

# House Weekly Review

Minnesota House of Representatives Public Information Office

February 2 - 9, 1989

Volume 5, Number 3

## □ Committee Action □

### COMMERCE

Thursday, Feb. 9

#### Burglar alarm franchises

HF268/SF261 (Segal, DFL-St. Louis Park)—recommended to pass.  
(SF in Senate Commerce Committee)

Would prohibit a burglar alarm manufacturer from opening a business in competition with an alarm distributor for a 10-year period when a manufacturer has terminated an existing burglar alarm distributor contract; would stipulate that the manufacturer must provide to the distributor a repair service for all burglar alarm products manufactured or supplied by the manufacturer.

#### Foreclosure sales—validation

HF296 (Kinkel, DFL-Park Rapids)—recommended to pass; rereferred to Financial Institutions & Housing Committee.

Would change the effective dates for provisions relating to validation of foreclosure sales.

### EDUCATION

Monday, Feb. 6

#### Education funding formulas—technical changes

HF141/SF216 (K. Nelson, DFL-Mpls)—recommended to pass as amended.\*\*  
(SF in Senate Education Committee)

Would correct, clarify, repeal, and change certain educational statutes.

(See bill summary in HWR, Vol. 5., No. 2, Pg. 1, Education Finance Division/Education, Feb. 1)

\*\*Amendments would:

- appropriate money;
- allow the purchase of some equipment;
- make effective date the day after enactment for some sections; 1989-90 school year for others.



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*House Weekly Review* summarizes committee and floor action on bills.

### **Referendum levy language—changes**

HF247/SF318 (Bauerly, DFL-Sauk Rapids)—recommended to pass as amended.\*\*

(SF in Senate Education Committee)

Would clarify the referendum levy language and create a conversion method.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 1, Education Finance Division/Education, Feb. 1)

\*\*Amendment would set guidelines for referendum elections.

## **Higher Education Division/ EDUCATION**

Wednesday, Feb. 8

### **U of M regents—per diem authorization**

HF86 (Jaros, DFL-Duluth)—recommended to pass as amended.\*\*

Would authorize per diem expenses for regents in addition to reimbursement for actual expenses while on regent business.

\*\*Amendment would add language to set per diem at the same pay and increase rate as other state administrative positions.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 2, Higher Education Division/Education, Feb. 1)

## **ENVIRONMENT & NATURAL RESOURCES**

Thursday, Feb. 9

### **Sibley Park—land purchase**

HF102/SF137 (Welle, DFL-Willmar)—recommended to pass; rereferred to Appropriations Committee. (SF in Senate Finance Committee)

Would appropriate from the general fund \$40,000 or as much as is required to the commissioner of natural resources to buy land inside the boundaries of Sibley State Park; would make the appropriation available until expended.

### **Wild animals—possession regulation**

HF175 (Quinn, DFL-Coon Rapids)—laid over until Feb. 14.

Would require owners of non-indigenous wild animals to obtain yearly permits and inspections of the animals at their own expense. Provisions would:

- prohibit people from owning live, dangerous, non-domesticated wild animals that would endanger humans, other animals, or the environment without a permit;
- require the commissioner to list all wild animals that would require permits;
- require the commissioner to prescribe conditions for keeping non-domesticated wild animals;
- require the commissioner to inspect the animals' living conditions and charge a fee for the inspections;
- make a permit holder non-exempt from liability or damages resulting from wild animals, the standards of the animals' care, or local zoning requirements;
- make exemptions for zoos, circuses, pet shops, exhibits, educational and research institutions, or otherwise licensed animals;
- allow for one increased position in the Fish and Wildlife Division of the Department of Natural Resources.

## **GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING**

Tuesday, Feb. 7

**Tribal-state gambling compact—Class III gambling**  
HF79/SF156 (Kostohryz, DFL-North St. Paul)—heard. (SF on Senate Floor)

Would authorize the governor, attorney general, speaker of the House, and majority leader of the Senate, or their designated representatives, to negotiate a tribal-state compact according to the Indian Gaming Regulatory Act.

## Elections Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, Feb. 9

### Voter registration files—updates

HF72/SF204 (Tunheim, DFL-Kennedy)—recommended to pass as amended.\*\*  
(SF in Senate Elections & Ethics Committee)

Would authorize the county auditor to remove from voter registration files original and duplicate cards for voters who die while living outside the county; would allow this removal after the auditor receives notice in the form of a printed obituary or a written statement signed by a registered voter of the county.

\*\*Amendment would make corrections.

### Mankato—polling places

HF426 (Dorn, DFL-Mankato)—recommended to pass.

Would authorize the governing body of the City of Mankato to designate polling places for Precincts 1, 2, and 3 which are located farther than the normal allowable distance outside the precincts if there is no suitable location within the normal allowable distance. Provisions would:

- set the maximum permitted distance from existing precinct boundaries at four miles;
- make the bill effective upon local approval;
- make the bill effective until Dec. 31, 1991.

## HEALTH & HUMAN SERVICES

Tuesday, Feb. 7

### Healthspan—health care access program

HF150 (Ogren, DFL-Aitkin)—heard.

Would provide a program of affordable health care coverage for Minnesota residents.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 2, Health & Human Services, Jan. 31)

Thursday, Feb. 9

### Nursing homes—bed transfers

HF326/SF395 (Ogren, DFL-Aitkin)—recommended to pass as amended.\*\*  
(SF in Senate Health & Human Services Committee)

Would require nursing homes certified as skilled nursing facilities under the medical assistance program to fully participate in Medicare; would define “fully participate” to mean that all the nursing home’s beds certified as skilled under the medical assistance program are Medicare certified.

\*\*Amendments would:

- define “fully participate” to mean that 95 percent of a nursing home’s beds certified as skilled under the medical assistance program are Medicare certified;
- give a resident in a skilled care bed who’s eligible for medical assistance and becomes eligible for Medicare, the right to refuse an intrafacility skilled bed transfer if the resident’s physician submits a written statement that the transfer would create or contribute to a health problem for the resident;
- give a resident eligible for medical assistance who is occupying a skilled bed certified by the medical assistance and Medicare programs the right to refuse a transfer if the resident’s bed is required by a Medicare eligible patient or a private pay patient.

## JUDICIARY

Monday, Feb. 6

### Child abuse—statute of limitations

HF154 (Lasley, DFL-Cambridge)—recommended to pass as amended.\*\*

Would extend the statute of limitations in cases of criminal sexual conduct involving juveniles until seven years after the alleged crime is reported.

\*\*Amendment would limit the time a victim may report an incident of criminal sexual conduct involving a juvenile until seven years after the victim’s 18th birthday.

## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

Thursday, Feb. 9

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### Working capital fund—investment

HF42 (McLaughlin, DFL-Mpls)—recommended to pass; rereferred to Economic Development Committee.

Would permit public agencies to contribute to working capital funds.

**Kandiyohi County—rural development finance authority**  
HF104/SF135 (Welle, DFL-Willmar)—recommended to pass as amended\*\*; rereferred to Economic Development Committee.

(SF in Senate Agriculture & Rural Development Committee)

Would authorize Kandiyohi County to establish a rural development finance authority.

\*\*Amendment would make a technical change.

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### Counties—unclaimed property

HF204/SF293 (Frederick, IR-Mankato)—heard; rereferred to Judiciary Committee.

(SF in Senate Local & Urban Government Committee)

Would stipulate that unclaimed money held by a county to pay an obligation, belongs to the county and does not go back to the state as unclaimed property.

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## TRANSPORTATION

Wednesday, Feb. 8

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### Motorcycle helmets—requirement

HF57/SF77 (Kelly, DFL-St. Paul)—not recommended to pass.

(SF in Senate Transportation Committee)

Would have required all motorcycle riders to wear helmets.

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**Driver licenses—provisional, underage drinking**  
HF201/SF139 (A. Johnson, DFL-Spring Lake Park)—recommended to pass as amended\*\*; rereferred to Judiciary Committee.

(SF in Senate Finance Committee)

Would increase the age for provisional driver licenses from 19 to 21 years. Provisions would:

- increase fees;
- allow for license suspension for minors misrepresenting their age to buy liquor;
- provide penalties for misusing a Minnesota identification card.

\*\*Amendment would make it a defense in an action against a person selling liquor to a minor that the seller reasonably relied on a driver license as proof of age.

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### Motor vehicles—classification

HF218 (K. Olson, DFL-Sherburn)—recommended to pass as amended\*\*; placed on Consent Calendar.

Would classify station wagon and certain passenger-carrying vans as passenger automobiles for all purposes. Provisions would allow for registration of certain vehicles.

\*\*Amendment would make technical changes.

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### Federal gas tax—resolution

HF363 (Kelso, DFL-Shakopee)—recommended to pass.

Would memorialize the president and Congress of the United States to prevent the imposition of any additional federal excise tax on motor fuel to reduce the federal deficit.

# Floor Action

## CALENDAR

Thursday, Feb. 2

### **Bodily harm—definition expansion**

HF27 (Vellenga, DFL-St. Paul)—passed (127-0).

Would expand the definition of bodily harm in the crime of third-degree assault of an unborn child to include preterm birth.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 4, General Orders, Jan. 30)

### **Victims' reparations—revisions**

HF95 (Bishop, IR-Rochester)—passed (129-0).

Would increase the maximum amount of reparations payable for funeral, burial, or cremation expenses; would clarify the state's right to deny reparations on the basis of the claimant's contributory misconduct.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 4, General Orders, Jan. 30)

### **Presentence investigations—prosecution request**

HF97/SF336 (Hasskamp, DFL-Crosby)—passed (127-1).  
SF in Senate Judiciary Committee)

Would require the court to order a presentence investigation report in gross misdemeanor cases at a prosecutor's request.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 4, General Orders, Jan. 30)

## CONSENT CALENDAR

Thursday, Feb. 2

### **Town powers—attorney employment**

HF113\*/SF120 (Battaglia, DFL-Two Harbors)—passed (127-0).

(SF on Senate Floor)

Would grant certain powers to towns.

(See bill summary in HWR, Vol. 5, No. 1, Pg. 3, Local Government & Metropolitan Affairs, Jan. 26)

Monday, Feb. 6

### **Deputy title examiners—appointments**

HF29\*/SF53 (Rest, DFL-New Hope)—passed (130-0).

(SF in Senate Judiciary Committee)

Would authorize judges in the Fourth Judicial District (Hennepin County) to appoint up to seven full time deputy title examiners; would authorize judges in the Second Judicial District (Ramsey County) to increase the number of deputy title examiners from three to five.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 3, Judiciary, Jan. 30)

### **Buses—passenger regulation**

HF122\*/SF241 (Beard, DFL-Cottage Grove)—passed (131-0).

(SF in Senate Judiciary Committee)

Would permit bus passengers to consume food or beverages when necessary for medical reasons.

