may not do unless DLI licenses him/her as a fire protection sprinkler contractor;
  - may do if DLI licenses him/her as a plumber;
- specify a fire protection sprinkler contractor's duties;
- prohibit anyone from working as a fire protection sprinkler contractor, journeyman sprinkler fitter, or sprinkler fitter unless DLI licenses him/her to do so;
- prohibit a DLI inspector who regulates fire sprinkler systems from receiving time credit for the inspection duties when applying for a license under these provisions;
- permit the commissioner of labor and industry to adopt rules to implement these provisions;
- require DLI to license a person who has actively installed fire sprinkler systems for five years before the effective date of this act and who applies for a license within 60 days of the effective date of this act;
- provide for temporary permits;
- permit the commissioner to set license fees;
- require the commissioner to require that contractors have:
  - a \$20,000 surety bond; and
  - a comprehensive, general liability insurance policy with a limit of at least \$500,000;
- require the commissioner to conduct testing, investigate an applicant's eligibility, and either issue or deny a license within 120 days of receiving a license application; would require a notice of a right to a hearing with a license denial;

- state grounds for license revocation or suspension;
- provide for hearings to contest the commissioner's decision not to grant or renew a license;
- prohibit anyone from constructing or installing a fire protection system without applying for a DLI or municipal permit;
- impose a surcharge on all municipalities except those that perform inspections;
- permit the commissioner to charge a permit application filing fee;
- set a misdemeanor penalty for anyone who knowingly and willfully:
  - makes a false statement in a license application;
  - performs fire sprinkler work without a proper permit and license;
  - fails to request a required inspection;
  - refuses entry to an inspector;
  - violates a law relating to a political subdivision's inspection powers.

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**State employees—labor agreements ratification**

HF2108/SF2002 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would ratify labor agreements, compensation plans, and salaries for state employees, and salaries for certain metropolitan agencies' employees.

\*\* Amendments would:

- ratify an additional salary and labor agreement, and allow the Legislative Commission on Employee Relations to give interim approval to any negotiated agreement, arbitration award, or compensation or salary plan submitted to the commission after the 1988 Legislative Session adjourns;
- limit the total number of supervisors in the Minnesota State Patrol.

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**Police, fire relief associations—post-retirement payments**  
 HF2110/SF1976 (Simoneau, DFL-Fridley)—amended\*\*;  
 laid over. (SF in Senate Governmental Operations Committee)

Would require local police and firefighter relief associations to pay an annual lump sum post-retirement payment to all eligible members when the fund has excess investment income.

\*\* Amendments would:

- direct the relief association's board of trustees to determine whether the relief association has excess investment income and provide a formula for its distribution;

- include the Rochester police and firefighter relief associations under these provisions.

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**Addiction, stress research—institute establishment**

HF2413/SF2336 (Skoglund, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would establish a research institute to study addictive disorders and stress-related diseases.

(See bill summary under Health & Human Services, March 4)

\*\* Amendment would make technical changes.

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**Mounds View—land transfer**

HF2475/SF2217 (Voss, DFL-Blaine)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Environment & Natural Resources Committee)

Would require the commissioner of transportation to convey certain state lands in Ramsey County to the City of Mounds View.

\*\* Amendment would provide a technical description of the land to be transferred.

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**Bomb disposal workers—workers' compensation**

HF2478 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would provide that bomb disposal workers are state employees when disposing of bombs outside the jurisdiction of their municipal employer, for purposes of tort claims and workers' compensation.

\*\* Amendment would add technical language.

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**Dept. of Administration—land sale**

HF2485/SF2155 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would authorize the commissioner of administration to sell or lease certain state property to the Minnesota Children's home.

(\*\*See bill summary under Governmental Operations, March 8)

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**Farmington—land sale**

HF2583/SF2410 (Jensen, DFL-Lakeville)—tabled. (SF in Senate Environment & Natural Resources Committee)

Would permit Farmington to sell certain tax-forfeited land.

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**Minnetonka volunteer firefighters—retirement**

HF2630/SF2350 (Knickerbocker, IR-Minnetonka)—recommended to pass; placed on Consent Calendar. (SF in Senate Governmental Operations Committee)

Would exclude Minnetonka volunteer firefighters from membership in the public employees police and fire fund.

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**Farmington—tax-forfeited land sale**

HF2637 (Tompkins, IR-Apple Valley)—recommended to pass; placed on Consent Calendar.

Would permit Farmington to sell certain tax-forfeited land.

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**Thursday, March 10**

**Board of Regents—candidate selection council**

HF1586/SF1284 (Otis, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would establish an advisory council to assist the Legislature in identifying qualified regent candidates.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 14, Higher Education, March 2)

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**Hearing impaired—telephone assistance**

HF1812/SF1809 (Clark, DFL-Mpls)—recommended to pass. (SF in Senate Finance Committee)

Would amend the 1987 law on telephone assistance for the hearing impaired by moving many duties, such as distribution and management of the communications devices, from the phone company to the commissioner of human services.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 9, Health & Human Services, Feb. 25 and this issue, Regulated Industries, March 7)

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**Youth employment—planning grants**

HF1893/SF2419 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would provide planning grants to design youth employment programs.

(See bill summary under Economic Development & Housing, March 8)

\*\*Amendment would allow the commissioner of education to reimburse advisory committee members' expenses only.

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**Housing Trust Fund**

HF2019/SF1462 (Clark, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Economic Development and Housing Committee)

Would create a low-income housing trust fund account.

(See bill summary under Economic Development & Housing, March 7)

\*\*Amendments would:

- require the state treasurer to deposit 5 percent of the amount the Minnesota Housing Finance Agency (MHFA) collects under these provisions in the real estate education, research, and recovery fund, and the remaining amount in the housing trust fund account;
  - require MHFA to reimburse advisory committee members' expenses only;
  - permit the state treasurer annually to use up to 5 percent, but not more than \$12,000, of the amount MHFA collects to administer and allocate the money.
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**Environmental Quality Board—amendments**

HF2087/SF2286 (Knuth, DFL-New Brighton)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Environment & Natural Resources Committee)

Would amend certain laws the Environmental Quality Board administers.

(See bill summary under Environment & Natural Resources, March 8)

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**Pipeline safety**

HF2098/SF2111 (Knuth, DFL-New Brighton)—recom-

mended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would make several changes governing pipeline safety laws.

(See bill summary under Regulated Industries, March 7)

\*\*Amendment would require the commissioner of public safety to conduct a study to determine the need for hazardous materials response teams.

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**Police, fire relief associations—post-retirement payments**  
HF2110/SF1976 (Simoneau, DFL-Fridley)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Governmental Operations Committee)

Would require local police and firefighter relief associations to pay an annual lump sum post-retirement payment to all eligible members when the fund has excess investment income.

(\*\*See bill summary under Governmental Operations, March 9)

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**Polyethylene materials—sale, use prohibition**  
HF2165/SF2194 (Cooper, DFL-Bird Island)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Environment & Natural Resources Committee)

Would prohibit the sale and use of certain polyethylene material.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 8, Environment & Natural Resources, March 3)

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**Retirement—state university, community college plans**  
HF2172/SF2038 (R. Johnson, DFL-Bemidji)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would permit state university and community college supplemental plan boards to act through designees in authorizing accelerated withdrawals.

\*\*Amendments would:

- remove a provision that would authorize a deduction from employee contributions to pay the supplemental retirement program's administrative expenses;
- allow food service employees at certain state universities to elect to enroll themselves and their dependents at their own or their employer's expense in certain state insurance plans.

**Brooklyn Center—state land conveyance**  
HF2252/SF2160 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would require the state to convey certain lands to the City of Brooklyn Center.

\*\*Amendment would add technical language regarding final approval of the conveyance.

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**Retirement—prior service credit purchase**  
HF2360/SF2285 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would authorize a certain member of the Teachers Retirement Association to purchase prior service credit.

\*\*Amendments would:

- allow a certain member of the Minneapolis Employees Retirement Fund to purchase prior service credit;
- allow a certain member of the state correctional service to purchase prior service credit.

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**Retirement—local government correctional service**  
HF2477/SF2175 (Reding, DFL-Austin)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would clarify and adjust certain provisions regarding the local government correctional service retirement plan.

\*\*Amendment would change member and employer contributions from 6.685 percent to 7.5 percent.

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**Kittson County—land transfer**  
HF2490/SF2238 (Tunheim, DFL-Kennedy)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Environment & Natural Resources Committee)

Would require the commissioner of natural resources to transfer certain state land in Kittson County to certain individuals.

\*\*Amendment would allow Chisago County to sell certain tax-forfeited land.

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**Pensions, retirement assets—marriage dissolution**  
HF2643 (Clark, DFL-Mpls)—recommended to pass.

Would regulate the division of pensions and retirement assets

in marriage dissolution.

## HEALTH & HUMAN SERVICES

Friday, March 4

### Cultural opportunities—low-income families

HF1566\*/SF1556 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would establish a cultural opportunities for families program; offering special coupons to low-income families for opportunities to attend cultural and recreational events at half-price.

\*\*Delete-everything amendment would:

- provide half-price admission to public camp sites, state parks, the zoo and the state fair for low-income families with cultural opportunity coupons;
- require the commissioner of jobs and training to establish the cultural opportunities for families program and require the commissioner to administer the program through the low-income energy assistance program.

### Outpatient treatment— by court order

HF2130\*/SF2055 (Vellenga, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Judiciary Committee)

Would require courts to receive annual reviews of people with indeterminate commitments; and provide for court-ordered community-based nonresidential treatment. Provisions would:

#### Article 1

- require the court to appoint a case monitor when committing a person to community-based nonresidential treatment; would define "case monitor" as a person designated to monitor a person's outpatient treatment; would require case monitor to be a case manager or person whose interests do not conflict with those of the patient;
- define "community-based nonresidential treatment" to include community support services program, day treatment services and outpatient services and specifies procedures for community-based nonresidential treatment;
- clarify definition of "mentally ill person" as it appears in the commitment act;
- provide treatment alternatives that must be considered by a court when committing a person to the least restrictive alter-

native; require the court to consider the patient's willingness to participate in treatment; and prohibit court from committing a person to a facility or program that cannot meet the person's needs;

- require case monitor to report the the court at lease once every 90 days, to report immediately if the person fails to follow the treatment plan, and to coordinate aftercare;
- set procedures for releasing a person before an order for commitment.

#### Article 2

- ensure that health insurance benefits and HMO benefits for outpatient care are provided whether the care is voluntary or court-ordered;

\*\*Amendments would make technical changes and clarify language.

### Hunger Reduction Act of 1988

HF2166/SF1912 (Rodosovich, DFL-Faribault)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would cite the act as the Hunger Reduction Act of 1988.

\*\*Delete-everything amendment would:

- require the commissioner of health to implement an infant formula rebate system for the Women Infant Children (WIC) nutritional supplement program;
- require written client materials administered by specified departments including health, human services, and jobs and training to be written in plain language and readable at the seventh-grade level.
- establish a local income assistance grant program to increase the use of food stamps by the seniors, farmers, veterans, unemployed, low-income, battered women in shelters and the homeless; would require the commissioner of health to seek federal matching money for grants awarded under the food stamp program;
- appropriate \$500,00 for the WIC nutritional supplement program; and \$250,00 for the food stamp community outreach program until July 1, 1990.

### Chiropractic services—licensure

HF2269/SF2145 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF in Senate Health & Human Services Committee)

Would provide equal access to chiropractic services and provide for the licensure of chiropractic physicians.

\*\*Amendments would make technical changes and clarify language.

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**RTC—mission statement**

HF2372/SF2273 (Rodosovich, DFL-Faribault)—recommended to pass. (SF in Senate Health & Human Services Committee)

Would recognize that regional treatment centers are part of the continuum of care for people with mental illness and would set goals for the centers.

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**Addiction, stress research—institute establishment**

HF2413/SF2336 (Skoglund, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Health & Human Services Committee)

Would establish a research institute to study addictive disorders and stress-related diseases. Provisions would:

- establish board of directors appointed by the governor, specify composition and requirements of the board and define duties;
- require the commissioner of health to monitor the institute.

\*\*Amendment would make technical changes.

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**Wednesday, March 9**

**Medicare—assigned payments**

HF2082/SF1824 (Ogren, DFL-Aitkin)—heard, laid over. (SF in Senate Health & Human Services Committee)

Would require licensed physicians to accept the Medicare payment as payment in full for services provided to Medicare patients.

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**National health insurance—resolution**

HF2176 (Jaros, DFL-Duluth)—recommended to pass.

Would memorialize the United States Congress to enact a program of national health insurance.

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**Healthspan—uninsured health coverage**

HF2188/SF2263 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would establish a state-administered health insurance program.

\*\*Delete-everything amendment would:

- incorporate state's findings that a significant number of state residents do not have access to adequate health care because they are not insured, underinsured, or do not have access to affordable health insurance; would deem it necessary to establish a state-administered health insurance program with benefits comparable to those provided to state employees, and that people must pay according to their ability to pay.

- change children's health plan to cover children from one to six years of age;

- extend medical assistance coverage to pregnant women and children up to one year of age who have incomes less than 185 percent of the poverty level;

- define terms, eligibility, and duties of commissioner of human services;

- appropriate \$200,000 to the commissioner.

\*\*Amendments would make technical changes, clarify language.

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**Crow Wing County—uninsured demo project**

HF2437/SF2159 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would add Crow Wing County to the demonstration project to provide low cost medical insurance to the low income uninsured; would appropriate \$200,000 to the commissioner of human services for the project.

\*\*Amendment would appropriate \$50,000 to the commissioner of the State Planning Agency to fund the local efforts of a multi-county area in southwest central Minnesota to plan, organize, and design a health insurance program demonstration project for low-income, employed adults and their dependents; would define project.

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**Apple Valley—emergency room temporary licenses**

HF2615/SF2348 (Tompkins, IR-Apple Valley)—recommended to pass; placed on Consent Calendar. (SF in Senate Health & Human Services Committee)

Would provide for a temporary license for freestanding 24-hour emergency medical centers.

Thursday, March 10

**HMO/Medicare consumer—bill of rights**

HF1498/SF1388 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would provide for a Medicare enrollees' consumer bill of rights, set requirements for statements of exclusions and limitations, and define responsibilities of HMO and commissioners. Provisions would:

- provide that every health maintenance organization (HMO) enrollee in Minnesota is entitled to evidence of coverage or contract; require a clear and complete statement of the enrollee's rights on the cover page of the contract regarding covered services, providers, referrals, emergency services, exclusions, continuation and cancellation; clarify enrollee bills of rights; and require HMO contract to state that enrollees will be given 30 days advance notice of any change in fees or benefits;
- would require all detailed marketing information for enrollees to disclose exclusions, limitations or uncovered expenses;
- require HMO to respond within a reasonable time to oral or written communication from an enrollee concerning evidence of coverage, referral, authorizations, second opinions or denial of service; require HMO to provide a written statment of reason for refusal of service along with a statement of appeal procedures and Medicare procedures;
- require HMO to issue its members a card with the telephone number of the enrolled advocate, number for emergency care authorization, and number for information on covered services;
- prohibit HMO from denying coverage of a service the enrollee has already received;
- prohibits HMO from taking action against a provider for disseminating information regarding coverage or benefits.

\*\*Amendment would clarify language.

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**Community initiatives for children—grants**

HF1810/SF1757 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee).

Would establish a demonstration program of grants for community initiatives for children. Provisions would:

- establish program and goals;

- define "community initiatives" as support services to promote the health development of children; would include child care, parenting education and other services, and would require that community initiatives be planned by members of the community;

- define distribution and qualifications for the grants.

\*\*Amendment would require commissioner to award one demonstration grant to a project in the seven-county metropolitan area; and would define appropriation.

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**HMO consumer protection**

HF2012/SF1861 (C. Nelson, DFL-Barrett)—recommended to pass; rereferred to Appropriations Committee. (SF on Senate Floor).

Would offer HMO-plan consumers expanded protection( replacement coverage, evidence of cancellation and exclusion of coverage).

(See bill summary in HWR, Vol 4. No. 3, Pg. 5, Financial Institutions & Insurance, Feb. 24)

\*\* Amendments would:

- provide mediation when existing parties to an HMO agreement are unable to come to terms on the renewal or maintenance agreement that will significantly impair access to health care for existing enrollees;
- make technical changes, clarify language and terms.

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**Nursing homes—personal allowances, costs**

HF2071/SF1975 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would increase the nursing home resident personal allowance and change nursing home property-related costs and operating provisions.

\*\*Delete-everything amendment would:

- set and define minimum staffing levels for nursing personnel in nursing homes;
- make an exception to the nursing home moratorium to certify and license nursing home beds as boarding care beds in a certified boarding care facility if the beds meet the standards for nursing home licensure and if the cost of any remodeling of the facility does not exceed 10 percent of the appraised value of the facility or \$200,000, whichever is less;

prohibit increase in boarding care beds in facilities;

- remove certain requirements and restrictions and regulates nursing home rates, payment rates, salary adjustments, and property costs; and provides payment rates for boarding care homes;
- require interagency board for quality assurance to study and make recommendations concerning the impact of federal law relating to the elimination of the intermediate care facility (ICF) certification level in 1990.

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**HMO solvency—requirements**

HF2127/SF2008 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would require health maintenance organization (HMOs) to be certified by the commissioner of health and to meet insolvency requirements.

(See bill summary under Financial Institutions & Insurance, March 3)

\*\*Amendments would make technical changes, clarify language

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**Development achievement centers—rate changes**

HF2233/SF1933 (Ogren, DFL-Aitkins)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would change rates for day training and habilitation services.

\*\*Delete-everything amendment would:

- require increases in rates for development achievement centers (DAC) vendors whose approved payment rates are 10 percent below the statewide median payment rates—rates must be increased by the maximum allowable increase;
- allow variance from the maximum or minimum payment rates for specified and certain costs;
- require county board to review all rates that are 10 percent lower than the statewide median rate; remove language requiring that variances be related to staff costs; limit payment rate to 125 percent of the statewide median;
- require commissioner to meet and conduct specified procedures to comply with legislation in the bill;
- require advisory task force and would define task force

study and members;

- increases complement of the Department of Human Services by one full-time equivalent.

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**Vocational rehabilitation—changes, clarifications**  
HF2278/SF2106 (Riveness, DFL-Bloomington)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would make changes and clarifications in terminology; regulate funding allocations and provide for facility governance. Provisions would:

- change terminology:
  - “handicapped person” becomes “person with a disability”;
  - “long term sheltered workshop” becomes “rehabilitation facility”;
  - “sheltered employees” becomes “extended employment program participants”;
- clarify language and terminology necessary to update and carry-out new legislation in the bill;
- expand size of the consumer advisory council from nine to a maximum of 13 members; require that a majority of the council be persons with a disability who are current or former recipients of vocational rehabilitation services or representatives of consumer advocacy groups that regularly serve vocational rehabilitation clients;
- require that vocational rehabilitative services be provided to persons with disabilities in accordance with the state plan for vocational rehabilitation; add orthotic devices, on the job skill training, and time-limited postemployment services to those services offered to disabled person; provide free choice of vendor for prosthetic or orthotic services; specify the Federal Department of Education and the Social Security Administration as sources of funding;
- allow a state regional center to apply to the commissioner to establish a rehabilitation facility; allow grants to state regional centers;
- remove requirement that a program evaluation consider ways to increase placement and retention of sheltered employees in competitive employment;
- require that funds allocated to extended employment programs be distributed in a manner prescribed by rule, provided that 15 percent be distributed in accordance with economic conditions.

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**Hospitals, small—grants**

HF2318/SF2081 (Gruenes, IR-St. Cloud)—recommended to

pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would authorize the public facilities authority to make health care planning grants and capital equipment loans available to small hospitals. Provisions would:

- state findings of Legislature regarding small hospitals in small rural communities; provide funding and capital loans to defined hospitals;
- define grants, capital improvement loans and small hospitals, and terms of grants and loans;
- require commissioner of health to review grant applications and to charge a reasonable fee for the costs of review;
- appropriate \$500,000 from the economic development fund to the authority.

\*\*Amendment would make technical change, define terms.

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**Faribault—regional treatment center task force**  
HF2445 (Rodosovich, DFL-Faribault)—recommended to pass; rereferred to Appropriations Committee.

Would establish task force to develop plan for Faribault Regional Center (FRC); and define task force study, reporting and structure.

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**Lead poisoning studies**  
HF2550/SF2297 (Clark, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would require the Department of Health to establish two studies concerning high blood lead levels in American Indian children; would define study and reporting.

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**Children's crisis intervention center—demo project**  
HF2561 (Segal, DFL-St. Louis Park)—recommended to pass; rereferred to Appropriations Committee.

Would establish a demonstration project for child and adolescent crisis intervention and suicide prevention; would define project and study.

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**Work activity funding—pilot project**  
HF2575/SF2293 (Ogren, DFL-Aitkins)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

Would require commissioner of human services, in consulta-

tion with the commissioner of jobs and training, to establish a pilot program for providing medical assistance reimbursement to work activity programs; would require evaluation and report to the Legislature by Dec. 1, 1988.

## HIGHER EDUCATION

Wednesday, March 9

**Community colleges/TIs—governing board task force**  
HF1100 (Larsen, DFL-Ramsey)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee.

\*\*Delete-everything amendment would:

- establish a task force to develop procedures necessary to unite community colleges and technical institutes under one governing board;
- define selection and roles of task force members;
- define task force study;
- clarify terms.

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**Student health service fee—CAP elimination**  
HF1925/SF2093 (Segal, DFL-St. Louis Park)—recommended to pass. (SF in Senate Education Committee)

Would remove the statutory limit, or CAP, on the amount the state university board can charge a student for health services.

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**University of Minnesota—child care**  
HF2119/SF2269 (Trimble, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would require the University of Minnesota provide child care facilities in every new building and every building that undergoes major remodeling between 1988 and 1993 on the Twin Cities campus, if state monies are used.

\*\*Amendment would define buildings as those used by more than 100 students or employees on a regular basis.

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**Joint vocational board—meetings**  
HF2120/SF1859 (G. Anderson, DFL-Bellingham)—recommended to pass; place on Consent Calendar. (SF on Senate Floor).

Would allow a joint board of a technical institute to hold

meetings in convenient locations outside the member districts' boundaries.

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**Rochester university center—establishment**

HF2327/SF2152 (Otis, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would establish the university center at Rochester to meet the needs for higher education in the greater Rochester area.

\*\*Delete-everything amendment would define selection and responsibilities of the board of trustees.

\*\*Amendment would clarify certain duties of the board.

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**State University Board—bonding**

HF2418/SF2397 (Orenstein, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would authorize the state university board to use unrestricted funds to pay for outstanding revenue bonds by depositing the money in escrow. Provisions would:

- authorize the board to issue revenue bonds for land and building for dorms, student unions, food service and parking;
- allow the board to issue taxable bonds and to comply with the provisions of the U.S. Internal Revenue Code.

\*\*Amendment would make technical change.

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**Faculty exchange program—establishment**

HF2459/SF2313 (Price, DFL-Woodbury)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would establish program for voluntary, cooperative faculty exchange between secondary schools and higher education institutions.

\*\*Amendments would make technical changes, clarify language.

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**Board of Regents—conditional appropriations**

HF2460/SF2403 (Jaros, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would require the Board of Regents to meet criteria to receive FY'89 appropriations. Criteria include: appoint

adequate, independent staff; decentralize so that the University of Minnesota president has no day-to-day administrative responsibilities, and provide separate budgeting authority for each coordinate campus.

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**Community College State Board—changes**

HF2507/SF2389 (Larsen, DFL-Ramsey)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Education Committee)

Would increase the powers of the state board for community colleges and change the criteria for board membership.

\*\*Amendment would remove a section requiring the state community college system to award contracts for vending machine services to the responsible vendor who offers the highest commission rate to a state community college.

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**University of Minnesota—conditional appropriations**

HF2570 (Orenstein, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would require the Board of Regents to accept specified conditions to receive FY'89 appropriations. Conditions include: arranging for an independent audit of all programs and activities that use any state funds, and hiring independent staff to include fiscal and policy analysts. Provisions would:

- require legislative auditor to perform a thorough management audit or organizational procedures at the University by March 1, 1989.

\*\*Amendment would provide regents with a \$50 per diem.

**JUDICIARY**

**Tuesday, March 8**

**Status offenders—Juvenile Code changes**

HF1251 (Pappas, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would make changes in the state juvenile code regarding the juvenile court's dependency/neglect and status offender jurisdiction.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 18, Crime & Family Law Division/Judiciary, Feb. 26)

\*\*Amendment would authorize the Hennepin County Juvenile Court to order, as a disposition in CHIPS cases, that a child may live independently under court supervision if the child is at least 16 years old, has sufficient maturity and judgment, and it's in the child's best interests to do so.

**False, fictitious names—use, penalties**

HF1346 (Frederick, IR-Mankato)—recommended to pass as amended.\*\*

Would change traffic laws.

\*\*Delete-everything amendment would:

- require courts to forward chemical dependency assessment charges to the commissioner of finance within 60 days of sentencing;
- remove language from the traffic laws relating to the requirement that a traffic law violator sign a “written promise to appear” on the traffic citation;
- authorize the commissioner of public safety to revise the uniform traffic ticket as necessary and proper to conform with state and federal law;
- provide that people who hold limited licenses aren’t included under the law which requires drivers to possess their driver’s licenses at all times when operating a motor vehicle;
- change from a misdemeanor to a gross misdemeanor, the criminal penalty for anyone who gives a false identity to a police officer or on a driver’s license application.

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**Child abuse—clergy reports**

HF1630/SF1523 (Blatz, IR-Bloomington)—recommended to pass. (SF in Senate Judiciary Committee)

Would require a clergyman, who knows or has reason to believe a child is being abused, to report the information to law enforcement authorities or the local welfare agency.

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**Sentencing Guidelines Commission—membership**

HF1643/SF1540 (Marsh, IR-Sauk Rapids)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would eliminate one of the two district court judge positions on the Sentencing Guidelines Commission and increase from two to three the number of public member positions on the commission.

\*\*Amendment would require the appointing authority, when selecting commission members, to make reasonable efforts to appoint qualified members of groups which Minnesota law define as protected.

**Children—shared care after marriage dissolution**

HF1658/SF1327 (Dempsey, IR-New Ulm)—recommended to pass as amended.\*\* (SF in Senate Health & Human

**Services Committee)**

Would change certain support and maintenance provisions.

(See bill summary in HWR, Vol. 4, No. 2, Pg. 8, Judiciary, Feb. 16)

\*\*Delete-everything amendment would:

- require the court, when setting or modifying child support, to consider:
  - debts to a unit of government, including tax liabilities;
  - that the parents now have separate households;
  - which parent receives the income taxation dependency exemption and what financial benefit the parent receives from it;
- allow the court, when establishing or modifying a support obligation, to consider the obligor’s debts owed to private creditors, but only if either party produces a sworn schedule of the debts, with supporting documentation, showing goods or services purchased, the recipient of them, the amount of the original debt, the outstanding balance, the monthly payment, and the number of months until the obligor will fully pay the debt;
- provide that any further decrease in child support that is based on a consideration of debts owed to private creditors shall not exceed 18 months, after which the support shall increase automatically to the level the court ordered;
- provide that maintenance doesn’t relieve a recipient of the duty of efforts to become self-supporting;
- provide that maintenance may be retroactively decreased only if the obligor’s failure to pay wasn’t willful.

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**Statute of limitations—real property improvements**

HF1681/SF1532 (Kludt, DFL-Moorhead)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would permit an action for damages arising out of an improvement to real property up to two years after discovery of the injury, or, in the case of an action for contribution or indemnity, after accrual of the cause of action.

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**Surrogate mother agreements—prohibitions**

HF1701/SF1660 (Rest, DFL-New Hope)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would make surrogate mother agreements void and unenforceable.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 20, Crime & Family Law Division/Judiciary, Feb. 29)

\*\*Amendment would define "surrogate mother agreement."

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**DWI penalties—ignition interlock device**

HF1702/SF1841 (Rest, DFL-New Hope)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would authorize judges to order convicted driving-while-intoxicated (DWI) offenders to install an approved ignition interlock device (IID) as a condition of operating a motor vehicle.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 19, Crime & Family Law Division/Judiciary, Feb. 26)

\*\*Amendment would require the Department of Public Safety to monitor and study other states' use of IIDs, and report its findings to the Legislature by Jan. 1, 1989.

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**Alcoholic beverages—illegal gift, liability**

HF1774/SF1753 (Quist, IR-St. Peter)—recommended to pass; placed on Consent Calendar. (SF in Senate Commerce Committee)

Would extend liability for illegally bartering alcohol as well as selling it; or in the case of an intoxicated person under age 21, would impose liability for illegally bartering or giving alcohol to the person.

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**Ticket scalping law—repeal**

HF1819/SF1619 (Kahn, DFL-Mpls)—recommended to pass. (SF in Senate Judiciary Committee)

Would repeal the law prohibiting ticket scalping.

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**Controlled substances violations—neighborhood impact**

HF1848/SF2071 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would require people who prepare presentence investigation reports for those who violate controlled substance laws to make reasonable efforts to include a description of any adverse social or economic effects the offense has had on residents in the neighborhood where the offense occurred.

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**Police pursuit—penalty increase**

HF1873/SF1821 (Segal, DFL-St. Louis Park)—recom-

mended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would increase penalties for fleeing a police officer and provide for forfeiting the vehicle the offender used to flee the officer.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 16, Judiciary, Feb. 26)

\*\*Delete-everything amendment would:

- expand the forfeiture law to include the gross misdemeanor violation of fleeing a peace officer in a motor vehicle;

- require law enforcement agencies to:

- file a report with the commissioner of public safety within 30 days following a police officer's pursuit of a fleeing suspect; would require certain information in the report;
- adopt written procedures and training requirements concerning the conduct of peace officers who are in pursuit of fleeing suspects; would require the procedures to require the police officers to assist a person injured in the course of the pursuit;

- require the Peace Officers Standards and Training (POST) Board to:

- adopt rules regarding the establishment and use of written pursuit procedures and police officer training requirements law enforcement agencies adopt;
- impose licensing sanctions for failure to adopt procedures and training requirements by Oct. 1, 1989;

- require the commissioner to include information in the driver's manual regarding the criminal sanctions and forfeiture provisions applicable to the crime of fleeing a peace officer in a motor vehicle.

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**Marriage dissolution—assets, liabilities disclosure**

HF1957/SF2207 (Wagenius, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would provide for parties to a marriage dissolution to disclose assets and liabilities; would require the court to award attorney fees for a motion to compel compliance for any delay or inconvenience if a party fails to serve a disclosure form on the other party or knowingly makes misrepresentations or omissions on the form.

\*\*Amendment would allow either party to apply to have marriage dissolution, annulment, or legal separation records (except for the portion of the decree granting the dissolution, annulment, or legal separation) sealed.

**Uniform Statutory Rule Against Perpetuities—effective date**

HF1961/SF2394 (Blatz, IR-Bloomington)—recommended to pass. (SF in Senate Judiciary Committee)

Would delay the effective date for the Uniform Statutory Rule Against Perpetuities from Aug. 1, 1988 to Jan. 1, 1989.

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**Guardianship—appointment changes**

HF1971/SF2068 (Gruenes, IR-St. Cloud)—recommended to pass. (SF in Senate Judiciary Committee)

Would permit a court to appoint more than two guardians or conservators for a ward or conservatee; would permit a court to appoint an out-of-state guardian or conservator if he/she is able to maintain a current understanding of the ward or conservatee's physical and mental status and needs.

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**Sentencing issues study**

HF1983/SF2125 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would direct the Sentencing Guidelines Commission to study certain sentencing issues and report to the House and Senate Judiciary committees by Feb. 1, 1989.

\*\*Amendment would make technical changes.

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**Domestic assault laws—changes**

HF2006/SF1880 (Vellenga, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would change domestic violence laws.

(\*\*See bill summary in HWR, Vol. 4, No. 4, Pg. 20, Crime & Family Law Division/Judiciary, March 1)

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

HF2011/SF1727 (Clark, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would define certain employment and training data. Provisions would:

- exclude from the definition of "personal data," data on those people enrolled in government-funded employment and training programs;
- define "employment and training data" as data on an individual who applies for, is currently enrolled in, or has been enrolled in government-funded employment training programs;

- provide that such data is private unless it's in summary form or another state or federal law provides a different classification.

\*\*Amendment would permit the commissioner of jobs and training to release the name, business address, and business telephone number of any individual licensed under laws governing blind and visually handicapped people.

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**Child abuse—social service assessment, records retention**

HF2021/SF2119 (Blatz, IR-Bloomington)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would clarify assessment duties of the local welfare agency. Provisions would:

- require the agency, after concluding an assessment or investigation, to make findings whether:
  - a child was maltreated, and
  - the child needs protective services;

- require the agency to notify the parent or guardian of the findings within 10 working days after concluding an assessment;

- require the agency to notify the person alleged to have maltreated the child, the facility director, and the child's parent or guardian of the findings within 10 working days after concluding an investigation;

- require local welfare agencies and schools to destroy child abuse records after certain specified times have passed.

\*\*Amendment would:

- classify child abuse investigative data as confidential until an arrest is made or a criminal charge is filed against an alleged perpetrator of child abuse; would change the classification after certain events occur;

- require the commissioner of human services or the local welfare agency investigating alleged maltreatment of a child while in a state-licensed care facility to provide certain information to the child's parent, guardian, or legal custodian.

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**Nonprofit corporations—proxies, membership meetings**

HF2042/SF2395 (Pappas, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would change laws governing nonprofit corporation proxies.

**\*\*Delete-everything amendment would:**

- require a meeting notice for a nonprofit corporation which permits proxy voting to so inform the members and state the procedure for proxy voting;
- prohibit proxy voting unless the corporation's articles or bylaws specifically allow it;
- provide that if the corporation's articles or bylaws permit a specified percentage of members to call board or membership meetings, the corporation shall provide any voting member, within 10 days after he/she requests, with a binding statement of how many members are needed to call a meeting.

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**Human Rights Act—amendments**

HF2054/SF1769 (Solberg, DFL-Bovey)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would amend the Human Rights Act (HRA).

**\*\*Delete-everything amendment would:**

- define “marital status” for the HRA to mean discrimination on the basis of the identity, situation, action, or beliefs of one’s spouse or former spouse;
- require manufactured home parks to comply with certain provisions of the manufactured housing law when adopting or amending a rule on the familial status of residents, in order to qualify for an exemption from the law on familial status discrimination;
- permit landlords to evict or deny continuing tenancy in certain housing units under certain conditions;
- provide that a totally or partially blind or deaf person with a guide dog is entitled to full and equal access to real property, and may not be required to pay extra compensation for the guide dog, but is liable for any damages the dog may cause;
- provide that if a respondent fails to answer within 30 days, a party who files charges with the commissioner of human rights, the commissioner may bring an action for default;
- extend from 300 days to one year, the time limit for filing a charge on a civil suit under HRA;
- prohibit the state from “receiving” or “entering,” as well as accepting, any bid or proposal for a contract with a party who lacks an affirmative action plan;
- give the commissioner discretion whether to accept evidence that a vendor has satisfied local or federal affirmative action requirements;

- remove the provision requiring the court to examine all the evidence in the record before granting enforcement in a proceeding where the commissioner seeks court enforcement of an order;

- permit the Department of Human Rights (DHR) to bring a civil action in district court for redress of an unfair discriminatory practice;

- authorize the court to award attorney fees to DHR when it wins;

- require a party raising a human rights issue in an appeal to the Supreme Court or Court of Appeals to notify the commissioner and give the clerk of the appellate courts proof of the service.

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**Child abuse—first-degree murder**

HF2104/SF2338 (Wagenius, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

**\*\*Delete-everything amendment would expand the crime of first-degree murder to include people who cause the death of a minor while committing or attempting to commit child abuse, where the perpetrator has engaged in a past pattern of child abuse upon the child and death occurs under circumstances manifesting an extreme indifference to human life.**

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**Child support—collection, enforcement modification**

HF2118/SF2009 (Vellenga, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would modify and clarify provisions to collect and enforce child support; would provide for cost-of-living adjustments in spousal maintenance awards; would provide for grandparent visitation rights in all family law proceedings; would provide for reopening of judgments; and would provide for custody rights.

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**Contracts for deed—recording assignments**

HF2134/SF2023 (Wagenius, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

**\*\*Delete-everything amendment would add a requirement to record an assignment of a contract for deed to the existing requirement to record the contract itself; would increase the civil penalty for failure to record and decrease the time allow for recording; would require 14-days notice before enforcement action may be taken; and would require the parties to the contract for deed to disclose their identities.**

**Crimes—property seizure, forfeiture**  
HF2193/SF1937 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would change the general forfeiture law.

(\*\*See bill summary under Crime & Family Law Division/Judiciary, March 7)

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**Obscenity—civil, equitable remedies**  
HF2204 (Swenson, IR-Forest Lake)—recommended to pass as amended.\*\*

Would permit a prosecutor to seek an injunction or civil penalty in district court against owners of business which sell or exhibit obscene materials or performances.

\*\*Amendment would allow a court to order a civil penalty up to \$1,000; and would require a court to hear such a case within 14 days of serving the petition.

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**Chemical abuse records—destruction**  
HF2228/SF2277 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Education Committee)

\*\*Delete-everything amendment would establish a records destruction schedule for chemical abuse preassessment teams, and require law enforcement officials to report certain violations to preassessment teams.

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**Data Practices Act—amendments**  
HF2235/SF2122 (D. Nelson, DFL-Champlin)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would amend the Data Practices Act. Provisions would:

- require the commissioner of administration to attempt to resolve a data dispute through education, conciliation, or mediation, before using the contested case method;
- specify that certain data regarding the Minnesota Zoo is private or nonpublic;
- amend the law on government records administration to allow a government entity that successfully challenged data under the Data Practices Act, to alter, modify, or destroy the data;
- permit court services or law enforcement agencies to exchange information if the requesting agency needs the information to initiate, further, or complete an investigation.

**\*\*Amendments would:**

- permit the commissioner of jobs and training to release the name, business address, and business telephone number of any individual licensed under laws governing blind and visually handicapped people;
- require health care providers to furnish a patient's health record information upon the patient's written request; would allow the provider to furnish only a summary if the patient agrees;
- classify as nonpublic data, claims experience and all related information the Department of Employee Relations received from carriers and claims administrators participating in either the state group insurance plan or the public employees insurance plan, except when the department determines that releasing the data won't be detrimental to the plan;
- require the commissioner of public safety to destroy all records of a driver's license revocation or suspension when the revocation or suspension is rescinded;
- allow a charging party access to data the party provides under human rights laws.

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**Crimes—delinquency, escape attempt**  
HF2296/SF2065 (Sviggum, IR-Kenyon)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would provide a gross misdemeanor penalty for a person who escapes from lawful custody when the person is in custody on an allegation of an act of delinquency, or following a juvenile adjudication of delinquency.

\*\*Amendment would add technical changes.

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**Child support—automatic withholding changes**  
HF2341 (Forsythe, IR-Edina)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would authorize parties to waive automatic income withholding when there is a child support or maintenance order, require a court to stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance.

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**Human rights violations—penalties**  
HF2368/SF2183 (Greenfield, DFL-Mpls)—amended\*\*; laid over. (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would increase penalties

for certain crimes when committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin.

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**Search warrant laws—crime definition**

HF2419/SF2156 (Pappas, DFL-St. Paul)—recommended to pass. (SF in Senate Judiciary Committee)

Would define "crime" in the law governing issuance of search warrants to include violations of municipal ordinances.

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**Debtor exemption—employee benefits**

HF2422/SF2278 (Simoneau, DFL-Fridley)—recommended to pass. (SF in Senate Judiciary Committee)

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

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**Corporate farmland—reporting ownership**

HF2450/SF2328 (Winter, DFL-Fulda)—recommended to pass as amended.\*\* (SF in Senate Agriculture Committee)

Would require certain entities with interests in agricultural lands or operations to file certain reports.

\*\*Amendment would provide that a corporation or pension or investment fund is liable for a civil penalty of up to \$500 for each day after April 15 that it fails to file a required report or wilfully provides false information.

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**Dishonored checks—penalties**

HF2470 (Beard, DFL-Cottage Grove)—recommended to pass.

Would increase the penalties for issuing dishonored checks with an aggregate value greater than \$200.

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**Architects, builders—statute of limitations**

HF2508/SF2257 (Voss, DFL-Blaine)—recommended to pass; placed on Consent Calendar. (SF in Senate Judiciary Committee)

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

**UCC computerized filing system—changes**

HF2520/SF2382 (Milbert, DFL-South St. Paul)—recommended to pass; placed on Consent Calendar. (SF in Senate Commerce Committee)

Would clarify certain procedures and fees relating to the statewide uniform commercial code (UCC) computerized filing system. Provisions would:

- require a filing officer to conduct searches for UCC financing statements in the new statewide computerized UCC database when someone requests that he/she do so;
- add state and federal tax lien notices to the information that the secretary of state keeps on the computerized filing system;
- permit the secretary of state to give private parties, and county recorders, electronic-view-only access to computerized records;
- require county recorders to forward filing and search surcharges to the secretary of state each quarter.

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**Thursday, March 10**

**Human rights violations—penalties**

HF2368/SF2183 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Judiciary Committee)

\*\*Delete-everything amendment would increase penalties for certain crimes when committed because of the victim's race, color, religion, sex, affectional or sexual orientation, or national origin.

**Crime & Family Law Division/JUDICIARY**

**Friday, March 4**

**Criminal sexual conduct—fifth degree**

HF1070/SF1018\* (Rest, DFL-New Hope)—recommended to pass as amended.\*\*

Would create a new crime of fifth-degree criminal sexual conduct that would make it a felony to engage in nonconsensual sexual contact.

\*\*Amendment would change the penalty provision to permit a sentence of one year in prison and/or up to a \$3,000 fine, and change the bill's effective date to Aug. 1, 1988.

**Controlled substances violations—neighborhood impact**  
HF1848/SF2071 (Jefferson, DFL-Mpls)—recommended to  
pass as amended.\*\* (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would require people who  
prepare presentence investigation reports for those who  
violate controlled substance laws to make reasonable efforts  
to include a description of any adverse social or economic  
effects the offense has had on residents in the neighborhood  
where the offense occurred.

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**Guardianship—appointment changes**  
HF1971/SF2068 (Gruenes, IR-St. Cloud)—recommended to  
pass. (SF in Senate Judiciary Committee)

Would permit a court to appoint more than two guardians or  
conservators for a ward or conservatee; would permit a court  
to appoint an out-of-state guardian or conservator if he/she is  
able to maintain a current understanding of the ward or  
conservatee's physical and mental status and needs.

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**Child abuse—first-degree murder**  
HF2104/SF2338 (Wagenius, DFL-Mpls)—recommended to  
pass as amended.\*\* (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would expand the crime of  
first-degree murder to include people who cause the death of  
a minor while committing or attempting to commit child  
abuse, where the perpetrator has engaged in a past pattern of  
child abuse upon the child and death occurs under circum-  
stances manifesting an extreme indifference to human life.

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**Monday, March 7**

**Forfeiture laws—changes**  
HF2193/SF1937 (Jefferson, DFL-Mpls)—recommended to  
pass as amended.\*\* (SF in Senate Judiciary Committee)

Would change the general forfeiture law. Provisions would:

- clarify that the “designated offenses” to which the forfei-  
ture law applies are felonies or felony-related violations;
- add a definition of “controlled substance” to the forfeiture  
law;
- direct the courts to construe the forfeiture law liberally to  
achieve certain remedial purposes;
- expand the circumstances under which law enforcement  
officials may seize forfeitable property;
- provide that the right, title, and interest in forfeitable  
property vests in the law enforcement agency when a person

commits the illegal act; would allow a law enforcement  
agency to require the State Board of Pharmacy to take  
custody of a seized controlled substance and remove it to an  
appropriate place for disposition;

- allow an owner of seized property to post security or a  
bond for the property's retail value, and thus get it back;
- state that a forfeiture action is a civil action, independent of  
any criminal prosecution; would require such a hearing to go  
to court without a jury; would require a law enforcement  
agency to prove the basis for forfeiture by a preponderance  
of the evidence; would provide that a criminal conviction for  
certain offenses creates a presumption that any property a  
person acquired during or after committing the offense is  
subject to forfeiture;
- place certain limits on the forfeiture of property associated  
with controlled substances; would provide for forfeiture of  
books, records, and research products and materials associ-  
ated with controlled substance violations, as well as all  
property, real or personal, derived from or traceable to a  
controlled substance;
- provide for the forfeiture of property associated with  
committing a designated offense and that proceeds of the  
designated offense are also subject to forfeiture;
- outline judicial and administrative forfeiture procedures;
- provide for the disposition of forfeited property, and the  
summary forfeiture of certain property.

\*\*Amendment would provide that certain local police relief  
associations entitled to receive forfeiture proceeds will  
continue to receive them under these provisions.

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**Careless driving—speeding law violations**  
HF2241/SF1761 (Pappas, DFL-St. Paul)—recommended to  
pass as amended.\*\* (SF in Senate Judiciary Committee)

Would change traffic safety laws. Provisions would:

- provide that anyone who operates a vehicle at a speed of 85  
mph or more, or 30 mph or more over the lawful posted  
limit, is guilty of a misdemeanor;
- require a law enforcement officer who charges a person  
with violating speeding laws to specify the actual speed on  
the uniform traffic ticket; would prohibit prosecutors from  
reducing the charged speed below the speed specified on the  
ticket, with certain exceptions.

\*\*Amendment would make a technical change.

**Burglary laws—changes**

HF2289/SF1835 (Carruthers, DFL-Brooklyn Center)—heard; laid over. (SF in Senate Judiciary Committee)

Would change burglary laws. Provisions would:

- expand the crimes of:
  - burglary, to include situations where a perpetrator enters a building without consent and commits a crime while in the building, whether or not the perpetrator intended to commit a crime when he/she entered the building;
  - burglary in the first degree, to include situations where the perpetrator assaults a person on a building's appurtenant property;
  - felony possession of burglary tools, to include possessing devices, explosives, or other instrumentalities that are used or intended to be used to commit theft.

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**Witness fees—payment**

HF2334/SF2102 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Local & Urban Government Committee)

Would provide that a prosecuting political subdivision is responsible for paying witness fees in criminal and juvenile cases.

\*\*Amendment would change the bill's effective date to Jan. 1, 1989.

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**Tuesday, March 8**

**Tax laws—technical changes**

HF2096/SF2161 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes & Tax Laws Committee)

Would make technical corrections and administrative changes to cigarette taxes and sales, liquor taxes, pull-tab taxes, sales and use taxes, insurance premiums tax, deed tax, telegraph gross earnings tax, and controlled substances tax.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 25, Taxes, March 1)

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**Burglary laws—changes**

HF2289/SF1835 (Carruthers, DFL-Brooklyn Center)—recommended to pass. (SF in Senate Judiciary Committee)

Would change burglary laws.

(See bill summary above, March 7)

**LABOR-MANAGEMENT RELATIONS**

**Monday, March 7**

**Video display terminals/mandatory overtime studies**

HF2243/SF1959 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would require the commissioner of labor and industry to conduct studies on the effect of video display terminals and the use of mandatory overtime by Minnesota employers.

\*\*Amendment would require the commissioner to report findings and recommendations to the Legislature Jan. 1, 1989.

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**Health, pension benefits—tax deduction denial**

HF2454/SF2339 (Begich, DFL-Eveleth)—recommended to pass; rereferred to Taxes Committee. (SF in Senate Taxes & Tax Laws Committee)

Would require the commissioner of revenue to recompute certain corporate taxes. Provisions would:

- require the commissioner of revenue to calculate the deduction taken in any year for health or pension benefits for any company and its predecessors if it has:
  - employed more than 200 people in the past three years;
  - substantially reduced its workforce or went out of business;
  - reduced or terminated health or pension benefits, except as a result of a labor contract; and
  - has previously taken deductions for health or pension benefits;
- require the commissioner of revenue to reduce the tax refund or credit due to the company by the amount determined in the above paragraph and transfer the amount to the commissioner of commerce;
- require the commissioner of commerce to use the money to provide health insurance under the Comprehensive Health Plan and/or Medicare Supplemental Plan to any employee whose health benefits were reduced; stipulate that the policy must provide the same coverage as that previously provided by the employer;
- provide that the commissioner may set up a trust to provide health benefits rather than purchasing insurance under the Comprehensive Health Plan;
- provide that, if the money transferred to the commissioner of commerce is insufficient to pay for coverage, the commissioner of revenue shall impose a penalty on the employer, up to the amount of the refund or credit, which would be

transferred to the commerce commissioner to pay for the insurance.

**Wednesday, March 9**

**Workers' compensation reform**

HF2447/SF2331 (Krueger, DFL-Staples)—not recommended to pass. (SF in Senate Employment Committee)

Would make various revisions to the workers' compensation system. Major provisions would:

- change benefits for seasonal and part-time workers so benefit are based on earnings for the average number of days actually worked per week in weeks that the employee worked in the year before the injury;
- base benefits on 80 percent of net earning rather than two-thirds percent of gross wages;
- provide that a successful claimant is entitled to recover from the insurers employer 100 percent of the attorney's fee award rather than the current 25 percent of the award after the first \$250;
- lower minimum benefits to either 20 percent of the statewide average weekly wage or the worker's take-home pay, whichever is less;
- limit temporary partial disability benefits to 90 days after the maximum medical improvement with a maximum duration of 350 weeks, or 90 days after the end of an approved retraining program, if later; provide that an employee who refuses a suitable job offer does not receive temporary partial disability benefits in any circumstances;
- provide that an employee in a suitable job who voluntarily quits or who is discharged for gross misconduct will be treated as if the employee refuses a suitable job offer, which disqualifies the employee from future benefits;
- limit the definition of permanent total disability to only those workers whose permanency ratings are greater than 25 percent;
- require the commissioner of labor and industry, with the Medical Services Review Board, to review the permanent disability schedule annually, to determine whether any conditions are omitted and to add those conditions to the schedule;
- restrict registration of second injuries to those over 25 percent;
- limit payment of supplementary benefits to an employee who suffered a permanent total disability; provide that

benefits would begin after four years have elapsed since the total disability;

- change the amount of supplementary benefits to the difference between the benefit amount and 50 percent of the statewide average weekly wage, rather than 65 percent;
- provide that if workers' compensation benefits are reduced because of an old age or disability offset, the old age and disability benefits will be added to the compensation benefits in calculating the amount of supplementary benefits;
- make insurers, rather than the special compensation fund, liable for supplementary benefits;
- authorize the commissioner to assign department attorneys to represent claimants or to contract for such services;
- defer the first inflation adjustment to two years after the injury, rather than one year;
- remove statutory provision that provides that weekly benefits for minors and apprentices equal the statewide average weekly wage;
- require the department to study medical issues and the use of neutral qualified rehabilitation consultants; require commissioner to report to the Legislature by Jan. 1, 1989;
- requires the chief administrative law judge to reduce formality and length of hearings at the Office of Administrative Hearings;
- re-establish a regulation program for workers' compensation insurance rates in Minnesota.

**Unemployment Insurance & Workers' Compensation Division/LABOR-MGMT. RELATIONS**

**Monday, March 7**

**Employment—temporary assignment completion notice** HF1902/SF1775 (Riveness, DFL-Bloomington)—recommended to pass as amended\*\*; rereferred to Labor-Management Relations Committee. (SF in Senate Employment Committee)

Would provide that an employee of a temporary employment service will be ineligible for unemployment benefits if the employee fails to notify the service within 72 hours of the end of the job assignment (or until 4 p.m. Wednesday for a job ending on Friday), provided that the contract with the employment service clearly warns the employee of the consequences of the failure to notify. The period of ineligibility would continue until the employee notifies the service.

**\*\*Amendment would provide that the bill does not apply to individuals for whom temporary work is not suitable.**

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**Workers' compensation law—recodification**

HF2181/SF1733 (Beard, DFL-Cottage Grove)—recommended to pass as amended\*\*; rereferred to Labor-Management Relations Committee. (SF on Senate Floor)

**\*\*Delete-everything amendment would direct the revisor of statutes to recodify the workers' compensation law and report to the Legislature by Jan. 15, 1989, on the progress of the recodification. Provisions would:**

- provide that the recodification must not make any substantive changes but shall provide a comprehensive, accurate, and complete restatement;
- allow each state department and legislative staff to assist in the recodification upon request of the revisor;
- require the revisor to draft legislation to implement its recommendation for recodification by Jan. 15, 1990.

**LOCAL & URBAN AFFAIRS**

**Tuesday, March 8**

**Cities, counties—pay equity plan**

HF1859/SF1771 (Rest, DFL-New Hope)—recommended to pass as amended\*\*; rereferred to Taxes Committee. (SF in Senate Taxes & Tax Laws Committee)

Would impose strict levy limits for cities and counties that do not comply with pay equity requirements.

