



3 0307 00006 0742

860913

This document is made available electronically by the Minnesota Legislative Reference Library as part of an ongoing digital archiving project. <http://www.leg.state.mn.us/lrl/lrl.asp>

# Session Summary

## with SPECIAL SESSION



KFM  
5415  
1605A  
1986

House of Representatives Public Information Office May

LEGISLATIVE REFERENCE LIBRARY 1986  
645 State Office Building  
Saint Paul, Minnesota 55155

# 1985 - 86 House of Representatives

## Member directory — office rooms and phone numbers

District	Room*	Phone
10B Anderson, Bob (IR)	335	296-4946
20A Anderson, Glen (DFL)	281	296-4228
51A Backlund, Gordon (IR)	529	296-5510
6A Battaglia, David (DFL)	231	296-2190
56B Beard, Patrick W (DFL)	549	296-3135
19A Becklin, Lynn (IR)	337	296-5364
6B Begich, Joseph R (DFL)	229	296-5063
53A Bennett, Tony (IR)	379	296-2907
33B Bishop, David T (IR)	583	296-0573
41B Blatz, Kathleen (IR)	509	296-4218
27A Boerboom, Jim (IR)	423	296-5374
8B Boo, Ben (IR)	407	296-2228
62B Brandl, John E (DFL)	311	296-4837
16B Brinkman, Bernard J (DFL)	251	296-4373
11A Brown, Charles (DFL)	211	296-4929
43A Burger, John (IR)	411	296-9188
14B Carlson, Douglas W (IR)	485	296-4308
9A Carlson, Joel (IR)	531	296-5515
46B Carlson, Lyndon R (DFL)	209	296-4255
60A Clark, Karen (DFL)	225	296-0294
48A Clausnitzer, Dale A (IR)	523	296-5502
64B Cohen, Richard J (DFL)	273	296-5931
23A Dempsey, Terry (IR)	537	296-9303
21B DenOuden, Gaylin (IR)	381	296-4346
36A Dimler, Chuck (IR)	539	296-1072
28A Dyke, Carol (IR)	521	296-5505
5A Elioff, Dominic J (DFL)	233	296-0170
47B Ellingson, Bob (DFL)	221	296-3709
27B Erickson, Wendell O (IR)	563	296-4336
11B Fjoslien, David (IR)	471	296-4317
42B Forsythe, Mary M (IR)	365	296-4363
24B Frederick, Marcel (IR)	525	296-5513
28B Frederickson, Dennis (IR)	429	296-5373
32A Frerichs, Don (IR)	367	296-4378
61A Greenfield, Lee (DFL)	223	296-0173
17B Gruenes, Dave (IR)	571	296-6316
33A Gutknecht, Gil (IR)	491	296-9249
38A Halberg, Charles C (IR)	369	296-4212
50A Hartinger, John M (IR)	413	296-5369
30A Hartle, Dean (IR)	421	296-5368
31A Haukoos, Bob (IR)	371	296-8216
45B Heap, Jim (IR)	409	296-7026
41A Himle, John (IR)	453	296-7803
49B Jacobs, Joel (DFL)	217	296-4231
7B Jaros, Mike (DFL)	503	296-4246
29A Jennings, David (IR)	463	296-3240
19B Jennings, Loren G (DFL)	501	296-0518
34A Johnson, Virgil J (IR)	487	296-1069
58B Kahn, Phyllis (DFL)	389	296-4257
29B Kalis, Henry J (DFL)	277	296-4240
67A Kelly, Randy C (DFL)	307	296-4277
18B Kiffmeyer, Ralph R (IR)	431	296-5377
43B Knickerbocker, Gerald (IR)	443	296-4315
52B Knuth, Daniel J (DFL)	345	296-0141
54B Kostohryz, Richard (DFL)	349	296-4936
12B Krueger, Rick (DFL)	215	296-3201
21A Kvam, Adolph L (IR)	479	296-4344
55A Levi, Connie (IR)	459	296-4124
2A Lieder, Bernie (DFL)	315	296-5091
59A Long, Dee (DFL)	387	296-0171
17A Marsh, Marcus (IR)	449	296-7806
35B McDonald, K J (IR)	437	296-8872
22A McEachern, Bob (DFL)	203	296-4237
39A McKasy, Bert J (IR)	403	296-6828
60B McLaughlin, Peter (DFL)	321	296-7152
55B McPherson, Harriet (IR)	527	296-5511
39B Metzen, James (DFL)	545	296-4370

District	Room*	Phone
20B Miller, Howard (IR)	579	296-5066
5B Minne, Lona (DFL)	243	296-0172
7A Munger, Willard M (DFL)	283	296-4282
8A Murphy, Mary (DFL)	259	296-2676
49A Nelson, Darby (DFL)	301	296-1729
62A Nelson, Ken (DFL)	317	296-4244
3A Neuenschwander, Bob (DFL)	201	296-1188
65A Norton, Fred C (DFL)	267	296-5158
66B O'Connor, Rich (DFL)	357	296-7807
14A Ogren, Paul Anders (DFL)	323	296-7808
44A Olsen, Sally (IR)	559	296-3964
2B Olson, Edgar (DFL)	553	296-4265
16A Omann, Ben (IR)	581	296-6612
22B Onnen, Tony (IR)	515	296-1534
66A Osthoff, Tom (DFL)	597	296-4224
59B Otis, Todd (DFL)	313	296-9281
37B Ozment, Dennis (IR)	577	296-4306
65B Pappas, Sandy (DFL)	241	296-9714
42A Pauly, Sidney (IR)	451	296-7449
18A Peterson, Jerome (DFL)	253	296-6746
24A Piepho, Mark (IR)	565	296-3248
31B Piper, Pat (DFL)	295	296-9248
10A Poppenhagen, Dennis (IR)	401	296-5387
56A Price, Leonard (DFL)	359	296-3018
50B Quinn, Joe (DFL)	261	296-2439
23B Quist, Allen (IR)	567	296-7065
32B Redalen, Elton R (IR)	591	296-9278
36B Rees, Tom (IR)	439	296-6926
46A Rest, Ann H (DFL)	213	296-4176
57A Rice, James I (DFL)	245	296-4262
12A Richter, Don (IR)	575	296-4293
40B Rivness, Phillip J (DFL)	327	296-7158
25B Rodosovich, Peter (DFL)	551	296-8237
63A Rose, John (IR)	585	296-4342
58A Sarna, John (DFL)	353	296-4219
35A Schafer, Gary L (IR)	557	296-8634
47A Scheid, Linda (DFL)	593	296-3751
30B Schoenfeld, Jerry (DFL)	207	296-8635
48B Schreiber, William (IR)	543	296-4128
38B Seaberg, Arthur W (IR)	377	296-3533
44B Segal, Gloria (DFL)	393	296-9889
45A Shaver, Craig (IR)	331	296-9934
34B Sherman, Tim (IR)	477	296-8637
51B Simoneau, Wayne (DFL)	239	296-4331
61B Skoglund, Wes (DFL)	507	296-4330
3B Solberg, Loren (DFL)	227	296-2365
1B Sparby, Wally (DFL)	351	296-9918
53B Stanius, Brad (IR)	329	296-5363
57B Staten, Randolph W (DFL)	289	296-8659
26A Sviggum, Steve (IR)	417	296-2273
13A Thiede, Paul M (IR)	473	296-4333
4A Thorson, Ted (IR)	533	296-5516
40A Tjornhom, Chris (IR)	415	296-5375
67B Tomlinson, John D (DFL)	303	296-4259
37A Tompkins, Eileen (IR)	517	296-5506
1A Tunheim, Jim (DFL)	287	296-9635
15A Uphus, Sylvester (IR)	433	296-5185
9B Valan, Merlyn O (IR)	375	296-6829
54A Valento, Don (IR)	343	296-7153
25A Vanasek, Robert E (DFL)	237	296-4229
64A Vellenga, Kathleen (DFL)	279	296-8799
52A Voss, Gordon (DFL)	255	296-4226
26B Waltman, Bob (IR)	445	296-9236
15B Welle, Alan W (DFL)	247	296-6206
13B Wenzel, Stephen G (DFL)	291	296-4247
63B Wynia, Ann (DFL)	309	296-3824
4B Zaffke, Maurice J (IR)	569	296-2451

\* Offices in the State Office Building

# Table of Contents

## Numerical Lists of Bills (includes Special Session)

Bills the Governor Signed/Vetoed by Chapter Number .....	4
House Files .....	6
Senate Files .....	8

## List by Topic of Bills Both Houses Passed

Agriculture (includes Special Session) .....	10
Banking .....	15
Budget/Taxes (Special Session).....	16
Commerce/Economic Development .....	22
Crime/Corrections .....	25
Drugs/Alcohol .....	29
Education .....	30
Elections .....	31
Employment/Labor .....	32
Energy/Utilities .....	34
Environment/Natural Resources .....	35
Families/Juveniles .....	37
Governmental Operations .....	39
Health/Human Services .....	40
Housing/Real Estate .....	43
Insurance .....	45
Legal/Judiciary (includes Special Session) .....	48
Local Bills—Cities/Towns .....	52
Local Bills—Counties .....	56
Local Bills—Metro .....	58
Miscellaneous .....	59
Pensions/Retirement .....	61
Resolutions .....	62
Taxes .....	63
Transportation .....	65
Veterans/Military .....	68

## Governor

Governor's Unallotment .....	69
------------------------------	----

Index .....	70
-------------	----

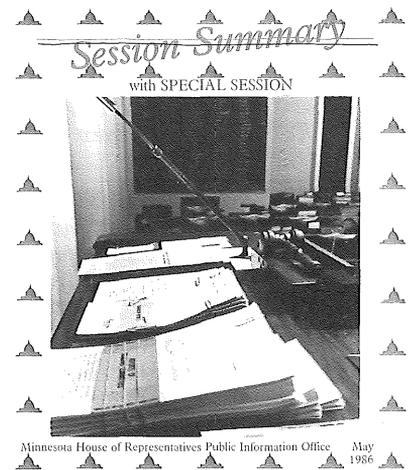
### Key

HF—House File  
 SF—Senate File  
 CH—Chapter in **Session Laws 1986**  
 Rs—Resolution Number

VTD—Bills the Governor Vetoed  
 \*—bill the House and Senate passed

Upon local approval means: effective upon compliance with **Minnesota Statutes**, section 645.021

**Nothing herein is admissible as legal proof of legislative intent.**



**On the cover:** Official paper work on the desk of the Speaker of the House at the front of the House chamber in the State Capitol awaits the start of a session of the Minnesota House of Representatives.

Voting board in the background displays votes as House members work on legislation in the 1986 session.

**Photo by:** Tom Olmscheid.

**Information Officer:** Jean Steiner

**Editor:** Peg Hamerston

**Art and Production Coordinator:**  
 Donna J. Lyons

### Writers:

- Susan Shepard Carlson—Banking, Elections, Housing/Real Estate, Insurance, Legal/Judiciary, Local Bills, Miscellaneous, Resolutions, Taxes, Veterans/Military
- Amy Gage—Appropriations, Employment/Labor, Health/Human Services, Miscellaneous
- Beverly Geber—Crime/Corrections, Drugs/Alcohol, Environment/Natural Resources, Families/Juveniles, Governmental Operations, Local Bills, Miscellaneous
- Barbara Ladd—Appropriations, Education, Energy/Utilities, Local Bills, Miscellaneous, Pensions/Retirement
- Lisa Lissimore—Agriculture, Commerce/Economic Development, Housing/Real Estate, Local Bills, Miscellaneous, Resolutions, Transportation

**Staff Assistants:** Terrie Gimpel,  
 Terri Hudoba, Dorothy Sawyer

**Session Summary** is an information service of the Minnesota House of Representatives—a cooperative effort of House leadership, members and staff, the Chief Clerk's Office, the Index Department, and House Research—all of whom supply and verify information. House Public Information Office staff members collect, write, verify, and coordinate the information to produce **Session Summary**.

# Bills the Governor Signed/Vetoed

CH	HF	SF	TOPIC
0310	0119	0040*	Transportation
0311	1699*	1562	Commerce/Economic Dev.
0312	1819	1574*	Local Bills—Counties
0313	1900	1612*	Insurance
0314	1853	1587*	Local Bills—Cities/Towns
0315	1820	1575*	Local Bills—Counties
0316	1794*	1579	Health/Human Services
0317	1757	1600*	Legal/Judiciary
0318	1727*	1578	Agriculture
0319	2265*	2085	Crime/Corrections
0320	0720	0496*	Miscellaneous
0321	1330	1349*	Insurance
0322	1842	1597*	Agriculture
0323	2168	1851*	Miscellaneous
0324	2064	2069*	Elections
0325	2165	2018*	Environment/Natural Resources
0326	2082	1919*	Health/Human Services
0327	1912	1797*	Local Bills—Cities/Towns
0328	2202	1794*	Local Bills—Counties
0329	1945	1742*	Veterans/Military
0330	0102	0005*	Drugs/Alcohol
0331	2317*	2184	Commerce/Economic Dev.
0332	1454	1319*	Transportation
0333	1801	1701*	Miscellaneous
0334	2032	1886*	Local Bills—Cities/Towns
0335	2079	1939*	Legal/Judiciary
0336	2393	2035*	Veterans/Military
0337	2134	2079*	Health/Human Services
0338	2388	2094*	Legal/Judiciary
0339	0671*	0607	Banking
0340	1800*	1767	Local Bills—Counties
0341	1807*	1760	Local Bills—Counties
0342	1821*	1682	Housing/Real Estate
0343	1897*	1806	Commerce/Economic Dev.
0344	1980*	1853	Miscellaneous
0345	2111*	1994	Local Bills—Cities/Towns
0346	2143*	1989	Energy/Utilities
0347	2236*	2052	Local Bills—Cities/Towns
0348	2418*	2205	Local Bills—Counties
0349	0651*	1395	Health/Human Services
0350	1664*	1547	Energy/Utilities
0351	1730*	1751	Crime/Corrections
0352	1773*	1705	Commerce/Economic Dev.
0353	1806*	1718	Banking
0354	1838*	1834	Agriculture
0355	1871*	1992	Veterans/Military
0356	1926*	1796	Pensions/Retirement
0357	1940*	1860	Local Bills—Counties
0358	1984*	1854	Housing/Real Estate
0359	2035*	2112	Pensions/Retirement
0360	2068*	1922	Local Bills—Cities/Towns
0361	2017*	1862	Crime/Corrections
0362	2023*	2032	Elections
0363	2185*	2137	Governmental Operations
0364	2195*	1998	Local Bills—Cities/Towns

CH	HF	SF	TOPIC
0365	2216*	2252	Local Bills—Counties
0366	2344*	2163	Local Bills—Counties
0367	2351*	2115	Housing/Real Estate
0368	2464*	2223	Local Bills—Cities/Towns
0369	2072	1441*	Health/Human Services
0370	1611	1515*	Local Bills—Counties
0371	1774	1580*	Health/Human Services
0372	1851	1619*	Legal/Judiciary
0373	2233	1642*	Commerce/Economic Dev.
0374	1785	1680*	Local Bills—Counties
0375	1852	1703*	Commerce/Economic Dev.
0376	1956	1823*	Banking
0377	1962	1848*	Legal/Judiciary
0378	2250	1914*	Crime/Corrections
0379	2126	1966*	Local Bills—Cities/Towns
0380	2392	2135*	Families/Juveniles
0381	2423	2245*	Elections
0382	2497	1975*	Legal/Judiciary
0383	0628*	0723	Environment/Natural Resources
0384	2427*	2173	Environment/Natural Resources
0385	0839*	0810	Crime/Corrections
0386	1652	1526*	Environment/Natural Resources
0387	1185*	1473	Commerce/Economic Dev.
0388	1844*	1681	Crime/Corrections
0389	1911*	1948	Taxes
0390	2100*	1792	Employment/Labor
0391	2123*	1968	Local Bills—Cities/Towns
0392	2329*	2150	Local Bills—Counties
0393	2394*	2235	Veterans/Military
0394	0943	0912*	Drugs/Alcohol
0395	1765	1581*	Health/Human Services
0396	1755	1671*	Local Bills—Cities/Towns
0397	1953	1782*	Insurance
0398	1599*	2268	Agriculture
0399	2105	1793*	Local Bills—Cities/Towns
0400	1931	1725*	Local Bills—Cities/Towns
0401	0456	0031*	Crime/Corrections
0402	0324	0125*	Employment/Labor
0403	1091	1193*	Taxes
0404	2391	1721*	Families/Juveniles
0405	2050	1730*	Crime/Corrections
0406	0948	1732*	Families/Juveniles
0407	2200	1745*	Housing/Real Estate
0408	2075	1839*	Elections
0409	2221	1869*	Energy/Utilities
0410	2030	1880*	Veterans/Military
0411	2071	1940*	Governmental Operations
0412	2077	1950*	Taxes
0413	1951	1965*	Health/Human Services
0414	2490	1980*	Families/Juveniles
0415	2131	2067*	Local Bills—Cities/Towns
0416	2292	2090*	Local Bills—Counties
0417	2315	2101*	Local Bills—Cities/Towns
0418	2422	2116*	Elections
0419	2328	2127*	Local Bills—Cities/Towns

CH	HF	SF	TOPIC
0420	2297	2147*	Health/Human Services
0421	2350	2171*	Health/Human Services
0422	2411	2179*	Commerce/Economic Dev.
0423	0450*	0942	Families/Juveniles
0424	1793*	1659	Environment/Natural Resources
0425	1968*	1952	Environment/Natural Resources
0426	1970*	1935	Local Bills—Metro
0427	2051*	1883	Local Bills—Metro
0428	2081*	1969	Health/Human Services
0429	2138*	2015	Environment/Natural Resources
0430	2256*	2081	Legal/Judiciary
0431	2263*	2122	Commerce/Economic Dev.
0432	2466*	2217	Environment/Natural Resources
0433	2405*	1985	Local Bills—Cities/Towns
0434	1459	0164*	Veterans/Military
0435	0851	1014*	Crime/Corrections
0436	1979	1850*	Governmental Operations
0437	2229	1912*	Commerce/Economic Dev.
0438	2078	1930*	Legal/Judiciary
0439	2146	1949*	Environment/Natural Resources
0440	2239	2087*	Legal/Judiciary
0441	2520	2280*	Taxes
0442	1772*	1857	Legal/Judiciary
0443	1782*	1599	Local Bills—Counties
0444	1824*	1752	Legal/Judiciary
0445	1835*	1592	Crime/Corrections
0446	1863*	1770	Crime/Corrections
0447	1919*	1771	Education
0448	2012*	2007	Crime/Corrections
0449	2169*	2023	Environment/Natural Resources
0450	2170*	1925	Environment/Natural Resources
0451	2210*	2040	Local Bills—Cities/Towns
0452	1015	1065*	Transportation
0453	1746	1641*	Transportation
0454	none	1910*	Transportation
0455	2268	2078*	Insurance
0456	2338	2161*	Health/Human Services
0457	2407*	2271	Local Bills—Cities/Towns
0458	0229*	0312	Pensions/Retirement
0459	0418*	0438	Governmental Operations
0460	1860*	1588	Local Bills—Metro
0461	1873*	1903	Employment/Labor
0462	1875*	1710	Local Bills—Metro
0463	1958*	1953	Crime/Corrections
0464	2044*	1946	Governmental Operations
0465	2287*	1847	Taxes
0466	2294*	2130	Employment/Labor
0467	2331*	2026	Miscellaneous
0468	2364*	2144	Transportation
0469	2243	2102*	Families/Juveniles
0470	0654*	0663	Crime/Corrections
0471	1677*	1540	Education
0472	1744*	1798	Education
0473	1886*	1955	Housing/Real Estate
0474	1930*	1818	Transportation

CH	HF	SF	TOPIC
0475	2014*	1838	Elections

### Resolutions

Rs	HF	SF	TOPIC
Rs06	1826*	1716	Resolutions
Rs07	1971*	1829	Resolutions

### Bills the Governor Vetoed

CH	HF	SF	TOPIC
VTD	2037	2114*	Employment/Labor

### *Special Session Listing*

CH	HF	SF	TOPIC
0001	0001*	none	Budget/Taxes
0002	0002*	none	Agriculture
0003	0003	0001*	Legal/Judiciary

# House Files—Numerical Listing

HF	SF	CH	TOPIC
0102	0005*	0330	Drugs/Alcohol
0119	0040*	0310	Transportation
0229*	0312	0458	Pensions/Retirement
0324	0125*	0402	Employment/Labor
0418*	0438	0459	Governmental Operations
0450*	0942	0423	Families/Juveniles
0456	0031*	0401	Crime/Corrections
0628*	0723	0383	Environment/Natural Resources
0651*	1395	0349	Health/Human Services
0654*	0663	0470	Crime/Corrections
0671*	0607	0339	Banking
0720	0496*	0320	Miscellaneous
0839*	0810	0385	Crime/Corrections
0851	1014*	0435	Crime/Corrections
0943	0912*	0394	Drugs/Alcohol
0948	1732*	0406	Families/Juveniles
1015	1065*	0452	Transportation
1091	1193*	0403	Taxes
1185*	1473	0387	Commerce/Economic Dev.
1330	1349*	0321	Insurance
1454	1319*	0332	Transportation
1459	0164*	0434	Veterans/Military
1599*	2268	0398	Agriculture
1611	1515*	0370	Local Bills—Counties
1652	1526*	0386	Environment/Natural Resources
1664*	1547	0350	Energy/Utilities
1677*	1540	0471	Education
1699*	1562	0311	Commerce/Economic Dev.
1727*	1578	0318	Agriculture
1730*	1751	0351	Crime/Corrections
1744*	1798	0472	Education
1746	1641*	0453	Transportation
1755	1671*	0396	Local Bills—Cities/Towns
1757	1600*	0317	Legal/Judiciary
1765	1581*	0395	Health/Human Services
1772*	1857	0442	Legal/Judiciary
1773*	1705	0352	Commerce/Economic Dev.
1774	1580*	0371	Health/Human Services
1782*	1599	0443	Local Bills—Counties
1785	1680*	0374	Local Bills—Counties
1793*	1659	0424	Environment/Natural Resources
1794*	1579	0316	Health/Human Services
1800*	1767	0340	Local Bills—Counties
1801	1701*	0333	Miscellaneous
1806*	1718	0353	Banking
1807*	1760	0341	Local Bills—Counties
1819	1574*	0312	Local Bills—Counties
1820	1575*	0315	Local Bills—Counties
1821*	1682	0342	Housing/Real Estate
1824*	1752	0444	Legal/Judiciary
1826*	1716	Rs06	Resolutions
1835*	1592	0445	Crime/Corrections
1838*	1834	0354	Agriculture
1842	1597*	0322	Agriculture
1844*	1681	0388	Crime/Corrections

HF	SF	CH	TOPIC
1851	1619*	0372	Legal/Judiciary
1852	1703*	0375	Commerce/Economic Dev.
1853	1587*	0314	Local Bills—Cities/Towns
1860*	1588	0460	Local Bills—Metro
1863*	1770	0446	Crime/Corrections
1871*	1992	0355	Veterans/Military
1873*	1903	0461	Employment/Labor
1875*	1710	0462	Local Bills—Metro
1886*	1955	0473	Housing/Real Estate
1897*	1806	0343	Commerce/Economic Dev.
1900	1612*	0313	Insurance
1911*	1948	0389	Taxes
1912	1797*	0327	Local Bills—Cities/Towns
1919*	1771	0447	Education
1926*	1796	0356	Pensions/Retirement
1930*	1818	0474	Transportation
1931	1725*	0400	Local Bills—Cities/Towns
1940*	1860	0357	Local Bills—Counties
1945	1742*	0329	Veterans/Military
1951	1965*	0413	Health/Human Services
1953	1782*	0397	Insurance
1956	1823*	0376	Banking
1958*	1953	0463	Crime/Corrections
1962	1848*	0377	Legal/Judiciary
1968*	1952	0425	Environment/Natural Resources
1970*	1935	0426	Local Bills—Metro
1971*	1829	Rs07	Resolutions
1979	1850*	0436	Governmental Operations
1980*	1853	0344	Miscellaneous
1984*	1854	0358	Housing/Real Estate
2012*	2007	0448	Crime/Corrections
2014*	1838	0475	Elections
2017*	1862	0361	Crime/Corrections
2023*	2032	0362	Elections
2030	1880*	0410	Veterans/Military
2032	1886*	0334	Local Bills—Cities/Towns
2035*	2112	0359	Pensions/Retirement
2037	2114*	VTD	Employment/Labor
2044*	1946	0464	Governmental Operations
2050	1730*	0405	Crime/Corrections
2051*	1883	0427	Local Bills—Metro
2064	2069*	0324	Elections
2068*	1922	0360	Local Bills—Cities/Towns
2071	1940*	0411	Governmental Operations
2072	1441*	0369	Health/Human Services
2075	1839*	0408	Elections
2077	1950*	0412	Taxes
2078	1930*	0438	Legal/Judiciary
2079	1939*	0335	Legal/Judiciary
2081*	1969	0428	Health/Human Services
2082	1919*	0326	Health/Human Services
2100*	1792	0390	Employment/Labor
2105	1793*	0399	Local Bills—Cities/Towns
2111*	1994	0345	Local Bills—Cities/Towns
2123*	1968	0391	Local Bills—Cities/Towns

HF	SF	CH	TOPIC
2126	1966*	0379	Local Bills—Cities/Towns
2131	2067*	0415	Local Bills—Cities/Towns
2134	2079*	0337	Health/Human Services
2138*	2015	0429	Environment/Natural Resources
2143*	1989	0346	Energy/Utilities
2146	1949*	0439	Environment/Natural Resources
2165	2018*	0325	Environment/Natural Resources
2168	1851*	0323	Miscellaneous
2169*	2023	0449	Environment/Natural Resources
2170*	1925	0450	Environment/Natural Resources
2185*	2137	0363	Governmental Operations
2195*	1998	0364	Local Bills—Cities/Towns
2200	1745*	0407	Housing/Real Estate
2202	1794*	0328	Local Bills—Counties
2210*	2040	0451	Local Bills—Cities/Towns
2216*	2252	0365	Local Bills—Counties
2221	1869*	0409	Energy/Utilities
2229	1912*	0437	Commerce/Economic Dev.
2233	1642*	0373	Commerce/Economic Dev.
2236*	2052	0347	Local Bills—Cities/Towns
2239	2087*	0440	Legal/Judiciary
2243	2102*	0469	Families/Juveniles
2250	1914*	0378	Crime/Corrections
2256*	2081	0430	Legal/Judiciary
2263*	2122	0431	Commerce/Economic Dev.
2265*	2085	0319	Crime/Corrections
2268	2078*	0455	Insurance
2287*	1847	0465	Taxes
2292	2090*	0416	Local Bills—Counties
2294*	2130	0466	Employment/Labor
2297	2147*	0420	Health/Human Services
2315	2101*	0417	Local Bills—Cities/Towns
2317*	2184	0331	Commerce/Economic Dev.
2328	2127*	0419	Local Bills—Cities/Towns
2329*	2150	0392	Local Bills—Counties
2331*	2026	0467	Miscellaneous
2338	2161*	0456	Health/Human Services
2344*	2163	0366	Local Bills—Counties
2350	2171*	0421	Health/Human Services
2351*	2115	0367	Housing/Real Estate
2364*	2144	0468	Transportation
2388	2094*	0338	Legal/Judiciary
2391	1721*	0404	Families/Juveniles
2392	2135*	0380	Families/Juveniles
2393	2035*	0336	Veterans/Military
2394*	2235	0393	Veterans/Military
2405*	1985	0433	Local Bills—Cities/Towns
2407*	2271	0457	Local Bills—Cities/Towns
2411	2179*	0422	Commerce/Economic Dev.
2418*	2205	0348	Local Bills—Counties
2422	2116*	0418	Elections
2423	2245*	0381	Elections
2427*	2173	0384	Environment/Natural Resources
2464*	2223	0368	Local Bills—Cities/Towns
2466*	2217	0432	Environment/Natural Resources

HF	SF	CH	TOPIC
2490	1980*	0414	Families/Juveniles
2497	1975*	0382	Legal/Judiciary
2520	2280*	0441	Taxes
none	1910*	0454	Transportation

### *Special Session Listing*

HF	SF	CH	TOPIC
0001*	none	0001	Budget/Taxes
0002*	none	0002	Agriculture
0003	0001*	0003	Legal/Judiciary

# Senate Files—Numerical Listing

SF	HF	CH	TOPIC	SF	HF	CH	TOPIC
0005*	0102	0330	Drugs/Alcohol	1725*	1931	0400	Local Bills—Cities/Towns
0031*	0456	0401	Crime/Corrections	1730*	2050	0405	Crime/Corrections
0040*	0119	0310	Transportation	1732*	0948	0406	Families/Juveniles
0125*	0324	0402	Employment/Labor	1742*	1945	0329	Veterans/Military
0164*	1459	0434	Veterans/Military	1745*	2200	0407	Housing/Real Estate
0312	0229*	0458	Pensions/Retirement	1751	1730*	0351	Crime/Corrections
0438	0418*	0459	Governmental Operations	1752	1824*	0444	Legal/Judiciary
0496*	0720	0320	Miscellaneous	1760	1807*	0341	Local Bills—Counties
0607	0671*	0339	Banking	1767	1800*	0340	Local Bills—Counties
0663	0654*	0470	Crime/Corrections	1770	1863*	0446	Crime/Corrections
0723	0628*	0383	Environment/Natural Resources	1771	1919*	0447	Education
0810	0839*	0385	Crime/Corrections	1782*	1953	0397	Insurance
0912*	0943	0394	Drugs/Alcohol	1792	2100*	0390	Employment/Labor
0942	0450*	0423	Families/Juveniles	1793*	2105	0399	Local Bills—Cities/Towns
1014*	0851	0435	Crime/Corrections	1794*	2202	0328	Local Bills—Counties
1065*	1015	0452	Transportation	1796	1926*	0356	Pensions/Retirement
1193*	1091	0403	Taxes	1797*	1912	0327	Local Bills—Cities/Towns
1319*	1454	0332	Transportation	1798	1744*	0472	Education
1349*	1330	0321	Insurance	1806	1897*	0343	Commerce/Economic Dev.
1395	0651*	0349	Health/Human Services	1818	1930*	0474	Transportation
1441*	2072	0369	Health/Human Services	1823*	1956	0376	Banking
1473	1185*	0387	Commerce/Economic Dev.	1829	1971*	Rs07	Resolutions
1515*	1611	0370	Local Bills—Counties	1834	1838*	0354	Agriculture
1526*	1652	0386	Environment/Natural Resources	1838	2014*	0475	Elections
1540	1677*	0471	Education	1839*	2075	0408	Elections
1547	1664*	0350	Energy/Utilities	1847	2287*	0465	Taxes
1562	1699*	0311	Commerce/Economic Dev.	1848*	1962	0377	Legal/Judiciary
1574*	1819	0312	Local Bills—Counties	1850*	1979	0436	Governmental Operations
1575*	1820	0315	Local Bills—Counties	1851*	2168	0323	Miscellaneous
1578	1727*	0318	Agriculture	1853	1980*	0344	Miscellaneous
1579	1794*	0316	Health/Human Services	1854	1984*	0358	Housing/Real Estate
1580*	1774	0371	Health/Human Services	1857	1772*	0442	Legal/Judiciary
1581*	1765	0395	Health/Human Services	1860	1940*	0357	Local Bills—Counties
1587*	1853	0314	Local Bills—Cities/Towns	1862	2017*	0361	Crime/Corrections
1588	1860*	0460	Local Bills—Metro	1869*	2221	0409	Energy/Utilities
1592	1835*	0445	Crime/Corrections	1880*	2030	0410	Veterans/Military
1597*	1842	0322	Agriculture	1883	2051*	0427	Local Bills—Metro
1599	1782*	0443	Local Bills—Counties	1886*	2032	0334	Local Bills—Cities/Towns
1600*	1757	0317	Legal/Judiciary	1903	1873*	0461	Employment/Labor
1612*	1900	0313	Insurance	1910*	none	0454	Transportation
1619*	1851	0372	Legal/Judiciary	1912*	2229	0437	Commerce/Economic Dev.
1641*	1746	0453	Transportation	1914*	2250	0378	Crime/Corrections
1642*	2233	0373	Commerce/Economic Dev.	1919*	2082	0326	Health/Human Services
1659	1793*	0424	Environment/Natural Resources	1922	2068*	0360	Local Bills—Cities/Towns
1671*	1755	0396	Local Bills—Cities/Towns	1925	2170*	0450	Environment/Natural Resources
1680*	1785	0374	Local Bills—Counties	1930*	2078	0438	Legal/Judiciary
1681	1844*	0388	Crime/Corrections	1935	1970*	0426	Local Bills—Metro
1682	1821*	0342	Housing/Real Estate	1939*	2079	0335	Legal/Judiciary
1701*	1801	0333	Miscellaneous	1940*	2071	0411	Governmental Operations
1703*	1852	0375	Commerce/Economic Dev.	1946	2044*	0464	Governmental Operations
1705	1773*	0352	Commerce/Economic Dev.	1948	1911*	0389	Taxes
1710	1875*	0462	Local Bills—Metro	1949*	2146	0439	Environment/Natural Resources
1716	1826*	Rs06	Resolutions	1950*	2077	0412	Taxes
1718	1806*	0353	Banking	1952	1968*	0425	Environment/Natural Resources
1721*	2391	0404	Families/Juveniles	1953	1958*	0463	Crime/Corrections

SF	HF	CH	TOPIC
1955	1886*	0473	Housing/Real Estate
1965*	1951	0413	Health/Human Services
1966*	2126	0379	Local Bills—Cities/Towns
1968	2123*	0391	Local Bills—Cities/Towns
1969	2081*	0428	Health/Human Services
1975*	2497	0382	Legal/Judiciary
1980*	2490	0414	Families/Juveniles
1985	2405*	0433	Local Bills—Cities/Towns
1989	2143*	0346	Energy/Utilities
1992	1871*	0355	Veterans/Military
1994	2111*	0345	Local Bills—Cities/Towns
1998	2195*	0364	Local Bills—Cities/Towns
2007	2012*	0448	Crime/Corrections
2015	2138*	0429	Environment/Natural Resources
2018*	2165	0325	Environment/Natural Resources
2023	2169*	0449	Environment/Natural Resources
2026	2331*	0467	Miscellaneous
2032	2023*	0362	Elections
2035*	2393	0336	Veterans/Military
2040	2210*	0451	Local Bills—Cities/Towns
2052	2236*	0347	Local Bills—Cities/Towns
2067*	2131	0415	Local Bills—Cities/Towns
2069*	2064	0324	Elections
2078*	2268	0455	Insurance
2079*	2134	0337	Health/Human Services
2081	2256*	0430	Legal/Judiciary
2085	2265*	0319	Crime/Corrections
2087*	2239	0440	Legal/Judiciary
2090*	2292	0416	Local Bills—Counties
2094*	2388	0338	Legal/Judiciary
2101*	2315	0417	Local Bills—Cities/Towns
2102*	2243	0469	Families/Juveniles
2112	2035*	0359	Pensions/Retirement
2114*	2037	VTD	Employment/Labor
2115	2351*	0367	Housing/Real Estate
2116*	2422	0418	Elections
2122	2263*	0431	Commerce/Economic Dev.
2127*	2328	0419	Local Bills—Cities/Towns
2130	2294*	0466	Employment/Labor
2135*	2392	0380	Families/Juveniles
2137	2185*	0363	Governmental Operations
2144	2364*	0468	Transportation
2147*	2297	0420	Health/Human Services
2150	2329*	0392	Local Bills—Counties
2161*	2338	0456	Health/Human Services
2163	2344*	0366	Local Bills—Counties
2171*	2350	0421	Health/Human Services
2173	2427*	0384	Environment/Natural Resources
2179*	2411	0422	Commerce/Economic Dev.
2184	2317*	0331	Commerce/Economic Dev.
2205	2418*	0348	Local Bills—Counties
2217	2466*	0432	Environment/Natural Resources
2223	2464*	0368	Local Bills—Cities/Towns
2235	2394*	0393	Veterans/Military
2245*	2423	0381	Elections

SF	HF	CH	TOPIC
2252	2216*	0365	Local Bills—Counties
2268	1599*	0398	Agriculture
2271	2407*	0457	Local Bills—Cities/Towns
2280*	2520	0441	Taxes

### *Special Session Listing*

SF	HF	CH	TOPIC
0001*	0003	0003	Legal/Judiciary
none	0001*	0001	Budget/Taxes
none	0002*	0002	Agriculture

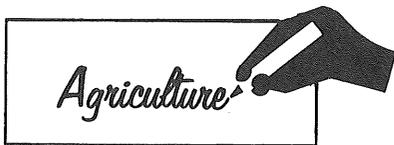
# Bills Alphabetically

*Session Summary* reports all bills that both the House and Senate passed during the 1986 regular Legislative Session and the April 2nd Special Session. The *Summary* also lists chapter numbers as they appear in *Laws of Minnesota 1986*.