(See bill summary in HWR, Vol. 5, No. 2, Pg. 3, Judiciary, Jan. 30)

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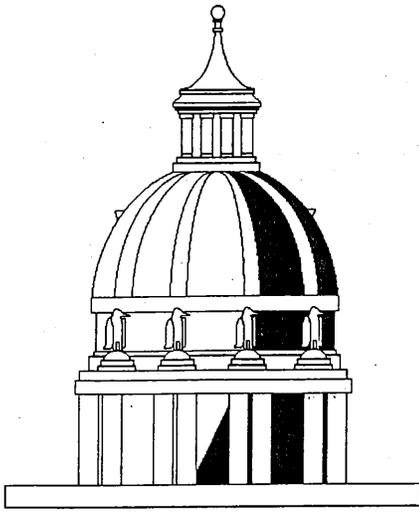
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# House Weekly Review

Minnesota House of Representatives Public Information Office

February 9 - 16, 1989

Volume 5, Number 4

## □ Committee Action □

### Higher Education Division/ EDUCATION

Wednesday, Feb. 15

**Student volunteers—coordinator positions**  
HF411/SF517 (C. Nelson, DFL-Barrett)—recommended to pass.  
(SF in Senate Education Committee)

Would appropriate matching grant money to the Higher Education Coordinating Board for 20 staff positions to coordinate student volunteers with community agencies.

### ENVIRONMENT & NATURAL RESOURCES

Tuesday, Feb. 14

**Wild animals—possession regulation**  
HF175 (Quinn, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.

\*\*Delete-everything amendment would assure the safety and protection of humans, other animals, and the environment from non-domesticated animals. Provisions would:

- define “non-domesticated animals”;
- require public meetings to prescribe a list of non-domesticated animals and publicize the list to local authorities;
- require owners of non-domesticated animals to report the animals’ whereabouts to local authorities;
- create a misdemeanor penalty against owners who don’t report non-domesticated animals;
- make exemptions for zoos, circuses, pet shops, exhibits, educational and research institutions, or otherwise licensed animals.

**Pollution Control Agency—training program**  
HF344/SF270 (Rukavina, DFL-Virginia)—recommended to pass; rereferred to Appropriations Committee.  
(SF in Senate Environment & Natural Resources Committee)

Would authorize the Pollution Control Agency to train certain personnel in sewage treatment systems and charge for the cost of training.



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## Criminal Justice Division/ JUDICIARY

Tuesday, Feb. 14

**Cocaine babies—physical abuse**  
HF116/SF18 (Blatz, IR-Bloomington)—heard.  
(SF in Senate Judiciary Committee)

Would make it a crime to use cocaine during pregnancy.  
Provisions would:

- amend the "CHIPS" (Child In Need of Protection or Services) definition to include newborn babies who are born in a condition of cocaine dependency or toxicity;
- amend the Child Abuse Reporting Act to include these "cocaine babies" in the act's definition of "physical injury";
- make it a year and a day felony for a pregnant woman to introduce cocaine into her body;
- require inpatient chemical dependency treatment as a condition pretrial release and, if convicted, as a condition of probation;
- incarcerate an offender who violates these conditions of probation for the duration of her pregnancy.

**Cocaine babies—mandatory reporting**  
HF542/SF316 (Rest, DFL-New Hope)—heard.  
(SF in Senate Judiciary Committee)

Would have the commissioners of health and education assist school districts in developing and implementing programs to reduce the incidence of controlled substance and alcohol use by pregnant women. Provisions would:

- amend the Child Abuse Reporting Act definition of neglect to include prenatal exposure to a controlled substance used for a nonmedical purpose;
- require the testing and reporting of newborns with signs of controlled substance abuse;
- limit the liability of medical professionals administering toxicology tests on newborns.

## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

Tuesday, Feb. 14

**County-owned residences—rental**  
HF210/SF229 (Price, DFL-Woodbury)—recommended to pass as amended.\*\*  
(SF in Senate Local & Urban Government Committee)

Would permit counties to rent county-owned residences by less formal procedure.

\*\*Amendment would specify type of residence rented.

**Local government—bank letter of credit**  
HF279/SF301 (Blatz, IR-Bloomington)—recommended to pass.  
(SF in Senate Local & Urban Government Committee)

Would permit bank letters of credit instead of certain bonds when contracting with a local government.

## REGULATED INDUSTRIES

Monday, Feb. 13

**Freeborn County—electric services**  
HF374/SF322 (Haukoos, IR-Albert Lea)—heard.  
(SF in Senate Public Utilities & Energy Committee)

Would establish circumstances under which certain utility customers may be considered as being located outside municipalities.

Monday, Feb. 13

**Education funding formulas—technical changes**

HF141/SF216 (K. Nelson, DFL-Mpls)—recommended to pass.

(SF in Senate Education Committee)

Would correct, clarify, repeal, and change certain education statutes.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 1, Education, Feb. 6)

**Federal gas tax—resolution**

HF363 (Kelso, DFL-Shakopee)—recommended to pass.

Would memorialize the president and Congress of the United States to prevent the imposition of any additional federal excise tax on motor fuel to reduce the federal deficit.

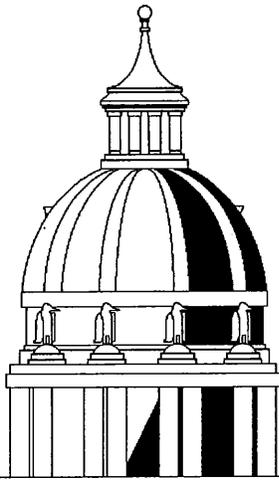
(See bill summary in HWR, Vol. 5, No. 3, Pg. 4, Transportation, Feb. 8)

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# House Weekly Review

Minnesota House of Representatives Public Information Office

February 16 - 23, 1989

Volume 5, Number 5

## □ Committee Action □

### COMMERCE

Tuesday, Feb. 21

#### Vending machines—multi-product sales

HF223 (Skoglund, DFL-Mpls)—recommended to pass as amended\*\*; placed on Consent Calendar.

Would ban the sale of tobacco from multi-product vending machines and provide penalties.

\*\*Amendment would delete language in the definition of "multi-product vending machine."

#### Consumer protection—new car sales

HF321/SF465 (Begich, DFL-Eveleth)—recommended to pass as amended.\*\*  
(SF in Senate Commerce Committee)

Would amend the new car lemon law limiting a new car dealer's liability. Provisions would:

- impose liability on a dealer only for written warranties the dealer made separate from the manufacturer's warranty;
- state that the dealer cannot be made a defendant except as provided by the amendment;

• bar the manufacturer from charging back or requiring reimbursement by the dealer for any costs incurred in warranty obligations.

\*\*Amendment would allow dealer liability if the dealer fails to carry out warranty obligations in a timely manner or a manner inconsistent with the manufacturer's written instructions.

#### Consumer protection—used car sales

HF322/SF454 (Begich, DFL-Eveleth)—recommended to pass as amended\*\*.  
(SF in Senate Commerce Committee)

Would exclude from the used car lemon law new cars that are dealer demonstration cars and carry a manufacturer's warranty when sold. A provision would exclude used vehicles from warranty when sold as a class C total loss or have more than \$5,000 in unrepaired damage.

\*\*Amendment would provide that coverage on components be as broad and as long as required by law.



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**Auto dealerships—warranty work compensation**  
HF323/SF495 (Scheid, DFL-Brooklyn Park)—recommended to pass as amended.\*\*  
(SF in Senate Commerce Committee)

Would set reimbursement rates and hourly labor rates for parts and labor costs car dealers incur for warranty repairs and services at the same rates for nonwarranty repairs and services.

\*\*Amendment would delete a provision for reimbursement rates to be considered at the dealer's cost plus 30 percent.

## ECONOMIC DEVELOPMENT

Thursday, Feb. 16

**Working capital fund—investment**  
HF42/SF548 (McLaughlin, DFL-Mpls)—laid over until Feb. 21.  
(SF in Senate Governmental Operations Committee)

Would permit public agencies to contribute to working capital funds.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 4, Local Government & Metropolitan Affairs, Feb. 9)

**Public loans—secondary sales**  
HF65/SF65 (Otis, DFL-Mpls)—recommended to pass as amended\*\*; rereferred to Local Government & Metropolitan Affairs Committee.  
(SF in Senate Local & Urban Government Committee)

Would allow municipalities to sell loans held by public agencies to economic development secondary markets.

\*\*Amendments would:

- allow the transaction notwithstanding any regulatory rules or laws;
- define "municipality."

(See bill summary in HWR, Vol 5, No. 1, Pg. 1, Economic Development, Jan. 26)

**Kandiyohi County—rural development finance authority**  
HF104/SF135 (Welle, DFL-Willmar)—recommended to pass; rereferred to Taxes Committee.  
(SF in Senate Agriculture & Rural Development Committee)

Would authorize Kandiyohi County to establish a rural development finance authority.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 4, Local Government & Metropolitan Affairs, Feb. 9)

**Economic development authority—definition expansion**  
HF353/SF449 (Otis, DFL-Mpls)—recommended to pass; rereferred to Local Government & Metropolitan Affairs Committee.  
(SF in Senate Economic Development & Housing Committee)

Would empower economic development authorities (EDA) with major development powers; would give EDAs financing, construction, and zoning privileges in order to initiate development projects.

Wednesday, Feb. 22

**Working capital fund—investment**  
HF42/SF548 (McLaughlin, DFL-Mpls)—recommended to pass as amended.\*\*  
(SF in Senate Governmental Operations Committee)

Would permit public agencies to contribute to working capital funds.

\*\*Amendment would require money used from dedicated funds must be used for the sole purposes of the dedicated fund.

(See bill summary under Economic Development, Feb. 16)

## Community Stabilization & Development Division/ ECONOMIC DEVELOPMENT

Tuesday, Feb. 21

**Subsidized development—job impact statement**  
HF631 (Clark, DFL-Mpls)—heard.

Would require public development agencies to study the impact of their projects upon job loss, job creation, and job displacement of the community where development is to occur. Provisions would:

- require public development agencies to provide displaced employees with necessary benefits;
- require agencies to monitor data in the job impact statement;
- provide a grant to study alternatives to plant closings.

Thursday, Feb. 23

**Subsidized development—job impact statement**  
HF631 (Clark, DFL-Mpls)—heard.

Would require public development agencies to study the impact of their projects upon job loss, job creation, and job displacement of the community where development is to occur.

(See bill summary under Community Stabilization & Development Division/Economic Development, Feb. 21)

## **International Trade & Technology Division/ECONOMIC DEVELOPMENT**

Tuesday, Feb. 21

**Small business—research grants**  
HF738/SF657 (Reding, DFL-Austin)—recommended to pass; rereferred to Economic Development Committee. (SF in Senate Economic Development & Housing Committee)

Would establish a small business innovation research bridge grant program to assist innovation research and development activities of small business.

Thursday, Feb. 23

**Small business—research grants**  
HF738/SF657 (Reding, DFL-Austin)—reconsidered; recommended to pass as amended\*\*; rereferred to Economic Development Committee. (SF in Senate Economic Development & Housing Committee)

Would establish a small business innovation research bridge grant program to assist innovation research and development activities of small business.

\*\*Amendment would make technical clarifications.

(See bill summary under International Trade & Technology Division/Economic Development, Feb. 21)

## **Rural Resource Development Division/ECONOMIC DEVELOPMENT**

Tuesday, Feb. 21

**Minerals—legislative commission**  
HF485/SF575 (Murphy, DFL-Hermantown)—recommended to pass as amended\*\*. (SF in Senate Environment & Natural Resources Committee)

Would establish a legislative minerals commission to study development plans of a minerals industry.