**\*\*Delete-everything amendment would:**

- require any home rule charter or statutory city that employs 10 or more people and has not submitted a pay equity report as required by law to the commissioner of employee relations, to do so by Oct. 1, 1988; require government subdivisions to have equity plans in place by Dec. 31, 1991;
- impose strict levy limits for 1989 payable taxes for cities and counties that do not comply with pay equity requirements; make certain exception to the levy limit;
- impose a 5 percent reduction in local government aid, if the commissioner finds that a government subdivision has failed to implement a equity plan by Dec. 31, 1991;
- permit the commissioner to waive the above penalty if failure the implement a plan was due to circumstances

beyond the control of the governmental unit to severe hardship.

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**Minneapolis—trade, craft service contracts**

HF2115/SF1875 (McLaughlin, DFL-Mpls)—recommended to pass. (SF on Senate Floor)

Would permit the City of Minneapolis to negotiate labor contracts with labor organizations for trade and craft services. Provisions would:

- specify agreement negotiating subjects; prohibit an agreement that would require the city to contribute to a labor organization's industry or promotional fund or account;
- delineate certain things not applicable to person hired under a labor agreement;
- stipulate that the labor agreement must provide a grievance procedure for resolving disputes;
- provide that the bill does not apply to persons currently employed by the city unless agreed to by the person;
- stipulate that the labor agreement does not affect any vested or accumulated rights, liabilities, or terms and conditions of employment of persons currently employed by the city;
- provide that any inconsistent provisions of the city charter, or other laws or rules are superseded by the provisions of the act.

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**Cities, towns—hospital contributions**

HF2190/SF2046 (Winter, DFL-Fulda)—recommended to pass as amended.\*\* (SF in Senate Local & Urban Government Committee)

Would authorize the City of Westbrook to contribute funds to the Schmidt Memorial Hospital without local approval.

**\*\*Amendments would:**

- permit the cities of Davray, Jeffers, Storden, Walnut Grove, and the towns of Amboy, Amo, Ann, Belfast, Bondin, Dale, Des Moines River, Dovray, Germantown, Highwater, Holly, Lime Lake, North Hero, Rose Hill, Shetek, Southbrook, Springdale, Springfield, Storden, and Westwood, all in Cottonwood, Murray, and Redwood counties, to contribute gifts to the Schmidt Memorial Hospital;
- permit the cities of Comfrey and Darfur, and the towns of Bashaw, Selma, Stately, Mulligan, Delton, and Adrian, all in Cottonwood, Brown, and Watonwan counties, to contribute gifts to the Comfrey Hospital.

**Biwabik—property tax levy limit increase**

HF2288/SF2136 (Rukavina, DFL-Virginia)—recommended to pass as amended\*\*; rereferred to Taxes Committee. (SF in Senate Taxes & Tax Laws Committee)

Would authorize the City of Biwabik to levy property taxes up to 10 percent higher than its levy limit permitted under current tax levy limits.

\*\*Amendment would provide for reverse referendum if 10 percent of the voters in the last city election sign and file a petition for a referendum.

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**Economic development authorities—food, liquor licenses**  
HF2402/SF2192 (O'Connor, DFL-St. Paul)—recommended to pass; placed on Consent Calendar. (SF in Senate Economic Development & Housing Committee)

Would permit municipal development authorities or redevelopment agencies to hold in its own name all necessary operating licenses including food and liquor licenses.

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**Duluth—Western Waterfront Trail construction**  
HF2434 (Munger, DFL-Duluth)—recommended to pass; placed on Consent Calendar. (SF in Senate Finance Committee)

Would authorize the City of Duluth, upon local approval, to spend up to \$236,859 for grants for the acquisition or construction of the Western Waterfront Trail.

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**St. Louis County—board, administrator duties**  
HF2446/SF2299 (Rukavina, DFL-Virginia)—recommended to pass as amended.\*\* (SF in Senate Local & Urban Government Committee)

Would provide duties for the St. Louis County Board and administrator, revise old law, and repeal obsolete law. Provisions would:

- delete compensation limits for civil service commissioners;
- modify civil service director duties and authorize the director to certify the names of seven persons on the re-employment or promotion list for filling vacant positions; require the director to add the names of the highest ranking individual on the employment list who is in a protected group (minorities, females, or handicapped persons) if no such persons is among the first seven candidates on the employment list;
- authorize the county to employ a county administrator and

specifies administrator's duties;

- authorize the county board to act as the county housing and redevelopment authority or appoint a seven member authority;
- increase the county board's contingent fund from \$1,000 to \$5,000;
- exclude St. Louis County from old law relating to snow removal and establishes a new procedure for snow removal by the county;
- remove the current \$15,000 annually limit which the board may be spent for recreational facilities; allow the county board to set the amount;
- remove the \$10,000 annually limit which the board may be spent for water improvements;
- remove other provisions that relate to delayed assessments.

\*\*Amendment would make technical changes.

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**City capital note limit increase**  
HF2484/SF2149 (Hugoson, IR-Granada)—recommended to pass; rereferred to Taxes Committee. (SF in Senate Local & Urban Government Committee)

Would increase the maximum amount of capital notes that home rule charter cities may issue for capital equipment to one percent of the assessed value of the city for that year.

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**Property owners—detachment, annexation procedures**  
HF2487 (Jennings, DFL-Rush City)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would make a petition by property owners for a concurrent detachment and annexation of property from one municipality to another subject to the approval of each municipality before the Minnesota Municipality Board can begin any hearings on the petition.

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**Virginia—tax increment financing district**  
HF2524/SF2370 (Rukavina, DFL-Virginia)—recommended to pass. (SF in Senate Economic Development a&Housing Committee)

Would include certain parcels of real property in a tax increment financing district in Virginia.

Wednesday, March 10

**Ramsey County—highway land space, personnel system**  
HF1745/SF1955 (Knuth, DFL-Columbia Heights)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would authorize Ramsey County to use certain land dedicated as open space for highway purposes and would permit Ramsey County to make a negotiated land sale.

\*\*Amendment would remove employees of the St. Paul Medical Center Commission and the chief executive officer of the medical center and seven principal assistants from the Ramsey County Personnel Act.

**Minneapolis—contractor bond requirements**  
HF1860/SF1749 (Sarna, DFL-Mpls)—recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

Would provide conditions for contractor bonds for the city of Minneapolis and the Minneapolis Community Development Agency. Provisions would:

- allow the city finance officer or the agency's contracting officer to waive or reduce the amount of bond required for a contract for supplies, services, materials or equipment, if the bond is not reasonable or necessary for the protection of the city or agency;
- stipulate that the bonds required from a contractor or developer for any work of construction may not be waived or reduced;
- provide for local approval by the Minneapolis City Council.

**Hospital districts—cities, townships**  
HF2481/SF2259 (Battaglia, DFL-Two Harbors)—recommended to pass as amended.\*\* (SF in Senate Local & Urban Government)

\*\*Delete-everything amendment would authorize the establishment of a hospital district in the cities of Cook and Orr and other townships in Koochiching and St. Louis counties. Provisions would:

- set forth the composition of the hospital board;
- place a limit of two mills for the tax that may be levied by the hospital district and stipulate that the district may use the tax for the acquisition, betterment, and maintenance of the district's hospital and nursing home, and not for administrative or salary expenses;

- authorize the City of Cook to transfer its hospital and nursing home to the district without consideration and stipulate that the hospital debt prior to the transfer remains with the city;

- provide for local approval of hospital districts.

**Bloomington—flood mitigation expenditures**  
HF2540/SF2355 (Riveness, DFL-Bloomington)—recommended to pass. (SF in Senate Local & Urban Government Committee)

Would authorize the City of Bloomington, upon local approval, to spend or loan public funds for flood mitigation measures to protect residential structures in the city's flood-prone areas.

**Chanhassen—tax increment financing extension**  
HF2627/SF2380 (Kelso, DFL-Shakopee)—recommended to pass as amended;\*\* rereferred to Taxes Committee. (SF in Senate Economic Development & Housing)

Would allow a tax increment financing district in Chanhassen, by local approval, to continue to receive tax increments through the year 1993. Provide that any increments received during the four-year period (1990-1993) may only be used to pay development costs associated with certain highway improvements within the development district and to pay the administrative expenses of the tax increment financing district.

\*\*Amendment would make technical language change.

## METROPOLITAN AFFAIRS

Wednesday, March 9

**Watershed improvement costs—payment schedule**  
HF1700/SF1700 (Price, DFL-Woodbury)—recommended to pass. (SF on Senate Floor)

Would provide that each county receiving payment from watershed management organizations shall provide immediately after Sept. 30 of each year, funds to meet its proportionate share of the improvements; would apply to counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

**Metro Airports Commission—borrowing authority**  
HF1874/SF1900 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would limit to \$150 million the amount of bonds the airports commission may issue over and above the its bonds outstanding as of Jan. 15, 1988.

\*\*Amendments would make technical language changes.

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**Metropolitan airports—regulations**

HF2105/SF2390 (Wagenius, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would direct the Metropolitan Airports Commission to examine the environmental impact of its decisions, and to cooperate with other government agencies such as the Pollution Control Agency.

\*\*Amendment would make technical language changes.

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**Ramsey/Washington Watershed—tax levy**

HF2149 (Kelly, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Taxes Committee.

Would authorize the Ramsey/Washington Watershed District to levy annually a property tax of up to one-quarter mill on taxable property within the district to provide for an administrative fund.

\*\*Amendments would make technical language changes, and reduce the levy from one mill to one-quarter mill.

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**Metro government—tax authority limit**

HF2244/SF2163 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended\*\*; rereferred to Taxes Committee. (SF in Senate Taxes & Tax Laws Committee)

Would put a cap on the current amount of taxes the Metropolitan Council may levy on the total assessed value of property.

\*\*Amendments would:

- allow the Metropolitan Council to make loans to homeowners whose homes are in the paths of new roadways;
- extend metro agencies authority to purchase earliest date land intended for future highways and light rail transit.

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**Noise reduction—Mpls/St. Paul airport facility**

HF2333/SF2308 (Simoneau DFL-Fridley)—laid over for interim study. (SF in Senate Local & Urban Government Committee)

Would require installation of aircraft noise suppression

equipment at the Minneapolis-St. Paul International Airport.

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**Metro government—Regional Transit Board**

HF2391/SF2430 (Tjornhom, IR Richfield)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would provide a range of salaries for Minnesota government officials, and provide a salary for a part-time chair of the Regional Transit Board.

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**Ramsey County—personnel law changes**

HF2414 (Knuth, DFL-New Brighton)—recommended to pass.

Would remove from the county, personnel law references to the St. Paul Ramsey Medical Center Commission, and the chief executive officer of the medical center, and seven principal assistants.

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**City Hall/Ramsey County Courthouse—renovation**

HF2423/SF2411 (Kelly, DFL-St. Paul)—recommended to pass. (SF in Senate Local & Urban Government Committee)

Would authorize Ramsey County to issue up to \$48,400,000 in general obligation bonds to finance the repair, restoration and modernization of the St. Paul City Hall and Ramsey County Courthouse buildings, and direct Ramsey County and the City of St. Paul to enter into a joint powers agreement to assist in determining responsibility for the repair, maintenance, and usage of those buildings.

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**Metro government—agency requirements**

HF2514 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\*

Would require the Metropolitan Council to adopt before Oct. 1 of each year a budget covering its expected revenues and expenditures for the next year. Provisions would:

- require of the council a detailed and analytical statement of expenditures for all planned programs, including an estimate of all capital expenditures for the budget year;
- require program budget overruns of more than \$10,000 to be reviewed and approved by the council before additional funding may be authorized;
- require that the council and each metropolitan agency include in their annual budgets a statement of the reserve or fund balance from the two preceding fiscal years, including a comparison of budgeted and actual expenditures, and a listing of consulting contracts and the cost of each contract;

- require of the council an analytical salary report which is to include all lump sum payments or bonuses and a description of all expense account including travel allowances and other benefits not usually made available to employees of the council.

\*\*Amendments would make technical language changes.

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#### **Metropolitan agencies—affirmative action**

HF2596 (McLaughlin, DFL-Mpls)—recommended to pass as amended.\*\*

Would create a legislative task force to monitor equal opportunity activities of metropolitan agencies.

\*\*Delete-everything amendment would:

- require the metropolitan council and metropolitan agencies attempt to award at least 9 percent of the value of all procurement authorizations to businesses owned and operated by socially or economically disadvantaged persons;

- require that 10 percent of each contract of \$200,000 or higher be subcontracted to economically disadvantaged business owners and operators;

- require that the Metropolitan Council and each metropolitan agency develop an affirmative action plan and submit it to the commissioner of employee relations for approval, including written sexual and racial harassment policies;

- require that evaluation of managerial and supervisory personnel include an evaluation of their performance in establishing the agency's affirmative action plan;

- establish a 10-member task force with subpoena powers to monitor compliance with the aforementioned rules, and require the task force to report its findings to the full Legislature by January 1989.

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#### **Metro government—Minnetonka property acquisition**

HF2642/SF2386 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Local & Urban Government Committee)

Would allow the Hennepin Regional Park District to acquire land by purchase, gift or eminent domain for a Lake Minnetonka regional park, but only following a metropolitan council study to determine if the park is in the public interest, and if the district is able to carry out the park plan and operate the park.

\*\*Amendment would define time allowed for the metropolitan council to complete its study.

#### **Metro regional recreational land—bond issuance**

HF2687 (Osthoff, DFL-St. Paul)—referred to Appropriations Committee.

Would authorize the sale of state bonds up to \$15.5 million for the acquisition and betterment of metropolitan regional recreation and open space land.

### **REGULATED INDUSTRIES**

**Monday, March 7**

#### **Municipal liquor stores—profit exemption**

HF1731/SF2033 (Murphy, DFL-Hermantown)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)

Would exempt new municipal liquor stores from profit requirements.

\*\*Delete-everything amendment would apply the profit exemption only to the city of Proctor, contingent upon local approval.

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#### **Liquor sales—Thanksgiving Eve hours**

HF1732/SF1692 (Jacobs, DFL-Coon Rapids)—recommended to pass. (SF on Senate Floor)

Would authorize licensed establishments to extend liquor sales to 10 p.m. on Thanksgiving Eve.

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#### **Hearing impaired—telephone assistance**

HF1812/SF1809 (Clark, DFL-Mpls)—recommended to pass; rereferred to Governmental Operations Committee. (SF in Senate Finance Committee)

Would amend the Telecommunications Access for Communication Impaired Persons (TACIP) program to make the Department of Human Services the purchaser and provider of equipment rather than local telephone companies. Provisions would:

- allow the TACIP board to be reimbursed for expenses;

- specify that the TACIP Board establish specifications for the devices to be purchased under the program;

- authorize the commissioner of human services to be responsible for maintaining the devices and training the users;

- repeal the reimbursement to telephone companies for TACIP purchases or services.

**St. Cloud Civic Center—liquor license**

HF1822/SF1673 (Gruenes, IR-St. Cloud)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would authorize the City of St. Cloud to issue an on-sale liquor license for the St. Cloud Civic Center. Provisions would prohibit sales during elementary, high school or college athletic events.

\*\*Delete-everything amendment would allow the St. Cloud City Council to contract with caterers from St. Cloud or the nearby area to serve alcohol in the St. Cloud Civic Center if they already have a retail liquor license.

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**Liquor license—dinner boats**

HF1831/SF1667 (Poppenhagen, IR-Detroit Lakes)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would permit Becker County to issue a liquor license to a 100-passenger dinner boat that cruises on Detroit Lake if the Becker County Board approves.

\*\*Amendment would allow the commissioner of public safety to grant a similar license to a Fort Snelling dinner boat. In both cases, alcohol could only be sold or served while the boat is under way, or moored or anchored offshore.

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**Itasca County—liquor licenses**

HF1904/SF1793 (Solberg, DFL-Bovey)—recommended to pass. (SF on Senate Floor)

Would allow certain restaurants in unincorporated or unorganized Itasca county territory to be eligible for county liquor licenses.

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**Liquor retailers—sign expense**

HF2091/SF1822 (Jacobs, DFL-Coon Rapids)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would permit brewer or malt liquor wholesalers to furnish, lend or rent outdoor signs to retailers, as long as the signs cost \$400 or less. (Current law sets the cost for signs at \$100.) Provisions would:

- permit the cost limit to be adjusted annually on May 1 of each year, based on the change in a certain consumer price index;
  - require the adjustment, determined by the commissioner of public safety, to be published each year in the state register at least 30 days before the adjustment date.
- 

**Pipeline safety**

HF2098/SF2111 (Knuth, DFL-New Brighton)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Finance Committee)

Would amend the pipeline safety law to adopt federal safety regulations, expand inspection authority to include intrastate hazardous liquid pipelines, and set the calculation for inspection fees. Provisions would:

- allow the Environmental Quality Board to incorporate, by reference, its power line routing rules when making rules governing routing of pipelines;
- clarify language and make technical amendments in the statutes;
- include liquified natural gas and liquified petroleum gas in the types of gas that are subject to the jurisdiction of the Department of Public Safety;
- permit the office of pipeline safety to recover general support costs through fees;
- permit the commissioner to accept federal money for regulation of hazardous liquid pipelines;
- mandate the commissioner to establish and oversee a safety inspection program.

\*\*Amendment would make technical changes and mandate the commissioner of the Department of Public Service to conduct a study to determine the need for hazardous materials response teams, training standards for and equipment needs of such teams, and potential implementation of teams including locating, directing and coordinating them.

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**Liquor license revocation—procedural changes**

HF2112/SF1795 (Forsythe, IR-Edina)—recommended to pass as amended.\*\* (SF in Senate Commerce Committee)

Would increase the time period for notification to licensing authorities of cancellation of liquor liability insurance from 10 to 30 days; would specify that hearings on license suspensions or revocations need not be before an administrative hearing officer.

\*\*Amendment would require insurer's to give the issuing authority a written notice 10 days before cancelling liquor liability insurance because of premium non-payment.

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**Pheasant Ridge Music Center—liquor license**

HF2254/SF2357 (Quinn, DFL-Coon Rapids)—recom-

mended to pass as amended. (SF in Senate in Commerce Committee)

Would authorize the City of Blaine to issue an on-sale liquor license to the Pheasant Ridge Music Center and prohibit liquor sales during athlete events. Amendment would make technical changes in the bill.

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#### **Alcohol importers—definition**

HF2529/SF2352 (Jacobs, DFL-Coon Rapids)—recommended to pass. (SF in Senate Commerce Committee)

Would expand the beer wholesaling act to define importers of beer as brewers.

### **TAXES**

**Tuesday, March 8**

#### **Jordan—tax anticipation certificates**

HF1864/SF1565 (Jenson, DFL-Lakeville)—recommended to pass. (SF on Senate Floor)

Would allow the City of Jordan to issue tax anticipation certificates (general obligation bonds) for any fund (within the restrictions of other laws); and require that the total of such certificates not exceed the amount of current taxes uncollected, and the amount of money remaining in the fund.

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#### **Debt financing/bonding authority—technical changes**

HF2117/SF1964 (Voss, DFL-Blaine)—recommended to pass as amended.\*\* (SF in Senate Taxes & Tax Laws Committee)

Would allow entitlement issuers such as St. Paul, Minneapolis, and Duluth, to retain, without permission of the Department of Trade and Economic Development, an unused portion of their entitlement allowance (a federal tax exempt allowance allocated by the state and used by the entitlement issuer to issue municipal bonds for various projects) after the first Monday in September; moreover, would permit entitlement funds earmarked for specific uses to fall into a “general use pool” on Sept. 1 instead of Nov. 1, primarily to provide funding for single and multi-family housing.

\*\*Amendment would make technical language changes.

### **Property Tax Division/TAXES**

**Thursday, March 10**

#### **Property tax—technical, administrative changes**

HF2443/SF2385 (Voss, DFL-Blaine)—recommended to pass

as amended.\*\* (SF in Senate Taxes & Tax Laws Committee)

Would make technical corrections and administrative changes to property taxes, local government aids, and levy limits.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 26, Property Tax Division/Taxes, March 3)

\*\*Amendments would:

- exempt a deed or other instrument used in the transfer of land from certification by the county treasurer, affirming that taxes due in the current year have been paid, when that land is transferred to the federal government, the state, or any other political subdivision;
- restrict the amount the Metropolitan Council may expend from the loan fund (fund used to provide interest free loans to metro counties, towns and cities within the metro area, with which to purchase property in danger of any conversion that would jeopardize its availability for highway construction) each year to an amount no greater than 3 percent of the amount that the metropolitan area tax levy would raise in that year;
- require the commissioner of revenue to appoint for one year only assessors who are not senior accredited as of Jan. 1, 1989, and require such assessors to reapply for their positions at the end of their first year;
- change from Nov. 16 to Nov. 1 the day an additional penalty of 2 percent will be added to the 4 percent penalty on all delinquent homestead and nonhomestead property taxes;
- differentiate between a manufactured mobile home and a “park trailer” (trailer used for temporary living quarters); exempt park trailers from motor vehicle tax and subject them instead to personal property tax; tax as manufactured homes those park trailers occupied and not used on the highway during the calendar year; and require that park trailers be valued each year by the assessor;
- entitle golf clubs to valuation and tax deferment only if the club issues family memberships allowing equal use of the facility by more than one adult member; and allow a golf club to create an individual membership category allowing a member, through a recorded request, to play at a reduced rate during restricted hours as established by the club.

## Tax Law Division/TAXES

Friday, March 4

### Individual income taxes—technical changes

HF2442/SF2166 (Voss, DFL-Blaine)—heard; amended.\*\*  
(SF in Senate Taxes & Tax Laws Committee)

Would make technical changes to individual income tax laws. Provisions would:

- except from the state's physical presence test, as it applies to income tax, an individual, or, the wife of an individual who is in the armed forces;
- add to the federal taxable income a capital gain portion of a "lump sum distribution" from a pension or profit sharing plan;
- allow a surviving spouse who qualifies under the Internal Revenue Code to use the "married filing joint" tax rate table, beginning after Dec. 31, 1986;
- require a that a part-year resident or nonresident include interest income from non-Minnesota municipal bond interest in the denominator of the ratio apportioning the tax liability, beginning Dec. 31, 1986;
- require nonresidents and part-year residents to allocate the child and dependent care credit based on the ratio of Minnesota earned source earned income to the total income;
- provide that the portion of the gain on the sale of "S corporation" stock is assignable to Minnesota even though the individual is a nonresident;
- allow a spouse who is unaware that the tax liability is substantially underpaid to be relieved of the responsibility of paying the additional taxes due;
- allow a partnership, "S corporation" or estate or trust to file a single return reflecting the tax liabilities of non-resident partners, shareholders or beneficiaries;
- include scholarships and fellowships exempt from income tax in household income for purposes of computing the property tax refunds effective for claims based on rent paid in 1988 and following years, and on property tax payable in 1989 and following years;
- reinstate the pre-1987 definition for a claimant so that a person living permanently outside of Minnesota would not be eligible to file for the property tax refund;
- provide that the assessment of underpayment of estimated tax penalty for 1987 returns shall be based on 80 percent of

the current year's tax or 100 percent of the previous year's tax.

\*\*Amendment would allow surviving spouses to use the "married filing jointly" rates after Dec. 31, 1986, instead of Dec. 31, 1987.

Thursday, March 10

### Corporate taxes—technical, administrative changes

HF2077/SF2167 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes & Tax Laws Committee)

Would make technical corrections and administrative changes to gross premium tax, corporate franchise, royalty, and mineral tax.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 26, Tax Law Division/Taxes, March 3)

## TRANSPORTATION

Friday, March 4

### Railroads—minimum crew requirements

HF1729/SF1909 (R. Johnson, DFL-Bemidji)—heard; rereferred to Carriers Subcommittee. (SF in Senate Transportation Committee)

Would require railroad companies to provide a minimum number of personnel when operating certain trains.

### Slow-moving vehicles—emblem use

HF1818/SF2230 (A. Johnson, DFL-Spring Lake Park)—recommended to pass. (SF in Senate Transportation Committee)

Would allow persons holding a sincere religious belief which prohibits them from using the standard orange and red slow-moving emblem to use an alternative black with white border slow-moving vehicle emblem; repeal the requirement that such persons must display the standard emblem at night and during conditions of reduced visibility; require that the white border of the alternative emblem be visible for at least 600 feet to the rear.

### State forest management roads

HF1931/SF1662 (R. Johnson, DFL-Bemidji)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would provide for the establishment, construction, admini-

stration, and maintenance of state forest management roads.

**\*\*Delete-everything amendment would:**

- define "state forest management road" as a road constructed, acquired, maintained, or administered by the commissioner for the purpose of carrying out forest resource management policy;
- authorize the Department of Natural Resources (DNR) rules for forest roads;
- create a dedicated account for the acquisition, development, maintenance and administration of forest roads;
- require a current DNR inventory of forest roads; authorize DNR acquisition of additional rights-of-way and easements after a public meeting in the local area;
- require minimum-maintenance forest roads to be posted as such and maintained at a level consistent with the intended use;
- authorize the commissioner to undesignate an unneeded forest road and convey it to another unit of government;
- allow counties to receive \$275,000 in gas tax money for county forest access roads, including their construction, maintenance, and inventory;
- specify that \$400,000 in gas tax revenue is derived from fuel use on state forest roads, and \$275,000 in gas revenue is derived from fuel use on county forest roads;
- specify that the annual amount of gas tax revenue derived from forest road use is \$675,000 and directs that this amount is to be paid semi-annually as \$400,000 per year to the state forest road account and \$275,000 per year to the county management access road account;
- amend the 1987 appropriations rider directing a joint study by DNR, Mn/DOT, and the Department of Revenue of gas tax revenue from forest roads, to include revenue from forest roads from users other than logging trucks;
- direct Mn/DOT to study and determine the amount of gas tax revenue from forest road use between May 1, 1988 and April 30, 1989; require department to report findings to the House and Senate Transportation Committees by Dec. 31, 1989.

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#### **Motor vehicle registration requirements**

HF1951/SF1804 (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would require motor vehicles that are leased for long terms to be registered in the name of the lessee.

- define "registered owner" in vehicle registration law as a person, firm, association, or corporation, other than a party with a secured interest, having title to a motor vehicle;
- change references to "owner" to "registered owner" in laws governing registration;
- provide that a registration certificate may be used as a certificate of title for vehicles exempt from the certificate of title requirement;
- repeal the requirement that the back of a registration certificate include spaces for assignment of ownership on case of sale;
- provide that the registrar may not approve any application for registration until the certificate of title has been delivered to the registrar, and repeals provisions directing the registrar or deputy registrar to personally view a vehicle's serial number in the absence of certain proof of ownership.

**\*\*Amendment would include in the definition of "registered owner," a person leasing a passenger automobile for 180 days or more. Would also impose a \$2 instead of a \$1 fee on persons who fail to file a transfer of vehicle ownership with the registrar within 14 days of transfer.**

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**De[pt. of Transportation—eminent domain provisions HF1954/SF1590 (Lieder, DFL-Crookston)—recommended to pass as amended\*\*;** rereferred to Appropriations Committee. (SF in Senate Transportation Committee)

Would update reference to federal relocation assistance statutes in state eminent domain law. Provisions would:

- authorize the commissioner of transportation to accept gifts, grants, or contributions relating to department activities; require that funds so received be deposited in the trunk highway fund and are annually appropriated to the commissioner for the purpose for which they are given;
- exempts lessees of highway easement property from tax on its use and possession;
- provide that a governmental body may file deed conveying partial parcel of land without current taxes having been paid on whole parcel;
- repeal the statute authorizing the commissioner to continue the Air Transportation Revolving Account in the trunk highway fund.

**\*\*Amendment would allow star counties to erect a highway sign within the right-of-way of an interstate or other highway at or near the point where the highway enters the county; would allow a star county to replace any existing sign at the point where the highway enters the county with a star county sign upon payment of a fee to the department.**

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**Fuel tax reporting fee—highway user fund**  
HF2209/SF1827 (Steensma, DFL-Luverne)—recommended to pass. (SF in Senate Transportation Committee)

Would provide that the fee for applications for quarterly filing of fuel tax reports is to be deposited in the Highway User Tax Distribution Fund.

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**Wednesday, March 9**

**Town roads—state institution account**  
HF684/SF637 (Lieder, DFL-Crookston)—recommended to pass as amended;\*\* rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would create a state institutions road and highway account in the state treasury and appropriate funds in it to the commissioner of transportation to pay state aid to counties, cities, and towns for the maintenance and improvement of streets and highways that provide substantial access to a state institution or a unit of the state outdoor recreation system.

**\*\*Delete-everything amendment would:**

- repeal the provisions that permit money in the town bridge account to be spent only in counties having two or more towns;
  - provide that distribution of money in the account is to be governed by a committee of county highway engineers, county commissioners, city council members, and two town supervisors, all appointed by the commissioner;
  - require that streets, town roads, and highways maintained or improved with money from the account must meet state-aid standards and the standards for town roads;
  - appropriate \$200,000 from the general fund to the state institutions road and highway account.
- 

**Vehicles—transporting firewood**  
HF1469/SF1336 (Wenzel, DFL-Little Falls)—recommended to pass. (SF in Senate Transportation Committee)

Would require all vehicles carrying loads of cut firewood on a trunk highway to have the load covered by a material

strong enough to prevent escape of the load, if the load extends above the sides of the cargo area, or the cargo area has no rear wall; would make all violations a petty misdemeanor.

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**Motor vehicle equipment—braking requirement**  
HF1526/SF1060 (Bauerly, DFL-Sauk Rapids)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would establish brake requirements for vehicles manufactured after June 30, 1988.

**\*\*Delete-everything amendment would:**

- exempt from the law that requires brakes on trailers of 1,500 pounds or more, contractor's custom service vehicles up to 30,000 pounds traveling up to 45 mph when pulled by a motor vehicle capable of stopping the combination;
  - require service brakes on all motor vehicles, trailers, and semitrailers manufactured after June 30, 1988; make an exception for mobile cranes traveling up to 45 mph which meet statutory stopping-capability requirements;
  - provide that the all-wheel brake exemption for front wheels on vehicles with three or more axles only to vehicles manufactured before July 1, 1988.
- 

**Advertising—rural areas**  
HF1736/SF1610 (Lasley, DFL-Cambridge)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would authorize the posting of specific service signs that advertise rural agricultural businesses along highways.

**\*\*Delete-everything amendment would:**

- add rural agricultural business to the definition of specific service signs;
  - require a rural agricultural business to be open a minimum of eight hours per day, six days per week, and 12 months per year;
  - provide that seasonal activities may qualify if they are open eight hours per day and six days per week during the normal seasonal period.
- 

**Motorcycles—endorsement fee increase**  
HF1933/SF2221 (S. Olsen, IR-St. Louis Park)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Transportation Committee)

Would increase from 50 to 60 percent the maximum percentage for the motorcycle safety fund which may be used for instructor training and school district reimbursement. Provisions would:

- increase the fee for an initial motorcycle endorsement on a drivers license from \$6 to \$7.50, and for a renewal from \$4 to \$6;
- increase the amount of fee revenues going to the motorcycle safety fund each year from \$300,000 to \$500,000.

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**Drivers' license—stepparent approval**

HF2016/SF1948 (Rukavina, DFL-Virginia)—recommended to pass. (SF in Senate Transportation Committee)

Would allow a spouse of a custodial parent to sign the drivers' license application of a person under age 18.

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**Duluth transit authority—school transportation**

HF2024/SF1940 (Jaros, DFL-Duluth)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would allow the Duluth Transit Authority to transport children to or from school or school-related activities and would provide that when the authority does so, the publicly owned transit bus is not a school bus.

\*\*Delete-everything amendment would allow the Duluth Transit Authority to transport children to or from school or a school-related activity on fixed routes and schedules or under an agreement with Independent School District No. 709;

- provide that the publicly owned transit bus used to transport the children to or from school or a school-related activity is not classified as a school bus;
- stipulate that the duty of care of the pupils riding such buses is the same as that owed by an operator of a school bus;
- repeal act on Aug. 1, 1990.

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**Motor carrier housekeeping bill**

HF2192/SF1876 (Jensen, DFL-Lakeville)—recommended to pass as amended.\*\* (SF in Senate Transportation Committee)

Would make various changes to the provisions that govern the operation of motor vehicles and commercial and private carriers.

\*\*Amendment would make technical changes.

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**Truck fees—deposited in highway user fund**

HF2209/SF1827 (Steensma, DFL-Luverne)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Transportation Committee)

Would require that the fees charged and collected for applications for quarterly reporting of fuel by interstate carriers be placed in the Highway User Distribution Fund.

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## FLOOR ACTION

### CALENDAR

Monday, March 7

**Homicide laws—minimum prison time**

HF10\*/SF101 (Wenzel, DFL-Little Falls)—passed (112-10). (SF in Senate Judiciary Committee)

Would raise the mandatory minimum prison term for first-degree murder from 17 to 20 years; and would clarify that the crying of a child doesn't constitute provocation under first-degree manslaughter.

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**DWI—mandatory penalties**

HF1165/SF537\* (D. Nelson, DFL-Champlin)—passed (130-1).

Would impose mandatory minimum penalties on habitual driving-while-intoxicated (DWI) offenders.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 29, General Orders, Feb. 25)

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**Town boards—law enforcement agencies**

HF1659\*/SF2094 (Murphy, DFL-Hermantown)—passed (125-3). (SF in Senate Judiciary Committee)

Would authorize town boards to form law enforcement agencies.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 15, Judiciary, Feb. 26)

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**Sexually explicit materials—display prohibition**

HF1710\*/SF1736 (Vellenga, DFL-St. Paul)—passed

(130-0). (SF in Senate Judiciary Committee)

Would prohibit displaying sexually explicit material deemed harmful to minors in public places open to minors.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 16, Judiciary, Feb. 26)

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**Furnaces—carbon monoxide test**

HF1805\*/SF1737 (A. Johnson-Spring Lake Park)—passed (122-6). (SF in Senate Public Utilities & Energy Committee)

Would require people who repair, service, or inspect furnaces in a residential dwelling that contains less than five units to conduct a safety test for carbon monoxide in the flue gases.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 2, Commerce, Feb. 23)

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**Child care—higher education task force**

HF1989\*/SF1705 (Trimble, DFL-North St. Paul)—passed (126-1). (SF in Senate Education Committee)

Would establish a task force to determine the state's goals and needs for child care in higher education. Provisions would:

- require the task force make recommendations to the Legislature;
- define the task force membership to include students, faculty, administrators and representatives for the Department of Human Services and the Higher Education Coordinating Board;
- define the task force study and report.

---

**Public Utilities Commission—procedural changes**

HF2020\*/SF1750 (Jacobs, DFL-Coon Rapids)—passed (121-5). (SF in Senate Public Utilities & Energy Committee)

Would change certain procedures followed by the Public Utilities Commission.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 16, Regulated Industries, Feb. 22)

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**Probation officers—state employment**

HF2039\*/SF1939 (Cooper, DFL-Bird Island)—passed (128-

0). (SF in Senate Governmental Operations Committee)

Would require the commissioner of corrections to employ county probation officers and other employees when the commissioner, rather than the county, furnishes probation services to the district court.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 8, Governmental Operations, Feb. 25)

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**School immunizations—technical changes**

HF2083\*/SF1588 (Orenstein, DFL-St. Paul)—passed (128-0). (SF in Senate Health & Human Services Committee)

Would make technical changes in the immunization law.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 11, Health & Human Services, Feb. 25)

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**GA recipients—drug dependency**

HF2132\*/SF2018 (Clark, DFL-Mpls)—passed (128-0). (SF in Senate Health & Human Services Committee)

Would provide for the appointment of a representative payee to manage the general assistant (GA) funds of a drug dependent person; require the assignment to be reviewed annually.

---

**HMOs—resolution**

HF2180\* (Cooper, DFL-Bird Island)—passed (129-0).

Would request that congress enact legislation that bases risk contract reimbursement rates to HMOs on accurate cost data. The resolution originates from the concern relating to Medicare reimbursement rates that are sufficient to cover HMO costs in the nonmetropolitan regions of the state.

(See bill summary under General Orders, March 3)

---

**Wednesday, March 9**

**Nurse midwives prescriptions—certification**

HF1784\*/SF1663 (McLaughlin, DFL-Mpls)—passed (130-0). (SF in Senate Floor)

Would certify nurse midwives to prescribe certain drugs.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 9, Health & Human Services, Feb. 25)

## CONSENT CALENDAR

Thursday, March 3

### State lands—Basilica of St. Mary deed

HF2056\*/SF1920 (Long, DFL-Mpls)—passed (118-0). (SF in Senate Transportation Committee)

Would require the governor to issue a corrective deed to the Basilica of St. Mary of Minneapolis for land the state conveyed in 1969.

### HMOs—resolution

HF2180 (Cooper, DFL-Bird Island)—returned to General Orders.

Would request that Congress enact legislation that bases risk contract reimbursement rates to HMOs on accurate cost data. The resolution originates from the concern relating to Medicare reimbursement rates that are sufficient to cover HMO costs in the nonmetropolitan regions of the state.

Monday, March 7

### Retirement—Thief River Falls firefighters

HF1832\*/SF2154 (Sparby, DFL -Thief River Falls)—passed (126-0).

Would authorize the Thief River Falls firefighters relief association to pay, at age 50, service pensions to members who meet all other qualifications.

### Cities of first class—finance officer report

HF1868\*/SF1581 (K. Nelson, DFL-Mpls)—passed (126-0).

Would require that the city's finance officer (now comptroller) share responsibility for making reports on certain improvements in cities of the first class.

### Beltrami County—land conveyance

HF1884\*/SF1806 (R. Johnson, DFL-Bemidji)—passed (125-0).

Would authorize Beltrami County to privately convey certain tax-forfeited land.

### Cook County—DNR land sale

HF1912\*/SF1818 (Price, DFL-Woodbury)—passed (126-0).

Would authorize the commissioner of natural resources to sell certain lands in Cook County.

### Aitkin County—tax-forfeited land sale

HF1943\*/SF1722 (Ogren, DFL-Aitkin)—passed (128-0).

Would permit Aitkin County to sell certain tax-forfeited lands that border public waters in the City of Aitkin.

### Boiler operation regulation

HF1999\*/SF1718 (Murphy, DFL-Hermantown)—passed (132-0).

Would regulate boiler operation.

(See bill summary in HWR, Vol 4, No. 4, Pg. 21, Labor-Management Relations, Feb. 29)

### St. Louis County—land sale

HF2045\*/SF1947 (Minne, DFL-Hibbing)—passed (130-0).

Would authorize St. Louis County to sell privately certain tax-forfeited land.

### Owatonna—state land purchase

HF2046\*/SF1931 (Hartle, IR-Owatonna)—passed (122-0).

Would direct the state to sell and convey certain lands to the City of Owatonna.

### St. Louis County—private land sale

HF2109\*/SF1983 (Begich, DFL-Eveleth)—passed (126-0).

Would authorize St. Louis County to sell privately certain tax-forfeited land.

### Cambridge Memorial Hospital Assn.—land purchase

HF2270\*/SF1994 (Lasley, DFL-Cambridge)—passed (127-0).

Would allow the state to privately sell certain surplus state property to the Memorial Hospital Association of Cambridge.

### Itasca County—DNR land sale

HF2312\*/SF2162 (Ozment, IR-Rosemount)—passed (127-0).

Would authorize the commissioner of natural resources to sell certain lands in Itasca County.

Wednesday, March 9

**Eveleth—police, firefighters benefit increase**

HF1743\*/SF1746 (Begich, DFL-Eveleth)—passed (127-0). (SF in Senate Governmental Operations Committee)

Would authorize benefit increases for certain Eveleth retired police officers, firefighters, and their surviving spouses.

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**Town boards—emergency services**

HF1926\*/SF2234 (S. Olsen, IR-St. Louis Park)—passed (129-0). (SF in Senate Local & Urban Government Committee)

Would allow the governing body or town board of a political subdivision, to authorize an officer to dispatch equipment and personnel outside the political subdivision if there is danger of fire, hazard, or casualty and it would be impractical for the governing body itself to act.

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**Charitable gambling—local licensure extension**

HF1941\*/SF1764 (Dawkins, DFL-St. Paul)—passed (126-0). (SF on Senate Floor)

Would increase the time period from 30 to 60 days for cities and counties to review license applications by the Charitable Gambling Control Board.

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**Campaign financing limits—clarification**

HF2008\*/SF1780 (A. Johnson, DFL-Spring Lake Park)—passed (130-0). (SF in Senate Floor)

Would clarify certain public financing limits relating to elections. Provisions would:

- place limits on campaign expenditures;
  - clarify limitations upon the state election campaign fund.
- 

**School District No. 1—budget deadline change**

HF2055\*/SF1848 (Otis, DFL-Mpls)—passed (131-0). (SF on Senate Floor)

Would allow the Minneapolis School District to publish operating and capital budgets on Dec. 31 instead of Dec. 15.

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**Ciscoes—net size correction**

HF2265\* (Reding, DFL-Austin)—passed (127-0).

Would correct certain provisions for net size for the taking of ciscoes.

**GENERAL ORDERS**

Thursday, March 3

**Homicide laws—minimum prison time**

HF10/SF101 (Wenzel, DFL-Little Falls)—recommended to pass. (SF in Senate Judiciary)

Would raise the mandatory minimum prison term for first-degree murder from 17 to 20 years; and would clarify that the crying of a child doesn't constitute provocation under first-degree manslaughter.

---

**Town Boards—law enforcement agencies**

HF1659/SF2094 (Murphy, DFL-Hermantown)—recommended to pass. (SF in Senate Judiciary Committee)

Would authorize town boards to form law enforcement agencies.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 15, Judiciary, Feb. 26)

---

**Sexually explicit materials—display prohibition**

HF1710/SF1736 (Vellenga, DFL-St. Paul)—recommended to pass. (SF in Senate Judiciary Committee)

Would prohibit displaying sexually explicit material deemed harmful to minors in public places open to minors.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 16, Judiciary, Feb. 26)

---

**Nurse midwives prescriptions—certification**

HF1784/SF1663 (McLaughlin, DFL-Mpls)—recommended to pass. (SF in Senate Health & Human Services Committee)

Would certify nurse midwives to prescribe certain drugs.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 9, Health & Human Services, Feb. 25)

---

**Furnaces—carbon monoxide test**

HF1805/SF1737 (A. Johnson-Spring Lake Park)—recommended to pass. (SF in Senate Commerce Committee)

Would require people who repair, service or inspect furnaces in a residential dwelling that contains less than five units to conduct a safety test for carbon monoxide in the flue gases.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 2, Commerce, Feb. 23)

**Blind services—federal, state law clarification**  
HF1876/SF1583 (Clark, DFL-Mpls)—rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would clarify the relationship between federal and state laws regarding supervision of vending stands; clarify utilization of receipts in the revolving fund; provide that the Department of Jobs and Training data be classified as public data and regulate certain reimbursements received by the commissioner of jobs and training.

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**Child care—higher education task force**  
HF1989/SF1705 (Trimble, DFL-North St. Paul)—recommended to pass. (SF in Senate Education Committee)

Would establish a task force to determine the state's goals and needs for child care in higher education. Provision would:

- require the task force make recommendations to the Legislature;
- define the task force membership to include students, faculty, administrators and representatives for the Department of Human Services and the Higher Education Coordinating Board;
- define the task force study and report.

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**Public Utilities Commission—procedural changes**  
HF2020/SF1750 (Jacobs, DFL-Coon Rapids)—recommended to pass. (SF in Senate Public Utilities & Energy Committee)

Would change certain procedures followed by the Public Utilities Commission.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 16, Regulated Industries, Feb. 22)

---

**Probation officers—state employment**  
HF2039/SF1939 (Cooper, DFL-Bird Island)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would require the commissioner of corrections to employ county probation officers and other employees when the commissioner, rather than the county, furnishes probation services to the district court.

(See bill summary in HWR, Vol.4, No. 3, Pg. 8, Governmental Operations, Feb. 25)

**School immunizations—technical changes**  
HF2083/SF1588 (Orenstein, DFL-St. Paul)—recommended to pass. (SF in Senate Health & Human Services Committee)

Would make technical changes in the immunization law.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 11, Health & Human Services, Feb. 25)

---

**GA recipients—drug dependency**  
HF2132/SF2018 (Clark, DFL-Mpls)—recommended to pass. (SF in Senate Health & Human Services Committee)

Would provide for the appointment of a representative payee to manage the general assistant (GA) funds of a drug dependent person; require the assignment to be review annually.

---

**HMOs—resolution**  
HF2180 (Cooper, DFL-Bird Island)—recommended to pass as amended.\*\*

Would request that Congress enact legislation that bases risk contract reimbursement rates to HMOs on accurate cost data. The resolution originates from the concern relating to Medicare reimbursement rates that are sufficient to cover HMO costs in the nonmetropolitan regions of the state.

\*\*Amendment would assure adequate funding to rural health care providers.

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**Wednesday, March 9**

**Parental rights termination law—clarification**  
HF577/SF964 (Rest, DFL-New Hope)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would clarify the purposes of laws on termination of parental rights, and alter certain grounds and procedures for termination of parental rights.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 15, Judiciary, Feb. 26)

\*\*Amendment would:

- provide for the review of emotionally handicapped children who have been placed in a residential facility;
- provide that in any proceedings involving an American Indian child the best interest of the child must be consistent

with the federal Indian Child Welfare Act of 1978;

- delete language that would have allowed the court to consider evidence of a parent's incidental visitations, communications, or contributions within the three-month period;
- require the commissioner of human services to study and make recommendations to the Legislature on what constitutes reasonable efforts by the social service agency to provide families with placement prevention and family reunification services and under what circumstances information and notice should be provided to parents.

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**Judge's retirement fund—combined service annuity**  
HF1709/SF1726 (Simoneau, DFL-Fridley)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would provide coverage for members of the Judge's Retirement Fund under the combined service annuity, combined service disability benefit, and combined service survivor benefit provisions; would require the Minnesota State Retirement System (MSRS) board of directors to establish a bounce-back joint and survivor optional annuity form.

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**State Board of Investment—changes**  
HF1806/SF1784 (Simoneau, DFL-Fridley)—recommended to pass. (SF on Senate Floor)

Would amend and repeal various laws the State Board of Investment administers.

(See bill summary in HWR, Vol. 4, No. 2, Pg. 5, Governmental Operations, Feb. 15)

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**Duck boats—personal flotation devices**  
HF1817/SF1698 (Stanius, IR-White Bear Lake)—recommended to pass. (SF on Senate Floor)

Would require hunters using duck boats during the duck hunting season to have personal flotation or lifesaving devices in the duck boat.

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**Repair shop storage fee—disclosure requirements**  
HF1940/SF1801 (O'Connor, DFL-St. Paul)—recommended to pass. (SF on Senate Floor)

Would require repair shops to conspicuously post signs in their shops. Provisions would:

- require shop owners, when giving customers written

estimates, to inform them that storage or care charges are in addition to the estimated price for the repairs;

- require the written estimate for repair costs to include a reasonable storage fee, if the shop imposes a fee for storage;
- require invoices to include any storage or care fees the shop charged.

**House Weekly Review** is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1988 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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# HOUSE WEEKLY REVIEW

For MEMBERS of the Minnesota House of Representatives

March 10-17, 1988

Volume 4, Number 6

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills

## COMMITTEE ACTION

### AGRICULTURE

Thursday, March 10

#### Time-price offer—foreclosed farmland

HF1991/SF1742 (Sparby, DFL-Thief River Falls)—passed as amended.\*\* (SF on Senate Floor)

Would clarify the conditions of a time price offer to former owners of foreclosed farmland.

\*\*Delete-everything amendment would:

- make technical language changes;
- prevent a state or federal agency or a corporation (other than a family farm corporation or an authorized farm corporation) from selling or leasing a farm homestead acquired through foreclosure, without first offering the land for sale or lease to the foreclosed owner;
- allow the foreclosed owner to elect to purchase or lease the entire property or a portion of it, and if a portion of it, require that the portion be contiguous, with neat boundaries, so that it will not to reduce access to, or the value of, the remaining land for lease or sale;
- define a time-price offer as one financed entirely or partially by the seller, which will include an offer to purchase under a contract for deed or mortgage;
- allow the remainder of the land to to be leased or sold after the foreclosed owner has elected to buy or lease a portion of the land;

- prevent a foreclosed owner from selling land repurchased in a time-price offer from selling that land to a third party under an agreement arranged in advance of acceptance of the time-price offer—unless the seller waits 180 days, or sells the property to his or her spouse, father or mother, or to a son or daughter.

#### Eviction protection—terms

HF2088/SF1562 (DeBlieck, DFL-Milroy)—recommended to pass as amended.\*\* (SF in Senate Agriculture Committee)

Would allow a foreclosed owner to rent or lease all or some of the foreclosed land, and prevent his/her eviction before a buyer is found; in addition, would specify resonable rents, designate the time during which the owner could inspect the land, and set forth the terms under which foreclosed owner could be evicted.

\*\*Amendment would allow creditor to evict renter for nonpayment of rent.

#### Eviction protection—foreclosed agricultural land

HF2121/SF1662 (Sparby, DFL-Thief River Falls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would provide that a foreclosed owner having not elected to lease or purchase a portion of or all of his/her former farmstead, may not be evicted from that land by the new owner before that new owner has found a buyer or a renter and then given the former owner the opportunity to match or refuse to match that offer;

\*\*Amendments would:

- make consistent with state statute the time (90 days) a federal creditor must wait to foreclose a debtor farmer after



having received from that farmer a request for mediation;

- deny mediation to debtors who lease or own less than 60 acres, and who generate less than \$20,000 per year in gross income from agricultural sales.

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**Agricultural extension service—study**

HF2295/SF2343 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Agriculture Committee)

Would require a study of the University of Minnesota's Agricultural Extension Service, Department of Agriculture and Applied Economics.

\*\*Amendments would make technical language changes.

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**Agricultural societies, associations—funding appropriations.**

HF2356/SF1707 (Ogren, DFL-Aitkin)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$360,000 from the general fund to the commissioner of agriculture to provide funding for state aid to county and district agricultural societies and associations.

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**Dry edible beans—delivery, grading**

HF2364/SF1686 (Brown, DFL-Appleton)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would expand Grain Dryers Act to include dry edible beans and prescribe procedures for grading, delivery, and associated charges applicable to dry edible beans from a grain warehouse.

\*\*Amendments would make technical language changes.

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**Rural Finance Administration—loan participation**

HF2646 (Wenzel, DFL-Little Falls)—recommended to pass as amended; rereferred to Appropriations Committee.

Would allow the Rural Finance Administration participation in a combination of seller-sponsored loans to qualifying farmers; in addition, would establish a program to provide milk to certain children, and to provide funding for secondary agricultural vocational programs. Related provisions would:

- establish the rural finance authority which would extend credit to new farmers or to those reentering farming;
- provide one-half pint of milk each school day to all

Minnesota children in kindergarten through grade three.

\*\*Amendments would:

- require that a prospective borrower of a rural finance authority loan have a total net worth of less than \$150,000;
- allow the rural finance authority to finance up to 35 percent or \$50,000 of the principal (whichever is less) remaining on a seller-sponsored loan.

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**Farmer-owned reserve grains—resolution**

HF2735 (K. Olson, DFL-Sherburn)—recommended to pass.

Would memorialize the president and congress to direct the secretary of agriculture to halt the forced movement of farmer-owned reserved grains to commercial warehouses.

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**Monday, March 14**

**Agricultural commodities—restaurants, franchises**

HF1229/SF552 (Bauerly, DFL-Sauk Rapids)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would require the commissioner of agriculture to investigate the potential for packaging and sale of Minnesota agricultural commodities to franchised food chains, restaurants, and state agencies, and to encourage recognition of such commodities by businesses and state agencies.

\*\*Amendments would make technical language changes and delete language requiring suppliers to make a reasonable attempt to purchase products grown in this state; would also delete language requiring agencies to give preference to contracts of the lowest bidders providing food products grown in this state.

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**Bluegrass seed—production**

HF2664/SF2324 (Jacobs, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$35,000 from the general fund for bluegrass seed and turf production.

\*\*Amendments would make technical language changes.

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**Wednesday, March 16**

**Veterinary drugs—distribution**

HF2238/SF1984 (D. Carlson, DFL-Sandstone)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate veterinary drug distribution, restricting dispensation of certain drugs to licensed veterinarians.

\*\*Amendment would delete language requiring a veterinarian to have recently seen the animal(s) before dispensing drugs.

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#### **Soil, water stewardship—appropriation**

HF2603/SF2325 (Knuth, DFL-New Brighton)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate \$80,000 for the collection and dissemination of materials on soil and water stewardship.

\*\*Amendment would designate the Minnesota Agriculture in the Classroom Program as the recipient of the grant.

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#### **Beginning farmers—grants**

HF2607/SF2322 (Bauerly, DFL-Sauk Rapids)—recommended to pass. (SF in Senate Finance Committee)

Would appropriate \$50,000 from the general fund for beginning farmer educational programs.

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#### **Diesel fuel tax exemption—resolution**

HF2621/SF2376 (Bertram, DFL-Paynesville)—recommended to pass. (SF on Senate Floor)

Would memorialize the Congress of the United States to reinstate diesel fuel tax exemptions for farmers and other off-road users.

## **APPROPRIATIONS**

Wednesday, March 16

#### **License plates—six-year renewal, special plates**

HF80/SF63\* (Simoneau, DFL-Fridley)—amended; laid over.