All bills, regular and special session, are in alphabetical order by subject under the alphabetical listing of their major topic categories (see table of contents). Subjects are cross-referenced to other topics when appropriate.

Special Session bills are under a colored heading within their major topic categories to make them easy to find. Summaries of the bills are *general overviews*; they do not include all details. Dollar figures above \$1 million are rounded off to the nearest one hundred thousandth; those below \$1 million are exact figures.

If you would like a copy of a bill, call the Chief Clerk's Office, (612) 296-2314, and ask for a copy by chapter number, or by the House or Senate file number, if no chapter number appears.



**Agricultural products buyer registration law—repealed**  
HF1842—Dimler, Schoenfeld, D. Carlson, McDonald, Schafer  
SF1597\*—Berg, Schmitz, Renneke, Wegscheid

#### Chapter 322:

- repeals the agricultural products buyer registration law and allows agricultural product buyers who purchase products in the ordinary course of business to take those products free of any security interests created by the seller.

**Enactment:** March 14, 1986

**Effective:** day after enactment

## Special Session Action

**Bonding program—  
funding for loan defaults**

HF2\*—Valan

No companion

#### Chapter 2:

##### Article 1—

**Farm bonding program**

- establishes a procedure to allow the commissioner of agriculture to make cash payments to qualified sellers who sold property under the Family Farm Security Act in lieu of a tax exclusion they should have received;
- provides that sellers must agree to a three percent write-down on the outstanding loan balance before receiving payment from the commissioner;
- appropriates \$740,000 to the commissioner of agriculture from the general fund for the biennium ending June 30, 1987 to make payments;
- defines "qualified seller" as an individual who sold farmland under a seller-sponsored loan after April 1, 1978 and before June 28, 1985, and is a resident of Minnesota during the calendar year and subject to the payment of Minnesota income taxes;

- creates the state family farm security program bond account in the special revenue fund for proceeds from the sale of land and state bonds;
- authorizes the commissioner of finance to sell up to \$20 million of general obligation bonds to raise funds to pay lenders for loan defaults;
- allows the commissioner of finance to prescribe bond terms and to issue bonds through negotiated sales;
- provides for an additional transfer of funds from the general fund to the state family farm security program bond account on Dec. 1 of each year to pay for bonds and the interest due on them;
- appropriates \$660,000 in FY'86 and \$2.5m in FY'87 to the family farm security account for accrued interest payments and other program expenses;
- authorizes approval of no more than eight new loan guarantees for the biennium ending June 30, 1987;
- appropriates \$830,000 in FY'86 to the general contingent account;
- repeals Article 8 in Laws 1986, Chapter 398 that allowed the commissioner of agriculture to make cash payments to sellers who sold property under the Family Farm Security Act.

**Article 2—Amendments  
to farm relief package**

- amends the definition of agricultural property so that agricultural property does not include personal property that is subject to a possessory lien;
- adds service by certified mail or actual delivery of required documents to the definition of "serve";
- defines "necessary farm operating expenses" to mean a sum or sums adequate to continue farm operations during mediation periods; does not include expenses for increasing the scale of an on-going farming operation or planting additional crops;

- includes in the definition of "necessary living expenses" a sum approximately equal to the amount a family eligible for welfare payments would receive;
- excludes an owner of an agricultural related business from farmer-lender mediation requirements;
- authorizes the commissioner of commerce to exempt financial institutions from farmer-lender mediation requirements without a hearing or contested case proceeding if the institution is subject to a cease and desist order, or the commissioner determines that exemption is essential to the financial survival of the institution;
- allows debtors who haven't received a mediation notice, but are subject to a proceeding of a creditor enforcing a debt, to file for mediation with the director of the University of Minnesota Agricultural Extension Service;
- provides that a creditor is not negotiating in good faith if he/she fails to release funds from the sale of farm products to a debtor for necessary living and farm operating expenses, or fails to designate a representative to participate in the mediation who has authority to make binding commitments within one business day to settle matters;
- requires mediators to file an affidavit with the director of the Agricultural Extension Service and the parties to the mediation if the mediator finds that the debtor and creditor are not negotiating in good faith;
- requires the court to supervise mediation for up to 60 days if a creditor does not negotiate in good faith and the farm debtor requests court supervised mediation;

- requires the state court administrator in consultation with the directors of the Bureau of Mediation Services and the Agricultural Extension Service to make rules for the farmer-lender mediation act;
- requires a state, federal agency, or corporation when leasing or selling real property to offer the land for sale or lease to the former owner only on the first occasion on which the property is up for lease or sale; requires the former owner to exercise the right to lease the land within 10 days or exercise the right to buy land within 60 days; doesn't apply if the former owner is a bankruptcy estate.

**Enactment:** April 11, 1986

**Effective:** day after enactment

#### **Farm relief package**

**HF1599\***—Fjoslien, Munger,

Thorson, Valento, Clark

**SF2268**—Stumpf, Doug Johnson,

Willet, C. Peterson

#### **Chapter 398:**

##### **Article 1—Mediation**

- creates a mediation program for farm debtors and creditors that the director of the University of Minnesota Agricultural Extension Service will administer;
- suspends all proceedings for collection of a debt the debtor has secured with farm property that has a value of more than \$5,000 for a period of 90 days, and in some cases 180 days, unless the creditor enters into mediation with the debtor; provides that the creditor must give a mediation notice to the farm debtor along with a notice of default;
- provides that if a debtor wishes to go through mediation, the debtor must request mediation from the Agricultural Extension Service within 14 days;
- allows creditors to continue with an action to enforce the debt if the debtor does not respond to the mediation notice within 14 days;
- requires the director of the Agricultural Extension Service, within 10 days after receiving a mediation request, to schedule a mediation session, provide the debtor with a credit analyst, and send a list of three mediators to the debtor and creditor; each party may disqualify one potential mediator;

- requires each party to negotiate in good faith and provides that if the debtor does not negotiate in good faith, the creditor may proceed immediately with enforcement proceedings, and if the creditor does not negotiate in good faith, the farm debtor may request court supervised mediation;
- allows the court to order a suspension of the creditor's remedies for 180 days, if the court finds that a creditor has not negotiated in good faith;
- allows either a farm debtor or a creditor to voluntarily request mediation from the Agricultural Extension Service and instructs the director to evaluate each request and direct a mediator to meet with the parties. (See changes to Article 1 in Chapter 2, Special Session)

##### **Article 2—Redemption of agricultural homesteads**

- requires creditors to inform debtors of their right to sell and redeem designated homestead property separately from the rest of the property;
- requires debtors to designate the homestead by legal description and notify the creditor, the sheriff, and the county recorder at least 10 business days before the scheduled sale;
- allows a debtor who has sold farm property and has not received from the creditor a notice of the right to a separate sale and redemption, to petition the court to allow a separate redemption of the homestead;
- requires the court to appoint an appraiser to value the homestead for the purpose of a separate redemption;
- repeals the current statute relating to the separate sale of an agricultural homestead.

### **Article 3—Family Farm Legal Assistance Program**

- creates the Family Farm Legal Assistance Program that the Minnesota Supreme Court will administer;
- authorizes the Supreme Court to contract with non-profit corporations to provide legal assistance to farmers and outlines legal service provider's duties which include serving as legal backup to attorneys representing farmers in credit disputes or providing legal training and/or advice to farmers;
- provides that Minnesota farmers with a debt-to-asset ratio greater than 50 percent, who made less than \$15,000 in the previous taxable year and can't afford legal assistance, and qualifying farmers and small business operators whose loans the Federal Deposit Insurance Corporation (FDIC) currently hold, are eligible for the program;
- requires legal service providers to submit a progress report to the Supreme Court every six months and to submit an annual report to the Legislature and the Supreme Court describing activities, expenses, and the potential need for additional legal representation.

### **Article 4—Interstate Grain Marketing Compact**

- authorizes the state to become party to an interstate grain marketing compact; instructs compact commission members to study current grain marketing practices and procedures and make recommendations for improving grain marketing.

### **Article 5—Asset exemption**

- exempts all of a homestead (instead of just 80 acres) from the limitation on a farmer's assets for purposes of determining eligibility for Aid to Families with Dependent Children (AFDC).

### **Article 6—Minnesota Rural Finance Administration**

- creates the Rural Finance Administration (RFA) to administer a farm debt-restructuring program;
- authorizes the state to sell \$50 million in general obligation bonds and requires bond proceeds to go into a security fund to serve as security for the revenue bonds RFA issues;
- appropriates \$4.5 million for the initial debt service on the general obligation bonds;
- authorizes the RFA to issue revenue bonds to purchase participation interest in farm loans (\$50 million in general obligation bonds will probably leverage up to \$200 million in revenue bonds);
- outlines the RFA duties and powers;
- creates the Rural Economy Adjustment Board consisting of commissioners of agriculture, finance and commerce, the state auditor, and three public members to govern the RFA;
- requires participating lenders, farmers, and the RFA to enter into loan restructuring agreements including an agreement on: length of the new loan which could range from 6 to 10 years, current market value of real property that the restructuring loan will cover, and the dividing line between the primary and secondary principal;
- allows the RFA to purchase up to 25 percent participation interest or \$50,000, whichever is less, of the primary principal and provides that the lender will retain the balance of the note and set aside the secondary principal for the duration of the loan agreement;
- provides that the secondary principal will accrue interest at a below market interest rate and farmers will make no payments on the secondary principal and pay only the interest on the primary principal during the term of the loan;
- requires the RFA and the lender to re-appraise the current market value of the real estate at the end of the loan term and requires:
  - if the appraised value is equal or greater than the original debt, the lender can write a new loan using the property as full security;

-if the appraised value is greater than the original primary principal but less than the original debt, the lender must write-off the difference between the new value and the original debt;

-if the appraised value has slumped further and is now less than the original primary principal both the RFA and the lender must write-off the amount of the reduction;

- allows lenders to begin foreclosure proceedings if a farmer is unable to make interest payments on the primary principal during the term of the loan;
- provides program eligibility for Minnesota farmers who are dependent upon farming for over half of their gross annual income, who have a debt-to-asset ratio of 50 percent or greater, and who show promise of continuing a viable farming operation if the RFA helps them.

### **Article 7—Protection of conservation practices**

- requires county recorders to record permanent conservation practices on installations after April 1, 1986;
- requires certain corporate farm owners of agricultural land to reimburse the state for damage to conservation practices.

### **Article 8—Family farm security interest exclusion**

- establishes a procedure to allow the commissioner of agriculture to make cash payments to qualified sellers who sold property under the Family Farm Security Act in lieu of a tax exclusion they should have received. (Repealed—see Chapter 2, Special Session)

### **Article 9—Veterinarian lien**

- creates a statutory lien for veterinarians who perform emergency services for \$25 or more;
- requires veterinarians to file lien

statements in the appropriate office within 180 days after performing the veterinary services;

- gives veterinarian liens priority over all other liens on the same animals.

#### **Article 10—**

##### **Native American memorial**

- authorizes the Minnesota Historical Society to develop a plan for selecting a design for a Capitol mall memorial to Native Americans.

#### **Article 11—**

##### **Agricultural Data Task Force**

- reactivates the Agricultural Data Collection Task Force until Jan. 15, 1987;
- clarifies the duties of the task force and provides for classification of certain information the task force collects as not public data until the task force votes to release the information.

#### **Article 12—**

##### **Crop rights on foreclosed land**

- provides that actions to recover wrongfully taken property must be tried in the county where the repossession took place, or in the county where the property is located;
- defines planting crop owner as the person with the property right to plant crops;
- makes persons with property rights to harvest crops liable to the planting crop owner for the crop value, if the planting crop owner's property right to harvest crops terminates involuntarily before the crop harvest;
- gives a planting crop owner a lien for the value of the crop, crop products, and in some instances, to the real property where the grower planted the crop;

- allows a person with the right to harvest a crop that is subject to a planting crop owner's lien to satisfy the lien by compensating the planting crop owner for the crop value or allowing the planting crop owner to enter the property to grow and harvest the crops;

- provides that if the person with the property right to harvest the crop allows the crop owner to harvest the crops, the person with the right to harvest the crops has a lien for the fair market rental value of the property where the crop grew; this lien has priority over all other liens on the crop and crop products.

#### **Article 13—Transportation**

- amends the Minnesota base rate schedule tax for class "S" category vehicles from \$1,520 to \$1,595 and for class "T" category vehicles from \$1,620 to \$1,760;
- provides that the rates for vehicles with six or more axles in the "S" and "T" categories of the Minnesota base rate schedule are \$1,520 and \$1,620;
- amends the definition of truck-tractor to include boat trailers not more than 65 feet in length;
- makes changes in width, length, weight, and other specifications and requirements for vehicles that use highways and roads; expands areas where highway weight limitations may increase seasonally; opens state trunk highways to 80,000 pound trucks;
- authorizes the commissioner of transportation to impose load restrictions on market arteries under certain conditions; requires the commissioner to develop a plan to eliminate the need for seasonal load restrictions within the next three years;
- amends the fee schedule for permits for construction equipment, machinery, and supplies to include a category for vehicles with a gross weight of 140,000 to 145,000 pounds. The fee for the annual permit is \$800;
- allows the commissioner of transportation to issue permits for wide loads of baled hay, straw, or cornstalks; exempts farm vehicles not for hire carrying round baled hay less than 20 miles.

#### **Article 14—**

##### **Railroad property first refusal**

- prohibits a railroad that is in bankruptcy proceedings or abandoning a railroad line from selling real property adjacent to its right-of-way, unless it first offers to sell it at fair market value to leaseholders on the property; requires leaseholders to respond to the offer within 60 days; requires the railroad interest to negotiate in good faith for at least 90 days;
- provides that either party may apply to the Transportation Regulation Board to resolve disputes.

#### **Article 15—Landlord lien**

- gives those who lease property for agricultural production the right to file a lien for unpaid rent on the crops produced on the property in the crop year and on the crop products and their proceeds;
- requires landlords to file lien statements with the appropriate office 30 days after the crops become growing crops;
- gives landlord liens priority over all other liens or security interests in crops grown or produced on leased property and crop products and proceeds;
- sets conditions for enforcing and extinguishing landlord liens.

#### **Article 16—**

##### **160-acre homestead declaration**

- expands the definition of homestead to include 160 acres (currently 80 acres).

#### **Article 17—**

##### **Alternative dispute resolution**

- allows non-profit regional alternative dispute resolution corporations to apply to the Supreme Court for grants to provide debtor-creditor alternative dispute resolutions;
- establishes procedures allowing general debtor-creditor mediation.

#### **Article 18—Wild rice land**

- requires the commissioner of natural resources to consult with the commissioner of agriculture before leasing any state-owned lands for wild rice farming;
- requires the commissioner to give priority to land that's accessible and adjacent to existing wild rice production areas and that wild rice producers have asked to lease;
- requires the commissioner to convert leases for less than 20 years to a minimum 20-year lease;
- requires the commissioners of agriculture and natural resources to prepare a state plan for wild rice production.

#### **Article 19—**

##### **Deficiency judgments**

- limits the amount of deficiency judgments to the difference of the fair market value of the property and the amount remaining unpaid on the mortgage;
- suspends deficiency judgments executed on or before the effective date of this act for one year; provides that a deficiency judgment that enforces a mortgage debt on property in agricultural production does not attach to real or personal property the mortgagor acquires after the date of the judgment.

#### **Article 20—**

##### **Right of first refusal**

- requires a state, federal agency, or corporation when leasing or selling farmland to first offer the land for sale or lease to the former owner at a price not higher than the highest third-party offer;
- requires the former owner to exercise the right to lease farmland within 30 days or exercise the right to buy farmland within 90 days. (See changes in Chapter 2, Special Session)

#### **Article 21—Involuntary**

##### **farm transfer income exclusion**

- provides that certain income relating to the disposition of property in a family farm business is not taxable by the state.

#### **Article 22—Farm**

##### **advocate ethical guidelines**

- instructs the commissioner of agriculture to establish ethical guidelines for farm advocates; requires the guidelines to be part of the advocate's contract.

#### **Article 23—**

##### **Farm loan interest buy-down**

- reactivates the interest buy-down program; makes Minnesota farmers who have a debt-to-asset ratio greater than 50 percent, a financially viable farm operation, and who enroll in farm management classes eligible;
- specifies lender qualifications and requires participating lenders to evaluate loan applications from any farmer who has borrowed from the lender for farm-related purposes during the previous three years;
- requires participating lenders to pay one-half of the enrollment and tuition costs of an approved adult farm management program;
- requires lenders to submit each eligible loan application to the commissioner of commerce to get interest rate buy-down payments from the state;
- requires lenders to charge an interest rate no higher than the rate they charge other farmers in similar financial situations; in no case shall the interest rate exceed the commissioner of commerce's interest index;
- allows the commissioner of commerce to adopt guidelines for the program without complying with normal rulemaking procedures, prepare and distribute lender participation forms and loan application forms, establish a listing of approved adult farm management training programs, review applications for buy-down payments within five working days, and make interest buy-down payments to participating lenders;
- requires the commissioner to pay participating lenders 37.5 percent of the contract interest rate for the first \$100,000 of farm operating loans to farmers; provides that the lender contribution is 12.5 percent of the contract interest rate;
- extends the 1985 debt restructuring program in which the state

agrees to pay the interest attributable to the first 60 days of a 120-day period on the first \$25,000 of each loan that a qualified lender submits to the Farmers Home Administration for debt restructuring.

#### **Article 24—Tank safety**

- alters the restrictions for variances for tank trucks that haul gasoline and diesel fuel.

#### **Article 25—**

##### **Priority lien study**

- requires a joint legislative (House and Senate) committee to conduct a priority lien study.

#### **Article 26—Soil**

##### **and water purification test**

- authorizes the Pollution Control Agency to supervise a project to test the controlled injection of oxygen-bearing materials and microbiological systems into sites of water or soil contamination.

#### **Article 27—**

##### **Ditch conservation**

- prohibits road authorities from tilling highway rights-of-way;
- allows mowing, burning, or tilling of a right-of-way to prepare the right-of-way for the establishment of permanent vegetative cover or for prairie vegetation management;
- prohibits plowing the soil or performing any other detrimental operation to the right-of-way except to prepare the land for permanent vegetative cover;
- requires the State Soil and Water Conservation Board to determine the length and area of drainage ditches the law requires to be planted with permanent grass and report to the Legislature by Jan. 15, 1987.

#### **Article 28—**

##### **Agricultural land preservation**

- creates the Minnesota conservation fund to provide reimbursements for counties that assist landowners with agricultural land preservation;

- charges an additional fee of \$3 for recording or registering mortgages;
- provides that one-half of the fee will go into the county conservation account for revenue losses from conservation tax credits, and the other half into the state conservation fund;
- creates a property tax credit of \$1.50 per acre for eligible exclusive agricultural use zones;
- requires the state to reimburse a county for losses in excess of the funds in the county account; state reimbursement is effective June 1, 1987.

#### Article 29—Appropriations

- Legal Assistance Program—\$650,000
- Mediation Program—\$360,000
- Interest Rate Buy-Down Program—\$5m
- Family Farm Advocate Program—\$300,000
- Data Collection Task Force—\$10,500
- Family Farm Security Act additional interest payments—\$740,000 (See change in Chapter 2, Special Session)
- AVTI and University of Minnesota technical colleges tuition supplement—\$1.3m
- Agricultural Extension Service projects—\$1.2m
- Minnesota Rural Finance Administration—\$4.8m
- FINPAC Support—\$72,500
- Agricultural Experiment Station Research projects—\$250,000
- Agricultural Extension Service Retrenchment—\$115,000
- Sweet sorghum research—\$60,000
- Wild rice research—\$40,000
- Farmland capital gain exclusion—\$1m

**Enactment:** March 21, 1986

**Effective:** various dates

\*See Chapter 2, Special Session for further changes to Chapter 398.

#### Milk—definition amended

**HF1838\***—Richter, Waltman

**SF1834**—Bertram, Anderson, DeCramer, Wegscheid

#### Chapter 354:

- amends the current statutory definition of milk and increases the solids-not-fat minimum for milk from 8.25 percent to 8.7 percent or more;
- defines lowfat milk as milk that contains either one or two percent milk fat;
- requires lowfat milk in final package form for beverage to contain at least 10 percent milk solids-not-fat;
- defines skim milk as milk that contains less than .25 percent milk fat;
- requires skim milk in final package form for beverage to contain at least nine percent milk solids-not-fat, for a total of at least 9.25 percent milk solids;
- permits adding milk solids-not-fat from partially skimmed milk, skim milk, concentrated partially skimmed milk, concentrated skim milk, and non-fat dry milk, alone or in any combination, to fluid milk products to meet the above standards;
- cites procedures in the Standard Methods for the Examination of Dairy Products (15th edition) as the authority for determining milk solids-not-fat as the portion of a milk product that is not water and is not fat.

**Enactment:** March 19, 1986

**Effective:** first day of the third month after the governor has issued, and published in the State Register, an executive order certifying that all states where Minnesota-licensed processors sell milk have adopted identical milk standards.

#### Potato industry promotion

**HF1727\***—Richter

**SF1578**—Anderson

#### Chapter 318:

- moves Wadena County from area number one to area number four potato council for purposes of potato industry promotion.

**Enactment:** March 14, 1986

**Effective:** Aug. 1, 1986



#### Credit unions, state banks—IRAs

**HF1806\***—Rees, Ozment, Osthoff

**SF1718**—Petty, Wegscheid

#### Chapter 353:

- grants credit unions (CUs) and state banks the power to offer self-directed Individual Retirement Accounts (IRAs) and Keough accounts;
- allows a CU to act as custodian of these accounts if: CU members make their initial contributions to a share account or share certificate account; subsequent fund transfers to other assets are solely at the direction of the member and CU doesn't give any investment advice; CUs clearly notify members that the National Credit Union Share Insurance Fund (NCUSIF) limits coverage to funds in share or share certificate accounts of NCUSIF-insured CUs;
- allows state banks to act as custodians of these accounts if they: (1) invest customer funds only in the bank's own savings or time deposits or, (2) invest in other assets at the direction of the customer if the bank doesn't exercise investment discretion, invest the funds in collective investment funds the bank administers, or provide investment advice;
- removes Energy and Economic Development Authority loans from a bank's lending limitations.

**Enactment:** March 19, 1986

**Effective:** day after enactment

**Hendrum—  
detached banking facility**

- (See Local Bills—Cities/Towns)

**Interstate acquisition  
of banks—reciprocity**

**HF671\***—Knickerbocker,  
Blatz, Norton, Voss  
**SF607**—Petty, Luther,  
Solon, Storm, Freeman

**Chapter 339:**

- permits interstate banking on a reciprocal basis with Iowa, North and South Dakota, and Wisconsin;
- allows a reciprocating state bank holding company to acquire an interest in one or more existing banks in Minnesota by filing an application and \$5,000 fee with the commissioner of commerce;
- requires the commissioner to disapprove on acquisition if it would fail to bring net new funds to Minnesota, or result in an undue concentration of resources, or substantially lessen competition;
- permits a reciprocating state bank holding company to organize and operate no more than one new bank in Minnesota;
- gives the commissioner the power to order a reciprocating state bank holding company to divest itself of any ownership or control of Minnesota banks if it fails to comply with the law's requirements;

- requires Minnesota banks of a reciprocating state bank holding company to annually disclose to the commissioner of commerce all non-real estate commercial and farm lending loans;
- requires a reciprocating state bank holding company to publish notice of the proposed acquisition and the commissioner to accept public comment on it;
- sets a preference system favoring buyers from Minnesota over neighboring states when a bank sale is necessary to prevent the bank's probable failure;
- requires Minnesota banks of a reciprocating state bank holding company to provide a level of developmental loans, i.e., loans for: low and moderate income housing, community development corporations, women- and/or minority-owned businesses, student education, alternative energy or energy conservation, distressed areas, business and real estate on Indian reservations.

**Enactment:** March 19, 1986

**Effective:** various dates

**Real estate, mortgage  
loans, securities—regulation**

- (See Housing/Real Estate)

**Savings associations—  
open end loan accounts**

**HF1956**—Boo, Wynia, Osthoff  
**SF1823\***— R. Peterson

**Chapter 376:**

- broadens the list of financial institutions that may offer open end loan account arrangements (loans by cash advances, credit card or overdraft checking plans) to include savings associations;
- provides for a maximum allowable annual interest rate of 18 percent for all financial institutions on all open end loan account arrangements;
- increases the maximum allowable annual fee from \$15 to \$50;
- repeals current law which requires a bank and a savings bank offering a credit card at an annual rate of 18 percent to also make available a credit card at an annual rate of 12 percent plus a charge of up to \$15 per year.

**Enactment:** March 19, 1986

**Effective:** day after enactment



*Special Session Action*

**Budget/Taxes Omnibus Bill**

**HF1\***—Schreiber

**No companion**

**Chapter: 1**

- provides \$162.9 million in savings to the general fund to help balance a \$734.2 million budgetary shortfall. (See page 69 for a summary of the total savings to the general fund.)

**Article 1—Income Tax Update**

- updates the references in the state income tax laws to the new federal imputed interest rules. (Imputed interest rules specify the minimum interest rates that a seller must charge a buyer on installment sales of real property. If the seller doesn't charge the minimum, the Internal Revenue Service (IRS) recomputes the seller's interest income and the buyer's interest deduction using the specified rate.) Federal changes to the imputed interest rule include:
  - lowering the imputed interest rate from 110 to 100 percent of the rate on U.S. obligations with comparable maturities and providing that for transactions worth less than \$2.8 million the minimum rate can't exceed nine percent compounded semi-annually;
  - reducing the imputed interest rate from seven to six percent on land sales between family members where the sale is less than \$500,000;

- updates the references in the state income tax laws to the new federal depreciation rule which extends the Accelerated Cost Recovery System (ACRS) depreciation schedule for real estate from 18 to 19 years for property placed in service after May 8, 1985;
- becomes effective at the same time the federal rules become effective.

#### **Article 2—Administrative**

- provides that the basis of property for purposes of depreciation and determining gain or loss is the property's basis for federal income tax purposes effective retroactively for depreciation claimed beginning in tax year 1981;
- exempts non-resident entertainers from Minnesota income taxation if they are residents of either (a) a state that does not impose an income tax, or (b) a state that exempts Minnesota entertainers from its income tax (applies only to entertainers who are salaried employees of an out-of-state corporation); effective for taxable years after Dec. 31, 1985;
- requires a recipient corporation which owns 80 percent or more of the payor corporation's stock to allocate the additional 15 percent dividend deduction based on a proportion of the payor corporation's Minnesota income to its total income (85 percent of the dividends will remain as a deduction); effective for taxable years after June 30, 1985;
- clarifies that all adjustments in computing the net income for Minnesota corporate income tax also apply to investment companies; effective for taxable years after Dec. 31, 1985;

- provides that for those taxpayers filing federal audit report changes after the current 90-day deadline, the commissioner of revenue has an additional year from their filing date to make adjustments without regard to the regular statute of limitations. (Former law gave the commissioner six years to make the adjustments for taxpayers filing after the deadline.)

#### **Article 3—Technical**

- makes technical corrections to the state's income tax laws relating to personal and child care credits, understatements of tax liability, statute of limitations for filing certain carrybacks, indexing for the standard deduction, alternative minimum tax and the minimum tax, Minnesota's tax treatment of foreign sales corporations, a corporation's gain or loss when it receives money in exchange for its own stock, the withholding tables, and property tax refunds of recipients of welfare in nursing homes;
- adopts the federal rules for computation of the underpayment of estimated tax for individuals. The federal rules assess the penalty for underpayment against the amount the individual should have paid under the safe harbor rules, if they apply, rather than the regular estimated tax amount; effective for taxable years after Dec. 31, 1984.

#### **Article 4—Property Tax**

- allows the commissioner to distribute aids for police or fire pension funds directly to the local governmental units beginning for tax aids payable in 1986;
- provides that certain owner-occupied resort properties are subject to provisions requiring utilities to acquire a fee interest in property that certain high voltage utility lines cross; effective for taxes levied in 1986 and subsequent years;
- provides that effective with the 1986 assessment, the State Board of Equalization will use a sales ratio study based upon a 12-month sale period;
- permits a county to contract for the assessment of property with a city or town even if that city or town lies only partially within the county; effective for taxes levied in 1986 and subsequent years;

- requires the commissioner to make homestead credit payments to taxing districts in two equal installments, one-half by July 15 and one-half by Dec. 15, instead of the six annual installments, effective July 15, 1986 for taxes levied in 1986 and subsequent years;
- reinstates the 28 percent classification ratio for manufactured homes not falling into other classifications; effective for taxes levied in 1986 and subsequent years;
- allows the recognition of dwelling units that low income individuals lease in determining the percentage of units necessary to receive a preferential assessment classification for property a neighborhood real estate trust owns; effective for taxes levied in 1986 and subsequent years;
- requires the commissioner of revenue to make supplementary homestead credit payments to counties by May 15 and Oct. 15 annually; and requires county treasurers to distribute the funds as part of the May and October property tax settlements; effective for taxes levied in 1986 and subsequent years;
- provides that certain owner-occupied resort properties qualify for the powerline credit; effective for taxes levied in 1986 and subsequent years;
- clarifies that provisions for the assessment and payment of taxes on certain mobile homes apply only to mobile homes assessed as personal property; effective for taxes levied in 1986 and subsequent years;
- clarifies assessment of manufactured homes on leased real estate as personal property; effective for taxes levied in 1986 and subsequent years;

- provides for a new year-end settlement in January and specifies the various tax distributions that the treasurer needs to make in advances to the taxing districts; effective for taxes paid in 1986 and subsequent years;
- modifies the dates when property owners need to make tax payments for tax petitions on agricultural property; effective for taxes paid in 1986 and subsequent years;
- gives owners of farm houses and land until Nov. 15 (formerly Oct. 15) to pay their second half property taxes without penalty; provides that the penalty for not paying by Nov. 15 will be the same as for property not qualifying for the 30-day extension; effective for taxes payable in 1986 and subsequent years;
- requires the crediting of proceeds of the mortgage registration and deed tax revenues to the county welfare fund; effective July 1, 1986;
- requires the licensure of Minnesota-based registered motor vehicles under the Fuel Tax Compact in Minnesota; effective July 1, 1986;
- prohibits the expenditure of certain taconite production tax distributions to the Iron Range Resources and Rehabilitation Board outside the taconite tax relief area; effective day after enactment;
- directs the Department of Revenue to study alternative methods of calculating the sales/assessment ratio in communities where few sales occur and to report the findings by Jan. 15, 1987;
- requires Clearwater County to hold a levy referendum prior to Oct. 1 of the year when the county proposes to levy the tax; effective day after enactment.