\*\*Amendments would allocate money to the legislative commission and to a minerals diversification program.

## **Education Finance Division/ EDUCATION**

Monday, Feb. 20

**Board of Teaching—teacher education curricula**  
HF613 (McGuire, DFL-Falcon Heights)—heard.

Would appropriate \$200,000 in FY'90 to the Board of Teaching for supporting teacher education curriculum revision.

**Board of Teaching—teacher internship sites**  
HF614 (McGuire, DFL-Falcon Heights)—heard.

Would appropriate \$500,000 in FY'90 from the general fund to the Board of Teaching to identify, prepare, and evaluate potential clinical schools in school districts as teacher internship sites.

## **ENVIRONMENT & NATURAL RESOURCES**

Tuesday, Feb. 21

**Hunting—wild turkey license**  
HF106/SF96 (V. Johnson, IR-Caledonia)—recommended to pass as amended\*\*; placed on Consent Calendar. (SF in Senate Environment & Natural Resources Committee)

\*\*Delete-everything amendment would allow commissioner of natural resources to establish an impartial selection process, including a drawing, to issue hunting licenses to eligible persons to take wild turkey.

**State parks—recycling**

HF527 (Skoglund, DFL-Mpls.)—recommended to pass; placed on Consent Calendar.

Would require state park managers to provide recycling information, recycling receptacles, and recycling collection services in all state parks.

**Thursday, Feb. 23**

**State parks—land transfers**

HF450/SF145 (McGuire, DFL-Falcon Heights)—recommended to pass as amended\*\*.  
(SF in Senate Environment & Natural Resources Committee)

\*\*Delete-everything would add or delete acres from state parks. Provisions would:

- abolish Little Elbow Lake State Park from the system and transfer its land (1,147 acres) to the White Earth Chippewa reservation;
- adhere to technical boundary descriptions.

**Public works—building materials**

HF545/SF593 (Begich, DFL-Eveleth)—recommended to pass; placed on Consent Calendar.  
(SF in Senate Environment & Natural Resources Committee)

Would allow the commissioner of natural resources to designate state-owned, low-grade iron-bearing materials to be used for the construction or maintenance of public works on private or public property.

**GENERAL LEGISLATION,  
VETERANS AFFAIRS & GAMING**

**Tuesday, Feb. 21**

**Motor vehicle excise tax—veterans' exemption**

HF32/SF116 (Pelowski, DFL-Winona)—recommended to pass; rereferred to Taxes Committee.  
(SF in Senate Transportation Committee)

Would exempt from motor vehicle excise tax the purchase or use of a motor vehicle by a political subdivision or a veterans' organization for certain purposes.

**Voter registration files—updates**

HF72/SF204 (Tunheim, DFL-Kennedy)—recommended to pass as amended.\*\*  
(SF passed Senate)

Would authorize the county auditor to remove from voter registration files original and duplicate cards for voters who die while living outside the county; would allow this removal after the auditor receives notice in the form of a printed obituary or a written statement signed by a registered voter of the county.

\*\*Amendment would make a technical correction.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 3, Elections Division/General Legislation, Veterans Affairs & Gaming, Feb. 9)

**Tribal-state gambling compact—Class III gambling**

HF79/SF156 (Kostohryz, DFL-North St. Paul)—recommend to pass as amended.\*\*  
(SF passed Senate)

Would authorize the governor, the attorney general, speaker of the House, and majority leader of the Senate, or their designated representatives, to negotiate a tribal-state compact according to the Indian Gaming Regulatory Act.

\*\*Amendments would:

- remove the attorney general from being a negotiator;
- require that the representative of the governor be a person employed in the office of the governor or in the State Planning Agency at the time of the designation, and that the designated representative of the speaker of the House or the Senate majority leader must be a member of the House or the Senate respectively;
- require that the attorney general be the legal counsel for the negotiators;
- require state negotiators, before signing the compact on behalf of the state, to report on its content to the Senate General Legislation and Public Gaming and House General Legislation, Veterans Affairs and Gaming committees.
- recognize the right of each party to the agreement to request that the agreement be renegotiated or replaced by a new compact, and the terms under which either party can request a renegotiation or the negotiation of a new compact;
- provide that if a request for a renegotiation or a new compact is made the existing compact will remain in effect until renegotiated or replaced;

- state that the Legislature reserves the right to terminate by law any compact agreed to;
- recognize the right of an Indian tribe which is a party to a compact which is terminated by law to utilize the procedures provided to request new negotiations leading to a new compact;
- require a compact to govern Class III gaming activity on Indian lands regarding:
  - amounts which may be offered as prizes or winnings;
  - frequency with which gaming may be conducted;
  - minimum age for participation or conduct of gaming;
  - licensing of entities authorized to conduct gaming;
  - licensing of and specifications for gaming equipment to be used;
  - recording and reporting on the frequency, gross receipts, expenses, profits and expenditures of profits from gaming;
  - rules of play.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 2, General Legislation, Veterans Affairs & Gaming, Feb. 7)

**Adjutant general—reducing years for promotion**  
 HF267/SF191 (Kostohryz, DFL-North St. Paul)—recommended to pass; placed on Consent Calendar.  
 (SF on Senate Floor)

Would reduce from two years to one year the number of years the adjutant general of the Minnesota National Guard is required to serve as a brigadier general before promotion to major general.

**Mankato—polling places**  
 HF426/SF461 (Dorn, DFL-Mankato)—recommended to pass.  
 (SF in Senate Elections & Ethics Committee)

Would authorize the governing body of the City of Mankato to designate polling places for Precincts 1, 2, and 3 which are located farther than the normal allowable distance outside the precincts if there is no suitable location within the normal allowable distance.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 3, Elections Division/General Legislation, Veterans Affairs & Gaming, Feb. 9)

## Elections Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, Feb. 23

**Secretary of state—elections**  
 HF630/SF553 (Osthoff, DFL-St. Paul)—recommended to pass as amended.\*\*  
 (SF in Senate Elections & Ethics Committee)

Would change or clarify provisions governing absentee voting, mail elections, election day activities, ballots, canvassing, municipal elections, school district elections, voting systems, election contests, and financial reporting. Provisions would:

- allow the secretary of state to sponsor activities to promote precinct caucus participation;
- apply the election code to absentee voting unless otherwise provided for;
- allow the secretary of state to sponsor nonpartisan activities to promote voter registration and turnout;
- allow that, after the time for filing a contest passes, the secretary of state may open sealed ballot envelopes and inspect ballots for the purpose of monitoring election procedures;
- permit school districts to use mail-in voting for elections on a question;
- strike current provision prohibiting voter exit polls;
- require the returns of every election in the state to be reported to a legally constituted canvassing board;
- provide for procedures for recounts on a question when the vote difference is equal to or less than the margins in the current law on local election recounts;
- require the secretary of state to adopt rules to verify the accuracy of electronic voting systems;
- require the secretary of state to adopt rules for format and preparation of the state primary ballot;
- permit a candidate to withdraw from a special primary ballot by filing a withdrawal affidavit with the filing officer no later than 5 p.m. the day after the last day for filing for the office;
- increase the deadline for canvassing from two days to four days after a special election for state senator or state representative;

- require that at least 30 days before a municipal election the municipal clerk and school district clerk must give the auditor written notice of the election date and the offices and questions to be voted on;
- require before approving a voting machine or system, the secretary of state must check its ballot programming, vote counting, and vote accumulation functions;
- require a vendor of election systems to post a bond with the secretary of state to guarantee the performance of the system;
- allow the secretary of state to do a recount in one or two precincts using an electronic system, to verify the accuracy of the system;
- provide that in a jurisdiction with an optical scan system, paper ballots may be prepared in the same format used for the voting system;
- insert reference to special election in the section on serving notice of an election contest;
- require candidates filing to file campaign financial reports 10 days before a special primary or election;
- place the penalty for failing to file a campaign financial report on the treasurer;
- allow the secretary of state to distribute to auditors 30 days before an election stickers stating the words "I VOTED" and nothing more, to election judges who may offer one of these stickers to each voter who signs the polling place roster.

\*\*Amendments would make technical corrections.

## Gaming Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, Feb. 23

### Lottery—startup, operation

HF66/SF150 (Quinn, DFL-Coon Rapids)—amended\*\*;  
heard.

(SF in Senate General Legislation & Public Gaming  
Committee)

\*\*Delete-everything amendment would establish a state lottery division within a department of gaming. Provisions would:

- outline the appointment of the director, and the director's duties, salary and reasons for removal;
- make lottery employees who are not professional employees classified employees;

- require background searches of all lottery employees;
- create a lottery advisory board and outline its duties;
- direct the director to promulgate game procedures and rules;
- allow the sale of lottery tickets and outline who can sell them;
- prohibit an on-sale liquor establishment where charitable gambling already is conducted from selling lottery tickets for five years after its application;
- allow the director to cancel contracts of retailers for reasons such as conviction of a felony or gross misdemeanor, commission of fraud, misrepresentation, or deceit; giving false or misleading information to the division, damaging public confidence in the lottery;
- allow the director to revoke, suspend, or refuse to renew contracts of retailers for changing business location; failure to account for lottery tickets or receipts, failure to remit funds due the division, or violation of a law, rule, or director's order;
- allow the letting of contracts for goods or services to the state lottery;
- allow for payment of prizes;
- establish a lottery fund outside the state treasury, consisting of ticket sales, receipts, and other money credited to the lottery;
- establish a lottery prize fund in the state treasury. Directs the commissioner to pay monthly into the fund from lottery ticket proceeds and amount equal as nearly as feasible to 50 to 70 percent of gross receipts from on-line games, and 70 percent of the gross receipts from other (instant) games;
- prohibit people under 18 years old from buying or selling lottery tickets;
- prohibit unlicensed ticket sales, sale of a ticket other than the set price, fraudulent, and counterfeit tickets;
- establish penalties;
- exempt lottery prizes from state income tax;
- exempt lottery ticket sales from sales tax;
- allow lottery tickets to be sold in establishments licensed to sell alcoholic beverages;
- exempt the lottery and lottery tickets from statutes making gambling debts unrecoverable;

- exempt the lottery from state anti-gambling law;
- make a blank appropriation and require its repayment by June 30, 1990.

## GOVERNMENTAL OPERATIONS

Tuesday, Feb. 21

### St. Louis County—tax forfeited lands

HF43/SF88 (Janezich, DFL-Chisholm)—recommended to pass as amended.\*\*  
(SF in Senate Environment & Natural Resources Committee)

\*\*Delete-everything amendment would authorize St. Louis County to privately sell certain tax-forfeited land adjacent to public waters.

(See bill summary in HWR Vol. 5, No.1, Pg. 3, Local Government & Metropolitan Affairs, Jan. 26)

### State government—part-time employees

HF100/SF240 (A. Johnson, DFL-Spring Lake Park)—amended\*\*; laid over.  
(SF in Senate Governmental Operations Committee)

\*\*Delete-everthing amendment would set employment policies for state government part-time employees. Provisions would:

- provide that the governor's detailed budget presentation to the Legislature must list the employment status of each state agency's employees, including intermittent, full-time and part-time unlimited, seasonal, temporary, and emergency employment;
- attempt to see that all state employees have access to health insurance;
- offer interested employees who serve less than full-time an opportunity for training, promotions, and for attaining full-time permanent positions;
- require the commissioner of employee relations to issue a report to the Legislative Commission on Employee Relations that includes information about the percentages of employees in each state job classification that receive full and partial state contribution for insurance benefits; which job classes are male-dominated, female-dominated, and balanced;
- allow emergency, temporary, and intermittent employees, and interns to negotiate for state-paid benefits.