Would require passenger automobile plates to replace license plates every six years; would establish fees for personalized license plates and plate replacement fees; would authorize special license plates for specific groups. Provisions would:

- define 'limousine,' allow limousines to have tinted windows and set fee for special limousine license plates;
- require that license plates six years old or older be replaced at the time of annual registration;

- specify a one-time \$100 fee for personalized license plates;
- set fee and allow special license plates for Vietnam and Pearl Harbor veterans and ex-POWs;
- reduce auto license plate fee from \$3 to \$2.

\*\*Amendments would:

- require motorcycles, motorized bicycles or motorized sidecars to pay an additional \$2 fee;
- clarify language, make technical changes.

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#### **Hispanic Quincentennial Commission**

HF682/SF1223\* (Pappas, DFL-St. Paul)—recommended to pass as amended.\*\*

Would create a commission for the quincentennial of the Hispanic presence in the western hemisphere.

\*\*Amendment would make a technical change.

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#### **DWI—license plate impoundment**

HF704/SF392 (Rest, DFL-New Hope)—recommended to pass. (SF in Senate Finance Committee)

Would establish a mandatory license plate impoundment system in any case where the court revokes a person's driver's license for driving-while intoxicated (DWI) or implied consent law violations. Provisions would:

(See bill summary HWR, Vol 4., No. 4, Pg. 16, Judiciary, March 1)

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#### **Martin Luther King holiday—council**

HF1335/SF1197 (Jefferson, DFL-Mpls)—heard; amended\*\*; rereferred to State Departments Division. (SF in Senate Finance Committee)

Would create the council on Martin Luther King, Jr. holiday; define the council's powers and duties.

\*\*Amendment would make a technical change and delete the \$35,000 appropriation for 1988.

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#### **Regional treatment centers—work activity program**

HF2080/SF1620 (Dorn, DFL-Mankato)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would clarify authority of the commissioner of human services to establish work activity programs in regional treatment centers (RTCs).

(See bill summary in HWR, Vol 4, No. 4, Pg. 2, Health & Human Services Division/Appropriations, March 3)

\*\*Amendment would require the commissioner of human services to cooperate with existing agencies to avoid duplication of available services when establishing work activity programs on the grounds of the regional treatment centers or at work sites in the community.

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**HECB—student voting privileges**

HF2146 (Kinkel, DFL-Park Rapids)—recommended to pass as amended.\*\*

Would give the student representative on the Higher Education Coordinating Board (HECB) voting privileges and full rights of other appointments, except that the student appointment is for two years, and stipulate that HECB student member cannot be employed or compensated by a postsecondary institution while serving on the board.

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**Arts Council—board requirements, changes**

HF2186/SF2097 (Rice, DFL-Mpls)—recommended to pass. (SF on Senate Floor)

Would regulate distribution of funds to regional arts councils; regulate conflict of interest and define board duties.

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**Chippewa Indians—memorandum, ratification**

HF2216/SF2141 (Battaglia, DFL-Two Harbors)—recommended to pass. (SF in Senate Finance Committee)

Would ratify a "Memorandum of Agreement" between the commissioner of natural resources and the Grand Portage, Bois Forte, and Fond du Lac bands of Chippewa Indians over hunting, fishing, trapping, and gathering rights ratified in an 1854 treaty; would require the commissioner to fulfill the duties and obligations of the Memorandum of Agreement, including paying money the Legislature appropriates.

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**Genetically engineered organisms—task force**

HF2227/SF2316 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Environment & Natural Resources Committee)

Would create a task force to study certain issues relating to genetic engineering. Provisions would:

- establish task force and define membership, duties and responsibilities;

- require task force to study existing U.S., international, and local laws and regulations governing the release of genetically engineered organisms and issue a report on the findings to the Legislature.

\*\*Amendment would stipulate that task force members shall serve without compensation.

---

**College savings bond program—establishment**

HF2396/SF2105 (L. Carlson, DFL-Crystal)—recommended to pass as amended.\*\* (SF in Senate Education Committee)

Would establish the college savings bond program.

\*\*Delete-everything amendment would:

- issue a portion of general obligation bonds as low denomination, zero coupon bonds;
- require a marketing study and program;
- exempt \$25,000 in bonds from consideration in determining a student's financial need for state scholarships and grants.

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**Game, fish license fee—transfer repeal**

HF2521/SF2367 (Kahn, DFL-Mpls)—recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

Would eliminate a diversion of game and fish license fee money.

**Education Division/APPROPRIATIONS**

**Tuesday, March 15**

**State University Board—bonding**

HF2418/SF2397 (Orenstein, DFL-St. Paul)—incorporated into the higher education appropriations bill. (SF in Senate Finance Committee)

Would authorize the State University Board to use unrestricted funds to pay for outstanding revenue bonds by depositing the money in escrow. Provisions would authorize the board to issue revenue bonds for land and building for dorms, student unions, food service, and parking; and would allow the board to issue taxable bonds and to comply with the provisions of the U.S Internal Revenue Code.

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**Faculty exchange program—establishment**

HF2459/SF2313 (Price, DFL-Woodbury)—incorporated into the higher education appropriations bill. (SF in Senate Education Committee)

Would establish a program for voluntary, cooperative faculty exchange between secondary schools and higher education institutions.

## Health & Human Services Division/ APPROPRIATIONS

Friday, March 11

### Hemoglobinopathy testing—infants

HF1847/SF1988 (Jefferson, DFL-Mpls)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would require newborn infants to be tested for hemoglobinopathy (sickle cell anemia). Provisions would:

- require the commissioner of health to review the adequacy of lab methods;
- appropriate \$140,000 for lab services, and capital expenditures.

### Hunger Reduction Act of 1988

HF2166/SF1912 (Rodosovich, DFL-Faribault)—heard, laid over. (SF in Senate Finance Committee)

Would cite the act as the Hunger Reduction Act of 1988.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 33, Health & Human Services, March 4).

### Safe drinking water—program, account establishment

HF2307/SF1928 (D. Nelson, DFL-Champlin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

\*\*Delete-everything amendment would establish a safe drinking water account in the state treasury; would require the commissioner of health to use the money to support the Safe Drinking Water Program; would prohibit anyone from installing any pipes and pipe fittings containing more than 8 percent lead in any plumbing installation which conveys a potable water supply; would appropriate \$1,485,000 from the general fund to the commissioner for the safe drinking water account.

\*\*Amendment would delete sections 1 and 2 of the delete-everything amendment. Deleted sections would eliminate the safe drinking water account.

Monday, March 14

### Swing bed payments

HF1765/SF1635 (Battaglia, DFL-Two Harbors)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would amend state law to allow medical assistance payments for swing beds if the provider is a sole community provider (generally defined as a rural provider in an area where similar facilities are not easily accessible).

\*\*Amendment would place contingencies and conditions on medical assistance payments.

### SILS—additional grant

HF2040/SF2012 (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would require commissioner of human services to provide one additional SILS (semi-independent living services) grant to each county that has eligible recipients on a waiting list.

\*\*Amendment would decrease general fund appropriation from \$1,000,000 to \$400,000.

### Nursing homes—personal allowances, costs

HF2071/SF1975 (Greenfield, DFL-Mpls)—held over. (SF in Senate Health & Human Services Committee)

Would increase the nursing home resident personal allowance and change nursing home property-related costs and operating provisions.

### Hunger Reduction Act of 1988

HF2166/SF1912 (Rodosovich, DFL-Faribault)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would cite act as the Hunger Reduction Act of 1988.

(See bill summary in HWR, Vol 4, No. 5, Pg. 33, Health & Human Services, March 4)

\*\*Amendment would clarify language and terms, and make technical changes necessary to comply with statutes in first engrossment.

**Healthspan—uninsured health coverage**

HF2188/SF2263 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would establish a state-administered health insurance program.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 34, Health & Human Services, March 9)

\*\*Amendment would change appropriation in first engrossment from \$200,000 to \$25,000.

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**Nursing home beds—moratorium exceptions**

HF2242/SF1918 (Trimble, DFL-St. Paul)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF on Senate Floor)

Would create an exception to the nursing home moratorium to allow beds to be moved from a separate nursing home to a building formerly used as a hospital.

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**Foster care—provider insurance**

HF2275/SF 2158 (Jefferson, DFL-Mpls)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would extend foster care insurance to providers of adult foster care and appropriate \$50,000 for the commissioner of human services to implement the program.

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**Vocational rehabilitation—changes, clarifications**

HF2278/SF2106 (Riveness, DFL-Bloomington)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would make changes and clarifications in terminology; regulate funding allocations and provide for facility governance.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 36, Health & Human Services, March 10)

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**Health services administration—AIDS, restaurants**

HF2448 (Greenfield, DFL-Mpls)—reconsidered; recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill.

Would limit reporting requirements of the commissioner of

health for epidemiologic studies; provide grants for AIDS evaluation and counseling and appropriate \$662,000 for the grants; would provide fines for rule violations relating to licensing of hotels, restaurants, resorts and other public accommodations; would create the environmental health fee account.

(See bill summary in HWR, Vol. 4, No. 5 Pg. 4, Health & Human Services Division/Appropriations, March 9).

\*\*Delete-everything amendment would amend the first engrossment; and reduce the hotel, restaurant, resort and other public accommodations rule violation fine from \$500 to \$50.

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**Environmental laboratories—certification**

HF2316/SF1927 (Long, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill.

\*\*Delete-everything would establish a certification program for environmental laboratories; establish an environmental laboratory certification account in the state treasury; define program, terms and fees.

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**Tuesday, March 15**

**Childrens Mental Health Plan—changes**

HF1653 (Segal, DFL-St. Louis Park)—recommended to pass; incorporated into Health & Human Services omnibus bill.

Would require the commissioner of human services to meet at least four times a year with the commissioner of correction, health, education and commerce to coordinate children's mental health services. Provisions would:

- (See bill summary in HWR, Vol. 4, No. 1, Pg. 1, Health & Human Services, Feb. 11)

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**Child care services—expansion, improvement**

HF1775/SF1832 (Trimble, DFL-St. Paul)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

\*\*Delete-everything amendment would expand and improve child care services; define terms and duties of the commissioner; provide grants for child care programs, facilities and training; require feasibility study of a toll-free telephone number; establish an interagency advisory council; and expand resource and referral assistance to employers.

(See bill summary in HWR, Vol. 4, No. 1, Pg. 2, Health & Human Services, Feb.11)

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**Battered American Indian women—shelter**

HF1778/SF1625 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would establish a shelter for battered American Indian Women.

\*\*Amendment would appropriate \$165,910 from the general fund for start-up and program costs.

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**Blind services—federal, state law clarification**

HF1876/SF1583 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would clarify the relationship between federal and state laws regarding supervision of vending stands; clarify utilization of receipts in the revolving fund; provide that the Department of Jobs and Training data be classified as public data and regulate certain reimbursements received by the commissioner of jobs and training.

\*\*Amendments would establish effective date; make technical change.

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**Hospitals—payments, rates**

HF1887/SF1658 (DeBlieck, DFL-Milroy)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

\*\*Delete-everything amendment would establish rates and payments for small hospitals.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 9, Health & Human Services, Feb. 25)

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**Prisoners—medical care**

HF1947/SF1853 (Murphy, DFL-Hermantown)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would make prisoners eligible for general assistance medical care benefits.

\*\*Amendment would add nurse anesthetist services to the list of services eligible for reimbursement

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**Minority Child Heritage Protection Act—implementation**  
HF2037/SF2103 (McLaughlin, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would implement the Minority Child Heritage Protection Act; require minority councils to review placement data.

(See bill summary in HWR, Vol 4. No. 4, Pg. 13, Health & Human Services, March 3)

\*\*Delete-everything amendment would make language and technical changes.

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**Epilepsy—demonstration project**

HF2062/SF1870 (Jefferson, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would direct the commissioner of human services to establish a demonstration project to help people with epilepsy live independently and direct the State Planning Agency to evaluate the demonstration project and report the results to the Legislature by Dec. 1, 1989.

\*\*Amendment would delete the \$15,000 appropriation to the State Planning Agency; decrease appropriate to the commissioner of human services from \$200,000 to \$100,000 and establish effective date as Jan. 1, 1989.

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**Nursing homes—personal allowances, costs**

HF2071/SF1975 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would increase the nursing home resident personal allowance; change nursing home property-related costs and operating provisions; increase formula for operating costs; and adjust wage base.

\*\*Amendments would make technical changes, clarify language.

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**ICF/MR—moratorium exceptions**

HF2222/SF2138 (A. Johnson, DFL-Spring Lake Park)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would provide exceptions to the moratorium on beds in intermediate care facilities for persons with mental retardation or related conditions.

(See bill summary under Health & Human Services, March 10)

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**Addiction, stress research—institute establishment**  
HF2413/SF2336 (Skoglund, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would establish a research institute to study addictive disorders and stress-related diseases. Provisions would:

- establish board of directors appointed by the governor, specify composition and requirements of the board and define duties;
- require the commissioner of health to monitor the institute.

\*\*Amendments would:

- make technical changes;
  - require the board to submit a progress report to the Legislature by Dec. 1, 1988;
  - appropriate \$200,000 from the general fund to the commissioner of health; and direct that \$160,000 will be used for a grant to the Minnesota Institute for Addiction and Stress Research and \$40,000 will be allocated to the Department of Health for one complement position to develop and monitor the Institute.
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**Crow Wing County—uninsured demo project**  
HF2437/SF2159 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would add Crow Wing County to the demonstration project to provide low cost medical insurance to the low income uninsured.

\*\*Amendments would decrease the general fund appropriation to the commissioner of human services from \$200,000 to \$100,000; and decrease the State Planning Agency appropriation from \$50,000 to \$40,000.

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**Faribault—regional treatment center task force**  
HF2445/SF2365 (Rodosovich, DFL-Faribault)—recommended to pass as amended; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would establish task force to develop plan for Faribault Regional Center (FRC); and define task force study, reporting, and structure.

\*\*Amendment would clarify language.

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**Wednesday, March 16**

**Oil overcharge funds—weatherization, grant**  
HF512/SF0875 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF passed Senate)

Would require that the oil overcharge funds received by the state from oil companies in violation of federal petroleum pricing laws be used for energy conservation programs.

\*\*Delete-everything amendment would:

- appropriate one-half of the funds to the commissioner of jobs and training for the low-income weatherization assistance program;
  - appropriate \$281,913 to the commissioner of administration for a grant to the Lake Isabella Environmental Learning Center; would stipulate that the grant must be used to install and operate a wood burning, central heating system located to allow people to observe and study the use of fossil fuels as a heat source;
  - appropriate \$230,000 to the commissioner of administration for a grant to the environmental learning center at the Battle Creek Magnet School in St. Paul; would stipulate that the grant must be used to install a photo-voltaic cell project;
  - appropriate the remainder of the funds to the legislative commission on Minnesota resources grants to local units of government, school districts, postsecondary institutions, nonprofit organizations and other individuals and businesses to research decreased dependence on fossil fuels;
- 

**Veterans Home—control**  
HF1746/SF1595 (Kostohryz, DFL-North St. Paul)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would return control of the Minnesota veterans homes to the Department of Veterans Affairs and create a veterans home board of directors.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 9, General Legislation, Veterans Affairs & Gaming, March 3)

\*\*Amendments would:

- delete the section allowing future elimination;

- require veterans homes pre-admission screenings to be consistent with screenings and case management established in statute for other state nursing homes;
- require the Veterans Home Board to apply to the commissioner of health for new licenses in Minneapolis and Hastings;
- make technical changes, and clarify language.

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**ICF/MR—reimbursements, rates**

HF2214/SF2139 (Rodosovich, DFL-Faribault)—recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would establish rates for intermediate care facilities for the mentally retarded (ICF/MR); change the procedures for determining ICF/MR rates. Provisions would:

- establish interim ICF/MR operating cost rates for rate years Oct. 1, 1988 and Oct. 1, 1989; define rates;
- establish retroactive reimbursements of 1988 and 1989 costs; define terms;
- require commissioner establish a statewide composite forecasted index; define index;
- set method of calculating administrative costs.

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**Safe drinking water—establish program, account**

HF2307/SF (D. Nelson, DFL-Champlin)—reconsidered; recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

\*\*Delete-everything amendment would establish a safe drinking water account in the state treasury; would require the commissioner of health to use the money to support the Safe Drinking Water Program; would prohibit anyone from installing any pipes and pipe fittings containing more than 8 percent lead in any plumbing installation which conveys a potable water supply; would appropriate \$1,485,000 from the general fund to the commissioner for the safe drinking water account.

\*\*Amendments would delete sections 1 and 2 of the delete-everything amendment and eliminate the safe drinking water account; decrease appropriation to \$1,000,000.

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**Housing for homeless—project grants**

HF2444/SF2496 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Employment Committee)

Would establish demonstration projects through a grant program that would create housing for homeless persons.

(See HWR, Vol. 4, No. 5, Pg. 13, Economic Development & Housing, March 10)

\*\*Amendments would appropriate \$64,000 from the general fund to the commissioner of jobs and training for lifeskills and employment grants.

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**Lead poisoning studies**

HF2550/SF2297 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would require the Department of Health to establish two studies concerning high blood lead levels in American Indian children; would define study and reporting.

\*\*Amendments would:

- appropriate \$65,000 from the general fund to the Department of Health to fund the maternity care demonstration project on blood levels and \$150,000 for the lead contaminated soil and lead paint cleanup demonstration project;
- make technical changes, clarify language.

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**Thursday, March 17**

**Veterans Home—control**

HF1746/SF1595 (Kostohryz, DFL-North St. Paul)—reconsidered; recommended to pass; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would return control of the Minnesota veterans homes to the Department of Veterans Affairs and create a veterans home board of directors.

(See bill summary under Health & Human Services Division/Appropriations, March 16).

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**HMO consumer protection**

HF2012/SF1861 (C. Nelson, DFL-Barrett)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

Would offer HMO-plan consumers expanded protection (replacement coverage, evidence of cancellation and exclusion of coverage).

(See bill summary in HWR, Vol. 4 No. 5, Pg. 35, Health &

Human Services, March 9)

\*\*Amendments would expand and clarify language regarding mediation and make technical changes.

## State Departments Division/ APPROPRIATIONS

Thursday, March 17

**Tourist information centers—restrictions removal**  
HF2030/SF1569 (Steensma, DFL-Luverne)—recommended to pass; incorporated into the State Departments Division operating budget bill. (SF in Senate Finance Committee)

Would remove restrictions on the funding of tourist information centers.

## COMMERCE

Thursday, March 17

**Firearms, replicas—warning labels**  
HF2205/SF2107 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would require warning labels on firearm replicas. Provisions would:

- define “replica firearm” as a device or object that’s a facsimile or toy version of, and reasonably appears to be a pistol, revolver, shotgun, sawed-off shotgun, rifle, machine gun, rocket launcher, or any other firearm that’s not otherwise defined as a dangerous weapon;
- prohibit the sale of firearm replicas unless they have a label warning consumers that use of the firearm replica to commit a crime is a felony;
- require the label to appear on the firearm replica or on the package;
- set civil penalties for people who fail to label the product.

\*\*Amendment would require the label to be printed in ink that strongly contrasts the background.

**Dogs, potentially dangerous—regulation**  
HF2430/SF1744 (Scheid, DFL- Brooklyn Park)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate dangerous or potentially dangerous dogs.

\*\*Delete-everything amendment would:

- define “dangerous dog” as any dog that has:
  - without provocation, inflicted substantial bodily harm on a human being on public or private property;
  - killed a domestic animal without provocation while off the owner’s property; or
  - been found to be potentially dangerous, and after the owner has notice that the dog is potentially dangerous, the dog aggressively bites, attacks, or endangers the safety of human or domestic animals;

- define “potentially dangerous dog” as any dog that:
  - when unprovoked inflicts bites on a human or domestic animal on public or private property;
  - when unprovoked chases or approaches a person upon the street, sidewalks, or any public property in an apparent attitude of attack; or
  - has a known propensity, tendency, or disposition to attack unprovoked, causing injury or otherwise threatening the safety of humans or domestic animals;

- require owners of dangerous dogs to register the dog with the county and directs the county to give the owner a certificate of registration if there’s a proper enclosure for the dog and the owner obtains a surety bond or liability insurance in the amount of \$50,000;

- allow the county to charge the owner an annual registration fee and provides that the fee is separate from dog licensing fees;

- exempt dangerous dogs used by law enforcement officials and other dogs from the act;

- provide that if an owner of a dangerous dog resides in a county that does not license dogs, the owner must obtain a certificate from the county auditor;

- require the owner of a dangerous dog to keep the dog in a proper enclosure or if outside the enclosure, the dog must be muzzled and restrained by a substantial chain or leash;

- authorize any statutory or home rule charter city or any county to regulate potentially dangerous dogs;

- require the county to immediately confiscate any dangerous dog that:
  - is not validly registered;
  - the owner does not secure the proper liability insurance or surety coverage;
  - is not properly enclosed or is outside the proper enclosure and not under physical restraint of a responsible person.

**Local governments—prompt payment for goods, services**  
HF2462/SF1888 (Rodosovich, DFL-Faribault)—recom-

mended to pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

Would extend the prompt payment law for goods and services to providers of medical and social services.

\*\*Delete-everything amendment would:

- define "vendor" as providers of goods and services to the state, day care and other services to children, day or residential services to people who are mentally ill, mentally retarded, chemically dependent, or in a nursing home; provide that a "vendor" also includes providers of services that are licensed or authorized under certain Minnesota Rules;
- set a 30-day deadline for the resolution of disputed obligations by municipalities.

## ECONOMIC DEVELOPMENT & HOUSING

Tuesday, March 15

**Economic development—grants, import reduction**  
HF2249/SF1990 (Otis, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would establish a grant program for Minnesota Main Street and create Celebrate Minnesota 1990 and Minnesota Marketplace.

\*\*Delete-everything amendment would:

- cap Minnesota Main Street grants at \$25,000 per project and require a local match of funds;
- specify that grants are to be used for cleanup, beautification, and community improvement;
- create the Celebrate Minnesota 1990 Advisory Committee and specify membership and duties;
- grant the committee authority to advise the commissioner of the Department of Trade and Economic Development about Minnesota Main Street grants;
- establish Minnesota Marketplace;
- specify that the program's purpose is to assist Minnesota businesses in identifying local businesses that may act as a supplier to the business instead of relying on suppliers outside of the state;
- specify the Department of Trade and Economic Development's responsibilities for all three programs.

\*\*Amendment would give the chairs of the Senate Finance Committee and the House Appropriations committee the authority to approve certain fund transfers to carry out the programs.

Thursday, March 17

**Energy policy task force—low-income persons**  
HF2667/SF2456 (Dawkins, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

Would create a legislative advisory task force on energy policy for low-income persons. Provisions would specify task force appointments and duties.

\*\*Amendments would assure minority party representation and change the legislative report date from Jan. 1, 1989 to Jan. 15, 1989.

## EDUCATION

Monday, March 14

**School milk substitutes—lactose intolerant children**  
HF1849/SF1882 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would direct a school district that provides free or reduced price milk to school children to make available on the same terms a milk substitute for lactose intolerant school children or all these children to select an alternative food item.

\*\*Delete-everything amendment would direct schools receiving school lunch aid to make lactose reduced milk available to a lactose intolerant pupil upon a written request from a parent. Provisions would permit districts to serve that milk from a large container.

**Special education—aversive, deprivation tactics**  
HF2078/SF1695 (Otis, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would provide for aversive and deprivation procedures in schools and set rules for usage.

\*\*Delete-everything amendment would:

- define aversive stimulus and an object used, or an event or situation that occurs after a specified behavior in order to suppress that behavior;

- define deprivation procedure as the planned delay or withdrawal of goods, services, or activities;
- preclude a school district from using an aversive or deprivation procedure for a handicapped child unless the procedure is an emergency or part of the child's individual education plan;
- direct the State Board of Education to adopt rules governing the use of aversive and deprivation procedures.

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**School District No. 710—revenue use**  
HF2317/SF1817 (Begich, DFL-Eveleth)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would allow School District No. 710 to use certain revenues in the bond redemption fund.

\*\*Amendment would clarify the use.

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**School consolidation—for noncontiguous districts**  
HF2554/SF2210 (Begich, DFL-Eveleth)—recommended to pass.(SF on Senate Floor)

Would allow noncontiguous school districts to consolidate.

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**Wednesday, March 16**

**K-12 Education Omnibus Bill**  
HF2245/SF2095 (K. Nelson, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would appropriate \$54,411,300 for the 1988-89 school year from the general fund for K-12 education.

\*\*Amendments would make technical changes.

(See bill summary under Education Finance Division/  
Education, March 14)

### Education Finance Division/EDUCATION

**Monday, March 14**

**K-12 Education Omnibus Bill**  
HF2245/SF2095 (Nelson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Education Committee)

Would appropriate \$54,411,300 for the 1988-89 school year from the general fund for K-12 education. Provisions would:

- raise the basic formula allowance from \$2,735 to \$2,785

for 1988-89 and \$2,820 for 1989-90;

- require that the general education mill rate for 1889-90 school year raise \$1,079,000,000;
- prevent an increase in the levy for 1988-89 school year due to the increase in formula allowance;
- increase the minimum allowance for the supplemental revenue from \$40 to \$90 per pupil unit so that, combined with the formula allowance increase, each district would be guaranteed a total increase of \$50 per pupil unit in the 1988-89 school year;

**Special programs—**

Would change or create certain educational programs. Some provisions would:

- establish a 17-member Indian education council and specify that the council make recommendations on educational structures, programs, governance and financing issues;
- increase the appropriation for 1989 American Indian postsecondary preparation grants;
- allow school boards to offer community service programs to promote citizenship through youth service;
- permit school boards to offer extended day programs for K-6 children;
- allow school boards to offer parental involvement programs focusing on children's learning development;
- allow schools boards that provide early childhood and family education programs to establish or contract for developmental programs for children ages 3-5 who need additional learning opportunities;
- set aid and/or levy requirements for community education, early childhood family education, developmental programs and appropriate money;
- appropriate money for the Governor's Scholars Program and GED on TV;

**Department of Education**

Would appropriate money for the Department of Education. Provisions would:

- fund specific programs, including emerging uses of technology, computer use by teachers, and educational effectiveness;
- direct the department to make recommendations about the

organization, financing, and formation of regional public library districts;

- permit any unexpended fund balance from the appropriation for technical assistance for the comprehensive arts planning program to carry forward into the second year of the biennium;
- direct the department to report on how school districts have allocated revenue for categorical programs;
- reimburse costs for teacher licensing in both years of the biennium;
- appropriate money for joint planning to study the impact of merging suburban school district resources to expand student educational opportunities;

#### **Other aids and levies**

Would change certain requirements and programs in K-12 education and extend aid for the changes. Provisions would:

- grant free public secondary school for two years or until graduation, whichever is less, to district residents age 21 or older who have not graduated from high school and who meet eligibility criteria;
- extend handicapped children's eligibility for instruction and services beyond 21 years of age if they meet eligibility criteria;
- direct the Department of Education to help districts develop and implement:
  - regional training programs;
  - AIDS prevention and risk reduction programs;
  - health and wellness programs;
  - suicide and stress reduction programs;
- set criteria for education district revenue, and health-related aid for school districts;
- fund the gifted and talented program for 1989;
- allow the Minneapolis, St. Paul, and Duluth school districts to levy for desegregation programs, and appropriate money for area desegregation programs;
- allocate money to the St. Paul school district for the Saturn school, a technology intensive school, and specify that all pupils in the state must have access to the school;

#### **Miscellaneous**

Would set guidelines for a variety of other school-related issues. Provisions would:

• specify procedures and requirements for selling permanent school fund lands;

• increase the compulsory attendance age from 16 to 18 effective with the 2000-01 school year;

• make a parent, guardian or other person enrolling a child in kindergarten to sign an education statement that emphasizes the new compulsory age;

• clarify and amend Open Enrollment Options requirements;

• adjust aid to schools for pupils who participate in the high school graduation incentives program;

• require school districts to establish personalized learning plans for teenage parents, specify who is involved in making the plans, and provide for transportation of that teen parent to and from their child's care-giver;

• regulate the State High School League by specifying membership on the league's governing board, mandating annual legislative audits and directing certain other league policies, including affirmative action, and comparable worth;

• alter the capital expenditure formula for school district facilities, create health and safety revenue, create equipment revenue, create a repair and betterment program, set guidelines, and authorize levies;

• establish a task force on school district reorganization;

• allocate \$12,000 to the Hutchinson School District in 1988 to pay for expenses related to participation in the national bicentennial competition.

\*\*Amendments would make technical changes.

## **ENVIRONMENT & NATURAL RESOURCES**

**Tuesday, March 15**

#### **Robbinsdale—surface water regulation**

HF1585/SF1427 (L. Carlson, DFL-Crystal)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

\*\*Delete-everything amendment would designate a basin of Twin Lake within the City of Robbinsdale as a separate basin, South Twin Lake.

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#### **Wild animals—restitution for illegal taking**

HF1843/SF1735 (Reding, DFL-Austin)—recommended to

pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

Would require courts to collect restitution from persons the court convicts of illegally killing or injuring wild animals.

(See bill summary in HWR, Vol. 4, No. 2, Pg. 2, Environment & Natural Resources, Feb. 16)

\*\*Amendment would make technical changes.

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#### **Fish, spearing—Indian reservations**

HF1973/SF2079 (Kinkel, DFL-Park Rapids)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate fish spearing on lakes within Indian reservations.

\*\*Delete-everything amendment would:

- permit the commissioner of natural resources to designate certain waters as muskellunge waters after preparing a statement of need and reasonableness, in addition to holding a public meeting;
- require the commissioner, when designating a muskellunge water on lakes wholly or partially within an Indian reservation, to allow at least 45 days of spearing; would allow the commissioner to restrict spearing hours from one hour past sunrise to one hour prior to sunset;
- prohibit the commissioner from issuing a fishing or spearing license for three years after a court convicts a person of violating the above provision;
- make the provision allowing a 45-day spearing season on Indian reservation lakes retroactive to Nov. 18, 1987.

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#### **Burning—controlled program**

HF2075/SF1678 (Neuenschwander, DFL-Int'l Falls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.(SF in Senate Finance Committee)

\*\*Delete-everything amendment would establish a controlled burning program on public and private land to propagate wildlife requiring new vegetative growth and brush habitats, prairie management, and to reduce the wildfire hazard; would prohibit anyone from conducting a controlled burn without a permit; would allow the commissioner of natural resources to provide financial and technical assistance to those who wish to conduct controlled burns which the commissioner approves.

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#### **Hill-Annex Mine—state park proposal**

HF2179/SF1735 (Solberg, DFL-Bovey)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

\*\*Delete-everything amendment would add Hill-Annex Mine State Park to the state park system; would specify acquisition terms and conditions; would appropriate \$430,000 to the commissioner of natural resources for operating expenses and land acquisition.

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#### **Air pollution—PCA notification requirement**

HF2527/SF2165 (Ozment, IR-Rosemount)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would require people who control emission sources to notify the Pollution Control Agency of and take steps to avoid air pollution; would provide certain exemptions.

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#### **Thursday, March 17**

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#### **Commercial aircraft modernization—resolution**

HF681/SF974 (Skoglund, DFL-Mpls)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

Would memorialize the President, Congress, and the Federal Aviation Administration to accelerate the modernization of commercial aircraft fleets operating in and to the United States by requiring the use of quieter, Stage 3 aircraft.

\*\*Amendment would make a technical change.

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#### **Bear baiting—prohibitions**

HF1719/SF1561 (D. Carlson, IR-Sandstone)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would prohibit hunters from using certain meat in baiting bears.

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#### **Turkey hunting—minimum age**

HF1830/SF1573 (Reding, DFL-Austin)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would remove an age minimum from the law governing issuance of turkey licenses.

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#### **Jay Cooke State Park—land addition**

HF1900/SF1717 (Ogren, DFL-Aitkin)—recommended to

pass. (SF on Senate Floor)

Would add certain land to Jay Cooke State Park in Carlton County.

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**Rainy River—fishing season**

HF2577/SF1689 (Neuenschwander, DFL-Int'l Falls)—referred to subcommittee. (SF on Senate Floor)

Would repeal the closing date for fishing season on the Rainy River.

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**Big Fork—land conveyance**

HF2585/SF2090 (Neuenschwander, DFL-Int'l Falls)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

\*\*Delete-everything amendment would authorize the commissioner of natural resources to convey certain property in Itasca County to the City of Bigfork.

**FINANCIAL INSTITUTIONS & INSURANCE**

**Thursday, March 10**

**Insurance—consumer's board**

HF 2308 (Quinn, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee.

Would establish an independent insurance consumers' board to convey insurance information to consumers: Provisions would:

- identify persons eligible to serve on the board, the terms of their memberships, duties, and powers;

- define the areas of board interest.

\*\*Amendments would:

- make technical language changes;

- require a 50-cent surcharge on each insurance policy sold whose total premium is \$200 or more.

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**Tuesday, March 15**

**Child health services—nondeductible**

HF1932/SF1681 (Riveness, DFL-Bloomington)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would prohibit certain health insurance policies from being issued, renewed, continued or delivered in Minnesota unless the policy specifically exempts child health supervision services and prenatal care services from a deductible, copayment, or other requirement of coinsurance. Provisions would:

- define "child health supervision services" as pediatric preventive services, immunizations, developmental assessments, and laboratory services appropriate to the age of the child;

- define "prenatal care services" as ambulatory care services as provided by a physician or nurse midwife for a pregnant woman before the birth of her baby.

\*\*Amendment would make technical language change.

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**State banks—securities deregulation**

HF2609/SF2057 (Otis, DFL-Mpls)—not recommended to pass. (SF on Senate Floor)

Would have allowed state banks and subsidiaries to engage in securities activities, with prior approval of the commissioner of commerce, including but not limited to: issuing, underwriting, selling or distributing stocks, bonds or other securities; would allow state banks to organize, sponsor or operate one or more mutual funds and act as a securities broker dealer.

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**Wednesday, March 16**

**Interstate banking—Michigan**

HF124 (Skoglund, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would include for interstate banking the state of Michigan.

\*\*Delete-everything amendment would:

- include Idaho, Montana, Nebraska, Washington and Wyoming among reciprocating states able to own and operate banks in Minnesota;

- require the commissioner of commerce to establish the level of local developmental loan performance (such as loans to depressed areas) by financial institutions that are operating in this state but owned by financial institutions in other states;

- require that subsidiaries of out-of-state banks operating in Minnesota be required to provide the commissioner of commerce with an annual report bearing the same information required of a Minnesota bank; moreover, should the

subsidiary fail to provide this information, it's holding company must supply the information;

- impose penalties for violations.

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**Bank assets—charitable trusts**

HF445/SF1086 (Krueger, DFL-Staples)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would provide that a charitable trust may dispose of certain bank assets or stock that it owns to a bank holding company, bank, or other entity without regard to whether the bank receiving the trust-assets is located in a reciprocating state.

\*\*Amendment would prohibit banks that are not reciprocating state bank holding companies from acquiring, directly or indirectly, a Minnesota bank until they first become reciprocating bank holding company as recognized by Minnesota law; otherwise, non-reciprocating banks could establish de novo branches or detached facilities.

**GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING**

**Thursday, March 17**

**Congressional campaign financing—limits**

HF1607/SF1382 (Quinn, DFL-Coon Rapids)—heard; laid over. (SF in Senate Taxes & Tax Laws Committee)

Would limit campaign expenditures by congressional candidates who choose to receive a public subsidy for their campaigns.

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**State veterans' cemeteries**

HF2362/SF2092 (Wenzel, DFL-Little Falls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would provide for state veterans' cemeteries; require land donated to state for use as veterans' cemetery in Morrison County to be returned to donors if not used as veterans' cemetery.

\*\*Amendment would appropriate \$15,000 from the general fund to the commissioner of veterans affairs to study the anticipated cost of site development and ongoing operational cost of an additional state veterans' cemetery.

**GOVERNMENTAL OPERATIONS**

**Tuesday, March 15**

**Legislators—terms of office**

HF877/SF762 (Simoneau, DFL-Fridley)—amended\*\*; laid over. (SF in Senate Rules & Administration Committee)

Would amend the Minnesota Constitution to provide for a Senate with six-year terms and a House of Representatives with staggered four-year terms.

\*\*Amendment would provide staggered terms for senators.

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**Public employees—deferred compensation**

HF2654/SF2413 (Simoneau, DFL-Fridley)—amended\*\*; laid over. (SF on Senate Floor)

Would authorize employer deferred compensation plan contributions in certain instances.

\*\*Amendment would add technical language to authorize an employer contribution to deferred compensation plans.

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**Wednesday, March 16**

**MSRS—prior service credit authorization**

HF2378/SF2164 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would authorize certain Metropolitan Sports Facilities Commission employees to purchase prior service credit in the Minnesota State Retirement System (MSRS).

\*\*Amendment would authorize a certain employee of the Fond du Lac Indian Reservation to purchase prior service credit in MSRS.

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**Cook County—land exchange, sale**

HF2489/SF2216 (Battaglia, DFL-Two Harbors)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

Would authorize the exchange of certain state lands in the Boundary Waters Canoe Area Wilderness in Cook County free from reservations of public travel under certain conditions.

\*\*Amendment would authorize the commissioner of natural resources to sell certain land in Cook County.

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**St. Louis County—private sales, tax-forfeited land**

HF2551/SF2215 (Battaglia, DFL-Two Harbors)—recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

Would allow the commissioner of revenue to sell certain tax-forfeited land in St. Louis County.

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**Public employees—deferred compensation**

HF2654/SF2413 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would authorize employer deferred compensation plan contributions in certain instances.

\*\*Amendment would add technical language to authorize an employer contribution to deferred compensation plans, and allow an employee to defer up to \$2,000 a year.

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Thursday, March 17

**Legislators—terms of office**

HF877/SF762 (Simoneau, DFL-Fridley)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee. (SF in Senate Rules & Administration Committee)

Would amend the Minnesota Constitution to provide for a Senate with six-year terms and a House of Representatives with staggered four-year terms.

\*\*Amendment would provide staggered terms for senators.

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**Economic development—grants, import reduction**

HF2249/SF1990 (Otis, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would establish a grant program for Minnesota Main Street and create Celebrate Minnesota 1990 and Minnesota Marketplace.

(See bill summary under Economic Development & Housing, March 15)

\*\*Amendment would make a technical change.

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**Pine County—tax-forfeited land sale**

HF2502/SF2292 (D. Carlson, IR-Sandstone)—recommended to pass. (SF on Senate Floor)

Would allow Pine County to sell certain tax-forfeited land.

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**Public defenders—state employment**

HF2597/SF2451 (Solberg, DFL-Bovey)—recommended to pass. (SF on Senate Floor)

Would clarify that a public defender the State Board of Public Defense appoints is an employee of the state.

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**Pine County—land sale, Travel America**

HF2638/SF2368 (D. Carlson, IR-Sandstone)—recommended to pass; rereferred to Appropriations Committee. (SF on Senate Floor)

Would allow Pine County to sell certain tax-forfeited land to Travel America to use as an environmental learning center site.

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**Amateur Sports Commission—amendments**

HF2691/SF2465 (Voss, DFL-Blaine)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would amend the authority of the Minnesota Amateur Sports Commission (ASC). Provisions would:

- exempt ASC procedural rules from the Administrative Procedures Act;

- allow ASC to establish fees without going through the process that state agencies must follow to establish fees;

- permit ASC to establish nonprofit corporations and charitable foundations;

- provide a standing appropriation of certain tax receipts to ASC;

- amend the 1987 appropriation to ASC to refer to the sports and health club sales tax revenue fund (formerly the special revenue fund), and to broaden the purpose for which ASC can spend the appropriation;

- provide that funds the Legislature appropriates to the commissioner of trade and economic development to implement the Celebrate 1990 program must be appropriated from the sports and health club sales tax fund.

\*\*Amendments would:

- remove a provision that would exempt ASC rules from the Administrative Procedures Act;

- allow other state offices, agencies, or boards that own or operate a sport facility that the sport's national governing body designates as an official training center, to establish nonprofit corporations and charitable foundations.

## HEALTH & HUMAN SERVICES

Thursday, March 10

### Child care—sliding fee program expansion

HF1634/SF1508 (Blatz, IR-Bloomington)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Health & Human Services Committee)

\*\*Delete-everything amendment would expand the eligibility for child care sliding fee program. Provisions would:

- create a child care providers assistance office in the Department of Human Services and would outline requirements;
- require commissioner of human services to provide rental space in the capitol complex for a private child care center for children of state employees;
- change child care sliding fee program to require that child care be available to families whose household income is below 125 percent of the federal poverty level or families headed by a parent under age 21 who is completing requirements for a high school diploma or G.E.D. and whose family income is less than 270 percent of the poverty level, without regard to the income of the parents or siblings of the minor parent;
- allow and specify tax credits for day care providers and facilities;
- allow tax credit to employers who subsidize day care costs of their employees;
- require commissioner of human services to study funding sources for child care services;
- appropriate \$100,000 for grants, \$3,140,000 for child care sliding fee program, and \$100,000 for the child care provider office; outline projected revenues and collections.

### Anti-smoking—regulation

HF1920/SF2209 (Kahn, DFL-Mpls)—not recommended to pass. (SF in Senate Health & Human Services Committee)

Would require the elimination of designated smoking areas in certain places, instances; would establish policy to protect nonsmoker's right to a smoke-free environment.

### Prisoners—medical care

HF1947/SF1853 (Murphy, DFL-Hermantown)—recommended to pass as amended\*\*; rereferred to Appropriations

Committee. (SF in Senate Health & Human Services Committee)

Would make certain prisoners eligible for general assistance medical care benefits.

\*\*Amendment would prohibit law enforcement officer from removing identification from the possession of a disabled person unless the removal is necessary to protect the safety of the disabled person.

### ICF/MR—moratorium exceptions

HF2222/SF2138 (A. Johnson, DFL-Spring Lake Park)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would provide exceptions to the moratorium on beds in intermediate care facilities for persons with mental retardation or related conditions. Provisions would:

- change the moratorium from 7,500 beds to 7,000 beds;
- define moratorium exceptions, define terms.

### Nursing home beds—moratorium exceptions

HF2242/SF1918 (Trimble, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee. (SF on Senate Floor)

Would modify the moratorium exception for nursing home beds to allow beds to be moved from a separate nursing home to a building formerly used as a hospital.

### Foster care—provider insurance

HF2275/SF2158 (Jefferson, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would extend foster care insurance to providers of adult foster care; and appropriate \$50,000 to the commissioner of human services to implement the program.

Tuesday, March 15

### Battered American Indian women—shelter

HF1778/SF1625 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; re-referred to Appropriations Committee. (SF in Senate Finance Committee)

\*\*Delete-everything amendment would establish a shelter for battered American women.

**Hearing aids—regulation, consumer rights**  
HF2271/SF2261 (Rodosovich, DFL-Faribault)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee. (SF in Senate Finance Committee)

\*\*Delete-everything amendment would regulate the sale of hearing aids; regulate persons who dispense hearing aids; prescribe penalties; establish 30-day guarantee and buyers rights guarantees.

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**Indian health facilities—rate exemptions, changes**  
HF2415/SF1970 (Dauner, DFL-Hawley)—recommended to pass. (SF on Senate Floor)

Would exempt Indian health service facilities from rate establishment; require rate establishment for out-of-state hospitals; and make changes to the procedures for setting inpatient hospital rates reimbursed through the medical assistance and general assistance medical care program.

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**Vocational rehabilitation—program, location choice**  
HF2620/SF2243 (Dorn, DFL-Mankato)—recommended to pass. (SF on Senate Floor)

Would provide employment program rights to person with disabilities and allow disabled person to choose location of extended employment program.

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**Thursday, March 17**

**Board of Medical Examiners—review, disciplinary action**  
HF1890/SF1904 (Greenfield, DFL-Mpls)—heard, laid over. (SF on Senate Floor)

Would require review organization to produce certain information in response to a subpoena from the Board of Medical Examiners; would permit the Board to exempt disciplinary actions from publication; and expand grounds for disciplinary action.

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**Jobs, training—information system**  
HF2343 (Kahn, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would provide for an inventory, referral and intake system for jobs and training and income maintenance services.

\*\*Amendment would clarify language, make technical changes.

**Handicapped children—county plan for early intervention**  
HF2370/SF2206 (Vellenga, DFL-St. Paul)—recommended to pass. (SF on Senate Floor)

Would require county community social service plans to address the county's responsibility to establish a system of early intervention services for handicapped children.

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**Adult protection teams—establishment**  
HF2486/SF2203 (Blatz, IR-Bloomington)—recommended to pass as amended\*\*. (SF on Senate Floor)

\*\*Delete-everything amendment would authorize a county to establish an adult protection team; define duties and responsibilities of team.

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**Public assistance programs—state takeover**  
HF2685/SF2463 (Greenfield, DFL-Mpls)—rereferred to Appropriations Committee. (SF in Senate Taxes & Tax Laws Committee)

Would establish a compliance system for certain public assistance programs should legislation be enacted providing county property tax relief through increases in state funding of income maintenance programs.

## HIGHER EDUCATION

**Wednesday, March 16**

**Library chamber—Warren E. Burger dedication**  
HF1960/SF1942 (Vellenga, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Education Committee)

Would dedicate the Warren E. Burger Library chamber to the citizens of Minnesota; and appropriate \$846,000 from the general fund to the Board of Trustees of William Mitchell College of Law for construction of the chamber.

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**Higher education—appropriations**  
HF2625/SF2169 (Jaros, DFL-Duluth)—advisory consideration. (SF in Senate Education Committee)

Would appropriate money to the Higher Education Coordinating Board, University of Minnesota, and State Board of Vocational Technical Education.

## JUDICIARY

Tuesday, March 15

### Burn injuries—reports

HF90/SF30\* (Haukoos, IR-Albert Lea)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would require health professionals to report certain burn injuries.

### DWI, BWI—chemical compounds

HF408/SF321\* (Jacobs, DFL-Coon Rapids)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would expand the crimes of driving a motor vehicle or a motorboat while under the influence of alcohol or certain substances.

### Criminal sexual conduct—fifth degree

HF1070/SF1018\* (Rest, DFL-New Hope)—recommended to pass as amended.\*\*

Would create a new crime of fifth-degree criminal sexual conduct that would make it a felony to engage in nonconsensual sexual contact.

\*\*Amendment would change the penalty provision to permit a sentence of one year in prison and/or up to a \$3,000 fine, and change the bill's effective date to Aug. 1, 1988.

### Mine pits, shafts—fencing requirements

HF1082/SF1328 (Begich, DFL-Eveleth)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would alter certain requirements concerning fencing of unused mine pits and shafts; would modify certain public and private liability laws.

\*\*Amendments would:

- allow a county board, if the county mine inspector so requests, to appropriate money to the county mine inspector to pay for erecting and maintaining certain fences, barriers, or signs;
- remove a provision that would appoint a commission to study and make recommendations regarding the scope of state and municipal tort liability.

### Future damages—computation

HF1493/SF1675 (Dempsey, IR-New Ulm)—recommended

to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would delete the minimum percentage amount for interest on judgments; would alter the application of joint and several liability; and would provide for payment of future damages.

### Marital assets—marriage dissolution

HF1672/SF462\* (Kludt, DFL-Moorhead)—recommended to pass as amended.\*\*

Would provide a date for valuing marital assets in cases of marriage dissolution; would provide for partial distribution of marital assets; would require parties to file a statement of assets and liabilities; and would provide that parties owe each other a fiduciary duty with respect to marital assets.

\*\*Amendment would provide an effective date of Aug. 1, 1988.

### Computer information—unauthorized use

HF1685/SF1553 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would prohibit unauthorized computer access; would prohibit selling protected data; would make these new computer crimes subject to the criminal forfeiture law; and would provide penalties.

### Child abuse—emotional harm element

HF1792/SF1643\* (Kelly, DFL-St. Paul)—recommended to pass. (SF Senate passed)

Would eliminate the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child.

### Minnesota Statutes—revisor's corrections

HF1839/SF1645 (Rest, DFL-New Hope)—recommended to pass. (SF on Senate Floor)

Would correct erroneous, ambiguous, omitted, and obsolete references and text in *Minnesota Statutes*; would eliminate certain redundant, conflicting, and superseded provisions; would provide instructions to the revisor; would make miscellaneous corrections to statutes and other laws; would amend and re-enact statutes.

### Minnesota Statutes—revisor's changes

HF1852/SF1644 (Rest, DFL-New Hope)—recommended to pass as amended.\*\* (SF passed Senate)

Would revise the test of certain laws in *Minnesota Statutes* to remove redundant and obsolete language, simplify grammar and syntax, and improve the style of language without causing changes in the meaning of the laws.

\*\*Amendment would make technical changes.

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**Child support, maintenance—enforcement**

HF1896/SF1582 (Jennings, DFL-Rush City)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would provide for child support enforcement in marriage dissolution cases; and specify conditions for judgment by operation of law.

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**Child abuse—false allegations**

HF1956/SF1871 (Blatz, IR-Bloomington)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would require a court to consider evidence of falsely reported child abuse in determining the best interests of a child.

\*\*Amendment would provide a misdemeanor penalty for anyone who is a party to a custody proceeding under marriage dissolution, child custody, or domestic abuse laws, who alleges to another person that another party to the custody proceeding has committed sexual abuse, physical abuse, or neglect of a child, knowing that the allegation is false or having no reason to believe that the alleged abuse or neglect has occurred, and intends that the allegation influence the custody proceeding.

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**Judgment documents—filing satisfaction**

HF2000/SF1741 (Shaver, IR-Wayzata)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

Would require a judgment creditor to file satisfaction of judgment documents with the court administrator.

\*\*Amendment would make a technical change.

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**Animals—unauthorized release**

HF2057/SF1879 (Bertram, DFL-Paynesville)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would provide a misdemeanor penalty for anyone who intentionally and without permission, releases an animal lawfully confined for science, research, commerce, or education; would make that person liable to the animal's owner for damages and costs of

restoring the animal to confinement.

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**Parental rights deprivation laws—changes**

HF2059/SF1820 (Pappas, DFL-St. Paul)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF on Senate Floor)

\*\*Delete-everything amendment would propose changes to the crime of depriving another of parental rights ("parental abduction" crime). Provisions would:

- clarify that the defenses in the law are affirmative defenses that the defendant must prove by a preponderance of the evidence;

- provide that where the child was taken in order to protect the child or the actor from physical or sexual assault, or, in the case of the child, substantial emotional harm, a defense is available if the actor reasonably believed the action was necessary.

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**Firearms—publicly owned property**

HF2128/SF1868\* (Vellenga, DFL-St. Paul)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would allow the University of Minnesota, a state university, a community college, or a political subdivision to regulate the possession of firearms on publicly owned property; would clarify that dealers and manufacturers must report manufacturer names and model numbers of machine guns and certain shotguns to the Bureau of Criminal Apprehension.

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**Abused children—intermediaries**

HF2148/SF2266 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would provide for the training of child protection workers; and would provide a pilot program for child intermediaries in child abuse situations.

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**Student athletes—representation contracts regulation**

HF2167/SF1830\* (Seaberg, IR-Eagan)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate sports agents who seek to represent collegiate athletes.

\*\*Delete-everything amendment would:

- impose a felony penalty on athletic agents who induce

collegiate student athletes to enter into an agent contract or a professional sports services contract before the student athlete's eligibility for collegiate athletics expires; would provide a penalty of up to two years in prison and/or a maximum fine of \$100,000, or three times the amount of the inducement, whichever is greater;

- impose a gross misdemeanor penalty on athletic agents who enter into an agreement under which they offer anything of value to an employee of an institution of higher education if the employee refers a student athlete to the agent as a client; would provide a penalty of up to one year in prison and/or a maximum fine of \$100,000, or three times the value of the agreement, whichever is greater.

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#### **Firearms, replicas—warning labels**

HF2205/SF2114 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended\*\*; rereferred to Commerce Committee. (SF on Senate Floor)

Would prohibit the sale of "replica firearms" in the regular course of business unless the replica firearm or its package bears a warning label clearly visible to the buyer; would define "replica firearm" as a device or object made of plastic, wood, metal, or other material, that is a facsimile or toy version of, or is otherwise recognizable as a firearm.

\*\*Amendment would make technical language changes.

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#### **Firearms, replicas—criminal use**

HF2206/SF2107 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would expand the crimes of aggravated robbery and first degree burglary to include robberies and burglaries committed by a person who is armed with any article used or fashioned in a manner to lead the victim to reasonably believe it to be a dangerous weapon; would amend the crime of "terroristic threats" to make it a felony to display, exhibit, brandish, or otherwise employ a "replica firearm" in a threatening manner if the actor: causes or attempts to cause terror in another person; or acts in reckless disregard of the risk of causing terror in another person.

\*\*Amendment would make technical language changes.

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#### **Careless driving—speeding law violations**

HF2241/SF1761 (Pappas, DFL-St. Paul)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would provide that anyone who operates a vehicle at a speed of 85 mph or more, or 30 mph or more over the lawful posted limit, is guilty of a misdemeanor.

\*\*Amendment would remove a provision that would require a law enforcement officer who charges a person with violating speeding laws to specify the actual speed on the uniform traffic ticket; would prohibit prosecutors from reducing the charged speed below the speed specified on the ticket, with certain exceptions.