#### **Article 5—**

##### **Budget reserve and cash flow**

- requires the commissioner of finance to restrict part of the general fund balance as the budget and cash flow reserve account but removes specific dollar amounts;
- modifies the list of state aids and credits property tax shifts reduced; adds the following new aid categories: interdistrict cooperation aid; summer program aid; early childhood family education aid; state school agricultural tax credit aid; teacher retirement, and FICA aid;
- changes the schedule of payment for school aids: April 15 payment, from 74 to 73 percent; April 30 payment from 85 to 79 percent; May 15 payment from 92 to 82 percent; May 30 payment from 100 to 90 percent; sets a June 20 deadline for 100 percent payment;
- allows the commissioner to revise metered payment dates and percentages for a school district in an emergency or if the district has serious cash flow problems;
- specifies the use of any unobligated state general funds; the first \$100 million projected to exist at the end of the 1986-87 biennium will go into the budget and cash flow reserve account. Half of any excess over \$100 million will restore the higher education budget reductions. The remaining half and any excess goes into the budget and cash flow reserve account until it reaches \$450 million. Use of any remaining balance will be according to the following priority: pay occupation tax refunds, reduce the school portion of district property taxes from 24 percent to zero, and increase school aids payments from 85 percent up to 90 percent;
- allows for temporary modification of the aid payment schedule for school districts if the state needs to do so to avoid short-term borrowing;
- prohibits allotment reductions for school aids, local government aids, property tax credits, or property tax relief payments until after Aug. 15, 1986; also prohibits reducing these allotments until after reduction of \$85 million from other appropriations;

- allows the commissioner of finance to delay state aid payments to all local governments, except school districts, to avoid short-term borrowing.

#### **Article 6—**

##### **Local Government Aid**

- imposes a 5.8 percent limitation on each city's local governmental aid (LGA) increase over the 1986 amount; the limitation is four percent for cities that receive over \$200 per capita;
- changes the definition of the local effort mill rate to the fiscal need factor per capita divided by \$17 per capita per mill for the first \$350 per capita, and \$15 per capita per mill for the excess;
- provides that counties will receive a 1987 aid amount equal to 104 percent of the 1986 aid they received; provides that counties which have a city of the first class will receive an amount equal to their population times the 1987 average county per capita increase over the 1986 average per capita for counties;
- provides that towns will receive a 1987 aid amount equal to 104 percent of their 1986 aid;
- appropriates \$297.4 million for calendar year 1987 local government aids (a four percent increase over the 1986 appropriation);
- changes the local government aid payment schedule from six monthly payments, July through December, to two payments on July 15 and Dec. 15; effective July 1, 1986.

#### **Article 7—Compliance**

- requires domestic mutual insurance companies to make three payments of estimated tax on April 15, June 15, and Dec. 15, rather than the current quarterly payments; effective for taxes on premiums paid after Dec. 31, 1986;

- provides that an applicant for an insurance or real estate agent's license who reapplies after losing his/her license under the tax clearance provisions need not take another examination; effective day after enactment;
  - requires the following professional license holders who have a tax liability of \$500 or more to obtain a tax clearance certificate from the commissioner prior to issuance or renewal of their licenses: insurance agents; real estate agents; physicians, surgeons and osteopaths; chiropractors, dentists, and certified public accountants; effective day after enactment;
  - provides that taxes are not delinquent if the taxpayer is contesting the obligation to pay the tax administratively or in court, if the appeal period has not expired, or if the taxpayer has made a payment agreement with the department; effective day after enactment;
  - requires fire insurance companies to pay their gross premiums surcharge in three payments on April 15, June 15, and Nov. 15; effective for taxes on premiums paid after Dec. 31, 1986;
  - permits the commissioner to contract with collection agencies to collect delinquent taxes from Minnesota residents (current law limits the use of collection agencies to out-of-state residents); effective July 1, 1986;
  - exempts state tax liens from the filing fee; requires that the taxpayer or owner of the property pay the fee upon filing of the lien release; increases the filing fee from \$10 to \$15 per lien; effective July 1, 1986;
  - authorizes the department to file tax liens against homestead property; effective July 1, 1986;
  - authorizes the department to renew the tax liens for an additional 10 years; effective July 1, 1986;
  - prohibits foreclosure of a tax lien against homestead property; effective July 1, 1986;
  - amends the business license clearance provision by clarifying that the tax clearance for license applications and renewals also applies to transfers of licenses; decreases the amount of tax delinquency requiring a clearance certificate from \$1,000 to \$500; repeals the current sunset date, Dec. 1, 1986; effective July 1, 1986;
  - expands the definition of applicant for a license to include officers of a corporate licensee or members of a partnership who are liable for the delinquent taxes; effective July 1, 1986;
  - extends the right to a contested case hearing for tax clearance disputes to applicants for licenses; effective July 1, 1986;
  - equalizes the interest rate for refunds to that for delinquent payments; effective for interest earned after Dec. 31, 1987;
  - requires social security or tax identification number reporting on property tax homestead applications beginning with the Jan. 2, 1987 assessment; provides that failure to provide the numbers will result in classification of the property as non-homestead;
  - requires counties to provide the commissioner with the numbers and applicants improperly claiming more than one homestead; violators must repay the homestead benefits plus a 25 percent penalty;
  - imposes a penalty for failure to file an income tax return where a refund is due within 60 days of the time of filing; provides for a penalty of 10 percent of the refund with an additional 5 percent for each 30 day period (or part of) beginning 90 days after the filing date; provides that the penalty cannot exceed 25 percent of the refund; effective for taxable years after Dec. 31, 1985;
  - increases the additional penalty state law imposes if the commissioner demands payment for returns where additional tax is due; extends the penalty to returns due a refund; increases the penalty to the lesser of (1) the amount of the refund or additional tax due, or (2) \$100 (now \$50); effective for taxable years after Dec. 31, 1985;
  - allows the department to notify the Minnesota Supreme Court and the Board of Professional Responsibility of uncontested income tax delinquencies or of the failure to file returns by licensed attorneys; effective day after enactment;
  - changes the payment dates for cigarette and tobacco taxes from the 18th to the 25th of the month; effective June 1, 1986;
  - requires that cigarette and tobacco distributors and liquor manufacturers or wholesalers having tax liabilities of \$1,500 or more in May of each year pay one-half of their estimated June liability in addition to their May liability in June of each year; provides for the payment of the remainder of the June liability in August; becomes effective in 1987;
  - imposes a posting procedure which will identify those liquor retailers who are at least 30 days delinquent in filing a sales tax return or paying the sales tax; allows a retailer to cure the delinquency; prohibits wholesalers, manufacturers, or brewers from selling or delivering any product to those on the posted list beginning three business days after the posting; effective Aug. 1, 1986;
  - changes the payment dates for the excise tax on wine, distilled spirits, and malt liquor to the 25th of the month; effective June 1, 1986;
  - appropriates \$300,000 in fiscal year 1986 and \$2.9 million in fiscal year 1987 for the compliance initiatives program.
- Article 8—Miscellaneous**
- creates an ethanol development fund to enhance the market for Minnesota agricultural products; provides annual payments to each ethanol producer of 15 cents per gallon for 1987 and 20 cents per gallon

for 1988 through 1992, and 11 cents per gallon for agricultural grade alcohol of 50 to 90 percent purity used with diesel fuel; effective July 1, 1986;

- limits the total payments to a producer in any year to \$3 million;
- appropriates \$200,000 for 1987 and \$10 million per year for 1988 through 1992;

- requires computer systems for the food stamp, income maintenance, child support enforcement, medical assistance, and general assistance medical care programs; effective Aug. 1, 1986;

- amends eligibility criteria for the medical assistance program; allows recipients to accrue interest on assets until the time of eligibility re-determination; requires recipients to reduce the assets to the maximum allowable value at that time; effective Aug. 1, 1986;

- prohibits disregard of increases in income due solely to increases in federal retiree, survivor's, and disability insurance benefits, veterans administration benefits, and railroad retirement benefits; allows disregard of increases in social security benefits;

- requires that, if the commissioner agrees to collect a locally imposed tax, the local government must agree to deduct the state's collection costs from the amounts collected and appropriate that amount to the commissioner; effective Aug. 1, 1986;

- modifies the low income debtor exemption from the Revenue Recapture Act (the law provides an offset against state income and property tax refunds for debts taxpayers owe state and local governments); provides that a low income debtor of medical care payments who would have qualified for the low income credit under the 1984 law will continue to be exempt from the Revenue Recapture Act; effective for medical care rendered after June 28, 1985;

- authorizes Aurora, Hoyt Lakes, Babbitt, Silver Bay, and Hibbing enterprise zone to amend its boundaries to include the town of White; effective Aug. 1, 1986;

- reduces the ethanol credit against the motor fuels tax from 40 cents to 25 cents on July 1, 1986 and 20 cents on July 1, 1987;

- provides that \$106.3 million will stay in the general fund rather than go to the motor vehicle excise tax fund for fiscal years 1986 and 1987;

- imposes a one cent per bottle tax on distilled spirits and wine; effective Aug. 1, 1985;

- allows the state auditor to audit the Duluth and St. Paul Port Authorities at the cities' request or upon the auditor's initiative, effective day after enactment; requires the authority to pay cost of audit and requires the port authorities to hire a CPA annually to perform an audit;

- appropriates \$120,000 to the department to acquire enhanced income tax sample and software sample during 1986 and 1987; effective June 30, 1986;

- appropriates \$12.2 million in 1986, and \$9.3 million in 1987 to the commissioner of transportation for transit assistance;

- repeals the law that automatically suspends income tax indexing in the event of a budget shortfall. (Indexing adjusts income tax brackets, credits, and standard deductions for inflation.)

#### **Article 9—Elementary & Secondary Education**

**Total revenue increase:** \$286,100

**Total revenue reduction:** \$10.7m

**Budget increase, FY'87**

**Technology services:**  
\$286,100

**Budget reductions,  
FY'87 (unless noted):**

**Summer School Aid:**  
\$4.2m

**Transportation Aid:**  
\$1.9m

**Transition Services Office:**  
\$8,000

**Early Childhood Assistance:**  
\$3,500

**Arts Planning Programs:**  
\$10,000

**Arts School and Resource Center:**  
\$133,000

**Gifted Study, FY'86:**  
\$1,700

**Secondary Vocational Aid:**  
\$1.5m

**Venture Fund Grants:**  
\$100,000

**Secondary Vocational Student Organizations:**  
\$6,000

**Educational Effectiveness:**  
\$90,700

**Academic Excellence Foundation:**  
\$8,600

**Management Assistance to School Districts:**  
\$5,000

**Assessment Items Bank:**  
\$30,000

**P.E.R. Assistance:**  
\$12,000

**Courseware Subsidy:**  
\$351,000

**Mastery Learning Program:**  
\$72,500

**School Management Assessment Center:**  
\$2,600

**Programs of Excellence:**  
\$2,500

**Industrial Technology Program, FY'86:** \$1,500

**Teacher Examinations:**  
\$9,000

**Teacher Education Programs:**  
\$15,000

**Summer Program Scholarships, FY'86:** \$25,000

**Library Basic Support Grants:**  
\$498,500

**Library Multi-County, Multi-Type Grants:**  
\$20,900

**Teacher Retirement, FICA Aid:**  
\$2.6m

- increases the capital expenditure aid allowance and combines basic and special purpose capital expenditure aids. The new formula is \$130 per pupil unit minus nine mills;
- sets the levy and aid formula for community education in FY'88 and thereafter at \$5.50 per capita with a minimum guarantee of \$7,340 per district;
- sets the foundation aid formula allowance at \$1,700 for the 1987-88 school year;
- sets the basic maintenance mill rate dollar amount at \$692 million for 1987-88 school year levies;
- sets the operating debt and capital expenditure levies;
- exempts school bus driver endorsements from statutes that prohibit disqualification from public employment or other licensed occupations due to prior convictions;
- decreases the state's share of 1986 summer school aid; bases aid upon an equalizing factor of 60 percent instead of 100 percent; requires a levy adjustment in 1986, payable in 1987;
- allows Cold Spring Independent School District 750 to increase its debt service levy for the next two years and decrease the levy for the subsequent three years to provide an even levy amount over the five-year period;
- authorizes Mahtomedi Independent School District 832 to set an additional levy of up to \$250,000 in 1986 to renovate a school; additional levy is subject to a reverse referendum (allows voters to petition for referendum after governmental subdivision begins the levy process);
- authorizes Moose Lake Independent School District 97 to make levies up to \$75,000 in 1986 and up to \$70,000 in 1987 for capital outlay purposes; authority is subject to a reverse referendum;
- effective day after enactment except for capital expenditure aid sections, which become effective June 30, 1987.

#### **Article 10—Higher Education**

**Total revenue increase:** \$50,000

**Total revenue reduction:** \$35.9m

#### **Budget reductions:**

**Department of Education:**

\$2.4m

**Higher Education Coordinating Board (HECB):**

\$3.0m

**Area Vocational Technical Institutes (AVTIs):**

\$6.0m

**Community Colleges:**

\$2.8m

**State Universities:**

\$5.7m

**University of Minnesota:**

\$15.7m

**Mayo Medical Foundation:**

\$50,500

#### **Budget increase:**

- \$50,000 for a feasibility study for a new community college on the Fond du Lac Reservation; requires a task force report by Feb. 1, 1987;
- authorizes the State University Board, the Community College Board, the Vocational Technical Education Board and the HECB to set expense allowances for their respective chancellors, presidents, and directors;
- allows exchange with the state of certain land parcels in St. Louis County and Bloomington;
- permits the HECB to spend up to \$500,000 of any unobligated agency funds on supplemental scholarships, grants and work study for students in economically depressed areas;
- effective day after enactment.

#### **Community Emergency**

##### **Response Hazardous**

##### **Substances Protection Act**

- requires the commissioner of public safety to:
  - adopt rules no later than July 1, 1987 that establish the hazardous substance notification report form and provide forms to local fire departments;
  - appoint a hazardous substance notification advisory committee and report to the Legislature on the effectiveness of the act;
  - requires the commissioner to investigate suspected violations at the request of a local fire department;

- requires employers who receive a hazardous substance notification report to submit a report to the fire department within two months or allow the fire department to inspect the premises;
- describes the information contained in the hazardous substance notification report and describes how an employer must respond to a fire department request for more information;
- describes the duties of local fire departments for administering the act;
- requires fire departments to create security procedures to prevent unauthorized use or disclosure of non-public data but exempts departments from liability if an emergency requires release of the data for medical reasons or to protect persons from imminent danger;
- provides procedures for protecting or revealing classified information that may affect hazardous waste emergencies;
- creates an 11-member hazardous substance notification advisory committee with members from fire chiefs, professional and volunteer firefighters, fire marshals, law enforcement personnel, emergency medical personnel, business and industry professionals, and health professionals with toxicology training;
- provides for the following penalties and fines:
  - an employer who commits a violation of the act that is not serious, may be fined up to \$1,000;
  - an employer who commits a violation of the act that is judged serious must be fined up to \$1,000;
  - an employer who knowingly makes a false statement in a required document is guilty of a gross misdemeanor;
  - provides that employers can't be convicted under this section unless officials notified the employer in writing of the violation and gave the employer a reasonable amount of time to comply;

- allocates \$15,000 from the State Board of Vocational Technical Education for the fiscal year ending June 30, 1987 to administer the above provisions;
- requires the State Board of Vocational Technical Education to provide courses on hazardous substances and to provide tuition subsidies to fire service personnel who successfully complete the training;
- effective day after enactment;
- authorizes the Mankato State University Foundation to construct a building and donate or lease it to the campus with the State University Board's approval; requires legislative approval of the board's plan before implementation; effective day after enactment;
- requests the Legislative Audit Commission to evaluate Department of Education activities and programs; requires a report to the Legislature by Jan. 15, 1987; effective day after enactment.

#### **Article 11—Environment**

- states the Legislature's intention to decentralize the Department of Natural Resources (DNR);
- requires the DNR to transfer half of the positions (at least 20) that are vacant on March 1, 1986 to the field by May 1, 1986;
- appropriates up to \$200,000 to the Legislative Commission on Minnesota Resources to conduct a study of the management and organization of the DNR and submit it the Legislature by Jan. 15, 1987;
- effective day after enactment.

**Enactment:** April 9, 1986

**Effective:** see individual articles



#### **Advertising on phone booths/ St. Cloud Hwy. 15 right-of-way**

**HF1185\***—Jacobs

**SF1473**—Jude

#### **Chapter 387:**

- allows local governments to authorize advertising on outdoor telephone booths; must meet requirements for obtaining permits from various appropriate road authorities;
- prohibits the commissioner of transportation from selling any department property that adjoins or lies within the Trunk Highway 15 right-of-way in St. Cloud until less than two years before the date the commissioner establishes for letting bids for improvements of the Trunk Highway 15 Mississippi River bridge crossing.

**Enactment:** March 21, 1986

**Effective:** Aug. 1, 1986

#### **Budget/Taxes Omnibus Bill**

- (See Budget/Taxes, Article 7)

#### **Campground, manufactured home park operators—food licenses**

**HF1699\***—Zaffke, Thorson,

Thiede, Ogren, Peterson

**SF1562**—Wegscheid, Stumpf

#### **Chapter 311:**

- allows campground and manufactured home park operators who serve food at more than one location on the premises to get only one license for food service facilities (restaurants and places of refreshment) instead of a license for each facility.

**Enactment:** Feb. 24, 1986

**Effective:** Aug. 1, 1986

#### **City economic development authority**

- (See Local Bills—Cities/Towns)

#### **Clay County, Moorhead—development authorities**

- (See Local Bills—Counties)

#### **Corporate takeover law—changes**

**HF2263\***—Heap, Bennett, Simoneau

**SF2122**—Luther

#### **Chapter 431:**

- removes provision that prohibits

soliciting a proxy less than 30 days before a shareholders' meeting;

- requires shareholders to meet no later than 20 business days (currently 55 days) after receiving an information statement by someone trying to acquire controlling shares, and requires meeting notices to go to shareholders at least 10 days (currently 25 days) prior to the special shareholders meeting;

- provides for judicial intervention and requires courts to consider lesser relief (i.e., equitable relief, a buy-out, or partial liquidation) before ordering a dissolution of a corporation.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1987

#### **Corporations—foreign corporation agents**

**HF2317\***—Zaffke, Schafer,

Kalis, Thiede, Begich

**SF2184**—Anderson, Sieloff,

Jude, Lantry

#### **Chapter 331:**

- provides that a registered agent of a foreign corporation may resign by filing a signed written notice of resignation with the secretary of state; requires the agent to include a statement that a signed copy of the notice has been given or mailed to the corporation at its principal office in the state or country where it is organized;
- terminates the appointment of the agent 30 days after the filing of notice with the secretary of state.

**Enactment:** March 17, 1986

**Effective:** Aug. 1, 1986

#### **Insurance—**

#### **miscellaneous changes**

- (See Insurance)

**Lemon law—extended to leased vehicles; farm tractors**

**HF2411**—Thorson, Bennett, Sarna, Sparby, Bishop  
**SF2179\***—Dahl

**Chapter 422:**

**Article 1—Lemon law extended to leased vehicles**

- extends the Minnesota auto warranty law (lemon law) to owners of leased vehicles;
- requires manufacturers or their authorized dealers to repair leased vehicles that don't meet express warranties, if the consumer reports the defect within one year of delivery or within the warranty period, whichever is less;
- requires manufacturers or their authorized dealers to replace a leased vehicle with a comparable one or refund the full lease cost of the vehicle or the total amount the consumer actually paid under the vehicle lease if, after a reasonable number of attempts, they fail to repair the defect that substantially impairs the leased vehicle's use or market value;
- provides that if a consumer traded a used vehicle for a new or leased vehicle, the refund must include the amount the dealer stated as the trade-in value of a consumer's used motor vehicle, plus any additional amount the consumer paid for the new motor vehicle; requires that refunds for a leased vehicle must include the total amount the consumer actually paid under the vehicle lease, less any finance charges the consumer paid;
- requires manufacturers or their authorized dealers to reimburse consumers for any towing and rental vehicle expenses resulting from a new or leased vehicle being out of service for warranty repairs;

- provides that Article 1 does not prohibit motor vehicle lessors from recovering early termination costs or savings they made or received;
- requires informal dispute settlement procedures to comply with both federal and state regulations;
- provides that if an informal dispute settlement program complies with federal regulations, but not state regulations, consumers do not have to go through the settlement procedure prior to court action;
- prohibits manufacturers or their authorized dealers from re-leasing a vehicle that a consumer has returned because it failed to meet express warranties, unless the manufacturer offers the same express warranty it provided to the original purchaser, and the manufacturer gives the consumer a written statement that return of the vehicle to the manufacturer was because it did not meet express warranties.

**Article 2—Farm equipment warranty compliance**

- defines a farm tractor as any self-propelled vehicle that the manufacturers designed primarily for pulling or propelling agricultural machinery and implements and that consumers use principally in the occupation or business of farming, including a self-propelled implement of husbandry as defined in state law;
- requires manufacturers to give consumers, upon purchase of a farm tractor, a written notification of their rights to replacement or refund;
- requires manufacturers or their authorized dealers to repair farm tractors that don't meet express warranties, if the consumer reports the defect within one year of delivery or within the warranty period, whichever is less; limits this section of the law to warranties on the engine and power train in a self-propelled vehicle;
- requires a manufacturer, through its authorized dealer who sold the farm tractor, to replace the vehicle with a comparable one or refund the vehicle's purchase price less depreciation if, after a reasonable number of attempts (four or more repair attempts or the farm tractor is out for repair purposes 60 or more business

- days), they fail to repair the defects that substantially impair the farm tractor's use or market value;
- provides that if a manufacturer has a federal- and state- approved alternative dispute settlement program, the consumer must use this procedure before suing under the law to obtain replacement or refund;
- prescribes informal dispute settlement procedures and provides that if an informal settlement dispute program complies with federal regulations, but not state regulations, consumers do not have to go through settlement procedures prior to court action;
- provides affirmative defense for manufacturers if the farm tractor has been neglected, abused, or non-conformity doesn't affect its use or market value;
- provides that the farm tractor warranty law does not restrict any remedies under any other laws;
- provides that Article 2 applies to farm tractor sales after Jan. 1, 1987.  
**Enactment:** March 24, 1986  
**Effective:** Aug. 1, 1986

**Liquor licenses—cities, towns, counties**

**HF2229**—Frederick, Stanius, Bennett, Murphy, Shaver  
**SF1912\***—Knaak

**Chapter 437:**

- allows the City of Vadnais Heights to issue up to five additional on-sale intoxicating liquor licenses; allows the City of Little Falls to issue one additional on-sale license; removes the limit on seasonal on-sale liquor licenses St. Louis County Board may issue;

- allows Crow Wing County to:
  - issue up to two on-sale intoxicating liquor licenses for sale and consumption of alcoholic beverages on boats or watercraft which are under way on county lakes or moored or anchored offshore;
  - set annual license fees at no more than 10 percent of the fee for a comparable license in the City of Breezy Point;
- allows the Rochester City Council to issue an on-sale intoxicating liquor license for contracted concession services at Mayo Civic Center; authorizes sales only to persons attending events at the center; allows the city to set the license fee;
- gives the Lake Minnetonka Conservation District regulatory authority over liquor sales and deems the district as a municipality within the meaning of the state's Liquor Act;
- subjects the district's powers to certain conditions and limitations including:
  - issuing only intoxicating on-sale licenses (up to 14), non-intoxicating malt liquor licenses, and wine on-sale licenses;
  - regulating bottle clubs;
  - prohibiting owning or operating an on-sale or off-sale municipal liquor store;
- provides that the licenses the district grants must authorize the on-sale of intoxicating liquor, non-intoxicating liquor or wine, or the approval of bottle club licenses the commissioner of public safety issues, only on boats or watercraft which are under way, moored, or anchored offshore;
- authorizes the district to impose further regulations or restrictions on any sale or possession of intoxicating liquor, non-intoxicating liquor or wine, or the operation of a bottle club on or over the waters of the lake;
- authorizes the Pope County Board to issue one seasonal on-sale intoxicating liquor license to a resort on

Lake Minnewaska and to set the license fee; provides the license is valid for a specified period not exceeding six months;

- allows Sibley County, with the approval of the commissioner of public safety, to:

- issue an on-sale wine license to a restaurant in the county's unincorporated area;
- set the fee at not more than one-half the fee for an on-sale liquor license or \$2,000, whichever is less.

**Enactment:** March 25, 1986

**Effective:** upon local approval

**Litchfield—tax increment district/unemployment comp.**

- (See Local Bills—Cities/Towns)

**Local needs—Aitkin/Cambridge/McGregor/Thomson/Breezy Point**

- (See Local Bills—Cities/Towns)

**Minnesota**

**Electricians Act—changes**

**HF2233**—Dyke, Bennett

**SF1642\***—Waldorf

**Chapter 373:**

- clarifies existing language in the Minnesota Electricians Act;
- defines an owner as a person who performs electrical work on his/her own residence, and provides that an owner doesn't have to have a license to wire his/her residence;
- provides that no person should install, repair, lay out, or supervise the installation of wiring, apparatus, or equipment for electrical light, heat or, power, unless the person is:
  - a licensed master electrician who is either working for, a partner or officer of, or is a licensed electrical contractor; or
  - working as an employee doing electrical installations on property the employer owns or leases;
- limits the work on utility meters that employees of electric, communications, railroad, and telephone utilities may do without licenses or inspection;
- allows licensed electrical contractors to lay out, install, maintain, or repair alarm and communications systems;
- requires licensed firms or persons to do original wiring in or around an electrical component, apparatus, or appliance, unless the wiring is on property the manufacturer owns or leases;

- provides that it's not a crime to perform electrical work that is exempt from licensing.

**Enactment:** March 19, 1986

**Effective:** day after enactment

**St. Paul—**

**special service districts**

- (See Local Bills—Metro)

**Service stations—**

**two-year moratorium**

**HF1897\***—Bennett, Sarna,

D. Jennings, Thorson, Solberg

**SF1806**—Dahl, Laidig,

R. Moe, Taylor, Doug Johnson

**Chapter 343:**

- prohibits franchisors from eliminating service bays at full-service gas stations without the consent of the franchisees until July 1, 1988.

**Enactment:** March 19, 1986

**Effective:** June 30, 1986

**Soft drink**

**distributors—regulation**

**HF1852**—Bennett, Piepho,

Seaberg, Brinkman, Rose

**SF1703\***—Wegscheid,

Laidig, Novak

**Chapter 375:**

- terminates state registration of non-alcoholic beverage manufacturers and distributors;
- increases the annual state inspection fee for food vending machines from \$5 to \$15;
- terminates local authority to inspect certain food vending machines and extends that authority to the commissioner of agriculture;
- authorizes the Department of Agriculture to promulgate rules to cover licensed retail or wholesale food handlers and food brokers who manufacture, sell, or dispense soft drinks and other non-alcoholic beverages;
- requires that the rules must include sanitary standards for beverage manufacturing plants, beverage dispensing equipment, and the use of sterile containers in packaging bev-

erages for home consumption; also applies to non-alcoholic beverages for home consumption.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

#### **Tobacco products— distribution regulations**

**HF1773\***—Seaberg, K. Nelson,

Tompkins, Tjornhom, Bennett

**SF1705**—Freeman, Petty,

Wegscheid, Berglin, Reichgott

#### **Chapter 352:**

- prohibits the distribution of any smokeless tobacco product for promotional purposes;
- prohibits the distribution of cigarettes, cigars, pipe tobacco, or other tobacco products suitable for smoking to people under age 18;
- requires persons distributing such items to verify the individual's age prior to any distribution;
- provides that only a valid driver's license, Minnesota identification card, or passport establishes age identification;
- provides that this act does not prohibit local units of government from further restricting or prohibiting the distribution of tobacco products;
- allows the attorney general to institute a civil action with penalties up to \$5,000;
- amends definitions relating to the sale of tobacco to children and adds this definition of tobacco:  
-"Tobacco" means cigarettes, cigars, cheroots, stogies, perique, granulated, plug cut, crimp cut, ready rubbed, and other smoking tobacco, snuff, snuff flour, cavendish, plug and twist tobacco, fine cut and other chewing tobaccos, shorts, refuse scraps, clippings, tobacco cuttings and sweepings, and other kinds of chewing or smoking tobacco;
- provides that if the court finds any one provision in this act unconstitutional, the others will remain valid.

**Enactment:** March 19, 1986

**Effective:** June 1, 1986



#### **Boating while intoxicated**

**HF456**—Blatz, Vellenga,

Hartinger, Kiffmeyer, Kelly

**SF31\***—Diessner, Spear,

Wegscheid, Ramstad, Frank

#### **Chapter 401:**

- clarifies laws on boating while intoxicated or under the influence of drugs; prohibits a person under the influence of alcohol or drugs from operating a motorboat "while under way";
- defines "while under way" to mean any boat in operation unless fastened to a dock or other mooring, anchored, or beached;
- permits officers of the Department of Natural Resources or peace officers to make arrests without a warrant upon probable cause after accidents or if an offense took place in the officer's presence;
- allows an officer to stop a boat for probable cause and ask for a preliminary breath test before deciding whether to make an arrest or require chemical tests;
- gives specifics for use of breath and chemical tests as evidence in court;
- states that a violation is a misdemeanor, except it's a gross misdemeanor for persons authorities arrest twice within five years or three times or more within 10 years;
- prohibits persons courts convict of the offense from operating a motorboat for 90 days, only between the period of May 1 to Oct. 31 and overlapping years if necessary; revokes motorboat operator's license for any person age 13 to 18 who violates the law;
- requires a person to take a chemical test to detect drugs or alcohol if an officer asks for the test; anyone who refuses faces a \$700 fine and can't operate a motorboat in Minnesota for a year;
- requires that the officer tell the person about rights, consequences, and obligations before administering the test.

**Enactment:** March 24, 1986

**Effective:** May 15, 1986; applies to offenses committed on or after that date

#### **Child custody, support—revision**

- (See Families/Juveniles)

#### **Crime victims' rights/ Indian burial sites**

**HF1958\***—Kelly, Cohen,

Vellenga, Bishop, Hartinger

**SF1953**—Donna Peterson

#### **Chapter 463:**

- creates a felony charge for intentionally destroying, mutilating, or stealing human remains;
- gives the Indian Affairs Council sole discretion to prohibit certain activities at Indian burial grounds;
- authorizes the state archaeologist to enter property to authenticate Indian burial grounds and gives descendants of people buried there limited rights to conduct religious ceremonies on the grounds;
- requires a probation officer to request a hearing on changing or revoking probation for a person who hasn't made court-ordered restitution within 60 days of the end of probation;
- clarifies that a 14-day grace period allowed to non-custodial parents for returning children they have unlawfully taken, detained, or failed to return doesn't apply if the child is returned within the 14-day period only because law enforcement officials found the child;
- requires prosecutors to make reasonable efforts to notify victims and seek their input before referring an accused offender to a pretrial diversion program, such as alcohol treatment, instead of prosecution;
- requires prosecutors to try to let victims know of scheduling changes in court proceedings if the court has subpoenaed or requested the victim to testify;
- provides that victims who testify in court don't have to give home or work addresses;
- states that an employer who disciplines or discharges a victim who gives testimony in court is guilty of a misdemeanor and subject to punishment for contempt of court; allows the court to order a fired employee reinstated with back wages;

- requires notice to the victim if authorities release an offender from confinement on an extended work release or furlough or from a mental facility;
- expands the definition of crime in the Crime Victims Reparations Act (CVRA) to include offenses occurring within Indian reservations and other trust lands;
- limits the definition of reasonable psychiatric services in the CVRA when determining economic loss by requiring a treatment plan when estimated costs exceed certain amounts;
- limits the amount of payment for child care under the CVRA when determining economic loss;
- limits funeral and cremation expenditures to \$2,250 when determining economic loss under the CVRA;
- limits the CVRA claims for loss of support of minor children to three years or until the child is 18, whichever is less; after three years, allows resubmission of claims for minor children to the Crime Victims Reparations Board, which may decide to pay the claim;
- prevents organizations from receiving reparations and provides that if an organization is the guardian or authorized agent of a victim, a reparations check must be payable solely or jointly to the victim or the victim's estate;
- establishes the presumption that a sexual assault victim who doesn't report the crime within five days, as the CVRA requires, was unable to report it;
- extends the time limit for qualifying for reparations if the victim's injury or death wasn't discoverable within the one-year reporting period;

- prevents the board from making reparations if the victim can obtain compensation from another source;
  - requires any victim who receives reparations to help the state if it decides to bring a cause of action to recover the money, possibly from the offender;
  - expands the Crime Victim and Witness Advisory Council by three public members;
  - allows sexual abuse victims to have support persons at omnibus and pretrial hearings.
- Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986

#### **Criminal law—procedure changes**

**HF851**—Marsh, Blatz, Ozment, Rest, Pappas  
**SF1014\***—Petty, Dean Johnson, Kamrath, Freeman, Pogemiller

#### **Chapter 435:**

- expands the definition of delinquent child to include those who have escaped from a state juvenile correctional facility;
- allows transfer of a juvenile case to adult court for prosecution if the juvenile escaped and then committed an offense that would be a felony under adult law;
- authorizes a sheriff's contingent fund in each county for investigating drug and alcohol offenses and funds it with one-fourth of all money the county treasury receives from fines for those offenses;
- expands the definition of theft to include fraudulent diversion of corporate property;
- clarifies that officials don't have to give a defendant a tape of his/her confession at the time it's made if it's available for the defendant and attorney to review within a reasonable time after the arrest;
- allows a victim the right to ask for a speedy trial and to get notice of changes in the court schedule if the court has subpoenaed the victim or the prosecutor has requested the victim to testify;
- provides that the court must provide, if possible, a separate waiting area for victims away from the defendant, defense witnesses, and the defendant's relatives.

**Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986

#### **Court videotaping—child statements**

**HF2017\***—K. Nelson, Bishop, Blatz  
**SF1862**—Petty, Adkins, Bertram, Dean Johnson, Reichgott

#### **Chapter 361:**

- directs courts to open delinquency hearings to the public if the juvenile is at least 16 years old and if the juvenile allegedly committed an offense that is a felony under adult law;
- defines "out-of-court statement" to include a video, audio or other recorded statement;
- provides that when a child under 10 years old testifies about physical or sexual abuse, the child may give the testimony through closed-circuit television outside the courtroom or by pre-recorded videotape;
- provides that when testimony is taken under the above circumstances, only the judge, attorneys, a support person for the child, and recording machine operators may attend;
- provides that the defendant can attend, but if it would upset the child, the defendant must sit where the child can't see or hear the defendant, or the child and defendant must sit in separate rooms where they can see and hear each other only by video monitor.

**Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

#### **Drinking age—raised to 21**

- (See Drugs/Alcohol)

**Drug, burglary penalties/  
controlled substances tax**

**HF654\***—Marsh, Kelly,  
Hartinger, Staten, Stanius  
**SF663**—Jude, Ramstad,  
Luther, Kamrath

**Chapter 470:**

- provides for 20 years imprisonment and/or \$60,000 fine for the first offense for anyone who sells at least seven grams or at least 10 dosage units of a controlled substance and 30 years and/or \$100,000 for subsequent offenses;
- requires illegal drug dealers to pay taxes on controlled substances and requires the commissioner of revenue to prepare a tax stamp system;
- imposes taxes on marijuana and controlled substances: \$3.50 on each gram of marijuana, \$200 on each gram of controlled substance, and \$2,000 on each 50 dosage units of a controlled substance not sold by weight;
- provides that a dealer who violates the law must pay the tax and a penalty equal to the tax; in addition, courts can sentence the dealer to five years imprisonment and/or \$10,000;
- allows the commissioner of revenue to assess a tax based on personal knowledge or information available to the commissioner; allows the commissioner to serve in person or by mail the assessment to the dealer's last known address and demand immediate payment; places the standard of proof on the dealer to prove that the assessment is incorrect;
- provides that authorities can't use reports and returns against the dealer in a criminal proceeding, except for criminal proceedings arising from the tax provisions of this act;
- authorizes the commissioner to examine any books, papers, records, or memoranda the dealer or any other person possesses in an attempt to determine the accuracy of any return;

- provides a mandatory minimum sentence of six months for burglary of an occupied dwelling.  
**Enactment:** April 1, 1986  
**Effective:** Aug. 1, 1986; applies to crimes committed on or after that date

**Fetal death, injury—  
criminal penalties**

**HF1844\***—Dempsey, Wenzel,  
Blatz, Forsythe, Quist  
**SF1681**—Jude, Laidig,  
Merriam, Bernhagen, Adkins

**Chapter 388:**

- establishes a maximum five-year prison sentence and/or \$10,000 fine for anyone who causes the death of an unborn child while driving a car, aircraft or watercraft negligently or while under the influence of alcohol or drugs; provides for a maximum three-year sentence and/or \$5,000 for injury to an unborn child under the same circumstances;
- defines an unborn child as "the unborn offspring of a human being conceived, but not yet born";
- defines murder of an unborn child as:
  - first degree: premeditated death, or death during violent criminal sexual assault or intentional death during a burglary, aggravated robbery, kidnapping, arson, tampering with a witness or escape from custody; sentence life imprisonment;
  - second degree: intentional death without premeditation or unintentional death while committing a felony with force or violence; sentence up to 40 years;
  - third degree: unintentionally causing death by committing a dangerous act without regard for life; sentence up to 25 years;
- defines manslaughter of an unborn child as:
  - first degree: intentional death in the heat of passion, death while committing a misdemeanor or gross misdemeanor with force or violence, or intentional death under coercion; sentence up to 15 years imprisonment and/or \$30,000 fine;
  - second degree: death by negligence, mistaking the mother for an animal and shooting her, setting a dangerous device such as a trap or letting a vicious pet run loose; maximum seven-year sentence and/or \$14,000 fine;

- defines assault of an unborn child as:
  - first degree: assault on a pregnant woman inflicting great bodily harm on an unborn child, later born alive; sentence up to 10 years and/or a fine of \$20,000;
  - second degree: assault on a pregnant woman that inflicts substantial bodily harm on an unborn child, later born alive; sentence up to five years and/or \$10,000;
  - third degree: trying to frighten a pregnant woman so she fears for herself or the unborn child, or trying to inflict harm on an unborn child; the crime is a misdemeanor;
- states that anyone who is committing a felony other than those described above and causes death to an unborn child may get a maximum sentence of 15 years and/or a fine of \$30,000; or for harm to an unborn child, up to 10 years and/or \$20,000;
- excludes abortions and provides that the offenses described above do not apply to the mother.  
**Enactment:** March 21, 1986  
**Effective:** Aug. 1, 1986; applies to crimes committed on or after that date

**Juvenile Justice  
Advisory Committee—changes**

**HF2265\***—Levi, Knickerbocker,  
Greenfield, McPherson, Hartinger  
**SF2085**—Merriam

**Chapter 319:**

- subjects the Juvenile Justice Advisory Committee to statutory rules that govern length of terms, compensation, removal, and replacement for all state committees and boards.  
**Enactment:** March 14, 1986  
**Effective:** Aug. 1, 1986

---

**Juvenile prostitution—  
increasing penalties**

**HF2012\***—Marsh, Kiffmeyer,  
Clausnitzer, Hartinger, Pappas  
**SF2007**—Reichgott, Kamrath,  
Petty, Luther, Knaak

**Chapter 448:**

- increases the maximum penalty from 10 years to 20 years and/or \$40,000 for inducing children under the age of 13 to become prostitutes;
  - increases the maximum penalty to 10 years and/or \$20,000 for intentionally receiving profit from child prostitution involving children under the age of 13 for anyone who is not a prostitute or patron;
  - provides that parents or guardians who know or believe that someone is inducing their children to be prostitutes can seek protection orders for the children and provides the procedure for seeking the protection;
  - provides a maximum of 20 years and/or \$40,000 for anyone who offers or agrees to engage or does engage in prostitution with someone less than 13 years old; provides a maximum of 10 years and/or \$20,000 for anyone who offers or agrees to engage or does engage in prostitution with a child at least 13 but less than 16 years old;
  - provides for imprisonment for up to one year, and/or \$3,000 fine for anyone who harbors a child prostitute without parent's or guardian's permission;
  - provides for a \$250 fine surcharge for those that authorities arrest on child prostitution charges in counties that have an agency working with child prostitution and dedicates the money to that program.
- Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986; applies to crimes on or after that date
- 

**Immunity for disclosure—  
therapists/child abuse workers**

- (See Families/Juveniles)
- 

**Mental patients—  
escape from custody**

**HF839\***—McKasy, Seaberg, Pappas,  
Rose, Neuenschwander  
**SF810**—Merriam, Reichgott,  
Pogemiller, Diessner, Dahl

**Chapter 385:**

- provides that mental patients courts find not guilty of a crime by reason of insanity, but who escape from a mental facility, could be guilty of a felony and subject to imprisonment of not more than one year and one day and/or a fine of not more than \$3,000;
- provides for dismissal of the felony charge if a person voluntarily returns within 30 days after officials make a reasonable effort to inform the escapee that failure to return within 30 days may result in felony charges.

**Enactment:** March 20, 1986

**Effective:** day after enactment

---

**Revisor's changes (Article 4)**

- (See Legal/Judiciary)
- 

**Sexual abuse laws—  
technical corrections**

**HF1730\***—Blatz, Pappas, Hartinger,  
Kiffmeyer, Tjornhom  
**SF1751**—Reichgott

**Chapter 351:**

- makes technical corrections to a variety of statutes relating to 1985 legislation that merged the crime of intrafamilial sexual abuse into the general crime of criminal sexual conduct.

**Enactment:** March 19, 1986

**Effective:** day after enactment for sections defining force and sexual contact; retroactive to Aug. 1, 1985 for other sections

---

**Sexual solicitation—children**

**HF1835\***—Bishop, Blatz,  
Hartinger, Valento, Clark  
**SF1592**—Reichgott, Wegscheid

**Chapter 445:**

- prohibits courts from dismissing felony charges against a non-custodial parent who unlawfully takes, detains, or fails to return a child if police find the child within the 14-day grace period that normally allows dismissal of felony charges;

- provides that an adult who asks a child under 15 years old to engage in sexual conduct is guilty of a felony and subject to a maximum sentence of three years and/or \$5,000; provides that mistake about age is not a defense.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986 for section on solicitation of children; applies to crimes committed on or after that date

---

**Shakopee correctional  
facility—sale authorized**

- (See Housing/Real Estate)
- 

**Shoplifting—  
detention clarified**

**HF2050**—Bennett, Seaberg,  
K. Nelson, Neuenschwander,  
Thorson

**SF1730\***—Spear, Gustafson,  
R. Peterson, Sieloff, Luther

**Chapter 405:**

- permits merchants to detain shoppers to ask for identification, to ask the person if he/she has stolen goods, to begin criminal proceedings, or to call police;
- prevents a merchant from detaining a person for more than an hour unless the merchant is waiting for police to arrive or the person is a minor, or claims to be, and the merchant is waiting for parents or police to arrive;
- requires the merchant to call police immediately if the shopper asks;
- provides immunity for merchants and police for these actions if they acted reasonably.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

---

**Tax return—failure to file/  
crimes—juvenile proceedings**

**HF1863\***—Seaberg, Kelly,  
Blatz, Marsh

**SF1770**—Freeman, Luther,  
Donna Peterson, Reichgott

**Chapter 446:**

- provides that in hearings on domestic child abuse, delinquency, neglect, dependence, or neglect in a foster home, the child, the parents, guardian or custodian, and any grandparent with whom the child has lived for the past two years, may participate;
- provides that a child's waiver of his/her right to representation by a lawyer must be an intelligent and voluntary action;
- clarifies that the crime of attempting to evade withholding taxes includes failing to file a quarterly return;
- creates a rebuttable presumption that property someone acquires as the result of a crime is proceeds from committing a designated crime and subject to forfeiture.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986; applies to crimes committed on or after that date

**Theft of services—  
technical changes**

**HF2250**—Hartinger, Kiffmeyer,  
Blatz, Thorson, Tjornhom

**SF1914\***—Petty, Pogemiller,  
Ramstad, Spear

**Chapter 378:**

- includes violations involving theft of services for purposes of criminal prosecution;
- adds "services" to a subdivision of law that refers to the value of stolen money or property.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986



**Boating while intoxicated**

- (See Crime/Corrections)

**Chemical dependency  
consolidated fund**

**HF943**—Forsythe, Onnen,  
Greenfield, J. Carlson, Brandl

**SF912\***—Berglin, Willet, Ramstad

**Chapter 394:**

- requires the commissioner of human services to maintain a separate fund for all chemical dependency (CD) appropriations that will allow for an overview of all receipts and expenditures;
- requires the commissioner to deposit in the state treasury and credit to the CD fund, money from regional treatment centers or nursing homes that operate a CD treatment facility; allows the commissioner to use money from that fund to operate CD programs;
- directs the commissioner of finance to assist in setting up separate interest-bearing CD accounts within the CD fund for each state facility that provides CD services; specifies how the commissioner shall allocate those funds;
- specifies who is eligible for treatment in regional treatment centers;
- specifies that a chemical dependency program must not admit chemically dependent patients without proof of payment by private money, non-governmental third parties, or agreement with a unit of government responsible for placement and payment;
- provides for the transfer of appropriated money for CD services under general assistance, general assistance medical care, medical assistance and the state hospitals to the CD treatment fund; specifies which services are eligible for reimbursement;
- allocates special funds for treating chemical dependency in the American Indian population;
- requires the commissioner of human services to adopt a sliding fee scale for people whose income and

non-exempt property are greater than the amount allowable for assistance;

- details accounting and review procedures for the CD fund program.

**Enactment:** March 21, 1986

**Effective:** various dates

**Drinking age—raised to 21**

**HF102**—Schafer, Quist, Beard,

Gutknecht, D. Jennings

**SF5\***—Diessner, Ramstad

**Chapter 330:**

- directs the commissioner of public safety to give driver's license applicants a pamphlet of information on alcohol and drug effects, alcohol-related fatalities, and Minnesota law on mixing driving with drugs and alcohol;
- directs the commissioner to include similar information in the driver's manual;
- allocates 25 percent of license reinstatement fees to develop educational programs in elementary, secondary, and postsecondary schools about alcohol and driving;
- raises the legal drinking age to 21, except for those who will be 19 or 20 on Sept. 1, 1986;
- allows 18-, 19-, and 20-year-olds to enter taverns to eat, to attend social functions in areas where the establishment does not sell alcohol, and to work (including bartending and serving of alcoholic beverages);
- forbids alcoholic beverage dealers to hold, sponsor, or contribute to events that involve alcohol on college campuses and other college properties.

**Enactment:** March 17, 1986

**Effective:** Sept. 1, 1986 except for the school education program, which is effective July 1, 1987

**Drug, burglary penalties/  
controlled substances tax**

- (See Crime/Corrections)

**Liquor licenses—  
cities, towns, counties**

- (See Commerce/Economic Development)



### **Budget/Taxes Omnibus Bill**

- (See Budget/taxes, Articles 9 & 10)

### **Compulsory attendance— home education**

**HF1744\***—Quist, Kiffmeyer  
**SF1798**—Pehler

#### **Chapter 472:**

- clarifies the definition of a school by repealing the requirement that teachers must have qualifications essentially equivalent to minimum public school teacher standards;
- protects parents who educate their children at home from charges of civil or criminal compulsory education violations;
- requires that parents supply their district school superintendents by no later than Oct. 1 of each year with the names, ages, and addresses of children getting their education in other than licensed schools;
- sets a June 1, 1986 deadline for the commissioner of education to appoint a 12-member task force of private, public, and home educators to study issues relating to home education; specifies a Feb. 1, 1987 deadline for task force recommendations to the Legislature.

**Enactment:** April 1, 1986

**Effective:** day after enactment

### **Dakota County—library bonds**

- (See Local Bills—Counties)

### **Grand Rapids—**

#### **Central School Commission**

- (See Local bills—Cities/Towns)

### **Library service fees**

**HF1677\***—Thorson, Gruenes, McEachern, Tompkins, Segal  
**SF1540**—Davis, Pehler, Dicklich, Darrel Peterson, Donna Peterson

#### **Chapter 471:**

- allows the Department of Education to provide library information services to state agencies, governmental units, not-for-profit organizations or private companies and charge reasonable fees for the service;
- permits a mayor, with city council approval, to appoint county residents who live outside city limits to a city library board if the city library is a branch or member of a regional public library system;
- sets new deadlines for the regional library system support grant program;
- authorizes the Department of Education, upon request, to give organizational and administrative advice and instruction to postsecondary institutions, state agencies, governmental units, and not-for-profit or private organizations;
- requires the commissioner of education, in cooperation with other state agencies and the Legislative Reference Library, to develop a plan for automation of state agency libraries to: strengthen government information services to agencies and the public; improve coordination and cooperation among state agency libraries; and eliminate unnecessary duplication;
- sets an Aug. 15, 1986 deadline for submitting the plan to the governor and the Legislature.

**Enactment:** April 1, 1986

**Effective:** Aug. 1, 1986

### **Libraries—surplus documents**

- (See Miscellaneous)

### **Postsecondary options—revisions**

**HF1919\***—Levi, Haukoos, Erickson, Backlund, Schafer  
**SF1771**—Nelson, Olson

#### **Chapter 447:**

- limits tuition and transportation payments under the Postsecondary Enrollment Options Act to courses students take only for secondary credit; requires postsecondary institutions to grant postsecondary credit

for courses pupils take at their institutions if the pupils, after high school graduation, enroll in the institutions where they took the courses;

- expands the definition of eligible postsecondary schools to include two-year institutions;
- requires, to the extent possible, that school districts provide and verify counseling services about the program to potential postsecondary options students and their parents or guardians;
- sets a March 1 deadline for school districts to provide general information about the program to 10th and 11th grade students; sets a March 30 deadline for pupils to declare their intent to participate in the program during the upcoming school year;
- limits the number of quarters or semesters that students can participate in the postsecondary options program;
- gives postsecondary students priority over those in the postsecondary high school program for course registration;
- requires the University of Minnesota, the State University Board, and the State Board for Community Colleges to develop clear, uniform policies regarding the award of postsecondary credit to students who earn acceptable scores on advanced placement program examinations;
- specifies studies and reports to the Legislature from various groups and institutions regarding postsecondary options issues, advanced placement, and compulsory attendance.

**Enactment:** March 25, 1986

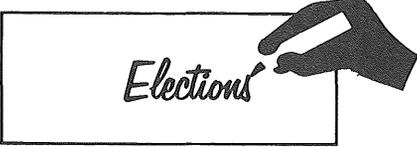
**Effective:** various dates

### **Ramsey County— abstract clerk/library bonds**

- (See Local Bills—Counties)

### **Revisor's changes**

- (See Legal/Judiciary)



## Elections

### **Elected county officials—removal procedures**

**HF2422**—McKasy, Halberg, Simoneau, Kostohryz, Fjoslien  
**SF2116\***—Luther

#### **Chapter 418:**

- provides for removal of elected county officials who commit acts of malfeasance or nonfeasance in the performance of their official duties;
- defines “malfeasance” as the willful commission of an unlawful or wrongful act in the performance of a public official’s duties;
- defines “nonfeasance” as the willful failure to perform a specific act which is a duty of the public official;
- allows any registered voter to petition the county auditor requesting a removal election of any elected county official for acts of malfeasance or nonfeasance;
- requires that the voter attach to the petition signatures of at least 25 percent of the voters in the preceding election for that particular office with factual allegations of malfeasance or nonfeasance;
- authorizes the auditor to review the petition for the required number of valid voter signatures and forward it to the clerk of Appellate Court;
- requires the chief justice to review the petition to determine whether it properly alleges facts constituting malfeasance or nonfeasance, and assign the case to a special master for public hearing if it includes adequate alleged facts;
- prescribes procedures for the public hearing;
- requires the special master to issue a decision within 60 days of the end of the hearing;

- requires the special master to certify the case to the county auditor for a removal election upon finding acts of malfeasance or nonfeasance;
- allows the county official to appeal the decision to the Supreme Court;
- provides for the recall election and the disqualification of the elected county official for the remainder of the term.

**Enactment:** March 24, 1986

**Effective:** day after enactment; applies retroactively to any conduct which occurred prior to its enactment

### **Election contest laws—recodification**

**HF2075**—Shaver, Osthoff, Backlund, Scheid, Fjoslien  
**SF1839\***—Hughes, Donna Peterson, Dean Johnson, Samuelson, Luther

#### **Chapter 408:**

- recodifies Minnesota’s election contest laws;
- reinstates a process for substitute service of a notice of an election contest if the person serving notice can’t find the candidate;
- makes clear that a serious and material ballot defect is grounds for voiding an election regardless of whether the intent of the defect was to mislead the voter;
- sets an appeal bond at a flat \$500 rather than up to \$500 at the judge’s discretion;
- clarifies that this law doesn’t limit the constitutional power of the House of Representatives and Senate to judge election returns and eligibility of their own members.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

### **Minneapolis—uniform elections**

- (See Local Bills—Cities/Towns)

### **Precinct caucuses—postponement for bad weather**

**HF2064**—Ozment, Fjoslien, Scheid  
**SF2069\***—Hughes, Samuelson, Donna Peterson, Dean Johnson, Willet

#### **Chapter 324:**

- allows any major political party to request the secretary of state to postpone precinct caucuses in the event of severe weather;
- authorizes the secretary of state upon his/her own initiative, or at a major political party’s request, to

- postpone precinct caucuses for a week in counties where weather makes travel especially dangerous;
- requires the secretary of state to consult with all major political parties and have the advice of the federal weather bureau and the Department of Transportation before requesting postponement;
- requires the secretary of state to give notice to all news media covering the affected counties by 6 p.m. on the scheduled day of the caucus.

**Enactment:** March 17, 1986

**Effective:** day after enactment

### **Punch card voting—improvements**

**HF2023\***—Backlund, Osthoff, Scheid, Fjoslien, Shaver  
**SF2032**—Luther, Hughes, Donna Peterson, Dean Johnson

#### **Chapter 362:**

- allows county auditors to use punch cards for voters casting absentee ballots if the voter applies in person for the ballot and votes at the time of the application;
- requires four election judges (now three) in certain punch card and voting machine districts;
- changes the format of the ballot for certain judicial candidates; makes changes in the canary ballot office order; authorizes standard ballot format;
- requires the vendors of voting machines and electronic voting equipment to furnish a \$5,000 bond to the secretary of state;
- directs the governing body of a municipality to furnish information to the public about the use of a new voting system at least 60 days prior to an election and to provide public instruction to voters six weeks immediately before the use of the new voting system;
- requires vendors to furnish a bond to the secretary of state for the preparation of a program for use with an electronic voting system;

• limits the number of ballots at a single counting center to no more than 100,000.

**Enactment:** March 19, 1986

**Effective:** Jan. 1, 1987 for section on authorizing standard ballot format; Jan. 1, 1988 for sections on vendor bond provisions; all others Aug. 1, 1986 for other sections

**St. Louis County—  
appointing an administrator**

• (See Local Bills—Counties)

**Secretary of State—  
housekeeping changes**

**HF2014\***—Backlund, Osthoff,  
Shaver, Fjoslien, Minne

**SF1838**—Hughes, Donna Peterson,  
Darrel Peterson, Storm, Pogemiller

**Chapter 475:**

- allows a candidate to terminate his/her principal campaign committee for one state office by transferring any debts of that committee to his/her principal campaign committee for another state office as long as the new campaign committee assumes any outstanding bills or loans and continuously reports them;
- repeals a reference to counties without permanent voter registration since all counties now have permanent registration;
- allows a county auditor to remove voter registrations after receiving two returned notices;
- allows retention of registration cards of voters placed under guardianship regardless of the four-year purge requirement so that a record of the guardianship and the ineligibility to register or vote would remain;

• ensures that a major political party has the exclusive right to the use of its name;

• clarifies that voters participate in precinct caucuses where they reside at the time of the caucus;

• removes the requirement that presidential elector candidates file an affidavit of candidacy;

• allows a candidate to use a nickname on the ballot, but gives the filing officer the authority to have such nickname removed if it in any way gives the candidate an advantage over his/her opponent;

• prohibits the use of a part of a major political party's name to designate the political party or principle of a candidate who files for a partisan office by nominating petition, but allows the use of the word "independent";

• clarifies that a signer of a nominating petition (and not a third party) provides his/her address on the petition;

• puts into state statutes certain federal requirements regarding election certificates for federal candidates;

• revises gray ballot provisions;

• provides for major parties to certify names of presidential and vice-presidential candidates;

• changes certain reporting requirements by principal campaign committees, political committees, and political funds.

**Enactment:** April 1, 1986

**Effective:** day after enactment

**Voting equipment—optical scan**

**HF2423**—Shaver, Osthoff,

Scheid, Backlund, Fjoslien

**SF2245\***—Donna Peterson

**Chapter 381:**

• provides for the use of optical scan voting systems in elections;

• authorizes the use of the optical scan voting system for absentee voting if the voter also receives an appropriate marking instrument with the ballot;

• requires the same procedures for an optical scan voting system as those other electronic voting systems use unless this law provides otherwise.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986



**Comparable worth**

• (See Governmental Operations)

**Duluth School**

**District 709—civil service**

**HF2294\***—Jaros, Murphy

**SF2130**—Solon

**Chapter 466:**

• provides that civil service provisions would cover District 709 educational assistants, who are exempt from the civil service system, with regard to classification and reclassification of their positions; effective upon approval of the local jurisdiction;

• requires the Social Services Board in St. Louis County to grant up to \$20,000 a year for school nutrition programs and hot lunches for needy District 710 school children.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986

**Employees' right to know**

• (See Health/Human Services)

**Litchfield—tax increment  
district/unemployment comp**

• (See Local Bills—Cities/Towns)

**Long-term sheltered  
employment program**

• (See Health/Human Services)

**Military employees'  
compensation**

• (See Veterans/Military)

**Plumber's apprentice—  
definition change**

**HF324**—O'Connor, Beard,

Heap, Burger, Rest

**SF125\***—Lantry, Pogemiller, Frank

**Chapter 402:**

• defines a plumber's apprentice as any person other than a journeyman or master plumber whose main oc-

cupation is working as an employee of a plumbing contractor under the immediate supervision of a master or journeyman plumber or a plumbing contractor;

- requires a plumber's apprentice to register with the commissioner of health on a form that shows the date of beginning training, the employer, and the apprentice's age, schooling, previous experience, and other information;
- qualifies a plumber's apprentice with four years of practical plumbing experience for the journeyman plumbing examination, and specifies what kind of experience applies to the four-year requirement;
- allows the commissioner of health to extend the two-year period for taking the exam in cases of hardship or other appropriate circumstances;
- allows the Department of Health to assess fees to pay for administering the apprentice registration program.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

#### **Severance pay**

- (See Governmental Operations)

#### **State Fair performers/ seasonal ski employees' wages**

**HF2100\***—Sviggum, Osthoff, Kostohryz, McDonald, Valento  
**SF1792**—Chmielewski, Lessard, Renneke, Laidig, Knaak

#### **Chapter 390:**

- removes the restriction that prohibited performers appearing at the State Fair from appearing elsewhere in the state within 100 miles of the fairgrounds within 30 days of the date of the performance at the fair;
- exempts seasonal employees of ski facilities from the Minnesota Fair Labor Standards Act which governs minimum wage and overtime compensation standards.

**Enactment:** March 21, 1986

**Effective:** day after enactment for section on State Fair performer contracts; Aug. 1, 1986 for section on seasonal employees of ski facilities

#### **Unemployment insurance—reform plan**

##### **VETOED**

**HF2037**—Kvam, Heap, Tjornhom  
**SF2114\***—Wegscheid, Bernhagen

- would have changed the definition of "valid claim" to include permanent part-time employees in the unemployment insurance (UI) system, and would have:
  - changed the definition of "credit week" from 30 percent of the average weekly wage to 30 times the state minimum wage, and defined "alternative credit week" as being equal to a week in which a person earned 20 times the state minimum wage;
  - provided for no UI benefit charges against an employer if those benefits were directly due to a fire, flood, or act of God, and the disaster affected at least 70 percent of an employer's workforce;
  - raised qualification requirements from 15 to 18 weeks until June 30, 1988, and then to 20 weeks thereafter; raised the minimum weekly benefit from \$58 to \$68, and frozen the maximum weekly benefits at \$228; reduced duration of benefits;
  - increased qualification requirements for seasonal workers, and for disqualified workers who requalify for benefits;
  - transferred unemployment compensation hearing and appeal responsibilities from the Department of Jobs and Training to the Office of Administrative Hearings;
  - established taxable wage bases for calendar year 1987 of \$11,400 for experienced-rated employers, \$10,000 for non-experienced-rated employers, and \$12,000 for all taxpayers beginning in 1988;
  - provided a weekly benefit amount equal to the individual's total base period wage credits multiplied by one percent for claims before July 1, 1987; allowed a weekly benefit amount of 1.1 percent multiplied by the individual's total base period wage credits for claims after July 1, 1987, if it's the individual's first claim in a five-year period; provided a one percent multiplier for second and subsequent claims within the five-year period;
  - provided up to six weeks of additional benefits to workers out of

work because of a major plant reduction, as long as the county unemployment rate exceeds 10 percent.

#### **Workers' compensation**

**HF1873\***—Sviggum, Dyke, Poppenhagen, Waltman, Heap  
**SF1903**—Chmielewski, Brataas, Anderson, Bertram

#### **Chapter 461:**

- provides that an insurer that negligently pays workers' comp benefits can't charge the benefits to an employer's experience rating;
- provides that employers may charge independent contractors for providing workers' comp coverage only if the contractors elect coverage and the employer provides a copy of all terms, including an explanation of the fee;
- increases to \$1,000 the amount of quarterly wages an employer must pay to a household worker before the worker will qualify for workers' comp coverage;
- mandates that, except in certain cases, workers injured outside of Minnesota don't qualify for state workers' comp benefits;
- clarifies the requirement that the 90-day period for ending temporary total disability benefits, following maximum medical improvement, begins after serving the employee with a medical report, indicating maximum medical improvement, or 90 days after the completion of an approved training program, if later; provides that a job offer must include a written job description;
- mandates determining fees on an hourly basis for legal services in connection with an administrative conference; authorizes the commissioner of labor and industry to review the hourly fees, even if no one has filed an objection;
- provides that the party receiving medical data is responsible for providing a copy to the employee or the employee's attorney;

- clarifies that deductions for overpayments received in good faith may apply as full credit against future lump sum payments and partial credit against weekly payments;
  - provides that every state department, including the University of Minnesota, shall reimburse the state compensation revolving fund for costs of administering claims against that department;
  - allows the commissioner to make decisions on medical causation, with the right of review by a compensation judge and appeal to the Workers' Compensation Court of Appeals;
  - makes the employer liable for the cost of non-emergency surgery that at least one of two consulting doctors recommends and the commissioner deems reasonably necessary;
  - allows a worker to receive an extra 25 percent in compensation as a penalty against an employer that unreasonably or vexatiously discontinued compensation in violation of an order;
  - provides that the 10-day period in which a request for administrative conference must be filed begins when the notice is filed with the commissioner, rather than when the employee receives notice;
  - provides that the commissioner may schedule an administrative conference if an employer has not appropriately filed or served a notice and the employee asks for the conference within 40 days of the date when the notice should have been filed; allows the commissioner to order the employer to pay benefits through the date of the conference.
- Enactment:** March 25, 1986  
**Effective:** day after enactment for sections on medical causation; July 1, 1986 for section on claims against state agencies; Aug. 1, 1986 for other sections



## Energy/Utilities

### Energy—cost adjustment

**HF2143\***—Poppenhagen, Redalen, Jacobs, Rose  
**SF1989**—Frank, Olson, Sieloff, Novak, Freeman

#### Chapter 346:

- permits Minnesota public utility companies to file rate schedules that contain automatic adjustments in their charges. These adjusted charges must be in direct relation to market changes that alter the utilities' cost for delivered natural gas or for fuel they use to make electricity or gas.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

### Medina—gas line loan

- (See Local Bills—Cities/Towns)

### Municipal fuel purchase/ sheltered workshops

**HF1664\***—Redalen, Bishop, Piper, Begich  
**SF1547**—Schmitz, Dicklich, Doug Johnson, Brataas, Nelson

#### Chapter 350:

- gives municipal power plants the option to negotiate fuel contracts instead of following the sealed bidding process;
- encourages municipalities to buy goods and services from sheltered workshops by exempting them from the competitive bidding process, as long as the prices are not more than five percent higher than those on the open market.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

### Public Utilities

#### Commission—ethics, procedures

**HF2221**—Redalen, Jacobs, Ogren, Waltman, Omann  
**SF1869\***—Dieterich, Jude, Storm

#### Chapter 409:

- tightens standards of employment and conduct for Public Utilities Commission (PUC) members and for certain employees of the commission and the Department of Public Service;

- permits the governor to select the commission chair to serve during the gubernatorial term;
  - requires that at least one of the five commissioners reside outside the seven-county metropolitan area;
  - prohibits commission employees from receiving any income from Minnesota's regulated industries, except for mutual fund/trust earnings. These fund/trust earnings must not comprise a significant portion of any employee's income;
  - disqualifies potential commissioners from PUC posts if they have worked for or represented any of the state's regulated industries during the year prior to taking a PUC post;
  - requires each commissioner to file a statement of economic interest with the Ethical Practices Board and the PUC before taking office;
  - prohibits commissioners, and certain commission employees, from working for or representing any of the state's regulated industries for one full year following the end of their PUC posts;
  - prohibits representatives of the state's regulated industries from talking with commissioners, or certain commission employees, about possible future employment;
  - fines persons up to \$10,000 for each violation of the new, post-employment rules;
  - mandates that the commission adopt rules prescribing a code of conduct for themselves and commission employees;
  - extends the deadline for PUC rate decisions from 10 to 12 months following rate proposals in contested rate cases in which the commission rejected a proposed settlement.
- Enactment:** March 24, 1986  
**Effective:** various dates



### **Bond allocations/tax increment financing/wastewater treatment**

- (See Taxes)

### **Budget/Taxes Omnibus Bill**

- (See Budget/Taxes, Articles 10, 11)

### **Farm relief package**

- (See Agriculture)

### **Fish stocking, private lands/Anoka drainage repair**

**HF1793\***—Johnson, D. Carlson, Stanius  
**SF1659**—Benson, Kronebusch

#### **Chapter 424:**

- permits the commissioner of natural resources to stock fish in a private stream if the public has free access to fish there;
- prohibits drainage repair of more than \$100,000 in Anoka County unless 26 percent of the affected property owners, or the owners of 26 percent of affected property, petition for the repair;
- requires classification of an Anoka County drainage repair as an improvement, and work on the drainage repair to proceed as an improvement if 20 percent of the affected property owners, or the owners of 20 percent of the affected property, sign a petition;
- suspends repair of Anoka County ditch No. 57 until Aug. 1, 1986 and provides that the repair may proceed as an improvement if the Coon Creek Watershed District receives a petition with signatures of 10 percent of the affected property owners or the owners of 10 percent of the affected property.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

### **Game, fish laws—recodification**

**HF1652**—Rose, Munger, Miller, Forsythe, D. Carlson  
**SF1526\***—Merriam, Bernhagen, C. Peterson, Berg, Lessard

#### **Chapter 386:**

- recodifies and reorganizes the state's game and fish laws to make them uniform and less confusing;
- prohibits any official from requiring Department of Natural Resources (DNR) officers to issue a quota of game and fish law violations in a certain period of time.