Wednesday, Feb. 22

### Washington County—tax forfeited land

HF502/SF440 (Swenson, IR-Forest Lake)—recommended to pass.  
(SF in Senate Environment & Natural Resources Committee)

Would authorize Washington County to sell tax-forfeited land bordering public water.

### State government—payroll deductions restrictions

HF520/SF259 (Simoneau, DFL-Fridley)—recommended to pass as amended\*\*; rereferred to Labor-Management Relations Committee.  
(SF in Senate Governmental Operations Committee)

Would restrict additional types of payroll deductions for state employees.

\*\*Amendment would make technical changes.

Thursday, Feb. 23

### State government—part-time employees

HF100/SF240 (A. Johnson, DFL-Spring Lake Park)—laid over.  
(SF in Senate Governmental Operations Committee)

Would set employment policies for state government part-time employees.

(See bill summary under Governmental Operations, Feb. 21)

## HEALTH & HUMAN SERVICES

Thursday, Feb. 16

### Optometrists—prescription drugs

HF217/SF238 (Simoneau, DFL—Fridley)—amended\*\*; not recommended to pass.  
(SF in Senate Health & Human Services Committee)

Would require licensed optometrists to be certified by the Board of Optometry to prescribe legend drugs.

\*\*Amendments would prevent optometrist from dispensing drugs for profit.

**Tuesday, February 21**

**Healthspan—health care access program**  
HF150/SF491 (Ogren, DFL-Aitkin)—heard.  
(SF in Senate Health & Human Services Committee)

Would provide a program of affordable health care coverage for Minnesota residents.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 2, Feb. 14)

**Wednesday, Feb. 22**

**Healthspan—health care access program**  
HF150/SF491 (Ogren, DFL-Aitkin)—heard.  
(SF in Senate Health & Human Services Committee)

Would provide a program of affordable health care coverage for Minnesota residents.

(See bill summary under Health & Human Services, Feb. 21)

**Thursday, Feb. 23**

**Healthspan—health care access program**  
HF150/SF491 (Ogren, DFL-Aitkin)—heard.  
(SF in Senate Health & Human Services Committee)

Would provide a program of affordable health care coverage for Minnesota residents.

(See bill summary under Health & Human Services, Feb. 22)

## **INSURANCE**

**Wednesday, Feb. 22**

**Medicare supplement—regulation**  
HF611 (Skoglund, DFL-Mpls)—laid over until March 1.

Would regulate agent licensing and Medicare supplement plans.

(See bill summary in HWR Vol. 5, No. 4, Pg. 2, Insurance, Feb. 15)

## **JUDICIARY**

**Friday, Feb. 17**

**Fire departments—criminal history**  
HF15/SF662 (Kelly, DFL-St. Paul)—recommended to pass as amended.\*\*  
(SF in Senate Judiciary Committee)

Would direct the Bureau of Criminal Apprehension to develop and implement a plan giving fire departments access to criminal history data.

\*\*Amendment would specify requirements and limitations of the plan.

**Corrections—juvenile photographs**  
HF371/SF605 (Pappas, DFL-St. Paul)—recommended to pass.  
(SF in Senate Rules & Administration Committee)

Would authorize the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes.

**Good samaritans—benefits**  
HF391/SF161 (Bertram, DFL-Paynesville)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.  
(SF in Senate Governmental Operations Committee)

Would provide benefits to a “first responder” who gave assistance at a traffic accident.

\*\*Amendment would make technical clarifications.

**Ramsey County—prosecution**  
HF397/SF560 (McGuire, DFL-Falcon Heights)—laid over.  
(SF in Senate Judiciary Committee)

Would give Ramsey County attorney prosecutorial jurisdiction over certain child abuse-related crimes.

Monday, Feb. 20

**Driver licenses—provisional, underage drinking**  
HF201/SF139 (A. Johnson, DFL-Spring Lake Park)—  
recommended to pass as amended.\*\*  
(SF in Senate Finance Committee)

Would increase the age for provisional drivers licenses from 19 to 21 years.

\*\*Amendment would make technical clarifications.

(See bill summary in HWR Vol. 5, No. 3, Pg. 4, Transportation, Feb. 8)

**Support payments—withholding program**  
HF441/SF647 (S. Olsen, IR-St. Louis Park)—laid over.  
(SF in Senate Health & human Services Committee)

Would permit child support obligors to withdraw from the automatic withholding program if acceptable alternative payment arrangements are made.

**Trespass statute—recodification**  
HF482/SF32\* (Wagenius, DFL-Mpls)—recommended to pass.

Would recodify the law on dangerous trespasses and misdemeanor trespasses without making substantive changes to the law. Provisions would:

- eliminate redundancy;
- place the crimes in more appropriate places in the Criminal Code;
- restrict the scope of the criminal trespass statute to trespasses on the land.

**Traffic regulations—court appearance**  
HF531/SF126 (Pugh, DFL-South St. Paul)—recommended to pass as amended.\*\*  
(SF in Senate Transportation Committee)

\*\*Delete-everything amendment would eliminate the criminal penalty for nonappearance in traffic court and, in its place, provide for driver's license suspension if an alleged traffic violator is released on a verbal promise to appear in court and fails to appear as promised.

## Criminal Justice Division/ JUDICIARY

Tuesday, Feb. 21

**Juvenile court—parental rights**  
HF135/SF220 (Pappas, DFL, St. Paul)—laid over.  
(SF in Senate Judiciary Committee)

Would clarify the grounds for terminating parental rights to a child. Provisions would:

- amend the definition of "child in need of protection or services" ("CHIPS") by deleting the words "occupation" and "associations" from the clause dealing with children in dangerous surroundings or engaging in dangerous behavior;
- limit the court's authority to transfer legal custody of a child for the purpose of obtaining special treatment or care;
- correct technical errors occurring from the "CHIPS" legislation of 1988;
- clarify that outreach workers and agencies who work with runaways do not, by virtue of that activity, contribute to the delinquency/CHIPS status of a minor (a misdemeanor).

**Jails—employee training**  
HF207 (Quinn, DFL-Coon Rapids)—recommended to pass;  
rereferred to Judiciary Committee.

Would create a Board of Employee Training and Standards for the purpose of training, licensing, and establishing standards of conduct for employees who have administrative, supervisory, custodial, or programmatic responsibilities within local adult detention and correction facilities. Provisions would:

- specify to whom licensing requirements apply;
- outline the establishment and membership of the board of jail employee training standards;
- specify board rulemaking authority;
- specify other board powers and duties;
- set up administrative process for complaint resolution.

Wednesday, Feb. 22

**Juveniles—jail limitations**

HF76/SF326 (Vellenga, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

Would prohibit the detention of juveniles in jails or lockups for longer than 24 hours before a detention hearing is held in juvenile court unless the prosecutor files a motion to refer the juvenile for adult prosecution.

\*\*Amendment would make technical changes and clarifications.

**Criminal sexual conduct—treatment**

HF315/SF320 (Vellenga, DFL-St. Paul)—amended\*\*; heard. (SF in Senate Judiciary Committee)

Would provide intensive sex offender treatment programs within the correctional system; increase sentences for criminal sexual conduct offenses. Provisions would:

- provide for specialized probation and correction agents to supervise released sex offenders;
- require the collection of data on the treatment and recidivism rates of convicted sex offenders;
- extend the jurisdiction of the juvenile court over sex offenders until their 21st birthday;
- provide a centralized reporting system for juvenile felony offenders;
- require the Bureau of Criminal Apprehension to develop uniform procedures for the collection and analysis of DNA typing evidence, and provide for the admissibility of such evidence;
- permit courts to sentence dangerous or patterned sex offenders to longer periods of incarceration and supervision;
- create a legislative commission to study the child protection system;
- appropriate money for the development of DNA profiling laboratory and for a public information campaign against sexual violence.

\*\*Amendment would:

- appropriate money for sex offender treatment programs;
- make technical changes and clarifications.

**LABOR-MANAGEMENT RELATIONS**

Monday, Feb. 20

**Boiler operation, inspection—regulation**

HF85/SF103 (Murphy, DFL-Hermantown)—recommended to pass as amended.\*\* (SF in Senate Employment Committee)

Would exempt certain qualifying boilers from yearly inspections. Provisions would require the owner of the qualifying boiler to keep accurate records, and allow for an inspection if substantial deficiencies in the equipment or operating procedures are found.

\*\*Amendment would make technical changes.

**Elevator operation, operators—regulation**

HF376/SF431 (Quinn, DFL-Coon Rapids)—recommended to pass as amended\*\*; rereferred to Appropriations Committee. (SF in Senate Employment Committee)

Would require Department of Labor and Industry inspection and certification of elevators, and establish minimum standards and enforcement. Provisions would define elevators, set fees and permits, and outline violations and penalties.

\*\*Amendment would:

- allow municipalities to conduct elevator inspections in accordance with minimum state standards and conformity with uniform Department of Labor and Industry standards;
- establish minimum standards for inspectors;
- establish an appeal process.

**Pipefitting, high pressure piping—safety, regulation**

HF410/SF438 (Trimble, DFL-St. Paul)—recommended to pass; placed on Consent Calendar. (SF in Senate Employment Committee)

Would define high pressure piping to include ammonia piping, making this type of piping subject to state regulation.

## LOCAL GOVERNMENT & METROPOLITAN AFFAIRS

Thursday, Feb. 16

### Counties: Anoka, Dakota, Washington—payment procedures

HF148/SF168 (Price, DFL-Woodbury)—recommended to pass as amended.\*\*  
(SF on Senate Floor)

Would permit the Washington County Board to establish certain payment procedures.

\*\*Amendments would add Anoka and Dakota counties to the bill.

Thursday, Feb. 23

### Municipalities—secondary markets

HF65/SF65 (Otis, DFL-Mpls)—recommended to pass; rereferred to Taxes Committee.  
(SF in Senate Taxes & Tax Laws Committee)

Would authorize municipalities involved in economic development to participate in secondary markets.

### State auditor—audit guide task force

HF114/SF123 (Rukavina, DFL-Virginia)—recommended to pass; rereferred to Governmental Operations Committee.  
(SF on Senate Floor)

Would require the state auditor to establish a task force to promulgate an audit guide for legal compliance audits.

### Economic development authority—establishment

HF353/SF449 (Otis, DFL-Mpls)—heard.  
(SF in Senate Economic Development & Housing Committee)

Would establish economic development authorities outside of “blighted areas.” Provisions would:

- authorize economic development authorities to construct and furnish buildings;
- provide a referendum on an authority’s issuance of general obligation bonds;
- exempt authority’s bonds from net debt limit.

### Towns—waterworks, sewers, drains

HF499/SF459 (McEachern, DFL-Maple Lake)—recommended to pass as amended.\*\*  
(SF in Senate Local & Urban Government Committee)

Would grant certain waterworks, sewers, drains and storm sewer powers to towns and would establish storm sewer improvement districts.