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#### **Burglary laws—changes**

HF2289/SF1835 (Carruthers, DFL-Brooklyn Center)—recommended to pass. (SF on Senate Floor)

Would change burglary laws. Provisions would:

- expand the crimes of:
  - burglary, to include situations where a perpetrator enters a building without consent and commits a crime while in the building, whether or not the perpetrator intended to commit a crime when he/she entered the building;
  - burglary in the first degree, to include situations where the perpetrator assaults a person on a building's appurtenant property;
  - felony possession of burglary tools, to include possessing devices, explosives, or other instrumentalities that are used or intended to be used to commit theft.

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#### **Probate—sentimental property**

HF2310/SF896\* (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended\*\*; placed on Consent Calendar.

Would provide for the award of sentimental property to the decedent's children. Provisions would:

- provide that the children's right to receive sentimental property is available to children of a prior marriage who are successors under the will, if the decedent had a will;
- define property with "sentimental value" as property which obtains its significance from the child's relationship with either the decedent or the decedent's prior spouse who is the child's parent;
- specify certain types of property which isn't eligible for award under these provisions;
- require a spouse who is selecting his/her personal property to send a written list of that property to every eligible child, unless he/she has already made an award of sentimental property;
- allow an eligible child to petition a court to award sentimental property.

\*\*Amendment would change the bill's effective date to Aug. 1, 1988.

**Pension benefits—marriage dissolution**

HF2381/SF1652 (Kludt, DFL-Moorhead)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would allow each Minnesota court that has jurisdiction to decide marriage dissolution matters to appoint a qualified person experienced in valuing pension benefits and rights to function as an expert witness in valuing pension benefits or rights.

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**Volunteers, state, local government—liability**

HF2407/SF2426 (Cooper, DFL-Bird Island)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would provide immunity from civil liability for volunteers serving the state and local governments; would provide that employees and officers of the World Trade Center Board and Greater Minnesota Corporation are state employees for purposes of immunity; would provide that officers and directors of public corporations are immune from liability under standards for nonprofit corporations; would clarify immunity from civil liability for certain athletic officials.

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**Asbestos usage—statute of limitations**

HF2451/SF2335 (Carruthers, DFL-Brooklyn Center)—recommended to pass. (SF in Senate Judiciary Committee)

Would amend the 1987 act on the limitation period for actions involving asbestos to remove the restriction that the statute applies only to actions against asbestos manufacturers and suppliers.

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**Adult Health Care Decisions Act**

HF2517/SF1816 (Quist, IR-St. Peter)—recommended to pass. (SF on Senate Floor)

Would provide for adult health care decisions. Provisions would:

- permit a competent adult to make a declaration of preferences or instructions regarding health care, such as consenting to or refusing any health care, treatment, service, procedure, or placement, and designating a proxy to make health care decisions on the declarant's behalf;

- make a declaration effective if:

- the declarant, and two witnesses or a notary public, sign the document; would permit the declarant to make an oral declaration if he/she is unable to sign the document;
- a physician or other health care provider makes a written notation in the declarant's medical record that the declarant and the provider discussed the declaration, the provider believes the declarant made the declaration voluntarily, and

the declarant reasonable understands its meaning and consequences;

- make a declaration operative when it's delivered to the declarant's physician or other health care provider;

- require a physician or other health care provider to make the declaration part of the declarant's medical record; would require the physician, if unwilling at any time to comply with the with the declaration, to promptly notify the declarant and document the notification in the declarant's medical record;

- require a physician or other health care provider that receives a declaration to make reasonable efforts to:
  - ensure that other health care providers who provide health care to the declarant will honor the declaration;
  - identify and deliver the declaration to the individual providers and facilitate the declarant's discussion with individuals with whom an agreement to comply with the declaration is required;

- allow the declarant to revoke a declaration in whole or in part at any time and in any manner, without regard to the declarant's physical or mental condition; would make a revocation effective when the declarant communicates it to the attending physician or other health care provider;

- provide that a physician or other health care provider isn't criminally or civilly liable for acts or omissions related to a health care decision he/she makes within the limits of reasonable medical practice and other applicable law and that he/she believed the declaration authorized;

- provide a misdemeanor penalty for anyone who:
  - willfully conceals, cancels, defaces, or obliterates another person's declaration without the declarant's consent, or who falsifies or forges a revocation of another person's declaration;
  - falsifies or forges another person's declaration, or willfully conceals or withholds personal knowledge or a revocation;
  - coerces or fraudulently induces another person to execute a declaration;
  - requires or prohibits executing a declaration as a condition for being insured for, or receiving, health care services;

- provide that the making or effectuation of a declaration under these provisions doesn't affect the sale, procurement, issuance, or validity of a life insurance or annuity policy, nor does it affect, impair, or modify the terms of an existing life insurance or annuity policy or the liability of the party issuing the policy or annuity contract;

- require physicians or other health care providers to observe reasonable medical practice in any decision to administer, withhold, or withdraw medical treatment necessary to keep any adult patient alive, whether or not the patient has executed a declaration.

**Constitutional amendment—six-member juries**  
HF2518/SF2321 (Kelly, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee.  
(SF in Senate Rules & Administration Committee)

\*\*Delete-everything amendment would propose to amend the Minnesota Constitution to provide for six-member juries in civil and nonfelony cases.

**Wiretap law—update**  
HF2594/SF2402 (Carruthers, DFL-Brooklyn Center)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would update the wiretap law to conform to modern electronic communication technologies; would provide procedures to intercept wire, electronic, or oral communication; would regulate use of pen registers and trap and trace devices; would prescribe penalties.

### Crime & Family Law Division/JUDICIARY

**Monday, March 14**

**Burn injuries—reports**  
HF90/SF30 (Haukoos, IR-Albert Lea)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would require health professionals to report certain burn injuries.

**DWI, BWI—chemical compounds**  
HF408/SF321\* (Jacobs, DFL-Coon Rapids)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would expand the crimes of driving a motor vehicle or a motorboat while under the influence of alcohol or certain substances.

**Firearms—publicly owned property**  
HF2128/SF1868 (Vellenga, DFL-St. Paul)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would allow the University of Minnesota, a state university, a community college, or a political subdivision to regulate the possession of firearms on publicly owned property; would clarify that dealers and manufacturers must report manufacturer names and model numbers of machine guns and certain shotguns to the Bureau of Criminal Apprehension.

**Student athletes—representation contracts regulation**  
HF2167/SF1830 (Seaberg, IR-Eagan)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would:

- impose a felony penalty on athletic agents who induce collegiate student athletes to enter into an agent contract or a professional sports services contract before the student athlete's eligibility for collegiate athletics expires; would provide a penalty of up to two years in prison and/or a maximum fine of \$100,000, or three times the amount of the inducement, whichever is greater;

- impose a gross misdemeanor penalty on athletic agents who enter into an agreement under which they offer anything of value to an employee of an institution of higher education if the employee refers a student athlete to the agent as a client; would provide a penalty of up to one year in prison and/or a maximum fine of \$100,000, or three times the value of the agreement, whichever is greater.

**Tuesday, March 15**

**Tax laws—technical changes**  
HF2096/SF2161 (Voss, DFL-Blaine)—advisory consideration. (SF in Senate Taxes & Tax Laws Committee)

Would make technical corrections and administrative changes to cigarette taxes and sales, liquor taxes, pull-tab taxes, sales and use taxes, insurance premiums tax, deed tax, telegraph gross earnings tax, and controlled substances tax.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 46, Crime & Family Law Division/Judiciary, March 8)

### LABOR-MANAGEMENT RELATIONS

**Thursday, March 10**

**Employment—temporary assignment completion notice**  
HF1902/SF1775 (Riveness, DFL-Bloomington)—heard; laid over. (SF in Senate Employment Committee)

Would provide that an employee of a temporary employment service will be ineligible for unemployment benefits if the employee fails to notify the service within 72 hours of the end of the job assignment (or until 4 p.m. Wednesday for a job ending on Friday), provided that the contract with the employment service clearly warns the employee of the consequences of the failure to notify. The period of ineligibility would continue until the employee notifies the service.

**Workers' compensation law—recodification**  
HF2181/SF1733 (Beard, DFL-Cottage Grove)—recom-

mended to pass. (SF on Senate Floor)

Would direct the Revisor of Statutes to recodify the workers' compensation law and report to the Legislature by Jan. 15, 1989, on the progress of the recodification. Provisions would:

- provide that the recodification must not make any substantive changes but shall provide a comprehensive, accurate, and complete restatement;
- allow each state department and legislative staff to assist in the recodification upon request of the revisor;
- require the revisor to draft legislation to implement its recommendation for recodification by Jan. 15, 1990.

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**Workers' comp rehabilitation plans—monitoring**  
HF2579/SF2032 (Beard, DFL-Cottage Grove)—recommended to pass. (SF in Senate Committee)

Would require the Department of Labor and Industry to hold a rehabilitation conference to review the status of the worker's compensation rehabilitation plan, 90 days after the plan is approved or after \$2,000 in charges have been spent. Would allow telephone conferences.

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**Workers' comp admin. hearings—state attorney representation**

HF2581/SF2031 (Beard, DFL-Cottage Grove)—recommended to pass as amended.\*\* (SF in Senate Committee)  
Would require the department, on request of an employee, to provide an attorney to represent the employee in a rehabilitation, medical, or discontinuance conference.

\*\*Amendment would make technical change.

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**Minimum wage—federal conformity**  
HF2700/SF2511 (Begich, DFL-Eveleth)—recommended to pass. (SF in Senate Committee)

Would provide that the minimum wage for adult employees in Minnesota will equal either the state minimum wage or the federal minimum wage, under the federal Fair Labor Standards Act, whichever is greater. Would also provide that the minimum wage for employees under the age of 18 equals 90 percent of whatever rate is in effect for adults.

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**Workers' compensation—self-insurer regulation**  
HF2688/SF2473 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Committee)

Would establish a worker's compensation self-insurer

guaranty fund.

\*\*Delete-everything amendment would:

- establish a self-insurer security fund with deposits covering 110 percent of each private self-insurer's estimated future liability;
- establish procedures for applications for self-insurance, notices, discharges, resolution of disputes, insolvencies, third-party administration, revocation, and penalties;
- establish a self-insurers' eligibility advisory committee that would review each application for self-insurance and advise the commissioner on whether the employer meets the requirement of self-insurance;
- require annual security deposits either by the renewal or new deposits to secure incurred liability for the prior year;
- establish a security fund by July 1, or 90 days after the effective date of the act, to pay benefits to employees of self-insureds who have become bankrupt or insolvent;
- make the security fund a nonprofit corporation, with all self-insured members; provide for a board of trustees, with representation of self-insureds and group self-insured; provide that bylaws and a plan of operation, which must be approved by the commissioner, must be adopted; permit the fund to receive private financial information from members;
- permit the fund to obtain reimbursement from the insolvent self-insurer; provide payment of the security deposit to the fund and provide legal remedies that the fund may use; provide for fund audit;
- permit the commissioner to establish rules to carry out the act.

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Thursday, March 17

**Workers' comp—administrative duties, injury reports**  
HF2504/SF2142 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would reassign certain administrative duties and regulate the reporting of injuries and benefit benefits. Provisions would:

- eliminate the need to get the consent of the injured employee before the commissioner of jobs and training may release information related to a worker's injury;
- require the commissioner to release the information in seven days rather than 10 days;
- provide that impairment compensation will be paid to an

eligible employee who dies prior to the end of the 90-day period following maximum medical improvement (MMI). Currently impairment compensation is paid if the employee dies before reaching MMI;

- change the composition of the rehabilitation review panel to include one employer member, one insurer member, and one medicine member, two labor and rehabilitation vendor members, and six qualified rehabilitation consultants;
- require all qualified rehabilitation consultants, not just those appointed by the employer or insurer, to disclose in writing any ownership interest or affiliation between the qualified rehabilitation consultant and the employer or insurer or any adjusting company;
- increase the penalty from \$100 to \$1,000 per violation for any medical provider that violates the worker's compensation law;
- allow the division of rehabilitation services to provide services to employees who claim entitlement to such services but the employer fails to furnish or pay for the services; provide for full reimbursement from the insurer;
- require any aggrieved party to submit hearing requests on a prescribed form and require the commissioner to refer hearing requests to the office of administrative hearings within 10 calendar days;
- change dependent benefits so that once a dependent child is no longer dependent, the surviving spouse received weekly benefits equal to 50 percent of the employee's weekly wage, paid for 10 years; provide the same weekly benefits for a surviving spouse and two or more dependent children;
- remove language that provides reimbursement to the employee for the cost of obtaining medical records;
- prohibit payment for excessive treatment and services;
- require the employer to advance anticipated travel expenses if an employee is required to travel to an examination by the employer's physician;
- limit reimbursement to health insurers who pay benefits pending a workers' compensation claim, to only reasonable and necessary charges; require health insurer to collect any excess charges directly from the health care provider;
- provide that an employer who pays the employee full wages must meet the same notification requirements as in all other cases and that failure to do so results in the same penalties; require the employer to adjust payroll records within 30 days of the liability determination;
- specify the grounds for penalties based on untimely

payment;

- make any data that's collected or maintained by the department private data, not subject to release without authorization;
- provide that any private data is subject to protection and penalties of the Data Privacy Act and the workers' compensation law; permit the release of the private data only in limited circumstances;
- require an employer to notify the department as well as the employee of its intent to discontinue payment of benefits;
- eliminate the 10- day requirement for forwarding petitions to the office of administrative hearings;
- permit the compensation judge and the commissioner to strike a claim petition from the calendar on their own;
- repeal the method of permanent partial compensation, the definition of "last weekly benefit payment," and the requirement that the commissioner report on medical and rehabilitation matters.

**\*\*Amendment would:**

- require the commissioner to appoint alternate members to serve on the rehabilitation review panel that represent rehabilitation vendors and qualified rehabilitation consultants;
- require consultants to disclose to all parties any affiliation, business referral or other arrangement between the consultant or the firm employing the consultant and any other party, attorney, or health care providers involved in the case;
- provide that the commissioner's decision on medical causation that's not appealed is final for the particular dispute that was decided, however, the causation determination is not binding in subsequent disputes, except for the particular dispute that was previously decided;
- make changes to permanent rulemaking procedures;
- include interest and attorney fees as matters for determination of awards; provide that when judgment is entered under this section, the judge shall order the employer or insurer to pay interest at the rate of 12 percent from the date of the administrative award plus reasonable attorney fees to the payer necessitate by the collection action;
- make other technical changes regarding the settlement of claims.

## Jobs 2000

HF2516 (Otis, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee.

Would create the Jobs 2000 program to provide dislocated workers with services and incentives so they may return to employment.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 11, Economic Development & Housing, March 7)

\*\* Amendment would make technical changes.

## LOCAL & URBAN AFFAIRS

Tuesday, March 15

### Minneapolis—employee appointments, compensation, liability

HF1862/SF1607 (K. Nelson, DFL-Mpls)—recommended to pass. (SF on Senate Floor)

Would provide for the appointment, compensation, and liability of certain city employees and contractors. Provisions would:

- allow the city coordinator to appoint people to the following positions: general manager of the convention center, manager of operations of the convention center, director of regulatory service, director of communications and information service, director of neighborhood services, assistance of coordinator, and labor relations representative;
- delete references to the auditorium and insert convention center;
- provide for payment of certain deferred compensation to the Minneapolis police chief on retirement as ordinary salary, if the police chief is excluded from membership in the Minneapolis Police Relief Association or the Public Employee Police and Fire Fund; provide that the compensation in excess of the tax law limits for deferred compensation must be paid as ordinary salary;
- provide for defense and indemnification of board members of the local chamber of commerce or nonprofit corporation contracting to provide certain services for the city.

### Intergovernmental relations advisory commission

HF2131/SF1930 (Simoneau, DFL-Fridley)—not recommended to pass. (SF in Senate Finance Committee)

Would create the Minnesota Advisory Commission on Intergovernmental. Would provide for membership terms,

commission duties, and commission meetings, hearings, and committees.

### State employees—certain salary ranges

HF2250/SF2003 (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would change certain laws governing state employees.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 26, Governmental Operations, March 4)

\*\* Amendment would allow the commissioner of employee relations to review a political subdivision's comparable worth study if the subdivision requests a review; provide that if the commissioner finds that a study is inadequate, the commissioner may recommend that the subdivision make the necessary corrections so it is adequate.

### Duluth—capital equipment bonds

HF2727/SF479 (Jaros, DFL-Duluth)—recommended to pass. (SF in Senate Taxes & Tax Laws Committee)

Would authorize the City of Duluth to issue bonds up to \$2,000,000 annually for the purchase of capital equipment with an estimated useful life of at least five years. Would limit total outstanding indebtedness to \$10,000,000.

## METROPOLITAN AFFAIRS

Wednesday, March 16

### Minneapolis Park Board—compensation

HF2234/SF2102 (K. Nelson, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would permit the Minneapolis Park and Recreation Board to set the compensation for board members for operating expenses.

\*\* Amendment would require mayor's approval of compensation increases.

### Minneapolis—development laws update

HF1739/SF1608\* (Otis, DFL-Mpls)—recommended to pass as amended.\*\*

Would update references to Minneapolis' development laws, occasioned by changes in Minnesota statutes concerning the general laws of economic development.

\*\* Amendments would:

- make technical language changes;

- allow the city council to make working capital loans to expanding small businesses, not to exceed \$450,000, until June 30, 1990.

## REGULATED INDUSTRIES

Monday, March 14

**Telephone Assistance Plan—low-income disabled**  
HF1821/1840 (Ogren, DFL-Aitkin)—laid over. (SF in Senate Finance Committee)

Would allow telephone companies to combine service surcharges for emergency telephone service, telephone access for hearing impaired and the Telephone Assistance Plan into one surcharge, and would add low-income disabled persons to those eligible for the Telephone Assistance Plan.

**Water standby charges—prohibition**

HF1938/SF1834 (Haukoos, IR-Albert Lea)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would prohibit water utilities from imposing additional standby charges on owners of structures that contain fire protection systems.

\*\* Amendments would:

- remove cities of the first class from compliance;
- allow water utilities to recover the cost of supplying water by spreading the cost proportionately throughout the benefited area.

**Liquor license—Midsummer festival**

HF2703/SF2471 (Himle, IR-Bloomington)—recommended to pass. (SF on Senate Floor)

Would allow the City of Bloomington to issue an on-sale liquor license to Midsummer, A Festival of Music.

Wednesday, March 16

**Telephone Assistance Plan—low-income disabled**

HF1821/1840 (Ogren, DFL-Aitkin)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would allow telephone companies to combine service surcharges for emergency telephone service, telephone access for hearing impaired and the Telephone Assistance Plan into one surcharge, and would add low-income disabled persons to those eligible for the Telephone Assistance Plan.

## TAXES

Friday, March 11

**Governor's bill—revenue impact**

HF2219/SF2140 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes Committee)

Would change provisions providing for a contingent tax increase; require certain retailers to register, collect, and remit the use tax; reduce the tax on parimutuel betting and require an increase in purses paid to winners; exempt the U of M Hospitals from sales tax; tax foreign income for purpose of the corporate franchise tax; change corporate franchise tax definitions; allow franchise tax deductions for deemed dividends from a foreign operating corporation and for foreign payments; update income and corporate franchise tax provisions to the internal revenue code; provide separate income tax rate schedule for married individuals filing separate returns and estates and trusts; increase the income tax credit for the elderly and disabled persons. Provisions would:

**Budget Reserve**

- remove the reduction of the property tax recognition shift. The forecasted surplus would go to the Greater Minnesota fund and the budget reserve in equal parts until the fund reaches \$120 million, after which an additional surplus would go to the budget and cash flow reserve account until the total amount in the account equals \$550 million;

- change the trigger mechanism so that tax rates would be modified only if the budget reserve is forecasted in November of 1988, to be at zero; furthermore, the commissioner of finance would have to reduce allotments as far as practical before modifying the individual, trust and estate tax rates by 0.5 of a percentage point, and the corporate franchise tax rate by 0.8 of a percentage point;

**Parimutuel Betting**

- increase the mandatory purse from 5 percent to 9 percent; change the current parimutuel tax rate from 1.75 percent on the first \$48,000,000 wagered per year and 6 percent on the excess to a flat 1.95 percent; give the breeder's fund a flat 8 percent rather than the two-tiered rates in current law;

- relinquish the state's share of the breakage (profit);

- dismiss the the breeder's fund legal obligation to fund research;

**Income Tax**

- add an additional tax rate structure for those married persons filing separate returns; make this rate exactly one-half the tax brackets used for a married couple filing jointly; effective for tax years beginning after Dec. 31, 1987;

- increase the credit available to the elderly and disabled from 40 percent of the federal credit allowable to 100 percent of the credit, effective for tax years beginning after Dec. 31, 1987;

### Corporate Franchise Tax

- define the term “domestic” corporation as a corporation organized in the United States or in a U.S. possession, including FSCs (Foreign Sales Corporations); dispense with the necessity to distinguish, for franchise tax purposes, between corporations formed within and outside Minnesota;
- define a foreign corporation as one other than a domestic corporation (defined above) that is generally formed in a foreign country, whose tax payments are treated differently than those of domestic corporations;
- define “foreign operating corporation” as a domestic corporation which is part of a unitary business and has less than 20 percent of its average property and payrolls in the United States or a U.S. possession;
- provide (as concerns unitary businesses) that all the net income (income after foreign taxes have been deducted) of a foreign operating corporation is deemed to be paid as a dividend to each shareholder in the unitary business on the last day of its taxable year;
- include (when dealing with the “determination of the sales factor”) sales other than the sale of tangible personal property in the sales factor; attribute sales, rents, and royalties connected with real property, and lease payments connected with tangible personal property to the state in which the property is located; consider located in Minnesota (for taxation purposes) moving property that is operated entirely in Minnesota or sent out of state by base operations in Minnesota; attribute royalties and sales of other intangible property to the state in which the property is used by the purchaser of the intangible, and apportion pro rata the income of such property when that property is used in more than one state;
- assign receipts from the performance of services to the state in which service benefits are consumed by the purchaser; assign pro rata such receipts when service benefits are consumed in more than one state;
- reduce the dividend received deduction from 80 percent to 70 percent if the recipient of the dividend owns less than 20 percent of the payor’s stock; allow corporations that own 20 percent or more of the payors stock to deduct 80 percent; eliminate the additional 20 percent deduction for dividends paid to recipients who own 80 percent or more of the voting stock of the payor;
- create a new deduction from a corporation’s taxable net income of 80 percent of the amount of the payments accrued or received from a foreign corporation; allow as qualified for the 80 percent deduction only payments received from a member of the recipient’s unitary business;

### Federal Update

- include in the definition of a corporation “publicly traded partnerships” if the federal Internal Revenue Code also acknowledges them;
- update the reference to the Internal Revenue Code concerning determination of net income for years beginning after Dec. 31, 1987; some changes would:
  - eliminate overnight camp expenses as a qualified child care credit expense;
  - simplify and cap the residential interest expense deduction;
  - clarify that U.S. judges are considered as being covered under a qualified plan;
  - require that vacation pay be paid sooner, and eliminate the vacation pay reserve account for accrual basis taxpayers;
  - limit the use of cash basis method of accounting for large family farm corporations;
  - affect the income reported by treating certain publicly traded partnerships as corporations;
- incorporate into Minnesota statute, the retroactive provisions in the Federal Budget Reconciliation Act of 1987; some provisions would:
  - affect the delay on the application of the 2 percent floor on itemized deductions arising from mutual funds;
  - elect new reporting requirements under completed contract accounting method of accounting for long term contracts;
  - amortize past service pension costs applied to long term services and capitalized expenses on materials produced for sale;
  - limit losses from publicly traded partnerships only to application against future income of the partnership, and consider income from such partnerships portfolio income, and not available for passive activity losses;
  - adopt the decrease in the dividend received deduction affecting federal taxable income, and likewise change the addback;
  - restrict the nonrecognition gain on property distributed to a corporate upon liquidation of a subsidiary;
  - restrict carryover losses on acquisition, including built-in depreciation;
  - restrict deductibility of special tax on hostile takeovers, and green mail stock transfer;
  - subject to taxation interest on governmental bonds issued to acquire certain utilities from nongovernmental sources;
- adopt the new federal provisions regarding filing estimated tax, and the penalties for underpayment of that tax;
- adopt the federal taxable net income as the base in determining income for all taxpayers.

### Sales Tax

- amend the definition of “retailer” to include all retail sales whether made within or from outside Minnesota;
- provide that a purchaser is not liable for the payment of the use tax if the purchaser obtains a receipt from the seller showing payment of the tax;
- require that sellers authorized to collect the use tax provide purchasers with a receipt as proof that they have paid the tax;
- provide that out-of-state retailers shall not be held responsible for collecting the use tax until the commissioner has made them aware of their obligation to collect the tax; moreover, provide that the Department of Revenue shall only assess taxes after that time that the out-of-state retailer was made aware;
- provide that the destination of a sale is the location to which the seller delivers the goods regardless of delivery method;
- require that out-of-state retailers who maintain a business in this state register to collect the Minnesota use tax; and require out-of-state retailers who do not maintain a place of business in Minnesota but solicit Minnesota business by various means (i.e., catalog sales, etc.) do the same;
- provide that an out-of-state retailer will be considered as doing business in Minnesota if that retailer engages in regular solicitation in this state, and if it makes 100 or more sales per year in this state;
- exempt University of Minnesota Hospitals from paying sales tax on its purchases.

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Tuesday, March 15

**Rice Creek Watershed—levy authorization**  
HF1473/SF678 (Quinn, DFL-Coon Rapids)—recommended to pass.

Would allow the Rice Creek Watershed District to levy taxes to an amount not to exceed \$200,000 for the administrative fund.

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**Propane fuel—tax exemption**  
HF1538/SF852 (Neuenschwander, DFL-Int'l Falls)—recommended to pass. (SF in Senate Taxes & Tax Laws Committee)

Would exempt from gasoline excise tax vehicles propelled by propane or compressed natural gas. Provisions would:

- require an alternate fuel permit;

- exempt from tax propane or compressed natural gas purchased by a transit system that is owned by one or more statutory or home rule charter cities or towns.

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**Property tax—governor’s proposal**  
HF2590/SF2260 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes & Tax Laws Committee)

Would change property tax classifications, local aids and credits; abolish certain levy limits; increase the state share of financial participation in aid to families with dependent children (AFDC), emergency assistance, general assistance (GA), emergency general assistance, work readiness, Minnesota supplemental assistance, medical assistance, preadmission screening, alternative care grants, GA assistance and medical grants to 100 percent; clarify the administration of human service programs; establish a compliance system for certain public assistance programs and a public assistance incentive fund; appropriate money. Provisions would:

### Article 1— Property Classification and Assessment

- change references that are required to accommodate the revised classification system and the new credit system;
- assess residential cabins and homesteads at 40 percent of first \$68,000 of market value, and at 70 percent above \$68,000;
- assess farm homesteads, house, garage, and one acre at 40 percent of first \$68,000 of market value, and 70 percent above \$68,000;
- assess timber and farmland at 40 percent of market value;
- assess commercial/industrial at 70 percent for first \$60,000 of market value, and at 100 percent thereafter;
- assess enterprise zone property and employment property located in a border city at 70 percent of the first \$60,000 of market value, and 90 percent thereafter; assess employment property located in an enterprise zone at 40 percent of market value;
- assess apartments with four or more units at 80 percent of market value; having three or less units at 70 percent;
- assess hospitals at 80 percent of market values;
- assess at 70 percent of market value fraternal society property, non-homestead manufactured housing, farm non-homestead (house and one acre);
- assess at 40 percent of market value title II/MHFA housing, section eight buildings, neighborhood real estate trusts,

seasonal residential recreational property not used for commercial purposes more than 200 days a year, nonprofit community service oriented property, and low-income housing built and financed by Farmers Home Administration;

#### **Credits**

- provide for a new homestead credit system, and define "homestead credit base market value" as the maximum homestead market value eligible for homestead credit;
- set the homestead credit base market value (HCBMV) for taxes payable in 1989 at \$70,000; for 1990 and following years the (HCBMV) would increase by the percentage of increase in the average homestead market value throughout the state, rounded to the nearest \$1000;
- provide that the agricultural homestead gross tax less any deductions received shall be reduced by 48 percent for taxes payable in 1989; the full amount of the agricultural homestead credit must not exceed \$700;
- provide payment from the general fund for payment of revenue lost because of the reduction in property taxes as a result of a new residential homestead tax credit and the agricultural homestead credit;
- provide that the amount of property tax to be paid in the case of supplementary homestead property tax relief will be figured after the allowance of any reduction as described in the homestead credit or agricultural homestead credit;
- affirm that net property taxes are determined by first subtracting the credits in the order listed (such as disaster credit, powerline credit, agricultural preserve credit, enterprise zone credit, state school agriculture credit, homestead credit, taconite homestead credit, supplemental homestead credit and others) from the gross tax;
- provide instructions in conformance with the new credit system for figuring credit on property beneath high voltage transmission lines;
- provide requirements for notifying the public, through a newspaper publication, of the rates of taxation, and to the amount and purpose for which the collected taxes will be used;
- provide that on May 16 of each year, lawful exceptions withstanding, a penalty of 3 percent shall accrue and thereafter be charged upon all unpaid real estate taxes for homestead property; a penalty of 7 percent shall accrue and be charged on unpaid nonhomestead property as of June 1;
- amend the tax list and notice requirements with respect to publication of delinquent taxes to conform to the revised property class system;

- amend the period of redemption provisions to conform to the revised property class system; on lands sold to the state at a tax judgment sale, allow three years redemption time if such land is located within an incorporated area, and five years redemption time for homesteaded agricultural, seasonal recreational, and nonagricultural homesteaded lands;

- amend the definition of "property taxes payable" with respect to the property tax refund law so the former would conform to the new property tax credit system; payable property taxes are generally those property taxes exclusive of special assessments, penalties, and interest payable on a claimant's homestead before certain reductions, and after certain deductions, and any other state paid property tax credits in any calendar year;

- amend the definition of "net taxes" for purposes of the property tax refund law so they conform to the new system; and amend refund allowable section of property tax refund law to conform to the new credit system;

- amend provisions for taxation within transit taxing district to conform to new system;

- amend the metropolitan revenue distribution provisions to conform "residential property" to the property classification system;

- amend tax levy limitations to reflect the new credit system;

- abolish the new aid to government programs adopted in the 1987 legislative session, such as the income maintenance disparity aid, homestead credit replacement aid, agricultural credit replacement aid, and tax base adjustment aid;

- apply the above changes to taxes levied in 1988 and thereafter, payable in 1989;

#### **Article 2—Levy Limits**

- remove the overall levy limits for cities and counties for taxes payable in 1990 and thereafter; i.e., would allow counties, cities and towns to levy an amount sufficient to pay the expense of a post-audit by the state auditor; allow county boards to levy a tax to fund a county member of a state agricultural society within that county; allow a county board, after filing a resolution with the county auditor and holding a public hearing, to establish a special taxing district. Current levy limits will remain intact for taxes payable in 1989;

#### **Article 3—Local Government Aid**

- define the "number of households" as those established by the most recent federal census, by an estimate of the metropolitan council, or by an estimate of the state demographer;

- provide that a city's maximum aid amount is 70 percent of the city's property tax levy and its local government aid

received for the taxes payable year prior to the aid payment year;

- define city and county property tax levy (for the purpose of determining a city's aid distributions for the calendar year 1989 and following years) as its property tax levy as spread on the tax lists; this levy is to exclude its distribution levy, and the tax increments of any tax increment district;
- define "equalized assessed value" for cities and counties as their previous year's taxable valuation adjusted for required contributions;
- define minimum aid amount, which limits a city's annual loss of local government aid to 0.8 mill times the most recent equalized assessed value
- specify local government aid to towns as 150 percent of the greater amount of:
  - 60 percent of the amount received in 1983; or
  - the amount received in 1987;
- appropriate money for 1989 aid to cities and provides for a proportional reduction if necessary, and repeal previous local government aid provisions for cities, towns, and counties;

#### **Article 4—Human Service Programs**

- clarify the commissioners authority to supervise public assistance programs; authorize penalties for noncompliance; provide for local agency corrective action plans which might stay the imposition of penalties; institute fiscal penalties for agency-caused quality control errors in AFDC, MA, and food stamps; increase to 100 percent the state's participation in the nonfederal share of AFDC, EA, GA, EGA, WR, MSA, MA, PAS, ACG, and GAMC;
- provide a regionally based staff to monitor local agency compliance with federal laws and state statutes, rules, and policies for the purpose of reducing payment errors, and the state's liability for federal fiscal sanctions; in addition, provide problem assessment and technical assistance to local agencies to meet program requirements;
- establish an incentive fund to reward local agencies meeting performance standards as established by the commissioner.

## **TRANSPORTATION**

**Wednesday, March 16**

**Motor vehicles—salvage dealer licensing**  
HF1130/SF2358 (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF on Senate Floor)

Would establish a titling system for salvage and rebuilt motor vehicles and require licenses for scrap metal processors, used vehicle parts dealers, and salvage pool operators.

\*\*Delete-everything amendment would:

- include scrap metal processors, used vehicle parts dealer, and salvage pools in the definition of dealer;
- define "junk vehicle" as a vehicle that's graded and stamped as a "class D" vehicle with damage of 70 percent or more of actual cash value and unrepairable;
- allow a new motor vehicle dealer and a used vehicle dealers to acquire vehicles for salvaging for parts, but would require a new dealer or used vehicle dealer to get a used vehicle parts dealer license to purchase junked vehicles from a salvage pool, insurance company, or its agent;
- require a person to have a scrap metal processor license to acquire vehicles for scrap processing and prohibits scrap metal licensee from acquiring junk vehicles for salvaging for scrap or parts unless the licensee also has a used vehicle parts license;
- require people who own vehicles for salvaging for scrap and parts to get a used vehicle parts dealer license;
- require people who store or display, solicit or advertise junked or damaged vehicles to get a vehicle salvage pool license; prohibit licensees from selling such vehicles to anyone other than a licensed used parts dealer;
- exempt from licensing requirements people who make isolated or occasional sales or leases;
- require the new motor vehicle dealers and vehicle salvage pools to have an area to display motor vehicles; require used parts dealers and scrap metal processors to have a street address for their place of business; repeal separate place-of-business requirements for motor vehicle wholesalers;
- provide that dealer plates are not available to scrap metal processors, used vehicle parts dealers, and vehicle salvage pools;
- exempt used vehicle parts dealers and scrap metal processors from bonding requirements that apply to vehicle salvage pools;
- prohibit the registrar and deputy registrars from imposing a \$3.25 filing fee on permanent surrender of a certificate of title;
- define a "high value vehicle" as a vehicle six years old or older with an actual value of over \$5,000 before being

damaged, or any vehicle with a manufacturer's rating of over 26,000 gross weight;

- define "late model vehicle" as a vehicle manufactured in the current vehicle year or the five model years preceding the current model year;
- define "older model vehicle" as a vehicle six years old or older, or a vehicle that's not a high value vehicle;
- define "salvage title" as a certificate of title that's issued to a vehicle that's graded and stamped as a "class C" vehicle with damage of 70 percent or more of actual cash value;
- repeal present law requiring the surrender of titles for vehicles permanently scrapped, dismantled, or destroyed;
- require licensed insurers and dealers who owns a late model and high valued vehicle to stamp and grade the certificate of title as follows:
  - Class A, with damage of less than 10 percent of actual cash value;
  - Class B, with damage of 10-69 percent;
  - Class C, with damage of 70 percent or more of actual cash value;
  - Class D, with damage of 70 percent or more of actual cash value and unrepairable;
- prohibit the re-titling of a class D vehicle; require the title of a class D vehicle to be returned to the Department of Public Safety if the vehicle is an out-of-state vehicle; allow a salvage pool to sell a class D vehicle only to a licensed used parts dealer;
- require persons other than a dealer or insurer, who acquire a late model or high value class C vehicle to surrender the vehicle's assigned title to the department and apply for a salvage title;
- provide that a salvage title authorizes the holder to own, register, transport, and transfer ownership on a vehicle; prohibit issuance of a title to a vehicle which has already been issued a salvage title unless the application for the title contains a certificate of inspection;
- require a dealer who buys an older model vehicle to be dismantled or destroyed to report the vehicle's license number and identification number along with the seller's name and driver's license number to the department within 30 days; require a dealer who buys a late model or high value vehicle to be dismantled or destroyed to surrender the certificate of title to the department and apply for a salvage certificate of title;
- require a dealer who sells a salvage vehicle to a person who intends to remove it from the state to report the sale to the department.

### **Motorized bicycle regulation**

HF1733/SF1564 (Dempsey, IR-New Ulm)—recommended to pass as amended.\*\*  
(SF on Senate Floor)

Would regulate the operation of motorized bicycles.

\*\*Delete-everything amendment would:

- provide that the motorcycle operating rules don't apply to motorized bikes that are driven at night that have lighted headlights and tail-lights that meet motorcycle lighting requirements;
- provide that the motorcycle operating rules don't apply to protective headgear that meets the American National Standard for Protective Headgear for Bicyclists;
- stipulate that operators 18 years old or older are not required to wear protective headgear;
- allow a parent or guardian of a motorized bicycle operator under age 16 to also ride on the motorized bicycle as passenger or operator, if the motorized bicycle has a passenger seat and footrests;
- repeal the law providing that a motorized bicycle within a city is entitled to a full traffic lane;
- require motorized bicycle operators to ride as close as practicable to the right-hand edge of a roadway except when passing, turning left, or avoiding hazards;
- prohibit operators from riding more than two abreast and from impeding normal traffic flow;
- require a motorized bicycle on a laned roadway to ride in one lane only;
- allow persons holding a sincere religious belief which prohibits them from using the standard orange and red slow-moving emblem to use an alternative black with white border slow-moving vehicle emblem; repeal the requirement that such persons must display the standard emblem at night and during conditions of reduced visibility; require that the white border of the alternative emblem be visible for at least 600 feet to the rear.

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### **Hazardous material regulation—private carrier exemption**

HF2047/SF1932 (Hartle, IR-Owatonna)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would exempt private carriers transporting gasoline, diesel fuel, or aviation fuel in

a tank for use in agriculture-related businesses from certain hazardous material regulations provided that the tank is securely mounted and has a capacity of no more than 1,000 gallons. Would apply the regulation exception only to private carriers engaged in intrastate commerce.

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**Motor vehicle title application—transfer time limit**  
HF2100/SF1908 (Osthoff, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would provide that an application for title for a vehicle bought from a dealer must be mailed to the Department of Public Safety within 15 days.

\*\*Amendment would make technical changes.

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**Trunk highway—Olof Hanson Drive designation**  
HF2511/SF2358 (Rodosovich, DFL-Faribault)—recommended to pass; placed on Consent Calendar. (SF on Senate Floor)

Would designate trunk highway No. 299 as the Olof Hanson Drive.

## FLOOR ACTION

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### CALENDAR

Thursday, March 10

**Parental rights termination law—clarification**  
HF577\*/SF964 (Rest, DFL-New Hope)—passed (130-0). (SF in Senate Judiciary Committee)

Would clarify the purposes of laws on termination of parental rights, and alter certain grounds and procedures for termination of parental rights.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 62, General Orders, March 9)

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**Judges' retirement fund—combined service annuity**  
HF1709\*/SF1726 (Simoneau, DFL-Fridley)—passed (132-0). (SF in Senate Governmental Operations Committee)

Would provide coverage for members of the Judge's Retirement Fund under the combined service annuity,

combined service disability benefit, and combined service survivor benefit provisions; would require the Minnesota State Retirement System (MSRS) board of directors to establish a bounce-back joint and survivor optional annuity form.

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**State Board of Investments—changes**  
HF1806\*/SF1784 (Simoneau, DFL-Fridley)—passed (83-36). (SF on Senate Floor)

Would amend and repeal various laws the State Board of Investment administers.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 63, General Orders, March 9)

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**Duck boats—personal flotation devices**  
HF1817\*/SF1698 (Stanisus, IR-White Bear Lake)—passed (93-31). (SF on Senate Floor)

Would require hunters using duck boats during the duck hunting season to have personal floatation or lifesaving devices in the duck boat.

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**Repair shop storage fee—disclosure requirements**  
HF1940\*/SF1801 (O'Connor, DFL-St. Paul)—passed (128-0). (SF on Senate Floor)

Would require repair shops to conspicuously post signs in their shops. Provisions would:

- require shop owners, when giving customers written estimates, to inform them that storage or care charges are in addition to the estimated price for the repairs;
- require the written estimate for repair costs to include a reasonable storage fee, if the shop imposes a fee for storage;
- require invoices to include any storage or care fees the shop charged.

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**County equipment rental contracts**  
HF1942/SF1715\* (Ogren, DFL-Aitkins)—passed (129-0).

Would allow county boards to negotiate county equipment rental contracts that total \$60,000 or less by obtaining two or more quotations. Would require all quotations to be kept on file for at least one year after their receipt.

Monday, March 14

**Retirement—highway patrol formula**

HF322\*/SF309 (Clark, DFL-Mpls)—passed (132-0). (SF in Senate Governmental Operations Committee)

Would increase the normal retirement annuity for highway patrol retirees one-half of 1 percent.

**Real property—conditions restriction**

HF1589\*/SF1615 (S. Olsen, IR-St. Louis Park)—passed (128-0). (SF on Senate Floor)

Would provide a restriction on the duration of conditions affecting certain real property.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 17, Judiciary, March 1)

**Service dogs—access, definition**

HF1748\*/SF1972 (D. Carlson, IR-Sandstone)—passed (130-0). (SF in Senate Judiciary Committee)

Would allow equal access to housing for all physically handicapped people who require dogs for assistance; would change reference from guide dog to service dog.

**Open bottle law—liability clarification**

HF1755\*/SF1613 (Lasley, DFL—Cambridge)—failed (56-73). (SF on Senate Floor)

Would strike the words “on the person” from the passenger liability portion of the open bottle law.

**Retirement—Fridley volunteer firefighters**

HF1804\*/SF1779 (Simoneau, DFL-Fridley)—passed (130-2). (SF in Senate Governmental Operations Committee)

Would authorize a defined contribution plan for the Fridley volunteer firefighter’s relief association.

**Dakota, Goodhue districts—intermediate school district**

HF1838\*/SF1666 (Sviggum, IR-Kenyon)—passed (131-0). (SF in Senate Education Committee)

Would amend a statute pertaining to Intermediate School District 917 to permit Cannon Falls and Red Wing school districts to become part of the intermediate school district.

**Courts—referee’s orders**

HF1844\*/SF2279 (Vellenga, DFL-St. Paul)—passed (129-

0). (SF on Senate Floor)

Would provide that a referee’s recommended orders and findings become effective when a judge countersigns them, and the orders would remain effective during review unless a judge:

- expressively states the order’s effect;
- changes the order; or
- changes or vacates the order after completing a review.

**Legislative employees, retired—insurance coverage**

HF1855\* (Simoneau, DFL-Fridley)—passed (126-0).

Would authorize former legislative employees to purchase certain insurance coverage through the state. Would clarify that a former legislative employee who was eligible for fully or partially state-paid insurance benefits at the time of termination of legislative service is eligible to purchase this coverage.

**Charity—noncontribution retaliation prohibition**

HF1913\*/SF2054 (Pappas, DFL-St. Paul)—passed (131-0).

Would prohibit an employer from penalizing or retaliating against an employee for declining to contribute to charities or community organizations, including contributions to the employer. Would allow an employee injured by a violation to sue for damages, equitable relief, and attorney’s fees and cost. Would define “employer” as any person having one or more employees in Minnesota; includes the state, the University of Minnesota, and any political subdivisions of the state.

**Contraceptive sale prohibition—repeal**

HF1922\*/SF2400 (Pappas, DFL-St. Paul)—passed as amended\*\* (119-4). (SF on Senate Floor)

Would repeal the law which makes it a gross misdemeanor for persons or organizations that aren’t recognized as dealing with health or welfare to sell or distribute contraceptives.

\*\* Amendment would provide that the penalty section is not applicable to a student who sales or distributes contraceptives to another student enrolled at the school.

**Shoplifting—civil liability**

HF1923\*/SF1668 (Kelly, DFL-St. Paul)—passed (130-0). (SF in Senate Judiciary Committee)

Would impose civil liability for the theft of merchandise and shopping carts from a store.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 17, Judiciary, March 1)

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**Human Services Licensing Act—modifications**

HF2123/SF1594\* (Greenfield, DFL-Mpls)—passed (131-0).

Would provide definitions, exclusions, and access to records under the Human Services Licensing Act. Provisions would:

- include natural child, adopted child, and stepchild as related individuals;
- modify exemptions in the act;
- require additional information on applicant for licensure and eliminate requirement of information from county attorney.

**CONSENT CALENDAR**

**Monday, March 14**

**Statute of limitations—real property improvements**

HF1681\*/SF1532 (Kludt, DFL-Moorhead)—passed (130-0). (SF on Senate Floor)

Would permit an action for damages arising out of an improvement to real property up to two years after discovery of the injury, or, in the case of an action for contribution or indemnity, after accrual of the cause of action.

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**Municipal liquor stores—profit exemption**

HF1731\*/SF2033 (Murphy, DFL-Hermantown)—passed (126-0). (SF on Senate Floor)

Would exempt new municipal liquor stores from profit requirements and would apply the profit exemption only to the City of Proctor, contingent upon local approval.

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**Liquor sale—Thanksgiving eve hours**

HF1732\*/SF1692 (Jacobs, DFL-Coon Rapids)—passed (111-14). (SF on Senate Floor)

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**Alcoholic beverages—illegal gift liability**

HF1774\*/SF1753 (Quist, DFL-St. Peter)—passed (125-0). (SF in Senate Commerce Committee)

Would extend liability for illegally bartering alcohol as well as selling it; or in the case of an intoxicated person under age 21, would impose liability or illegally bartering or giving alcohol to the person.

**Real property—advertised foreclosure notice**

HF1767\* (R. Anderson, IR-Ottertail)—passed (130-0).

Would require notice of foreclosure by advertisement to include the name of each mortgagor who, at the time of first publication of the notice, has been released from financial obligation on the mortgage and a statement that the named mortgagor has been released from financial obligation on the mortgage.

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**Liquor license—dinner boats**

HF1831\*/SF1667 (Poppenhagen, IR-Detroit Lakes)—passed (123-2). (SF on Senate Floor)

Would permit Becker County to issue a liquor license to a 100-passenger dinner boat that cruises on Detroit Lake if the Becker County Board approves. Would allow the commissioner of public safety to grant a similar license to a Fort Snelling dinner boat. In both cases, alcohol could only be sold or served while the boat is under way, or moored or anchored offshore.

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**Itasca County—liquor license**

HF1904\*/SF1793 (Solberg, DFL-Bovey)—passed (129-0). (SF on Senate Floor)

Would allow certain restaurants in unincorporated or unorganized Itasca County territory to be eligible for county liquor licenses.

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**Uniform statutory rule against perpetuities—effective date**

HF1961\*/SF2394 (Blatz, IR-Bloomington)—passed (131-0). (SF on Senate Floor)

Would delay the effective date for the Uniform Statutory Rule Against Perpetuities from Aug. 1, 1988 to Jan. 1, 1989.

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**State Agriculture Society—membership addition**

HF2022\*/SF1936 (Lasley, DFL-Cambridge)—passed (131-0). (SF on Senate Floor)

Would add Minnesota Dairy Goat Association to the State Agricultural Society. Would also include Minnesota Dairy Sheep Association in the society.

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**Pheasant Ridge Music Center—liquor license**

HF2254\*/SF2357 (Quinn, DFL-Coon Rapids)—passed (126-2). (SF on Senate Floor)

Would authorize the City of Blaine to issue an on-sale liquor license to the Pheasant Ridge Music Center and prohibit liquor sales during athlete events.

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**East Grand Forks—land sale**

HF2358\*/SF2213 (Lieder, DFL-Crookston)—passed (132-0). (SF on Senate Floor)

Would authorize Polk County to sell certain tax-forfeited land in East Grand Forks.

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**Economic development authorities—food, liquor licenses**

HF2402\*/SF2192 (O'Connor, DFL-St. Paul)—passed (130-2). (SF on Senate Floor)

Would permit municipal development authorities or redevelopment agencies to hold in its own name all necessary operating licenses including food and liquor licenses.

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**Duluth—Western Waterfront Trail construction**

HF2434\*/SF2198 (Munger, DFL-Duluth)—passed as amended (131-0). (SF in Senate Finance Committee)

Would authorize the city of Duluth, upon local approval, to spend up to \$236,859 for grants for the acquisition or construction of the Western Waterfront Trail.

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**Limited partnership—land ownership study**

HF2449\*/SF2077 (Steensma, DFL-Luverne)—passed (129-0). (SF in Senate Agriculture Committee)

Would require the commissioner of agriculture to investigate and report on the extent and nature of land owned by limited partnerships in Minnesota.

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**IRRRB—fire insurance coverage**

HF2463\* (Begich, DFL-Eveleth)—passed (129-0).

Would authorize the Iron Range Resources and Rehabilitation Board (IRRRB) to purchase fire insurance for facilities the board operates.

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**Anhydrous ammonia—sales regulation**

HF2469\*/SF2354 (E. Olson, DFL-Fosston)—passed (127-0). (SF in Senate Agriculture Committee)

Would provide that buyers and sellers in agreement on the use of "float gauge" or "flow meter" metering systems, when filling anhydrous ammonia tanks, need no other source of metering.

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**Architects, builders—statute of limitations**

HF2508\*/SF2287 (Voss, DFL-Blaine)—passed (132-0). (SF on Senate Floor)

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

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**St. Louis County—land sale authorization**

HF2509\* (Begich, DFL-Eveleth)—passed (131-0).

Would authorize St. Louis County to privately sell certain tax-forfeited land.

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**Alcohol importers—definition**

HF2529\*/SF2352 (Jacobs, DFL-Coon Rapids)—passed (129-0). (SF on Senate Floor)

Would expand the beer wholesaling act to define importers of beer as brewers.

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**Minnetonka volunteer firefighter—retirement**

HF2630\*/SF2350 (Knickerbocker, IR-Hopkins)—passed as amended (130-0). (SF on Senate Floor)

Would exclude Minnetonka volunteer firefighters from membership in the public employees police and fire fund.

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**Farmington—tax forfeited land sale**

HF2637\* (Tompkins, IR-Apple Valley)—passed (131-0).

Would permit Farmington to sell certain tax-forfeited land.

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Wednesday, March 16

**Barber licenses—requirement change**

HF1534\*/SF1469 (Welle, DFL-Willmar)—passed as amended\*\* (131-0). (SF in Senate Commerce Committee)

\*\*Delete-everything amendment would change licensing requirements for registered barbers and registered apprentice barbers.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 8, Commerce, March 10)

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**Joint vocational board—meetings**

HF2120\*/SF1859 (G. Anderson, DFL-Bellingham)—passed (128-0). (SF on Senate Floor)

Would allow a joint board of a technical institute to hold meetings in convenient locations outside the member districts' boundaries.

**Nonprofit organizations—economic development assistance**

HF2246\*/SF2405 (Clark, DFL-Mpls)—passed (130-0). (SF in Senate Economic Development & Housing Committee)

Would insure that nonprofit organizations, including labor organizations and community groups, are eligible to receive economic development assistance from the Greater Minnesota Corporation, Enterprise Development Centers, Science and Technology Resource Center at Southwest State University, and customized training through Minnesota's technical institutes.

**Election polls—special hours**

HF2331\* (Jennings, DFL-Rush City)—passed (128-0).

Would establish hours when polls are open for election to change county seat; would change hours from 8 a.m.-5 p.m. to 1 a.m.-8 p.m.

**Optical scan voting systems—equipment testing**

(HF2558\*/SF2224 (Scheid, DFL-Brooklyn Park)—passed (132-0). (SF on Senate Floor)

Would require election officials to test electronic voting systems within 14 days prior to election day and optical scan voting systems within 14 days prior to election day, to ascertain that the voting systems will correctly count the votes cast.

**Hearing aids—sales, repair regulation**

(HF2559\*/SF2288 (Beard, DFL-Cottage Grove)—passed (131-0). (SF on Senate Floor)

Would regulate the sale and repair or hearing aids.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 8, Commerce, March 9)

**Apple Valley—emergency room temporary licenses**

HF2615\*/SF2348 (Tompkins, IR-Apple Valley)—passed (129-0). (SF in Senate Health & Human Services Committee)

Would provide for a temporary license for freestanding 24-hour emergency medical centers.

**CONCURRENCE & REPASSAGE**

Thursday, March 10

**Cable communications—unauthorized connections**

HF1886\*/SF1694 (Orenstein, DFL-St. Paul)—repassed as amended by the Senate (121-0).

Would increase the criminal penalty, from a misdemeanor to a three-year felony, for anyone who intentionally, and with the purpose of making an unauthorized connection to a cable communications system, sells, rents, lends, offers, or advertises any device, plan, or specification for making such an unauthorized connection.

\*\*Amendment would make technical changes.