**Enactment:** March 20, 1986

**Effective:** Aug. 1, 1986

### **Hazardous waste—containment site selection**

**HF1968\***—Rose, Backlund, D. Nelson, Munger, McKasy  
**SF1952**—Merriam, Pehler, Laidig

#### **Chapter 425:**

- prohibits the location, construction, or operation of any depository for hazardous or radioactive waste in any manner that by reasonable expectation could pollute potable water; but allows a buried depository if the operator can demonstrate that it won't pollute water;
- establishes maximum amounts of radionuclides that nuclear waste management facilities can release annually into the groundwater from wastes or spent fuel rods;
- prohibits construction of a nuclear waste facility in an area where the groundwater already contains the maximum amount of radionuclides;
- ends the terms of the eight permanent Waste Management Board members on the day after enactment of this law and extends the board until June 30, 1992;
- dismisses the four current candidate sites from further consideration as hazardous waste disposal sites;
- limits acceptable waste at a site to hazardous waste that has been rendered non-hazardous, treated industrial waste, or hazardous waste that meets standards for health and safety and for which there is no feasible alternative to containment;
- establishes procedures for encouraging counties to volunteer sites and describes what the board must do to choose a site;

- authorizes local special levies to pay for selection, planning, and compliance with requirements for a waste site and for the operating and maintenance costs of a publicly owned facility;
- authorizes an additional \$4,000 a month of local aid to counties that begin negotiations for a site, with total payments to all counties not to exceed \$40,000 per month; counties that have a contract would receive in addition up to \$150,000 a year for up to two years, with total payments to all counties not to exceed \$600,000 per year;
- clarifies and makes more uniform the law allowing counties to establish solid waste service areas and to charge fees for the service;
- permits the Metropolitan Council to determine whether a sludge ash disposal facility is needed, and if the Pollution Control Agency agrees with the decision, the council could dismiss any existing candidate sites; if the agency disagrees, the council must proceed with the siting process;
- allows the Metropolitan Waste Control Commission to contract with a private person to use the sludge ash in a manufacturing process;
- provides that a landowner who allows the county to purchase temporary development rights must get prompt action and if the landowner begins a successful eminent domain action, the landowner can ask the court for reimbursement of reasonable costs and expenses;
- allows the City of Babbitt to use money from any source for any solid waste management purpose and allows St. Louis County to enter a joint powers agreement with Babbitt;
- provides that if a petition is filed about a rate dispute involving the Hennepin County solid waste facility, the Public Utilities Commission must resolve the dispute within 120 days;

• repeals obsolete laws allowing levy limit exemptions governing solid waste service areas and county bonds, and suspends hazardous waste disposal facility development.  
**Enactment:** March 24, 1986  
**Effective:** day after enactment

#### **Lake improvement districts—authorization**

• (See Local Bills—Counties)

#### **Lake public access—restrictions**

**HF2146**—D. Carlson  
**SF1949\***—Merriam

#### **Chapter 439:**

• prevents county boards from granting special use exceptions to lakeshore property owners for use of certain types and sizes of watercraft and horsepower on public lakes; but allows special use exceptions if they aren't based on property ownership;  
• provides that existing public access contracts between the commissioner of natural resources and counties or municipalities supersede this law only until June 1, 1993.

**Enactment:** March 25, 1986

**Effective:** day after enactment

#### **Mississippi River Act**

• (See Resolutions)

#### **Raptors—propagation, sale**

**HF2170\***—McPherson, Levi, Rose, Neuenschwander, Tjornhom  
**SF1925**—Laidig, Wegscheid, Lessard

#### **Chapter 450:**

• permits the commissioner of natural resources to set up rules and issue permits for people to breed, propagate, and sell raptors (birds of prey).

**Enactment:** March 25, 1986

**Effective:** day after enactment

#### **Reinvest in Minnesota (RIM)**

**HF628\***—Rose, Redalen, Munger, Neuenschwander, D. Carlson

**SF723**—R. Peterson, C. Peterson, Novak, Pehler, Lessard

#### **Chapter 383:**

• authorizes the commissioners of agriculture and natural resources to select marginal agricultural land for a conservation reserve program;

• requires the land to be at least five acres or meet the federal definition of field, be free of other government programs, and be in agricultural use for at least two years between 1981 and 1985; it can't exceed more than 20 percent of the landowner's total acreage in the state and the applicant must meet certain ownership requirements;

• prohibits use of designated land for livestock grazing, crop production, or chemical spraying unless by special permit; prohibits altering of wildlife habitat and natural features;

• requires the landowner to seed the land or plant trees and prohibits the landowner from planting crops or establishing pasture on other land previously supporting natural vegetation;

• requires the commissioner to pay landowners up to \$75 per acre to establish the perennial grass cover or to plant trees; and requires the commissioner to pay up to 70 percent of the local market value for a permanent easement and up to 90 percent of the average local bids under the federal conservation reserve program for a temporary easement; establishes a cap of \$50,000 to any one landowner and provides for renewal of temporary easements in 10-year increments;

• establishes a critical habitat fund that requires a match of private funds to state funds to acquire land;

• describes what the commissioner of natural resources must include in various fish and wildlife management plans;

• requires the commissioner to establish an aspen recycling program on state land;

• establishes a Reinvest in Minnesota fund, describes wildlife and conservation purposes for spending the money, and allows the commissioner of finance to issue \$16 million in bonds to fund it;

• provides bond money for appropriating as follows: \$9.4 million to pay for the conservation reserve program; \$600,000 to administer the conservation reserve program; \$2.5 million to the fish and wildlife habitat improvement program; \$1 million for the aspen recycling program; \$2.5 million to the critical habitat private sector matching account for acquiring land; and \$100,000 to establish a fish and wildlife research center.

**Enactment:** March 20, 1986

**Effective:** various dates

#### **State historical site—renaming, changing boundaries**

**HF2165**—Zaffke, Solberg  
**SF2018\***—Willet

#### **Chapter 325:**

• changes the name of Sugar Point, in the Leech Lake Indian Reservation in Cass County, to Battle Point Site;

• establishes new boundaries.

**Enactment:** March 17, 1986

**Effective:** Aug. 1, 1986

#### **State leased lands—selling procedure**

**HF2169\***—Minne, Thiede, Marsh, Blatz, Otis

**SF2023**—Dicklich, Doug Johnson, Lessard, Solon, Freeman

#### **Chapter 449:**

• allows the commissioner of natural resources to sell state lakeshore land the state currently leases to people who built cabins on the land, if the people leasing the land request a sale before July 1, 1991;

• requires successful bidders to pay for land appraisals when they buy a lot; if a lot has no successful bidders, the commissioner can authorize the appraisal fee money to come from permanent school fund land lease fees;

- allows the person leasing the lot to stop the sale process after the appraisal, but before the sale;
  - specifies that buyers must make a 10 percent down payment and pay the balance in no more than 20 equal annual installments at eight percent interest;
  - provides that if the buyer is someone other than the person leasing the land, the buyer must reimburse the tenant for the appraised value of any improvements;
  - provides that proceeds from the sale that did not go to the state's school trust fund go for land acquisition of scientific and natural areas;
  - establishes a natural areas legacy endowment in the state treasury and allows the interest to go for protecting and managing lands with rare and endangered species or plants;
  - authorizes a Winona County real estate sale to a county agricultural society that owns adjoining property and conducts a county fair on it.
- Enactment:** March 25, 1986  
**Effective:** day after enactment except for section on Winona County, which is effective upon local approval

**State parks—  
changing boundaries**

**HF2466\***—Sviggum  
**SF2217**—Chmielewski, Lessard

**Chapter 432:**

- allows additions or deletions of certain land in Helmer Myre, William

O'Brien, and Frontenac State Parks and Moose Lake and Zippel Bay recreation areas;

- authorizes the commissioner of natural resources to lease deleted portions of Flood Bay State Wayside;
- directs the state to reimburse Fillmore County up to \$1,000 for money the county spends before June 30, 1987 to maintain roads into Forestville State Park.

**Enactment:** March 24, 1986

**Effective:** day after enactment

**State property—  
exchange authority**

**HF2427\***—Norton, Levi  
**SF2173**—Laidig, Novak

**Chapter 384:**

- allows the exchange of a parcel of state-owned Duluth Junction Trail in Washington County for a parcel of Minnesota Transportation Museum property in the same county.

**Enactment:** March 20, 1986

**Effective:** day after enactment

**Ticket quotas—  
state patrol, DNR officers**

- (See Transportation)

**Watershed management—  
taxing districts**

- (See Taxes)

**Waste management—  
nine-county agreement**

- (See Local Bills—Counties)

**Wild rice license fees/  
Indian land resettlement**

**HF2138\***—Rose, Stanius, Dempsey  
**SF2015**—R. Moe

**Chapter 429:**

- provides that money from wild rice license fees will go into a newly created wild rice management account in the state treasury; specifies use of the fund for public waters management to improve natural wild rice production;

• extends until Dec. 31, 1990, a 1984 law that permits Minnesota to join with the federal government to draft a settlement of land disputes on the White Earth Indian Reservation.

**Enactment:** March 24, 1986

**Effective:** July 1, 1986 for section on the wild rice management account; day after enactment for section on Indian land resettlement.



**Child abuse  
prevention trust fund**

**HF450\***—Blatz, Seaberg,  
D. Jennings, Bishop, Clausnitzer  
**SF942**—Hughes, Solon,  
R. Moe, Knutson, Lantry

**Chapter 423:**

- creates a children's trust fund for the prevention of child abuse;
- allows the commissioner of public safety to give out each year no more than the fund's earnings from the previous year and 60 percent of the annual contributions until the fund reaches \$20 million; when it reaches \$20 million, the commissioner can give out only annual earnings plus any federal funds or charitable gifts;
- allows the commissioner to give the money to any public or private non-profit agency to pay for a child abuse prevention program;
- creates a 15-member council to advise the commissioner;
- requires the commissioner to develop plans every two years for distributing the money;
- allows certain eligible counties to establish child abuse prevention councils that can review programs seeking trust fund money; also lists who may serve on the councils;
- provides that the money must go to child abuse prevention programs that address situations in which there may be a high risk of abuse and requires that these programs match 40 percent of the money;
- allows the commissioner to hire two employees to carry out the provisions of the act and keep up to five percent of the trust fund's annual collections to pay for administration costs;

- authorizes a \$2 surcharge on birth certificates to fund the account but rescinds the surcharge when the fund reaches \$20 million.

**Enactment:** March 24, 1986

**Effective:** July 1, 1986

**Child custody, support—revision**

**HF948**—Dempsey, Bishop

**SF1732\***—Merriam, Lessard, Jude, Knaak, Diessner

**Chapter 406:**

- creates a presumption that the court will award joint legal custody at the request of either or both of the divorcing parents, unless it wouldn't be in the child's best interest;
- requires the court to order a custodial parent to compensate a non-custodial parent who was wrongfully denied child visitation with visits of a similar type and at a convenient time for the non-custodial parent;
- allows the court to approve a child support agreement created by the parents if each is represented separately by attorneys and the agreement is just;
- changes the child support guidelines by reducing the ceiling amount of \$6,000 net monthly income to \$4,000 net monthly income so that anyone earning more than \$4,000 pays the same dollar amount as those earning \$4,000, rather than a set percentage of the net amount actually earned;
- allows reduction of net income by reasonable pension deductions and current child support or maintenance payments; and excludes the income of the non-custodial parent's current spouse;
- requires the court to consider, when setting child support amounts, both parents' earnings, the child's physical and emotional condition and educational needs, the standard of living the child would have enjoyed within the marriage, and the parents' debts;

- prohibits the court from considering, on motions for modification of support, the financial circumstances of each parent's current spouse;
- requires courts to consider seasonal workers' income fluctuations by letting the payments fluctuate or setting a level amount;
- sets up a procedure for stopping income withholding at the appropriate time stated in the document that establishes the child support obligation;
- provides the option of mediation in contested custody cases, except that no case may be mediated if there is evidence of domestic abuse;
- creates criteria for becoming a court-appointed mediator;
- requires conducting mediation privately and without the possibility that records will become evidence in court;
- allows the mediator to recommend and conduct an investigation to help determine custody arrangements if the parents cannot resolve disputes in mediation;
- requires parents to discuss mediated agreements with their attorneys, if any, and allows including the mediated settlement in the dissolution decree.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986 except for the section on mediation, which is effective Jan. 1, 1987

**Child day care regulation**

- (See Health/Human Services)

**Child support—  
withholding rules**

**HF2391**—Clausnitzer,

Segal, J. Carlson, Boo

**SF1721\***—Berglin

**Chapter 404:**

- allows the state to give up to \$60,000 per year to public or private non-profit agencies for planning, establishment, expansion, improvement, or operation of child care resource and referral programs, and child care services in a defined geographical area; requires a 25 percent match per year in local money;
- requires the programs to identify all existing child care services in the area, provide consumer-oriented information on them and make requested referrals;

- requires the program directors to show parents, upon request, how to evaluate child care programs and to provide technical assistance to existing and potential child care programs;
- allows the commissioner of education to give schools cash incentives to establish school breakfast programs or increase participation in them;
- requires annual studies of nutrition and food intake of Minnesota's children and elderly to find out if nutrition and intake are adequate;
- requires the commissioner of health to determine annually how many pregnant women are participating in the supplemental food program for women, infants, and children; allows the commissioner to choose a different organization to administer the program if the number doesn't increase by 10 percent each year;
- requires the commissioner of human services to do annual studies of the food stamp program; allows the commissioner to designate a different agency to administer it in counties where participation hasn't increased;
- requires food stamp offices to screen food stamp applicants on the day of application; establishes procedures for giving food stamps immediately to those who need them;
- requires a non-custodial parent who is eligible for dependent group health insurance to purchase the medical and dental insurance for his/her children; allows the court to make the parent purchase insurance or pay the bills even if the non-custodial parent can't get group insurance;
- requires the non-custodial parent to get health and dental insurance for the custodial parent if the insurance is available at no extra cost;
- requires employers who are withholding an employee's wages for child support to remit them within 10 days and requires employers to give priority to current accounts due;

- requires employers to withhold a certain amount from lump sum payments—such as severance payments—if the employee is behind on child support payments.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

**Criminal law—procedure changes**

- (See Crime/Corrections)

**Court videotaping—child statements**

- (See Crime/Corrections)

**Family subsidies—adoption, developmental disabilities**

**HF2490**—Stanius

**SF1980\***—R. Peterson

**Chapter 414:**

- authorizes the commissioner of human services to pay subsidies to an adoptive parent or parents who adopt a Minnesota resident under guardianship of the commissioner or a licensed child-placing agency, and who have exhausted funds available from other programs;

- requires the commissioner to obtain written documentation of the subsidy request that sets forth all parties' responsibilities and expected number of subsidy payments, and terms of the subsidy agreement;
- authorizes the commissioner to periodically re-evaluate subsidy payments, and to transfer funds into the subsidized adoption account when the program has a deficit;
- establishes a subsidies program for families that provide home care to developmentally disabled dependents under age 22 who otherwise would be in a residential facility.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

- requires the court to appoint an ad-

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

**Guardian ad litem—mandated for child abuse**

**HF2243**—Clausnitzer, Vellenga, Ozment, Greenfield, Kiffmeyer

**SF2102\***—Petty, Ramstad, Spear, Knaak, Berglin

**Chapter 469:**

- requires the court to appoint an ad-

vocate for a child during custody, marriage dissolution, or legal separation proceedings if child custody is an issue and if there has been an allegation of child abuse or neglect;

- allows the court to order either or both parents to pay costs of court-appointed child advocates; if parents are unable to do that, the county must pay.

**Enactment:** April 1, 1986

**Effective:** Jan. 1, 1987

**Immunity for disclosure—therapists/child abuse workers**

**HF2392**—Stanius, Kiffmeyer

**SF2135\***—Reichgott

**Chapter 380:**

- prohibits any legal action against a psychologist, nurse, chemical dependency counselor or social worker who doesn't warn someone about a potentially violent patient, unless the patient uttered a specific threat about a specific person;

- defines "other person," "practitioner," "psychotherapy," and "reasonable efforts";

- specifies that reasonable efforts by practitioners to warn potential victims satisfies warning requirements;

- prevents professional boards from taking action against a practitioner if the person disclosed confidences in an effort to warn potential victims;

- protects social workers in child abuse cases from civil and criminal liability for their actions if they act in good faith.

**Enactment:** March 21, 1986

**Effective:** day after enactment for section on child abuse; Aug. 1, 1986 for other sections; applies to causes of action arising on or after that date

**Juvenile prostitution—increasing penalties**

- (See Crime/Corrections)

**Sexual abuse laws—technical corrections**

- (See Crime/Corrections)

**Sexual solicitation—children**

- (See Crime/Corrections)

**Tax return—failure to file/ crimes—juvenile proceedings**

- (See Crime/Corrections)



**Comparable worth**

**HF418\***—Dempsey, Piepho, Gutknecht, Begich, Simoneau

**SF438**—Merriam, Adkins, Kroening, Bertram, Frederick

**Chapter 459:**

- clarifies laws that correct inequitable compensation relationships, commonly known as comparable worth;

- allows political subdivisions to specify the amount of funds needed solely for salary increases to correct inequitable compensations;

- requires a comparable worth arbitrator to consider the statute's equitable compensation standards and others, a job evaluation study, and any employee objections to the study.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1987

**Court administrators—salary procedure**

**HF2044\***—Knickerbocker, Simoneau, Sviggum, Halberg, Long

**SF1946**—Luther, Pogemiller, Sieloff

**Chapter 464:**

- provides that if a district court administrator dies, the amount of unpaid salary in the month the death occurs must go to the administrator's estate;

- allows the board of medical examiners to set the salary of its executive secretary at not more than 95 percent of the top of the salary range for the commissioner of health.

**Enactment:** March 6, 1986  
**Effective:** Aug. 1, 1986

**Fees for agency services**

**HF1979**—Johnson, Miller, Kalis, Levi, Knickerbocker  
**SF1850\***—Waldorf, Merriam, R. Peterson, Taylor, Frederickson

**Chapter 436:**

- expands the definition of state "mandated costs" to include a statute or executive order that calls for a fee;
- restricts agency fees and fee adjustments to amounts set in statute, and directs the Legislature to attempt to ensure that fees include only those service-related costs that benefit the taxpayer and that the agency bear service-related costs that benefit the general community;
- eliminates certain previous procedures for non-controversial fee-setting and requires that agencies submit proposed fee changes to chairs of the House Appropriations Committee and the Senate Finance Committee;
- directs the commissioner of finance to report a yearly fee analysis to the commissioner of revenue;
- updates laws to require that all agreements for developing or redeveloping hydropower sites contain provisions to assure the maximum financial return to the affected local government or the commissioner of natural resources.

**Enactment:** March 25, 1986  
**Effective:** various dates

**Library service fees**

- (See Education)

**Public Utilities**

**Commission—ethics, procedures**  
 • (See Energy/Utilities)

**Severance pay**

**HF2071**—Solberg, Elioff, Hartinger, Boo, Gruenes  
**SF1940\***—Dicklich

**Chapter 411:**

- authorizes community action agencies, the Minnesota Migrant Council and Indian reservations to enter into cooperative purchasing agreements and self-insurance programs with local governments;
- changes certain local government severance pay provisions by exempting accumulated sick leave used to pay insurance premiums from existing severance pay restrictions.

**Enactment:** March 24, 1986  
**Effective:** Aug. 1, 1986

**Services for the blind**

- (See Health/Human Services)

**Surplus property—disposal**

**HF2185\***—Sviggum, Piepho, Burger, Cohen  
**SF2137**—Pogemiller, D. Moe

**Chapter 363:**

- raises from \$5,000 to \$15,000 the threshold amount over which the Department of Administration must ask for sealed bids on anything it buys, sells, rents, or negotiates;
- allows the Department of Administration to give surplus property to Minnesota institutions and organizations that federal law authorizes to accept surplus property;
- allows the commissioner of administration to use revolving fund money to advise political subdivisions on how to manage their records, information, and telecommunication systems.

**Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

**Vital statistics—county registrars**

- (See Local Bills—Counties)



**Air ambulance services—certain exemptions**

**HF2350**—Frerichs, L. Jennings, Stanius  
**SF2171\***—Benson

**Chapter 421:**

- gives the commissioner of health rulemaking authority for fixed-wing and helicopter ambulance services;
- exempts fixed-wing air ambulances from the regional, certificate-of-need licensure hearing process, but requires the fixed-wing services to meet life-support transportation standards;
- requires a basic life-support transportation vehicle to have two or more attendants who meet statutory requirements and a driver who possesses a current first-responder certificate or a valid class C driver's license, provided the vehicle doesn't use a siren and flashing lights, and is moving within the legal speed limit.

**Enactment:** March 24, 1986  
**Effective:** Aug. 1, 1986

**Chemical dependency consolidated fund**

- (See Drugs/Alcohol)

**Child day care regulation**

**HF1765**—Ozment, Jaros, Boo, Miller, D. Nelson  
**SF1581\***—Berglin, Wegscheid, Frank, Benson

**Chapter 395:**

- establishes a regulatory direction for child care services that attempts to ensure safe, affordable, quality child care;
- states that, until June 30, 1987, certain day care arrangements or programs—including in-school "latchkey" programs—are exempt from state licensing requirements;

- directs the commissioner of human services to establish a task force to study such issues as insurance availability, safety standards, child/staff ratios, alternatives to regulation that increase day care options, and guidelines for state administration of the U.S. Department of Agriculture child care food program;
  - directs the commissioner to develop rules for family day care and group family day care homes, and summarize the rules for each agency and provider in understandable language;
  - directs the commissioner to submit to the Legislature, by Jan. 1, 1987, a report on the progress of writing and enforcing day care rules;
  - suspends until July 1, 1987 adoption of additional day care rules and enforcement of any fire safety provision, in excess of those the Uniform Building Code requires, that would cost more than \$100.
- Enactment:** March 21, 1986  
**Effective:** day after enactment

#### **Community Social Services Act**

**HF1951**—Sviggum, Onnen, Gruenes, Vellenga, L. Jennings  
**SF1965\***—Samuelson, Chmielewski, Knutson, Benson

#### **Chapter 413:**

- expands the commissioner of human services' duties to include providing technical assistance to county boards and using site visits as quality control for the guidelines in the Community Social Services Act (CSSA); clarifies allocation of funds;
- requires counties to:
  - provide, either directly or through a contractor, information about symptoms and characteristics of specific problems to increase public acceptance, to alleviate fears of seeking help, and to help people get to the right kind of assistance;
  - use diagnostic and evaluation activities to evaluate the functioning of each person as to illness or disability and need for services;
- governs CSSA allocations to counties, and authorizes the commissioner to assume the county's re-

sponsibilities and reduce its funding by up to 20 percent if the county doesn't fulfill its responsibilities under this act;

- requires a 1988 update to the 1987-88 biennial plan, and published plans every two years thereafter.

**Enactment:** March 24, 1986

**Effective:** day after enactment

#### **Employees' right to know**

**HF2338**—Sviggum, Heap, Clark

**SF2161\***—Dicklich

#### **Chapter 456:**

- authorizes the commissioner of health to inspect the premises of any employer to investigate the actual or potential release of hazardous substances if it exposes the community to health risks;
- allows the commissioner to disclose information the law designates as non-public to individuals or the community about health dangers of hazardous substances released from a workplace if:
  - those asking for the information have suffered or may suffer from the hazardous substance;
  - the substances are a health risk to the community and the commissioner tries to stop the employer from releasing them;

• requires employers to make a reasonable attempt to let employees, already technically qualified to deal with hazardous waste on the job, attend training or update programs if the training occurs during the employee's work day;

• mandates that the 1985 \$250,000 appropriation for firefighter training programs at area vocational technical institutes go to provide tuition subsidies for instruction in each approved program.

**Enactment:** March 25, 1986  
**Effective:** July 1, 1987 for section on inspection for hazardous substances in the workplace; Aug. 1, 1986 for other sections

**Immunity for disclosure—therapists/child abuse workers**

- (See Families/Juveniles)

**Intermediate care facilities—life safety requirements**

**HF1774**—Zaffke, Clark, Quist  
**SF1580\***—Berglin

#### **Chapter 371:**

• directs the state fire marshal and

the commissioners of health and human services to adopt the applicable standards of the 1985 Life Safety Code, to the extent federal statute or rule allows, for intermediate care facilities for mentally retarded people;

- states that existing rules governing life safety must be consistent with the 1985 code, and that all standards and amendments to the standards are effective 30 days following publication in the State Register;
- repeals the above provisions on June 30, 1987, or after adoption of rules incorporating the 1985 life safety code, whichever comes first.

**Enactment:** March 19, 1986

**Effective:** day after enactment

#### **Life support services/long-term care issues**

**HF2297**—Frerichs, Boo, D. Carlson, Elioff, Minne  
**SF2147\***—Benson

#### **Chapter 420:**

- requires transportation services involving the use of a stretcher to meet life support transportation licensing standards, unless the patient is not likely to require life support transportation service and medical treatment during the course of transport;
- directs the governor to appoint a nine-member task force on long-term health care planning that examines, among other issues, the moratorium on constructing new facilities, replacing or reconfiguring beds, upgrading classification of the intermediate care facilities class two, and the need to modernize long-term care facilities built between 1950 and 1960; further mandates that the task force report to the Legislature by Jan. 15, 1987, at which time the task force expires;

- directs the commissioner of health to approve a license condition for swing beds if the hospital meets specified criteria, including the provision that hospitals limit swing bed admission to patients already in the hospital or those who transfer directly from an acute care hospital;
- requires the commissioner to monitor and report on subacute or transitional care services in hospitals and monitor and report on nursing homes, if they provide services to individuals who stay less than 42 days in the facility;
- changes the computation of inpatient hospital rates on claims for care on or after Aug. 1, 1985;
- modifies the nursing home pre-admission screening program to allow one member of the screening team, in consultation with the other member, to screen individuals transferring from a hospital to a nursing home;
- exempts from the nursing home pre-admission screening requirement those not eligible for medical assistance (MA) whose expected length of stay is 30 days or less, and those who have a contractual right to have the veterans' administration pay for their care indefinitely; states that the MA program must pay for screening costs for applicants who receive MA;
- directs nursing homes to refund the difference between case-mix classification rates they fix upon admission and those the commissioner of health sets that were effective upon the admission date, if the former is higher;
- requires the director of the state planning agency to report to the Legislature by Feb. 1, 1987 on the appropriateness of current geographic groupings for reimbursement of nursing home operating costs;
- directs nursing homes to provide refunds plus interest to private paying nursing home residents if the rates they paid violate conditions set in Minnesota law.

**Enactment:** March 24, 1986  
**Effective:** various dates

**Long-term care insurance**  
 • (See Insurance)

**Long-term sheltered employment program**

**HF2072**—Gruenes  
**SF1441\***—Wegscheid,  
 Dean Johnson, Frederick, Nelson

**Chapter 369:**

- allows the commissioner of human services to grant funds to long-term sheltered workshops to finance and purchase computer equipment necessary to: provide the information to comply with the evaluation criteria in state law; increase sheltered worker productivity; and train severely disabled people in computer and other high-technology applications;
- directs the commissioner to require matching money from workshops that get funds for the computer equipment and for training/education purposes;
- states that funding may come from allocations to the Division of Vocational Rehabilitation for management information systems.

**Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

**Mental health—patients' bill of rights**

**HF2082**—Sviggum, Onnen, Segal, Greenfield, Becklin  
**SF1919\***—Berglin, Freeman

**Chapter 326:**

- extends the patients' bill of rights to people in an outpatient mental health treatment program or a community-based program, and to minors receiving residential chemical dependency or mental health treatment;
- requires officials to make accommodations for people who don't speak English or who have a communication impairment;
- allows minors age 16 or older in a residential program to request their release and to be free from isolation and restraints, except in emergencies and with a professional's consent;
- requires each facility to prepare an internal, written grievance procedure and specifies what it must contain;
- extends to patients and residents reasonable access at reasonable times to advocacy services without threat of punishment or discharge;

- allows minors in a residential program the right to a written treatment plan that describes the case problems, the plan's precise goals, and procedures that will minimize inpatient treatment;
- mandates, as of June 1, 1986, that all residential programs shall file, with the commissioner of health or human services, an annual report that details information on minors in the program.

**Enactment:** March 17, 1986  
**Effective:** Aug. 1, 1986

**Mental health service system**

**HF2081\***—Sviggum, Onnen, Segal, Greenfield, Becklin  
**SF1969**—Petty, Dean Johnson, Benson, Berglin, Dicklich

**Chapter 428:**

- directs the commissioner of human services to create and ensure a unified, accountable, comprehensive mental health service system;
- mandates that the system's functions:
  - promote the independence and safety of people with mental illness;
  - reduce the chronicity of mental illness and the abuse of people who have it;
  - stabilize individuals with mental illness; promote sound mental health and higher and more satisfying levels of emotional functioning;
  - provide effective, efficient services consistent with contemporary professional standards in the field of mental health;
- directs the commissioner to report to the Legislature by Feb. 15, 1987, and annually after that until Feb. 15, 1990, at which time the commissioner shall have implemented the stated goals and objectives.

**Enactment:** March 24, 1986  
**Effective:** Aug. 1, 1986

**Nursing home reimbursement**

**HF1794\***—Gruenes, Onnen, Rodosovich, Uphus  
**SF1579**—Berglin, Frank

**Chapter 316:**

- extends by one year—until June 30, 1987—the commissioner of health's policies and procedures re-

garding nursing home inspections, unless the commissioner supersedes those policies with other rules;

- extends by one year—until June 30, 1987—the emergency rulemaking deadline for nursing home reimbursement under the Medical Assistance program; rules become permanent after the deadline;
- specifies that, until the deadline date, any emergency rules the commissioners of health or human services shall adopt must be in accordance with statutes that took effect March 1, 1984.

**Enactment:** March 5, 1986

**Effective:** day after enactment

#### **Physical fitness therapies— mental health programs**

**HF651\***—Segal, Staten,  
Greenfield, Clark, Pappas  
**SF1395**—Lantry

#### **Chapter 349:**

- authorizes counties to apply for existing grant monies to fund physical fitness programs in residential facilities for the mentally ill;
- directs the State Planning Agency to study ways to centralize mental health administration within state government, either as a separate department or as a part of existing departments, and mandates that the agency report its recommendations to the Legislature by Dec. 15, 1986;
- directs the State Planning Agency to conduct a study that examines ways to unify mental health licensing functions, some of which are now in the Department of Health and some in the Department of Human Services; also directs the agency to address methods to improve the mental health quality assurance system and report to the Legislature by Dec. 15, 1986.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

#### **St. Paul Ramsey**

#### **Medical Center—reorganization**

- (See Local Bills—Metro)

#### **Services for the blind**

**HF2134**—Boo, Frederick, Clark

**SF2079\***—Pogemiller,

Lantry, Wegscheid, Berglin

#### **Chapter 337:**

- directs the commissioner of jobs and training to create a “services for the blind and visually handicapped” organization within the Department of Jobs and Training, and to develop and administer programs serving the needs of the visually handicapped in cooperation with state and local boards, vocational training institutes, and public and private agencies;
- empowers the commissioner to aid the blind and visually handicapped by improving their social, economic or educational conditions and providing to eligible people special materials and supplies that are hard to find elsewhere;
- transfers authority from the commissioner of human services to the commissioner of jobs and training to establish and operate vending stands and machines for rehabilitation of the blind in all buildings and properties the state owns or rents, except the Department of Natural Resources’ Division of State Parks;
- allows recipients of rehabilitation services who are dissatisfied with those services to file a request for administrative review and fair hearing;
- provides that data the Department of Jobs and Training receives about individuals applying for or receiving rehabilitation is private data;
- directs the commissioner to release medical, psychological or other rehabilitation data that may be harmful to the individual through that person’s legal representative, or a physician or licensed psychologist;
- allows the commissioner to recover from the blind and visually handicapped erroneous payments or equipment to which the state has title.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

#### **Vital statistics— county registrars**

- (See Local Bills—Counties)



#### **Bloomington stadium site—development, taxes**

- (See Local Bills—Cities/Towns)

#### **Contracts for deed—cancellation**

- (See Legal/Judiciary)

#### **City economic development authority**

- (See Local Bills—Cities/Towns)

#### **County land surveys/ Olmsted County expenses**

- (See Local Bills—Counties)

#### **Judgment lien procedures**

- (See Legal/Judiciary)

#### **Pearl Lake lakeshore— sale authorized**

**HF2200**—Brinkman

**SF1745\***—Bertram

#### **Chapter 407:**

- authorizes the sale of a piece of Pearl Lake shore land in Stearns County to certain individuals for an amount not less than the appraised value.

**Enactment:** March 24, 1986

**Effective:** day after enactment

## **Property assessments, appeals/ Minneapolis appointive jobs**

**HF1886\***—Frederickson, Valento, Schreiber, Knickerbocker, Stanius  
**SF1955**—Jude, Adkins, Freeman, Frederickson, Kamrath

### **Chapter 473:**

- requires that public notices relating to public meetings on improvements and proposed assessments include an explanation of assessment appeal procedures and that the mailed notice to property owners state the amount of the special assessment against the particular lot, piece, or parcel of land;
- trims content requirements for newspaper notices so they don't need to include all the information that's in the mailed notice;
- specifies other content requirements for the mailed notice and provides that if the final assessment differs from the proposed assessment, the city clerk must then notify the property owners;
- eliminates Minneapolis as one of the state's registration districts; allows the city's registration employees to transfer to Hennepin County jobs and retain, as much as possible, their former benefits, salaries, and rights, if both the county and city agree;
- modifies the appeal process in property tax law to allow property owners the right to appeal their assessments in tax court, regardless of circumstances;
- clarifies that public utilities can't recover or try to recover payment for a tenant's outstanding bill from a landlord, property owner, or property manager if the tenant contracted for the service;

- eliminates the median ratio criteria from the list that tax or district courts use to decide assessment appeals;
- adds Minnesota-based securities broker-dealers to the list of financial institutions that can make repurchase agreements with government units if they have at least \$40 million in combined capital and surplus, exclusive of subordinated debt;
- allows the Minneapolis city coordinator, clerk, attorney, commissioner of health, and director of civil rights to appoint persons to several specified city jobs; requires that the Minneapolis City Council set appointment procedures for the jobs.