\*\*Amendment would make technical corrections.

### Local government—city council member increase

HF508/SF441 (Morrison, IR-Burnsville)—recommended to pass.  
(SF in Senate Local & Urban Government Committee)

Would permit statutory cities to have seven-member councils.

### St. Peter—city boards’ member increase

HF509/SF414 (Ostrom, DFL-St. Peter)—recommended to pass as amended.\*\*  
(SF on Senate Floor)

Would permit St. Peter to have a seven-member municipal hospital board and a nine-member economic development authority.

\*\*Amendment would make a clarification.

## REGULATED INDUSTRIES

Monday, Feb. 20

### Electric utilities—service boundary changes

HF619 (Quinn, DFL-Coon Rapids)—heard.

Would clarify authority of Public Utilities Commission to change boundaries of electric utility service areas.

## TAXES

Thursday, Feb. 16

### Individual income tax—technical changes

HF214/SF62 (Welle, DFL-Willmar)—recommended to pass as amended.\*\*  
(SF on Senate Floor)

\*\*Delete-everything amendment would update definitions of taxable income laws to reflect changes in federal taxable income made by the Technical and Miscellaneous Revenue Act of 1988; would make technical and clarification changes.

Tuesday, Feb. 21

### Sales, special taxes—technical corrections

HF266/SF205 (Long, DFL-Mpls)—heard.  
(SF in Senate Taxes & Tax Laws Committee)

Would make technical corrections and clarifications and administrative changes to premium taxes, cigarette taxes, sales taxes, motor vehicle excise taxes, liquor taxes, marijuana and controlled substances taxes, lodging taxes and the metropolitan solid waste landfill fee. Provisions would:

- provide sales of unstamped tobacco products and liquor to Indian tribes;
- give the Department of Revenue the use of unmarked motor vehicles.

## TRANSPORTATION

Wednesday, Feb. 22

### Toll bridges—design standards

HF242/SF100 (Dauner, DFL-Hawley)—recommended to pass as amended\*\*; placed on Consent Calendar.  
(SF in Senate Transportation Committee)

\*\*Delete-everything amendment would require bridges to conform to state-imposed strength, width, clearance, and safety standards for the connecting highway or street.

### State patrol cars—security barriers

HF387/SF401 (Sarna, DFL-Mpls)—recommended to pass as amended\*\*; placed on Consent Calendar.  
(SF in Senate Transportation Committee)

Would exempt marked state highway patrol cars from rules requiring a security barrier between the front and back seats unless the trooper requests a barrier.

\*\*Amendment would make a technical change.

### Aeronautics—matching funds; recreational aircraft registration

HF408/SF499 (Wagenius, DFL-Mpls)—recommended to pass; rereferred to Appropriations Committee.  
(SF in Senate Transportation Committee)

Would authorize the commissioner of transportation to use money in the State Airports Fund to pay the state match for federal subsidies for local passenger service under the federal Essential Air Service Program; would allow aircraft costing \$10,000 or less, owned and operated only for recreational purposes to be registered as a recreational aircraft for a \$25 annual fee.

## Floor Action

## CALENDAR

Thursday, Feb. 16

### Education funding formulas—technical changes

HF141\*/SF216 (K. Nelson, DFL-Mpls)—passed (122-0).  
(SF in Senate Education Committee)

Would correct, clarify, repeal, and change certain education statutes; would appropriate money, allow equipment purchases, create effective dates.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 5, General Orders, Feb. 13)

### Referendum levy language—changes

HF247\*/SF318 (Bauerly, DFL-Sauk Rapids)—passed (126-0).  
(SF in Senate Education Committee)

Would clarify the referendum levy language and create a conversion method; would set guidelines for referendum elections.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 2, Education, Feb. 6)

**Federal gas tax—resolution**

HF363\* (Kelso, DFL-Shakopee)—passed (114-13).

Would memorialize the president and Congress of the United States to prevent the imposition of any additional federal excise tax on motor fuel to reduce the federal deficit.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 5, General Orders, Feb. 13)

**Monday, Feb. 20**

**Living will—adult health care**

HF28/SF28\* (Bishop, IR-Rochester)—passed (102-31).

Would allow a competent adult to 1) execute a declaration regarding health care wishes when in a terminal condition if the individual becomes unable to make or communicate wishes, or 2) appoint a proxy to make decisions for the individual in the same situation; would provide various criminal penalties for misconduct in connection with declarations.

(See bill summary under General Orders, Feb. 16)

**Nursing homes—bed transfers**

HF326\*/SF395 (Ogren, DFL-Aitkin)—passed (129-0). (SF in Senate Health & Human Services Committee)

Would require nursing homes certified as skilled nursing facilities under the medical assistance program to fully participate in Medicare; would define “fully participate” to mean that all the nursing home’s beds certified as skilled under the medical assistance program are Medicare certified; would affirm certain rights of refusal to residents.

(See bill summary under General Orders, Feb. 16)

**CONSENT CALENDAR**

**Thursday, Feb. 16**

**Motor vehicles—classification**

HF218\* (K. Olson, DFL-Sherburn)—passed (130-0).

Would classify station wagon and certain passenger-carrying vans as passenger automobiles for all purposes. Provisions would allow for registration of certain vehicles.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 4, Transportation, Feb. 8)

**Monday, Feb. 20**

**Notaries public—reappointment**

HF264\*/SF215 (S. Olsen, IR-St. Louis Park)—laid over. (SF passed Senate)

Would increase the time period for the state to reappoint a notary public.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 2, Governmental Operations, Feb. 15)

**GENERAL ORDERS**

**Thursday, Feb. 16**

**Nursing homes—bed transfers**

HF326\*/SF395 (Ogren, DFL-Aitkin)—recommended to pass. (SF in Senate Health & Human Services Committee)

Would require nursing homes certified as skilled nursing facilities under the medical assistance program to fully participate in Medicare; would define “fully participate” to mean that all the nursing home’s beds certified as skilled under the medical assistance program are Medicare certified; would affirm certain rights of refusal to residents.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 3, Health & Human Services, Feb. 9)

**Burglar alarm franchises**

HF268/SF261 (Segal, DFL-St. Louis Park)—recommended for progress. (SF in Senate Commerce Committee)

Would prohibit a burglar alarm manufacturer from opening a business in competition with an alarm distributor for a 10-year period when a manufacturer has terminated an existing burglar alarm distributor contract; would stipulate that the manufacturer must provide to the distributor a repair service for all burglar alarm products manufactured or supplied by the manufacturer.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 1, Commerce, Feb. 9)

**Living will—adult health care**

HF28/SF28\* (Bishop, IR-Rochester)—recommended to pass as amended.\*\*

Would allow a competent adult to 1) execute a declaration regarding health care wishes when in a terminal condition if the individual becomes unable to make or communicate wishes, or 2) appoint a proxy to make decisions for the individual in the same situation; would provide various criminal penalties for misconduct in connection with declarations.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 2, Judiciary, Feb. 10)

\*\*Amendments would:

- expand definitions;
- provide guidelines for proxy of living will;
- provide guidelines for physicians;
- make technical changes.

**Monday, Feb. 20**

**Wild animals—possession regulation**

HF175 (Quinn, DFL-Coon Rapids)—recommended to pass.

Would assure the safety and protection of humans, other animals, and the environment from non-domesticated animals.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 1, Environment & Natural Resources, Feb. 14)

**County-owned residences—rental**

HF210/SF229 (Price, DFL-Woodbury)—recommended to pass as amended.\*\*  
(SF on Senate Floor)

Would permit counties to rent county-owned residences by less formal procedure.

\*\*Amendment would make technical changes.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 3, Local Government & Metropolitan Affairs, Feb. 14)

**Burglar alarm franchises**

HF268/SF261 (Segal, DFL-St. Louis Park)—recommended to pass.  
(SF in Senate Commerce Committee)

Would prohibit a burglar alarm manufacturer from opening a business in competition with an alarm distributor for a 10-year period when a manufacturer has terminated an existing burglar alarm distributor contract; would stipulate that the manufacturer must provide to the distributor a repair service for all burglar alarm products manufactured or supplied by the manufacturer.

(See bill summary under General Orders, Feb. 16)

**Local government—bank letter of credit**

HF279/SF301 (Blatz, DFL-Bloomington)—recommended to pass.  
(SF in Senate Local & Urban Government Committee)

Would permit bank letters of credit instead of certain bonds when contracting with a local government.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 3, Local Government & Metropolitan Affairs, Feb. 14)

*House Weekly Review* lists House committee and floor action on bills with brief bill summaries. The House Public 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 (2:30 p.m.) to Thursday (2:30 p.m.). Each issue after the first one 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 1989 Legislative Session, we will distribute one copy each to House members and appropriate staff.

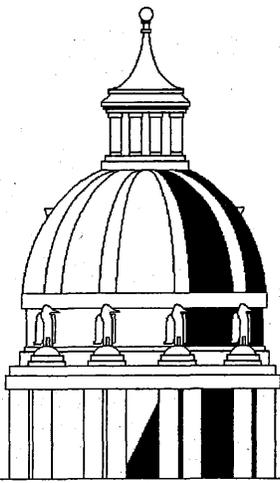
Nothing herein is admissible as legal proof of legislative intent.

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HF0210/SF0229	County-owned residences--rental	4	3				
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# House Weekly Review

Minnesota House of Representatives Public Information Office

February 23 - March 2, 1989

Volume 5, Number 6

## □ Committee Action □

### COMMERCE

Tuesday, Feb. 28

#### Metal molds, dies—unclaimed property

HF424 (O'Connor, DFL-St. Paul)—recommended to pass; placed on Consent Calendar.

Would include metal molds or dies under state unclaimed property laws regarding ownership and disposal after a certain time period.

Thursday, March 2

#### Tourism—department creation

HF491/SF608 (Solberg, DFL-Bovey)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee.

(SF in Senate Economic Development & Housing Committee)

\*\*Delete-everything amendment would transfer the tourism authority of the Department of Trade and Economic Development to a new department of tourism. Provisions would:

- place the new commissioner of tourism salary between \$50,000 and \$67,500;
- remove the Office of Tourism and any reference to the

office from the administrative structure of DTED;

- outline the powers and duties of the commissioner of tourism;

- appropriate a non-specific amount of money to the new department for the biennium.

\*\*Amendment would place managerial positions in unclassified civil service. (Employees of the regional tourism offices are in classified service.)

#### Consumer protection—seniors, vulnerable adults

HF622/SF536 (Milbert, DFL-South St. Paul)—recommended to pass; rereferred to Judiciary Committee.

(SF in Senate Health & Human Services Committee)

Would impose civil penalties of up to \$10,000 per violation for deceptive trade practices, false advertising, or consumer fraud on persons aiming such practices against senior citizens or vulnerable adults. Provisions would:

- outline factors for consideration by courts in determining whether to impose additional penalties;
- credit such penalties to the state Board on Aging to be used for educational materials to inform senior citizens and vulnerable adults about consumer protection, and to provide financial assistance for educational seminars or other projects;
- stipulate that restitution ordered under appropriate statutes be given priority over civil penalties;



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*House Weekly Review* summarizes committee and floor action on bills.

- allow private civil action to be brought to recover damages, costs and other equitable relief as determined by the courts;
- define terms.