**GENERAL ORDERS**

Thursday, March 10

**Retirement—highway patrol formula**

HF322/SF309 (Clark, DFL-Mpls)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would increase the normal retirement annuity for highway patrol retirees one-half of 1 percent.

**Real property—conditions restrictions**

HF1589/SF1615 (S. Olsen, IR-St. Louis Park)—recommended to pass. (SF in Senate Judiciary Committee)

Would provide a restriction on the duration of conditions affecting certain real property.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 17, Judiciary, March 1)

**Service dogs—access, definition**

HF1748/SF1972 (D. Carlson, IR-Sandstone)—recommended to pass. (SF in Senate Judiciary Committee)

Would allow equal access to housing for all physically handicapped people who require dogs for assistance; would change reference from guide dog to service dog.

**Open bottle law—liability clarification**

HF1755/SF1613 (Lasley, DFL-Cambridge)—recommended to pass. (SF on Senate Floor)

Would strike the words “on the person” from the passenger liability portion of the open bottle law.

**Retirement—Fridley volunteer firefighters**

HF1804/SF1779 (Simoneau, DFL-Fridley)—recommended to pass. (SF in Senate Governmental Operations Committee)

Would authorize a defined contribution plan for the Fridley volunteer firefighter’s relief association.

**Dakota, Goodhue districts—intermediate school district**

HF1838/SF1666 (Sviggum, IR-Kenyon)—recommended to pass. (SF in Senate Education Committee)

Would amend a statute pertaining to Intermediate School District 917 to permit Cannon Falls and Red Wing school districts to become part of the intermediate school district.

**Courts—referee’s orders**

HF1844/SF2279 (Vellenga, DFL-St. Paul)—recommended to pass. (SF in Senate Judiciary Committee)

Would provide that a referee’s recommended orders and findings become effective when a judge countersigns them, and the orders would remain effective during review unless a judge:

- expressively states the order’s effect;
- changes the order; or
- changes or vacates the order after completing a review.

**Legislative employees, retired—insurance coverage**

HF1855 (Simoneau, DFL-Fridley)—recommended to pass. (SF in Senate Committee)

Would authorize former legislative employees to purchase certain insurance coverage through the state. Would clarify that a former legislative employee who was eligible for fully or partially state-paid insurance benefits at the time of termination of legislative service is eligible to purchase this coverage.

**Charity—noncontribution retaliation prohibition**

HF1913/SF2054 (Pappas, DFL-St. Paul)—recommended to pass. (SF in Senate Employment Committee)

Would prohibit an employer from penalizing or retaliating against an employee for declining to contribute to charities or community organizations, including contributions to the

employer. Would allow an employee injured by a violation to sue for damages, equitable relief, and attorney’s fees and cost. Would define “employer” as any person having one or more employees in Minnesota; includes the state, the University of Minnesota, and any political subdivisions of the state.

**Contraceptive sale prohibition—repeal**

HF1922/SF2400 (Pappas, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would repeal the law which makes it a gross misdemeanor for persons or organizations that aren’t recognized as dealing with health or welfare to sell or distribute contraceptives.

\*\* Amendment would prohibit the sale or distribution of contraceptives on elementary and secondary school grounds and prescribes penalty for violators.

**Shoplifting—civil liability**

HF1923/SF1668 (Kelly, DFL-St. Paul)—recommended to pass. (SF in Senate Judiciary Committee)

Would impose civil liability for the theft of merchandise and shopping carts from a store.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 17, Judiciary, March 1)

**Human Service Licensing Act—modifications**

HF2123/SF1594\* (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\*

Would provide definitions, exclusions, and access to records under the Human Services Licensing Act.

\*\*Delete-everything amendment would:

- include natural child, adopted child, and stepchild as related individuals;
- modify exemptions in the act;
- require additional information on applicant for licensure and eliminate requirement of information from county attorneys;
- require the commissioner of health to report to the Legislature by Jan. 1, 1989 on an appropriate method for enforcing the licensing requirement for residential programs for five or more persons with mental illness;
- authorize the commissioner to reduce grants if a county acts in substantial disregard of its approved plan to promote

dispersal of group residential programs;

- change the termination date for an involuntary receivership from 18 months to 12;
- provide that the state is not liability for municipal inspection functions;
- repeal provisions in the 1987 General Assistance Act that relate to payments to newly licensed facilities.

## RULE 1.10

Monday, March 14

### Jordan—tax anticipation certificates

HF1864\*/SF1565 (Jensen, DFL-Lakeville)—passed as amended (129-0). (SF in Senate Taxes & Tax Laws Committee)

Would allow the City of Jordan to issue tax anticipation certificates (general obligation bonds) for any fund (within the restrictions of other laws); and require that the total of such certificates not exceed the amount of current taxes uncollected; and the amount of money remaining in the fund.

\*\*Amendment would limit tax levies to \$375,000 in 1987 and \$300,000 in 1988.

### Debt financing/bonding authority—technical changes

HF2117\*/SF1964 (Rest, DFL-New Hope)—passed (131-0). (SF in Senate Taxes & Tax Laws Committee)

Would entitlement issuers such as St. Paul, Minneapolis, and Duluth, to retain, without permission of the Department of Trade and Economic Development, an unused portion of their entitlement allowance (a federal tax exempt allowance allocated by the state and used by the entitlement issuer to issue municipal bonds for various projects) after the first Monday in September; moreover, would permit entitlement funds earmarked for specific uses to fall into a "general use pool" on Sept. 1 instead of Nov. 1, primarily to provide funding for single and multi-family housing.

## SPECIAL ORDERS

Wednesday, March 16

### Retirement--correctional service formula increase

HF258/SF75 (Bauerly, DFL-Sault Rapids)—recommended to pass (125-0). (SF in Senate Governmental Operations Committee)

Would increase the retirement formula for covered correctional service employees.

### Public employees—fringe benefits

HF718/SF970 (Solberg, DFL-Bovey)—recommended to pass as amended\*\* (127-0). (SF in Senate Governmental Operations Committee)

Would amend the definition of "terms and conditions of employment" under the Public Employment Labor Relations Act to limit the prohibited topic of bargaining to retirement contributions of benefits of a public pension fund.

\*\*Amendment would require local governments that make payments for retired employees' health insurance to establish an account known as "the appropriated account for the payment of retired employees' health insurance benefits."

(See bill summary in HWR, Vol. 4, No. 3, Pg. 7, Governmental Operations, Feb. 23)

### Rail acquisitions—reporting, disclosure requirements

HF1486/SF1442 (Beard, DFL-Cottage Grove)—recommended to pass (101-18). (SF on Senate Floor)

Would regulate the sale of railroad lines.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 4, Commerce, March 3)

### Motor vehicles—weight fines

HF1656/SF1517 (Segal, DFL-St. Louis Park)—recommended to pass as amended (128-0). (SF in Senate Rules & Administration Committee)

Would allocate civil fines for motor vehicle maximum weight violations. Would allocate three-eighths of the civil penalty to the county where the violation occurred if the county sheriff made the arrest or apprehension, and allocate the remaining five-eighths, to the highway user tax distribution fund.

### Housing sales—defect disclosures

HF1678/SF1887 (A. Johnson, DFL-Spring Lake Park)—amended\*\*; continued. (SF in Senate Economic Development & Housing Committee)

Would require written disclosure of defects in residential housing before sale of that housing.

\*\*Amendment would allow buyers to waive the right to a written disclosure.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 5, Economic Development & Housing, Feb. 29)

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**Watershed district—borrowing authority**

HF1950/SF1897 (Price, DFL-Woodbury)—recommended to pass (126-0). (SF on Senate Floor)

Would increase from \$50,000 to \$200,000 the borrowing authority of watershed districts.

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**Real property—variance filing requirement**

HF1966/SF2177 (Blatz, DFL-Bloomington)—recommended to pass (130-0). (SF on Senate Floor)

Would require that certified copies of variances to abstract or registered property be filed with either the county recorder or the county registrar of titles. Would provide that if a certified copy of the resolution citing the existence of the variance is filed identifying the location where the various documents are available for inspection, the requirement to file a variance is satisfied. Would make bill applicable to variances granted on or after Aug. 1, 1988.

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**Animal disease control—Board of Animal Health**

HF2018/SF1786 (Dille, DFL-Dassel)—recommended to pass (128-0). (SF on Senate Floor)

Would clarify the authority of the Board of Animal Health over diseased and/or quarantined animals.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 18, Judiciary, March 1)

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**St. Louis County—tax forfeited land sale**

HF2025/SF1982 (Begich, DFL-Eveleth)—recommended to pass (128-0). (SF on Senate Floor)

Would authorize St. Louis County to sell privately certain tax-forfeited land.

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**Education finances—technical amendments**

HF2029/SF1911 (K. Nelson, DFL-Mpls.)—recommended to pass (129-0). (SF on Senate Floor)

Would clarify language, modify provisions, and make technical changes regarding general education revenue and foundation revenue.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 6, Education, Feb. 29)

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**Fireworks—possession, penalties**

HF2036/SF1934 (Carruthers, DFL-Brooklyn Center)—recommended to pass (123-1). (SF on Senate Floor)

Would make it a crime to possess fireworks, and increase criminal penalties for fireworks law violations from a misdemeanor to a:

—gross misdemeanor, where the amount of fireworks is between 25-100 pounds;

—three-year felony, where the amount of fireworks is 100 pounds or more.

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**Low-income housing credits**

HF2063/SF1805 (Jefferson, DFL-Mpls)—recommended to pass (129-0). (SF in Senate Taxes & Tax Laws Committee)

Would grant the Minnesota Housing Finance Agency the ability to refinance existing obligations that are secured by residential housing for low and moderate incomes if the agency determines that refinancing is necessary for providing and maintaining the supply of affordable housing.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 5, Economic Development & Housing, Feb. 29)

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**Sanitary districts—Waste Management Board aid**

HF2092/SF1952 (Ogren, DFL-Aitkin)—recommended to pass (130-0). (SF on Senate Floor)

Would authorize sanitary districts to apply for and receive assistance from the Waste Management Board for certain solid waste programs.

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**Bias crimes—reporting, training requirements**

HF2340/SF2124 (Orenstein, DFL-St. Paul)—recommended to pass as amended\*\* (99-14). (SF on Senate Floor)

Would require law enforcement officials to report crimes motivated by bias.

\*\*Amendment would change the date from Aug. 1, 1989 to Aug. 1, 1990 for requiring special training for peace officers prior to licensing.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 18, Judiciary, March 1)

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## SUSPENSION OF RULES

Monday, March 14

### Farmer-owned reserve grains—resolution

HF2735 (K. Olson, DFL-Sherburn)—passed as amended\*\* (133-0).

Would memorialize the president to immediately direct the Secretary of Agriculture to halt the forced movement of farmer-owned reserve grains to commercial warehouses.

\*\*Amendments would add the following clauses:

- WHEREAS, the Minnesota farms consume significant amounts of diesel fuel; and
- WHEREAS, Minnesota farmers require a high proportion of their diesel fuel during periods corresponding to periods of high cash demands; and
- WHEREAS, a concentrated high farm cash demand tends to promote high short-term indebtedness and may cause a negative farm cash flow; and
- WHEREAS, the security of Minnesota's farmers may be jeopardized by increased cash and record keeping demands; NOW THEREFORE,
- BE IT RESOLVED that the Congress of the United States should immediately enact legislation prohibiting the Department of Treasury from collecting exempt fuel taxes from farm diesel fuel consumers whether or not those taxes may later be refunded;
- direct the Minnesota secretary of state to transmit certified copies of this memorial to the president and secretary of the U.S. Senate, the speaker and chief clerk of the U.S. House of Representatives, and the secretary of the U.S. Treasury;
- direct the commissioner of agriculture to establish a reserve grain storage payment structure that compensates farmers and commercial warehouses equally for their services.

**House Weekly Review** is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1988 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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# HOUSE WEEKLY REVIEW

For MEMBERS of the Minnesota House of Representatives

March 17-24, 1988

Volume 4, Number 7

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills

## COMMITTEE ACTION

### APPROPRIATIONS

Monday, March 21

**License plates—six-year renewal, special plates**  
HF80/SF63\* (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\*

Would require passenger automobile plates to replace license plates every six years; would establish fees for personalized license plates and plate replacement fees; would authorize special license plates for specific groups. Provisions would:

- define 'limousine,' allow limousines to have tinted windows and set fee for special limousine license plates;
- require that license plates six years old or older be replaced at the time of annual registration;
- specify a one-time \$100 fee for personalized license plates;
- set fee and allow special license plates for Vietnam and Pearl Harbor veterans and ex-POWs;
- reduce auto license plate fee from \$3 to \$2;
- require motorcycles, motorized bicycles or motorized sidecars to pay an additional \$2 fee.

\*\*Amendments would:

- appropriate \$108,500 from the highway user tax distribution fund to the commissioner of public safety;
- clarify language, make technical changes.

### K-12 Education Omnibus Bill

HF2245/SF2095 (K. Nelson, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would establish the amount of formula allowance for general education revenue, specify programs, appropriate money.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 12, Education Division/Education, March 14)

\*\*Amendments would:

- make sales of bonds constitutional;
- require the State Board of Education to propose a rule establishing preparation time requirements for elementary school staff, comparable to the preparation time requirements for secondary school staff;
- make technical change, clarify language.

Tuesday, March 22

### Environment and Natural Resources Trust Fund

HF2182/SF2000 (Munger, DFL-Duluth)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would propose an amendment to the Minnesota Constitution to establish an environment and natural resources trust fund.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 28, Governmental Operations, March 8)

\*\*Amendments would:

- replace the Legislative Commission on Minnesota resources with the Minnesota future resources;
- establish a natural resources acceleration account and define the account's purpose;



- allocate one-third of the proceeds from a state regulated lottery to go to the trust fund; place limits on lottery allocations to the general fund and Greater Minnesota Corporation; define expenditures of trust fund;

- make technical changes, clarify language.

Thursday, March 24

**HMO consumer protection**

HF2012/SF1861\* (C. Nelson, DFL-Barrett)—recommended to pass as amended.\*\*

Would offer HMO-plan consumers expanded protection (replacement coverage, evidence of cancellation and exclusion of coverage).

(See bill summary in HWR, Vol. 4, No. 6, Pg 9, Health & Human Services Division/Appropriations, March 17)

\*\*Amendments would adopt subcommittee report, remove fiscal impact, and make technical, language changes.

**Health & Human Services Omnibus Bill**

HF2126/SF1680 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\*

(SF in Senate Finance Committee)

Would establish various funding provisions and rider language for support of Minnesota's health and human service programs; set supplemental spending levels for the departments of Human Services, Health, Corrections, and Jobs and Training; and provide \$11,437,700 spending for the biennium.

*Note: Where two dollar figures appear one after the other, the first is for the fiscal year ending in 1988 (FY'88); the second is for the fiscal year ending in 1989 (FY'89).*

*Figures in parentheses represent deficit reserve or credit.*

**Article 1—Appropriations**

**Human Resources**

Summary by fund	FY'88	FY'89	Total-biennium
General Fund	\$(11,202,300)	\$21,842,700	\$10,640,400
Special Revenue	-0-	220,100	220,100
Public Health	175,200	200,800	376,000
Trunk Highway	74,400	85,500	159,900
Metropolitan Landfill	19,300	22,000	41,300
<b>Total</b>	<b>\$(10,993,400)</b>	<b>\$22,371,100</b>	<b>\$11,437,700</b>

Summary of Human Services appropriations by program/department/agency:

**Dept. of Human Services**

\$(11,210,200); \$16,589,700

**Social Services**

\$1,345,200 in FY'89

**Mental Health**

\$(1,330,000); \$1,425,000

**Income Maintenance and Residential Programs**

\$(10,643,400); \$11,006,900

**Health Care and Residential Program**

\$(9,008,100); \$9,388,100

**Family Support Programs**

\$67,000; \$79,900

**Other Income Maintenance Activities**

\$(1,702,300); \$1,038,900

**Veterans Homes (transfer of funds):**

\$763,200; \$2,812,600

**Ombudsman for Mental Health and Mental Retardation**

\$200,000 in FY'89

**Dept. of Jobs and Training**

\$1,764,000 in FY'89

**Rehabilitation Services**

\$300,000 in FY'89

**Community Services**

\$1,464,000 in FY'89

**Corrections**

\$7,900; \$197,500

**Community Services**

\$7,900; \$197,500

**Health**

Summary by fund	FY'88	FY'89
General Fund	-0-	\$3,091,500
Special Revenue Fund	-0-	220,100
Public Health Fund	\$175,200	200,800
Trunk Highway Fund	74,400	85,500
Metropolitan Landfill		
Contingency Fund	19,300	22,000

**Summary of Health appropriations by program/department/agency:**

**Preventive and Protective Health Services**

\$2,226,500 (General Fund) & \$220,100 (Special Revenue Fund) in FY'89

**Health Delivery Systems**

\$865,000 in FY'89

**Health Support Services**

\$175,200; \$200,800 (Public Health Fund)  
\$74,400; \$85,500 (Trunk Highway Fund)  
\$19,300; \$22,000 (Metropolitan Landfill Contingency Fund)

**Community Services**

\$1,921,000; \$1,520,000

**Article 2—Health and Human Services**

Would incorporate legislation of 43 House Files; clarify duties, set terms and responsibilities, and establish enabling legislation for programs, departments and divisions of the departments of Health and Human Services. Some provisions would:

- implement the Minority Child Heritage Protection Act; require minority councils including the Indian Affairs Council, Council on Affairs of Spanish Speaking People, Council on Black Minnesotans, and the Council on Asian-Pacific Minnesotans to review placement data (HF2037/SF2103);
- establish a system of state-operated, community-based residential programs for persons with mental retardation (HF781/SF747);
- require the commissioner of administration to establish a task force to determine occupancy standards for family and group family day care homes (HF1795/SF1617);
- prohibit health maintenance organization (HMOs) or health insurers from denying coverage to an employee's dependents on the basis of support provided to the dependent or residence of the dependent; and from denying benefits because the covered person or dependent is eligible for medical assistance (MA) (HF2126/SF1680);
- make several changes and definitions in the mental health services act of 1987 (HF2114/SF1869);
- make changes and clarifications in terminology; regulate funding allocations and provide for facility governance of vocational rehabilitation services (HF2278/SF2106);

- limit reporting requirements of the commissioner of health for epidemiologic studies; provide grants for AIDS evaluation and counseling; provide fines for rule violations relating to licensing of hotels, restaurants, resorts and other public accommodations and create the environmental health fee account (HF2448/SF2245);
- cite legislation as the Hunger Reduction Act of 1988; require the commissioner of health to implement an infant formula rebate systems for the Women Infant Children (WIC) nutritional supplement program; require written client materials administered by specified departments including health, human services and jobs and training to be written in plain language and readable at the seventh-grade level; and establish a local income assistance grant program to increase the use of food stamps by the seniors, farmers, veterans, unemployed, low-income, battered women in shelters, and the homeless (HF2166/SF1912);
- require newborn infants to be tested for hemoglobinopathy (sickle cell anemia) (HF1847/SF1988);
- establish a certification program for environmental laboratories; and establish an environmental laboratory certification account in the state treasury (HF2316/SF1927);
- increase the nursing home resident personal allowance; change nursing home property-related costs and operating provision; increase formula for operating costs; and adjust wage base (HF2071/SF1975);
- create an exception to the nursing home moratorium to allow beds to be moved from a separate nursing home to a building formerly used as a hospital (HF2242/SF1918)
- make prisoners eligible for general assistance medical care benefits; define benefits, services (HF1947/SF1853);
- establish a research institute to study addictive disorders and stress-related diseases (HF2413/SF2336);
- require the commissioner of human services to meet at least four times a year with the commissioner of corrections, health, education, and commerce to coordinate children's mental health services (HF1653);
- provide work incentive subsidized housing emergency rules; require mandatory school attendance for certain minor Aid to Families with Dependent Children (AFDC) recipients; and provide implementation of the food stamp employment and training program (HF1891/SF1857);
- extend foster care insurance to providers of adult foster care (HF2275/SF2158);
- expand and improve child care services; define terms and

duties of the commissioner; provide grants for child care programs, facilities and training, require feasibility study of a toll-free telephone number, establish an interagency advisory council; and expand resource and referral assistance to employers (HF1775/SF1832);

- establish task force to develop a plan for Faribault Regional Center (FRC); and define task force study (HF2445/SF2365);

- clarify the relationship between federal and state laws regarding supervision of vending stands; clarify utilization of receipts in the revolving fund; provide that the Department of Jobs and Training data be classified as public data and regulate certain reimbursements received by the commissioner (HF1876/SF1583);

- provide exceptions to the moratorium on beds in intermediate care facilities for person with mental retardation or related conditions (HF2222/SF2138);

- change rates for day training and habilitation services; require increases in rates for development achievement centers (DAC) vendors whose approved payment rates are 10 percent below the statewide median payment rates; allow variance from the maximum or minimum payment (HF2233/SF1933);

- provide for the eligibility for and calculation of general assistance (GA) and Aid to Families with Dependent Children (AFDC) grants (HF1889/SF1650);

- establish a state-administered health insurance program for the uninsured, underinsured or those who do not have access to affordable health insurance; change children's health plan to cover children from one to six years of age; extend medical assistance coverage to pregnant women and children up to one year of age who have incomes less than 185 percent of the poverty level (HF2188/SF2263);

- establish rates and payments for small hospitals (HF1887/SF1658);

- amend state law to allow medical assistance payments for swing beds if the provider is a sole community provider (generally defined as a rural provider in an area where similar facilities are not easily accessible) (HF1765/SF1635);

- allow continued hospital care for a medical assistance (MA) recipient who has been a polio patient in a hospital for at least 25 years; would use state money to pay the federal share of the MA reimbursement (HF1772/SF1637);

- establish rates for intermediate care facilities for the mentally retarded (ICF/MR); change procedures for determining ICF/MR rates (HF2214/SF2139);

- provide continued private duty nursing or personal care assistant services for ventilator-dependent recipients on medical assistance, should they need hospital care—the private duty/assistant would serve as a liaison, interpreter or communicator with hospital personnel; and would limit payment to 120 hours (HF1044/SF1274);

- add Crow Wing County to the demonstration project to provide low cost medical insurance to the low income uninsured (HF2437/SF2159);

- establish a rural and urban case management pilot project designed to improve delivery and reduce cost of medical assistance (HF1927/SF1825);

- establish demonstration projects through a grant program that would create housing for homeless persons (HF2444/SF2496);

- establish a safe drinking water account in the state treasury; require the commissioner of health to use the money to support the Safe Drinking Water Program; prohibit anyone from installing any pipes and pipe fittings containing more than 8 percent lead in any plumbing installation which conveys a potable water supply (HF2307);

- direct the commissioner of human services to establish a demonstration project to help people with epilepsy live independently and direct the State Planning Agency to evaluate the demonstration project (HF2062/SF1870);

- require the Department of Health to establish two studies concerning high blood lead levels in American Indian children (HF2550/SF2297);

- establish a shelter for battered American Indian women (HF1778/SF1625);

- require the commissioner of the Department of Employee Relations to conduct a comparable worth study for direct care staff positions in intermediate care facilities for the mentally retarded, waived residential services, development achievement centers and semi-independent living service programs administered by the state or any county (HF1948/SF2011);

- require commissioner of human services, in consultation with the commissioner of jobs and training, to establish a pilot program for providing medical assistance reimbursement to work activity programs (HF2575/SF2293).

\*\*Amendment would make technical change.

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**Agriculture, Transportation & Semi-State Division Bill**  
HFxxx (Rice, DFL-Mpls)—recommended to pass.

Would appropriate \$2.5 million to fund the departments of Transportation, Agriculture, Public Safety and other semi-state agencies.

(See bill summary under Agriculture, Transportation & Semi-State Division/Appropriations, March 22)

### **Agriculture, Transportation & Semi-State Division/APPROPRIATIONS**

**Tuesday, March 22**

**Agriculture, Transportation & Semi-State Division Bill HFxxx (Rice, DFL-Mpls)**—recommended to pass as amended;\*\* rereferred to Appropriations Committee.

Would appropriate \$2.5 million to fund the departments of Transportation, Agriculture, Public Safety, and other semi-state agencies. Provisions would:

- appropriate \$36,000 in FY'89 from the trunk highway fund to the Transportation Regulation Board and increase the board's complement by one position;
- appropriate \$1.9 million in FY'89 to the Department of Public Safety for the state share of the flood and tornado disaster relief assistance; appropriate \$8,000 to the department for the printing of driver's license renewal notice communications about organ donation; increase the department's complement by 10 positions;
- authorize the commissioner of finance to transfer \$60,000 from the Children's Trust Fund to the commissioner of human services to provide additional training, screening, and certification of child protection workers; require the commissioner of human services to return the monies, with interest, over a 10-year period;
- appropriate \$20,200 in FY'88 and \$136,000 in FY'89 to the Department of Agriculture for oak wilt control and increases the department's complement by one position;
- appropriate \$160,000 in FY'89 to the Minnesota Historical Society for a film and new exhibits at the Lindbergh Interpretive Center (\$35,000), a Humphrey Institute exhibit (\$50,000), the St. Anthony Falls Heritage Interpretive zone and heritage board (\$50,000), and grants to the Southwestern Regional Development Corporation (\$25,000);
- appropriate \$175,000 in FY'89 to the State Arts Board for administration (\$4,300), Regional Arts Council (\$63,100), and special projects (\$107,600);
- appropriate \$10,000 in FY'89 to the Military Order of Purple Heart to help veterans prepare claims against the federal government;
- increase the Charitable Gambling Control Board's complement by six positions and require the board to make emergency rules to limit what charitable gambling organizations have to pay to rent or lease space in bars and other places;
- provide that if HF1749, the highway funding bill, becomes law, \$3.5 million is appropriated from the transit assistance fund to the Department of Transportation for non-metro transit assistance;
- provide that if HF1749, the highway funding bill, becomes law, \$14.2 million is appropriated from the transit assistance fund for metro transit; provide that \$6 million is for metro mobility, \$1.5 million is for regular route bus to replace federal operating assistance or improve service levels, \$700,000 is for social fares to reimburse regular route provides for lost revenue if senior fares are not increased, \$1.5 million is for new service demonstrations, and \$4.5 for light rail transit design and development; require local transit authorities to match the light rail funding on a 50-50 basis; prohibit the expenditure of funds for administrative costs; require the commissioner of transportation review money requests;
- require the Regional Transit Board to report on metro mobility performances statistics, policies, and planned changes to the chairs of House and Senate committees overseeing transit funding and operations on June 1 and Dec. 1, 1988;
- create a special town account in the state treasury and requires that in FY'89 the first \$250,000 in motor vehicle excise tax receipts go into the fund;
- require the commissioner of transportation to distribute monies in the account to towns for aiding in the maintenance of town roads that provide substantial access to a state park, state institution, or unit of the state outdoor recreation system; require the commissioner to give priority to towns maintaining a road that leads to a state park;
- terminate the account on June 30, 1990 and any monies in the fund at that time will be transferred to the town road account in the county state-aid highway fund;
- establish a St. Anthony Falls heritage board and heritage zone; provide for board membership, compensation, and duties which include the development of a comprehensive interpretive plan for a historical zone and making project assistance grants; requires the board to report its actions to the appropriate legislative policy committees;
- designate the Minnesota Historical Society as the coordinator of the heritage interpretive zone and requires the City of Minneapolis and Minneapolis Park Board to provide dollar-for-dollar matching funds, in money or in kind, for the

project; repeal the sections relating to the St. Anthony Falls heritage interpretive zone on July 1, 1997;

- change the distribution of the drivers license reinstatement fees so that 7.5 percent would go into the alcohol impaired driver education account (currently 25 percent goes into this fund), 12.5 percent would go into the Bureau of Criminal Apprehension account, and 5 percent would go into the Charitable Gambling Enforcement account;
- provide that 30 percent of the 80 percent of the transit assistance fund which goes for metro-area is available on appropriations only for grants to regional rail authorities for planning and designing of light rail transit only if the funds are matched on a 50-50 basis;
- add the Regional Transit Board to the Metropolitan Council and Metropolitan Transit Commission in the law directing cooperation with regional rail authorities in the study, planning, and design of light rail transit;
- authorize the Regional Transit Board to establish policies requiring institutions or organizations which use metro mobility to participate in its cost;
- increase from 12 to 15 the members on the Crime Victim and Witness Advisory Council; provide that council members are to be compensated for expenses in the same manner as for other councils; provide that expense compensation is to be paid from the appropriation for administration of crime victims reparation activities.

\*\*Amendments would make several technical and language changes.

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**Wednesday, March 23**

**Highway acquisition loan program**

HF1826 (Lasley, DFL-Cambridge)—heard; laid over.

Would authorize the issuance of bonds to establish a fund for loans to purchase highway right-of-ways outside the metropolitan area.

(See bill summary in HWR, Vol. 4, No. 2, Pg. 12, Transportation, Feb. 17)

**Education Division/APPROPRIATIONS**

**Friday, March 18**

**Higher Education Finance Bill**

HF2459/SF2313 (L. Carlson, DFL-Crystal)—recommended to pass as amended\*\*; rereferred to full committee.

Would appropriate money, with certain conditions, to the Higher Education Coordinating Board (HECB), regents of the University of Minnesota, State University Board, State Board for Community Colleges, and State Board of Vocational Technical Education. Provisions would allocate:

- \$5,700,000 in FY'88 and \$430,000 in FY'89 to the HECB for state scholarships and grants and instruct HECB to seek a deficiency appropriation for state scholarships and grants in 1989; would allow HECB to transfer funds among accounts and permit HECB to seek temporary funds from the commissioner of finance to ease cash flow;
- \$70,000 to HECB for administration of Job Skills Partnership in FY'89 but would end grant awards after FY'88, thereby closing out the program;
- \$360,000 in FY'89 to HECB to fund Quality Assessment, Minority Education Partnership; and a study of higher education needs in the metropolitan corridor from St. Cloud to Rochester;
- \$2 million in FY'89 to the State Board of Vocational Technical Education for curriculum restructuring;
- \$1,014,200 in FY'89 to the State Board of Vocational Technical Education for increased enrollment;
- \$630,000 in FY'89 to the State Board of Vocational Technical Education for services for handicapped students and \$75,000 for the State Council of Vocational Technical Education;
- \$4,964,100 in FY'89 to the State Board for Community Colleges for increased enrollment;
- \$667,000 in FY'89 to the State Board for Community Colleges for instructional equipment expenditures;
- \$7,349,800 in FY'89 to the State University Board for increased enrollment;
- \$525,000 in FY'89 to the State University Board for the Science and Technology Resource Center;
- \$167,000 in FY'89 to the Regents of the University of Minnesota to develop a delivery system for graduate education programs to be offered in the greater Rochester area;
- \$3 million in FY'89 to the Regents of the University of Minnesota for rank funding adjustment; this money would be matched 2:1 from central reserves;
- \$265,000 in FY'89 to the Regents of the University of Minnesota for the Veterinary Diagnostic Laboratory.

Other provisions would:

- require the regents to provide \$300,000 to the Duluth campus for scholarships or related activities;
- incorporate Minnesota students in optometry and osteopathy programs in the Income Contingent Loan Program;
- establish a program to allow school districts and postsecondary institutions to exchange faculty on a voluntary, temporary basis;
- request each postsecondary system to set prices for goods and services that closely approximate the cost of providing them and to reinvest any profit in lower future prices;
- ask the governing boards to jointly establish a Loaned Executive Action Program so private sector executives could study management issues and structures and recommend improvements;
- require each system to assess the effects of recent child care legislation on the needs of students;
- authorize the State University Board to use unrestricted funds to pay outstanding revenue bonds and to issue revenue bonds for building dorms, student unions, food service and parking facilities;
- allow the State University Board to issue taxable bonds;
- request the Regents of the University of Minnesota to undertake actions recommended in the Legislative Audit Commission Report.

\*\*Amendments would make technical changes.

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**Wednesday, March 23**

**University of Minnesota—child care**  
HF2119/SF2269 (Trimble, DFL-St. Paul)—heard. (SF in Senate Education Committee)

Would require the University of Minnesota to provide child care facilities in every new building and every building that undergoes major remodeling between 1988 and 1993 on the Twin Cities campus, if state monies are used.

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**Higher Education Finance Bill**  
HF2459/SF2313 (L. Carlson, DFL-Crystal)—reconsidered; recommended to pass as amended\*\*; rereferred to full committee.

Would appropriate money to the Higher Education Coordinating Board, regents of the University of Minnesota, State University Board, State Board for Community Colleges and State Board of Vocational Technical Education, with certain conditions.

(See bill summary under March 18)

\*\*Amendments would remove all appropriations except the \$167,000 for development of Rochester graduate programs from the University of Minnesota, and reallocate it to: the State Board of Vocational Technical Education, the State Board for Community Colleges, and the 1989 state scholarships and grants program.

## Health & Human Services Division/ APPROPRIATIONS

**Friday, March 18**

**HMO/Medicare consumer—bill of rights**  
HF1498/SF1388 (Clark, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF passed Senate)

Would provide for a Medicare enrollee's consumer bill of rights, set requirements for statements of exclusions and limitations, and define responsibilities of HMO commissioners.

(See bill summary HWR, Vol. 4, No. 5, Pg. 35, Health & Human Services, March 10)

\*\*Amendment would clarify language.

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**Veterans home—control**  
HF1746/SF1595 (Kostohryz, DFL-North St. Paul)—reconsidered, recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would return control of the Minnesota veterans homes to the Department of Veterans Affairs and create a veterans home board of directors.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 9, Health & Human Services Division/Appropriations, March 17)

\*\*Amendments would:

- specify and define board members to include the commissioner of veterans affairs, the chair of the Senate and House committees on general legislation, veterans affairs and

gaming (or a committee member who is a veteran); and would stipulate that no more than three of the five members be of the same gender;

- remove the bill from the omnibus bill and send it to Appropriations Committee.

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#### **HMO solvency—requirements**

HF2127/SF2008 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would require health maintenance organization (HMOs) to be certified by the commissioner of health and to meet insolvency requirements.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 36, Health & Human Services, March 10)

\*\*Amendments would:

- decrease the required deposit from 50 percent to 33 percent of the HMOs uncovered expenditures in its first 12 months of operation; and tighten language regarding the HMOs proof of solvency;
- provide language enabling the commissioner of health to examine expenses of HMO;
- define “eligible person” for purposes of HMO contract;
- require a study and report to the Legislature by Jan. 15, 1989 on the finances and annual operating deficits incurred under the Minnesota comprehensive health association.

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#### **Outpatient treatment—by court order**

HF2130/SF2055 (Vellenga, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would require courts to receive annual reviews of people with indeterminate commitments; and provide for court-ordered, community-based, nonresidential treatment.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 33, Health & Human Services, March 4)

\*\*Amendments would, for clarity purposes, define regional treatment center; clarify language.

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#### **Mental health ombudsman—duty clarification**

HF2138/SF1628 (Greenfield, DFL-Mpls)—reconsidered; recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would clarify and revise the role of the ombudsman for mental health and mental retardation; would extend the authority of the ombudsman to serve people with mental illness, mental retardation or related conditions, chemical dependency and emotional disturbances. Provisions would:

- specify, define and clarify the duties, terms, and responsibilities of the ombudsman and ombudsman’s office;
- transfer funds from the Welsch consent decree monitor’s office to the ombudsman for mental health and mental retardation.

\*\*Amendment would remove the bill from the omnibus bill and send it to the full Appropriations Committee.

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### **Monday, March 21**

**Health & Human Services Omnibus bill—heard, amended.\*\***

(HFxxx (Greenfield, DFL-Mpls))

Would establish various funding provisions and rider language for support of Minnesota’s health and human service program; and set supplemental spending levels for the departments of Human Services, Health, Corrections, and Jobs and Training.

(See bill summary under Appropriations, March 24)

\*\*Amendments would:

- add rider language to clarify appropriations, duties, terms;
- incorporate Senate language for specific provisions;
- make technical changes.

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### **Tuesday, March 22**

**Mental retardation—resident programs**

HF781/SF0747 (Rodosovich, DFL-Faribault)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would establish a system of state-operated, community based residential programs for persons with mental retardation.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 12, Governmental Operations, March 3)

\*\*Amendment would delete a section allowing an exception

to the intermediate care facility moratorium; and make technical changes.

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**Status offenders—Juvenile Code changes**

HF1251/SF2275 (Pappas, DFL-St. Paul)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF on Senate Floor)

Would make changes in the state juvenile code regarding the juvenile court's dependency/neglect and status offender jurisdiction.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 38, Judiciary, March 8)

\*\* Amendments would remove fiscal impact and make technical change.

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**Day care building code—task force**

HF1795/SF1617 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill (SF on Senate Floor)

Would require the commissioner of administration to establish a task force to determine occupancy standards for family and group family day care homes. Provisions would define task force membership and require the commissioner to report findings to the Legislature.

\*\* Amendments would:

- require commissioner of administration to examine hindrances in establishing day care facilities in rural Minnesota;
- provide certain exceptions to the family and group family day care rule;
- make technical change.

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**Hearing impaired—telephone assistance**

HF1812/SF1809 (Clark, DFL—Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would amend the 1987 law on telephone assistance for the hearing impaired by moving many duties, such as distribution and management of the communications devices, from the phone company to the commissioner of human services.

(See bill summary in HWR, Vol 4, No. 5, Pg. 52, Regulated Industries, March 7)

\*\* Amendment would make technical, legal changes to adopt necessary rules.

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**MA case management—pilot project**

HF1927/SF1825 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Health & Human Services Committee)

Would establish a rural and urban case management pilot project to improve delivery and reduce cost of medical assistance. Provisions would:

- define terms;
- define duties of case manager;
- exclude certain services from requirement of approval by the case manager such as dental exams, eye exams, and family planning;
- define administrative requirements;
- require a report from the commissioner by Jan. 1, 1980.

\*\* Amendment would adopt language to better define the project; establish a task force and make technical changes.

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**Development achievement centers—rate changes**

HF2233/SF1933 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. SF in Senate Finance Committee)

Would change rates for day training and habilitation services.

(See bill summary in HWR, Vol 4, No. 5, Pg. 36, Health & Human Services, March 10)

\*\* Amendments would:

- changes rate increases in payment rates for vendor from 10 to 15 percent;
- establish a pilot study;
- make technical changes.

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**Children's crisis intervention center—demo project**

HF2561 (Segal, DFL- St. Louis Park)—recommended to pass as amended.\*\* (SF in Senate Health & Human Services Committee)

Would establish a demonstration project for child and adolescent crisis intervention and suicide prevention; define project and study.

\*\*Amendment would appropriate \$20,000 from the general fund to the commissioner of human services for the project.

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**Work activity funding—pilot project**

HF2575/SF2293 (Ogren, DFL-Aitkin)—recommended to pass as amended\*\*; incorporated into Health & Human Services omnibus bill. (SF in Senate Finance Committee)

Would require commissioner of human services, in consultation with the commissioner of jobs and training, to establish a pilot program for providing medical assistance reimbursement to work activity programs; would require evaluation and report to the Legislature by Dec. 1, 1988.

\*\*Amendments incorporate the bill into the Health & Human Services Omnibus Bill.

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**Health & Human Services Omnibus Bill**

HFxxx (Greenfield, DFL-Mpls)—heard; amended.\*\*

Would establish various funding provisions and rider language for support of Minnesota's health and human service programs; and set supplemental spending levels for the departments of Human Services, Health, Corrections, and Jobs and Training.

(See bill summary under Appropriations, March 24)

\*\*Amendments would incorporate rider language, clarify terms, make technical changes.

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**Wednesday, March 23**

**Public assistance programs—state takeover**

HF2685/SF2463 (Greenfield, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Taxes & Tax Laws Committee).

Would establish a compliance system for certain public assistance programs should legislation be enacted providing county property tax relief through increases in state funding of income maintenance programs.

\*\*Amendment would delete a section appropriating funds for the conversion of county food stamp quality control operations.

**State Departments Division/  
APPROPRIATIONS**

**Friday, March 18**

**State forest management roads**

HF1931/SF1662 (R. Johnson, DFL-Bemidji)—recommended to pass as amended\*\*; incorporated into the State Departments Division operating budget bill. (SF in Senate Finance Committee)

Would provide for the establishment, construction, administration, and maintenance of state forest management roads.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 55, Transportation, March 4)

\*\*Amendments would make changes in reporting method and establish a forest road advisory committee in each forestry administrative area.

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**National Guard service—state bonuses**

HF2281/SF2109 (Kinkel, DFL-Park Rapids)—amended\*\*; incorporated into the State Departments Division operating budget bill. (SF in Senate Finance Committee)

Would provide a state bonus for National Guard service and establish a tuition reimbursement program for National Guard members and their surviving dependents.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 15, Education, March 9)

\*\*Amendments would:

- direct the adjutant general to pay, no later than June 30, 1989, a cash bonus of \$100 to any member who has served during the 1988 fiscal year and who reenlists in the Minnesota National Guard;
- redefine tuition reimbursement and increases rates;
- eliminate death benefit tuition reimbursement;
- appropriate \$722,000 for cash bonuses and \$1,575,000 for tuition reimbursements;
- require the Department of Military Affairs to report back to the Legislature by March 1, 1989 on the program;
- require the Department of Military Affairs to make a specific effort to recruit and retain women and minority members in the National Guard.

**Hill-Annex Mine—state park proposal**

HF2179/SF1735 (Solberg, DFL-Bovey)—amended\*\*;  
incorporated into the State Departments Division operating  
budget bill. (SF in Senate Finance Committee)

\*\*Delete-everything amendment would add Hill-Annex  
Mine State Park to the state park system; would specify  
acquisition terms and conditions; would appropriate  
\$430,000 to the commissioner of natural resources for  
operating expenses and land acquisition.

**\*\*Amendments would:**

- eliminate Hill-Annex Mine as a state park and designate it  
as a state preservation site to be operated by the Iron Range  
Resources Rehabilitation Board (IRRRB);

- appropriate \$300,000 to the Department of Natural Re-  
sources in a grant to IRRRB for pumping costs associated  
with the Hill-Annex Mine;

- require a financial report on the use of the grant for the  
chairs of the House Appropriations and Senate Finance  
committees no later than Jan. 1, 1990.

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**Tuesday, March 23**

**State Departments Division—operating budget bill**  
HF2344 (Kahn, DFL-Mpls)—recommended to pass as  
amended\*\*; rereferred to Appropriations Committee.

Would appropriate money for FY'88 and FY'89 to state  
agencies with stipulations; modify their functions; fix and  
limit fees; and require studies and reports.

\*\*Delete-everything amendment would appropriate the  
following monies:

*Note: Where two dollar figures appear one after the other,  
the first is for the fiscal year ending in 1988 (FY'88); the  
second is for the fiscal year ending in 1989 (FY'89).*

**Supreme Court**

\$60,000 in FY'88 for family farm legal assistance program.

**Board of Public Defense**

\$110,600 in FY'89

- would include:  
—Public Defender's Insurance, \$55,600;  
—intergovernmental relations position, \$55,000.

**Lt. Governor**

\$10,000 in FY'89 for upgrading computer system.

**Dept. of Administration**

\$131,300; \$808,900

- would include:

- 9-1-1 emergency services, \$119,300; \$488,900;
- planning and conducting architecture conference, \$12,000  
in FY'88;

- computer centers in school districts, \$150,000 in FY'89;
- assist Legislature in use of more interactive technologies,  
\$20,000;

- Twin Cities Regional Cable Channel, Inc., \$95,000 in  
FY'88;

- study of use of soybean oil base ink for state printing,  
\$5,000;

- community services and volunteer program, \$50,000.

**Dept. of Employee Relations**

\$166,000 in FY'89 for statewide fringe benefit plan;

\$25,000 for job evaluation study in intermediate care  
facilities for mentally retarded and other facilities licensed by  
a county or Dept. of Human Services.

**Dept. of Revenue**

\$397,900; \$321,500

- would include:

- processing tax relief legislation, \$263,000 in FY'88;

- salary supplement, \$117,900; \$239,900;

- administration of metropolitan solid waste landfill fee,  
\$17,000; \$81,600.

**Dept. of Natural Resources**

\$859,200; \$6,628,000

- would include:

- forest nurseries, \$400,000; \$490,000;

- forest management, \$675,000;

- hybrid aspen study, \$80,000;

- statewide forest inventory \$270,000;

- development of Thief Lake wildlife management area:  
\$50,000 in FY'88;

- rehabilitation of Norris Tower picnic site, \$8,000;

- annual payments to Chippewa Indians relating to treaty  
settlement, \$5,050,000;

- study of the continued use of the Tettegouche Camp  
buildings, \$20,000 in FY'89;

- Paul Bunyon Trail, \$35,000 in FY'89;

- grant to IRRRB for pumping costs of Hill Annex Mine,  
\$300,000 in FY'89;

- salary range compression for conservation officers,  
\$109,200 in FY'88.

**Minnesota Zoological Gardens**

\$200,000 for exhibition of exotic species;

\$1,200,000 for renovation of the whale tank.

**Pollution Control Agency**

\$100,000; \$336,500

- would include:

- upgrading laboratory facilities used for testing water,  
\$63,000;

- grant to MN Emergency Responders Training Academy for hazardous materials handling training, \$35,000 in FY'89;
- property transfer assistance, \$238,500 in FY'89;
- municipal litigation loan program, \$100,000.

**Housing Finance Agency**

\$200,000 to for a demonstration project for construction or rehabilitation of 8-10 residential units for the homeless.

**Dept. of Trade and Economic Development**

\$23,000; \$991,500

• would include:

- tourist information offices, \$23,000; \$770,000
- marketing and scheduling of World Trade Center's conference and training center, \$50,000 in FY'89;
- Minnesota Council on Productivity and Quality, increase of three positions;
- Amateur Sports Commission for operation of Blaine facility, \$38,000;
- general operating expenses, \$83,000;
- land aquisition for a park on Trout Lake in Itasca County, \$50,000.

**World Trade Center**

\$430,300 in FY'89 to for general operating expenses.

**State Planning Agency**

\$75,000 in FY'89 for aquaculture;

\$10,000 for annual dues for Harvard University's program for Information Resources Management.

**Dept. of Labor and Industry**

\$95,000 in FY'88 for a medical cost study.

**Dept. of Military Affairs**

\$2,297,000 in FY'89

• would include:

- cash bonus program, \$722,000;
  - tuition reimbursement program, \$1,575,000.
- (See bill summary for HF2281 under State Departments Division/Appropriations, March 18)

**Dept. of Human Rights**

\$30,000 in FY'89 for word processing expenses.

**Council of the Affairs of Spanish Speaking People**

\$28,000 in FY'89 for establishment of a research component of the council.

**Volunteer firefighters**

\$300,000 in FY'89 for volunteer firefighters reimbursements and to provide a supplemental benefit those that receive lump sum benefits from a Firefighters' Relief Association.

Other provisions would:

- instruct the commissioner of administration to complete phase II of the study comparing the costs of leasing office space verses new state construction; study the feasibility of making available certain state surplus property available to Indian communities; and any state purchased, leased or remodeled building in excess of 50,000 square feet must include space usable for child care;

- rule that all refunds for taxes paid on motor vehicle fuels are appropriate to the agency that paid the tax;

- direct the commissioner of natural resources to apply for RIM funding;

prepare a study of the feasibility of a land exchange for the wild life lands adjacent to the former Rochester State Hospital facility; seek federal funding for the payments relating to the treaty settlement with the Chippewa Indians; fence the property line of part of the Willard Munger Trail; study the feasibility of connecting St. Croix state park and the Hinkley Trail; and extending the boundaries of the Split Rock Lighthouse State Park; or other park on the north shore to include a sunken ship for underwater interpretation;

- require the Minnesota Zoo to open free of charge at least two days a month;

- direct the Polluton Control Agency not to grant a waiver from the noise pollution standard for the interchange of Shepard Road and Chestnut Street in St. Paul;

- authorize that up to \$800,00 of the appropriation for economic recovery grants be available for manufacturing projects;

- authorize suburban Hennepin Regional Park District to acquire property for a Lake Minnetonka regional park;

- designate Hill-Annex Mine as a state preservation site; (See bill summary for HF2179 under State Departments Division/Appropriations, March 18)

- credit \$400,000 to the state forest road account and \$200,000 to the county forest access road account from the unrefunded tax paid on gasoline and special fuels; expand the study of the forest logging roads to include recreational vehicles and other uses; and incorporate HF1931 on the State forest management roads; (See bill summary for HF1931 under State Departments Division/Appropriations, March 18)

- rename the Legislative Committee on Planning and Fiscal Policy to the Legislative Commission on Planning and Fiscal Policy and outline the commissioners duties;

- remove the requirement that the Council on Affairs of Spanish-Speaking People, Council on Black Minnesotans,

and Council on Asian-Pacific Minnesotans reimburse the commissioner of administration for services;

- clarify the responsibility for purple loosestrife;
- change the fee for state park permits and applications in the area of water resources;
- redefine "responsible person" and set up requirements in the transfer of property in the Petroleum Tank Release Cleanup Act;
- restrict the salary and compensation of the Greater Minnesota Corporation Board and the firms or organizations eligible to receive financial assistance;
- add monitoring of radioactive wastes to the costs that must be covered by an assessment paid by a company operating a nuclear fission electrical generating plant;
- establish a one-year pilot project to make loans to municipalities with populations less than 1500 for assistance in litigation relating to waste water treatment projects;
- include public defenders who are appointed by the State Board of Public Defense as state employees and those in the regional tourism offices as unclassified civil service employees;
- add three members to the Minnesota Council on Productivity and Quality;
- remove the requirement of the commissioner of administration relating to criteria for grants to public broadcasting stations; the appropriation for the emergency deer feeding program; and the matching requirement for the construction of the educational center at the Environmental Learning Center at Isabella;
- permit the appropriation in last year's bonding bill for the commissioner of trade and economic development's operating expenses be used by the amateur sports facility and call for a study of the potential effects of airport zoning on the Blaine facility;
- authorize the commissioner of trade and economic development to use \$15,000 for the costs in administering the contract for the development of the trade model;
- decrease to one half of the filing fee surcharge for civil actions that is dedicated to the Supreme Court's legal services account and increase to one half the surcharge amount that is dedicated to the software sales account;
- set a new deadline for the use of the appropriation of the comprehensive fish and wildlife plan;

- remove the provision that reduces the appropriation to the commissioner of revenue if the automated collection system is not fully operational by Aug. 1, 1988;
- repeal the funding mechanism established last session for the tourist information centers;
- set effective dates.

## EDUCATION

Friday, March 18

### Redwood Falls School District—capital loan

HF1787/SF1616 (Miller, IR-Redwood Falls)—incorporated into HF2058. (SF in Senate Finance Committee)

Would approve a \$6,285,000 loan to the Redwood Falls School District for a capital construction and remodeling project contingent upon voter approval of a maximum project loan of \$14,605,000 certified by the district clerk.

### School district capital loans—changes

HF2058/SF1745 (Peterson, DFL-Princeton)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

\*\*Delete-everything amendment would alter the maximum effort school loan program, approve capital loans, authorize the sale of bonds, and revise procedures related to capital loans so that school districts would receive legislative approval prior to a voter referendum. Provisions would:

- approve a \$4,791,000 capital loan for District No. 912, Milaca;
- approve a \$1,087,000 capital loan for District No. 738, Holdingford;
- approve a \$5,838,000 capital loan for District No. 637, Redwood Falls;
- authorize the commissioner of finance to issue and sell school loan bonds of the State of Minnesota in the maximum amount of \$20,000,000, in addition to the bonds already authorized for this purpose.

### Holdingford School District—capital loan

HF2152/SF1929 (Omann, IR-St. Joseph)—incorporated into HF2058. (SF in Senate Finance Committee)

Would approve a \$1,300,000 capital loan to Holdingford for an addition to the secondary school and two remodeling projects contingent upon voter approval of a maximum project loan of \$4,700,000 certified by the district clerk.

## ENVIRONMENT & NATURAL RESOURCES

Tuesday, March 22

**Metro waste disposal siting procedure—repeal**  
HF2367 (D. Nelson, DFL-Champlin)—advisory consideration.

Would repeal the laws requiring the Metropolitan Council to complete a solid waste disposal capacity estimate, and the procedure for selecting and acquiring metropolitan waste disposal facility sites and buffer zones.

## FINANCIAL INSTITUTIONS & INSURANCE

Thursday, March 17

**Financial institutions—leasing investments, other**  
HF2605/SF2323 (Bertram, DFL-Paynesville)—recommended to pass. (SF on Senate Floor)

Would provide that banks could acquire personal property for leasing to customers as long as the bank's total investment does not exceed 200 percent of the sum of the bank's capital actually paid in cash and its actual surplus fund. Provisions would:

- provide that loans or obligations made by the Minnesota Export Finance Authority shall not be subject to limitations based on capital and surplus to the extent that they are secured or covered by guarantees, or commitments, or agreements to takeover or to purchase the same.
- permit a bank to invest in the voting stock of the Federal Agricultural Mortgage Corporation in an amount not to exceed the greater of:
  - 10 percent of the bank's capital and surplus; or
  - the amount required of the bank to participate in the Federal Agricultural Mortgage Corporation Programs.