**Enactment:** April 1, 1986

**Effective:** various dates

## **Real estate, mortgage loans, securities—regulation**

**HF1984\***—Marsh, Bennett, Krueger, McLaughlin, Piepho

**SF1854**—R. Peterson, Petty, Laidig, Wegscheid

### **Chapter 358:**

- requires lenders who sell or assign the servicing of a mortgage loan to another party to notify the mortgagor no less than 10 days after the sale or transfer, and provide the mortgagor with the name, address, and telephone number of the party servicing the loan;
- requires the purchasing lender to issue corrected payment books to the mortgagor within 20 days after the first payment is due, and to provide the mortgagor with the name, address, and telephone number of the person handling the loan and any new escrow or servicing requirements;
- requires the purchasing lender to respond within 15 business days to a written request for information from a mortgagor;
- requires lenders to make payments for taxes or insurance from an escrow account in a timely manner and makes them liable for late charges and actual damages if payments from the escrow account for taxes and insurance are late;
- sets penalties for up to \$500 per occurrence in addition to actual damages for violation of the above requirements;

- requires registration of certain mortgage-backed securities;
- exempts certain securities transactions between the issuer and an existing security holder from the registration and filing of sales and advertising literature requirements;
- adds any person (not a financial institution) who makes at least five conventional loans in a 12-month period to the definition of real estate broker;
- changes examination, prelicensing course work, and continuing education requirements for real estate brokers and salespersons;
- requires real estate brokers and salespersons acting as principals in a rental of mortgaged property to deposit in a trust account the portion of rent receipts necessary to make certain payments on mortgaged property;
- authorizes the commissioner of commerce to issue a cease and desist order for violations of laws pertaining to real estate brokers and salespersons; provides for hearings;
- adds incompetent, untrustworthy, or financially irresponsible behavior to the list of reasons for which the commissioner of commerce may deny, revoke, or suspend the license of or censure a real estate broker or salesperson;
- requires title companies, lenders, or anyone other than the mortgagor or fee simple owner holding an abstract of title to Minnesota real estate to transfer the abstract of title to the mortgagor or fee simple owner of the real estate before Aug. 1, 1987;
- provides that after Aug. 1, 1987, the abstract of title must go to the mortgagor or fee simple owner at the time of closing;

- provides that if a title company or lender fails to transfer the abstract within the above time frame, the mortgagor or fee simple owner has the right to have an abstract made at the expense of the lender or title company holding the abstract.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

**Real property—  
condominium plats**

**HF1821\***—McPherson, Levi

**SF1682**—Diessner

**Chapter 342:**

- substitutes the term “condominium plat” for “floor plan” in the Uniform Condominium Act and in statutes relating to the fees for approval from the county surveyor and for filing with the county registrar;

- requires condominium declarations amended after July 31, 1986 to include the condominium plat.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986; applies to condominiums under Minnesota Statutes, Chapter 515A, that record or file condominium declarations or amendments to the declarations after July 31, 1986

**Shakopee correctional  
facility—sale authorized**

**HF2351\***—Dimler

**SF2115**—Schmitz

**Chapter 367:**

- allows the commissioner of administration to sell the Shakopee women’s correctional facility and its 10.9 acres of land for the highest offer over \$145,000 to any local government unit where the building and land is;

- states that money from the sale goes into the general fund.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986



**Insurance, liability—changes**

**HF2268**—Halberg, McKasy,

Forsythe, Brinkman, Backlund

**SF2078\***—Solon, Wegscheid

**Chapter 455:**

**Risk management fund**

- creates a state risk management fund to provide alternatives to conventional insurance to pay for casualty claims arising from state activities;

- requires property and casualty insurers to submit annual reports to the commissioner of commerce on: liquor liability, product liability, medical malpractice, and any other line the commissioner designates;

- requires that the reports contain certain data as: written and earned direct premiums; net investment income; incurred claims; actual incurred expenses; net underwriting gain or loss; and net operation gain or loss;

- becomes effective day after enactment.

**Joint underwriting association**

- creates the Minnesota Joint Underwriting Association (MJUA), a state-run insurance plan to provide insurance coverage to anyone who is unable to obtain insurance through ordinary methods if the insurance is a requirement under state statute, ordinance, or law, or is necessary to earn a livelihood or conduct a business and serves a public purpose;

- authorizes the association to specifically provide insurance coverage to day care providers, foster parents, foster homes, developmental achievement centers, group homes, and sheltered workshops for mentally, emotionally, or physically handicapped persons, and certain citizen participation groups for a period of two years;

- prohibits the association from offering environmental impairment liability or product liability insurance or coverage for activities conducted substantially outside the state of Minnesota (unless statutes or ordinances require it);

- allows any Minnesota resident who has a current written notice of refusal to insure from a Minnesota licensed insurer to make written application to the association for coverage;

- authorizes the association to: issue insurance policies subject to certain limits; underwrite the insurance and adjust and pay losses; assume reinsurance from its members, and cede reinsurance;

- creates a 12-member market assistance program committee to review applications to determine what assistance they can give applicants in finding insurance coverage;

- provides that an insurer’s offer of a less-than-five-percent rate for coverage over the MJUA rates for similar coverage and risk is not a written notice of refusal for purposes of eligibility in the association;

- allows the association to deny or terminate coverage for good cause;

- provides that each member of the association would share its losses and expenses, depending on the number of total premiums the member has written;

- creates a stabilization reserve fund into which each policyholder would pay 33 percent of each premium payment due for insurance through the association to discharge any retrospective premium charges and refunds;

- authorizes the association to develop a surcharge plan for adjusting the rate for those who have claims against them;

- becomes effective day after enactment.

## **Miscellaneous insurance provisions**

- broadens fair plan coverage which currently encourages stability in the property insurance market in the urban areas of the state to include liability and property insurance in all areas of the state;
- prohibits an automobile insurance company from discriminating on account of marital dissolution; provides for coverage for former spouses;
- amends the insurance rate regulation statute that says rates aren't excessive if a reasonable degree of competition exists at the consumer level; provides a presumption that a reasonable degree of competition doesn't exist if less than five insurers write more than 75 percent of the direct written premiums;
- provides that no rates are effective until after filing with the commissioner of commerce; allows the commissioner to require insurers to file supporting and explanatory data;
- allows the commissioners of commerce and human services to establish a risk pool to provide insurance coverage for a licensed foster home, group home, developmental achievement center, or day care provider;
- allows Minnesota resident holders of Medicare supplement policies to enroll in the state's comprehensive health insurance plan with a waiver from the pre-existing-condition six-month exclusion;
- authorizes the establishment of trust funds to indemnify non-profit organizations and their officers, directors, and agents for legal liability;
- becomes effective day after enactment.

## **Medical malpractice**

- establishes a process for certificate of expert review in medical malpractice cases; becomes effective Aug. 1, 1986 and applies to all actions commenced on or after that date;

- requires a plaintiff to serve two affidavits on a defendant in all medical malpractice actions where expert testimony is necessary: (1) stating that an expert has reviewed the facts and has found grounds for the case (with the summons and complaint) or that time was too short to get a review because of the statute of limitations (within 90 days of service of the summons and complaint); and, (2) listing names and opinions of experts to testify at trial with grounds for those opinions (within 180 days of service of the summons and complaint);
- allows the parties or the court, for good cause shown, to provide for extensions of the time limits; provides for a mandatory dismissal of the case with prejudice if, within 60 days after demand for the affidavits, the plaintiff fails to comply;
- reduces to a maximum of seven years, the tolling period a minor has before the statute of limitations begins to run in all medical malpractice actions; provides that, in any event, the tolling period may not extend for more than one year after a minor reaches 18 years of age; becomes effective Jan. 1, 1987 and applies to all actions commenced on or after that date;
- provides that a plaintiff commencing an action for medical malpractice waives medical privilege as to any information or opinion in possession of a health care provider who examined or cared for the plaintiff; becomes effective Aug. 1, 1986 and applies to all actions pending on or commence on or after that date.

## **Government liability**

- adds the following exceptions to municipal liability:
  - accumulations of snow and ice on public sidewalks not abutting a publicly owned building or publicly owned parking lot;
  - construction, operation, or maintenance of parks and recreation areas if the claim arises from a loss incurred by a user of park and recreation property or services;
  - clearing of land, removal of refuse, and creation of trails or paths without artificial surfaces;
  - claims for losses other than injury to or loss of property or personal injury or death;

- claims for loss of benefits or compensation under a program of public assistance or public welfare;
- claims for loss based on failure to meet the standards for a license, permit, or other authorization;
- claims for loss based on the usual care and treatment, or lack of, of any person at a municipal hospital or corrections facility;
- any claim for loss, damage, or destruction of property of a patient or inmate of a municipal institution;
- claims for loss based on the condition of appurtenances (appendages) to unimproved real property;
- actions taken as an agent of the state;
- provides that a municipality may not indemnify an officer or employee for punitive damages levied against them;
- provides that a municipality is responsible for certain costs for injuries or other medical expenses arising out of an arrest when that municipality hires, fires, trains, or controls the law enforcement officials responsible for those costs;
- provides that the state will pay compensation for personal injury or property damage whether the liability arises out of a "governmental or proprietary function";
- provides for state immunity from losses caused by snow or ice conditions on public sidewalks that do not abut publicly owned buildings and parking lots;
- becomes effective July 1, 1986 and applies to claims arising from incidents that occur on or after that date;
- modifies joint liability of the state and municipalities; provides they are liable for no more than twice their fault if fault is less than 35 percent; becomes effective Aug. 1, 1986 and applies to actions pending on or commenced on or after that date.

### Civil liability

- changes the collateral source rule to require the court to reduce a plaintiff's award if the plaintiff receives payments from certain specified sources. Under the current rule, if the plaintiff has suffered a certain amount of total damages, the defendant(s) must pay the total damage amount, without any deduction for compensation the injured party received from other sources;
- specifies the following collateral sources which a court must deduct from the plaintiff's total award: a federal, state, or local income disability or workers' compensation; or other public program providing medical expenses, disability payments, or similar benefits; health, accident and sickness or auto insurance or liability insurance; group contracts for the costs of medical, hospital, dental or other health care; and a wage continuation plan employers provide; excepts those for which a subrogation right has been asserted;
- includes only those payments made on the plaintiff's behalf up to the date of the verdict;
- provides that a court can't deduct from the plaintiff's total award the following collateral sources: life insurance, private disability insurance, Social Security, or pension payments;
- requires a subrogated provider of a collateral source not separately represented by counsel to pay the same percentage of attorneys' fees as the plaintiff pays;
- exempts future damages from prejudgment interest;
- prohibits plaintiffs from claiming punitive damages in their initial complaint; allows them to amend the complaint to claim the damages and requires that a judge approve adding the claim after the plaintiff establishes prima facie evidence in support of the damages; applies to all actions commenced on or after the effective date;

- allows the court on its own to award costs to the other party in frivolous lawsuits;
- establishes a procedure for discounting of future damages to present value; applies to all actions pending on or commenced on or after the effective date;
- puts a cap of \$400,000 on intangible losses in all civil actions; defines intangible loss as embarrassment, emotional distress, and loss of consortium; provides that intangible loss does not include pain, disability, or disfigurement; applies to all actions pending on or commenced on or after the effective date;
- reduces the statute of limitations for actions based on services or construction to improve real property;
- provides for a statute of limitations for actions based on surveyors' errors in land surveys of two years after the discovery, or in any event, no more than 10 years after the date of the survey; gives those who have had an action against them during the ninth or tenth year after the survey an additional two years after the action to recover damages from the surveyor, but no more than 12 years after the date of the survey;
- provisions in this section become effective Aug. 1, 1986.

**Enactment:** March 25, 1986

**Effective:** various dates

### Insurance— miscellaneous changes

**HF1900**—Poppenhagen, Hartle, Metzen, Kalis

**SF1612\***—Wegscheid, Petty, Laidig

#### Chapter 313:

- classifies the following as non-public data: data the Department of Commerce collects and maintains that would identify insurance or township mutual companies which are in unsound condition;
- exempts domestic insurance companies from the incorporation requirement that incorporators must sign a certificate specifying the highest amount of indebtedness or liability to which the corporation will at any time be subject;
- changes certain investment requirements for life insurance companies;

- authorizes the state's temporary joint underwriting association to issue medical malpractice insurance to hospitals and nursing homes that can't get coverage in the voluntary market (expires June 30, 1987);
- expands definition of fraternal benefit societies to include a branch system that confines its membership to any one religious denomination;
- allows the Minnesota automobile insurance plan to write liability insurance on school buses up to \$1 million;
- provides that if the commissioner of human services can't obtain insurance for coverage of foster parents, the state will compensate parents of foster children for certain claims, subject to certain limitations;
- redefines cost to include "net premium, including consideration of any expense and risk charges" in insurance company bids for government contracts.

**Enactment:** March 5, 1986

**Effective:** day after enactment

### Long-term care insurance

**HF1953**—Gruenes, Tjornhom, Boo, Wynia, Onnen  
**SF1782\***—Petty, Lantry, Solon, Berglin, Benson

#### Chapter 397:

- mandates maternity benefits to unmarried women and minor female dependents equal to those provided to married women, including the wives of employees choosing dependent family coverage; applies to policies and contracts insurers issued, delivered, or renewed after Aug. 1, 1985 that cover Minnesota residents;
- defines "long-term care insurance policy" as one that provides benefits for medically prescribed long-term care, including nursing facility and home care services;
- establishes minimum benefits for any policy, including a provision that establishes a 90-day waiting period for payment of benefits and one that gives the customer 30 days to seek a refund of the premium;

- prohibits offering any long-term care policy that doesn't contain a statement outlining at least a description of the benefits and coverage; exceptions and limitations, especially the bold-print statement that the policy doesn't cover all nursing home costs; renewal provisions; a statement that this is a summary outline and the reader must consult the policy for details; loss ratio; and required out-of-pocket expenses;
- allows the insurer to review an insured's plan of care at reasonable intervals, but not more than once every 30 days;
- provides that all prohibited practices and penalties that apply to solicitation and sales of Medicare supplement policies shall apply to long term care policies;
- grants the commissioner of commerce rulemaking authority to: establish additional disclosure requirements; prescribe uniform policy forms to promote cost comparison; and establish other minimum standards as necessary.

**Enactment:** March 21, 1986  
**Effective:** June 1, 1986

#### **Military employees' compensation**

- (See Veterans/Military)

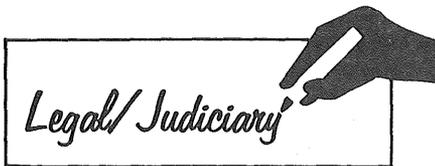
#### **Retired public employees—insurance, HMO policies**

**HF1330**—Becklin, Hartinger  
**SF1349\***—R. Peterson

#### **Chapter 321:**

- provides that insurers or health maintenance organizations must not require a public employer to contribute any portion of a retiree's share of insurance premiums or charges as a condition of eligibility for insurance or protection;
- allows them to require a retiree to pay all or part of the premiums or charges.

**Enactment:** March 14, 1986  
**Effective:** Aug. 1, 1986



#### **Agricultural products—buyers registration law**

- (See Agriculture)

#### **Contracts for deed—cancellation**

**HF2078**—Bishop, Quinn, Rees, Dempsey

**SF1930\***—Luther, Knaak

#### **Chapter 438:**

- reinstates pre-1985 laws governing the procedures for cancelling real estate contracts parties made prior to Aug. 1, 1985, as follows:

-for contracts parties made on or before Aug. 1, 1976, shortens required notice of termination from 60 to 30 days; eliminates the requirement that a purchaser, to prevent contract termination, pay the seller two percent of the amount in default; reduces the amount of attorneys' fees a purchaser must pay a seller and increases from 30 to 45 days the number of days default must exist before a seller is entitled to attorneys' fees;

-for contracts made after Aug. 1, 1976 and prior to Aug. 1, 1985, makes length of required notice of termination dependent on the percentage of the purchase price in default; eliminates the two percent default payment; reduces the amount of attorneys' fees purchaser must pay seller, and increases from 30 to 45 days the number of days default must exist before a seller is entitled to attorneys' fees;

- provides that current law provisions on cancellation of contracts apply only to contracts made on or after Aug. 1, 1985;

• provides for notice requirements for certain contracts for deed eligible under the state's mortgage and contract for deed moratorium law;

- reaffirms the validity of all termination notices served after July 31, 1985 and before Aug. 1, 1986;

• provides that the contract for deed provisions apply to termination notices first served on any party or first published on or after Aug. 1, 1986;

- transfers a total of \$50,000 from the real estate education, research

and recovery account in the special revenue fund to the commissioner of commerce for real estate education during the next two years.

**Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986

#### **Court administration—miscellaneous changes**

**HF1757**—Dempsey, Backlund, Pappas, McPherson  
**SF1600\***—Sieloff

#### **Chapter 317:**

- reduces the statutory time of residency requirement for a change of name from one year to six months;
- requires an owner of real property who has obtained a name change to file the name change order with the county recorder in the county where the property is, and to pay a county recorder filing fee;
- prohibits deputy court administrators from practicing as attorneys in the courts that employ them.

**Enactment:** March 11, 1986  
**Effective:** day after enactment for section that sets statutory residency requirement for change of name;

**Aug. 1, 1986 for all others**

#### **Court administrators—salary procedure**

- (See Governmental Operations)

#### **Court fees/trustees' powers**

**HF1772\***—Dempsey, Boerboom, Kalis, Piepho, Schoenfeld

**SF1857**—Solon, Freeman, Johnson, Dean, Luther

#### **Chapter 442:**

#### **Court fees**

- increases the following court fees:
  - certified copies of a judgment for a default on a workers' compensation award from 25 cents to \$5;
  - plaintiff's filing fee in a civil action from \$20 to \$30 and defendant's filing fee in a civil action from \$15 to \$30;

- requests for a jury trial from \$15 to \$30;
- certified and uncertified copies of instruments from any civil or criminal proceeding (added surcharge of 25 cents per page);
- subpoena fees from \$1 to \$3 per name;
- certifying fees for the existence of a docketed judgment from \$1 to \$3;
- hospital lien filing fees from \$1 to \$5;
- institutes a \$5 hospital lien satisfaction filing fee;
- clarifies existing fee statutes;
- increases the penalty assessment for convicted persons;
- requires a court to state in writing on the record reasons for its waiving payment or authorizing payment in installments of crime penalty assessments;
- requires that the court administrator pay probate, guardianship, and commitment court fees as the law prescribes rather than having the county board specify payment times;
- requires that the court administrator pay fines, penalties, and fees to the county no later than the 10th day of the month after collection;
- abolishes the separate fee schedule for probate court documents;

#### **Trustee powers**

- deletes the current "ordinary prudent person" standard of care for trustees and replaces with a requirement that the trustee evaluate each investment according to its role in the overall portfolio ("total asset management approach") and act with the prudence the trustee would show in managing the permanent, non-speculative disposition of the trustee's own funds;
- specifies eight factors a trustee should consider in applying the total asset management approach;

- allows a trustee to invest up to 10 percent of the net market value of a trust in new, unproven, untried, or other enterprises with significant growth potential;
  - allows a trustee to invest in securities of an open-end or closed-end management type investment company or investment trust registered under the Federal Investment Company Act of 1940;
  - provides that a trustee may not delegate all duties and when there is some delegation, the trustee: (1) still must use reasonable care to select and retain the person, and (2) remains liable for acts for which, if the trustee had done them, the trustee would be liable;
  - applies to all instruments, property relationships, and proceedings existing on or after the effective date of this act.
- Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986

#### **Court videotaping—child statements**

- (See Crime/Corrections)

#### **Criminal law—procedure changes**

- (See Crime/Corrections)

#### **Equal Access to Justice Act**

**HF1962**—Halberg, McKasy, Backlund, Quinn, Otis  
**SF1848\***—Willet, Ramstad, Petty, Jude, R. Peterson

#### **Chapter 377:**

- provides that the prevailing party in a civil action or contested case proceeding (other than a tort case) by or against the state, who shows the state's action was not substantially justified, may recover fees and other expenses unless special circumstances make such an award unjust;
- limits attorney fees to a maximum of \$100 per hour unless the court finds a special factor that justifies a higher fee;
- includes as parties eligible to recover: unincorporated businesses, partnerships, corporations, associations, or organizations with no more than 50 employees and annual revenues not over \$4 million;
- provides that a judgment against the state for fees and expenses must come from the involved agency's funds;

- provides for appeal when a party is dissatisfied with the fee determination.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986; applies to any civil action or contested case which is pending on, or commenced on or after, that date

#### **Insurance, liability—changes**

- (See Insurance)

#### **Judgment lien procedures**

**HF2079**—Backlund, Ellingson, Vanasek, Johnson, Miller  
**SF1939\***—Spear

#### **Chapter 335:**

- allows the party who wins a judgment to obtain a lien on the loser's real property if, in the case of registered property, he/she files the lien according to specified procedures in the land registration statute and the certificate of possessory title statute which govern registered property.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

#### **Non-profit corporations**

**HF2388**—McKasy  
**SF2094\***—Petty, Spear

#### **Chapter 338:**

- provides for succession of fiduciary capacity (trustee, executor, conservator, attorney-in-fact, etc.) in mergers and consolidations;
- provides that the corporation resulting from the merger and consolidation remains liable to the beneficiaries of a constituent corporation, as if the constituent corporation had continued its separate existence, unless the originating instrument provides otherwise;
- specifies a trust fund or corporation which funds a "church plan," as the Internal Revenue Code defines that term, is an acceptable employee-benefit fund for a church to establish.

**Enactment:** March 19, 1986

**Effective:** day after enactment

**Prosecuting attorneys—offenses**  
**HF2239**—Dempsey, Becklin,  
L. Jennings, Frederickson, Lieder  
**SF2087\***—R. Peterson, Jude, Luther  
**Chapter 440:**

- specifies the prosecuting attorney for certain offenses;
- provides that city (formerly municipality) attorneys will prosecute state law petty misdemeanors and misdemeanors occurring in their cities;
- allows a city (formerly municipality) to agree with the county board that the county attorney will prosecute any criminal offense;
- provides that the county attorney will prosecute all other petty misdemeanors and misdemeanors (formerly offenses) occurring outside a city;
- provides that the attorney for the government unit that issued the ordinance will prosecute violations of a municipal ordinance, charter provision, rule, or regulation, or the county attorney with whom the government unit has contracted to prosecute these matters.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986

**Psychotherapists—sexual exploitation**

**HF1851**—McKasy  
**SF1619\***—Spear,  
Donna Peterson, Wegscheid

**Chapter 372:**

- provides for a cause of action for a patient or former patient against a psychotherapist for sexual exploitation, if the sexual contact occurred: during the period the patient was receiving psychotherapy from the psychotherapist; or after treatment ends if: (a) the former patient was emotionally dependent on the psychotherapist; or (b) the sexual contact occurred by means of therapeutic deception;

- provides that it is not a defense that sexual contact occurred outside of treatment sessions or off the regular therapy premises;

- provides that an employer of a psychotherapist may be liable to the same extent as the psychotherapist if the employer:

- fails or refuses to take reasonable action when the employer knows or has reason to know the psychotherapist engaged in sexual contact with any patient or former patient; or,
- knows the name and address of an employer or former employer who has employed the psychotherapist as a psychotherapist within the past five years, but fails or refuses to make inquiries concerning the occurrence of sexual contacts by the psychotherapist with patients or former patients;

- provides that employers or former employers of a psychotherapist may be liable if they:

- know of the occurrence of the sexual contact of the psychotherapist with patients or former patients;
- receive a specific written request by another employer or prospective employer concerning the existence of the sexual contact; and

- fail or refuse to disclose the occurrence of the sexual contacts;
- provides for employers' liability only if their actions were a proximate and actual cause of damages;

- provides for no cause of action for employers or former employers who in good faith comply with the above;
- provides for a statute of limitations of five years;

- requires the court to re-evaluate and possibly extend probation in cases where defendants don't make restitution before the end of their probation.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986; applies to causes of action arising on or after that date

**Replevin actions—change in venue**

**HF2497**—Bishop  
**SF1975\***—Reichgott

**Chapter 382:**

- requires claimants to file replevin actions (actions to recover property the claimant lost through wrongful means) for trial in the county where

the wrongful taking of the property occurred, or in the county where the property is. (Currently, claimants can choose to file such action in the county of their residence.)

**Enactment:** March 20, 1986

**Effective:** Aug. 1, 1986

## *Special Session Action*

**Revisor's changes**

**HF3**—Himle

**SF1\***—Jude

**Chapter 3**

**Article 1—**

**Statutes—corrections**

- corrects erroneous, ambiguous, omitted, and obsolete references and text; eliminates certain redundant, conflicting, and superseded provisions.

**Article 2—Legislative**

**enactments—corrections**

- corrects various legislative enactments;
- makes changes to the 1984 law relating to the second and fourth judicial districts merging with district courts.

**Article 3—**

**Probate, augmented estate**

- amends the Uniform Probate Code section which defines the status of adopted persons and persons born out of wedlock as heirs; preserves the right of a person born out of wedlock to inherit from the mother and specifies the circumstances under which he/she may inherit from the father;
- makes the following changes to the exclusions and inclusions to the value of a decedent's augmented estate for purposes of a spouse's right to elect against the will (current law allows a surviving spouse to reject the will and take one-third of the augmented estate):

- excludes the non-probate homestead as well as the probate homestead which is currently excluded;
- includes the proceeds of certain life insurance and annuities on the life of the decedent, including accidental death benefits, payable to other than the surviving spouse but only to the extent the decedent paid the premiums during the marriage;
- excludes these types of insurance: that which judgment and decree, or court order requires; credit life insurance; that which insurance terms of contract requires; insurance the decedent obtained for the purpose of discharging any other contingent or fixed liability; or insurance for a bona fide business purpose;
- includes the value of amounts payable after the decedent's death under any public or private pension, disability compensation, benefit, or retirement plan or account, excluding the federal social security system;
- allows the above property to go to the designated beneficiary if the spouse does not file notice of intent to petition for the elective share; if the spouse files an election, the insurer can pay the money to the court and let the court determine who receives the payment;
- establishes that the surviving spouse has an independent election to claim the statutory protected homestead interest outside of the augmented estate and specifies the manner of making that election;
- effective for estates of decedents who die after Dec. 31, 1986.

**Wards, conservatees—  
best interests**

- establishes a standard for best interests of wards or conservatees and requires findings regarding best interests.

**Article 4—Miscellaneous**

- prohibits the Uniform Fire Code from requiring enclosing stairways of existing multiple dwelling buildings of two stories or less;

- defines the duties and terms of office of members of the World Trade Center Board; allows the board to expend money in the World Trade Center fund for the promotion of world trade in Minnesota; classifies data the board has received or developed;
- permits the equipping of school buses with driver-activated student control warning systems;
- creates the Labor Interpretative Center as part of the Minnesota Historical Society's state history center within the State Capitol complex and establishes an advisory council to assist with the operation of the center;
- allows \$200,000 of the appropriation authorized for the construction or alteration of the Cloquet water supply to be available to June 30, 1988;
- allows the 1985 Special Session appropriation to the Crime Victims Reparations Board to be available in either year of the biennium;
- excludes investment earnings resulting from the master lease program from being credited to the general fund.

**Enactment:** April 11, 1986

**Effective:** various dates

**Revisor's gender changes**

**HF1824\***—Bishop, Backlund, Rest, Piper

**SF1752**—Reichgott, Spear, Diessner, Knaak, Pogemiller

**Chapter 444:**

- adopts a gender neutral revision of Minnesota Statutes;
- provides no substantive changes;
- grants certain editorial authority to the revisor of statutes;
- replaces gender specific words with gender neutral words, and if necessary, rewrites the sentences that use gender specific words;
- restores to statutes: "airman," "sportsmen's club," "father," and "mother," terms that were in the statutes before preparation of the gender revision of 1986.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986

**Traffic violations—  
liability of lessors**

- (See Transportation)

**Uniform Limited  
Partnership Act—changes  
HF2256\***—Halberg, Dempsey  
**SF2081**—R. Peterson

**Chapter 430:**

- revises the Uniform Limited Partnership Act (a limited partnership is an unincorporated association, or firm, in which one or more of the partners are relieved from liability beyond the amount of capital they have contributed);
- deletes requirement that the certificate of limited partnership that is filed with the secretary of state contain the names of limited partners;
- requires that limited partnership records include separate lists of the general and limited partners (current law allows both groups to be on one list);
- removes requirement that a limited partnership needs at least two persons for formation;
- re-allocates certain information that state law currently requires for the certificate of limited partnership to the partnership records;
- provides that limited partnerships no longer have to amend their partnership certificates if a partner's contribution or obligation to make a contribution changes or if the partnership adds a limited partner or one withdraws;
- requires that only general partners need sign the original partnership certificate;
- allows any person to petition the District Court for execution if he or she is adversely affected when a person the law requires to execute a partnership certificate refuses or fails to do so;
- provides that admission of limited partners is effective on the date of the filing of the certificate or when the person became a limited partner according to partnership records, whichever is later;

- provides that a limited partner who participates in control of the business will be liable to those who deal with the partner in the reasonable belief that he or she is a general partner;

- provides that "in control of the business" does not include: being an officer, director, or shareholder of a general partner that is a corporation; guaranteeing or assuming specific obligations of the partnership; bringing a derivative action for the limited partnership; attending a partner's meeting; proposing, approving, or disapproving certain statutorily specified matters; winding up the limited partnership; or exercising any right or power limited partners have under the uniform act;

- provides that a person who erroneously, but in good faith, believes he/she is a limited partner, is liable to third parties for transactions occurring before the filing of a certificate showing he or she is not a general partner (current law gives such a person 30 days grace for filing an amendment);

- provides that a limited partner's promise to contribute to the partnership is enforceable only if the promise is in writing and the partner has signed it;

- clarifies that if a limited partnership fails to put allocations of profit and loss in writing in the partnership agreement, allocation will be according to the value of contributions in the partnership records;

- allows general partners, when the limited partnership dissolves, to sell the partnership's real estate without court approval.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

---



**Bloomington stadium site—development, taxes**

**HF2123\***—Himle, Blatz, D. Jennings, Riveness, Neuenschwander

**SF1968**—Freeman, Belanger, Doug Johnson

**Chapter 391:**

- gives the City of Bloomington the necessary financial tools to finance the development of the old Bloomington stadium site for a mega mall or other project containing a complex of hotels, commercial, office, and residential structures, and educational and entertainment facilities;

- allows the city to designate the site as a special sales tax district with proceeds to finance the project's highway, parking, and public improvements or citywide improvements and public services;

- permits the city to impose a sales tax of up to one percent on retail sales occurring on the stadium site;

- permits the city to impose a sales tax of up to five percent on transient lodging within the city;

- permits the city to impose a liquor-by-the-drink sales tax of up to five percent on sales within the city;

- allows the city to dip into the metropolitan area property tax-sharing pool, known as "fiscal disparities" through the year 1999 to help pay for major highway repairs on Cedar Avenue South; allows the city to sell bonds to do the road work and get the principal back from the state highway fund while paying the interest on the bonds with the fiscal disparities money; requires the city, through a citywide levy for the years 2000 through 2009, to pay the fiscal disparities money, interest free, after the retirement of the bonds;

- repeals all special sales taxes on the site after retirement of site-improvement bonds;

- provides that the commissioner of revenue collect the special sales taxes and give them back to Bloomington at least quarterly;
- allows the city to be the head agency responsible for all design, contract letting, award administration of highway improvements in the project area; requires the city to acquire and convey to the state all rights-of-way for trunk highway improvements to the project area;
- authorizes the city's port authority to issue and sell revenue bonds to finance highway improvements;
- allows the port authority to build suitable buildings on leased land;
- permits any project development on the site to proceed at identified stages and levels in the generic environmental and pollution impact statements, with necessary permits.

**Enactment:** March 21, 1986

**Effective:** day after enactment

---

**Bowlus firehall—exceeding debt limit**

**HF2464\***—Omann

**SF2223**—Bertram

**Chapter 368:**

- permits the City of Bowlus to exceed its debt limit by \$20,000 for construction of a firehall and related public facilities.

**Enactment:** March 19, 1986

**Effective:** upon local approval

---

**Cemeteries—maintenance by towns**

• (See Miscellaneous)

---

**City economic development authority**

**HF1931**—Lieder

**SF1725\***—R. Moe

**Chapter 400:**

- permits any home rule charter or statutory city to establish economic development districts or a commission-governed economic development authority;

---

- allows economic development authorities to acquire properties by lease, purchase, gift, devise, or condemnation proceedings for governmental and municipal purposes;
- allows economic development authorities to sell properties within economic development districts;
- allows cities to transfer Housing and Redevelopment Authority control and duties to economic development authorities;
- details governance, financing, accountability, and public notice requirements;
- grants economic development authorities the power to:
  - make property contracts with private and public organizations, including the federal government, and obtain easements or rights for economic development;
  - operate public parking and other public facilities to promote development in economic development districts;
  - issue general obligation bonds in the principal amount authorized after a two-thirds vote of its city council and set up a district tax levy, which the county would collect, to pay off the bonds; requires the city's pledge of full faith and credit to secure the bonds;
  - obtain loans for specific development purposes on the basis of bonds it issues;
  - undertake studies and analyses of city economic development needs;
  - carry out or cooperate in carrying out public relations activities that promote the city and its economic development;
  - improve certain types of land in development districts to make it more suitable and available for economic development;

-accept city-delegated responsibility for redevelopment of mined, underground space within the scope of the law;

- allows city councils to transfer excess operating funds from economic development authorities to city debt service funds;
- allows cities to grant economic development authority to their port authorities; prohibits state credit or appropriations from paying or guaranteeing payment of port authority debt;
- permits county boards to spend up to \$50,000 annually from general revenue funds on promoting, advertising and improving, or developing the economic and agricultural resources of the county;
- defines the Minneapolis downtown special taxing area for purposes of a convention center (See Minneapolis convention center, Chapter 396 in this section);
- allows the state auditor to make financial audits and legal compliance examinations of economic development authorities.