## Community Stabilization & Development Division/ ECONOMIC DEVELOPMENT

Tuesday, Feb. 28

**Subsidized development—job impact statement**  
HF631 (Clark, DFL-Mpls)—heard.

Would require public development agencies to study the impact of their projects upon job loss, job creation, and job displacement of the community where development is to occur.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 3, Community Stabilization & Development Division/Economic Development, Feb 23)

Thursday, March 2

**CAN-DO—neighborhood development grants**  
HFXXX (Williams, DFL-Moorhead)—heard.

Would create the Community and Neighborhood Development Organization (CAN-DO) program. Provisions would:

- provide matching grants to eligible organizations for revitalization projects;
- prioritize grants based on degree of citizen participation and interagency cooperation;
- require local government and/or tribal government endorsement of eligible projects;
- authorize administrative rules and an advisory committee for CAN-DO;
- appropriate money for grants and administration of CAN-DO.

## International Trade & Technology/ ECONOMIC DEVELOPMENT

Tuesday, Feb. 28

**AeroSpace exploratorium—education**  
HF189/SF255 (Welle, DFL-Willmar)—recommended to pass as amended\*\*; rereferred to Education Committee.  
(SF in Senate Education Committee)

\*\*Delete-everything amendment would appropriate \$50,000 for a feasibility study for establishing the Minnesota AeroSpace exploratorium in Willmar to provide programs and a place to exhibit the state's involvement in the nation's air and space activities.

## ENVIRONMENT & NATURAL RESOURCES

Tuesday, Feb. 28

**Hazardous substances—emergency planning system**  
HF341 (Trimble, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Governmental Operations Committee.

\*\*Delete-everything amendment would require local and county governments to participate in a hazardous substance emergency planning system; would require compliance with the federal Emergency Planning and Community Right to Know Act. Provisions would:

- establish and define an emergency response commission to monitor compliance with the federal act;
  - provide for penalties for noncompliance with the federal act.
- \*\*Further amendments would :
- correct spelling errors;
  - provide for public dissemination of emergency response commission materials;
  - provide guidelines on fees for chemical facilities.

Thursday, March 2

**Waste Management Act—amendments**  
HF601/SF530 (Long, DFL-Mpls)—heard.  
(SF in Senate Environment & Natural Resources Committee)

Would amend the 1988 Waste Management Act. Provisions would:

- control flow of solid waste to landfills;
- require financial reports from landfill operations;
- clarify local governments' liabilities under Superfund;
- make technical changes in administrative rules;
- grant power to condemn land to the Pollution Control Agency.

## Housing Division/ FINANCIAL INSTITUTIONS & HOUSING

Monday, Feb. 27

### Transitional housing—language changes

HF394/SF681 (Dawkins, DFL-St. Paul)—recommended to pass as amended.\*\*  
(SF in Senate Economic Development & Housing Committee)

Would change language from “temporary housing” to “transitional housing.” Provisions would:

- extend time period homeless individual or family may live in transitional housing;
- require annual program report to Legislature.

\*\*Amendment would make technical changes.

### Relocated residences—building code exemption

HF595/SF587 (O'Connor, DFL-St. Paul)—recommended to pass as amended.\*\*  
(SF in Senate Economic Development & Housing Committee)

Would exempt residential dwellings that have been moved or relocated from new building requirements if unsafe conditions are repaired and if local zoning ordinances are followed.

\*\*Amendments would:

- include any additions, alterations or repairs;
- require smoke and fire detectors placed in metropolitan houses.

## GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Tuesday, Feb. 28

### Animals—dangerous dogs

HF543/SF382 (Scheid, DFL-Brooklyn Park)—heard.  
(SF on Senate Floor)

Would clarify regulations for dangerous dogs and prohibit local ordinances that define specific breeds of dogs as dangerous. Provisions would:

- further define “proper enclosure” to exclude a porch, patio, or any part of a house, garage, or other structure that would allow the dog to exit of its own volition, or any house or structure in which windows are open or in which door or window screens are the only obstacles that prevent the dog from exiting;
- expand the definition of “owner” to include any person, firm, corporation, organization, or department caring for a dog;
- define “animal control authority” as an agency of the state, county, municipality, or other governmental subdivision of the state which is responsible for animal control operations in its jurisdiction;
- prohibit dogs from being declared dangerous if the threat, injury, or damage was sustained by a person who, for example, can be shown to have repeatedly, in the past, provoked, tormented, abused, or assaulted the dog;
- require that a dangerous dog registered under this section have a standardized, easily identifiable tag identifying the dog as dangerous affixed to the dog's collar at all times;
- require that a statutory or home rule charter city, or a county, not adopt an ordinance regulating dangerous or potentially dangerous dogs based solely on the specific breed of the dog; would make ordinances inconsistent with this subdivision void;
- provide that the animal control authority having jurisdiction shall immediately seize any dangerous dog if, for example:
  - after 14 days after the owner is notified that the dog is dangerous, the dog is not validly registered as required;
  - after 14 days after the owner is notified that the dog is dangerous, the owner does not secure the proper liability insurance or surety coverage as required;
  - an owner of a dog is convicted of a crime for which the dog was originally seized, the court may order that the dog be confiscated and destroyed in a proper and humane manner, and that the owner pay the costs incurred in confiscating, confining, and destroying the dog;

- provide that a dangerous dog seized may be reclaimed by the owner of the dog upon payment of reasonable impounding and boarding fees, and presenting proof to the appropriate animal control authority that the requirements will be met. A dog not reclaimed within seven days may be disposed of as provided by law, and the owner is liable to the animal control authority for costs incurred in confining and disposing of the dog;

- provide that if:

- a person has been convicted of a misdemeanor for violating these laws, and the person is charged with a subsequent violation relating to the same dog, the dog must be seized by the animal control authority having jurisdiction;

- the owner is convicted of the crime for which the dog was seized, the court shall order that the dog be destroyed in a proper and humane manner and the owner pay the cost of confining and destroying the animal;

- the person is not convicted of the crime for which the dog was seized, the owner may reclaim the dog upon payment to the animal control authority of a reasonable fee for the care and boarding of the dog;

- the dog is not reclaimed by the owner within seven days after the owner has been notified that the dog may be reclaimed, the dog may be disposed of as provided, and the owner is liable to the animal control authority for the costs incurred in confining and disposing of the dog;

- provide that a person who causes great or substantial bodily harm to another by negligently or intentionally permitting any dog to run uncontrolled off the owner's premises, or negligently failing to keep it properly confined is guilty of a misdemeanor rather than a petty misdemeanor.

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#### Dance halls—dance law repeal

HF620/SF300 (Kostohryz, DFL-North St. Paul)—recommended to pass; placed on Consent Calendar.  
(SF passed Senate)

Would repeal law regulating dance halls and dancing.

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#### Horse racing—pari-mutuel betting

HF707/SF588 (Kostohryz, DFL-North St. Paul)—recommended to pass as amended.\*\*  
(SF in Senate General Legislation & Public Gaming Committee)

Would authorize racetrack betting on days when live racing is not conducted at a Minnesota racetrack. Provisions would:

- redefine "racing day" to include a televised racing day;

- define "televised racing day" as a day assigned by the Racing Commission on which pari-mutuel betting is conducted only on races shown on television;

- set a license fee for class B licensees at \$50 for each televised racing day;

- give a class B licensee the authority to conduct televised racing days;

- allow a class B licensee to conduct types of pari-mutuel betting which are not authorized by Racing Commission rule;

- allow the Racing Commission to:

- permit a class B licensee to conduct pari-mutuel betting on horse races conducted at tracks in other states and broadcast by television;

- approve commingling of pari-mutuel pools at the Minnesota track with pari-mutuel pools of sending racetracks.

- provide that the Minnesota track may connect electronically with the pari-mutuel equipment at the sending track, and that the Minnesota track may offer whatever forms of pari-mutuel pools the sending track offers;

- provide that a licensee in the metropolitan area may conduct televised racing days only with races run by breeds that ran at the licensee's track within the previous year;

- require the Minnesota track to set aside, in lieu of the purse set-aside and Breeders Fund contribution required for on-track racing, 22 percent of the takeout divided as follows:
  - 50 percent to the track for its own use;
  - 25 percent to the Breeders Fund;
  - 25 percent retained by the track and set aside for purses at the track's next meeting for the breed involved in the televised racing.

- require that disbursement of the remaining takeout be agreed to by the Minnesota track and the sending track, except that the Minnesota track and the horsepersons' organization representing the breed involved in the televised racing may agree to set aside a portion of the remainder for purse supplements at the next meeting;

- require that an employee of the Racing Commission, who has the powers and duties delegated by commission, preside over televised racing days;

- allow the commission to assign a televised racing day anytime between Nov. 1 and March 31, unless the track has obtained the horsepersons' organization's approval for a televised racing day at another time;

- exempt televised racing days from requirements for Minnesota-bred and Minnesota-foaled races;

- allow the commission to make emergency rules to implement the law.

\*\*Amendments would make technical changes and corrections.

## Elections Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, March 2

**Special services—precinct caucuses, party conventions**  
HF354/SF556 (Jefferson, DFL-Mpls)—heard. \*\*  
(SF in Senate Elections & Ethics Committee)

Would require party conventions and precinct caucuses to provide sign interpreters for communicatively impaired persons, and meet in buildings that meet the same physical accessibility requirements as a polling place.

\*\*Amendments would:

- make technical changes;
- require that written materials be provided to visually impaired individuals for conversion to audiotape, Braille, or large-print formats.

## Gaming Division/ GENERAL LEGISLATION, VETERANS AFFAIRS & GAMING

Thursday, March 2

**Lottery—startup, operation**  
HF66/SF150 (Quinn, DFL-Coon Rapids)—heard.  
(SF in Senate Judiciary Committee)

Would establish a state lottery division within a department of gaming.

(See bill summary in HWR Vol. 5, No. 5, Pg. 6, Gaming Division/General Legislation, Veterans Affairs & Gaming, Feb. 23)

## GOVERNMENTAL OPERATIONS

Thursday, March 2

**Anoka County—tax-forfeited lands**  
HF655/SF453 (Lasley, DFL-Cambridge)—recommended to pass as amended\*\*; rereferred to Environment & Natural Resources Committee.  
(SF in Senate Environment & Natural Resources Committee)

Would authorize Anoka County to sell several parcels of tax-forfeited land.

\*\*Amendment would subject land to conservation easements.

## State employees—direct deposit

HF692/SF596 (Simoneau, DFL-Fridley)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.  
(SF in Senate Governmental Operations Committee)

Would allow state employees to have all or part of their pay deposited directly in any credit union.

\*\*Amendments would:

- allow for deposit to a financial institution;
- make clear that the bill applies to Legislative, Executive, and Judicial branch employees;
- make technical clarifications.

## HEALTH & HUMAN SERVICES

Tuesday, Feb. 28

### Healthspan—health care access program

HF150/SF491 (Ogren, DFL-Aitkin)—recommended to pass as amended.  
(SF in Senate Health & Human Services Committee)

Would provide a program of affordable health care coverage for Minnesota residents.

(See HWR Vol. 5, No. 5, Pg. 8, Health & Human Services, Feb. 23)

## INSURANCE

Wednesday, March 1

### Medicare supplement—regulation

HF611 (Skoglund, DFL-Mpls)—recommended to pass as amended.\*\*

Would regulate agent licensing and Medicare supplement plans.