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**Mortgage Banker/Mortgage Broker Act—modifications**  
HF2744/SF2025 (Voss, DFL-Blaine)—recommended to pass as amended.\*\* (SF rereferred to Senate Finance Committee)

Would require lenders to deliver by mail within 45 days a letter acknowledging a borrower's full payment of a loan; define agreement as a contract between the mortgage banker and the borrower in which the borrower approves of the banker's agreement to loan money at a specified interest rate and discount points. Some provisions would:

- define agricultural property, mortgage loan, mortgage

banker, general mortgage brokers, individual mortgage broker, loan officer, and referral fee;

- require that loan officers, mortgage bankers, general mortgage brokers, and individual mortgage brokers be licensed; exempt from licensing are: persons who primarily process loan applications, or who make or negotiate fewer than five loans in a 12-month period; bank, savings banks, savings association, and credit unions (including employees) organized under state or federal law; regulated lenders and industrial loan thrifts, fiduciaries of employee pension plans who make mortgage loans solely to plan participants; and licensed real estate brokers who incidentally assist a party in obtaining financing but do not receive compensation for that assistance;

- require persons to apply for mortgage banker and general mortgage banker licenses;

- require that applicants for a loan officer and individual mortgage broker license pass an examination before licensure and that licenses be renewed annually;

- establish a list of prohibited practices for persons making or brokering a mortgage loan or an escrow account;

- provide a borrower an unconditional right to cancel a contract for mortgage brokerage services within 48 hours of signing that contract.

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Friday, March 18

**Credit unions—administrative changes**  
HF2010/SF1708 (Scheid, DFL-Brooklyn Park)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would permit a full-time manager to be a credit union director. Provisions would:

- develop an expulsion policy providing that a member may be expelled by the board of directors of a credit union for any of the following reasons involving nonparticipation in the affairs of the credit union, such as failure to purchase at least one credit union share; or causing monetary loss to the credit union;

- notify each member within thirty days of adoption of such a policy.

\*\* Amendments would restrict punitive action to members who failed to purchase and maintain at least one credit union share, and those who caused monetary loss to the credit union.

**Savings and loans—regulating, recodification**  
HF2201/SF1956 (Scheid, DFL—Brooklyn Center)—  
recommended to pass as amended.\*\* (SF on Senate Floor)

Would regulate savings and loan associations.

\*\*Delete everything amendment would:

- permit a person to enter into a credit sale or service contract for sale to a state or a national bank doing business in this state;
- regulate capital stock associations;
- strike provisions prohibiting commissions, fees, or other remuneration in the sale of shares of capital stock of a stock association;
- require directors of stock associations to be qualified; further, restrict a person who has been adjudicated bankrupt or convicted of a criminal offense involving dishonesty, or a breach of trust, from being eligible for election or serving as director of an association, except with the commissioner's written consent;
- provide for the issuance of capital stock;
- provide that the name of every association would include the word "saving" or "savings"; further, provide that existing operations may operate under their existing names;
- require that the association obtain the approval of the commissioner of commerce before opening a branch office; provide that the association would notify the commissioner of the location of its home office and branch offices which shall not be changed or closed without prior written notice to the commissioner; provide that the association may operate other business facilities not constituting branch offices, such as automated teller machines (ATMs) and loan production offices;
- prohibit direct or indirect conversion of an association unless authorized; set forth what types of operations can seek authorization for conversion; make all conversions dependent on the commissioner's approval;
- reduce the majority required to approve a plan of reorganization, merger, or consolidation from 51 percent or more, to more than 50 percent of the total number of votes;
- provide the commissioner the right of examination of the books and records of an association, persons authorized by the association, affiliates of the association, any state or federal agency authorized by the association to inspect or to examine the books; prohibit other release or access to information;

- provide that every mutual association would prepare and publish an annual statement of its financial condition;
- prohibit an officer or director of an association from holding office or status as a director or officer of another non-affiliated financial institution located in the association's primary lending area;
- change principal office to home office for purposes of record storage;
- provide that every association foreclosing a loan would have appraised each parcel of real estate at the time of acquisition, and a report kept thereof;
- allow an association to borrow not more than an aggregate amount equal to one-half of its total assets on the date of the borrowing, and additional sums only when approved by the commissioner of commerce; provide that a subsequent reduction in total assets would not affect outstanding obligations for borrowed money;
- allow a savings association to make, sell, purchase, invest in, participate or otherwise deal in loans and conditional sales contracts and other forms of indebtedness and leases, and to accept any manner of security for the loans and contract;
- provide that savings association may acquire or own real property upon which to conduct its business; provide that such property may be owned by a subsidiary corporation of the association;
- allow an association to act and receive compensation as a trustee of a trust formed as part of a stock bonus, pension or profit sharing plan that is qualified under the Internal Revenue Code and to act as a trustee for individual retirement accounts under the Internal Revenue Code if the funds are invested in savings accounts of the association or in obligations or securities issued by the association;
- provide that an association may contact with an employer to solicit, collect and receive savings by payroll deduction from employees who have agreed to participate in the plan;
- provide that an association may issue drafts and similar instruments drawn on the association to aid in affecting withdrawals and other purposes of the association; further, provide that an association may offer savings accounts, time deposits, negotiable order of withdrawal (NOW) accounts, demand deposit accounts and treasury tax and loan accounts;
- provide that all loans may be paid in part or in full at any time; provide that an association may charge a borrower a prepayment fee on any loan that is not a consumer loan; further provide that the loan document would contain the

manner of figuring the rate of interest on a variable rate loan;

- provide that an association may pay taxes assessments, ground rents, insurance premiums and other similar charges for the protection of any loan on real property secured by a mortgage, and that the costs of such protections will be added into the unpaid balance of the loan;
- provide that an association may buy a conditional sales contract from a third party and enforce such a contract if the annual percentage rate provided for in the contract does not exceed the equivalent of the greater of either of the following:
  - 36 percent per year on that part of the unpaid balance which is \$300 or less;
  - 21 percent per year on that part of the unpaid balance of the amount financed that exceeds \$300, but does not exceed \$1000 dollars; or
  - 19 percent per year on the unpaid balances of the amount finances;
- allow an association to collect additional charges that may be included in the amount financed, such as official fees and taxes, charges for insurance, closing costs, delinquency charges on installments, a service charge on returned checks, and other charges;
- allow an additional charge for insurance written against the loan, such as liability insurance (insurer chosen by the borrower), credit insurance (but only after a full disclosure to the borrower if it is not required, and of what it will cost); and single interest insurance coverage (but only to the extent that the insurer has no right of subrogation against the borrower);
- provide a “right to repay” that allows the borrower or purchaser of a loan to repay in full the unpaid balance of a consumer loan or contract at any time without penalty;
- provide that an association may agree to provide property and liability insurance, and may contract for and receive and receive a charge for such insurance separate from and in addition to other charges;
- provide that associations would comply with the requirements of the Federal Truth in Lending Act in connection with a consumer loan or credit sale for consumer purposes;
- provide that if an organization has violated any provision applying to the collection of finance of other charges, the borrower may seek to recover damages of an amount determined by the courts to be not less than \$100 or more than \$1000;
- provide for the right of the borrower where the borrower is

entitled to a refund and the person liable to the borrower refuses to make the refund within a reasonable time after demand;

- provide that an association is not liable for a violation if it notifies the borrower of its error before the violation is brought to the attention of the association by the borrower;
- provide that an association is not liable for a violation if it can show with a preponderance of evidence that the violation was not intentional and resulted from a bona fide error.

\*\*Amendments would make technical language changes.

## GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, March 24

### Congressional campaign financing—limits

HF1607/SF1382 (Quinn, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee. (SF in Senate Taxes & Tax Laws Committee).

Would limit campaign expenditures by congressional candidates who choose to receive a public subsidy for their campaigns.

\*\*Amendment would:

- change the first campaign year this legislation would effect from 1988 to 1990;
- change effective date to Jan. 1, 1989.

### Campaign contributions—accounting

HF2116/SF2021 (Ogren, DFL-Aitkin)—recommended to pass; rereferred to Rules & Legislative Administration Committee. (SF on Senate Floor)

Would provide for accounting for certain contributions and suspend public subsidy expenditure limits under certain circumstances. Provisions would:

- require that solicited contributions from individual members of political funds or committees be reported as attributable to the fund or committee and count toward their contribution limit, but only if the fund or committee was organized to direct the contributions of its members and influence elections;
- restrict application of expenditure limits to those candidates whose opponents agree to be bound by the limits and

releases a candidate from the expenditure limits, but retain the candidate's eligibility status to receive subsidies if the candidate's opponent does not agree to the limits.

## GOVERNMENTAL OPERATIONS

Friday, March 18

### Postsecondary governance task force

HF482/SF444 (Larsen, DFL-Ramsey)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

\*\*Delete-everything amendment would establish a task force to study post-secondary governance options.

### Carlton County—land sale

HF1898/SF1713 (Ogren, DFL-Aitkin)—recommended to pass; placed on Consent Calendar. (SF passed Senate)

Would authorize Carlton County to sell certain tax-forfeited land to Independent School District No. 95.

### State university, community college faculty—IRAs

HF2151/SF1969 (Reding, DFL-Austin)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

\*\*Delete-everything amendment would establish an individual retirement account plan for state university and community college faculty.

### Gillette Children's Hospital—nonprofit status

HF2400/SF2017 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would authorize the Gillette Children's Hospital Board to incorporate as a nonprofit corporation; would terminate its status as a public corporation, and transfer hospital property ownership to the City of St. Paul.

### Indian tribes—state contracts

HF2429/SF2150 (Peterson, DFL-Princeton)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would prohibit the state from requiring Indian tribes or bands to deny their sovereignty as a requirement or condition of a contract with the state or a state agency.

\*\*Amendment would repeal the prohibition Aug. 1, 1989.

### State fossil—castoroides ohioensis

HF2653/SF1701 (Orenstein, DFL-St. Paul)—recommended to pass. (SF on Senate Floor)

Would designate the castoroides ohioensis (ancient beaver) fossil as the official state fossil.

### St. Paul police—nonduty disability benefits

HF2720/SF2310 (Reding, DFL-Austin)—recommended to pass; placed on Consent Calendar. (SF in Senate Governmental Operations Committee)

Would provide certain nonduty disability benefits to a St. Paul police officer.

## HEALTH & HUMAN SERVICES

Friday, March 18

### Animal pound seizure—repeal

HF89/SF308 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would establish requirements for establishments that convey unredeemed dogs and cats to institutions for research; prohibit establishments from transferring dogs or cats to dealers; require establishments to post a notice that the animals may be conveyed to institutions for research.

### Physical therapy treatment—authorization, regulation

HF926/SF335 (Clark, DFL-Mpls)—recommended to pass. (SF on Senate Floor)

\*\*Delete-everything amendment would authorize physical therapy treatment without referral by a physician; define qualifications and requirements; and set limitations.

### Infectious disease—notification

HF1164/SF994 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF passed Senate)

\*\*Delete-everything amendment would require notification of certain exposures to infectious diseases; provide workers compensation to coverage for certain infectious diseases; define terms; and would provide occupational disease coverage for emergency medical care employees, as defined.

**Medical Examiners Board—physician information**  
HF1890/SF1904 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF on Senate Floor)

\*\*Delete-everything amendment would require a review organization to produce certain information in response to a subpoena from the Board of Medical Examiners; would permit the board to exempt disciplinary actions from publication; and expand the grounds for disciplinary action.

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**Tuesday, March 22**

**Caregiver support services—grant program**  
HF562/SF0400 (Kelso, DFL-Shakopee)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee. (SF in Senate Health & Human Services Committee)

Would create a grant program of caregiver support services; establish state public policy statement; define duties of the commissioner of human services; define terms and grant eligibility.

\*\*Amendment would:

- establish a demonstration project;
- define project.

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**Thursday, March 24**

**Nursing home moratorium—Richter**  
HF2004/SF1810 (Richter, IR-Wadena)—heard. (SF in Senate Health & Human Services Committee)

Would create an exception to the moratorium on certification of new medical assistance nursing home beds.

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**Nursing home moratorium—Onnen**  
HF2301/SF2499 (Onnen, IR-Cokato)—heard. (SF in Senate Health & Human Services Committee)

Would exempt certain beds from the nursing home moratorium.

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**Nursing home moratorium—Uphus**  
HF2635/SF2374 (Uphus, IR-Sauk Centre)—heard. (SF in Senate Health & Human Services Committee)

Would create exceptions to the nursing home moratorium.

**Nursing home moratorium—Johnson**  
HF2657 (R. Johnson, DFL-Bemidji)—heard.

Would create an exception to the nursing home moratorium.

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**Nursing home moratorium—Lasley**  
HFxxx (Lasley, DFL-Cambridge)—heard.

Would allow certain exceptions to the nursing home moratorium.

**LABOR-MANAGEMENT RELATIONS**

**Friday, March 18**

**Firefighters—occupational disease (title change)**  
HF1403/SF1304 (Scheid, DFL-St. Louis Park)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would provide a presumption for finding an occupational disease in the case of firefighters suffering from occupationally related cancer.

\*\*Delete-everything amendment would provide that a firefighter on active duty who cannot perform duties because of a cancer caused by heat, radiation or carcinogen is presumed to have an occupational disease. Provide this provision does not apply to individuals who become firefighters after Aug. 1, 1988, if they have been diagnosed as having cancer, unless the individual later shows that the cancer has cleared up.

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**Job listing services—regulation**  
HF2584/SF1721 (Pappas, DFL-St. Paul)—recommended to pass. (SF passed Senate)

Would regulate job listing services. Provisions would:

- include job listing services in the definition of employment agencies and exclude from the definition a resume service, newspaper, magazine, trade or professional journal or similar publication;
- define job listing service as an employment agency that matches applicants with jobs by providing lists of jobs or employers to applicants or lists of applicants to potential employers, where the applicant pays a fee;
- define concurrent fee as a fee paid by an applicant for a list of employers or job openings, where the fee is not contingent on actual hiring;
- require employment agents to include definitions of accept,

method of payment, temporary position, and charge for permanent position which proves to be temporary, on either the face or the back of the contract;

- prohibit the collection of fees until the applicant actually begins employment and permit the charging of concurrent fees, which are not contingent on job placement.

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#### **Workers' compensation law—changes**

HF2761/SF2540 (Begich, DFL-Eveleth)—recommended to pass as amended; rereferred to Rules & Legislative Administration Committee.

(SF in Senate Employment Committee)

Would regulate the state's workers' compensation system.

- authorize the Joint Underwriting Association to write surety bonds for trucker groups that self-insure for workers' compensation; prohibit surety bonds to self-insured trucker groups if the members are not jointly and severally liable;
- provide that the rate for the surety bonds is 120 percent of the average rate for bonds for all other workers' compensation groups; provide that surety bonds losses are paid by the special compensation fund, which must seek an appropriation to pay for such losses; require the Workers' Compensation Reinsurance Association to assist the Joint Underwriting Association in writing the surety bonds;
- prohibit discriminatory rate practices and set out a standard to judge discriminatory rates practices; permit rates lower than those approved by the commissioner;
- establish an insurance rate regulation system that would freeze workers' compensation rates on all policies that insurers filed before Jan. 1, 1988; provide that if the insurer has not filed a rate by then, they may request rate approval of any classification up to the rates charged by the Assigned Risk Plan for that classification; require the commissioner of commerce to approve rate schedules;
- require the commissioner of commerce to adopt a schedule of rates for use after June 30, 1989, following a contested case hearing; provide standards for accepting or rejecting a petition to modify existing rates; provide for hearing procedures; permit any interested party to petition for a rehearing or reconsideration of the commissioner's decision within 30 days of the decision; provide for judicial review of the commissioner's orders, provided that the order remains in effect pending the court decision; provide for interim schedule of rates and automatic rate adjustments;
- require that all insurance policies issued or renewed after June 30, 1989 use the schedule of rates the commissioner approves; provide that no rating classification may be used in Minnesota unless the commissioner approves it;

- require all workers' compensation insurers selling insurance in this state to be a member of the Workers' Compensation Insurers Rating Association; require the association to have articles of association and bylaws, subject to approval of the commissioner, and to admit all compensation insurers in the state;

- establish a board of directors, four appointed by the insurers and three by the commissioner; require a plan of operation be adopted by the association and approved by the commissioner; require the association to file all underwriting and rating manuals with the commissioner, who must approve all manuals to be used after Oct. 1, 1988; exempt the rating association from requirements that apply to other public bodies;

- provide for association licensing, filing of an annual statement on March 1 of every year, and the filing of other information such as unreported losses, premiums, reserves, and income; require the association to properly classify all compensation risks, which are subject to approval of the commissioner;

- prohibit insurers from discriminating unfairly between risks and classes of risks, or in the application of like charges and credits, or by providing special reductions for a particular employer;

- require every Minnesota insurer who writes workers' compensation insurance to file its rates, which must comply with the requirements of law, with the commissioner; make new rates effective 15 days after filing and approval;

- prohibit rates above those approved by the commissioner; permits deviation under a merit or experience rating system approved by the commissioner, provided that written explanation may be required;

- permit penalties on between \$50 and \$5,000 for any violation of this act and possible loss of license;

- provide that all insurance policies issued for injuries occurring after Dec. 31, 1988, are subject to this act; appropriate money to pay for the appointment of employees as provisional or exceptional employees by the department of commerce and labor and industry and to the attorney general's office to implement this act;

- repeal the provisions that established the framework for regulating and monitoring insurers after rates terminated in 1983, including the provisions that regulated data service organizations;

- require all attorneys who request fees to file a fee statement, which must include the number of hours spent on a case, with the commissioner or court;

- limit attorney fees to \$6,500 per case, unless the commissioner or the judge who heard the case, approves an additional fee; prohibit payment of attorney fees until a statement of hours and fees is filed with the commissioner;

- allow any party, not just the employee, to obtain review of attorney fees by the Workers' Compensation Court of Appeals;

- permit the commissioner to establish a fee schedule or other limits on fees for qualified rehabilitation consultants by emergency rules, which will remain in effect until Sept. 30, 1991;

- move back the mandatory rehabilitation consultation to after 90 days of lost-work time, rather than the current 30-60 day period; require rehabilitation consultation prior to that time only if medical information indicates the employee will be unable to return to the pre-injury employer, not just to the job the employee had at the time of injury;

- require the commissioner to approve any rehabilitation plan not completed in six months or that will cost more than \$3,600; freeze medical fees at their 1987 level by providing that the fee schedule that will go into effect on Oct. 1, 1988 will remain in effect until Sept. 30, 1991;

- give the commissioner emergency rulemaking authority to limit inpatient and outpatient hospital charges;

- give the commissioner emergency rulemaking authority to limit charges for independent, adverse, or neutral medical examinations requested by any party;

- allow the commissioner to adopt rules prohibiting unfair claims practices or conduct and to penalize insurers and self-insurers who perform unfair, deceptive, or fraudulent practices;

- provide emergency rules effective dates and provide authority to the State Fund to issue coverage for injuries outside Minnesota, including "all states" coverage;

- require the commissioner of labor and industry to present a report on medical cost issues to the Legislature by Jan. 1, 1990; require the report to include a detailed proposal for instituting a system of neutral doctors; require the commissioner to develop a proposal to assure neutrality of Qualified Rehabilitation Consultants and report to the Legislature by Jan. 1, 1989;

- repeal the workers' compensation system as of June 30, 1991, except for the administrative provisions.

\*\*Amendments would:

- move up the date for the initial rate schedule to June 30, 1989 rather than Oct. 1, 1989;

- require the commissioner to notify the petitioner for a rate hearing in 90 days instead of 30 days;

- allow the commissioner of labor and industry to request an interim rate hearing to modify rates as a result of law changes or court decisions;

- allow the commissioner to limit rehabilitation vendor fees;

- allow the commissioner to suspend or revoke the licenses of claims administrators, adjusters, and self-insureds, not just insurers;

- give the Workers' Compensation Court of Appeals the authority to summarily affirm decisions without an opinion;

- base temporary benefits and permanent benefits on 80 percent of the injured worker's spendable weekly earnings rather than two-thirds of injured worker's gross income;

- raise the maximum compensation benefit to 130 percent of the statewide average weekly wage;

- reduce minimum benefits to either 20 percent of the statewide average weekly wage or the injured worker's spendable weekly wage, whichever is less;

- delay the cost-of-living escalator for two years after an injury instead of one;

- base the compensation for an occupational disease on 80 percent of the worker's spendable weekly earnings;

- provide that an examination by the employer's doctor must be held within 150 miles of the employee's residence unless the employer, with approval by the Department of Labor and Industry, shows good cause for holding the exam further away.

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#### Thursday, March 24

##### Plant closing

HF649/SF892 (Ogren, DFL-Aitkins)—recommended to pass; rereferred to Rules & Legislative Administration Committee. (SF in Senate Rules & Administration Committee)

Would require certain businesses to announce plant closings or major layoffs 120 days in advance. Provisions would:

- require businesses that have hired at least 100 employees for six months, and where layoffs would reduce employment

at least 20 percent, to give a written notice to the commissioner of the Department of Jobs and Training, each affected employee, organization, and municipality at least 120 days before a closing, change of ownership, relocation, or a major layoff;

- provide that the notice period does not apply to employers who can show that to stay open for 120 days would be a loss to the employer; require these employers to provide notice as soon as they decide to close, change ownership, relocate, or decrease operations that would reduce employment by 20 percent or more;
- require employers to provide severance pay to employees who've worked for the employer for three or more years;
- exclude vacation pay, accrued wages and other types of payments, except those payments for termination of employment, from severance pay;
- set severance payments to equal an employee's weekly wage multiplied by the number of full or fractional years of employment, or the weekly wage times 10, whichever is greater;
- require employers who have a health insurance plan to continue paying the worker's health insurance for 120 days on the same basis as before the termination;
- require employees to continue to pay their share of the health care coverage and allow the employee to discontinue coverage;
- provide that the employer's insurance obligation ends when the employee obtains new coverage;
- allow any collective bargaining agreements that provide greater protection to workers facing layoffs or a plant closing to supersede the provisions of this bill;
- provide that the early notifications requirement does not apply to construction sites or other temporary workplaces;
- provide that receipt of payment does not affect the employee's rights to payment under any other state law or to seniority, recall or other rights granted by the employer or employee organization;
- provide that claims against an employer pursuant to this bill have priority over all other claims except wage claims;
- establish a cause of action to recover damages, as well as attorney's fees and costs, against an employer for injury caused by a violation of the statute;
- provide jurisdiction in the courts to prevent and restrain violation of the bill;

- permit the attorney general to obtain injunctive relief against actual or threatened violations of the act and to sue for civil penalty not to exceed \$25,000; require the attorney general to deposit monies collected in the general fund for an annual appropriation to the commissioner of the Department of Jobs and Training to carry out duties under this bill;

- create a subcommittee of the full productivity and opportunity council made up of the coordinator, the commissioner of jobs and training, the commissioner of energy and economic development, the director of the vocational technical education system, and representatives from business and organized labor, which must meet within 14 days after the commissioner of jobs and trainings receives a plant closing notification and develop a plan for coordinating existing programs and services to assist employees, businesses, and municipalities.

## METROPOLITAN AFFAIRS

**Friday, March 18**

### **Airlake Airport—expansion restrictions**

HF1823/SF1688 (Jensen, DFL-Lakeville)—laid over. (SF on Senate Floor)

Would prohibit the Metropolitan Airports Commission from extending runways, constructing new runways, or acquiring land for the construction of runways at Airlake Airport.

### **Water management organizations—erosion control**

HF1953/SF1632 (Bennett, IR-Shoreview)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would authorize coordinated sediment and erosion control programs for Ramsey County.

\*\* Amendment would adopt language from SF1632 into the bill.

### **Regional Transit Board—finance, duties regulation**

HF2320/SF2818 (A. Johnson, DFL-Spring Lake Park)—heard; rereferred to Transit Subcommittee. (SF on Senate Floor)

Would allow the Regional Transit Board to borrow money for current expenses, capital expenditures, or to pay obligations of indebtedness, or for any other purposes.

## TAXES

Thursday, March 17

**White Bear Twp.—economic development authority**  
HF1865/SF1971 (Stanisus, IR-White Bear)—recommended to pass. (SF in Senate Taxes & Tax Laws Committee)

Would authorize the Town of White Bear to establish an economic development authority, and grant it city powers to administer that authority.

**Minnesota Public Facilities Authority—bonding**  
HF2306/SF2016 (Long, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Economic Development & Housing Committee)

Would authorize the Minnesota Public Facilities Authority to issue revenue bonds, to make loans, or to purchase the bonds of municipalities for wastewater treatment and water supply systems.

\*\*Delete-everything amendment would authorize the authority to acquire, hold, and sell property;

- grant the authority all necessary and convenient powers to carry out its duties;
- authorize the authority to acquire obligations issued by government units (such as state agencies, cities, counties, and sanitary districts) to finance wastewater treatment projects;
- direct the authority to assist eligible government units in the planning of the financing (determining what grants or loans are available) for that unit's portion of the project costs;
- authorize the facilities authority to issue up to \$100 million in bonds to be used to finance loans for water projects, to establish reserve funds, to pay interest on bonds;
- authorize the authority to issue refunding bonds (i.e. refunding a 14- percent bond with a 10-percent bond when interest rates have dropped) and to pay interest or redemption premiums on those bonds;
- permit use of general obligation authority or revenue bonds; general obligation authority bonds pledge the revenues and funds of the authority but not pledge the faith, credit or taxing power of the state;
- authorize the authority to establish the terms of the bonds it issues; limit bonds to a maximum maturity date of 30 years; allow bonds sold through negotiated and public sales;

- authorize the authority to issue bonds which the bondholder may sell back to the authority; require the authority to arrange with a suitable financial institution to provide the money to repurchase the bonds;

- authorize the authority to establish a "bond service fund" to be used only for the payment of principal, the payment of interest, and for the repurchase of those bonds the authority has sold; require that monies in the bond service fund be invested only in U.S. Government Obligations, or in financial institutions insured by the FDIC or the FSLIC;

- require that the the bond service fund be increased to cover the servicing of new bonds issued;

- require that the authority report to and certify with the governor the amount in the bond service fund, the amount needed to restore each debt service amount in the fund to the minimum as required by the bond resolution, and the amount that will be needed to service the bonds in the next year;

- require that the authority deposit its money with the state treasurer; and that the treasurer not mix the authority's money with other money; and that the treasurer deposit the authority's money in U.S. Obligations or banks and trust companies that are insured by the FDIC or the FSLIC;

- exempt authority members from personal liability on the bonds;

- require that the authority may purchase its outstanding bonds at a price that cannot exceed the redemption price plus the premium.

Friday, March 18

**Property tax—reform proposal**  
HF2033/SF1957 (Welle, DFL-Willmar)—heard. (SF in Senate Taxes & Tax Laws Committee)

Would offer a six-class classification system designed to adjust tax burdens on different types of property without the use of state paid credits. Some provisions would:

- provide a homestead exemption equal to the first \$68,000 of market value;

- provide an agricultural land exemption, exempting from taxation 20 percent of the market value up to 320 acres of homesteaded agricultural land;

- provide school foundation aid funded at a level approximately \$250 million greater than the current funding level; this additional funding would be intended as general property tax relief;

- provide local government equalization aids for cities and towns, replacing traditional local government aids; would base proposed aids on each jurisdiction's actual levy (three-year average) and guaranteed tax base of \$49,000 per household for the county formula and \$75,000 per household for the city formula; adjust levies so that all jurisdictions derive the same revenues;

- target an agricultural adjustment credit to property in taxing districts with a credit amount to reflect the amount by which agricultural property net taxes increase as a result of the proposed system;

- provide state takeover of county income maintenance and related welfare costs;

- provide an income adjusted circuit breaker and a renters' credit program targeted to low-income resident.

**Friday, March 18**

**Family Farm Security Act—benefit extension**  
 HF2297/SF2255\* (Winter, DFL-Fulda)—recommended to pass.

Would provide people who sold property to beginning farmers between the late 1970s and early 1980s with a simplified formula to rectify the effect of tax changes made in 1984.

**Monday, March 21**

**Taxes—omnibus bill**  
 HF2590/SF2260 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes & Tax Laws Committee)

Would make comprehensive changes in property, income, corporate, cigarette, liquor, and other taxes. Some provisions would:

**Article 1—Individual Income Tax**

- clarify that trust has the meaning as used in the code;
- provide that spouses of members of the armed forces and individuals covered by reciprocity agreements are not subject to the physical presence residency test, which deems an individual a Minnesota resident if that person maintains a house, or apartment or other dwelling in the state, and spends 183 or more days of the year in the state;
- allow a subtraction from federal taxable income for distributions from individual retirement accounts, Keogh Plans, and governmental pension plans to the extent that the contribu-

tions to those plans were subject to Minnesota income tax in the year made;

- allow a subtraction from federal taxable income for the amount of Accelerated Cost Recovery System (ACRS) allowances that were added back in computing the Minnesota tax; allow the subtraction in the first year after the end of the federal recovery period, and in the case of three- and five- year property, the entire remaining amount is allowed in the first year; 10-year property can be claimed in two equal installments, and 15-year property in three installments; in addition, allow a deduction to shareholders of an S corporation that was converted from a C corporation which was not allowed the full federal ACRS deductions under state law;

- modify the tax rate schedule to provide that:
  - surviving spouses are taxed under the married joint schedule;
  - married people who file separately will pay under a rate schedule with bracket widths one-half of the married joint schedule; and
  - the surtax will be computed using Minnesota taxable income instead of a percentage of the federal surtax amount (the latter change will permit inclusion of the surtax into the tax tables and will eliminate the need for a special deduction for U.S. bond interest to the extent included in the federal surtax amount);

- entitle an individual or corporation who is a resident or domiciled in Minnesota to receive a credit for taxes paid to another state;

- allow a \*\*\*subtraction from federal taxable income for individuals who are 65 or older or disabled; and provide the amount of the subtraction equal the following base amount, depending on filing status:

- married, joint, both over 65  
   \$10,000
- single or married joint and only one spouse is over 65  
   \$8,000
- married, separate  
   \$5,000

would require reduction of the above amounts by the subtraction of 1) nontaxable social security, and other tax-exempt income such as municipal bond interest and 2) one-half of adjusted gross incomes over the following amounts:

- married, joint, both over 65  
   \$15,000
- single or married joint and only one spouse is over 65  
   \$12,000
- married, separate  
   \$7,500

\*\*\*would apply the subtraction from federal taxable income to income regardless of its source, whether pensions, interest, dividends, or wages and salaries; however, for those who qualify on the basis of disability, the subtraction is limited to the amount of disability pension income; married couples may file separate returns and qualify for this deduction only if they do not live together;

- provide that all income of lawful charitable gambling shall be assigned to Minnesota and that capital gain on S corporation stock is apportioned to Minnesota in the same manner that applies to partnership interests;
- provide that a spouse who has been relieved of responsibility for underpayment by the federal Internal Revenue Code would also be relieved of state tax liability;
- allow partnerships with five or more nonresident partners to file composite returns for those nonresident partners who have no other Minnesota income; provide that such income computation would allow no personal deductions and would be taxed at the highest applicable rate (8.5 percent with the surtax); provide that S corporations, estates and trusts may similarly elect to file composite returns on behalf of their shareholders or beneficiaries;
- require that income and withholding tax information be reported to the state on the same media (such as magnetic tape) that is used to report it to the Internal Revenue Service;
- provide that an employer willfully supplying false information on non-resident employees is guilty of a gross misdemeanor;
- provide that for tax year 1987, the percentage of actual tax liability that must be paid in estimated tax to avoid a penalty would be 80 percent instead of 90 percent;
- allow a deduction in five annual installments beginning in tax year 1988 for previously taxed individual retirement account (IRA), pension plan contributions, and Accelerated Cost Recovery System (ACRS) allowances;
- provide that the new provisions of Article 1 would be effective for tax year 1988.

#### Article 2—Corporate Tax

- require agents and broker to collect the premiums on risk retention groups; clarify that such groups are subject to the same interest and penalties as applicable to surplus line agents;
- allow regulated investment companies a deduction for the amount of capital gain and exempt-interest dividends paid in computing their taxable income;
- clarify that three- and five-year carryback and carryovers

are allowed for capital losses occurring in tax years before 1987; that capital losses occurring in tax year 1987 and later qualify for a 15-year carryforward; and that deductions are allowed from federal taxable income for the amount of the enterprise zone credits and refunds of other states' franchise and income taxes;

- provide that corporations purchasing loans that are secured by Minnesota real estate does not subject those corporations to tax under Minnesota law; clarify that non-Minnesota financial institutions who purchase packaged loans from Minnesota would not be subject to taxes;
- exempt from the Administrative Procedures Act the adjustment of the corporate franchise tax rate in tax year 1989 to compensate for the effect of the expiration of the factors of Alternative Minnesota Tax (AMT);
- provide for the apportionment of the property factor under the factors of AMT for short taxable years; require apportionment of the \$5 million AMT exemption for corporations that are part of a unitary group (a proportion of the exemption is assigned to each corporation in the unitary on the basis of its share of the unitary groups Minnesota factors);
- define a new business for purposes of the five-year AMT exemption for the property and payroll of new businesses; disqualify from the exemption corporations that are part of a unitary group in which one or more members have existed five or more years, and those corporations that are the result of a reorganization of another corporation, or are a professional service corporation;
- allow a net operating loss transition rule deduction for large banks (assets over \$500 million) that lost the deduction for bad debt reserve funds under the 1986 federal changes and 1987 Minnesota law; allow a three-year carryback and five-year carryover for net operating losses attributable to the bad debt deduction;
- allow a charitable contribution deduction for the amount contributed to foundations located outside of Minnesota; however, the amount of this deduction depends on the application of a formula that takes into consideration the foundation's contributions to Minnesota charities;
- disallow the 100 percent dividend received deduction, which applies when the receiving corporation owns more than 80 percent of the paying corporation's stock and the paying corporation derives all of its income from Minnesota;
- provide that reinsurance premiums paid by Minnesota-based insurers are included in the Minnesota apportionment factor only to the extent that they represent reinsurance of Minnesota risks;

- allow mining companies a 15-year net operating loss carryover deduction in computing occupation tax that is based on the corporate franchise tax; pre-1986 Net Operating Losses (NOLs) qualify for a five-year carryforward only;

- limit the royalty tax to taconite and iron ore; repeal the royalty tax on copper-nickel and the apportionment of income under the occupation tax.

### Article 3—Federal Update

- modify the definition of corporation for purposes of the corporate franchise tax to include publicly traded partnerships that are now taxable as corporations under federal law; adopt the federal changes enacted in 1987 and provide that the provisions of the Budget Reconciliation Act are effective at the same time as the are for purposes of federal law; some of these changes include:

- the new rules for deducting home mortgage and home equity loan interest;
- the allowance of miscellaneous business expense deduction to be passed through to mutual funds' shareholders without regard to the 2 percent floor;
- the disallowance of overnight camp expenses under the dependent care credit;
- changes in accounting provisions, installment sales, and so forth.

- adopt the federal restrictions on carryover of net operating losses after corporate acquisitions; such rules impose restrictions on "mirror transactions" that are used to avoid the effect of the restrictions in the Tax Reform Act of 1986 on the General Utilities Doctrine;

- require corporations with tax liabilities in excess of \$500 to make estimated declaration payments; repeal law requiring corporations with liabilities in excess of \$1000 to make estimated payments;

- adopt the new federal 1987 corporate estimated tax payment provisions;

- update the Internal Revenue Code reference in the property tax refund; and repeal the following provisions:

- accounting rules;
- use of inventories to determine income;
- gain or loss on disposition of property;
- effects of corporate distributions, liquidations, dividends, and so forth on recipient;
- carryovers and corporate acquisitions;
- corporate estimated tax payments.

### Article 4—Property Tax Refund

- modify the definition of income for the purposes of the property tax refund to:
  - include scholarships as income;
  - allow a deduction equal to the federal exemption amount

of \$1950 for 1989 filings, \$2000 for 1990 filings for each dependent and one additional exemption amount if the claimant or spouse is 65 or older or disabled;

- adopt the federal income tax definition of "dependent" as one including a full-time student who is a child of the taxpayer and who is older than 21 years of age; disallow present law which defines as a dependent a student who is over 18 years of age, but under 21, and not a child of the person supporting him;

- provide that the property tax refund will be figured using gross property tax before subtraction of the homestead credit rather than net tax;

- provide that all claimants will file under the schedule applicable under present law to claimants with dependents or who are disabled or age 65 or older;

- eliminate the requirement that copies of the federal income tax return be filed with the property tax refund claim;

- provide that claims paid under the property tax refund will be recognized for financial reporting and state budgeting purposes as adjustments to individual income tax withholding and payments of estimated declaration;

### Article 5—Property Tax Reform and Truth in Taxation

- provide a state paid "commercial-industrial and apartment tax relief credit" for property taxes payable in 1989 and following years;

- provide that the taxes paid on the first \$80,000 market value of class one residential homestead property will be reduced by the amount of homestead credit which the county auditor will determine by dividing the residential homestead credit aid of the taxing jurisdiction by its total current year assessed value of the homestead credit base market value for all residential homesteads in the taxing jurisdiction; provide that the gross tax on homesteads with an equalized market value over \$200,000 shall not receive a homestead credit reduction but may be eligible to receive an alternative homestead credit based on net property tax burden and wealth as defined as the sum of household income plus 40 percent of home value;

- provide that the first \$34,000 market value of the blind, disabled, and paraplegic homesteads will be valued at 10 percent of market value;

- provide that unimproved real property not used for commercial or industrial activity would be classified and assessed according to its highest potential use under local zoning ordinance;

- reinstate the state agricultural credit which was eliminated effective for taxes payable 1989 and replaced with an

agricultural exemption aid; agricultural credit percentages would be the same as under current law for taxes payable in 1988:

—36 percent on the first 320 acres of homestead land including the buildings and structures but excluding the home and one acre of land;

—26 percent on the remaining homestead acreage over 320 acres and all non-homestead agricultural property excluding the home and one acre of land for each home;

—15 percent on seasonal recreational residential;

- reinstate the non-ag homestead property credit;
- provide that a base amount of homestead residential credit would be computed for each taxing jurisdiction in 1989 and following years (the base amount would be equal to the amount of homestead credit which would have been paid in 1988 if the rate would have been 53 percent of the tax on the first \$80,000 with no \$700 credit maximum);
- limit the total statewide homestead credit base amount to \$631 million;
- provide that the property tax statement must identify the reduction of the state paid homestead credit, and provides that for taxes payable in 1989 and years following, the agricultural homestead credit will be equal to 53 percent of the gross tax on qualifying agricultural homestead property with the maximum amount of credit set at \$700;
- require that a city intending to increase property taxes notify each taxpayer by first class mail of the taxpayers proposed city property taxes; require that the city advertise in a local newspaper a notice of its intent to increase taxes, and make known the time and place of a public hearing where residents can express their views;
- provide that property tax statements show the amount attributable to homestead credit, agricultural credit, and the commercial-industrial apartment credit; require that the statement show the decrease in tax attributable to general education revenue for schools, and local government aid for cities, towns, and counties, including the county's income maintenance aid, such as aid for medical assistance, aid to families with dependent children, general assistance, and other programs;

#### **Article 6—Property Tax Technical and Administration**

- extend the senior accreditation date for county assessors and for senior appraisers of the department of revenue by one year from Jan. 1, 1989 to Jan. 1, 1990; and provide that newly appointed assessors have one year from the time of appointment to attain the senior accreditation;
- exempt from property taxation housing facilities which provide temporary housing services for certain nonprofit organizations, such as those offering continuous self-

sufficiency programs;

- provide that no proof of current tax paid is necessary when a portion of land is being given to the federal government, the state, a home rule charter, or any other political subdivision;
- extend full homestead to an individual who is purchasing property with the intent to claim it as a homestead and is required by the financing agreement to have one or both parents shown on the deed as co-owners;

#### **Article 7—Assessors**

- give the state board of assessors the power to grant, renew, suspend, or revoke an assessor's license for failure to complete required training, inefficiency or neglect of duty, unprofessional conduct, conviction of a crime, or any other cause that in the board's opinion warrants suspension or revocation of a license;
- provide that the county assessor can make no changes in property valuation after the boards of review or the county board of equalization has adjourned.

#### **Article 8—Tax Levies**

- provide a method for converting a property tax levy from mills to dollars for any district subject to a mill rate limitation;
- provide that for taxes payable in 1989 and following years, the total amount of dollars levied by the metropolitan council in any year may not exceed the amount levied the preceding year by a percentage greater than the increase in the most recent 12-month period in the implicit price deflator for state and local government purchases;
- allow the council to make loans to accelerate the acquisition of undeveloped property for highway construction before the property value increases as a result of the proposed construction;

#### **Article 9—Park Trailers**

- include park trailers with manufactured homes for property tax purposes; provide that a park trailer registered as a motor vehicle is subject to property taxation if it is used as temporary living quarters;
- provide that if the owner of a park trailer holds title to the land upon which it is situated it will be assessed as real property, and will be assessed as personal property if it is parked on leased land;
- define a park trailer as a trailer that exceeds eight feet in width, is built on a single chassis, is self-propelled or permanently towable.

#### **Article 10—Pulltab Tax & Taxes on Gambling**

- extend the pulltab tax to tipboards purchased and placed in inventory after June 30, 1988;
- require distributors to keep records for three-and-a-half years concerning the pulltabs and tipboards purchased and held in inventory;
- require distributors to provide purchasers with invoices for pulltab and tipboard sales;
- make it a felony to counterfeit pulltab tax stamps, to possess untaxed pull-tabs, to falsify records or to transport unstamped pulltabs;
- provide new minimum purse percentages based on the average of the total amount bet at a licensed racetrack during the horse racing season;

#### **Article 11—Sales Tax**

- exempt meals furnished at no charge to employees of hospitals, nursing homes, group homes, and other similar facilities if the employees are required to eat with the residents or patients;
- require out-of-state retailers that systematically solicit sales from Minnesota to register and collect Minnesota sales tax;
- define systematic sales solicitation as those methods involving direct mail, billboard advertising, newspaper and magazine advertising, television and radio advertising, and telephone solicitation;
- exempt from sales tax, nonprescription pain relievers such as aspirin, Tylenol, and Advil;
- exempt from sales tax, sales to the University of Minnesota, state universities, community colleges, technical institutes, and state academies;
- exempt from sales tax, cross-country ski passes;
- provide that each elementary or secondary school organization or organization dedicated to the education of young people may raise funds up to \$10,000 through the sale of tickets, candy, or other without paying sales tax;

#### **Article 12—Cigarette and Liquor Taxes**

- define cigarette distributors as those who sell only to retailers or sub-jobbers;
- require use of heat applied cigarette stamps beginning in 1989, but would allow cigarette distributors to continue using existing stamp meter machines until they wear out; allow out-of-state banks to set cigarette stamping machines;
- require cigarette distributors to keep records for three years instead of one year; and require cigarette distributors to

provide a physical inventory of all cigarettes in stock to the commissioner of revenue;

- increase the tax credit for small brewers from \$4 to \$4.60 per barrel and the maximum credit from \$100,000 to \$115,000;
- require licensed manufacturers and importers of liquor and wine to file monthly information reports with commissioner of revenue;
- exempt from the excise tax on alcoholic beverages:
  - alcoholic beverages sold to manufacturers of food or pharmaceutical products for use in the preparation of other food products or medicines;
  - alcoholic beverages sold to airlines and military clubs; and
  - sales to federal agencies that are exempt under federal law;

#### **Article 13—Tax Increment Financing (TIF)**

- limit “soil condition” development districts to sites that the Pollution Control Agency finds require clean-up action because the party responsible for the action will not or cannot take the action; allow an area to qualify as a soil condition district if for 80 percent of the acreage the cost of making the soils corrections exceeds the increase in the fair market value of the property brought about by the soils corrections;
- modify the requirements for TIF in three ways:
  - provide that when preparing the estimates of fiscal impact on overlapping tax districts, the authority must assume that the estimated captured value would be available to overlapping tax districts;
  - provide that studies and analysis used to make the development plans must be identified; and
  - all the parcels in the district must be identified;
- allow counties to require the development authority to pay the cost of improvements to county roads that are needed by the tax increment project;
- require the authority to provide information on the fiscal and economic effects of the TIF plan to the county and school boards at least 30 days before the public hearing;
- require the authority to retain and make available the facts and rationale that support qualification of a proposed TIF district under the redevelopment test;
- clarify that increment revenues from housing districts must be used only to finance housing projects; prohibit expenditure of tax increments for construction, renovation, or operation of government buildings;
- modify the “knock down test” (the test used to determine whether taxes from the TIF district such as a sports facility

and connected roads should continue to support only the TIF district, or if they should now be diverted to support general government expenses) in three ways:

—provide that street improvements adjacent to the property will not prevent the property from being deleted from the TIF district;

—charge the county auditor with enforcing the knock down rules;

—extend the knockdown rules to pre-1979 TIF districts;

- define original mill rate as the mill rate that was imposed on the property in the tax year that the TIF district was first certified;

- provide that if the actual mill rate applied against the captured value is higher than the original mill rate, the resulting excess tax revenues will be distributed to the city, county, and school district in proportion to their share of the increase in the total mill rate over the original mill rate;

- authorize Hennepin County to issue \$16 million in general obligation bonds to finance construction of the Hennepin County health services building; provide that these bonds are not subject to referendum approval;

#### Article 14—Budget Reserve

- provide that surplus general fund revenues will be credited to the budget and cash flow reserve account until its level reaches \$550 million;

- reduce appropriations of surplus moneys made under the Jan. 88 allocations of surplus revenues to:

—zero for the property tax school recognition shift;

—zero for the Greater Minnesota Corporation; and

—reduce from \$95 million to \$85 million the amount allocated to the budget reserve, and leave a total of \$260 million of the allocation in the budget reserve account;

#### Article 15—Miscellaneous

- require the commissioner of revenue and a coordinating committee to prepare an income tax sample for the purpose of estimating revenues, simulating the effect of changes or proposed changes in state and federal tax law on the amount of state revenues, and analyzing the incidence of present or proposed taxes;

- require the purchaser of tax-forfeited land to pay the deed tax;

- provide for a state paid, supplemental benefit (instead of a tax exclusion) to volunteer firefighters who receive involuntary lump sum distributions; provide that the amount will be 10 percent (not to exceed \$1000) of the recipient's lump sum; provide that the firefighters' relief association will make the benefit payment and will be reimbursed by the state;

- repeal collection of special fuels on railroad and barge fuels;

- repeal the requirement that the Department of Revenue conduct an audit of property tax refund claims by renters in FY'89.

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#### Tuesday, March 22

##### Taxes—omnibus bill

HF2590/2260 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes Committee)

Would make comprehensive changes in property, income, corporate, cigarette, liquor, and other taxes.

(See bill summary under March 21)

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#### Thursday, March 24

##### Taxes—omnibus bill

HF2590/2260 (Voss, DFL-Blaine)—heard. (SF in Senate Taxes Committee)

Would make comprehensive changes in property, income, corporate, cigarette, liquor, and other taxes.

(See bill summary under March 21)

#### Tax Law Division/TAXES

##### Horse racing—purse, tax reduction

HF740/SF724\* (Kostohryz, DFL-North St. Paul)--with-drawn by author.

Would modify the purse structure, modify taxation, and provide for the representation of horsepersons contracting with a licensee. Some provisions would:

- define the average daily handle as the total handle divided by the number of racing days;

- provide new minimum purse percentages based on the average daily handle of the owner:

Average daily handle	Rate
\$500,000	4%
\$500,001 to \$750,000	6%
\$750,000 to \$1,000,000	8%

- allow a horseperson's organization or its members to withhold horses at a meeting without regard to the state anti-trust law;

- replace the parimutuel tax (1.75 percent on the first \$48 million bet in a year, and 6 percent on the excess) with a tax of 6 percent of the total amount withheld from the parimutuel pools by the licensee, including brokerage;

- increase from .05 percent to 1 percent the tax for the Minnesota breeders fund;

- eliminate the 40-cent state tax on each admission;

- extend the state sales tax to racetrack admissions;

- eliminate the requirement that the value of uncashed tickets be paid to the state.

## FLOOR ACTION

### CALENDAR

Thursday, March 17

#### Northern Ireland—state investment policy

HF453\*/SF722 (O'Connor, DFL-St. Paul)—passed (82-34).  
(SF on Senate Floor)

Would limit state investments in companies doing business in Northern Ireland, subject to the MacBride principles.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 30, General Orders, Feb. 29)

### CONCURRENCE & REPASSAGE

Tuesday, March 22

#### Criminal sexual conduct—consent definition

HF1740\*/SF1738 (Vellenga, DFL-St. Paul)—repassed as amended by the Senate (123-0).

Would clarify that the definition of “consent” in the criminal sexual conduct law is limited to voluntary, uncoerced present agreements to perform a particular sexual act “with a particular person.”

#### St. Louis County—land sale

HF2045\*/SF1947 (Minne, DFL-Hibbing)—repassed as amended by the Senate (119-0).

Would authorize St. Louis County to sell privately certain tax-forfeited land.

Wednesday, March 23

#### Game, fish stamps—issuance fee

HF1841/SF1575\* (Battaglia, DFL-Two Harbors)—repassed as amended\*\* by conference committee (99-25).

Would require persons the Department of Natural Resources authorizes to sell fishing and hunting licenses to collect:  
—an additional 50-cent issuance fee for a game or fish stamp when the buyer purchases the stamp in a transaction separate from the purchase of a small game, angling, or sporting license;

—a \$1 issuance fee for a bear license.

Other provisions would repeal the law allowing Minnesota residents age 65 or older to fish without a license if the resident has certain proof of age and residency while fishing and traveling to and from the fishing location.

\*\* Amendments would:

- remove the additional 50-cent issuance fee for a game or fish stamp when the buyer purchases the stamp in a transaction separate from the purchase of a small game, angling, or sporting license;

- allow authorized sellers to impose a 50-cent issuance fee (the fee is optional) for a trout and salmon stamp that's not issued simultaneously with an angling or sporting license; provide that there's no fee for stamps other than a trout and salmon stamp.

#### Cambridge Memorial Hospital Association—land purchase

HF2270\*/SF1994 (Lasley, DFL-Cambridge)—repassed as amended\*\* by the Senate (126-0).

Would authorize the commissioner of natural resources to sell certain lands in Itasca County.

\*\* Amendment would make technical changes.

### CONSENT CALENDAR

Thursday, March 17

#### St. Paul police, fire relief funds—directors

HF2431\* (O'Connor, DFL-St. Paul)—passed as amended\*\* (107-10).

Would require the St. Paul police and fire department relief associations to amend their articles of incorporation and bylaws to ensure that retired members are represented on the associations' boards of directors in the same proportion that the number of retired members in each association bears to the association's total membership.

\*\*Amendment would provide that the number of retired members on the boards may not exceed the number of active members.

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**Monday, March 21**

**Robbinsdale—surface water regulation**

HF1585\*/SF1427 (L. Carlson, DFL-Crystal)—passed (129-0). (SF on Senate Floor)

Would designate a basin of Twin Lake within the City of Robbinsdale as a separate basin, South Twin Lake.

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**Farmer-lender mediation rules—changes**

HF1939\*/SF1743 (Winter, DFL-Fulda)—passed (129-0). (SF on Senate Floor)

Would change the continuing effect of certain farmer-lender mediation rules.

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**Judgment documents—filing satisfaction**

HF2000\*/SF1741 (Shaver, IR-Wayzata)—passed (131-0). (SF on Senate Floor)

Would require a judgment creditor to file satisfaction of judgment documents with the court administrator.

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**Parental rights deprivation laws—changes**

HF2059\*/SF1820 (Pappas, DFL-St. Paul)—passed (131-0). (SF on Senate Floor)

Would change the crime of depriving another of parental rights ("parental abduction" crime) to clarify that the defenses in law are affirmative defenses that the defendant must prove by a preponderance of the evidence; and provide that where the child was taken in order to protect the child or the actor from physical or sexual assault, or, in the case of the child, substantial emotional harm, a defense is available if the actor reasonably believed the action was necessary.

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**Probate—sentimental property**

HF2310/SF896\* (Carruthers, DFL-Brooklyn Center)—passed (132-0).

Would provide for the award of sentimental property to a decedent's children.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 22, Judiciary, March 15)

**Kittson County—land transfer**

HF2490\*/SF2238 (Tunheim, DFL-Kennedy)—passed as amended\*\* (132-0). (SF on Senate Floor)

Would require the commissioner of natural resources to transfer certain state land in Kittson County to certain individuals.

\*\*Amendment would remove a provision that would allow Chisago County to sell certain tax-forfeited land.

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**School consolidation—noncontiguous districts**

HF2554\*/SF2210 (Begich, DFL-Eveleth)—passed (132-0). (SF on Senate Floor)

Would allow noncontiguous school districts to consolidate.

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**Liquor license—midsummer festival**

HF2703\*/SF2471 (Himle, IR-Bloomington)—passed (124-2). (SF on Senate Floor)

Would allow the City of Bloomington to issue an on-sale liquor license to Midsummer, a Festival of Music.

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**Wednesday, March 23**

**Carlton County—tax-forfeited land sale**

HF1898/SF1713\* (Ogren, DFL-Aitkin)—passed as amended\*\* (127-0).

Would authorize the private sale of certain tax-forfeited lands in Carlton County.