**Enactment:** March 24, 1986

**Effective:** day after enactment

**Clay County, Moorhead—development authorities**

• (See Local Bills—Counties)

**Cologne fire station, city hall—exceeding debt limit**

**HF2328**—McDonald

**SF2127\***—Renneke

**Chapter 419:**

- permits the City of Cologne to issue up to \$350,000 in general obligation bonds to finance the acquisition and improvement of a fire station and city hall;
- states that the tax levy to pay principal and interest on the bonds isn't subject to levy limitations; prohibits use of the tax levy or interest in computing or applying any limitation that applies to the city levy limitations.

**Enactment:** March 24, 1986

**Effective:** upon local approval

**Crosby, Ironton—land transfer**

**HF2407\***—Thiede

**SF2271**—Samuelson

**Chapter 457:**

- authorizes the commissioner of administration to transfer the Croft

Mine Park in Crow Wing County to the City of Ironton, the City of Crosby, and/or the Croft Historical Park Board only at the request of the commissioner of iron range resources and rehabilitation.

**Enactment:** March 25, 1986

**Effective:** Aug. 1, 1986

**Dakota County, Hastings—state land sale**

• (See Local Bills—Metro)

**Duluth School District 709—civil service**

• (See Employment/Labor)

**Grand Rapids—Central School Commission**

**HF2236\***—Solberg

**SF2052**—Lessard

**Chapter 347:**

- permits the City of Grand Rapids to establish a Central School Commission and sets rules governing the appointment and tenure of commissioners. Commission responsibilities include maintaining the Central School building, promoting school activities, and coordinating operations. The commission has authority to hire a custodian and operations manager but cannot lease space or alter lease agreements the City Council has made.

**Enactment:** March 19, 1986

**Effective:** upon local approval

**Hazardous waste—containment site selection**

• (See Environment/Natural Resources)

**Hendrum—detached banking facility**

**HF2032**—Valan, J. Carlson, Lieder

**SF1886\***—R. Moe

**Chapter 334:**

- allows any state bank doing business within 30 miles of Moorhead

(Hendrum) to establish and maintain not more than one detached facility in Moorhead regardless of the 25-mile statutory limitation.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

**Litchfield municipal power—loans for development**

**HF2068\***—Kvam

**SF1922**—Bernhagen

**Chapter 360:**

- allows the City of Litchfield to lend not more than \$750,000 from its public utility fund to either public or private industrial developers; authority expires Jan. 1, 1988.

**Enactment:** March 19, 1986

**Effective:** upon local approval

**Litchfield—tax increment district/unemployment comp**

**HF2210\***—Kvam

**SF2040**—Bernhagen

**Chapter 451:**

- allows the Litchfield City Council to require the Meeker County auditor to reduce the original assessed value of a tax increment financing district in the city which a fire substantially destroyed after the Jan. 2, 1986 assessment;

- prohibits charging unemployment benefits to an employer's account if the unemployment's cause is fire, flood, or other act of God, in which at least 70 percent of the employees lose their jobs and the employer substantially reopens operations in that same area within 360 days of the cause;

- provides that benefits will be against the employer's account when cause of unemployment is the willful act of the employer or a person acting on the employer's behalf.

**Enactment:** March 25, 1986

**Effective:** retroactively to Jan. 1, 1986 for section on tax increment financing district; day after enactment for section on unemployment compensation benefits

**Liquor licenses—cities, towns, counties**

- (See Commerce/Economic Development)

**Local debt—for warning systems**

**HF1853**—McPherson, Levi, Beard

**SF1587\***—Diessner

**Chapter 314:**

- allows cities and towns to issue bonds or other debt obligations for financing or improving warning systems.

**Enactment:** March 5, 1986

**Effective:** Aug. 1, 1986

**Local government—permitting property sales**

**HF1912**—Frederickson, Valento,

Johnson, McEachern, G. Anderson

**SF1797\***—Adkins, R. Moe,

Bernhagen, Stumpf, Isackson

**Chapter 327:**

- permits Minnesota's political subdivisions—including counties, cities, towns, and school districts—to dispose of or sell property to the U.S. government or U.S. state or local subdivisions;

- clarifies Option B of the Town Option Law to allow for appropriate preparation of the ballot when appointment is for only a clerk or only a treasurer;

- gives annual town meeting voters the right to decide whether their town council should have the authority to provide for and regulate the collection and disposal of the town's garbage;

- authorizes town boards to provide blanket surety bonds to cover town officers who must furnish individual surety bonds;

- removes the bond requirement for contractors who work on public,

non-forestry projects if their contracts are for \$10,000 or less.

**Enactment:** March 17, 1986

**Effective:** Aug. 1, 1986

**Local needs—Aitkin/Cambridge/McGregor/Thomson/Breezy Point**

**HF2105**—Ogren, D. Carlson

**SF1793\***—Chmielewski

**Chapter 399:**

- permits Aitkin County to annually levy a tax up to one and one third mills for development purposes; allows voters to initiate a referendum after the board begins proceedings on the levy;

- allows the City of Breezy Point to increase its 1986 tax levy from \$125,000 to \$175,000; allows voters to initiate a referendum after the board begins proceedings on the levy;

- authorizes refunds to citizens in Aitkin County for taxes they paid to the retail rural electric cooperative on electricity they used in agricultural production;

- permits the state to exchange certain parcels or tracts of land in Carlton County with the City of Thomson;

- authorizes the Cities of Cambridge and Lindstrom to establish and enlarge special service districts and to levy taxes in these districts on commercial, business, or industrial zoned property, with proceeds to pay for city-contracted maintenance, improvements, and operation; specifies powers, limits, governance, and public approval/veto processes;

- allows St. Louis County to have a county building commission;

- permits the City of McGregor to enter a joint agreement with other local government units to construct and finance a library;
- permits counties to consolidate the offices of county auditor and treasurer, by resolution and referendum, if one of the offices becomes vacant;
- changes certain local government severance pay provisions by exempting accumulated sick leave compensation in the form of insurance premium payments from existing severance pay restrictions;
- Revisor's bill, Special Session, SF1, deletes Article 2 on economic development authorities.

**Enactment:** March 24, 1986

**Effective:** various dates

**McIntosh bonding—  
to exceed net debt**

**HF2195\***—E. Olson

**SF1998**—R. Moe

**Chapter 364:**

- authorizes the City of McIntosh to issue and sell up to \$300,000 in general obligation bonds that voters authorized in the Nov. 5, 1985 election. These bonds aren't subject to state net-debt nor city levy limits.

**Enactment:** March 19, 1986

**Effective:** upon local approval

**Medina—gas line loan**

**HF2111\***—Clausnitzer

**SF1994**—Jude

**Chapter 345:**

- authorizes the City of Medina to pay a public utility company up to \$39,762 for construction of natural gas transmission facilities. The city may contract with the company for interest-free repayment of this loan.

**Enactment:** March 19, 1986

**Effective:** upon local approval

**Mendota Heights—  
special service districts**

**HF2131**—Seaberg, McKasy, Metzen

**SF2067\***—Knutson

**Chapter 415:**

- authorizes the City of Mendota Heights to establish special service districts to levy taxes on property the city has zoned commercial, business or industrial, with proceeds to pay for city-contracted maintenance, improvements, and operation;
- specifies powers, limits, governance, and public approval/veto processes.

**Enactment:** March 24, 1986

**Effective:** day after enactment

**Minneapolis convention center**

**HF1755**—Greenfield,

Long, Schreiber, McLaughlin,

Knickerbocker

**SF1671\***—Berglin,

Donna Peterson, Spear

**Chapter 396:**

- authorizes Minneapolis to build, own, and operate a convention center and related facilities at a construction cost of not more than \$118 million;

• specifies modifications to the Uniform Municipal Contracting Law that apply to the convention center project;

• allows the city to issue general bonds to finance convention center construction, improvements and related activities, including housing replacement projects; details requirements for bond issuance and repayment through levies;

• permits the city to impose an additional "sales and use" tax of up to one-half of one percent after Jan. 1, 1987; at that time, the city may also levy a tax of up to three percent on liquor and food purchases in the downtown area and on lodging within the city; specifies use of these special taxes only for expenses that relate to the convention center.

**Enactment:** March 21, 1986

**Effective:** upon local approval

**Minneapolis—uniform elections**

**HF2405\***—Sarna

**SF1985**—Kroening

**Chapter 433:**

- unifies election day for Minne-

apolis; extends terms of certain board members;

• requires election of all members of the city Board of Estimate and Taxation, Park and Recreation Board, and Library Board at the general city election in 1989 and every four years thereafter;

• extends terms to 1989 for board members who would be up for election in 1987.

**Enactment:** March 24, 1986

**Effective:** upon local approval

**Police, fire pensions—  
auditing requirements**

- (See Pensions/Retirement)

**Property assessments, appeals/  
Minneapolis appointive jobs**

- (See Housing/Real Estate)

**Rule of 85/local pension plans**

- (See Pensions/Retirement)

**St. Cloud convention  
center—taxes authorized**

**HF2126**—Gruenes, Marsh

**SF1966\***—Pehler

**Chapter 379:**

• authorizes the City of St. Cloud to impose: up to a one-percent sales tax on on-sale liquor sold at St. Cloud on-sale liquor establishments and on food and beverages not subject to the liquor tax sold at St. Cloud restaurants; and a two percent local lodging tax;

• authorizes the use of the proceeds of such taxes for the construction, operation, and promotion of a convention center facility.

**Enactment:** March 19, 1986

**Effective:** upon local approval

### Thomson—exchange of land

HF2315—Murphy  
SF2101\*—Gustafson,  
Lessard, Chmielewski

#### Chapter 417:

- allows the State of Minnesota to exchange certain parcels of land in Carlton County with the City of Thomson (See Local needs—Aitkin/Cambridge/McGregor/Thomson/Breezy Point, Chapter 399, in this section);
- permits the state to sell specific parcels of land in Lake of the Woods County.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986 for land exchange; day after enactment for land sale

## Local Bills—Counties

### Anoka County Park ordinance

HF1785—Backlund, Simoneau,  
Hartinger, Voss, Jacobs  
SF1680\*—Merriam, Dahl,  
Frank, R. Peterson, Novak

#### Chapter 374:

- provides that park ordinances the Anoka County Board enacts will supersede any conflicting provisions of counties, cities or towns; applies to present and future ordinances;
- designates Anoka County as an operating agency with the Hennepin County Park Reserve District and the Minneapolis Park and Recreation Board for the Mississippi Regional Park funds and administration.

**Enactment:** March 19, 1986

**Effective:** upon local approval for section on county board park ordinances; day after enactment for section on the Mississippi Regional Park

### Clay County, Moorhead—development authorities

HF1807\*—J. Carlson  
SF1760—Langseth

#### Chapter 341:

- authorizes the City of Moorhead and Clay County to designate or form a single agency responsible for promoting and assisting industrial and economic development, redevelopment, and housing;
- specifies governance, procedures, limitations, and evaluation processes;
- exempts the future Moorhead chiefs of police and deputy chiefs of police from the policies and control of the Moorhead police civil service commission system.

**Enactment:** March 19, 1986

**Effective:** upon local approval

### Counties—products, conflicts, positions

HF2292—L. Jennings, Zaffke,  
Frederickson, Becklin, Kalis  
SF2090\*—Adkins

#### Chapter 416:

- clarifies that future county commissioners cannot hold any other elected offices during their tenure as commissioners or be employed by the county in which they are commissioners;
- allows counties to make advance deposits or payments on news and professional publications and on software development for county-owned or -leased electronic data processing equipment. Permits counties to market and sell any software developed for their county;
- authorizes any county board, through a referendum process, to make the offices of county treasurer and county auditor one elected office following the vacancy of either position;

• updates the technical language regarding referendum procedures, courthouse building commissions and document filing charges.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

### County land surveys/ Olmsted County expenses

HF2216\*—Johnson,  
L. Jennings, Lieder  
SF2252—Schmitz

#### Chapter 365:

- makes technical changes in the laws governing county land surveys and subdivisions;
- requires filing of county plat, records, and field notes in the county surveyor's office. If there is no full-time surveyor or the surveyor's office is outside the county building, requires filing with the county recorder's office;
- updates guidelines for government land-survey monument markers;
- sets a misdemeanor penalty for willful removal, destruction, or defacement of survey monuments;
- allows the Olmsted County Board to annually take up to \$3,500 instead of \$1,000 from the county revenue fund for the board chair's contingent fund, which the chair may use to pay for incidental costs and expenses relating to county business.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986; upon local approval for section on Olmsted County

### Dakota County—library bonds

HF2329\*—Tompkins, Ozment,  
Voss, Rees, Halberg  
SF2150—Wegscheid,  
Knutson, Schmitz, Vega

#### Chapter 392:

- authorizes the Dakota County Board to issue \$15 million in general obligation bonds, without voter approval, for library buildings;
- limits total of bonds outstanding to \$8 million;
- allows a petition signed by 10 percent of the voters to initiate a referendum on the bond issue after the board publishes notice of intent to sell the bonds and authorizes a three-fourths mill property tax to retire the bonds.

**Enactment:** March 21, 1986

**Effective:** upon local approval

---

**Dakota County, Hastings—  
state land sale**

- (See Local Bills—Metro)

---

**Elected county officials—  
removal procedures**

- (See Elections)

---

**Fish stocking, private lands/  
Anoka drainage repair**

- (See Environment/Natural Resources)

---

**Lake improvement  
districts—authorization**

**HF1782\***—R. Anderson

**SF1599**—C. Peterson

**Chapter 443:**

- establishes procedures for creating a lake improvement district;
- requires the county board to tell its plans to town boards in the proposed district at least 30 days before the county board establishes a district so that the town boards may respond to the idea;
- provides that a petition with the signatures of 26 percent (formerly 51 percent) of the property owners in the proposed district—including governmental subdivisions—may initiate procedures to establish a lake improvement district;
- requires the county auditor to verify the petition's signatures and requires the county board to hold a public hearing and make a decision on the issue within 30 days;
- allows one or more county boards to form a joint county authority to establish a lake improvement district if they share the area involved;
- requires an order establishing a district to include the district's name, its boundaries, the proposed programs and services, proposed financing, and the requirements for the board of directors;

- requires officials to publish notice of the proposed district in local newspapers and allows the district's establishment 30 days later;

- allows 26 percent of the property owners in the district to initiate a referendum on whether a district should be established, in those cases when the county board is establishing the district;

- requires the referendum election in July or August after the county board receives the petition;

- allows the county board to establish and authorize a board of directors to oversee lake improvement districts and describes the board's functions;

- allows county boards to sell revenue-raising bonds to fund projects and services in the district;

- prevents officials from improving a body of water under the authority of the lake improvement district if the public has no access to the shoreline;

- allows 26 percent (formerly 51 percent) of the property owners in a district to begin proceedings to terminate a lake improvement district.

**Enactment:** March 25, 1986

**Effective:** day after enactment

---

**Liquor licenses—  
cities, towns, counties**

- (See Commerce/Economic Development)

---

**Local government—  
permitting building commissions**

**HF1819**—McPherson, Levi, Beard

**SF1574\***—Diessner

**Chapter 312:**

- allows each county with a population over 100,000 the option of establishing a county building commission to oversee its courthouse if the building is not under joint or common ownership with the city.

**Enactment:** March 3, 1986

**Effective:** Aug. 1, 1986

---

**Local improvements—  
county road assessments**

**HF1820**—McPherson, Levi, Beard

**SF1575\***—Diessner

**Chapter 315:**

- permits counties to construct or improve county highways, curbs, gutters and storm sewers anywhere inside their boundaries, including towns and cities;

- requires towns to approve any county assessments before construction, improvement, or cost allocation begins.

**Enactment:** March 5, 1986

**Effective:** Aug. 1, 1986

---

**Local needs—Aitkin/Cambridge/  
McGregor/Thomson/Breezy Point**

- (See Local Bills—Cities/Towns)

---

**Ramsey County—  
abstract clerk/library bonds**

**HF1611**—Knuth, Valento,

Kostohryz, Stanius, Rose

**SF1515\***—Novak, Knaak,

Hughes, Dieterich, Lantry

**Chapter 370:**

- makes the job of Ramsey County abstract clerk a non-elected position under county personnel department procedures and policies. The elected incumbent clerk will serve until the term expires, or after the term expires, until the county has appointed and trained a successor. The county may not disqualify any applicant for appointment because of age before age 70;

- authorizes the Ramsey County Board of Commissioners to issue up to \$15 million in general obligation bonds, without voter approval, for the county library system's buildings and equipment. Provisions allow for a county-wide property tax levy, excluding the City of St. Paul, to retire the bonds.

**Enactment:** March 19, 1986

**Effective:** upon local approval

---

**Rule of 85/local pension plans**

- (See Pensions/Retirement)
-

**St. Louis County—  
appointing an administrator**  
HF2344\*—Boo, Begich, Minne  
SF2163—Dicklich, Gustafson, Solon  
**Chapter 366:**

- permits St. Louis County to appoint an administrator;
  - repeals the law mandating election of St. Louis County's recorder and makes the office an appointed position after 1991;
  - allows county boards to designate county recorders and county department heads as working in unclassified service employment;
  - returns land in St. Louis County to individuals who forfeited it to the state because recording errors showed their taxes unpaid.
- Enactment:** March 19, 1986  
**Effective:** various dates

**State leased lands—  
selling procedure**  
• (See Environment/Natural Resources)

**Vital statistics—  
county registrars**  
HF1940\*—Gruenes  
SF1860—Bertram, Pehler,  
Dean Johnson  
**Chapter 357:**

- allows the Stearns County Board, with the court administrator's approval, to designate the county auditor as the county's local registrar and to authorize the county auditor to perform marriage ceremonies.
- Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

**Washington County—  
bonds for water systems**  
HF2418\*—Price, Beard, Levi  
SF2205—Diessner

**Chapter 348:**  
• allows Washington County, under joint powers agreements with its cities and towns, to issue general obligation bonds to finance the construction and improvement of community water facilities.  
**Enactment:** March 19, 1986  
**Effective:** upon local approval

**Washington County—  
building sale to hospital**  
HF2202—McPherson,  
Levi, Beard, Price  
SF1794\*—Laidig

**Chapter 328:**  
• permits Washington County to sell its social service building and land to Lakeview Memorial Hospital in Stillwater.  
**Enactment:** March 17, 1986  
**Effective:** upon local approval

**Waste management—  
nine-county agreement**  
HF1800\*—R. Anderson,  
Poppenhagen  
SF1767—C. Peterson

**Chapter 340:**  
• permits Becker, Grant, Hubbard, Otter Tail, Stevens, Todd, Traverse, Wadena, and Wilkin Counties to jointly negotiate and enter into solid waste management contracts;  
• requires approval by each county board.  
**Enactment:** March 19, 1986  
**Effective:** upon local approval

## *Local Bills—Metro*

**Dakota County,  
Hastings—state land sale**  
HF1970\*—Ozment  
SF1935—Wegscheid

**Chapter 426:**  
• extends the deadline from Jan. 1, 1986 to Jan. 1, 1987 for allowing the commissioner of administration to sell a specific parcel of land in Dakota County to Hastings; requires appraising the land as agricultural property and basing the appraisal on its continued use for agricultural purposes rather than industrial development.

**Enactment:** March 24, 1986  
**Effective:** day after enactment

**Mendota Heights—  
special service districts**  
• (See Local Bills—Cities/Towns)

**Metropolitan governance—  
revisions, corrections**  
HF1860\*—Stanius, Forsythe,  
Valento, Tomlinson, McPherson

**SF1588—Diessner  
Chapter 460:**

- updates and revises language regarding metropolitan government; redefines Metropolitan Parks and Open Space Commission, Regional Transit Board, Metropolitan Transit Commission, Metropolitan Waste Control Commission, Metropolitan Airports Commission, and Metropolitan Sports Facilities Commission as "metropolitan agencies";
  - sets new appointment procedures, clarifies length of terms, specifies planning and implementation processes that will take effect after Jan. 1, 1987, details financial authority, and updates public notice and hearing requirements for metropolitan government;
  - creates a financial reporting and management advisory committee to develop uniform standards, formats, and procedures for all metropolitan agency budgets and financial reports; requires metropolitan agencies to coordinate their financial reporting and management functions;
  - specifies Metropolitan Council procedures for choosing, zoning, and monitoring the site for a new metropolitan airport; requires a cooperative study and plan about community sharing of property tax revenues from the airport development area;
  - allows the Metropolitan Mosquito Control Commission to issue certificates of indebtedness in anticipation of tax receipts, thereby financing necessary spring work.
- Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986

**Minneapolis convention center**  
• (See Local Bills—Cities/Towns)

**Property assessments, appeals/  
Minneapolis appointive jobs**  
• (See Housing/Real Estate)

**Ramsey County—  
abstract clerk/library bonds**  
• (See Local Bills—Counties)

**St. Paul Ramsey  
Medical Center—reorganization**

**HF1875\***—Kelly, Rose, Knuth,  
O'Connor, Valento  
**SF1710**—Lantry

**Chapter 462:**

- creates a public corporation governed by a 15-member board; directs the corporation to create at least two subsidiary corporations: one to govern the St. Paul Ramsey Medical Center for health care delivery, research, and education; the other corporation to be an association of physicians and dentists;
- transfers all employees of the St. Paul Ramsey Medical Center Commission to the hospital subsidiary corporation, and further provides that tenured and probationary employees may keep their seniority and accrued benefits;
- provides that the corporation and the hospital subsidiary corporation are "public bodies" for purposes of the Minnesota open meeting law, but may meet in closed sessions when discussing or acting on matters involving competitive contracts or marketing activity;
- provides that the corporation and the hospital subsidiary corporation are each a political subdivision for purposes of the Minnesota Government Data Practices Act;
- provides that the hospital subsidiary corporation is a political subdivision solely for the purpose of establishing comparable worth;
- provides for an annual meeting open to the public and an annual audit available for public inspection;

• prohibits the corporation from creating propaganda or otherwise attempting to influence legislation so as to lose its not-for-profit status; prohibits the corporation from participating in any manner in a political campaign;

- prohibits the corporation from using any part of its assets or income for purposes that aren't exclusively charitable, educational, or scientific;
- requires the hospital subsidiary corporation to provide hospital and medical services to the indigent of Ramsey County, and allows Ramsey County to provide funds to purchase that care from a provider the county selects, with or without public bid;
- permits the corporation to negotiate with Ramsey County and St. Paul for the lease of medical center property;
- exempts the corporation from income and sales taxes;
- authorizes St. Paul to deposit 75 percent of revenues from the current three percent tax on transient lodging in the city's general fund; authorizes the city to impose, by ordinance, up to a two percent hotel/motel tax and use 95 percent of the revenues to fund a convention bureau;
- places certain restrictions on the redesign, reconstruction, and widening of Lexington Avenue south of Larpentour Avenue in St. Paul.  
**Enactment:** March 25, 1986  
**Effective:** various dates

**St. Paul—  
special service districts**

**HF2051\***—Vellenga, Cohen  
**SF1883**—Lantry, Sieloff

**Chapter 427:**

- authorizes St. Paul to establish special service districts in several areas of the city in order to levy taxes on property that the city has zoned commercial, business, or industrial; mandates that proceeds pay for promotion and city-contracted maintenance, improvements, and operation;
- specifies powers, limits, governance, and public approval/veto processes.

**Enactment:** March 24, 1986

**Effective:** upon local approval



**Archaeology—Indian affairs**

**HF2168**—Miller, McDonald,  
Fjoslien, Thiede  
**SF1851\***—DeCramer, Storm,  
Wegscheid

**Chapter 323:**

- directs the Minnesota Historical Society to consult with the Indian Affairs Council before the society appoints the state archaeologist;
- allows the Indian Affairs Council to review and recommend action concerning significant archaeological or historic sites that relate to Indian history or religion.

**Enactment:** March 14, 1986

**Effective:** Aug. 1, 1986

**Cemeteries—  
maintenance by towns**

**HF1801**—Ozment  
**SF1701\***—Wegscheid

**Chapter 333:**

- authorizes town boards to establish a perpetual care program for the administration and maintenance of cemeteries in their towns;
- requires boards to determine that sufficient money is available for the maintenance from burial plot sales, gifts, and private assistance before establishing the perpetual care program;

- authorizes the town to accept gifts of money and other assistance from individuals to establish the perpetual care program;
  - provides that cemetery administration may include the sale of burial plots and the supervision of burials.
- Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

#### **Charitable gambling—changes**

**HF2331\***—Shaver, Quinn, Schreiber, Fjoslien, S. Olsen  
**SF2026**—Dieterich, Jude, Purfeerst, DeCramer, Diessner

#### **Chapter 467:**

- expands current laws prohibiting bookmaking on horseracing to make it illegal for messenger betting services to operate;
- prohibits charitable organizations from expending more than 50 percent of their profits from bingo, and 40 percent from other forms of lawful gambling, for necessary expenses;
- requires the Charitable Gambling Control Board to establish rules listing allowable expenses;
- requires Senate confirmation of board appointees;
- adds distributors and manufacturers to the list of those whose licenses the board can issue, revoke, and suspend;
- allows the board to impose civil penalties of not more than \$500 per violation for failure to comply with board rules;
- permits local investigation fees;
- creates a new class of license for raffles;
- changes requirements for distributors of gambling equipment;
- requires the registration of manufacturers of gambling equipment;

- allows anyone who leases property for bingo to furnish bingo equipment as part of the lease agreement without being a licensed distributor;
- prohibits organizations which conduct charitable gambling from posting a sign on their premises which states directly or indirectly that all of the lawful gambling receipts are for charitable purposes;
- allows organizations to conduct lawful gambling on premises other than their licensed premises for one day per year for not more than 12 hours that day;
- allows licensed organizations with \$1,000 or less lawful gambling receipts in a calendar quarter to report to the board quarterly rather than monthly;
- requires licensed organizations to keep records for two years rather than three years;
- provides that the maximum prize for any single pulltab is \$250 and the maximum sales price for a single pulltab is \$2;
- provides that the tax on non-profit organizations' charitable gambling gross receipts doesn't apply to pulltabs, but instead imposes a tax on the sale of pulltabs by distributors to organizations;
- provides for a 10 percent tax on the face value of each deal of pulltabs less the total possible pay-out for prizes on that deal; makes the tax payable to the Department of Revenue in lieu of the state sales tax and local taxes and fees;
- exempts a non-profit organization's lawful gambling from charitable gambling laws if the organization:
  - conducts gambling on five or fewer days in a year;
  - awards not more than \$50,000 in prizes a year;
  - notifies the board and appropriate local government at least 30 days before each occasion;
  - purchases all gambling equipment and supplies from a licensed distributor;
  - reports gross receipts, prizes, expenses, expenditure of profits, and identifies the distributor from whom the organization bought the gambling equipment to the board within 30 days of each occasion;

- provides for tax amnesty for a charitable organization's unpaid sales taxes; allows an organization to pay 50 percent of unpaid taxes plus interest by Jan. 1, 1987 as full and final payment.

**Enactment:** March 25, 1986  
**Effective:** various dates

#### **Crime victims' rights/ Indian burial sites**

- (See Crime/Corrections)

#### **Indian Affairs Council— grants, gifts**

**HF1980\***—McDonald, Jaros, Thorson, Clark  
**SF1853**—Berglin, DeCramer, Wegscheid

#### **Chapter 344:**

- allows the Indian Affairs Council to enter into contracts and to accept grants and gifts of money.
- Enactment:** March 19, 1986  
**Effective:** Aug. 1, 1986

#### **Libraries—surplus documents**

**HF720**—Quist, Richter, Hartle, Kiffmeyer, Waltman  
**SF496\***—Frederickson, Lessard, Lantry, Darrel Peterson, Olson

#### **Chapter 320:**

- directs the commissioner of administration to make all documents the Department of Administration doesn't need, and would otherwise discard, available to educational institutions and public libraries.
- Enactment:** March 14, 1986  
**Effective:** Aug. 1, 1986

#### **POW-MIA flag—State Capitol**

- (See Veterans/Military)

#### **Wild rice license fees/ Indian land resettlement**

- (See Environment/Natural Resources)



**Police, fire pensions—  
auditing requirements**

**HF2035\***—Gutknecht, Knickerbocker, Simoneau, Sviggum, Dempsey

**SF2112**—D. Moe, Wegscheid, Renneke, Pogemiller, Spear

**Chapter 359:**

- requires the state auditor to arrange for an annual audit of police and fire relief association pensions and provides that if the report indicates wrongdoing, it must go to the local city or county attorney, who may take action;
- provides that associations may receive state aid only if they submit annual financial compliance reports and evidence of certification; also provides that the state money would go first to city officials, rather than directly to the relief association;
- establishes how associations must prepare their financial statements and states terms under which the reports must go to state and local government and become accessible to the public;
- requires bonding of each association's treasurer in an amount equal to 10 percent of the fund assets or \$500,000, whichever is lower;

- expands membership of the association board to include two municipality-appointed members, and provides that all investment subcommittees must include at least one of the two appointed members;
- prohibits certain financial transactions by the association board;
- provides that a designated municipal official must countersign all disbursements from the association's special fund that exceed \$5,000 and may countersign them all;
- provides that the City of Winona must contribute to the Winona Police Relief Association in 1986 an amount equal to the 1985 contribution; also, the state auditor must conduct a comprehensive audit of the association for 1984 and 1985 to determine the city's minimum financial obligation for 1987;
- provides that the state must give Winona a sum equal to the aid the state withheld from Winona since August 26, 1985, plus six percent interest.

**Enactment:** March 19, 1986

**Effective:** day after enactment

**Retired public employees—  
insurance, HMO policies**

- (See Insurance)

**Rule of 85/local pension plans**

**HF229\***—Dempsey, Simoneau, Knickerbocker, Gutknecht, Norton  
**SF312**—D. Moe, C. Peterson, Renneke, Lantry, Darrel Peterson

**Chapter 458:**

- extends until July 1, 1987 the so-called "Rule of 85" which allows public employees with 30 or more years of service to retire with full pension benefits as early as age 55;
- entitles any teacher, not eligible for Medicare, who retired before May 1, 1974 from the Minneapolis Teachers Retirement Fund Association's basic health plan to join the Minnesota State Health Care Plan; active teachers and the district will pay the premiums;
- provides that surviving spouses eligible for retirement benefits the state owes to a deceased employee may apply after the date the employee would have reached the required age for retirement, based on years of service;

- provides that, with certain restrictions, the chancellor, university presidents, and university unclassified managers at the level of dean or higher shall participate in the unclassified plan;
- provides that an employee with retirement coverage under the basic program in the Teachers Retirement Association can't participate in the unclassified plan unless the employee leaves the position and after 30 days begins working in a position with retirement coverage under the unclassified plan;
- provides for those teachers who apply for retirement within the 90-day period after they stop teaching, that their annuities can begin accruing as if they had applied on the retirement date;
- allows a change in the Buhl Police Relief Association bylaws to pay 85 percent of a deceased member's pension to the surviving spouse or surviving children if there is no spouse;
- allows an increase of \$25 a month to retired police officers and firefighters and their surviving spouses by the Eveleth Police and Fire Trust Fund;
- allows the Andover Firefighters Relief Association to amend its bylaws to allow service pensions to include the years members served before the relief association existed;
- allows Falls Nursing Home employees to get a refund of the employee and employer contributions to the Public Employees Retirement Association (PERA), with six percent interest, when a private company purchases the nursing home;

- allows Becker County Highway Department employees to qualify for early retirement by paying into PERA for those years the employees were in public service but the association didn't exist;
- allows a person who was a suburban Hennepin County public health nurse from June 1957 to Feb. 1961 and who is now a Bloomington health administrator to buy prior service credit from PERA for the period from June 10, 1957, to Feb. 26, 1961;
- allows a Hennepin County Medical Center employee who was absent from work for a certain time and wasn't subject to PERA deductions to pay the amount of those deductions into the fund;
- includes certain employees in the retirement system for correctional employees and sets up a procedure for making contributions;
- provides refunds at six percent interest for pension contributions for county historical society employees who aren't county employees;
- allows Mankato Police Relief Association members who were not eligible for membership during a probationary period to purchase service credit and pay the association pension contributions for that time;

- provides that anyone who was a Minneapolis Public Library employee before July 1, 1979 and is now a member of PERA may purchase service for the period of service between 1972 and 1985 that hasn't been credited in PERA;
- allows legislative employees to switch from the state employees retirement fund to the unclassified plan and to transfer prior service credit; allows the legislative body employing the individuals to equalize contributions before July 1, 1987;
- makes other adjustments in annuity payments for certain other public employees.

**Enactment:** March 25, 1986

**Effective:** various dates

**State retirement investment choices—expanded**

- HF1926\***—Knickerbocker, Simoneau, Sviggum, Vellenga, Gutknecht  
**SF1796**—D. Moe, Spear, Wegscheid, Pogemiller, Renneke

**Chapter 356:**

- increases the number of investment options for state retirement funds to seven by eliminating the fixed-return account and adding money market, guaranteed return, bond market, and common stock index accounts;
- allows an employee to choose, twice a year, how to divide the employee's subsequent contributions among the investment options and provides more limited terms for transferring previous contributions to other accounts;
- permits Hennepin County employees to reinvest contributions in another account just once annually.

**Enactment:** March 19, 1986

**Effective:** July 1, 1986; upon local approval for section on Hennepin County



**Missing in action**

**HF1826\***—Fjoslien, Dimler, Osthoff, Richter, Quinn

**SF1716**—Laidig, Lessard, Isackson, Kronebusch, Bertram

**Resolution 6:**

- memorializes the governments of the United States and Socialist Republic of Vietnam to take all possible actions to determine the fate of persons missing in action in Southeast Asia.