\*\*Amendment would make technical clarifications.

(See bill summary in HWR Vol. 5, No. 5, Pg. 8, Insurance, Feb. 22)

## JUDICIARY

Monday, Feb. 27

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### Child support—automatic withholding

HF58 (Forsythe, IR-Edina)—recommended to pass as amended.\*\*

\*\*Delete-everything amendment would permit child support obligors to withdraw from the automatic withholding program if they can make acceptable alternative payment arrangements.

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### Mineral data—collection, dissemination

HF343/SF144 (Rukavina, DFL-Virginia)—recommended to pass as amended.\*\*  
(SF in Senate Judiciary Committee)

Would amend the Data Practices Act to classify certain data as nonpublic that the Commissioner of Natural Resources receives, unless the person supplying the data agrees to make it public.

\*\*Amendment would make technical changes.

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### Private medical data—family members

HF444/SF222 (Weaver, IR-Champlin)—recommended to pass as amended\*\*; placed on Consent Calendar.  
(SF in Senate Judiciary Committee)

Would amend the Data Practices Act to give some family members the same access to medical data on a deceased individual that a spouse currently has.

\*\*Amendment would make technical changes.

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### Soft body armor—reimbursement

HF704/SF643 (Kelly, DFL-St. Paul)—recommended to pass; rereferred to Appropriations Committee.  
(SF in Senate Local & Urban Government Committee)

Would establish a reimbursement program for peace officers who purchase bullet-proof vests and for law enforcement agencies who purchase such vests for peace officers. Provisions would:

- require the officer, employer, and state to share in the cost of the vest;
  - specify eligibility requirements;
  - specify state liability limitations.
- 

### Child abuse data—law enforcement

HF731/SF633 (Blatz, IR-Bloomington)—laid over.  
(SF in Senate Judiciary Committee)

Would provide that if a law enforcement agency determines that no maltreatment occurred, investigative data are private (available to the accused but no one else). Provisions would allow law enforcement agencies to maintain some records that they are now required to destroy.

## Criminal Justice Division/ JUDICIARY

Friday, Feb. 24

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### Controlled substances—degrees

HF59/SF3 (Kelly, DFL-St. Paul)—heard.  
(SF in Senate Judiciary Committee)

Would substantially revise the current criminal statutes relating to the unlawful sale, manufacture, distribution, or possession of controlled substances. Provisions would:

- create seven degrees of controlled substance crime;
  - increase penalties for persons who sell or possess certain drugs, especially large quantities of cocaine and heroin;
  - create the presumption that all persons in an automobile or a room are knowingly in possession of any controlled substances in that room;
  - add a drug violation to the list of felonies committed with a gun or dangerous weapon;
  - repeal inconsistent existing drug statutes.
- 

### Real estate—crime, seizure

HF159/SF330 (Dawkins, DFL-St. Paul)—heard.  
(SF in Senate Judiciary Committee)

Would require county attorneys to notify residential landlords whenever contraband or illegal controlled substances with a retail value of \$5,000 or more are seized on the landlord's rental property incident to a lawful search or arrest. Provisions would:

- require a landlord to begin an eviction action against the tenant within 15 days of the notice;
  - assess a lien against the property if a landlord fails to evict a tenant after a seizure and a second seizure of contraband or illegal drugs on the rental property takes place.
-

**Drug-free zones—penalties**

HF163/SF337 (Dawkins, DFL-St. Paul)—heard.

(SF in Senate Judiciary Committee)

HF259 (Clark, DFL-Mpls)—heard.

Would increase maximum criminal penalties for persons who commit various drug offenses on school premises, within 1,000 feet of a designated school stop while students are waiting for a bus or within 10 minutes of exiting a bus, or while students are enroute to or from school. Provisions would:

- increase maximum criminal penalties for drug offenders who conspire with minors to commit drug offenses in these circumstances;
- increase existing mandatory minimum sentences for many second and subsequent drug sale or distribution crimes;
- require the attorney general to develop a “plain language” version of the penalties created in the bill, and to publicize and widely disseminate the information;
- require school boards and local governments to post this “plain language” explanation of the law in school buildings, school buses, and at appropriate locations in public buildings;
- require school boards, with the cooperation of local governments, to post signs in conspicuous locations on and near school premises stating that the premises and the area within 1,000 feet of the premises is a “drug-free school zone.”

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**Drug-free zones—penalties**

HF164/SF620 (McLaughlin, DFL-Mpls)—heard.

(SF in Senate Judiciary Committee)

Would increase maximum criminal penalties for persons who commit various drug offenses in public parks, on school premises, within 1,000 feet of a designated school stop while students are waiting for a bus or within 10 minutes of exiting a bus, or while students are enroute to or from school. Provisions would:

- increase maximum criminal penalties for drug offenders who conspire with minors to commit drug offenses in these circumstances;
- increase existing mandatory minimum sentences for many second and subsequent drug sale or distribution crimes;
- require the attorney general to develop a “plain language” version of the penalties created in the bill, and to publicize and widely disseminate the information;
- require school boards and local governments to post this “plain language” explanation of the law in school buildings, school buses, and at appropriate locations in public buildings;

- require school boards, with the cooperation of local governments, to post signs in conspicuous locations on and near school premises stating that the premises and the area within 1,000 feet of the premises is a “drug-free school zone.”

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**Disorderly houses—controlled substances**

HF483/SF682 (Wagenius, DFL-Mpls)—heard.

(SF in Senate Judiciary Committee)

Would amend the “disorderly house” crime to make the unlawful sale or possession of controlled substances sufficient evidence of the existence of a disorderly house.

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**Firearms/controlled substances—sentences**

HF641/SF484 (Kelly, DFL-St. Paul)—heard.

(SF in Senate Judiciary Committee)

Would change the controlled substances law and other drug-related statutes. Provisions would:

- impose a mandatory minimum sentence for certain felonies committed with an illegal weapon or a semi-automatic assault rifle;
- increase the penalties for selling controlled substances to children and for selling or possessing controlled substances in a drug-free school zone;
- expand the drug-free school zone to the area within 1,000 feet of a school;
- provide that the Sentencing Guidelines Commission consider public safety when modifying the sentencing guidelines;
- lower the threshold amounts of controlled substances required for the forfeiture of vehicles and real property;
- require courts to order the forfeiture of property used in controlled substance offenses.

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**RICO—criminal proceeds**

HF837/SF483 (Carruthers, DFL-Brooklyn Center)—heard.

(SF in Senate Judiciary Committee)

Would create new crimes of money laundering and racketeering. Provisions would:

- provide a five-year limitation for certain civil actions under the bill;
- create crimes of concealing criminal proceeds or engaging in a business whose purpose is the concealing of criminal proceeds;

- provide that the racketeering provisions of this bill shall be liberally construed to achieve their remedial purpose of curtailing racketeering activity and controlling substance crime and lessening their economic and political power in Minnesota;

- define terminology in bill;

- create the crime of racketeering;

- provide criminal penalties for commission of any racketeering activity;

- provide for criminal forfeiture after conviction of racketeering activity;

- provide procedures for the preservation of property subject to forfeiture;

- provide for the disposition of the forfeiture proceeds;

- provide that the court, upon petition within 60 days, may authorize the compromising of claims, award compensation to persons providing information concerning the racketeering activity, grant petition for mitigation or remission of forfeiture or fines, restore forfeited property or impose fines to victims, or take other action to protect the rights of innocent persons that is in the interest of justice and is consistent with the purposes of this bill;

- provide that the remedies under the bill do not preclude the application of any other criminal penalty; limit civil action in cases against a person based on criminal conduct if the charges were dismissed or the person was acquitted;

- authorize the prosecution authority to initiate civil proceedings seeking relief from racketeering violations.

**Tuesday, Feb. 28**

**Juvenile court—parental rights**

HF135/SF220 (Pappas, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would clarify the grounds for terminating parental rights to a child; would make technical changes and clarifications.

(See bill summary in HWR Vol. 5, No. 5, Pg. 9, Criminal Justice Division/Judiciary, Feb. 21))

**Sexual assault victims—civil limitations**

HF461/SF315 (Kelly, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would amend the two-year statute of limitations for civil actions to provide that in an action for damages based on sexual abuse, the limitation period begins to run either at the time the abuse was committed or at the time the victim knew or had reason to know that sexual abuse caused the injury, whichever is later. Provisions would:

- provide that the victim need not establish which act in a continuing series of sexual abuse acts by the defendant caused the injury;

- state that the knowledge of a custodial parent or guardian of a minor victim of sexual abuse may not be imputed to the minor;

- provide a written notice to a victim of an offender's release from confinement and the conditions governing the offender's release and the identity of the corrections agent that will supervise the offender;

- require the custodial authority to make a reasonable and good faith effort to orally notify a victim of their rights and when a criminal sexual conduct offender is released from pretrial detention; would provide a written notice of this information as soon as practicable.

\*\*Amendments would:

- make technical changes;

- allow victims until Aug. 1, 1990 to file a civil action on certain cases that were otherwise time-barred.

**Wednesday, March 1**

**Criminal sexual conduct—life imprisonment**

HF20/SF360 (S. Olsen, IR-St. Louis Park)—heard. (SF in Senate Judiciary Committee)

Would impose the penalty of life imprisonment without parole on a person convicted of a fourth criminal sexual conduct offense within 15 years of a prior conviction. Provisions would:

- provide a five-year minimum sentence for persons convicted of a third criminal sexual conduct offense within 15 years of a previous conviction;

- require the court to execute at least that portion of a sex offender's sentence that is equal to the applicable mandatory minimum sentence;

- prohibit stayed sentences for repeat intrafamilial sex offenders.

### **Criminal sexual conduct—treatment**

HF315/SF320 (Vellenga, DFL-St. Paul)—recommended to pass as amended\*\*; rereferred to Judiciary Committee. (SF in Senate Judiciary Committee)

\*\*Delete-everything amendment would provide intensive sex offender treatment programs within the correctional system; would increase sentences for criminal sexual conduct offenses.

\*\*Further amendments would:

- make technical changes and clarifications;
- provide for life in prison without parole for persons convicted three times of first-, second-, third-, or fourth-degree criminal sexual conduct.

(See bill summary in HWR Vol. 5, No. 5, Pg. 10, Criminal Justice Division/Judiciary, Feb. 22))

## **LABOR-MANAGEMENT RELATIONS**

**Monday, Feb. 27**

### **Employee Right-to-Know Act—changes**

HF300/SF442 (Clark, DFL-Mpls)—recommended to pass as amended.\*\*

(SF in Senate Employment Committee)

Would remove “technically qualified individuals” from the Employee Right-to-Know Act, allowing these individuals to participate in training on hazardous materials, and would provide penalties in Occupational Safety and Health Administration discriminatory or dismissal cases.

\*\*Amendments would:

- repeal the definition of “technically qualified individuals” in several sections of the statute;
- give judges discretion in determining compensatory damages;
- grant a transition training period to employees subject to the training requirements.

## **LOCAL GOVERNMENT & METROPOLITAN AFFAIRS**

**Tuesday, Feb. 28**

### **Edina—transit system establishment**

HF7/SF54 (Forsythe, IR-Edina)—recommended to pass as amended\*\*; rereferred to Taxes Committee.