\*\*Amendment would insert the House File language.

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**Cook County—land exchange sale**

HF2489\*/SF2216 (Battaglia, DFL-Two Harbors)—passed (128-0).

Would authorize the exchange of certain state lands in the Boundary Waters Canoe Area Wilderness in Cook County free from reservations of public travel under certain conditions.

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**Trunk highway—Olof Hanson Drive designation**

HF2511/SF2358\* (Rodosovich, DFL-Faribault)—passed (129-0).

Would designate trunk highway No. 299 as the Olof Hanson Drive.

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**Game, fish license fee—transfer repeal**

HF2521/SF2367\* (Kahn, DFL-Mpls)—passed (128-0).

Would eliminate a diversion of game and fish license fee money.

**St. Louis County—private sales, tax-forfeited land**

HF2551\*/SF2215 (Battaglia, DFL-Two Harbors)—passed (128-0).

Would allow the commissioner of revenue to sell certain tax forfeited land in St. Louis County.

**MOTION FOR RECONSIDERATION**

Tuesday, March 22

**Northern Ireland—state investment policy**

HF453\*/SF722 (O'Connor, DFL-St. Paul)—passed as amended\*\* (129-0). (SF on Senate Floor)

Would limit state investments in companies doing business in Northern Ireland, subject to the MacBride principles.

(See bill summary in HWR., Vol. 4, No. 4, Pg. 30, General Orders, Feb. 25)

\*\*Amendment would protect public pension investment policy and authorize early unreduced retirement under the rule of 90 for the Minnesota State Retirement System and the Teachers Retirement Association.

**RULE 1.10**

Tuesday, March 22

**Rice Creek Watershed—levy authorization**

HF1473/SF678\* (Quinn, DFL-Coon Rapids)—passed (122-4).

Would authorize Rice Creek watershed district to increase the administrative fund amount.

**Propane fuel—tax exemption**

HF1538/SF852\* (Neuenschwander, DFL-Int'l Falls)—passed (129-0).

Would exempt propane fuel used to operate vehicles from the gasoline excise tax.

**County bond election exemption—requirements**

HF1796/SF1877 (Rest, DFL-New Hope)—passed (89-42).

(SF in Senate Taxes & Tax Laws Committee)

Would give all counties the authority to maintain and levy for a building fund subject to general levy limits and exempt capital improvement bonds for referendum requirements.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 24, Local & Urban Affairs, March 1)

**White Bear Twp—economic development authority**

HF1865/SF1473 (Stanius, IR-White Bear Lake)—passed (127-0). (SF in Senate)

Would grant the town of White Bear the power to establish an economic development authority and give the authority all the statutory powers granted to an economic development authority, including tax increment financing.

Wednesday, March 23

**K-12 Education Omnibus Bill**

HF2245\*/SF2095 (K. Nelson, DFL-Mpls)—passed as amended\*\* (128-0). (SF in Senate Finance Committee)

Would appropriate money for the 1988-89 school year from the general fund for K-12 education.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 12, Education Finance Division/Education, March 14)

\*\*Amendments would:

- give parents, not the State High School League, authority to determine what activities are appropriate and permitted for their children when their children are not involved in extracurricular school activities or outside or normal school hours;
- require the Department of Education to adopt AIDS education guidelines which encourage schools to help students abstain from sexual intercourse and illegal drug use and to advise schools to adopt AIDS education programs that neither encourage nor condone sexual promiscuity;
- allow public schools to include a program or course of instruction each year on flag etiquette, including, but not limited to, the proper handling, care, display or, and respect for the American flag;
- require the Department of Education to conduct a study of the differences in the cost of housing, labor, transportation, food, services and other factors relating to the cost of living in different regions of the state;
- make technical changes in the provisions for program improvement grants.

## SPECIAL ORDERS

Thursday, March 17

### Food handlers—licensing requirements

HF1779\*/SF1778 (Simoneau, DFL-Fridley)—passed (130-0). (SF in Senate Agriculture Committee)

Would exempt people who operate as a food handler at more than one location from having to obtain a food handling license for each location if the volume of food sales at each location is less than \$2,500 per year; would provide that one such license would cover each location and would require the person to display a copy of their license at each location.

### Day care building code—task force

HF1795\*/SF1617 (Ogren, DFL-Aitkin)—passed as amended\*\* (129-0). (SF on Senate Floor)

Would require the commissioner of administration to establish a task force to determine occupancy standards for family and group family day care homes; would define task force membership, and require the commissioner to report findings to the Legislature.

\*\*Amendment would exempt certain family or group family day care facilities in rural areas from the requirement that family and group family day care must be provided in a residence that is occupied as a home; would postpone the effective date for certain changes to regulations governing staff ratios in day care centers and educational requirements for day care center staff.

### Fridley Assembly of God Church—renovation

HF1863/SF1772\* (A. Johnson, DFL-Spring Lake Park)—passed (130-0).

Would authorize the North Suburban Hospital District to renovate and use the Fridley Assembly of God Church property for certain health or social services.

### Labor-Management Committee—grant program

HF1877\*/SF1732 (Simoneau, DFL-Fridley)—passed (131-0). (SF on Senate Floor)

Would regulate the labor-management committee grant program.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 21, Labor-Management Relations, March 2)

**Highways—removal/ substitution/AmVets memorial**  
HF1980\*/SF2344 (Kalis, DFL-Walters)—passed (128-0). (SF in Senate Transportation Committee)

Would add a new Route No. 254 near Blue Earth to the trunk highway system in substitution for old Route 254 upon signing and filing of an agreement between the commissioner of transportation and Faribault County.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 28, Transportation, March 2)

### Aitkin County—land use ordinance

HF1986/SF1711\* (Ogren, DFL-Aitkin)—passed as amended\*\* (128-0).

Would allow Aitkin County to regulate by ordinance lands adjacent to public waters which have been dedicated for public use but not owned by the state political subdivision; would remove the county's liability for making or repealing such an ordinance.

\*\*Amendment would remove a provision that would make the county, its board of commissioners, and employees not liable in any civil action which this law would authorize.

### Building code—permitting certain locks

HF1995\*/SF2270 (Skoglund, DFL-Fridley)—passed as amended\*\* (127-1). (SF in Senate Economic Development & Housing Committee)

Would prohibit state building code from not allowing the use of double cylinder deadbolt locks for single family homes and the first floor units of duplexes; would also require that any promotion on the use of such locks include a warning spelling out the danger those locks present when fire occurs.

\*\*Amendments would:

- permit installation or use only of double cylinder deadbolt locks where the key is removable from the interior cylinder when the key is in the unlocked position in single family homes, townhouses, and first floor duplexes that are used as daycare facilities;
- allow any municipality in which the state building code applies to prohibit the use of double cylinder deadbolt locks in residential dwelling units.

### Youth jobs program—all-year expansion

HF2038\*/SF2039 (McLaughlin, DFL-Mpls)—passed as amended\*\* (128-0). (SF on Senate Floor)

Would extend the Youth Employment Program from a summer program to a program operated throughout the year.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 5, Economic Development & Housing, March 3)

\*\*Amendment would authorize the commissioner of jobs and training to buy and sell real property in Minneapolis to relocate department officer to locations more accessible to Minneapolis residents and to co-locate with other social service agencies.

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**RTC—mission statement**

HF2372\*/SF2273 (Rodosovich, DFL-Faribault)—passed (129-0). (SF on Senate Floor)

Would recognize that regional treatment centers (RTC) are part of the continuum of care for people with mental illness and would set goals for the centers.

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**Monday, March 21**

**Self-service storage facilities—property lien**

HF181/SF187\* (Ogren, DFL-Aitkin)—passed as amended\*\* (119-4).

Would establish a lien on personal property held in self-service storage facilities.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 2, Commerce, March 1)

\*\*Amendment would make a technical change.

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**Mpls. police, firefighters—post-retirement payments**

HF1777\*/SF1723 (Sarna, DFL-Mpls)—passed as amended\*\* (124-0). (SF in Senate Governmental Operations Committee)

Would provide for post-retirement payments for Minneapolis police officers and Minneapolis firefighters, their surviving spouses, and dependents.

\*\*Amendment would authorize the relief associations to pay its members an ad hoc bonus (“thirteenth check”) annuity in years the fund has earned a certain level of excess investment income.

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**Hearing impaired—telephone assistance**

HF1812/SF1809 (Clark, DFL-Mpls)—rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would amend the 1987 law on telephone assistance for the hearing impaired by moving many duties, such as distribution and management of the communications devices, from the phone company to the commissions of human services.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 52, Regulated Industries, March 7, and Pg. 31, Governmental Operations, March 10)

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**MIGA—regulations**

HF1897\*/SF1802 (Scheid, DFL-Brooklyn Park)—passed (129-0). (SF on Senate Floor)

Would regulate the Minnesota Insurance Guaranty Association (MIGA).

(See bill summary in HWR, Vol. 4, No. 5, Pg. 23, Financial Institutions & Insurance, March 9)

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**HMOs—mandatory cancer screening coverage**

HF1935\*/SF1838 (Minne, DFL-Hibbing)—passed as amended\*\* (122-7). (SF on Senate Floor)

Would offer health and accident insurance policies and HMO plans to provide coverage for routine pap tests and mammography screening when ordered or provided by a physician.

\*\*Amendments would require health and accident insurance policies, and HMO plans to:

—provide coverage to adopted children of any Minnesota resident the policies or plans already cover;

—provide coverage for up to 120 hours of services a private duty nurse or personal care assistant provides to a ventilator-dependent person during the time the ventilator-dependent person is in a hospital if the policies or plan provide coverage for such services to a ventilator-dependent person in the person’s home.

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**Marriage dissolution—assets, liabilities disclosure**

HF1957\*/SF2207 (Wagenius, DFL-Mpls)—passed (129-0). (SF on Senate Floor)

Would provide for parties to a marriage dissolution to disclose assets and liabilities; would require the court to award attorney fees for a motion to compel compliance for any delay or inconvenience if a party fails to serve a disclosure form on the other party or knowingly makes misrepresentations or omissions on the form; would allow either party to apply to have marriage dissolution, annulment, or legal separation records (except for the portion of the decree granting the dissolution, annulment, or legal separation) sealed.

**Farming—limited partnerships**

HF2041\*/SF1996 (Brown, DFL-Appleton)—passed as amended\*\* (112-19). (SF on Senate Floor)

Would limit ownership of farmland by certain corporations and limited and unauthorized partnerships.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 1, Agriculture, March 4)

\*\*Amendments would exempt from the bill's provisions, certain agricultural land which a partnership owned as of May 1, 1988; and would provide that a limited partnership is subject to certain reporting requirements for corporations and pension or investment funds.

**Motor vehicle franchise—nonrenewals, cancellations**

HF2049\*/SF1844 (Sparby, DFL-Thief River Falls)—passed as amended\*\* (128-0). (SF on Senate Floor)

Would include nonrenewal under statutory requirements a manufacturer must meet to cancel or terminate a franchise for new car dealerships.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 5, Commerce, March 8)

\*\*Amendment would require personal automobile insurance policies issued in Minnesota to provide all of the obligation for damage and loss of use to a rented vehicle in the property damage liability portion of the plan; would require that the available coverage equal \$25,000.

**Historical Society employees—PERA benefits**

HF2106\*/SF2006 (Milbert, DFL-South St. Paul)—passed as amended\*\* (130-0). (SF in Senate Governmental Operations Committee)

Would establish conditions under which employees of a county historical society can become members of the Public Employees Retirement Association (PERA), and permit counties to purchase insurance for employees of county historical societies that receive county funding.

\*\*Amendment would add technical language.

**Workers' comp insurance fund—powers, name change**

HF2212/SF1710\* (Simoneau, DFL-Fridley)—passed (129-0).

Would clarify powers of the state compensation insurance fund.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 22, Labor-Management Relations, March 2)

**Cable television—franchises, utility bias**

HF2232\*/SF2244 (Jacobs, DFL-Coon Rapids)—passed as amended\*\* (131-0). (SF on Senate Floor)

Would require a subsequent franchise or extension permit a municipality granted to carry the same terms as the original franchise; would prohibit an electric utility from discriminating in favor of a cable system that's affiliated with the utility; would allow courts to impose penalties on utilities if discrimination occurs.

\*\*Amendment would prohibit municipalities from granting additional franchises for cable service in areas included in an existing franchise if certain terms and conditions more favorable or less burdensome than those in the existing franchise.

**Corporate takeover law—changes**

HF2253\* (Simoneau, DFL-Fridley)—passed (118-7).

Would make corrections to shareholders protection and corporate takeover legislation.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 5, Commerce, March 8)

**University of Minnesota—employee job classifications**

HF2388\*/SF2414 (Rice, DFL-Mpls)—passed as amended\*\* (131-0). (SF on Senate Floor)

Would allow the director of the Bureau of Mediation Services to assign University of Minnesota employee job classifications to an appropriate bargaining unit under certain circumstances.

\*\*Amendment would specify that eligible job classifications are those within an unrepresented bargaining unit.

**Set-aside program—local small business**

HF2468\*/SF2196 (G. Anderson, DFL-Bellingham)—passed (129-0). (SF in Senate Governmental Operations Committee)

Would permit the commissioner of administration, for building projects in Greater Minnesota, to replace the required socially or economically disadvantaged small business (SED business) with a non-SED small business if a SED business isn't located within 25 miles of the project site; would define "socially or economically disadvantaged person" as persons living in counties where the median

income for married couples is less than 70 percent of the state median income for married couples.

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**Metropolitan agencies—affirmative action**

HF2596\*/SF2513 (McLaughlin, DFL-Mpls)—passed as amended\*\* (114-15). (SF in Senate Governmental Operations Committee)

Would create a legislative task force to monitor equal opportunity activities of metropolitan agencies.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 52, Metropolitan Affairs, March 9)

\*\*Amendment would require the Metropolitan Council and other metropolitan agencies to provide for legislators access to public data the agencies maintain to facilitate legislative oversight of equal opportunity practices.

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**Tuesday, March 22**

**Guardianship—appointment changes**

HF1971\*/SF2068 (Gruenes, IR-St. Cloud)—passed (131-0). (SF on Senate Floor)

Would permit a court to appoint more than two guardians or conservators for a ward or conservatee; would permit a court to appoint an out-of-state guardian or conservator if he/she is able to maintain a current understanding of the ward or conservatee's physical and mental status and needs.

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**Sentencing issues study**

HF1983\*/SF 2125 (Kelly, DFL-St. Paul)—passed (131-1). (SF on Senate Floor)

Would direct the Sentencing Guidelines Commission to study certain sentencing issues and report to the House and Senate Judiciary committees by Feb. 1, 1989.

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**Heartland Trail—amendments**

HF2155\*/SF2212 (Kinkel, DFL-Park Rapids)—passed (129-1). (SF on Senate Floor)

Would revise provisions relating to the Heartland Train in Hubbard and Cass counties, and establish the Paul Bunyan Trail in Crow Wing, Cass, Hubbard, and Beltrami counties.

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**Deer stands—height**

HF2185\*/SF2199 (Sparby, DFL-Thief River Falls)—passed as amended\*\* (129-0). (SF on Senate Floor)

Would adjust the height of deer stands from 9 to 12 feet.

\*\*Amendment would make technical changes in rules for decoys.

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**Cities, towns—hospital contributions**

HF2190\*/SF2046 (Winter, DFL-Fulda)—passed (131-0). (SF on Senate Floor)

Would authorize the City of Westbrook to contribute funds to the Schmidt Memorial Hospital without local approval.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 48, Local & Urban Affairs, March 8)

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**Landlord penalties—renting condemned property**

HF2224 (Jefferson, DFL-Mpls)—passed (132-0).

Would penalize landlords who rent condemned property by making them liable to tenants for actual damages and three times the amount of money collected from tenants after the property has been condemned or declared unfit for habitation.

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**Forestry laws—changes**

HF2272\*/SF1687 (Solberg, DFL-Bovey)—passed (132-0). (SF on Senate Floor)

Would change certain forestry laws.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 20, Environment & Natural Resources, March 8)

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**Search warrant laws—crime definition**

HF2419\*/SF2156 (Pappas, DFL-St. Paul)—passed (130-0). (SF on Senate Floor)

Would define "crime" in the law governing issuance of search warrants to include violations of municipal ordinances.

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**Debtor exemption—employee exemption**

HF2422\*/SF2278 (Simoneau, DFL-Fridley)—passed as amended\*\* (130-0). (SF on Senate Floor)

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

\*\*Amendment would make technical changes.

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**Dishonored checks—penalties**

HF2470\*/SF2472 (Beard, DFL-Cottage Grove)—passed as amended\*\* (130-0). (SF on Senate Floor)

Would increase the penalties for issuing dishonored checks with an aggregate value greater than \$200.

\*\*Amendment would make technical changes.

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**Property owners—detachment, annexation procedures**

HF2487\*/SF2524 (Jennings, DFL-Rush City)—passed as amended\*\* (130-1). (SF in Senate Local & Urban Government Committee)

\*\*Amendment would delete the effective date.

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**Virginia—tax increment financing district**

HF2524\*/SF2370 (Rukavina, DFL-Virginia)—passed (129-0). (SF in Senate Taxes & Tax Laws Committee)

Would include certain parcels of real property in a tax increment financing district in Virginia.

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**Small business development—loan limit exemption**

HF2568\*/SF2345 (K. Olson, DFL-Sherburn)—passed as amended\*\* (127-0). (SF on Senate Floor)

Would change and clarify the small business development loan portion of the agricultural resource loan guarantee program and remove the \$1 million cap on loans.

\*\*Amendment would make technical changes.

**House Weekly Review** is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1988 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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# HOUSE WEEKLY REVIEW

For MEMBERS of the Minnesota House of Representatives

March 24-30, 1988

Volume 4, Number 8

HOUSE WEEKLY REVIEW summarizes committee and floor action on bills

## COMMITTEE ACTION

### APPROPRIATIONS

Friday, March 25

#### Status offenders—Juvenile Code changes

HF1251 (Pappas, DFL-St. Paul)—recommended to pass as amended.\*\*

Would make changes in the state juvenile code regarding the juvenile court's dependency/neglect and status offender jurisdiction.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 9, Health & Human Services Division/Appropriations, March 22)

\*\*Amendment would make technical change.

#### HMO/Medicare consumer—bill of rights

HF1498/SF1388\* (Clark, DFL-Mpls)—recommended to pass as amended.\*\*

Would provide for a Medicare enrollee's consumer bill of rights, set requirements for statements of exclusions and limitations and define responsibilities of HMO and commissioners.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 7, Health & Human Services Division/Appropriations, March 18)

\*\*Amendment would make technical changes.

#### Veterans home—control

HF1746/SF1595 (Kostohryz, DFL-North St. Paul)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would return control of the Minnesota veterans homes to the Department of Veterans Affairs and create a veterans home board of directors.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 7, Health & Human Services Division/Appropriations, March 18)

\*\*Amendment would make technical changes.

#### Hearing impaired—telephone assistance

HF1812/SF1809 (Clark, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would amend the 1987 law on telephone assistance for the hearing impaired by moving many duties, such as distribution and management of the communications devices, from the phone company to the commissioner of human services.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 33, Special Orders, March 21)

\*\*Amendments would make technical changes.

#### Corporate filing—simplification

HF2095/SF1788 (Carruthers, DFL-Brooklyn Center)—recommended to pass. (SF on Senate Floor)

Would make changes in requirements for various corporate filings.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 3, Commerce, March 1)

#### HMO solvency—requirements

HF2127/SF2008 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would require health maintenance organizations (HMOs) to be certified by the commissioner of health and to meet insolvency requirements.



(See bill summary in HWR, Vol. 4, No. 7, Pg. 8, Health & Human Services Division/Appropriations, March 18)

\*\*Amendment would make technical change.

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**Outpatient treatment—by court order**

HF2130/SF2055 (Vellenga, DFL-St. Paul)—recommended to pass. (SF in Senate Finance Committee)

Would require courts to receive annual reviews of people with indeterminate commitments; and provide for court-ordered community-based nonresidential treatment.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 8, Health & Human Services Division/Appropriations, March 18)

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**Mental health ombudsman—duty clarification**

HF2138/SF1628 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would clarify and revise the role of the ombudsman for mental health and mental retardation; would extend the authority of the ombudsman to serve people with mental illness, mental retardation or related conditions, chemical dependency, and emotional disturbances. Provisions would:

- specify, define, and clarify the duties, terms, and responsibilities of the ombudsman and ombudsman's office;

- transfer funds from the Welsh consent decree monitor's office to the ombudsman for mental health and mental retardation.

\*\*Amendment would make technical change.

---

**State Departments Division—operating budget bill**

HF2344 (Kahn, DFL-Mpls)—recommended to pass as amended.\*\*

Would appropriate money for FY'88 and FY'89 to state agencies with stipulations; modify their functions; fix and limit fees; and require studies and reports.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 11, State Departments Division /Appropriations, March 23)

\*\*Delete-everything amendment would allow the Pollution Control Agency to grant a waiver or variance of state noise pollution standard for a grade separated interchange at Shepard Road and Chestnut Street; make technical changes.

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**Higher Education Finance Bill**

HF2459/SF2313 (L. Carlson, DFL-Crystal)—recommended to pass as amended.\*\*

Would appropriate money to the Higher Education Coordinating Board, regents of the University of Minnesota, State University Board, State Board for Community Colleges and State Board of Vocational Technical Education, with certain conditions.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 7, Education Division/Appropriations, March 23)

\*\*Amendments would make technical changes.

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**UCC computerized filing system—changes**

HF2520/SF2382 (Milbert, DFL-South St. Paul)—recommended to pass.

Would clarify certain procedures and fees relating to the statewide uniform commercial code (UCC) computerized filing system. Provisions would:

- require a filing officer to conduct searches for UCC financing statements in the new statewide computerized UCC database when someone requests that he/she do so;

- add state and federal tax lien notices to the information that the secretary of state keeps on the computerized filing system;

- permit the secretary of state to give private parties and county recorders electronic-view-only access to computerized records;

- require county recorders to forward filing and search surcharges to the secretary of state each quarter.

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**Children's crisis intervention center—demo project**

HF2561/SF2466 (Segal, DFL-St. Louis Park)—recommended to pass as amended.\*\* (SF in Senate Health & Human Services Committee)

Would establish a demonstration project for child and adolescent crisis intervention and suicide prevention; would define project and study.

\*\*Amendment would make technical change.

---

**Public assistance programs—state takeover**

HF2685/SF2463 (Greenfield, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Taxes & Tax Laws Committee)

Would establish a compliance system for certain public assistance programs should legislation be enacted providing county property tax relief through increases in state funding of income maintenance programs.

\*\*Amendment would make a technical change.

---

**Tuesday, March 29**

**Motor vehicles—salvage dealer licensing**

HF1130/SF1121\* (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended.\*\*

Would establish a titling system for salvage and rebuilt motor vehicles and require licenses for scrap metal processors, used vehicle parts dealers, and salvage pool operators.

\*\*Amendment would make technical change.

---

**Transportation study board—creation**

HF1750/SF1593 (Kalis, DFL-Walters)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would create a transportation study board and prescribe its duties.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 10, Governmental Operations, Feb. 29)

\*\*Amendment would make technical change.

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**Motor vehicle registration requirements**

HF1951/SF1804 (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would require motor vehicles that are leased for long terms to be registered in the name of the leasee.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 56, Transportation, March 4)

\*\*Amendments would clarify language and make technical changes.

---

**State claims bill**

HF1981/SF1863 (Kalis, DFL-Walters)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would provide for payment of various claims against the state.

\*\*Amendments would:

- provide payment for claims filed by certain egg producers;
- clarify language;
- make technical change.

---

**Waste Management Act—amendments**

HF2031/SF1891 (D. Nelson, DFL-Champlin)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would amend the Waste Management Act.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 3, Environment & Natural Resources, Feb. 23)

\*\*Amendment would:

- add a provision requiring the board to adopt rules requiring labeling of plastic containers;
- set penalties;
- make technical change.

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**Environmental Quality Board—amendments**

HF2087/SF2286\* (Knuth, DFL-New Brighton)—recommended to pass as amended.\*\*

Would amend certain laws the Environmental Quality Board (EQB) administers.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 31, Governmental Operations, March 10)

\*\*Amendments would clarify language and make technical change.

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**State employees—certain salary ranges**

HF2250/SF2003\* (Jefferson, DFL-Mpls)—recommended to pass as amended.\*\*

Would change certain laws governing state employees.

(See bill summary in HWR, Vol 4, No. 6, Pg. 27, Local & Urban Affairs, March 15)

\*\*Amendments would clarify language and make technical changes.

**Dept. of Administration—changes**

HF2291/SF2059 (Lasley, DFL-Cambridge)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

\*\*Delete-everything amendment would amend, enact and repeal certain laws the Department of Administration (DOA) administers.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 28, Governmental Operations, March 8)

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**State advisory councils, committees**

HF2292/SF2226\* (Knuth, DFL-New Brighton)—recommended to pass as amended.\*\*

Would amend certain provisions governing state advisory councils, committee and task forces.

\*\*Delete-everything amendment would:

- extend the sunset date for most groups to June 30, 1993;
- subject certain groups to a June 30, 1993 sunset date;
- allow certain advisory groups to become task forces;
- repeal certain groups.

(See bill summary under State Departments Division/Appropriations, March 28)

---

**Voter registration—computerization, account establishment**

HF2536/SF2398 (Orenstein, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would provide that statewide computerized voter registration system satisfy requirements for duplicate registration file and establish voter registration account.

\*\*Amendment would make technical change.

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**Energy policy task force—low-income persons**

HF2667/SF2456\* (Dawkins, DFL-St. Paul)—recommended to pass as amended.\*\*

Would create a legislative advisory task force on energy policy for low-income person. Provisions would specify task force appointments and duties, and assure minority party representation.

\*\*Amendment would make technical change.

**Wednesday, March 30**

**Railroads—caboose requirements**

HF428/SF449\* (Rice, DFL-Mpls)—recommended to pass.

Would require all freight trains 2,000 feet or longer to have as its rear car an occupied caboose, if the train is handling placarded cars or is operated without block signals. Provisions would:

- require cabooses to have a shortwave radio on the same frequency as the radio in the lead locomotive;
- exempt:
  - trains used in terminal service within two miles of terminal;
  - short line railroads classified by the Interstate Commerce Commission as a class III line haul railroad;
  - trains running on block signal territory;
  - unit trains hauling grains or taconite;
  - a railroad company that operates a railway in this state and in two adjoining states, if the total trackage of the railroad company is more than 950 miles and less than 1,000 miles;
- allow a defective car being towed to the nearest repair terminal to be the rear car;
- set a civil penalty of \$350 for each day of violation.

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**Pharmacy Practice Act of 1988—definition**

HF812/SF752\* (Welle, DFL-Willmar)—recommended to pass as amended.\*\*

Would change the pharmacy statutes and define “pharmacy” to a business where prescriptions, drugs, medicines, and poisons are prepared and sold and from which clinical pharmacy services are delivered; would define terms and duties of the Board of Pharmacy.

\*\*Amendments would clarify language, make technical changes.

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**Judges’ retirement benefits**

HF920/SF931 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would require certain judges to contribute to the Judges’ Retirement Fund from each salary payment they receive a sum equal to an additional one-half of 1 percent of their salary.

\*\*Amendment would delete new language allowing benefit to be attributable to judicial service.

**Rule of 90—public employees, teachers**

HF944/SF1506 (Simoneau, DFL-Fridley)—recommended to pass as amended.\*\* (SF in Senate Governmental Operations Committee)

Would authorize early unreduced retirement under the rule of 90. Provisions would:

- entitle any member of the
  - Minnesota State Retirement system (MSRS),
  - the Teachers Retirement Association (TRA),
  - the Minneapolis, St. Paul, and Duluth TRA,
  - coordinated program members,whose attained age plus credited allowable service totals 90 years, upon terminating active service and applying for a normal retirement annuity, to receive a retirement annuity with no reduction because of early retirement.

\*\*Amendment would remove fiscal impact by changing the effective dates.

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**Fire inspection—public school**

HF987 (Kelso, DFL-Shakopee)—recommended to pass as amended.\*\*

Would require the state fire marshall to inspect every public school building once every three years, beginning July 1, 1989; and exempt schools that are already inspected regularly by their local governments.

\*\*Amendment would change effective date to July 1, 1990.

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**Agriculture omnibus bill**

HF1000/SF655 (Krueger, DFL-Staples)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

\*\*Delete-everything amendment would make changes in various agriculture programs; and establish agriculture programs. Some provisions would:

- recodify and update the language of the current Dairy Industry Unfair Trade practices Act;
- establish a Dairy Task Force to study the dairy economy in Minnesota and neighboring states;
- prohibit certain practices including:
  - selling a dairy product at a price that injures a competitor or destroys competition;
  - retailers selling different brands of a product at different prices unless the differential is equal to a difference in wholesale prices paid by the retailer for the different brands;
  - wholesalers or distributor combining the price of dairy products with other products or services in such a way that the dairy products are less expensive to the retailer;

—giving away or selling a dairy product below cost;

- enumerate several conditions that indicate unfair marketing practices;
- allow the commissioner of agriculture access to business records necessary for an investigation and enable the commissioner to initiate civil proceedings against a person violating the provisions of the bill;
- establish a fee structure and collection procedure to fund enforcement of the dairy fair practices provisions;
- transfer funds from the current Dairy Industry Unfair Trade Practices Account to the new Dairy Marketing Account;
- authorize “Minnesota Grown” logo or statement and granting authority for the commissioner to develop labeling statements for specific promotional needs;
- establish a program for the certification of soil testing laboratories;
- expand the Beginning Farmer Program of the Rural Finance Authority to include seller-sponsored loans to eligible beginning farmers;
- establish a milk program for kindergarten students attending public and nonpublic schools in the state;
- extend the state-sponsored interest rate buydown program for an additional year;
- establish an advisory task force on biodegradable plastics;
- appropriates \$4,000,000 from the General Fund and a special federal government grant for a variety of purposes.

\*\*Amendments would:

- change the amount the state can participate in new loans to beginning farmers from up to \$50,000 to up to \$35,000;
- change language regarding certified laboratories at the University of Minnesota or other land grant college;
- add a provision regulating farm insurance;
- clarify language, make technical changes.

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**Dept. of Trade and Economic Development bill**

HF1188/SF1268\* (C. Nelson, DFL-Barrett)—recommended to pass as amended.\*\*

Would define and clarify the powers and duties of the commissioner of energy and economic development; and

authorize certain Indian tribes to create community energy councils.

(See bill summary under Agriculture, Transportation, & Semi-State Division/Appropriations, March 28)

\*\*Amendment would make technical change.

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**Vehicle emission inspections—requirements**

HF1803/SF1783\* (D. Nelson, DFL-Champlin)—recommended to pass as amended.\*\*

Would require mandatory annual inspections of motor vehicle emission control equipment on vehicles registered in the metropolitan area.

(See bill summary in HWR, Vol 4, No. 5, Pg. 21, Environment & Natural Resources, March 9)

\*\*Amendments would:

- add language to the exemption provision to include vehicles with engines manufactured before the 1976 model year;
- appropriate \$10,000 to the agency from the motor vehicle transfer fund for transfer to the vehicle emission inspection account; and add a provision appropriating an additional \$200,000;
- make technical, language changes.

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**Highway acquisition loan program**

HF1826/SF1886 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee. (SF in Senate Finance Committee)

Would set up a loan program for purchasing highway right-of-ways outside the metropolitan area.

(See bill summary in HWR, Vol 4., No. 7, Pg. 6, Agriculture, Transportation & Semi-States Division/Appropriations, March 23)

\*\*Delete-everything amendment would authorize the commissioner of finance to sell and issue up to \$1 million in general obligation bonds to set up a special account in the trunk highway fund for loans to purchase highway right-of-ways outside the metro area.

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**Motorcycles—endorsement fee increase**

HF1933/SF2221 (S. Olsen, IR-St. Louis Park)—recommended to pass.

Would increase from 50 to 60 percent the maximum percentage for the motorcycle safety fund which may be used for instructor training and school district reimbursement.

Provisions would:

- increase the fee for an initial motorcycle endorsement on a drivers license from \$6 to \$7.50, and for a renewal from \$4 to \$6;
- increase the amount of fee revenues going to the motorcycle safety fund each year from \$300,000 to \$500,000.

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**Dept. of Transportation—eminent domain provisions**

HF1954/SF1590 (Lieder, DFL-Crookston)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would update reference to federal relocation assistance statutes in state eminent domain law.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 56, Transportation, March 4)

\*\*Amendment would make technical change in appropriation provision.

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**Housing trust fund**

HF2019/SF1492 (Clark, DFL-Mpls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would create a low income housing trust fund and provide for the fund's uses.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 31, Governmental Operations, March 10)

\*\*Amendments would clarify use of money in the housing trust fund account and requires a report to the legislature; make technical changes.

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**Pipeline safety**

HF2098/SF2111 (Knuth, DFL-New Brighton)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would amend the pipeline safety law to adopt federal safety regulations, expand inspection authority to include intrastate hazardous liquid pipelines, and set the calculation for inspection fees.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 31, Governmental Operations, March 10)

\*\*Amendments would:

- define and clarify fee setting mechanism;
- make technical, language changes.

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**Occupational Safety and Health act—fine increase**  
HF2221/SF1719 (A. Johnson, DFL-Spring Lake Park)—recommended to pass. (SF in Senate Finance Committee)

Would increase fines for occupational safety and health violations.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 22, Labor-Management Relations, March 2)

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**CFC-processed food packages—prohibition**  
HF2248/SF2131 (Trimble, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would prohibit using chlorofluorocarbon-processed (CFC) food packaging materials after July 1, 1990.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 19, Environment & Natural Resources, March 8)

\*\* Amendment would:

- appropriate of \$44,700;
- make technical change.

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**State veterans' cemeteries**  
HF2362/SF2092 (Wenzel, DFL-Little Falls)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would provide for state veterans' cemeteries; require land donated to state for use as veterans' cemetery in Morrison County to be returned to donors if not used as veterans' cemetery; and appropriate \$15,000 from the general fund to the commissioner of veterans affairs to study the anticipated cost of site development and ongoing operational cost of an additional state veterans' cemetery.

\*\* Amendments would make technical changes; clarify language.

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**Amateur Sports Commission—amendments**  
HF2691/SF2465 (Voss, DFL-Blaine)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would amend the authority of the Minnesota Amateur Sports Commission (ASC).

(See bill summary in HWR, Vol. 4, No. 6, Pg. 17, Governmental Operations, March 17)

\*\* Amendments would:

- delete provisions directing deposits of certain funds into specific accounts such as revenues derived from the excise and use taxes;
- would delete appropriation to the commissioner of amateur sports;
- delete provision appropriating funds to the commissioner of trade and economic development to implement the department's responsibilities for the Celebrate 1990 program from the sports and health club sales tax fund.

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**Mortgage Banker/Mortgage Broker Act—modifications**  
HF2744/SF2025 (Voss, DFL-Blaine)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would require lenders to deliver by mail within 45 days a letter acknowledging a borrower's full payment of a loan; define agreement as a contract between the mortgage banker and the borrower in which the borrower approves of the banker's agreement to loan money at a specified interest rate and discount points.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 14, Financial Institutions & Insurance, March 17)

\*\* Amendments would:

- add a provision requiring that mortgage loans shall not include any loan made by a state or federal bank or savings and loan association, an industrial loan and thrift company or regulated lender, where less than 50 percent of the loan is used for the purchase of the real property or to refinance a loan for the purchase of the real property or where any part of the loan is used to refinance the balance due on a contract for deed;
- add a provision stipulating that referral fees shall not in any case include the payment or acceptance of any sum or other thing of value pursuant to a controlled business arrangement, as defined in the federal Real Estate Settlement Procedures Act;
- reduce appropriation to the commissioner of commerce from \$100,00 to \$37,800 and reduce complement from three to one;
- define terms, clarify language, make technical changes.

**Agriculture, Transportation, & Semi-State  
Division/APPROPRIATIONS**

**Monday, March 28:**

**Motor vehicles—salvage dealer licensing**

HF1130/SF1121\* (A. Johnson, DFL-Spring Lake Park)—recommended to pass; rereferred to Appropriations Committee).

Would establish a titling system for salvage and rebuilt motor vehicles and require licenses for scrap metal processors, used vehicle parts dealers; and salvage pool operators.

(See bill summary in HWR; Vol. 4; No. 6, Pg. 32, Transportation, March 16).

**Dept. of Trade and Economic Development bill**

HF1188/SF1268\* (C. Nelson, DFL-Barrett)—recommended to pass; rereferred to Appropriations Committee.

Would provide for the powers and duties of the commissioner of energy and economic development. Provisions would:

- authorize the department to make loans, grants, and other financial aid from litigation settlement funds for federal petroleum pricing violations;
- allow the commissioner to collect fees from the above loan or grant recipients to pay for administrative costs incurred in administering the aid;
- authorize the commissioner to grant variances to homeowners 65 or older who want to use a decorative gas lamp in their home; provide that the variance is valid for the life of the recipient, but must be renewed every four years; prohibit the issuance of any new variances after Aug. 1, 1992;
- include statutory or home rule charter in the definition of "municipality";
- authorize statutory and home rule charter cities or counties, or Indian tribal governments to establish community energy councils;
- allow the commissioner to make loans to municipalities for qualified energy improvements.

**Transportation study board—creation**

HF1750/SF1593 (Kalis, DFL-Walters)—recommended to pass as amended\*\*; rereferred to Appropriations Committee) (SF in Senate Governmental Operations Committee)

Would create a transportation study board and prescribe its duties.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 10, Governmental Operations, Feb. 29)

\*\*Amendment would:

- appropriate \$300,000 from the highway user tax distribution fund to the board to carry out its duties;
- require the board to report its preliminary findings to the Legislature and governor no later than Feb. 1, 1989;
- require the board to make a final report and recommendations to the Legislature and governor on Jan. 15, 1991;
- abolish the board on June 1, 1991.

**Highway acquisition program**

HF1826 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

Would set up a loan program for purchasing highway right-of-ways outside the metropolitan area.

\*\*Delete-everything amendment would:

- authorize the commissioner of transportation to make interest-free loans to local road authorities outside the metropolitan area for purchasing property within a highway right-of-way;
- authorize the commissioner to make loans only to:
  - avert the imminent conversion of the right-of-way that would jeopardize its availability for highway construction; or
  - avert the imminent construction on the right-of-way which would substantially increase the cost of acquiring the property;
- prohibit the issuance of any loan purchase the right-of-way at more than the fair market price or for a price that includes relocation (except hardship location);
- require the local authority receiving the loan to sell the right-of-way to the Minnesota Department of Transportation (MnDOT) for the local authority's purchase price, or to another party at fair market value if the right-of-way is no longer needed for a highway project;
- authorize the commissioner to make hardship loans to local road authorities outside the metropolitan area to purchase homestead property on a highway right-of-way, and to provide relocation assistance;
- require hardship loans to be for the property's appraised

fair market value and relocation costs, less the property's salvage value;

- require the acquiring authority to convey the property to ~~Ma~~DOT at the same price it paid, plus relocation costs and less its salvage value, before highway construction begins;
- authorize hardship loans only when:
  - acquisition and relocation have been requested by an affected property owner;
  - federal funds are unavailable;
  - the property owner is unable to sell the property at its appraised market value because of its location in a proposed right-of-way;
  - the commissioner, who must not unreasonably withhold approvals, has approved the property's appraised fair market value; and
  - the property owner is burdened by hardship circumstances such as medical expenses, job transfer or inability to care for the property;
- establish a special account in the state treasury for monies the commissioner receives and provides for an annual appropriation of the money to the commission to carry out the loan program;
- provide for certain fund transfers upon the taking land titles and for the transfer of appropriated money.

#### **Motor vehicle registration requirements**

HF1951/SF1804 (A. Johnson, DFL-Spring Lake Park)—recommended to pass; rereferred to Appropriations Committee.  
(SF on Senate Floor)

Would require motor vehicles that are leased for long terms to be registered in the name of the leasee.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 56, Transportation, March 4)

### **State Departments Division/ APPROPRIATIONS**

#### **Waste Management Act—amendments**

HF2031/SF1891 (D. Nelson, DFL-Champlin)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would amend the Waste Management Act.

(See bill summary in HWR, Vol. 4, No. 3, Pg. 3, Environment & Natural Resources, Feb. 25)

\*\*Amendments would:

- make technical language changes;
- transfer from the motor vehicle fund balance \$2,680,200 to the general fund on July 1, 1988 of the second year;
- appropriate \$821,300 from the motor vehicle transfer fund to the waste tire management programs;
- disappropriate \$525,000 for loans and grants to businesses and counties for used oil processing equipment and for the installation of storage tanks to collect used oil;
- disappropriate \$238,500 appropriated to the Pollution Control Agency from the environmental response, compensation and compliance fund, to be used to assist persons in determining whether real property has been the site of a release or threatened release of a hazardous substance;
- define "recycling" as the process of collecting and preparing recyclable materials and reusing the material in their original forms, or using them in manufacturing processes which do not cause the destruction of recyclable materials in a manner which would prevent their further use;
- exclude refuse derived fuel or other material that is destroyed by incineration from the definition of recyclable material;
- delete sections one and two and insert new language regarding the rental and leasing of land by the state for all purposes, including the storage of state vehicles; insert new language regarding storage space for the collection, separation, and temporary storage of recyclable materials in state-leased buildings of greater than 5000 square feet, and in or adjacent to new or remodeled building of greater than 1000 square feet;
- provide a legislative goal that mixed municipal solid waste incinerators be planned and managed to reduce toxicity and quantity of incinerator ash; reduce the quantity of residuals requiring disposal; establish temporary and permanent programs to achieve such goals;
- define certain waste terminology;
- consider incinerator ash a special waste for an interim period until testing and disposal requirements are established;
- require that incinerator ash be stored separately from mixed municipal solid waste during the interim study period;
- require county solid waste plans that involve incineration to state clearly how the county intends to reduce the toxicity

and quantity of incinerator ash;

- require, by Jan. 1, 1990, that the Waste Management Board in cooperation with the Pollution Control Agency and the counties develop statewide goals and timetables for the reduction of the noncombustible portion of mixed, municipal solid waste prior to its incineration or processing.

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**Housing trust fund**

HF2019/SF1462 (Clark, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would create a low income housing trust fund account.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 31, Governmental Operations, March 10)

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**Dept. of Administration—changes**

HF2291/SF2059 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; referred to Appropriations Committee. (SF in the Senate Finance Committee)

Would amend, enact, and repeal certain laws the Department of Administration administers.

\*\*Delete-everything amendment would:

- allow tribal governments to purchase surplus property at the same rate as other local units of government;
- require state office space of 50,000 square feet or more to include space for child care services;
- give the commissioner of administration the power to buy and sell real property in Minneapolis for the purpose of relocating department offices to locations more accessible to the residents of Minneapolis;
- limit smoking in state buildings;
- eliminate the requirement of having two members of the community college board be graduates of a community college;
- allow technical educational equipment for state community colleges to be procured on request of the state board;
- set effective dates.

\*\*Amendment would:

- give the commissioner of administration the right of first refusal on lands offered for public or private sale within the capitol area.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 28, Governmental Operations, March 8)

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**Voter registration—computerization, account establishment**

HF2536/SF2398 (Orenstein, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would provide that statewide computerized voter registration system satisfy requirements for duplicate registration file and establish voter registration account.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 25, General Legislation, Veterans Affairs & Gaming, March 9)

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**Monday, March 28**

**Environmental Quality Board—amendments**

HF2087/SF2286 (Knuth, DFL-New Brighton)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF passed in Senate)

(See bill summary in HWR, Vol. 4, No. 5, Pg. 31, Governmental Operations, March 10)

\*\*Amendment would require the Environmental Quality Board (EQB) to assess the reasonable (rather than the actual) cost of an environmental impact statement (EIS) upon the proposer of a specific action, whether public or private.

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**State employees—certain salary ranges**

HF2250/SF2003 (Jefferson, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF passed as amended in Senate)

Would change certain laws governing state employees.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 27, Local & Urban Affairs, March 15)

\*\*Amendments would:

- broaden the achievement of equitable compensation relationships to include a line between male dominated and female dominated job classifications;
- specify that differences in salary that result from seniority would not be a factor in determining equitable compensation relationships.

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**State Advisory councils, communities**

HF2292/SF2226\* (Knuth, DFL-New Brighton)—recom-

mended to pass as amended\*\*; rereferred to Appropriations Committee.

Would amend certain provisions governing state advisory councils, committee, and task forces.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 12, Governmental Operations, March 2)

\*\*Amendments would:

- make technical changes;
- repeal the Office of Science and Technology;
- establish a task force on genetically engineered organisms;
- eliminate the expiration dates for the Uniform Financial Accounting & Reporting Standards Advisory Council and the Elementary, Secondary, and Vocational Computer Council.

### Education Finance Division/ EDUCATION

**Tuesday, March 29**

#### **School district capital loans--changes**

HF2058/SF1745 (Peterson, DFL-Princeton)—recommended to pass as amended.\*\*

Would alter the maximum effort school loan program, approve capital loans, authorize the sale of bonds, and revise procedures related to capital loans so that school districts would receive legislative approval prior to a voter referendum.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 13, Education, March 18)

\*\*Amendments would make technical changes.

### RULES & LEGISLATIVE ADMINISTRATION

**Tuesday, March 29**

#### **Environmental trust fund, lottery—constitutional amendment**

HF2182/SF2000 (Munger, DFL-Duluth)—recommended to pass as amended.\*\* (SF in Senate Finance Committee)

Would propose an amendment to the Minnesota Constitution to establish an environment and natural resources trust fund;

would permit state-run lotteries, and provide for distributing lottery proceeds.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 1, Appropriations, March 22)

\*\*Amendment would permit the Legislature to change the distribution of net lottery proceeds if two-thirds of the House and two-thirds of the Senate vote to do so.

#### **Genocide Treaty—resolution**

HF2613/SF2486 (Dawkins, DFL-St. Paul)—recommended to pass as amended.\*\* (SF in Senate Judiciary Committee)

Would memorialize the U.S. Congress to ratify the Genocide Treaty.

\*\*Amendment would add technical language.

### TAXES

**Friday, March 25**

#### **Taxes—omnibus bill**

HF2590/SF2260 (Voss, DFL-Blaine)—recommended to pass as amended.\*\* (SF in Senate Taxes & Tax Laws Committee)

\*\*Delete-everything amendment would adopt the 1987 federal tax changes to individual and corporate income tax, and make comprehensive changes in property, income, corporate, cigarette, liquor, and other taxes.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 23, Taxes, March 21)

\*\*Other amendments would:

- exclude tier one railroad retirement benefits from state taxes under provisions of the "income subtraction" for the elderly and disabled;
- notify individuals claiming unemployment compensation that such compensation may be subject to state income taxes; further provide that the individual may elect to have such payments subject to withholding under this section;
- provide additional credit to commercial-industrial properties whose property taxes on the total market value of the property exceed 5 percent of the market value for the previous year's assessment; further provide that the credit would equal 50 percent of the net property tax amount that is over five percent of the market value;
- lessen the income criteria necessary to qualify for the

disabled homestead credit;

- provide that real property that is not improved with a structure and that is not used as part of a commercial or industrial activity would be assessed according to its best possible use (such as a potential homesite) permitted under local zoning ordinance;
- exempt from sales tax, meals given at no charge to employees;
- require that on or before April 15, June 15, and Dec. 15 of each year every domestic and foreign insurance company, including town and farmers mutual insurance companies and domestic mutual insurance companies, shall pay the commissioner of revenue installments equal to one-third of the insurer's total estimated tax;
- exempt from admission tax, tickets sold at state and county fairs if the tax withheld is used for the purpose of making capital improvements to public buildings and facilities on the state and county fairgrounds; provide that the tax retained be matched in equal amounts by proceeds from special assessments levied against commercial exhibits, concessions and rentals, and from other special-user fees;
- provide that a cigarette distributor with a five-year record of compliance in paying taxes need no longer post a bond with the commissioner of revenue; provide that distributors not posting bonds who become delinquent in their tax obligation, once again post bond for two years until their credibility has been re-established;
- allow a horsepersons' organization, and its members, to withhold horses at a race without regard to the state anti-trust laws;
- replace the parimutuel tax (1.75 percent on the first \$48 million bet in a year, and 6 percent on the excess) with a tax of 6 percent on the total amount withheld from the parimutuel pools by the licensee, including breakage;
- raise the tax levy for the Minnesota breeders' fund to 1 percent;
- repeal the 40-cent tax on each admission at Canterbury Downs; eliminate the requirement that the licensee pay one-half of the breakage to the state.

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Tuesday, March 29

#### Local government bonding powers

HF2067/SF1963 (Rest, DFL-New Hope)—recommended to pass as amended.\*\* (SF on Senate Floor)

Would authorize school districts to issue notes and certificates of indebtedness to finance equipment purchases; require that certificates would be subject to the school district's debt limit, and require certificates to mature in five years or less. Other provisions would:

- require that if the amount of notes to be issued exceeds 1 percent of the school district's assessed value, the notes may not be issued until a notice is published, allowing a 10-day period where 10 percent of the voters at the last school board election may subject the issuance of certificates to a referendum (see amendment);
- authorize a home rule charter city to issue capital notes in the same manner provided for statutory cities, unless the city's laws prohibit issuing such notes;
- allow housing and redevelopment authorities to invest their funds in the manner provided for debt service funds under the general bond code;
- provide an exemption from competitive bidding for housing projects, if the project is to be financed with revenue bonds (a bond issued to finance public works and supported directly by the revenues received from the project), and if the land is owned by the authority, the construction is done under contract by the developer, and the authority finds that competitive bidding is not economical;
- authorize cities to issue certificates of indebtedness and to lend the proceeds to nonprofit hospitals in anticipation of receiving revenues, including federal or state aid payments; limit the principal amount to 75 percent of the accounts receivable within 45 days of issuance; prohibit the further issuance of notes if the amount outstanding, during the preceding 30-day period, is more than 6 percent of the hospital's gross revenues for the preceding year;
- provide that certificates issued by a city to benefit a nonprofit hospital are to be secured only by a revenue agreement between the city and the hospital, and the hospital's obligation to repay the certificates; provide that in the case of default, the owners or holders of certificates do not have the right to have the municipality or state levy taxes or to appropriate funds for the payment of principal or interest on the notes; provide that the maximum security of the notes is 13 months, and that such notes be issued with tender options, allowing the city and the hospital to negotiate for the remarketing of the notes if they are tendered.
- provide that the authority to issue such notes would expire Aug. 1, 1990;
- exempt obligations from the "five times rule" if the issuing

municipality estimates that the obligations will be paid in full by pledged revenues other than property taxes (five times rule prohibits payment of principal in any year that exceeds five times the smallest amount of principal paid in a preceding year);

- expand the authority to invest debt service funds (cash required in a given period for payments of interest and current maturities of principal on outstanding debt) in tax exempt securities and reverse repurchase agreements, such as mutual funds that invest in general obligation bonds rated A or better, and housing agency bonds rated AAA or AA by Standard & Poors, or Moodys; moreover, would permit the investment of debt service funds in guaranteed investment contracts issued by U.S. commercial banks and their foreign branches, and U.S. and Canadian insurance companies;

- eliminate the requirement that the discount be included in computation of the savings test necessary for issuing general obligation refunding bonds;

- grant the Bloomington Port Authority an exemption from the competitive requirements for structured parking facilities adjacent to or integrally related to a project financed with tax increment bonds;

- repeal the requirement that the balance in the export finance authority be maintained at \$1 million.

**\*\*Amendments would:**

- prohibit for 30 days instead of 10 days after public notification and possible petition for referendum, the issuance of certificates or notes that exceed 1 percent of the assessed value of a school district;

- change the deadline for receiving bids on obligation bonds from 48 hours to four days after notification concerning the terms of the sale have been made known to prospective bidders.

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## FLOOR ACTION

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### CONSENT CALENDAR

**Tuesday, March 29**

**Commercial aircraft modernization—resolution**  
HF681/SF974\* (Skoglund, DFL-Mpls)—passed (132-0).

Would memorialize the President, Congress, and the Federal

Aviation Administration to accelerate the modernization of commercial aircraft fleets operating in and to the United States by requiring the use of quieter, Stage 3 aircraft.

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**Water management organizations—erosion control**  
HF1953/SF1632\* (Bennett, IR-Shoreview)—passed as amended\*\* (130-0).

Would authorize coordinated sediment and erosion control programs for Ramsey County.

**\*\*Amendment would substitute the House language for the Senate language.**

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**Big Fork—land conveyance**

HF2585/SF2090\* (Neuenschwander, DFL-Int'l Falls)—passed (132-0).

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

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**Diesel fuel tax exemption—resolution**

HF2621/SF2376\* (Bertram, DFL-Paynesville)—passed (132-0).

Would memorialize the Congress of the United States to reinstate diesel fuel tax exemptions for farmers and other offroad users.

### CONCURRENCE & REPASSAGE

**Thursday, March 24**

**Gender references**

HF320\*/SF622 (Scheid, DFL-Brooklyn Park)—repassed as amended by the Senate (131-0).