**Mississippi River Act**

**HF1971\***—Frerichs, Sherman, Ellingson, Waltman, Hartinger

**SF1829**—Bernhagen, Waldorf, Pogemiller, Kronebusch, Wegscheid

**Resolution 7:**

- calls upon the Federal Deposit Insurance Corporation to establish a policy that uses a phased approach to revalue assets based on agricultural real estate.



**Bloomington stadium site—  
development, taxes**

- (See Local Bills—Cities/Towns)

**Bond allocations/tax increment  
financing/wastewater treatment**

**HF2287\***—Schreiber, Valento,  
Brandl, Tomlinson, Pauly  
**SF1847**—Pogemiller

**Chapter 465:**

**Article 1—Bond allocations**

- allocates issuance authority for obligations subject to the federal volume limitation act that puts an annual volume cap on the issuance of tax exempt bonds in Minnesota;
- becomes effective day after enactment.

**Article 2—**

**Tax increment financing**

- makes an adjustment in school aids when a tax increment financing district phases out and pays the excess to the school district;
- authorizes an additional \$600,000 in tax reductions for certain enterprise zones, but not before July 1, 1987;
- allows use of tax increment financing money for an industrial park no greater in size than 250 acres, which contains a sewage lagoon contaminated with polychlorinated biphenyls;
- requires the county auditor to report to the commissioner of education the amount of any excess tax increment distribution to a school district within 30 days of the distribution;

- prohibits liquor wholesalers from granting credit to retailers beyond a 30-day period;
- extends until Jan. 1, 1989 the interest rate write-down program which provides financial assistance for the construction, rehabilitation, and purchase of multi-housing units for the occupancy of low- and moderate-income individuals;
- allows cities to establish an infrastructure replacement reserve fund for the replacement of streets, bridges, curbs, gutters, and storm sewers; allows cities to levy a property tax to support the fund; requires a public hearing before the city can establish a reserve fund;
- lifts the maximum interest rate on municipal obligations issued after April 1, 1986 and before July 1, 1987;
- modifies laws to accommodate the use of taxable bonds by local governments (the federal volume cap on bonds and other restrictions in the federal law may force cities and local governments to issue taxable bonds);
- makes an exception in the interest rate section to allow any statutory or home rule charter city, regardless of population or bond rating, to issue variable rate obligations as a participant in a bond-pooling program the League of Minnesota Cities established that meets the bond rating requirement;

**Article 3—Wastewater  
treatment—grants and loans**

- establishes a state water pollution control revolving loan account to receive federal monies and provide 20-year loans to municipalities for wastewater treatment purposes;
- allows seasonal permit limits by the Pollution Control Agency (PCA) for wastewater disposal systems on streams with extreme seasonal flows;
- requires the PCA to adopt and revise rules governing wastewater treatment control with the advice of a technical advisory committee;
- requires the PCA to review facility construction grant applications within 90 days of the receipt of the application;
- requires a municipality to complete PCA planning requirements for an award of a grant or loan within two years of the receipt of the grant or loan;

- requires necessary inspections when federal funds finance a plant's construction.
- becomes effective July 1, 1986.

**Article 4—Wastewater  
treatment—privatization**

- expands existing laws to allow municipalities to contract with privately owned companies for the prevention, control, and abatement of water pollution through wastewater treatment facilities;
- permits municipalities to acquire an interest in privately owned facilities;
- permits municipalities to sell or lease existing facilities to a private vendor;
- allows the municipality to apply to the commissioner of revenue for an exemption from property taxation of the related facilities if the service contract provides that the service fee includes property taxes;
- becomes effective day after enactment.

**Enactment:** March 25, 1986

**Effective:** various dates

**Budget/Taxes Omnibus Bill**

- (See Budget/Taxes)

**Charitable gambling—changes**

- (See Miscellaneous)

**Drug, burglary penalties/  
controlled substances tax**

- (See Crime/Corrections)

**Gravel tax—penalties**

**HF1091**—Tunheim, Lieder,  
Valan, E. Olson

**SF1193\***—Stumpf

**Chapter 403:**

- eliminates the time requirement for the county auditor to notify gravel removal operators of unpaid taxes;

- imposes a misdemeanor penalty for operators or importers who file false reports to intentionally evade the tax.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

**Litchfield—tax increment district/unemployment comp**

- (See Local Bills—Cities/Towns)

**Mendota Heights—special service districts**

- (See Local Bills—Cities/Towns)

**Mineral taxation**

**HF2520**—Begich, Battaglia, Minne, Elioff, Solberg

**SF2280\***—Doug Johnson, Dicklich, Lessard

**Chapter 441:**

- modifies the amount of taconite tax that comes from levies as opposed to school aids;
- imposes certain levy limits on towns and cities receiving a distribution from the taconite municipal aid account in the levy year;
- decreases the railroad gross earnings tax rate from 5 percent to 3.75 percent;
- exempts construction materials and supplies from the sales and use tax if:
  - materials and supplies are for use or consumption in constructing a new manufacturing facility or expanding an existing one in a distressed county and the total capital investment made within a three-year period exceeds \$75 million;
- allows a full deduction of the production tax when calculating the occupation tax (currently the tax limit is 25 cents per taxable ton);

- allows a deduction for the reasonable cost of transporting ore to its destination when calculating the occupation tax (doesn't apply to ore producers ship on the Great Lakes Seaway System);
- reduces the minimum taconite production tax distribution for counties and school districts;
- decreases the production tax rate from the present \$2.05 per gross ton to \$1.90 per ton and eliminates the annual escalator for years 1987 and 1988 if statewide taconite production exceeds certain goals;
- modifies the distribution of the taconite tax revenues;
- changes the method of distribution for taconite municipal aid;
- appropriates \$20 million to the commissioner of natural resources from the Northeast Minnesota Economic Protection Fund for a loan guarantee for the smelting project using the COREX process; the appropriation is contingent upon the commissioner receiving enough funding from other sources to complete the project;
- appropriates an additional \$20 million from the general fund on July 1, 1992 to continue the loan guarantee or to cover a default.

**Enactment:** March 25, 1986

**Effective:** various dates

**Minneapolis convention center**

- (See Local Bills—Cities/Towns)

**Property assessments, appeals/Minneapolis appointive jobs**

- (See Housing/Real Estate)

**Property taxes—sexual discrimination by golf clubs**

**HF2077**—Bishop, Scheid, Dempsey, Schreiber, Minne

**SF1950\***—Merriam, Wegscheid, Dean Johnson, Doug Johnson, Benson

**Chapter 412:**

- limits the open space property tax law and its favorable tax benefits to private clubs that don't discriminate in membership requirements or selection on the basis of sex;
- requires golf clubs to make their facilities available for use without discrimination on the basis of sex when they are open to the public or members;

- allows golf clubs to restrict the use of golf on the basis of sex no more frequently than one, or part of one, weekend each calendar month for each sex and no more than two, or part of two, weekdays each week for each sex;
  - provides that discrimination means a pattern or course of conduct and not an isolated incident;
  - requires private club owners to submit an affidavit to the county assessor that their bylaws or rules and regulations meet eligibility requirements to qualify for the valuation and tax deferment;
  - requires the county assessor to refer any question about eligibility for valuation and deferment to the county attorney for advice and opinion;
  - provides that when a golf club ceases to qualify for the favorable tax treatment because it discriminates on the basis of sex, it wouldn't have to pay any additional taxes for the current taxable year;
  - requires county assessors to notify golf club owners who are currently receiving favorable tax treatment under the open space property tax law by May 1, 1986 of the requirements under this law;
  - requires owners to submit affidavits by Oct. 1, 1986 to qualify for the valuation and tax deferment for the 1986 assessment.
- Enactment:** March 24, 1986
- Effective:** for taxes levied in 1986, payable in 1987, and thereafter

**St. Cloud convention center—taxes authorized**

- (See Local Bills—Cities/Towns)

**St. Paul—special service districts**

- (See Local Bills—Metro)

**Tax return—failure to file/crimes—juvenile proceedings**

- (See Crime/Corrections)

**Watershed management—taxing districts**

**HF1911\***—Levi, McPherson

**SF1948**—Merriam

**Chapter 389:**

• amends the Metropolitan Surface Water Management Act to allow localities within the metropolitan area to establish taxing districts within minor watershed units to pay the capital costs of surface water management projects;

• sets a July 1, 1986 deadline for metropolitan areas to form a watershed management organization if they want to come under this law;

• sets a Dec. 31, 1987 plan preparation deadline for all metropolitan watershed management organizations;

• specifies that watershed tax levies in rural towns can exceed one mill, only with voter approval.

**Enactment:** March 21, 1986

**Effective:** Aug. 1, 1986



**Advertising on phone booths/St. Cloud Hwy. 15 right-of-way**

- (See Commerce/Economic Development)

**Air ambulance services—providing certain exemptions**

- (See Health/Human Services)

**All-terrain vehicle regulation**

**HF1015**—D. Carlson, Begich,

Battaglia, Rose, Stanius

**SF1065\***—R. Peterson, Bernhagen,

Doug Johnson, Laidig, Stumpf

**Chapter 452:**

• changes the term “three-wheel off-road” to “all-terrain vehicles (ATV)”;

• raises registration fees for ATVs from \$15 to \$18 for three years and sets duplicate and transfer fees at \$4;

• sets a \$50 registration fee for ATV dealers and a \$150 fee for manufacturers who own ATVs for research and testing;

• prohibits local licensing of ATVs;

• prohibits persons under the age of 18 from registering ATVs;

• authorizes the commissioner of natural resources to adopt rules relating to ATV registration and use on public lands and waters, and the commissioner of public safety to adopt rules for ATV operation on streets and highways;

• requires all-terrain operators to report certain accidents that involve injury, death, or damage of \$100 or more to the commissioner of natural resources;

• makes it unlawful for ATV operators to avoid or disregard a law enforcement officer's signal to stop;

• restricts areas where ATV operators under 18 can travel; requires operators under age 16 to wear safety helmets; provides for suspension of driver's licenses or ATV safety certificates for violations by persons under age 18;

• allows the use of funds in the all-terrain vehicle account for local off-road trails and local safety programs;

• restricts ATV operation on highways, freeways, bridges, and in agricultural zones;

• makes it unlawful for ATV operators to drive:

-at an unreasonable rate of speed;

-in a careless, reckless, or negligent manner;

-under the influence of alcohol or a controlled substance;

-a vehicle without headlights or taillights;

-in nurseries or airports;

• allows counties to permit operation of ATVs on county roads under certain conditions and local authorities to regulate operation by ordinance, but prohibits ordinances that require user fees or driver licenses;

• exempts local authorities from liability if ATVs use roads, trails, and highway rights-of-way lawfully; allows local governments getting state recreational trail grants to designate trails for all-terrain vehicles and snowmobiles; requires local governments to get approval from the state and landowner or lessee before designating such trails;

• allows issuance of permits under certain conditions for other vehicles to use snowmobile or ATV trails; restricts all others from operating on ATV trails between Dec. 1 and April 1;

• authorizes municipalities to permit handicapped persons to operate four-wheel all-terrain vehicles on city streets;

• states that 0.15 of one percent of all gas tax revenue is from ATVs, and allows that tax revenue to go into the all-terrain vehicle account;

• adds and describes new routes to the trunk highway system; removes certain existing routes; authorizes the commissioner of transportation to transfer certain trunk highway segments and associated rights-of-way to Hennepin County;

- appropriates \$475,000 from the ATV account to the commissioner of natural resources to administer this act; authorizes two additional staff members.

**Enactment:** March 25, 1986

**Effective:** various dates

#### **Budget/Taxes Omnibus Bill**

- (See Budget/Taxes, Article 8)

#### **Collector military vehicles**

- (See Veterans/Military)

#### **Farm relief package**

- (See Agriculture)

#### **Fleet vehicles—registration**

**HF1746**—Frerichs,

Welle, D. Carlson

**SF1641\***—DeCramer, Anderson, Purfeerst

#### **Chapter 453:**

- defines a fleet as a combination of 1,000 or more vehicles and trailers a person owns solely for the use of that person or his/her employees;
- creates a unique registration category for vehicles and trailers of a fleet and requires a distinctive license plate for vehicles owners register in this category;
- allows registration of fleet vehicles on an annual basis; requires that an applicant must provide all information necessary to qualify as a fleet registrant by Jan. 1; gross weights for fleet vehicles may not change during the registration period;
- provides for filing procedures and fees, validation stickers for vehicles owners register by gross weight, and for registration cards drivers must have in the vehicle at all times;
- appropriates \$10,350 from the highway user tax distribution fund to the commissioner of public safety to operate the fleet registration system.

**Enactment:** March 25, 1986

**Effective:** July 1, 1986

#### **Lemon law—extended to leased vehicles; farm tractors**

- (See Commerce/Economic Development)

#### **Life support services/long-term care issues**

- (See Health/Human Services)

#### **Mandatory seat belts**

**HF119**—Forsythe, Segal, McKasy, Bennett, Piper

**SF40\***—Frank, Laidig, Lantry, Diessner, Hughes

#### **Chapter 310:**

- requires all front seat occupants and passengers under age 11 in any seat to wear seat belts;
- provides that violators will get a safety warning, which will not go on their driving records;
- exempts from the belt requirement people who are:
  - driving in reverse or riding in vehicles where all belts are in use;
  - exempt by a medical certificate;
  - driving less than 25 miles per hour on jobs that require getting in and out of the vehicle often;
  - driving or riding in a pickup truck doing farm work;
  - postal workers;
  - driving or riding in vehicles manufactured before Jan. 1, 1965;
- exempts motorcycles, mopeds, buses, railroad track vehicles, farm trucks, and special mobile equipment.

**Enactment:** Feb. 24, 1986

**Effective:** Aug. 1, 1986

#### **State property—exchange authority**

- (See Environment/Natural Resources)

#### **Ticket quotas—state patrol, DNR officers**

**HF1930\***—D. Carlson, Sarna,

G. Anderson, Valan, Johnson

**SF1818**—Taylor, R. Moe, C.

Peterson, Doug Johnson, Renneke

#### **Chapter 474:**

- prohibits the commissioner of natural resources and the director of the enforcement and field services division from requiring or suggesting that conservation officers issue a certain number of tickets daily, weekly, monthly, quarterly, or annually;

- prohibits the state patrol from requiring or suggesting that troopers issue a certain number of tickets daily, weekly, monthly, quarterly, or annually.

**Enactment:** April 1, 1986

**Effective:** Aug. 1, 1986

#### **Traffic violations—liability of lessors**

**HF1454**—Dempsey, Bennett

**SF1319\***—Lantry, Pogemiller

#### **Chapter 332:**

- requires a motor vehicle lessor who receives a traffic citation for a violation by one of its lessees to forward to the issuing authority within 15 days the name, address, license number, and employer of the lessee who committed the violation;
- provides that a lessor who complies with this requirement is not liable for the penalty resulting from the violation;
- provides that the lessee (violation) is not relieved of responsibility for the violation.

**Enactment:** March 19, 1986

**Effective:** day after enactment

#### **Transportation omnibus bill**

##### **No companion**

**SF1910\***—Dean Johnson

#### **Chapter 454:**

- requires all drivers to have proof of insurance at all times, and mandates revocation of vehicle registration for people who don't keep up their insurance;
- requires the commissioner of transportation in consultation with the commissioner of natural resources to set standards for highway scenic areas;
- adds a new route to the trunk highway system;
- phases out the use of money from the trunk highway fund for staffing tourist information centers;
- increases from \$200,000 to \$600,000 the state park road account and expands the account to include all roads leading to any outdoor recreation areas;

- requires the commissioner of natural resources to get approval from the county state-aid screening board before requesting a county to do work on a county state-aid road. The screening board must get written comments from county engineers before approving the request;
- allows the use of municipal state-aid funds for emergency traffic signal systems;
- allows city landowners to petition their counties to open impassable city thoroughfares in cities of 5,000 residents or less;
- allows those who have three-wheel off-road vehicles registered before Aug. 1, 1985 to continue to use them on highways for as long as they own the vehicles;
- provides that the \$10 fee for tax-exempt license plates is payable only on the first tax-exempt registration of the vehicle;
- allows horse trailer dealers to get trailer dealers' licenses;
- allows licensed auctioneers or those exempt from licensing under state law to post up to four temporary directional signs to an auction on or near a highway for no more than eight hours;
- prohibits school districts or Area Vocational Technical Institutes (AVTIs) from acquiring motor coaches and instructs the State Board of Education to adopt rules governing the use of motor coaches by Aug. 1, 1986;

- allows those schools that have motor coaches prior to the effective date of this law to use them until Jan. 1, 1998 to transport students to and from school activities;
- requires officers to record on speeding tickets whether the driver was traveling at more than 10 miles per hour over the 55 miles per hour limit; prohibits the Department of Public Safety from keeping a record of speed violations up to 10 miles per hour over the 55 miles per hour limit;
- allows the Department of Public Safety to issue a motorized bicycle instruction permit to any person age 15 or over who has passed the written moped exam;
- sets moped instruction operator permit fees at \$4 and makes them valid for 30 days;
- allows instruction permit holders to operate a moped within a mile of their homes for the purpose of practicing for the operator's exam;
- eliminates the minimum age of 18 for driver's license holders to make an organ donor document and allows minors to sign donor documents; requires signature of minor's parents, legal guardian, or parent with legal custody;
- allows St. Paul to take or use Como Park land to widen Lexington Avenue with a limit of 32 feet on the right-of-way; requires the project to be consistent with the Como Park master plan;
- instructs the commissioner of transportation to consider high-occupancy lanes in the design of any metro-area controlled access highways;
- requires the proceeds of the sale of excess right-of-way for highway improvements in St. Cloud to go into a special fund for use only on that improvement;
- repeals language in the 1985 Department of Transportation appropriation that required half the cost of staffing and operating the Bigelow and St. Cloud travel information centers to come from sources other than the trunk highway fund;
- allows the commissioner of transportation to issue special permits to test certain three-vehicle combinations until July 31, 1987 (formerly 1986);

- allows owners of a tax-exempt vehicle who paid more than \$20 for administrative and plate costs to request that the department apply all or part of the excess they paid to future fees; requires registrars to send a credit memo or other notice to individual owners stating the amount of excess payment and informing them that they may apply the credit against future administrative fees;
- allows the commissioner of transportation to dispose of a maintenance building in Bloomington;
- repeals a law governing reinstatement of non-resident driving privileges.

**Enactment:** March 25, 1986  
**Effective:** various dates

**Transportation Regulation Board HF2364\*—Johnson, Valan SF2144—DeCramer, Purfeerst**

**Chapter 468:**

- clarifies procedures in certain contested matters brought before the Transportation Regulation Board (TRB);
- permits TRB to grant clearance variances without evidentiary hearings in certain cases;
- permits TRB to approve certain rate changes and applications for track abandonment or discontinuance of service in certain cases without public hearings;
- permits the courts to impose up to the maximum penalty for hazardous waste carriers who violate regulations. (Current law requires courts to impose the maximum penalty.)

**Enactment:** March 25, 1986  
**Effective:** Aug. 1, 1986



## Veterans/Military

### Collector military vehicles

**HF2393**—Norton, Levi

**SF2035\***—Laidig, Novak, Sieloff

#### Chapter 336:

- exempts vehicles honorary consuls or consuls general of foreign governments own and use from tax and registration fee requirements;
- creates a special registration category for collector military vehicles that:

-are at least 20 years old;

-were first the property of U.S. military;

-meet military specifications;

-are the property of non-profit historical or educational organizations;

-operate solely as collector vehicles (not for general transportation purposes);

• authorizes collector plates for such vehicles that bear the inscription "Collector" and "Minnesota" and the registration number, but no date;

• exempts owners of a registered collector military vehicle from the rear-plate requirement if it has a military identification number on the rear;

• allows owners of a registered collector military vehicle to tow a registered trailer, which need not have plates if the trailer:

-is under 15,000 pounds gross weight;

-meets all other registration, licensing, and safety laws;

-meets military specifications for appearance and identification;

-represents a military trailer;  
-has plates on or in it or the collector military vehicle towing the trailer.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

### Military employees' compensation

**HF1945**—Heap, Tjornhom, Wenzel

**SF1742\***—Chmielewski

#### Chapter 329:

- allows the adjutant general of the Department of Military Affairs to buy insurance to cover workers' compensation awards to employees working under federal/state cost-sharing arrangements.

**Enactment:** March 17, 1986

**Effective:** Aug. 1, 1986

### Missing in action

- (See Resolutions)

### POW-MIA flag—State Capitol

**HF2394\***—Fjoslien, Kostohryz,

Scheid, Osthoff, Dimler

**SF2235**—Chmielewski, Bertram, Lessard

#### Chapter 393:

- requires flying the prisoner of war/missing in action (POW-MIA) flag at most times on the north portico of the State Capitol in honor of all Minnesota MIAs until the resolution of the POW-MIA situation in southeast Asia;

• authorizes the commissioner of veterans affairs to allow and charge for public or private social service, educational, or rehabilitation agencies' or organizations' use of facilities, staff, and other resources of the department.

**Enactment:** March 21, 1986

**Effective:** day after enactment for flying the POW-MIA flag; Aug. 1, 1986 for the use of the Department of Veterans Affairs.

### State veterans' cemetery

**HF2030**—Fjoslien, Wenzel, Omann, Krueger, Uphus

**SF1880\***—Samuelson, Bertram, Lessard

#### Chapter 410:

- directs the Department of Veterans Affairs to acquire, supervise, control, and maintain a site for a cemetery for veterans and qualified family members of eligible veterans;

• provides that all honorably discharged veterans are eligible for burial without charge for the plot or interment;

• directs the commissioner of veterans affairs to establish a fee schedule for burial of family members.

**Enactment:** March 24, 1986

**Effective:** Aug. 1, 1986

### State veterans homes' patients—compensation

**HF1871\***—Fjoslien, Kostohryz,

Brinkman, Dimler, McDonald

**SF1992**—Bertram

#### Chapter 355:

- authorizes the commissioner of veterans affairs to pay no less than 25 percent of the state's minimum wage to patients or residents of state veterans' homes for work they do at the homes; allows a cash fund for this purpose.

**Enactment:** March 19, 1986

**Effective:** Aug. 1, 1986

### Veterans' bonus claims

**HF1459**—Valan, DenOuden, Kalis

**SF164\***—Dahl, Willet, Ramstad, Lantry

#### Chapter 434:

• appropriates money for and provides lists of citizens' claims against the state as well as claims filed by veterans of World War II, the Korean Conflict, and the Vietnam War;

• ratifies labor agreements between the state and certain employee groups.

**Enactment:** March 25, 1986

**Effective:** day after enactment

# Governor's Unallotment

\*TOTAL UNALLOTMENTS 1986-1987 BIENNIUM  
(all figures in thousands)

Minnesota law allows the governor to reduce allotments of already appropriated money, if the commissioner of finance determines that the amount of money available for the remainder of the biennium will be less than needed.

After the 1986 Special Session, because of the budget deficit, the governor reduced the following allotments to state agencies:

## SUMMARY OF SHORTFALL (all figures in millions)

January Forecast .....-\$734.2

Use of Budget Reserve ..... + 450.0

**Budget/Taxes Omnibus Bill .. + 162.9**

Tax Compliance ..... + 30.8

Motor Vehicle Transfer ..... + 106.3

Mass Transit ..... -21.6

School Aids ..... + 11.5

Post-Secondary ..... + 35.9

**Tax loss from  
higher drinking age ..... -2.0**

**Farm Bill ..... -16.0**

**Additional Items ..... + 29.5**

Defer Welfare Deficiency .... + 36.9

Erie Mining tax break ..... -6.0

National Guard ..... -1.4

**Total unallotments .....-\$109.8\***

(-)—increases deficit

(+)—reduces deficit

Figures courtesy of the Department of Finance

**Bills (HF) introduced in  
1985-1986 Biennium 2582**

Enacted into law in 1985 309

Enacted into law in 1986 166

**Total 1985-86 laws passed 475**

**Education .....-\$344.6**

Higher Education Coord. Board .....-344.6

**Health, Human Services & Corrections .....-\$42,657.9**

Dept. of Human Services .....-34,742.8

Dept. of Jobs & Training .....-3,700.0

Office of Productivity & Opportunity .....-880.0

Hazardous Waste Victims Comp. Board .....-163.5

Dept. of Corrections .....-3,087.8

Dept. of Health .....-83.8

**Ag., Transportation & Semi-State .....-\$8,521.0**

Dept. of Transportation .....-116.7

Dept. of Public Safety .....-1,880.0

Dept. of Agriculture .....-4,503.3

Animal Health Board .....-93.6

Dept. of Commerce .....-324.2

Historical Society .....-1,140.5

State Arts Board .....-283.7

Board of Peace Officer Training .....-148.7

Dept. of Public Service .....-15.5

Charitable Gambling Control Board .....-14.8

**State Departments, Boards & Agencies .....-\$58,323.9**

Legislature .....-2,342.6

Judicial Branch .....-867.8

Governor .....-157.9

Attorney General .....-1,116.4

Investment Board .....-66.9

Administration Dept. & CAAPB .....-1,433.4

Dept. of Finance .....-672.1

Dept. of Employee Relations .....-453.9

Dept. of Revenue .....-200.0

Tax Court of Appeals .....-8.1

Dept. of Natural Resources .....-2,866.5

Pollution Control Agency .....-2,427.2

Waste Management Board .....-322.8

Energy & Econ. Development .....-20,000.0

State Planning Agency .....-565.5

Labor & Industry .....-231.5

Mediation Services .....-22.5

World Trade Center .....-100.0

Dept. of Military Affairs .....-545.7

Dept. of Veterans Affairs .....-420.3

Housing Finance Agency .....-8,252.8

Debt Service .....-6,250.0

Salary Supplement .....-3,000.0

Repairs & Betterments .....-6,000.0

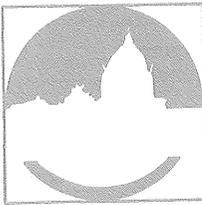
**TOTAL UNALLOTMENT .....-\$109,847.4**

Figures courtesy of the Department of Finance

# Index

<b>Bill</b>	<b>pg. #</b>	<b>Bill</b>	<b>pg. #</b>	<b>Bill</b>	<b>pg. #</b>
Advertising on phone booths/St. Cloud Hwy. 15 right-of-way .....	22	Corporations—foreign corporation agents .....	22	Guardian ad litem—mandated for child abuse .....	39
Agricultural products buyer registration law—repealed .....	10	Counties—products, conflicts, positions .....	56	Hazardous waste—containment site selection .....	35
Air ambulance services—certain exemptions .....	40	County land surveys/Olmsted County expenses .....	56	Hendrum—detached banking facility .....	53
All-terrain vehicle regulation .....	65	Court administration—miscellaneous changes .....	48	Immunity for disclosure—therapists/child abuse workers .....	39
Anoka County Park ordinance .....	56	Court administrators—salary procedure .....	39	Indian Affairs Council—grants, gifts .....	60
Archaeology—Indian affairs .....	59	Court fees/trustees' powers .....	48	Insurance, liability—changes .....	45
Bloomington stadium site—development, taxes .....	52	Court videotaping—child statements .....	26	Insurance—miscellaneous changes .....	47
Boating while intoxicated .....	25	Credit unions, state banks—IRAs .....	15	Intermediate care facilities—life safety requirements .....	41
Bond allocations/tax increment financing/wastewater treatment .....	63	Crime victims' rights/Indian burial sites .....	25	Interstate acquisition of banks—reciprocity .....	16
Bonding program—funding for loan defaults .....	10	Criminal law—procedure changes .....	26	Judgment lien procedures .....	49
Bowlus firehall—exceeding debt limit .....	52	Crosby, Ironton—land transfer .....	53	Juvenile Justice Advisory Committee—changes .....	27
Budget/Taxes Omnibus Bill .....	16	Dakota County, Hastings—state land sale .....	58	Juvenile prostitution—increasing penalties .....	28
Campground, manufactured home park operators—food licenses .....	22	Dakota County—library bonds .....	56	Lake improvement districts—authorization .....	57
Cemeteries—maintenance by towns .....	59	Drinking age—raised to 21 .....	29	Lake public access—restrictions .....	36
Charitable gambling—changes .....	60	Drug, burglary penalties/controlled substances tax .....	27	Lemon law—extended to leased vehicles; farm tractors .....	23
Chemical dependency consolidated fund .....	29	Duluth School District 709—civil service .....	32	Libraries—surplus documents .....	60
Child abuse prevention trust fund .....	37	Elected county officials—removal procedures .....	31	Library service fees .....	30
Child custody, support—revision .....	38	Election contest laws—recodification .....	31	Life support services/long-term care issues .....	41
Child day care regulation .....	40	Employees' right to know .....	41	Liquor licenses—cities, towns, counties .....	23
Child support—withholding rules .....	38	Energy—cost adjustment .....	34	Litchfield municipal power—loans for development .....	54
City economic development authority .....	52	Equal Access to Justice Act .....	49	Litchfield—tax increment district/unemploy. comp .....	54
Clay County, Moorhead—development authorities .....	56	Family subsidies—adoption, developmental disabilities .....	39	Local debt—for warning systems .....	54
Collector military vehicles .....	68	Farm relief package .....	11	Local government—permitting building commissions .....	57
Cologne fire station, city hall—exceeding debt limit .....	53	Fees for agency services .....	40	Local government—permitting property sales .....	54
Community Social Services Act .....	41	Fetal death, injury—criminal penalties .....	27	Local improvements—county road assessments .....	57
Comparable worth .....	39	Fish stocking, private lands/Anoka drainage repair .....	35	Local needs—Aitkin/Cambridge/McGregor/Thomson/Breezy Pt. .....	54
Compulsory attendance—home education .....	30	Fleet vehicles—registration .....	66		
Contracts for deed—cancellation .....	48	Game, fish laws—recodification .....	35		
Corporate takeover law—changes .....	22	Governor's unallotment .....	69		
		Grand Rapids—Central School Commission .....	53		
		Gravel tax—penalties .....	63		

<b>Bill</b>	<b>pg. #</b>	<b>Bill</b>	<b>pg. #</b>	<b>Bill</b>	<b>pg. #</b>
Long-term care insurance .....	47	Property taxes—sexual discrimination by golf clubs .....	64	State historical site—renaming, changing boundaries .....	36
Long-term sheltered employment program .....	42	Prosecuting attorneys—offenses .....	50	State leased lands—selling procedure .....	36
McIntosh bonding—to exceed net debt .....	55	Psychotherapists—sexual exploitation .....	50	State parks—changing boundaries .....	37
Mandatory seat belts .....	66	Public Utilities Commission—ethics, procedures .....	34	State property—exchange authority .....	37
Medina—gas line loan .....	55	Punch card voting—improvements .....	31	State retirement investment choices—expanded .....	62
Mendota Heights—special service districts .....	55	Ramsey County—abstract clerk/library bonds .....	57	State veterans' cemetery .....	68
Mental health—patients' bill of rights .....	42	Raptors—propagation, sale .....	36	State veterans homes' patients—compensation .....	68
Mental health service system .....	42	Real estate, mortgage loans, securities—regulation .....	44	Surplus property—disposal .....	40
Mental patients—escape from custody .....	28	Real property—condominium plats .....	45	Tax return—failure to file/ crimes—juvenile proceedings ..	29
Metropolitan governance—revisions, corrections .....	58	Reinvest in Minnesota (RIM) .....	36	Theft of services—technical changes .....	29
Military employees' compensation .....	68	Replevin actions—change in venue .....	50	Thomson—exchange of land .....	56
Milk—definition amended .....	15	Retired public employees—insurance, HMO policies .....	48	Ticket quotas—state patrol, DNR officers .....	66
Mineral taxation .....	64	Revisor's changes .....	50	Tobacco products—distribution regulations .....	25
Minneapolis convention center .....	55	Revisor's gender changes .....	51	Traffic violations—liability of lessors .....	66
Minneapolis—uniform elections .....	55	Rule of 85/local pension plans .....	61	Transportation omnibus bill .....	66
Minnesota Electricians Act—changes .....	24	St. Cloud convention center—taxes authorized .....	55	Transportation Regulation Board .....	67
Missing in action .....	62	St. Louis County—appointing an administrator .....	58	Unemployment insurance—reform plan .....	33
Mississippi River Act .....	62	St. Paul Ramsey Medical Center—reorganization .....	59	Uniform Limited Partnership Act—changes .....	51
Municipal fuel purchase/ sheltered workshops .....	34	St. Paul—special service districts .....	59	Veterans' bonus claims .....	68
Non-profit corporations .....	49	Savings associations—open end loan accounts .....	16	Vital statistics—county registrars .....	58
Nursing home reimbursement .....	42	Secretary of State—housekeeping changes .....	32	Voting equipment—optical scan .....	32
POW-MIA flag—State Capitol .....	68	Service stations—two-year moratorium .....	24	Washington County—bonds for water systems .....	58
Pearl Lake lakeshore—sale authorized .....	43	Services for the blind .....	43	Washington County—building sale to hospital .....	58
Physical fitness therapies—mental health programs .....	43	Severance pay .....	40	Waste management—nine-county agreement .....	58
Plumber's apprentice—definition change .....	32	Sexual abuse laws—technical corrections .....	28	Watershed management—taxing districts .....	65
Police, fire pensions—auditing requirements .....	61	Sexual solicitation—children .....	28	Wild rice license fees/Indian land resettlement .....	37
Postsecondary options—revisions .....	30	Shakopee correctional facility—sale authorized .....	45	Workers' compensation .....	33
Potato industry promotion .....	15	Shoplifting—detention clarified .....	28		
Precinct caucuses—postponement for bad weather .....	31	Soft drink distributors—regulation .....	24		
Property assessments, appeals/ Mpls appointive jobs .....	44	State Fair performers/seasonal ski employees' wages .....	33		



---

House of Representatives Public Information Office  
175 State Office Building, St. Paul, MN 55155  
(612) 296-2146

---

Speaker of the House: David M. Jennings  
Majority Leader: Connie Levi  
Minority Leader: Fred C. Norton

---