(SF in Senate Economic Development & Housing Committee)

\*\*Delete-everything amendment would authorize Edina to operate a public transit system and to acquire necessary equipment, land, and interests in land. Provisions would:

- permit establishment of a special service district in Edina;
- exempt the city and the housing redevelopment authority from competitive bidding requirements or performance bonds with certain redevelopment projects.

### **Towns—unpaid service charges**

HF112/SF121 (Dauner, DFL-Hawley)—recommended to pass.

(SF on Senate Floor)

Would authorize town boards to provide for collection of unpaid service charges.

### **Town cartways—establishment**

HF512/SF433 (Bauerly, DFL-Sauk Rapids)—recommended to pass.

(SF in Senate Local & Urban Government Committee)

Would authorize town boards to require a petitioner for a cartway to post a bond prior to board action.

### **Highways—power to mow right-of-ways**

HF578/SF518 (Lieder, DFL-Crookston)—recommended to pass; placed on Consent Calendar.

(SF in Senate Environment & Natural Resources Committee)

Would grant power to road authorities to mow or till rights-of-way of certain highways.

**Thursday, March 2**

### **Economic development authority—establishment**

HF353/SF449 (Otis, DFL-Mpls)—recommended to pass; rereferred to Taxes Committee.

(SF in Senate Economic Development & Housing Committee)

Would establish economic development authorities outside of “blighted areas.”

(See bill summary in HWR, Vol. 5, No. 5, Pg. 11, Local Government & Metropolitan Affairs, Feb. 23)

**Mora—wastewater treatment facility acquisition**  
HF481/SF546 (Peterson, DFL-Princeton)—recommended to pass.  
(SF in Senate Local & Urban Government Committee)

Would authorize Mora to negotiate a contract for a municipal wastewater treatment facility.

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**Counties, cities, towns—hospital contributions**  
HF529 (Battaglia, DFL-Two Harbors)—recommended to pass as amended\*\*; rereferred to Health & Human Services Committee.

Would permit cities and towns to contribute to private, non-profit or public hospitals.

\*\*Amendment would add counties to the bill.

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**Olmsted County—morgue requirement exemption**  
HF553/SF500 (Gutknecht, IR-Rochester)—recommended to pass; placed on Consent Calendar.  
(SF in Senate Local & Urban Government Committee)

Would exempt Olmsted County from operating a public morgue.

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**Minneapolis—government personnel appointments**  
HF664/SF591 (McLaughlin, DFL-Mpls)—recommended to pass as amended.\*\*  
(SF in Senate Local & Urban Government Committee)

Would authorize the Minneapolis city coordinator to appoint persons to new positions in the Minneapolis city government; would permit the superintendent of the Minneapolis school district to appoint an executive secretary to the superintendent.

\*\* Amendment would add another city government position.

## REGULATED INDUSTRIES

Monday, Feb. 27

**Electric utilities—service boundary changes**  
HF619/SF631 (Quinn, DFL-Coon Rapids)—heard.  
(SF in Senate Public Utilities & Energy Committee)

Would clarify authority of Public Utilities Commission to change boundaries of electric utility service areas.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 11, Regulated Industries, Feb. 20)

## TRANSPORTATION

Wednesday, March 1

**Bridge bonding**  
HF46/SF198 (Lieder, DFL-Crookston)—recommended to pass as amended\*\*; rereferred to Appropriations Committee.  
(SF in Senate Transportation Committee)

Would extend current bonding authority for state transportation bonds for bridges and limit expenditure of proceeds to a maximum of \$8 million in any year.

\*\*Amendment would allow political subdivisions to use certain grants to match federal aid grants for construction and reconstruction of key bridges under their jurisdictions.

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**Highway funding—user tax distribution fund**  
HF96/SF159 (Kalis, DFL-Walters)—recommended to pass; rereferred to Appropriations Committee.  
(SF in Senate Transportation Committee)

Would authorize the apportionment of 5 percent of the net highway user tax distribution fund. Provisions would allocate 28 percent to the trunk highway fund, 64 percent to the county state aid highway fund's county turnback account, and 8 percent to the municipal state aid street fund's municipal turnback account.

# Floor Action

## CALENDAR

Thursday, Feb. 23

### Wild animals—possession regulation

HF175\* (Quinn, DFL-Coon Rapids)—passed (89-39).  
(SF in Senate Environment & Natural Resources Committee)

Would assure the safety and protection of humans, other animals, and the environment from non-domesticated animals.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 14, General Orders, Feb. 20)

### County-owned residences—rental

HF210\*/SF229 (Price, DFL-Woodbury)—passed (128-0).  
(SF in Senate Rules & Administration Committee)

Would permit counties to rent county-owned residences by less formal procedure.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 14, General Orders, Feb. 20)

### Burglar alarm franchises

HF268\*/SF261 (Segal, DFL-St. Louis Park)—passed (121-4).  
(SF in Senate Commerce Committee)

Would prohibit a burglar alarm manufacturer from opening a business in competition with an alarm distributor for a 10-year period when a manufacturer has terminated an existing burglar alarm distributor contract; would stipulate that the manufacturer must provide to the distributor a repair service for all burglar alarm products manufactured or supplied by the manufacturer.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 14, General Orders, Feb. 20)

### Local government—bank letter of credit

HF279\*/SF301 (Blatz, IR-Bloomington)—passed (131-0).  
(SF in Senate Local & Urban Government Committee)

Would permit bank letters of credit instead of certain bonds when contracting with a local government.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 14, General Orders, Feb. 20)

Monday, Feb. 27

### Individual income tax—technical changes

HF214\*/SF62 (Welle, DFL-Willmar)—passed (132-0).  
(SF on Senate Floor)

Would update definitions of taxable income laws to reflect changes in federal taxable income made by the Technical and Miscellaneous Revenue Act of 1988; would make technical and clarification changes.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 12, Taxes, Feb. 16)

### Corrections—juvenile photographs

HF371\*/SF605 (Pappas, DFL-St. Paul)—passed (132-0).  
(SF in Senate Rules & Administration Committee)

Would authorize the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 8, Judiciary, Feb. 17)

## CONSENT CALENDAR

Monday, Feb. 27

### Hunting—wild turkey license

HF106\*/SF96 (V. Johnson, IR-Caledonia)—passed (132-0).  
(SF in Senate Environment & Natural Resources Committee)

Would allow commissioner of natural resources to establish an impartial selection process, including a drawing, to issue hunting licenses to eligible persons to take wild turkey.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 3, Environment & Natural Resources, Feb. 21)

### Adjutant general—promotion requirements

HF267\*/SF191 (Kostohryz, DFL-North St. Paul)—passed (132-0).  
(SF on Senate Floor)

Would reduce from two years to one year the number of years the adjutant general of the Minnesota National Guard is required to serve as a brigadier general before promotion to major general.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 5, General Legislation, Veterans Affairs & Gaming, Feb. 21)

**Law libraries—annual fees**

HF370/SF171\* (Swenson, IR-Forest Lake)—passed (124-1).

Would allow the law library board of trustees to set law library fees annually.

(See bill summary in HWR, Vol. 5, No. 4, Pg. 2, Judiciary, Feb. 13)

**Pipefitting, high pressure piping—safety, regulation**

HF410\*/SF438 (Trimble, DFL-St. Paul) passed (132-0).  
(SF on Senate Floor)

Would define high pressure piping to include ammonia piping, making this type of piping subject to state regulation.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 10, Labor-Management Relations, Feb. 20)

## GENERAL ORDERS

Thursday, Feb. 23

**Individual income tax—technical changes**

HF214/SF62 (Welle, DFL-Willmar)—recommended to pass.

Would update definitions of taxable income laws to reflect changes in federal taxable income made by the Technical and Miscellaneous Revenue Act of 1988.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 12, Taxes, Feb. 16)

**Corrections—juvenile photographs**

HF371/SF605 (Pappas, DFL-St. Paul)—recommended to pass.  
(SF in Senate Rules & Administration Committee)

Would authorize the commissioner of corrections to take photographs of juveniles committed to the commissioner for management and law enforcement purposes.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 8, Judiciary, Feb. 17)

Monday, Feb. 27

**St. Louis County—tax forfeited lands**

HF43/SF88 (Janezich, DFL-Chisholm)—recommended to pass.  
(SF in Senate Environment & Natural Resources Committee)

Would authorize St. Louis County to privately sell certain

tax-forfeited land adjacent to public waters.

(See bill summary under General Orders, Feb. 23)

**Boiler operation, inspection—regulation**

HF85/SF103 (Murphy, DFL-Hermantown)—recommended to pass.  
(SF on Senate Floor)

Would exempt certain qualifying boilers from yearly inspections. Provisions would require the owner of the qualifying boiler to keep accurate records, and allow for an inspection if substantial deficiencies in the equipment or operating procedures are found.

(See bill summary under General Orders, Feb. 23)

**Child abuse—statute of limitations**

HF154/SF555 (Lasley, DFL-Cambridge)—recommended to pass as amended.  
(SF in Senate Judiciary Committee)

Would extend the statute of limitations in cases of criminal sexual conduct involving juveniles until seven years after the alleged crime is reported; would limit the time a victim may report an incident of criminal sexual conduct involving a juvenile until seven years after the victim's 18th birthday.

\*\*Amendment would clarify that in no event may an indictment or complaint be found or made after the victim reaches age 25.

(See bill summary in HWR, Vol. 5, No. 3, Pg. 3, Judiciary, Feb. 6)

**Auto dealerships—warranty work compensation**

HF323/SF495 (Scheid, DFL-Brooklyn Park)—recommended to pass as amended.  
(SF in Senate Commerce Committee)

Would set reimbursement rates and hourly labor rates for parts and labor at costs car dealers incur for warranty repairs and services at the same rates for nonwarranty repairs and services.

\*\*Amendment would:

- allow the dealer to be reimbursed for parts;
- delete redundant language.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 2, Commerce, Feb. 21)

**Mankato—polling places**

HF426/SF461 (Dorn, DFL-Mankato)—recommended to pass.

(SF in Senate Elections & Ethics Committee)

Would authorize the governing body of the City of Mankato to designate polling places for Precincts 1, 2, and 3 which are located farther than the normal allowable distance outside the precincts if there is no suitable location within the normal allowable distance.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 5, General Legislation, Veterans Affairs & Gaming, Feb. 21)

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**Trespass statute—recodification**

HF482/SF32\* (Wagenius, DFL-Mpls.)—recommended to pass.

Would recodify the law on dangerous trespasses and misdemeanor trespasses without making substantive changes to the law.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 9, Judiciary, Feb. 20)

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**Washington County—tax-forfeited land**

HF502/SF440 (Swenson, IR-Forest Lake)—recommended to pass.

(SF in Senate Environment & Natural Resources Committee)

Would authorize Washington County to sell tax-forfeited land bordering public waters.

(See bill summary in HWR, Vol. 5, No. 5, Pg. 7, Governmental Operations, Feb. 22)

**House Weekly Review** lists House committee and floor action on bills with brief bill summaries. The House Public 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 (2:30 p.m.) to Thursday (2:30 p.m.). Each issue after the first one 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 1989 Legislative 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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