Would amend current law which permits statutory cities and cities of the fourth class to maintain a public restroom. (Current law specifies that such a restroom include toilet facilities for women and children. The bill strikes the words "women and children.")

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**State Board of Investments—changes**

HF1806\*/SF1784 (Simoneau)—repassed as amended by the Senate (97-29).

Would amend and repeal various laws the State Board of Investment administers.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 34, Calendar, March 10)

**Liquor license—dinner boats**

HF1831\*/SF1667 (Poppenhagen, IR-Detroit Lakes)—repassed as amended by the Senate (122-6); reconsidered; sent to conference.

Would permit Becker County to issue a liquor license to a 100-passenger dinner boat that cruises on Detroit Lake if the Becker County Board approves; would allow the commissioner of public safety to grant a similar license to a Fort Snelling dinner boat; in both cases, alcohol could only be sold or served while the boat is under way, or moored or anchored offshore.

**Nursing practitioners—health plan payments**

HF1853\*/SF1758 (Voss, DFL-Blaine)—repassed as amended by the Senate (127-0).

Would require that insurance plans cover the services of a registered nurse engaged in advance nursing practice to the same extent that the services would be covered if provided by a physician.

(See bill summary in HWR, Vol. 4, No. 4, Pg. 28, Calendar, Feb. 25)

**Willard Munger Trail—designation**

HF1858\*/SF1731 (G. Anderson, DFL-Bellingham)—repassed as amended by the Senate (127-0).

Would change the name of the Minnesota-Wisconsin Boundary Trail to the Willard Munger Trail.

**Child care—higher education task force**

HF1989\*/SF1705 (Trimble, DFL-St. Paul)—repassed as amended by the Senate (125-0).

Would establish a task force to determine the state's goals and needs for child care in higher education.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 59, Calendar, March 7)

**School immunizations—technical changes**

HF2083\*/SF1588 (Orenstein, DFL-St. Paul)—repassed as amended by the Senate (128-0).

Would make technical changes in the immunization law.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 59, Calendar, March 7)

**Itasca County—DNR land sale**

HF2312\*/SF2162 (Ozment, IR-Rosemount)—repassed as amended by the Senate (131-0).

Would authorize the commissioner of natural resources to sell certain lands in Itasca County.

**Monday, March 28**

**Rail acquisitions—reporting, disclosure requirements**

HF1486\*/SF1442 (Beard, DFL-Cottage Grove)—repassed as amended by the Senate (101-25).

Would regulate the sale of railroad lines.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 40, Special Orders, March 16)

**Tuesday, March 29**

**Barber licenses—requirement change**

HF1534\*/SF1467 (Welle, DFL-Willmar)—repassed as amended by the Senate (134-0).

Would change licensing requirements for registered barbers and registered apprentice barbers.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 37, Consent Calendar, March 16)

**Real property—conditions restriction**

HF1589\*/SF1615 (S. Olsen, IR-St. Louis Park)—repassed as amended by the Senate (129-0).

Would provide a restriction on the duration of conditions affecting certain real property.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 35, Calendar, March 14)

**Labor-Management Committee—grant program**

HF1877\*/SF1732 (Simoneau, DFL-Fridley)—repassed as amended by the Senate (134-0).

Would regulate the labor-management committee grant program.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 32, Special Orders, March 17)

**Judgment documents—filing satisfaction**  
HF2000\*/SF1741 (Shaver, IR-Wayzata)—repassed as amended by the Senate (133-0).

Would require a judgment creditor to file satisfaction of judgment documents with the court administrator.

**St. Louis County—tax-forfeited land sale**  
HF2025\*/SF1982 (Begich, DFL-Eveleth)—repassed as amended by the Senate (134-0).

Would authorize St. Louis County to sell privately certain tax-forfeited land.

**Owatonna—state land purchase**  
HF2046\*/SF1931 (Hartle, IR-Owatonna)—repassed as amended by the Senate (133-0).

Would direct the state to sell and convey certain lands to the City of Owatonna.

**St. Louis County—private land sale**  
HF2109\*/SF1983 (Begich, DFL-Eveleth)—repassed as amended by the Senate (129-0).

Would authorize St. Louis County to sell privately certain tax-forfeited land.

**GA recipients—drug dependency**  
HF2132\*/SF2018 (Clark, DFL-Mpls)—repassed as amended by the Senate (133-0).

Would provide for the appointment of a representative payee to manage the general assistance (GA) funds of a drug dependent person; would require the assignment to be reviewed annually.

**Heartland Trail—amendments**  
HF2155\*/SF2212 (Kinkel, DFL-Park Rapids)—repassed as amended by the Senate (128-0).

Would revise provisions relating to the Heartland Trail in Hubbard and Cass counties, and establish the Paul Bunyan Trail in Crow Wing, Cass, Hubbard, and Beltrami counties.

**Cities, towns—hospital contributions**  
HF2190\*/SF2046 (Winter, DFL-Fulda)—repassed as amended by the Senate (127-0).

Would authorize the City of Westbrook to contribute funds to the Schmidt Memorial Hospital without local approval.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 35, Special Orders, March 22)

**Forestry laws—changes**  
HF2272\*/SF1687 (Solberg, DFL-Bovey)—repassed as amended by the Senate (129-0).

Would change certain forestry laws.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 35, Special Orders, March 22)

**Farmington—tax-forfeited land sale**  
HF2637\* (Tompkins, IR-Apple Valley)—repassed as amended by the Senate (133-0).

Would permit Farmington to sell certain tax-forfeited land.

## RULE 1.10

Thursday, March 24

**Minnesota Public Facilities Authority—bonding**  
HF2306\*/SF2016 (Long, DFL-Mpls)—passed (127-0). (SF in Senate Taxes & Tax Laws Committee)

Would authorize the Minnesota Public Facilities Authority to issue revenue bonds, to make loans, or to purchase the bonds of municipalities for wastewater treatment and water supply systems.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 22, Taxes, March 17)

Monday, March 28  
**HMO--consumer protection**  
HF2012/SF1861\* (C. Nelson, DFL-Barrett)--passed (131-0)

Would offer HMO-plan consumers expanded protection (replacement coverage, evidence of cancellation, and exclusion of coverage).

(See bill summary in HWR, Vol. 4, No. 7, Pg. 2, Appropriations, March 24)

**Health and Human Services—appropriations omnibus bill**  
HF2126\*/SF1680 (Greenfield, DFL-Mpls)—passed as amended\*\* (111-22). (SF in Senate Finance Committee)

Would establish various funding provisions and rider

language for support of Minnesota's health and human service programs; would set supplemental spending levels for the departments of Human Services, Health, Corrections, and Jobs and Training; and would provide \$11,437,700 spending for the biennium.

\*\*Amendments would require the commissioner of health to:—provide technical assistance to local boards of health to regulate or close establishments which may constitute a public health nuisance and contribute to transmitting a serious communicable disease;—prevent any business from facilitating sexual practices which transmit deadly infectious diseases.

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**Tuesday, March 29\***

**State Departments Division—operating budget bill**  
HF2344 (Kahn, DFL-Mpls)—passed as amended\*\* (84-45).

Would appropriate money for FY'88 and FY'89 to state agencies with stipulations; modify their functions; fix and limit fees; and require studies and reports.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 11, State Departments Division/Appropriations, March 18)

\*\*Amendment would:

- make technical language changes;
- make changes to requirements in the transfer of property in the Petroleum Tank Release Cleanup Act;
- prohibit smoking in state buildings except for in designated smoking areas;
- change the date whereby the relief association can apply for state reimbursement for supplemental benefits they've paid; give the commissioner of revenue until Sept. 15 to reimburse the association;
- provide that tuition reimbursement received under the military affairs tuition program shall not be considered by the Minnesota Higher Education Coordinating Board or by any other state board, commission, or entity in determining a person's eligibility for a scholarship or grant-in-aid.

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**Taxes—omnibus bill**

HF2590\*/SF2260 (Voss, DFL-Blaine)—passed as amended\*\* (131-2). (SF on Senate Floor)

Would make comprehensive changes in property, income, corporate, cigarette, liquor, and other taxes.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 23, Taxes, March 21)

**SPECIAL ORDERS**

**Thursday, March 24**

**DWI, BWI—chemical compounds**

HF408/SF321\* (Jacobs, DFL-Coon Rapids)—passed as amended\*\* (127-0).

Would expand the crimes of driving a motor vehicle or a motorboat while under the influence of alcohol or certain substances.

\*\*Amendment would make technical language change.

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**Hispanic Quincentennial Commission**

HF682/SF1223\* (Pappas, DFL-St. Paul)—passed (120-1).

Would create a seven-member Hispanic Quincentennial Commission to promote greater awareness of the meaning of 500 years of Hispanic culture in the United States; would specify commission membership; would direct the commission to design appropriate quincentennial projects, and permit the commission to make contracts and to seek gifts and grants.

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**DWI—license plate impoundment**

HF704/SF392 (Rest, DFL-New Hope)—amended\*\*;  
continued. (SF in Senate Finance Committee)

Would establish a mandatory license plate impoundment system in any case where the court revokes a person's driver's license for driving-while-intoxicated (DWI) or implied consent law violations.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 3, Appropriations, March 16)

\*\*Amendment would:

- define "ignition interlock device" as breath alcohol ignition equipment designed to prevent the operation of a motor vehicle by a person whose alcohol concentration exceeds a designated level;
- require the department to study the use of ignition interlock devices in other states and to report to the Legislature by Jan. 1, 1989;
- allow the court to depart from the mandatory minimum sentence if the court finds that substantial mitigating factors exist and if the sentencing departure is accompanied by a statement on the record of the reasons for it.

**Vehicles—transporting firewood**

HF1469\*/SF1336 (Wenzel, DFL-Little Falls)—passed (93-21). (SF on Senate Floor)

Would require all vehicles carrying loads of cut firewood on a trunk highway to have the load covered by a material strong enough to prevent escape of the load, if the load extends above the sides of the cargo area, or the cargo area has no rear wall; would make all violations a petty misdemeanor.

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**Motor vehicle equipment—braking requirement**

HF1526\*/SF1060 (Bauerly, DFL-Sauk Rapids)—passed as amended\*\* (131-0). (SF on Senate Floor)

Would establish brake requirements for vehicles manufactured after June 30, 1988.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 57, Transportation, March 9)

\*\*Amendment would include certain all-terrain vehicles in the definition of motor vehicle and would clarify the effective dates for each provision.

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**Minnesota Statutes—revisor's changes**

HF1852/SF1644\* (Rest, DFL-New Hope)—passed (130-0).

Would correct erroneous, ambiguous, omitted, and obsolete references and test in *Minnesota Statutes*; would eliminate certain redundant, conflicting, and superseded provisions; would provide instructions to the revisor; would make miscellaneous corrections to statutes and other laws; would amend and re-enact statutes.

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**Minneapolis—employee appointments, compensation**

HF1862/SF1607\* (K. Nelson, DFL-Mpls)—passed (126-1).

Would provide for the appointment, compensation, and liability of certain Minneapolis city employees and contractors.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 27, Local & Urban Affairs, March 15)

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**Domestic assault law—changes**

HF2006\*/SF1880 (Vellenga, DFL-St. Paul)—passed (127-0). (SF in Senate Judiciary Committee)

Would change domestic violence laws.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 41, Judiciary, March 8)

**Motor vehicles—pollution control equipment**

HF2086\*/SF1980 (Simoneau, DFL-Fridley)—passed as amended\*\* (127-0). (SF on Senate Floor)

Would remove certain restrictions regarding restricted gasoline fill pipes; would prohibit anyone from transferring a motor vehicle without a written certification that the vehicle's air pollution control systems haven't been removed, altered, or rendered inoperative.

\*\*Amendment would provide that the act does not apply to a sale or transfer of a motor vehicle for the purpose of scrapping, dismantling, or destroying it.

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**Eviction protection—terms**

HF2088\*/SF1562 (DeBlieck, DFL-Milroy)—passed as amended\*\* (75-49).

(SF in Senate Agriculture Committee)

Would allow a foreclosed owner to rent or lease all or some of the foreclosed land, and prevent his/her eviction before a buyer is found; would specify reasonable rents, designate the time during which the owner could inspect the land, and set forth the terms under which a foreclosed owner could be evicted; would allow a creditor to evict a renter for nonpayment of rent.

\*\*Amendment would make technical language changes.

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**State employees—labor agreements ratification**

HF2108\*/SF2002 (Simoneau, DFL-Fridley)—passed (123-2). (SF in Senate Finance Committee)

Would ratify labor agreements, compensation plans, and salaries for state employees, and salaries for certain metropolitan agencies' employees.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 30, Governmental Operations, March 9)

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**Eviction protection—foreclosed agricultural land**

HF2121/SF1622\* (Sparby, DFL-Thief River Falls)—passed as amended\*\* (127-0).

Would provide that a foreclosed owner having not elected to lease or purchase a portion of or all of his/her former farmstead, may not be evicted from that land by the new owner before that new owner has found a buyer or a renter and then given the former owner the opportunity to match or refuse to match that offer.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 1, Agriculture, March 10)

\*\*Amendment would remove the effective date and subject pending litigation to the provisions of this act.

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**Contracts for deed—recording assignments**  
HF2134\*/SF2023 (Wagenius, DFL-Mpls)—passed (131-0).  
(SF on Senate Floor)

Would add a requirement to record an assignment of a contract for deed to the existing requirement to record the contract itself; would increase the civil penalty for failure to record and decrease the time allowed for recording; would require 14-days notice before enforcement action may be taken; and would require the parties to the contract for deed to disclose their identities.

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**Retirement—state university, community college plans**  
HF2172\*/SF2038 (R. Johnson, DFL-Bemidji)—passed (127-0). (SF in Senate Governmental Operations Committee)

Would permit state university and community college supplemental plan boards to act through designees in authorizing accelerated withdrawals.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 32, Governmental Operations, March 10)

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**Motor carrier housekeeping bill**  
HF2192\*/SF1876 (Jensen, DFL-Lakeville)—passed (127-0).  
(SF on Senate Floor)

Would make various changes to the provisions that govern the operation of motor vehicles and commercial and private carriers.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 58, Transportation, March 9)

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**St. Louis County—polling place**  
HF2210/SF2134\* (Rukavina, DFL-Virginia)—passed (127-1).

Would require St. Louis County to provide at each primary and general election a polling place at a specified fire hall.

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**Chemical abuse records—destruction**  
HF2228\*/SF2277 (Kelly, DFL-St. Paul)—passed (131-0).  
(SF in Senate Rules & Administration Committee)

Would establish a records destruction schedule for chemical abuse preassessment teams, and require law enforcement officials to report certain violations to preassessment teams.

**Brooklyn Center—state land conveyance**  
HF2252\*/SF2160 (Carruthers, DFL-Brooklyn Center)—  
passed (128-0). (SF on Senate Floor)

Would require the state to convey certain lands to the City of Brooklyn Center.

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**School District 710—revenue use**  
HF2317\*/SF1817 (Begich, DFL-Eveleth)—passed (127-0).  
(SF on Senate Floor)

Would allow School District No. 710 to use certain revenues in the bond redemption fund.

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**Child support—automatic withholding changes**  
HF2341\*/SF2506 (Forsythe, IR-Edina)—passed as  
amended\*\* (130-0). (SF on Senate Floor)

Would authorize parties to waive automatic income withholding when there's a child support or maintenance order, require a court to stay service of an automatic withholding order if an obligor establishes an escrow account for payment of child support or maintenance.

\*\*Amendment would make technical language changes.

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**St. Louis County—board, administrator duties**  
HF2446\*/SF2299 (Rukavina, DFL-Virginia)—passed (128-0). (SF on Senate Floor)

Would provide duties for the St. Louis County Board and administrator, revise old law, and repeal obsolete law.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 49, Local & Urban Affairs, March 8)

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**Corporate farmland—reporting ownership**  
HF2450\*/SF2328 (Winter, DFL-Fulda)—passed (86-41).  
(SF in Senate Agriculture Committee)

Would require certain entities with interests in agricultural lands or operations to file certain reports. Would provide that a corporation or pension or investment fund is liable for a civil penalty of up to \$500 for each day after April 15 that it fails to file a required report or willfully provides false information.

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**Retirement—local government correctional service**  
HF2477\*/SF2175 (Reding, DFL-Austin)—passed as  
amended\*\* (125-0). (SF on Senate Floor)

Would clarify and adjust certain provisions regarding the

local government correctional service retirement plan.

\*\*Amendment would change the federal military status mandatory retirement age to an age earlier than age 65.

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**Hospital districts—cities, townships**

HF2481\*/SF2259 (Battaglia, DFL-Two Harbors)—passed (129-0). (SF on Senate Floor)

Would authorize the establishment of a hospital district in the cities of Cook and Orr and other townships in Koochiching and St. Louis counties.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 50, Local & Urban Affairs, March 8)

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**Membership camping—contract applications**

HF2546\*/SF2300 (Sparby, DFL-Thief River Falls)—passed (126-0). (SF on Senate Floor)

Would regulate the preparation of certain financial information for membership camping contract applications and subdivider qualification statements.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 7, Commerce, March 9)

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**Severed mineral interests—lease**

HF2629\*/SF2340 (Begich, DFL-Eveleth)—passed (127-0). (SF on Senate Floor)

Would authorize the commissioner of natural resources to lease certain severed mineral interests.

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**Monday, March 28**

**Future damages—computation**

HF1493\*/SF1675 (Dempsey, IR-New Ulm)—passed as amended\*\* (127-5). (SF on Senate Floor)

Would remove the minimum percentage amount for interest on judgments; would alter the application of joint and several liability; and would provide for payment of future damages.

\*\*Amendment would make a technical change.

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**Tuesday, March 29**

**Indian health facilities—rate exemptions, changes**

HF2415/SF1970\* (Dauner, DFL-Hawley)—passed (132-0).

Would exempt Indian health service facilities from rate

**SUSPENSION OF RULES**

**Monday, March 28**

**Ag., Transportation, Semi-States—appropriations omnibus bill**

HF2788/SF2565\* (Rice, DFL-Mpls)—passed as amended\*\* (94-38).

Would appropriate \$2.5 million to fund the departments of Transportation, Agriculture, Public Safety, and other semi-state agencies.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 5, Agriculture, Transportation, and Semi-State Division/Appropriations, March 22)

\*\*Amendments would:

- require the commissioner of transportation to:
  - request transit assistance fund applications from all eligible regional railroad authorities and set a reasonable deadline for submitting the applications;
  - report to the Legislature on the use and appropriate distribution of construction funds before distributing any such funds;
- require the Metropolitan Transit Commission to assume responsibility for light rail transit operations when a regional rail authority completes construction of a light rail transit facility or route;
- prohibit construction of proposed light rail transit facilities without Metropolitan Council approval.

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**Tuesday, March 29**

**Higher Education Finance Bill**

HF2459/SF2569\* (Price, DFL-Woodbury)—passed as amended\*\* (128-0).

Would appropriate monies with certain conditions to the Higher Education Coordinating Board, State University Board, State Board for Community Colleges, and State Board of Vocational Technical Education.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 7, Education Division/Appropriations, March 23)

\*\*Amendment would make technical changes and would insert the House language.

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Nothing herein is admissible as legal proof of legislative intent.

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# HOUSE WEEKLY REVIEW

For MEMBERS of the Minnesota House of Representatives

March 30-April 7, 1988

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*HOUSE WEEKLY REVIEW* summarizes committee and floor action on bills

## COMMITTEE ACTION

### APPROPRIATIONS

Wednesday, April 6

#### Capital improvements—bonding

HF1826/SF1886 (G. Anderson, DFL-Bellingham)—recommended to pass as amended\*\*; rereferred to Rules & Legislative Administration Committee.

Would appropriate funds to state agencies to acquire and to better public land and buildings and other public improvements of a capital nature.

\*\*Delete-everything amendment would:

- appropriate \$9,111,000 to the Department of Administration for increased rent differential and lost rental income associated with the Department of Human Services office relocation/consolidation; handicapped accessibility, and to restore the concourse of the St. Paul Union Depot;
- appropriate \$675,000 for parking improvements in the capitol area;
- appropriate \$5,420,000 to the Department of Natural Resources for an International Wolf Center, Environmental Learning Center, Park and Trail Development, development of the abandoned Burlington Northern Railroad for the "Paul Bunyan Trail," and planning for the visitor center building at Lac Qui Parle Wildlife Management Area;
- appropriate \$19,660,000 to the Department of Trade and Economic Development for planning and building amateur sports facilities, for a grant to the Minneapolis Park and Recreation Board for land acquisition for the Great River Road Project, for remodeling and refurbishing of Como Park conservatory, and for the metropolitan open space project;
- appropriate \$1,270,000 to the Department of Military Affairs for various capital improvement projects at the state armory, camps, and halls;
- appropriate \$12,000,000 to the Department of Transportation for the state transportation fund for local road bridge replacement and rehabilitation of bridges not on the trunk highway system;
- appropriate \$865,000 to the Minnesota Historical Society to plan and design the labor history center, to fund a grant to the Red Lake Band of the Chippewa Indians and to construct a building to house the tribal archives and interpretive center, and for restoration of the General William G. LeDuc Home in Hastings;
- appropriate \$8,000,000 for cooperative secondary facilities grants;
- appropriate \$28,466,600 to technical institutes for construction and improvement projects in various school districts;
- appropriate \$30,979,400 to community colleges for construction and improvement projects in various communities;
- appropriate \$34,581,400 to the state university board for construction, expansion, and improvement projects at various campuses;
- appropriate \$30,367,000 to the University of Minnesota for improvements at the veterinary diagnostic lab, fine arts facilities, and the Wilson Library, and for capital improvements at the various coordinate campuses;
- appropriate \$1,404,100 for veterans homes projects;
- appropriate \$3,509,800 to the Department of Corrections for replacing a boiler, converting unusable space into an educational unit and replacing windows;
- appropriate \$1,360,100 to the Department of Health for



remodeling laboratories and other space;

- appropriate \$200,000 to cover bond sales expenses;
- appropriate \$11,000,000 for the maximum effort school loan fund;
- require the governor to submit capital bonding proposals in the first year of the biennium for legislative action in the second year of the biennium.

**\*\*Amendments would:**

- appropriate \$207,700 to the Brainerd School District for planning a conference center;
- appropriate \$208,800 to the Detroit Lakes School District for planning an instructional services addition;
- appropriate \$226,800 to Brainerd Community College for planning, remodeling, and expansion;
- appropriate \$50,000 from the water pollution control fund to the Pollution Control Agency for planning and development of a water treatment facility in Thompson Township;
- appropriate \$65,000 from the building fund to the commissioner of corrections to fund a grant to acquire a shelter for battered American Indian women;
- clarify language, define terms, make technical changes.

## Education Division/APPROPRIATIONS

**Tuesday, April 5**

### Capital improvements—bonding

HF1826/SF1886 (G. Anderson, DFL-Bellingham)—sections 12-15 recommended to pass as amended; rereferred to Appropriations Committee. (SF in Senate Rules & Administration Committee)

Would appropriate funds to state agencies to acquire and to better public land and building and other public improvements of a capital nature. Sections 12-15, regarding higher education, would:

- appropriate \$28,466,600 to technical institutes for construction and improvement projects in various school districts;
- appropriate \$30,979,400 to community colleges for construction and improvement projects in various communities;
- appropriate \$34,581,400 to the state university board for

construction, expansion, and improvement projects at various campuses;

- appropriate \$30,367,000 to the University of Minnesota for capital improvements at various coordinate campuses and for improvements at the Veterinary Diagnostic Lab, fine arts facilities, and the Wilson Library on the Twin Cities campuses.

## RULES & LEGISLATIVE ADMINISTRATION

**Tuesday, April 5**

### Workers' compensation law—changes

HF2761/SF2540 (Begich, DFL-Eveleth)—heard; laid over. (SF in Senate Employment Committee)

Would regulate the state's workers' compensation system.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 19, Labor-Management Relations, March 18)

## FLOOR ACTION

### CONCURRENCE & REPASSAGE

**Wednesday, March 30**

### Parental rights deprivation laws—changes

HF2059\*/SF1820 (Pappas, DFL-St. Paul)—repassed as amended by the Senate (114-0).

Would change the crime of depriving another of parental rights ("parental abduction" crime) to clarify that the defenses in law are affirmative defenses that the defendant must prove by a preponderance of the evidence; and provide that where the child was taken in order to protect the child or the actor from physical or sexual assault, or, in the case of the child, substantial emotional harm, a defense is available if the actor reasonably believed the action was necessary.

### Contracts for deed—recording assignments

HF2134\*/SF2023 (Wagenius, DFL-Mpls)—repassed as amended by the Senate (111-0).

Would add a requirement to record an assignment of a contract for deed to the existing requirement to record the contract itself; would increase the civil penalty for failure to record and decrease the time allowed for recording; would require 14-days notice before enforcement action may be taken; and would require the parties to the contract for deed to disclose their identities.

Tuesday, April 5

**State park road account**

HF1277\*/SF1141 (G. Anderson, DFL-Bellingham)—repassed as amended\*\* by the Senate (130-0).

Would allow the use of a state park road account for county roads that provide immediate access to public lakes; provide that the roads don't have to meet county and state aid highway standards; would require the commissioner of natural resources to get written comment on the road project from the county engineer before requesting a county to do work on such county roads.

**Vehicles—transporting firewood**

HF1469\*/SF1336 (Wenzel, DFL-Little Falls)—repassed as amended by the Senate (126-4).

Would require vehicles carrying loads of cut firewood on a trunk highway to have the load covered by a material strong enough to prevent escape of the load; require that the vehicle have a rear wall, and that the load be at or below the sidewall of the cargo area; would make all violations a misdemeanor.

**Robbinsdale—surface water regulation**

HF1585\*/SF1427 (L. Carlson, DFL-Crystal)—repassed as amended by the Senate (132-0).

Would designate a basin of Twin Lake within the City of Robbinsdale as a separate basin, South Twin Lake.

**Municipal liquor stores—profit exemption**

HF1731\*/SF2033 (Murphy, DFL-Hermantown)—repassed as amended by the Senate (127-3).

Would authorize licensed establishments to extend liquor sales to 10 p.m. on Thanksgiving Eve.

**MIGA—regulations**

HF1897\*/SF1802 (Scheid, DFL-Brooklyn Park)—repassed as amended by the Senate (129-1).

Would regulate the Minnesota Insurance Guarantee Association.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 33, Special Orders, March 21)

**Sanitary districts—Waste Management Board aid**

HF2092\*/SF1952 (Ogren, DFL-Aitkin)—repassed as amended by the Senate (127-0).

Would authorize sanitary districts to apply for and receive assistance from the Waste Management Board for certain solid waste programs.

**Pheasant Ridge Music Center—liquor license**

HF2254\*/SF2357 (Quinn, DFL-Coon Rapids)—repassed as amended by the Senate (110-15).

Would authorize the City of Blaine to issue an on-sale liquor license to the Pheasant Ridge Music Center and prohibit liquor sales during athletic events.

**School District No. 710—revenue use**

HF2317\*/SF1817 (Begich, DFL-Eveleth)—repassed as amended by the Senate (131-1).

Would allow School District No. 710 to use certain revenues in the bond redemption fund.

**Bias crimes—reporting, training requirements**

HF2340\*/SF1786 (Orenstein, DFL-St. Paul)—repassed as amended by the Senate (125-1).

Would require law enforcement officials to report crimes motivated by bias.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 41, Special Orders, March 16)

**Debtor exemption—employee benefits**

HF2422\*/SF2278 (Simoneau, DFL-Fridley)—repassed as amended by the Senate (127-1).

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

**St. Louis County—board, administrator duties**

HF2446\*/SF2299 (Rukavina, DFL-Virginia)—repassed as amended by the Senate (127-1).

Would provide duties for the St. Louis County Board and administrator, revise old law, and repeal obsolete law.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 18, Special Orders, March 24)

**Cook County—land exchange, sale**  
HF2489\*/SF2216 (Battaglia, DFL-Two Harbors)—repassed as amended by the Senate (128-0).

Would authorize the exchange of certain state lands in the Boundary Waters Canoe Area Wilderness in Cook County that are free of reservations, and of public travel, under certain conditions; would authorize the commissioner of natural resources to sell certain lands in Cook County.

**St. Louis County—private sales, tax-forfeited land**  
HF2551\*/SF2215 (Battaglia, DFL-Two Harbors)—repassed as amended by the Senate (128-3).

Would allow the commissioner of revenue to sell certain tax-forfeited land in St. Louis County.

**Wednesday, April 6**

**Lake improvement districts—meeting notice**  
HF521\*/SF2445 (Jennings, DFL-Rush City)—repassed as amended by the Senate (129-0).

Would require lake improvement districts to provide a two-week published advance notice of their annual meeting to the county board or joint county authority, town boards, statutory or home rule charter cities, and all property owners within the assessment area, for any project the district proposed having a cost to the assessment area in excess of \$5,000. (Current law requires only a written notice to be mailed at least 10 days in advance of the meeting to the Pollution Control Agency and commissioner of natural resources.

**County bond election exemption—requirements**  
HF1796\*/SF1877 (Rest, DFL-New Hope)—repassed as amended by the Senate (94-32).

Would give all counties the authority to maintain and levy for a building fund subject to general levy limits, and exempt capital improvement bonds for referendum requirements.

(See bill summary in HWR, Vol. 4, No. 7, Pg. 31, Rule 1.10, March 22)

**Shoplifting—civil liability**  
HF1923\*/SF1668 (Kelly, DFL-St. Paul)—repassed as amended by the Senate (122-0).

Would impose civil liability for the theft of merchandise and shopping carts from a store.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 35, Calendar, March 14)

**Sentencing issues study**  
HF1983\*/SF2125 (Kelly, DFL-St. Paul)—repassed as amended by the Senate (128-1).

Would direct the Sentencing Guidelines Commission to study certain sentencing issues and report to the House and Senate Judiciary committees by Feb. 1, 1989.

**Education finances—technical amendments**  
HF2029\*/SF1911 (K. Nelson, DFL-Mpls)—repassed as amended by the Senate (131-0).

Would clarify language, modify provisions, and make technical changes regarding general education revenue and foundation revenue.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 41, Special Orders, March 16)

**Motor carrier housekeeping bill**  
HF2192\*/SF1876 (Jensen, DFL-Lakeville)—repassed as amended by the Senate (129-0).

Would make various changes to the provisions governing the operation of motor vehicles and commercial and private carriers.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 18, Special Orders, March 24)

## CONFERENCE COMMITTEE

**Wednesday, March 30**

**HMO consumer protection**  
HF2012/SF1861\* (C. Nelson, DFL-Barrett)—repassed as amended by conference committee (120-0).

Would offer HMO-plan consumers expanded protection (replacement coverage, evidence of cancellation and exclusion of coverage).

(See bill summary in HWR, Vol. 4, No. 8, Pg. 15, Rule 1.10, March 28)

**Tuesday, April 5**

**Used car sales—regulation**

HF85\*/SF18 (Begich, DFL-Eveleth)—repassed as amended by conference (122-9).

Would require automobile dealers to provide consumers with an express warranty on certain used motor vehicles and would set up licensing requirements for automobile dealers.

**Liquor license—dinner boats**

HF1831\*/SF1667 (Poppenhagen, IR-Detroit Lakes)—repassed as amended by conference (131-0).

Would permit Becker County to issue a liquor license to a 100-passenger dinner boat that cruises on Detroit Lake if the Becker County Board approves. Would allow the commissioner of public safety to grant a similar license to a Fort Snelling dinner boat. In both cases, alcohol could only be sold or served while the boat is under way, or moored, or anchored offshore.

**Eviction protection—foreclosed agricultural land**

HF2121/SF1622\* (Sparby, DFL-Thief River Falls)—repassed as amended by conference (131-0).

Would provide that a foreclosed owner having not elected to lease or purchase a portion of or all of his/her former farmstead, may not be evicted from that land by the new owner before that new owner has found a buyer or renter and then given the former owner the opportunity to match or refuse to match that offer.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 17, Special Orders, March 24)

**Wednesday, April 6**

**Crime victim rights**

HF336/SF232\* (Seaberg, IR-Eagan)—repassed as amended by conference (131-0).

Would make changes to the crime victims statutes.

**Rule 1.10**

**Wednesday, March 30**

**Motor vehicles—salvage dealer licensing**

HF1130/SF1121\* (A. Johnson, DFL-Spring Lake Park)—passed (121-0).

Would establish a titling system for salvage and rebuilt motor vehicles and require licenses for scrap metal processors, used vehicle parts dealers, and salvage pool operators.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 3, Appropriations, March 29)

**Transportation study board—creation**

HF1750\*/SF1593 (Kalis, DFL-Walters)—passed (125-0).

Would create a transportation study board and prescribe its duties.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 3, Appropriations, March 29)

**State claims bill**

HF1981\*/SF1863 (Kalis, DFL-Walters)—passed (82-42).

Would provide for payment of various claims against the state.

**Waste Management Act—amendments**

HF2031\*/SF1891 (D. Nelson, DFL-Champlin)—passed (123-0).

Would amend the Waste Management Act.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 3, Appropriations, March 29)

**Environmental Quality Board—amendments**

HF2087/SF2286\* (Knuth, DFL-New Brighton)—passed (125-0).

Would amend certain laws the Environmental Quality Board (EQB) administers.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 3, Appropriations, March 29)

**Corporate filing—simplification**

HF2095/SF1788\* (Carruthers, DFL-Brooklyn Center)—passed (125-0).

Would make changes in requirements for various corporate filings.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 1, Appropriations, March 25)

**HMO solvency—requirements**

HF2127\*/SF2008 (Greenfield, DFL-Mpls)—passed (127-0).

Would require health maintenance organizations (HMOs) to be certified by the commissioner of health and to meet insolvency requirements.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 1, Appropriations, March 25)

**State employees—certain salary ranges**

HF2250/SF2003\* (Jefferson, DFL-Mpls)—pass as amended (127-0).

Would change certain laws governing state employees.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 3, Appropriations, March 29)

**State advisory councils, committees**

HF2292/SF2226\* (Knuth, DFL-New Brighton)—passed (123-5).

Would amend certain provisions governing state advisory councils, committee and task forces.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 4, Appropriations, March 29)

**Voter registration—computerization account establishment**

HF2536\*/SF2398 (Orenstein, DFL-St. Paul)—passed (126-0).

Would provide that statewide computerized voter registration system satisfy requirements for duplicate registration file and establish voter registration account.

**Energy policy task force—low-income persons**

HF2667/SF2456\* (Dawkins, DFL-St. Paul)—passed (85-35).

Would create a legislative advisory task force on energy policy for low-income person. Provisions would specify task force appointments and duties, and assure minority party representation.

**SPECIAL ORDERS**

**Wednesday, March 30**

**School milk substitutes—lactose intolerant children**

HF1849/SF1882\* (Jefferson, DFL-Mpls)—passed (124-0).

Would direct schools receiving school lunch aid to make lactose reduced milk available to a lactose intolerant pupil upon a written request from a parent. Provisions would permit districts to serve that milk from a large container.

**Landlord repairs—tenant rights**

HF1872/SF1819\* (Jefferson, DFL-Mpls)—passed (125-0).

Would provide for tenant's remedies if the owner fails to repair the premises.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 12, Economic Development & Housing, March 10)

**Minneapolis—trade, craft service contracts**

HF2115/SF1875\* (McLaughlin, DFL-Mpls)—passed (126-1).

Would permit the City of Minneapolis to negotiate labor contracts with labor organizations for trade and craft services.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 48, Local & Urban Affairs, March 8)

**Child support—collection enforcement modification**

HF2118/SF2009\* (Vellenga, DFL-St. Paul)—passed as amended\*\* (120-0).

Would modify and clarify provisions to collect and enforce child support; would provide for cost-of-living adjustments in spousal maintenance awards; would provide for grandparent visitation rights in all family law proceedings; would provide for reopening of judgments; and would provide for custody rights.

\*\*Delete-everything amendment would insert House language. Other amendment would insert language for the Rule of 90.

**Retirement—state university, community college faculty**

HF2151\*/SF1969 (Reding, DFL-Austin)—passed as amended\*\* (125-0).

Would establish an individual retirement account plan for

state university and community college faculty.

\*\* Amendments would insert language for the Rule of 90 and return certain pension dollars to counties to defray employee health insurance costs.

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**Dry edible beans—delivery, grading**

HF2364/SF1686\* (Brown, DFL-Appleton)—passed as amended\*\* (120-1).

Would expand Grain Dryers Act to include dry edible beans and prescribe procedures for grading, delivery, and associated charges applicable to dry edible beans from a grain warehouse.

\*\* Amendment would declare the blueberry muffin as the state muffin.

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**Handicapped children—county plan for early invention**

HF2370/SF2206\* (Vellenga, DFL-St. Paul)—passed (123-0).

Would require county community social service plans to address the county's responsibility to establish a system of early intervention services for handicapped children.

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**Racetracks—financial reports**

HF2537\*/SF1765 (Kelso, DFL-Shakopee)—passed (117-7).

Would change the date when the racetrack must submit its financial statement to the Racing Commission and allow the breeders fund to be used to supplement purses for Minnesota horses racing in nonrestricted races.

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**Falcon Heights—election precinct consolidation**

HF2539/SF2264\* (Rose, IR-Roseville)—passed as amended\*\* (127-0).

Would allow the City of Falcon Heights to consolidate election precincts.

\*\* Amendment would set certain conflict of interest rules for Ramsey County employees.

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**Bloomington—flood mitigation expenditures**

HF2540/SF2355\* (Riveness, DFL-Bloomington)—passed (127-0).

Would authorize the City of Bloomington, upon local approval, to spend or loan public funds for flood mitigation measures to protect residential structures in the city's flood-prone areas.

**Hazardous waste containment center—state ownership**

HF2542/SF2289\* (Munger, DFL-Duluth)—passed as amended\*\* (124-0).

Would authorize the Waste Management Board (WMB) to enter agreements providing for the development and operation of a wholly or partially state-owned hazardous waste stabilization and containment facility; would require WMB to submit a copy of any agreement with a developer to the Legislative Commission on Waste Management and its recommendations for necessary legislative actions, including appropriate financial assurance requirements.

\*\* Amendment would make technical changes.

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**Tuesday, April 5**

**Advertising—rural areas**

HF1736/SF1610\* (Lasley, DFL-Cambridge)—passed as amended\*\* (122-5).

Would authorize the posting of specific service signs that advertise rural agricultural businesses along highways.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 57, Transportation, March 9)

\*\* Amendment would establish a fund for the commissioner of transportation to purchase highway rights-of-way outside the metropolitan area; would provide acquisition and relocation assistance in cases of hardship to owners of homestead property located in a proposed state highway right-of-way.

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**HMO Coverage—cleft palate**

HF1794/SF1646\* (DeBlieck, DFL-Milroy)—passed as amended\*\* (116-4).

Would clarify that coverage under individual family HMOs and accident and health policies would cover inpatient and outpatient expenses, including dental and other treatments of cleft palate.

\*\* Amendments would:

- clarify that counties and the state can receive reimbursement for an incarcerated person's medical care from his or her private insurance;
- insure that adopted children would be covered, as dependents, by the various health insurance policies on equal par to natural children;
- set forth insurance coverage guidelines for services provided to a ventilator-dependent person.

**Controlled substances violation—neighborhood impact**  
HF1848/SF2071\* (Jefferson, DFL-Mpls)—passed as amended\*\* (129-0).

Would require people who prepare presentence investigation reports for those who violate controlled substance laws to make reasonable efforts to include a description of any adverse social or economic effects the offense has had on residents in the neighborhood where the offense occurred.

\*\*Amendment would allow a judge to order that a defendant's money bail deposit be applied to restitution, as well as any fine, the court imposes on the defendant and, if the fine or restitution is less than the deposit, order that the balance be paid to the defendant.

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**Watershed improvement—metro payments**  
HF1857/SF1700\* (Price, DFL-Woodbury)—passed (129-0).

Would schedule the payment of certain watershed improvement costs in the counties of Anoka, Carver, Dakota, Hennepin, Ramsey, Scott, and Washington.

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**Human Rights Act—amendments**  
HF2054/SF1769\* (Solberg, DFL-Bovey)—passed as amended\*\* (126-0).

Would amend the Human Rights Act.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 42, Judiciary, March 8)

\*\*Amendment would restore House language.

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**Environmental law violations—penalties**  
HF2101/SF1674\* (D. Nelson, DFL-Champlin)—passed (128-0).

Would transfer the criminal penalties for people who violate water pollution control laws from the section of law governing water pollution to the section that governs criminal penalties; would not change the penalties.

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**Chippewa Indians—memorandum ratification**  
HF2216\*/SF2141 (Battaglia, DFL-Two Harbors)—passed as amended\*\* (81-38).

Would ratify a "Memorandum of Agreement" between the commissioner of natural resources and the Grand Portage, Bois Forte, and Fond du Lac bands of Chippewa Indians over hunting, fishing, trapping, and gathering rights ratified in an 1854 treaty; would require the commissioner to fulfill the duties and obligations of the Memorandum of Agree-

ment, including paying money the Legislature appropriates.

\*\*Amendment would allow any party to the Memorandum of Agreement to cancel the agreement upon one year's written notice to the other parties.

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**College savings bond program—establishment**  
HF2396\*/SF2105 (L. Carlson, DFL-Crystal)—passed (120-1).

Would establish a college savings bond program.

(See bill summary in HWR, Vol. 4, No. 6, Pg. 4, Appropriations, March 16)

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**School Health Services—staff, drug administration**  
HF2441/SF2137\* (Kelso, DFL-Shakopee)—passed as amended\*\* (101-14).

Would require school districts with 1,000 or more pupils to employ at least one full-time equivalent licensed school nurse or to contract with a health organization or public agency for appropriate health services provided by licensed and certified public health nurses. Provisions would set forth procedures and guidelines for schools to administer prescribed drugs and medicine to pupils at their parents' or guardians' request.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 14, Education, March 7)

\*\*Amendments would make it a petty misdemeanor for schools and school nurses to sell, prescribe or distribute contraceptive devices, including condoms, to unmarried students.

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**Mounds View—land transfer**  
HF2475/SF2217\* (Voss, DFL-Blaine)—passed as amended\*\* (127-0).

Would require the commissioner of transportation to convey certain state lands in Ramsey County to the City of Mounds View.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 30, Governmental Operations, March 9)

\*\*Amendment would establish a joint powers agreement for the Ramsey County Courthouse and St. Paul City Hall.

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**Metro government—agency requirements**  
HF2514\*/SF2491 (Carruthers, DFL-Brooklyn Center)—passed as amended\*\* (128-0).

Would require the Metropolitan Council to adopt, before Oct. 1 of each year, a budget covering its expected revenues and expenditures for the next year.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 51, Metropolitan Affairs, March 9)

**\*\*Amendments would:**

- clarify that the Regional Transit Board cannot own transit vehicles, operate transit services or receive federal discretionary capital grants for light rail and other fixed guideway transit systems;
- require that the metropolitan council approve a regional rail authority's plans for light rail transit facilities before construction begins.

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**Farm implement retailer—stock payment**

HF2567/SF2384\* (Sparby, DFL-Thief River Falls)—passed as amended\*\* (124-0).

Would give successors in interest the same rights as the original franchised dealer and make successors in interest of the manufacturers responsible to dealers; would require that payment for the returned equipment and spare parts be made within 30 days and that 85 percent of the current net price of repaid parts be paid.

(See bill summary in HWR, Vol. 4, No. 5, Pg. 8, Commerce, March 9)

**\*\*Amendment would change the effective date to the day after enactment.**

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**Wednesday, April 6**

**Agriculture—omnibus bill**

HF1000\*/SF655 (Krueger, DFL-Staples)—passed as amended\*\* (127-3).

Would make changes in various agriculture programs, and establish agriculture programs.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 5, Appropriations, March 30)

**\*\*Amendments would:**

- allow plants in production or under construction by Jan. 1, 1990 to continue to receive uninterrupted payments of at least 20 cents per gallon of ethanol produced until July 1, 2000;

- add and clarify definitions in the section: Sale of Certain Polyethylene Material Prohibited; tighten regulations of certain polyethylene products; prohibit public agencies from purchasing any polyethylene disposal bag that is nondegradable on and after Jan. 1, 1990 and from using the material on or after Jan. 1, 1991;

- change allocation to the Minnesota Extension Service from \$175,000 to 60 percent of the money received from the federal government for the administration and operation of the mediation program; and stipulate that the federal funds are matched by equal appropriations from the general fund not to exceed \$300,000;

- change appropriation to the commissioner of agriculture from \$200,000 to 40 percent of the money received from the federal government for state mediation programs; stipulate that federal funds are matched by equal appropriations from the general fund not to exceed \$200,000;

- add a section establishing and defining an advisory task force to study agricultural commodities under contract;

- change allocation for the soil and water stewardship education program from the legislative advisory commission to the commissioner of agriculture and define the grant to the Minnesota agriculture of the classroom program;

- add a section stating that certain sections do not apply to industrial by-product soil buffering material produced at a facility if the University of Minnesota, North Central Experimental Station has conducted a study of the material at that facility;

- change the deadline for the livestock report from Feb. 1, 1989 to 1990;

- add language encouraging the Minnesota Safety Council to establish a position with responsibility for developing and implementing a comprehensive program for farm safety;

- make technical changes, clarify language.

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**Criminal sexual conduct—fifth degree**

HF1070/SF1018\* (Rest, DFL-Mpls)—passed (124-0).

Would create a new crime of fifth-degree criminal sexual conduct that would make it a felony to engage in nonconsensual sexual contact.

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**Bear baiting—prohibitions**

HF1719/SF1561\* (D. Carlson, IR-Sandstone)—passed as amended\*\* (92-29).

Would prohibit hunters from using certain meat in baiting bears.

**\*\*Amendments would restrict bear hunters from using the following as bait:** —meat from mammals, if the meat contains bones;  
—bones of mammals;  
—solid waste containing bottles, cans, plastic, paper, or metal; materials that are not readily biodegradable; or any part of a swine;

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**Minneapolis—development laws update**  
HF1739/SF1608\* (Otis, DFL-Mpls)—passed (126-4).

Would update references to Minneapolis' development laws, occasioned by changes in Minnesota statutes concerning the general laws of economic development.

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**Child abuse—emotional harm element**  
HF1792/SF1643\* (Kelly, DFL-St. Paul)—passed as amended\*\* (127-0).

Would eliminate the need to show emotional harm in proving unreasonable restraint or malicious punishment of a child.

**\*\*Amendment would add language stating: physical discipline does not by itself constitute unreasonable force or cruel discipline.**

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**Minneapolis—contractor bond requirements**  
HF1860/SF1749\* (Sarna, DFL-Mpls)—passed as amended\*\* (126-0).

Would provide conditions for contractor bonds for the city of Minneapolis and the Minneapolis Community Development Agency. Provisions would:

- allow the city finance officer or the agency's contracting officer to waive or reduce the amount of bond required for a contract for supplies, services, materials or equipment, if the bond is not reasonable or necessary for the protection of the city or agency;
- stipulate that the bonds required from a contractor or developer for any work of construction may not be waived or reduce;
- provide for local approval by the Minneapolis City Council.

**\*\*Amendment would add language to provide for post-retirement payments for Minneapolis police officers and**

Minneapolis firefighters, their surviving spouses, and dependents.

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**Jay Cook State Park—land addition**  
HF1900/SF1717\* (Ogren, DFL-Aitkins)—passed (126-0).

Would add certain land to Jay Cooke State Park in Carlton County.

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**Vending machines—rest areas**  
HF1952/SF1587\* (A. Johnson, DFL-Spring Lake Park)—passed (124-3).

Would authorize vending machines in rest areas, weigh stations, and tourist information centers along primary trunk highways.

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**Government data practices—employment, training data**  
HF2011/SF1727\* (Clark, DFL-Mpls)—passed as amended\*\* (125-0).

Would define certain employment and training data. Provisions would:

- exclude from the definition of "personal data," data on those people enrolled in government-funded employment and training programs;
- define "employment and training data" as data on an individual who applies for, is currently enrolled in, or has been enrolled in government-funded employment training programs;
- provide that such data is private unless it's in summary form or another state or federal law provides a different classification;
- permit the commissioner of jobs and training to release the name, business address, and business telephone number of any individual licensed under laws governing blind and visually handicapped people.

**\*\*Amendment would replace Senate language with House language.**

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**Drivers' license—stepparent approval**  
HF2016/SF1948\* (Rukavina, DFL-Virginia)—passed (125-0).

Would allow a spouse of a custodial parent to sign the driver's license application of a person under age 18.

**Nonprofit corporations—proxies, membership meetings**  
HF2042/SF2395\* (Pappas, DFL-St. Paul)—failed (55-69).

Would change laws governing nonprofit corporation proxies. Provisions would have:

- required a meeting notice for a nonprofit corporation which permits proxy voting to so inform the members and state the procedure for proxy voting;
- prohibited proxy voting unless the corporation's articles or by laws specifically allow it;
- provided that if the corporation's articles or bylaws permit a specified percentage of members to call board or membership meetings, the corporation shall provide any voting member, within 10 days after he/she requests, with a binding statement of how many members are needed to call a meeting.

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**Liquor retailers—sign expense**  
HF2091/SF1822\* (Jacobs, DFL-Coon Rapids)—passed (123-0).

Would permit brewer or malt liquor wholesalers to furnish, lend, or rent outdoor signs to retailers, as long as the signs don't cost more than \$400. Would also permit them to furnish, lend, or rent indoor signs and other promotional materials, as long as the signs or materials don't cost more than \$300 a year.

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**Mental health ombudsman—duty clarification**  
HF2138\*/SF1628 (Greenfield, DFL-Mpls)—passed (125-0).

Would clarify and revise the role of the ombudsman for mental health and mental retardation; would extend the authority of the ombudsman to serve people with mental illness, mental retardation or related conditions, chemical dependency, and emotional disturbances.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 2, Appropriations, March 25)

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**Environmental trust fund, lottery—constitutional amendment**  
HF2182\*/SF2000 (Munger, DFL-Duluth)—passed as amended\*\* (69-63).

Would purpose an amendment to the Minnesota Constitution to establish an environment and natural resources trust fund.

(See bill summary in HWR, Vol. 4, No. 8, Pg. 11, Rules & Legislative Administration, March 29)

\*\*Amendment would:

- provide for commission liaison officers and personnel, and appraisal and evaluation of all information available through private organizations;
- repeal various sections in the Natural Resources and Recreation Act of 1963;
- increase the number of House and Senate minority members that sit on the commission from two to three;
- prohibit corporations outside Minnesota from sending money to influence the popular vote on any ballot question which would amend the Minnesota Constitution;
- make other technical language changes.

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**Arts Council—board requirements, changes**  
HF2186/SF2097\* (Rice, DFL-Mpls)—passed (128-0).

Would regulate distribution of funds to regional arts councils; regulate conflict of interest and define board duties.

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**Alcohol tests—unlicensed facilities**  
HF2197/SF2117\* (Rose, IR-Roseville)—passed as amended\*\* (127-0).

Would allow certain nonlicensed facilities to perform alcohol breath tests. Provisions would:

- require the commissioner's rules for administering alcohol breath tests to allow breath tests to serve as an initial screening test for alcohol, provided that the results are confirmed by blood analysis; allow certain nonlicensed testing laboratories to perform the breath tests for alcohol.

\*\*Amendment would provide that, under the drug testing law, a breath test for alcohol may be performed by a nonlicensed medical facility that's not owned or operated by the employer, as long as the breath test and/or confirmatory test is performed according to the requirements of the law and any rules adopted under the law.

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**Employee—work breaks**  
HF2251/SF1958\* (Trimble, DFL-St. Paul)—passed (94-32).

Would require employers to allow each employee adequate time from work within each four consecutive hours of work to use the nearest convenient restroom. Would permit employers and employees to agree to breaks different from those provided in this act through a collective bargaining agreement.

**Air pollution—PCA notification requirement**

HF2527/SF2165\* (Ozment, IR-Rosemount)—passed as amended\*\* (129-0).

Would require people who control emission sources to notify the Pollution Control Agency of and take steps to avoid air pollution; provide certain exemptions.

\*\*Amendment would make technical language change.

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**Public employees—deferred compensation**

HF2654\*/SF2413 (Simoneau, DFL-Fridley)—passed as amended\*\* (127-0).

Would authorize employer deferred compensation plan contributions in certain instances.

\*\*Amendment would:

- allow people that the St. Paul School District employed from Jan. 1983 to Oct. 1987 to repay any refunds received from the Public Employees Retirement Association for service between Oct. 1, 1954 and March 31, 1955 within 90 days of the effective date of this section;
- make a change in the notice requirement for continuation of life insurance coverage so that the employer does not have to sent the notice by first class certified mail.

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**House Weekly Review** is a listing of House committee and floor action on bills with brief bill summaries. The House Information staff compiles this information to help follow bills through the legislative process. The intent is to provide House members with a ready reference to House committee and floor action on bills. Coverage runs from Thursday (2 p.m.) to Thursday (2 p.m.). Each issue includes a cumulative index by House File number.

The summary is an in-house publication for House members and staff; we do not have a mailing list. During the 1988 Session, we will distribute one copy each to House members and appropriate staff.

Nothing herein is admissible as legal proof of legislative intent.

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